

READING BOROUGH COUNCIL

REPORT BY DIRECTOR OF ENVIRONMENT AND NEIGHBOURHOOD SERVICES

TO:	STRATEGIC ENVIRONMENT, PLANNING AND TRANSPORT COMMITTEE		
DATE:	21 NOVEMBER 2018	AGENDA ITEM:	11
TITLE:	LOCAL PLAN EXAMINATION		
LEAD COUNCILLOR:	COUNCILLOR PAGE	PORTFOLIO:	STRATEGIC ENVIRONMENT, PLANNING AND TRANSPORT
SERVICE:	PLANNING	WARDS:	ALL
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1. EXECUTIVE SUMMARY

- 1.1 The Council is replacing its existing development plans (the Core Strategy, Reading Central Area Action Plan and Sites and Detailed Policies Document) with a new single Local Plan to set out how Reading will develop up to 2036. Three consultations have been undertaken on this Local Plan between 2016 and 2018. The Local Plan was submitted to the Secretary of State on 29th March 2018, which marks the beginning of a public examination held by an independent Planning Inspector.
- 1.2 This report updates Committee on the progress with the Local Plan examination, which included public hearings that closed on 5th October. The Inspector has requested, and received, additional information from the Council and other participants, and is in the process of considering which modifications will be needed to make sure that the plan is 'sound' and legally compliant. Once this is known, consultation on these modifications will be required before a final inspector's report can be issued.

2. RECOMMENDED ACTION

- 2.1 That the progress on the public examination into the Reading Borough Local Plan be noted.

3. POLICY CONTEXT

- 3.1 The Local Plan sets out the planning policies for an area and is the main consideration in deciding planning applications. The existing local plan for Reading, previously referred to as the Local Development Framework, currently consists of three documents - the Core Strategy (adopted 2008, amended 2015), Reading Central Area Action Plan (RCAAP, adopted 2009) and Sites and Detailed Policies Document (adopted 2012, amended 2015).
- 3.2 Various changes have meant the need to review the Local Plan. In particular, the publication of the National Planning Policy Framework (NPPF) in 2012 has meant significant changes, in particular the need for local planning authorities to identify their 'objectively assessed development needs' and provide for them. The need to review the local plan as a single, comprehensive document was identified in a Local Development Scheme, which is the programme for producing planning policy documents, the latest version of which was agreed by this Committee on 23rd November 2016 (Minute 15 refers).

4. THE PROPOSAL

(a) Current Position

- 4.1 The first stage of preparing the Local Plan was consultation on Issues and Options. An Issues and Options for the Local Plan document was approved by this Committee on 24th November 2015 (Minute 22 refers), and consultation was carried out between January and March 2016. The second stage was production of a full Draft Local Plan and Proposals Map for consultation. The Drafts were approved by this Committee on 4th April 2017 (Minute 26 refers), and consultation was carried out during May and June 2017. The third stage was a Pre-Submission Draft Local Plan and Proposals Map, which was approved by this Committee on 22nd November 2017 (Minute 14 refers), and consultation on which was carried out between November 2017 and January 2018.
- 4.2 The Council received 193 written responses to the Pre-Submission Draft Local Plan (although one of these was a petition with 142 signatures). The responses that were received were in general quite detailed, and a total of 583 individual comments were made. A full Statement of Consultation on the Pre-Submission Draft Local Plan is on the Council's website¹, but in summary, the following issues were raised:
- Generally, there was support for trying to accommodate the need for 671 homes per annum from the development industry. Adjoining authorities noted the position regarding the expected unmet needs.

¹ http://www.reading.gov.uk/media/8684/LP006-Statement-of-Consultation-on-PreSubmission-Draft-Local-Plan/pdf/LP006_Statement_of_Consultation_on_PreSubmission_Draft_Local_Plan.pdf

