

READING BOROUGH LOCAL PLAN EXAMINATION

LEGAL REQUIREMENTS AND PROCEDURAL MATTERS

Reading Borough Council response to Issue 1:

Have the relevant procedural requirements been met, including the duty to co-operate?



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Q1. Has the LP been prepared in accordance with the Duty to Co-operate and does it fully meet this legal requirement?

The Local Plan has been prepared in accordance with the Duty to Co-operate. A Duty to Co-operate Statement (EV001) has been prepared which details how the duty has been complied with throughout the process of preparing the Local Plan.

Q1a. What are the key outcomes from the co-operation with neighboring authorities, particularly relating to the shortfall of dwellings and Gypsy and Travellers and Travelling Showpeople accommodation identified within the Reading area, education provision and transport?

As set out in answer to Q1 above, the full record of duty to co-operate measures undertaken in preparing the Local Plan is contained in the Duty to Co-operate Statement (EV002). However, in summary, the following represent the key outcomes of co-operation with neighbouring authorities.

Joint evidence base production

There have been a number of key pieces of evidence that have been undertaken jointly with neighbouring authorities, particularly with the other three authorities in the Western Berkshire Housing Market Area. In particular, these were:

- Berkshire (including South Bucks) Strategic Housing Market Assessment (EV011)
Key outcomes - Housing Market Area definitions and housing need figures agreed by the six Berkshire unitary authorities;
- Berkshire Functional Market Area Study (EV008)
Key outcome - Functional Economic Market Area definition agreed by the six Berkshire unitary authorities;
- Central Berkshire Economic Development Needs Assessment (EV009)
Key outcome - economic development needs agreed by the four Central Berkshire FEMA unitary authorities;
- Western Berkshire Retail and Commercial Leisure Assessment (EV020)
Key outcome - retail and commercial leisure development needs agreed by the four Western Berkshire HMA unitary authorities;
- Berkshire Housing and Economic Land Availability Assessment Methodology (EV013)
Key outcome - methodology for assessing development capacity agreed by five of the six Berkshire unitary authorities, which led to the Reading HELAA approach and the assessment of the scale of unmet need.

West of Berkshire Spatial Planning Framework (OP004)

A non-statutory spatial framework prepared by the four Western Berkshire HMA authorities to consider opportunities for growth and infrastructure needs.
Key outcome - providing a wider context to Reading's own plan and beginning the conversation about how growth and infrastructure can be provided across boundaries.

Memorandum of Understanding on Reading's Unmet Needs

This Memorandum of Understanding (see Appendix 5 to the Duty to Co-operate Statement, EV001) signed by all four Western Berkshire HMA authorities agrees that Reading cannot meet its own housing needs in full, and agrees to the principle that these needs should be met within the HMA. Due to the stage that other authorities are at with their Local Plans, it has not been possible to apportion specific figures to specific authorities. Policy H1 commits the Council to working with neighbours to ensure that the shortfall is met.

Key outcome - setting out how unmet housing needs will be dealt with.

Memorandum of Understanding with South Oxfordshire District Council

This Memorandum of Understanding (see Appendix 5 to the Council's Response to Initial Comments and Questions, EC001) is between the Council and South Oxfordshire District Council, and covers matters including respective housing and economic development needs, cross-boundary transport matters, specifically crossing of the Thames and park and ride, and gypsy and traveller provision.

Key outcome - providing clarity on a number of cross-boundary matters.

Gypsies, Travellers and Travelling Showpeople Accommodation

Although the Council has engaged under the duty to co-operate on this issue (including stakeholder engagement on the Gypsy and Traveller, Travelling Showpeople and Houseboat Dweller Accommodation Assessment, ongoing liaison through meetings and informal consultation, and a formal duty to co-operate request to neighbouring authorities regarding Reading's unmet needs), there is no one specific outcome that the Council can point to in terms of Reading's unmet needs being accommodated. The efforts that the Council has made under the duty are set out in the Duty to Co-operate Statement.

