

CROSS-CUTTING POLICIES

Reading Borough Council response to Issue 4:

Are the Cross Cutting Policies justified, deliverable and consistent with national policy?



Q1. In assessing the viability of the LP has the effect of the requirements of policies seeking contributions and standards (for example in Policy H5) been taken into account, and if so is this robustly demonstrated?

The Local Plan Viability Assessment (EV006) tests borough wide residential development viability. This focusses particularly on Policy H3: Affordable Housing, as this policy is expected to impact developers' margins more than other standards and contributions required. This analysis confirms that the requirements, together with the Council's Community Infrastructure Levy rates, as well as other requirements such as in H5, do not present a burden to developers that would stifle the delivery of the Plan. This evidence is set out in full in section 4.36 (pages 119 to 129) of the Local Plan Background Paper (EV002).

Should economic circumstances change, policies generally include reference to viability considerations being taken into account. Should requirements genuinely prevent a viable scheme from being developed, the Council will exercise flexibility. The amendment of CIL rates and re-testing of viability during regular Local Plan reviews will be used to ensure that requirements are not set as to discourage development.

The Council's response to Issue 7, Question 4 covers these issues in more depth in relation specifically to affordable housing.

Q2. Whether Policy CC1 is justified and effective having regard to national policy? Does the submitted plan properly reflect the presumption in favour of sustainable development in the NPPF?

The 2012 NPPF sets out a presumption in favour of sustainable development as a golden thread running through both plan-making and decision-taking. For plan-making, this means:

- "local planning authorities should positively seek opportunities to meet the development needs of their area;
- Local Plans should meet objectively assessed needs, with sufficient flexibility to adapt to rapid change, unless:
 - any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole; or
 - specific policies in this Framework indicate development should be restricted." (paragraph 14)

This approach has been central to the Local Plan. The plan sets out to meet the development needs of its area, including objectively assessed needs, and does so for most types of development, including for economic development and retail and leisure needs. For housing, a shortfall has been identified, in particular because meeting those needs in full would demonstrably outweigh the benefits, as demonstrated through the Housing and Economic Land Availability Assessment

process. Section 3.9 of the Local Plan Background Paper (EV002) outlines measures that will be taken to ensure flexibility in changing circumstances.

Policy CC1: Presumption in Favour of Sustainable Development reflects this requirement at the forefront of the Plan. The justification for this policy is described in Section 4.1 of the Local Plan Background Paper (EV002). The policy text is based on a model policy, required to be inserted into virtually all development plans since the NPPF and contained in existing policy SD1 in the Sites and Detailed Policies Document (PP006).

In terms of effectiveness, CC1 will not be effective in isolation, and is to be delivered through the remainder of the Local Plan, which outlines a positive strategy for growth, seeking to meet its housing, economic and other needs whilst ensuring that development is truly sustainable in terms of its economic, social and environmental impacts. Through annual monitoring and compliance with the monitoring framework in Section 11 of the Local Plan, emerging issues will be kept under review.

Q3. Is there sufficient justification supported by the evidence for applying Policy CC2 to all development within the Borough? Is the approach to BREEAM consistent with national policy?

The justification for Policy CC2 is detailed in Section 4.2 of the Local Plan Background Paper (EV002).

New development has an important role to play in reducing environmental harm and the amount of development proposed during the plan period has the potential to increase emissions and energy consumption, contributing to climate change, as frequently highlighted in the Sustainability Appraisal. These impacts can be effectively mitigated by requiring development to meet high environmental standards.

BREEAM is a well-established method of assessing and certifying the sustainability of buildings. For a number of uses, including offices, the requirements are unlikely to affect viability. However, where some developments find this difficult, applicants must demonstrate that the standard to be achieved is the highest possible. The policy contains language to ensure flexibility in cases where viability is affected, i.e. "Development is required to meet BREEAM 'Excellent' standards, *where possible*." Developments in Reading tend to already have something of a head start in achieving high BREEAM scores as they are located on sites well-served by non-car transport. In the past in Reading, there have not been particular difficulties in achieving BREEAM standards for most forms of building and higher BREEAM standards can be comfortably achieved for most forms of development.

This policy is consistent with the revised NPPF's requirement in Paragraph 148 to "support the transition to a low carbon future in a changing climate" by "contributing to radical reductions in greenhouse gas emissions, minimising vulnerability and improve resilience; encourage the reuse of existing resources, [...]"

and support renewable and low carbon energy and associated infrastructure.” Additionally, the Government Response to the Draft Revised NPPF Consultation states in response to Question 33:

“To clarify, the Framework does not prevent local authorities from using their existing powers under the Planning and Energy Act 2008 or other legislation where applicable to set higher ambition. In particular, local authorities are not restricted in their ability to require energy efficient standards above Building Regulations.”

Q4. Is the plan positively prepared in relation to climate change? Having regard to the Policy CC3, CC4 and other policies within the LP, would the LP be effective and consistent with national policy and legal requirements in relation to climate change?