- Many individuals expressed support for encouraging higher density growth in the town centre, while some individuals expressed concern about the number of flats planned and the need for more family housing, as well as affordability concerns.
- Many developers requested more flexibility, particularly with regard to energy efficiency, design and affordable housing. Additionally, some developers considered the requirement of employment development to mitigate impacts on housing to be onerous.
- A number of developers supported the Council's inclusion of a Private Rental Sector policy in order to encourage build-to-rent properties, but many disagreed with the specific approach taken and recommended changes.
- Many individuals expressed concern about the impacts of new development on existing infrastructure, citing traffic congestion, limited school places and crowded GP surgeries, particularly in the north of Reading.
- In terms of sites allocated for development, the sites that generated the largest volume of responses (most opposing development), were
 - Land at Kentwood Hill (WR3s) and Land at Armour Hill (WR3t)
 - Part of Reading Golf Course at Kidmore End Rd (CA1b)
 - Potential Traveller Transit Site at Cow Lane (WR4)²
- Many developers and landowners who had put forward sites earlier in the process responded with support.
- Some individuals expressed concerns about the impacts of tall buildings on the character of the town.
- Some landowners and developers advocated other sites located just outside Reading's boundary, around Grazeley in Wokingham Borough and around the edges of Caversham and Emmer Green in South Oxfordshire District, as potential sites to help meet Reading's housing need.
- Numerous individuals and community groups expressed strong support for retention and improvement of existing open spaces. A number of responses were in relation to identification of sites as Local Green Space. The site most frequently mentioned was Mapledurham Playing Field.

² The Council recommended during the examination process that the Cow Lane site be withdrawn, in line with the decision of Policy Committee on 11th June 2018 (Minute 9 refers). The removal of this site is therefore expected to be one of the Inspector's 'main modifications' discussed in paragraph 4.13 to 4.15.

- There were a number of detailed technical comments on the environmental policies from respondents such as the Environment Agency and Natural England.
 - Historic England, community groups and individuals were pleased with the greater emphasis placed on heritage within the Local Plan.
- 4.3 After consultation on the Pre-Submission Draft Local Plan, the Council made a number of minor changes to the plan that did not alter the policy direction (see the Schedule of Minor Changes on the Council's website³), as agreed by this committee on 22nd November 2017 (Minute 14 refers), and submitted the Local Plan to the Secretary of State on 29th March 2018.
- 4.4 Submission of a Local Plan document marks the beginning of a public examination, during which an independent Inspector considers whether the plan is sound, legally compliant and fulfils the duty to co-operate. The Planning Inspector appointed to examine the Local Plan was Louise Gibbons, who set the programme, procedure and main issues for the examination.
- 4.5 The main focus of the examination was a set of public hearings held between 25th September and 5th October 2018 in the Town Hall, in which Council officers and those invited to take part spoke to discuss the soundness and legal compliance of the plan. Those invited to speak generally consisted of those who had made representations on the Pre-Submission Draft Local Plan, but the Inspector had discretion to invite others to participate, and used this discretion in one case (see paragraphs 4.11 and 4.12 below).
- 4.6 There are a number of documents associated with the examination on the Council's website⁴, including lists of topics, agendas and hearing statements from participants.
- 4.7 The hearings have now closed. The outcome of the examination will not be known until the Inspector produces her final report. However, the Inspector said on the final day of the hearings that she does not expect to produce an 'interim report'. An 'interim report' is generally produced where the Inspector considers that there are fundamental soundness issues with a Plan, and therefore this statement was positive. However, the Inspector asked for a variety of additional information to be submitted.
- Additional information*
- 4.8 The Inspector requested a number of additional pieces of information or actions from the Council and other participants in response to issues that arose during the hearings, and gave a deadline of 9th November for their

³ http://www.reading.gov.uk/media/8660/LP008-Schedule-of-Minor-Changes-prior-to-Submission/pdf/LP008_Schedule_of_Minor_Changes_prior_to_Submission.pdf

⁴ www.reading.gov.uk/localplanexamination

production. A full list of the information requested is on the Council's website⁵. There are three areas in particular worthy of highlighting.