Education

Again, although there has been engagement under the duty to co-operate on education matters, with it being discussed in liaison with Oxfordshire County Council, Wokingham Borough Council and West Berkshire District Council (see for example meetings on 24/04/2017, 12/09/2017 and 25/09/2017 listed in Appendix 2 to the Duty to Co-operate Statement), there is no one clear outcome other than the absence of concerns in representations from Wokingham and West Berkshire about the education issues. There is an outstanding objection from Oxfordshire County Council on education matters, and the primary concern is that a new secondary school in a location north of the Thames could negatively affect the viability of schools within Oxfordshire. However, in addition to the detail set out in section 3.3 of the Duty to Co-operate Statement, this issue has moved on since Submission, and a preferred site for a secondary school south of the Thames has now been identified (see answer to question 25 of the Initial Comments and Questions, EC001). From the Council's perspective, this would seem to go some way to addressing these concerns. The Council has sought a Statement of Common Ground with Oxfordshire County Council on this, but has not so far been successful.

Transport

The Memorandum of Understanding with South Oxfordshire District Council contains in particular an agreed position park and ride and crossing of the Thames. As well

as SODC, Oxfordshire County Council is part of the Cross-Thames Travel Group, and co-operation on crossing of the Thames continues with both authorities. On other matters, whilst there has been engagement with OCC under the duty to co-operate, there have not been specific outcomes, and there are outstanding representations in relation to park and ride and crossing of the Thames.

For other neighbouring authorities, again there has been considerable engagement under the duty to co-operate, but there is not one clear outcome other than that there are no significant concerns raised about the transport impacts of development. The Council works with the other Berkshire authorities on strategic transport issues as a matter of course, through the Berkshire Strategic Transport Forum, and also the Berkshire Local Transport Body, which prioritises and implements transport capital schemes on behalf of the Thames Valley Berkshire LEP¹. There is also considerable joint work on specific schemes, such as the Cross-Thames Travel Group.

A Statement of Common Ground has been signed with Highways England relating to impacts on the Strategic Road Network, which is included as an Appendix to the Hearing Statement on Issue 8, but, although this forms part of the duty to co-operate, it does not emerge from co-operation with neighbouring authorities.

Q1b. Is the housing market area and functional economic areas agreed with adjoining authorities, and are they suitably defined?

The housing market area was agreed by all four of the authorities within the Western Berkshire Housing Market Area in signing off the conclusions of the Berkshire (with South Bucks) Strategic Housing Market Assessment. The commitment to this Housing Market Area was recently reiterated in paragraphs 3.1 and 3.2 of the Memorandum of Understanding on Objectively Assessed Needs (EC002), signed by all six Berkshire authorities.

The functional economic market area was agreed by all six commissioning authorities for the Berkshire Functional Economic Market Area Study, which includes all four of the authorities within the Central Berkshire FEMA as well as the adjoining West Berkshire District Council.

South Oxfordshire District Council is the only adjacent authority to Reading not party to the above documents, and section 2 of the Memorandum of Understanding with South Oxfordshire (included as Appendix 5 to EC001) sets out that both RBC and SODC recognise the respective Housing Market Areas and Functional Economic Market Areas.

The only local authorities known to disagree with the definitions of the HMA and FEMA within which Reading sits are Chiltern and South Bucks District Councils, as

¹ More detail on the Berkshire Strategic Transport Forum and Berkshire Local Transport Body is available here:
<http://www.thamesvalleyberkshire.co.uk/berkshire-strategic-transport-forum>

detailed in their joint representations to the Pre-Submission Draft Local Plan. Neither of these authorities adjoin Reading.

In terms of whether these areas are suitably defined, Chapter 2 of the Berkshire (including South Bucks) Strategic Housing Market Assessment (EV011) sets out how the Housing Market Areas have been defined, whilst the entirety of the Berkshire Functional Market Area Study Report (EV008) sets out how the Functional Economic Market Areas have been defined. As fully justified in those documents, both definitions are on the basis of a 'best-fit' to local authority boundaries. This accords with guidance for housing market areas in the Planning Advisory Service Technical Advice Note (July 2015), and is appropriate based on the limited availability of important data such as migration at below local authority level.