- 4.9 Firstly, the Inspector was not clear how the requirement to assess the effect that policies would have on development viability has been taken into account, particularly for policies H4 on build to rent developments and H5 on standards for new housing regarding internal space, energy and water efficiency, and accessibility. Therefore, the Council, in conjunction with its viability consultant, produced additional detail on how these matters have been taken into account.
- 4.10 Secondly, the Inspector asked the Council to produce a Statement of Common Ground with the University of Reading. The University had a number of objections to the Local Plan, and attended many of the hearing sessions. In particular, in one of their hearing statements the University stated that the intention was to increase student numbers by 31%, i.e. an extra 5,000 to 6,000 students, by 2028. This intention had not previously been articulated to the Council, and would clearly have very significant implications, not only in terms of student accommodation, but also on a whole range of issues. Officers set out their strong concerns about this level of growth. The Inspector requested the Statement of Common Ground to set out both parties' positions on this, and a range of other matters including minor wording changes, whether or not there was agreement. This Statement was completed and is available on the Council's website⁶.
- 4.11 Finally, there was significant discussion around the proposed allocation of Part of Reading Golf Club at Kidmore End Lane (site CA1b in the Local Plan). The Local Plan allocation identified two holes on the golf course for development for 90-130 dwellings and a new clubhouse, which was the Golf Club's initial proposal to secure the financial future of the club. However, Reading Golf Club (RGC) has recently agreed to work with a developer, Wates, to bring forward proposals for the entire golf course, which also extends into South Oxfordshire. RGC did not make a formal comment on the Local Plan, and were not therefore expected to participate in the hearings. However, as the hearings began, RGC wrote to the Inspector asking to be given a place at the table. The Inspector agreed to this request on the basis that the discussion was limited to the existing allocation in the Local Plan, rather than the emerging proposals from RGC and Wates for the whole area. The particular concern of the Inspector was whether the allocation in the Local Plan was deliverable.
- 4.12 Further to the hearing session, the Inspector asked RGC to provide written evidence regarding the deliverability of the Local Plan allocation and any changes they propose, which would then be circulated for comment by the Council and anyone who responded to this allocation in the Pre-Submission Draft Local Plan. RGC produced a statement which is

⁵ http://www.reading.gov.uk/media/9643/EI013-List-of-Examination-Outstanding-Actions/pdf/EI013_List_of_Examination_Outstanding_Actions.pdf

⁶ To be added once complete

on the Council's website⁷. This was sent out to all those who commented on this site with a deadline of 9th November for responses, and more than 50 responses were received. These are set out on the website⁸, as is the Council's own response to the information⁹.

Main modifications

- 4.13 Once she has considered the additional information that she requested, the Inspector is expected to identify a number of instances where 'main modifications' are required. 'Main modifications' are those changes that affect the direction or interpretation of policy, and therefore require an additional consultation stage. The process is that the Inspector identifies a list of areas where modifications will be required, but that it is for the Council to draft and then consult on these modifications, and then formally request that the Inspector make them. Without these 'main modifications', the Local Plan will not be found 'sound' and/or legally compliant, and cannot be adopted.
- 4.14 The Inspector already highlighted a number of these potential changes during the hearings, so it is clear that this additional consultation stage will be required. This is not unexpected, as 'main modifications' are now regularly required by Inspectors. The Council went through two 'main modifications' stages in 2012 on its Sites and Detailed Policies Document.
- 4.15 The timing of this list of 'main modifications' is in the Inspector's hands, and therefore it is not possible to be precise about when a report can be brought to a committee to request approval to consult on these modifications. It is hoped that these may be available in time to be discussed at Policy Committee on 14th January 2019.

Next steps

- 4.16 A consultation on 'main modifications' will need to last for at least six weeks, and will need to be undertaken in line with the Council's consultation process for planning policy, as set out in the adopted Statement of Community Involvement (adopted March 2014). Following this, the Council will write to the Inspector formally requesting that these modifications, incorporating any amendments as a result of consultation, be made.
- 4.17 The expectation will then be that the Inspector will produce a report on the soundness and legal compliance of the Local Plan, incorporating the main modifications. If the plan is found sound and legally compliant, it can then proceed to adoption. If not, the Council will need to reconsider its approach, and prepare a new version. No timescales have been given for production of the final Inspector's Report at this stage, but for past development plans it has taken around two months after the final

⁷ [http://www.reading.gov.uk/media/9599/EP043-Additional-Information-from-Reading-Golf-Club/pdf/EP043_Additional_Information_from_Reading_Golf_Club_\(1\).pdf](http://www.reading.gov.uk/media/9599/EP043-Additional-Information-from-Reading-Golf-Club/pdf/EP043_Additional_Information_from_Reading_Golf_Club_(1).pdf)

⁸ To be added once complete

⁹ To be added once complete

request for main modifications. This could mean receipt of a final report, and therefore adoption, in Spring 2019.