Q2. Has the LP been prepared to comply with the adopted Statement of Community Involvement (PP002), and does it meet the minimum consultation requirements set out in the Regulations?

The Council's Statement of Community Involvement (PP002) was adopted in March 2014, and has been in place for the whole period of producing the Local Plan. The Local Plan has therefore been produced in compliance with the SCI. Section 3.4 (p25-28) of the Local Plan Background Paper (EV002) sets out in more depth how the Local Plan complies with the SCI.

The Local Plan has met, and often exceeded, the minimum consultation requirements set out in the Regulations. The requirements are listed below together with a brief reference to how they have been met.

Regulation 18 - Issues and Options	
Regulation 18 (1) (a) and (b)	E-mail to all organisations or individuals listed in Appendix 1 of LP015, which includes those specified in Regulation 18 (2), notifying them of consultation and inviting representations.
Regulation 18 (3)	LP016 sets out how the representations received were taken into account.
Regulation 18 - Draft Local Plan	
Regulation 18 (1) (a) and (b)	E-mail to all organisations or individuals listed in Appendix 1 of LP012, which includes those specified in Regulation 18 (2), notifying them of consultation and inviting representations.
Regulation 18 (3)	Appendix 7 of LP012 sets out how the representations received were taken into account.
Regulation 19 - Pre-Submission Draft Local Plan	
Regulation 19 (a)	Proposed submission documents (Local Plan and Proposals Map) made available at Civic Offices and Council libraries for eight week period.
Regulation 19 (b)	E-mail to all organisations or individuals listed in Appendix

	1 of LP006, which includes those consulted on Regulation 18 versions ² , setting out the matters required by Regulation 19(b) - see Appendix 2 of LP006 for text of e-mail.
Regulation 20 Regulation 22 (d)	Representations made in accordance with Regulation 20 form part of the submitted evidence base as LP007.
Regulation 22 (c)	LP006 sets out the matters required by (i)-(vi)

Q3. Is the Sustainability Appraisal (LP005) suitably comprehensive, and is it clear how the Sustainability Appraisal influenced the final plan and dealt with mitigation measures? Has it sufficiently evaluated reasonable alternatives including in meeting housing needs including student accommodation and employment provision?

The Local Plan is supported by a full Sustainability Appraisal (SA), including scoping level equality impact assessments and habitat regulations assessment according to the requirements of the SEA directive as described in Section 3.5 (pages 28-31) of the Local Plan Background Paper (EV002). The SA assessed each policy and site allocation at multiple stages during development of the Local Plan, from January 2016 to March 2018. The SA and Local Plan process have effectively run parallel to each other. Conclusions drawn during completion of the SA resulted in changes to further iterations of the Local Plan, such as determining the amount of units appropriate on each site or adding language to require mitigation measures. A summary of the process is described beginning in paragraph 2.1.4 (page 4) of the Pre-submission Draft SA (LP005).

The following documents together form the complete SA:

PP003 Sustainability Appraisal Scoping Report	Sept 2014
LP014 Sustainability Appraisal of the Local Plan Issues and Options	Jan 2016
LP011 Sustainability Appraisal of the Draft Local Plan	May 2017
LP005 Sustainability Appraisal of the Pre-Submission Draft Plan	Nov 2017

A note on requested changes to the Sustainability Appraisal following the Pre-Submission Draft Plan was prepared in March 2018 and included as Appendix 8 of the Statement of Consultation on the Pre-Submission Local Plan (LP006). A final version incorporating these changes will be published at adoption.

Each of the four documents listed above were subject to a period of public consultation of at least six weeks each. Statements of each consultation (LP006, LP012, LP015) included comments on the SA. Representations led to changes in the SA's conclusions and these changes were reflected in subsequent versions.