(b) Option Proposed

4.18 Committee is recommended to note the progress made on the Local Plan examination.

(c) Other Options Considered

4.19 At this stage, there are no alternative options to consider.

5. CONTRIBUTION TO STRATEGIC AIMS

5.1 The Local Plan, through setting out the way Reading will develop to 2036, will contribute to the following priorities in the Corporate Plan 2018-21:

- Securing the economic success of Reading;
- Improving access to decent housing to meet local needs;
- Keeping Reading's environment clean, green and safe;
- Promoting great education, leisure and cultural opportunities for people in Reading.

6. COMMUNITY ENGAGEMENT AND INFORMATION

6.1 The Local Plan has been through three community involvement stages. Community involvement on Issues and Options for the Local Plan took place in January, February and March 2016. Consultation on the Draft Local Plan started in May 2017, and on the Pre-Submission Draft Local Plan in November 2017. All consultation phases were carried out in line with the Council's consultation process for planning policy, as set out in the Statement of Community Involvement (adopted March 2014).

6.2 The Planning Inspector is expected to identify a number of 'main modifications' to the Local Plan as a result of the examination process. These modifications require a further six-week period of consultation, which will also be carried out in line with the Statement of Community Involvement. The consultation would be focused on the main modifications only, not the remainder of the Local Plan. A report will need to be brought to a future committee meeting to approve these modifications for consultation, and timescales for doing so will depend on the Inspector's consideration of the additional information set out in paragraphs 4.8 to 4.12.

7. EQUALITY ASSESSMENT

7.1 The Sustainability Appraisal of the Pre-Submission Draft Local Plan incorporates the requirement to carry out a screening stage of an Equality Impact Assessment. A full Sustainability Appraisal that examines the effects of each policy and development site within the plan

was submitted alongside the Local Plan on 29th March 2018¹⁰. It did not identify any significant adverse impacts on specific groups due to race, gender, disability, sexual orientation, age or religious belief.

8. LEGAL IMPLICATIONS

- 8.1 Local plans are produced under the Planning and Compulsory Purchase Act 2004. The process for producing local plans is set out in the Town and Country Planning (Local Planning) (England) Regulations 2012. Regulation 22 sets out the process for submission of Local Plans, including which documents should be published at that stage. Regulations 23, 24 and 25 concern the process for examination of a Local Plan and publication of an Inspector's Report.

9 FINANCIAL IMPLICATIONS

- 9.1 Production of the Local Plan up to examination stage has been carried out within existing planning budgets. The holding of an examination is a significant cost to the Council and the full scale of the cost will only become known once the Inspector's Report has been issued and the Planning Inspectorate provides an invoice. The Council has sought to minimise the length and scope of the examination by seeking to resolve objections before the examination. This cost is expected to fall within the 2018-19 financial year.

Value for Money (VFM)

- 9.2 The preparation of a local plan ensures that developments are appropriate to their area, that significant effects are mitigated, that contributions are made to local infrastructure, and that there are no significant environmental, social and economic effects. Robust policies will also reduce the likelihood of planning by appeal, which can result in the Council losing control over the form of some development, as well as significant financial implications. Production of the local plan, in line with legislation, national policy and best practice, therefore represents good value for money.

Risk Assessment

- 9.3 There are no direct financial risks associated with the report.

BACKGROUND PAPERS

- Planning and Compulsory Purchase Act 2004
- Localism Act 2011
- The Town and Country Planning (Local Planning) (England) Regulations 2012

¹⁰ http://www.reading.gov.uk/media/8050/Sustainability-Appraisal-of-the-PreSubmission-Local-Plan-1117/pdf/Sustainability_Appraisal_of_the_Presubmission_Local_Plan_1117.pdf

- National Planning Policy Framework
- Local Development Scheme 2016
- Submission Draft Local Plan, March 2018
- A wide range of evidence on various matters available on www.reading.gov.uk/localplanexamination