For sites whose preferred options revealed possible negative sustainability effects, mitigation measures were added to the text of the allocation. For example, preferred options resulting in negative impacts with regard to objective 6

² Unless, in the case of general consultation bodies, they had been removed from consultation lists by request or had changed contact details without notifying the Council

(minimise air, water, soil/ground and noise pollution, and improve existing areas of contaminated land and poor air and water quality) included additional language in the Local Plan, i.e. "Development should address air quality impacts on residential use." Mitigation requirements that regularly appear include measures to improve air quality, contamination, education and healthcare, and flood risk.

Mitigation measures required in site allocations and policies are closely aligned with the SA objectives. Each table in the SA includes measures that can be taken to mitigate any adverse impacts identified within the assessment of the preferred option. Specific requirements for mitigation are included in the Local Plan text for individual development sites. Generally, negative impacts can be mitigated through cross-cutting policies in the document. For example, any negative impacts with regard to the historic environment (SA objective 10) will be mitigated through the requirements of policies EN1-EN6, as well as through any specific heritage-related mitigation requirements listed for the specific allocation. In some cases, mitigation measures include a requirement for a further assessment, such as a noise assessment or transport assessment.

Reasonable alternatives were initially discussed in the Issues and Options Paper (LP013). This paper sets out all of the high-level options for the Local Plan strategy and a range of options for each potential site, and provides commentary on how these have been derived. Alternatives included must be "realistic," thus options with no prospect of being achieved were not considered. For example, a high-rise residential development would not be considered within a low-density residential suburb with poor public transport access. Subsequent versions of the SA generally included reasonable alternatives proposed by stakeholders during public consultation. Reasonable alternatives were considered at the same level of detail across all stages of the process. More background on reasonable alternatives is provided throughout the Local Plan Background Paper (EV002), which lists the reasonable alternatives for each policy and site and why they were rejected.

A detailed consideration of possible alternatives for meeting Reading's housing need is included in the Local Plan Issues and Options Paper (LP013) in Section 3.5 (p7-11). Reasonable alternatives were developed using the outputs of the Berkshire Strategic Housing Market Assessment 2016 (EV011) as a baseline. All iterations of the SA consider alternatives including:

- Meeting the full objectively assessed need for Reading within the Borough;
- Providing less than the full objectively assessed need based on the past delivery;
- Providing the maximum that would be achievable without significant loss of greenfield land or employment areas; and
- Providing significantly more than the objectively assessed need.

Again, each subsequent version of the SA was influenced by comments made by stakeholders during periods of consultation. The Pre-Submission Draft SA assesses Policy H1: Provision of Housing (p81) (LP005). Alternatives for higher or lower densities were assessed. For example, higher densities were often found to reveal negative visual impacts or potential negative impacts of existing infrastructure. In turn, lower densities often yielded potential negative effects in terms of housing provision, representing a missed opportunity to provide much needed housing

provision. The indicative density range proposed for each site has been influenced by these conclusions.

In terms of student accommodation, the SHMA identified that the number of students at the University of Reading has fallen in recent years. However, the number of students is expected to increase significantly in the next four years. When considered together with new developments underway, no clear numerical need for additional accommodation has been identified. Because changes in student numbers are very hard to predict, a separate policy is included in the Local Plan and has been subject to SA along with reasonable alternatives. The Pre-Submission Draft SA assesses policy H12: Student Accommodation on page 102 (LP005).

Consideration of employment provision is located on page 74 of the Pre-Submission Draft SA (LP005). In order to accurately manage the relationship between employment development and housing, three scenarios were considered including labour demand, past completion rates and labour supply. A detailed discussion of these scenarios is in Section 4.3 (pages 65-67) of the Submission Draft Local Plan (LP001). These scenarios are aligned with the options considered in the sustainability appraisal.

In relation to specific comments made on aspects of the Sustainability Appraisal, please see the Council's response to those representations in the Statement of Consultation on the Pre-Submission Local Plan (LP006).