Reducing developments’ effects on the climate and adapting to climate change is a major objective of the Local Plan (Section 2.2.2). This is supported particularly by policies CC3 and CC4, as well as other policies within the LP (notably CC2 and H5). Each policy and site within the Plan has been assessed in the Sustainability Appraisal (LP005) for its impacts regarding CO₂ emissions, adaptability to extreme weather and efficient use of natural resources. Negative impacts with regard to these objectives will be mitigated by other policies within the Plan. CC3 and CC4 will help to mitigate any negative climate-related effects of development. As such, it is positively prepared in relation to climate change as it helps to ensure that meeting objectively assessed needs is consistent with achieving sustainable development.

CC3 requires all developments to demonstrate how they have been designed to incorporate measures to adapt to a changing climate. These considerations are detailed in Section 4.3 of the Local Plan Background Paper (EV002). This fulfills the NPPF’s requirement to minimise the vulnerability of developments in the face of flood risk, increasing temperatures, water supply impacts and changes to biodiversity and landscape. This policy should be read in tandem with Policy EN18: Flooding and Sustainable Drainage Systems.

CC4 requires that developments consider and, where possible, secure energy through decentralised sources. This is detailed in Section 4.4 of the Local Plan Background Paper (EV002). This fulfills the NPPF’s requirement to increase the use and supply of renewable and low carbon energy. Feasibility studies commissioned by RBC have identified potential opportunities for district heat provision, particularly within the town centre. This policy is worded with flexibility to allow for changes in technology in the future and with respect to suitability, feasibility and viability.

The Local Plan is prepared within the context of Reading’s Climate Change Strategy 2013-2020 (OP007). This aims to reduce Reading’s carbon footprint by 34% by 2020 when compared to 2005 levels and notes good progress in terms of reducing Reading’s Carbon Footprint thus far. It states that planning policies should

“support the reduction of greenhouse gas emissions directly and indirectly from the borough” and “reduce the risks of climate change to the communities of Reading.”

These policies, like CC2 above, are consistent with the 2012 NPPF’s requirement in paragraph 17 to “support the transition to a low carbon future in a changing climate” and in paragraph 93 for “helping shape places to secure radical reductions in greenhouse gas emissions, minimising vulnerability and providing resilience to the impacts of climate change, and supporting the delivery of renewable and low carbon energy and associated infrastructure.”

Q5. Is Policy CC7 justified, effective and consistent with national policy? Is the policy internally consistent and does it avoid undue repetition?

Policy CC7 fulfills the 2012 NPPF’s requirement that plans “develop robust and comprehensive policies that set out the quality of development that will be expected for the area” (paragraph 58) and that policies should “ensure that developments:

- will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;
- establish a strong sense of place, using streetscapes and buildings to create attractive and comfortable places to live, work and visit;
- optimise the potential of the site to accommodate development, create and sustain an appropriate mix of uses (including incorporation of green and other public space as part of developments) and support local facilities and transport networks;
- respond to local character and history, and reflect the identity of local surroundings and materials, while not preventing or discouraging appropriate innovation;
- create safe and accessible environments where crime and disorder, and the fear of crime, do not undermine quality of life or community cohesion; and
- are visually attractive as a result of good architecture and appropriate landscaping.”

Good design is a key aspect of sustainable development and an integral part of good planning. Policy CC7 will ensure compliance with the NPPF while improving the quality-of-life of Reading’s residents by creating a sense of place. Key considerations of this policy are discussed in Section 4.7 of the Local Plan Background Paper (EV002). To ensure effectiveness, all major developments should be accompanied by a design and access statement and some major proposals will be referred to the Design Review Panel where there are significant design implications.

This policy is consistent with other policies in the plan, particularly Policies EN1-EN6 dealing with the historic environment, Policies EN7-EN9 regarding open space and H2: Density and Mix. Further detail regarding design in the town centre is provided in Policy CR2: Design in Central Reading. It is also internally consistent, with all of the expectations of the policy capable of being reflected within any one

development. There is not considered to be undue repetition. It is only character where there may be some overlap between parts of the policy, but there are distinct emphases of the different references.

Q6. Is the third bullet in Policy CC8 consistent with the requirements in relation to tall buildings? Is the application of the back-to-back distances sufficiently flexible in relation to town centre residential development?

The third bullet point in policy CC8 is that there should not be a detrimental impact on the living environment of existing residential properties or unacceptable living conditions for new residential properties, in terms of visual dominance and the overbearing effects of a development. It is considered that this is consistent with the requirements for tall buildings, and that this policy will need to apply to proposals for tall buildings as for any other developments. The degree to which a tall building will be overbearing and visually dominant will depend partially on the context of the surrounding built form. The Tall Buildings Strategy (EV030) included consideration of the townscape capacity for tall buildings, recommending only those locations as suitable for tall buildings where larger-scale built form is characteristic, and this factor has therefore been considered in determining the general tall building cluster locations. There should be no locations within these clusters where it is inevitable that tall buildings will have an unacceptable effect in terms of visual dominance or overbearing. Locations where this would be likely to be the case, such as for example the Riverside area north of Vastern Road (allocated as CR11g), are excluded from the final cluster definitions in the Local Plan, although in the case of Riverside the amenity issues are more due to the related concern of overshadowing.

There is not considered to be any reason why developments in the town centre should intrinsically have difficulty in providing back-to-back distances of more than 20 metres. The Council has reviewed residential developments since 2001 in the town centre, and found that only a handful of back-to-back distances of less than 20 metres have arisen. Where this has occurred it has usually been as a result of office conversions, which in most cases do not need permission in any case. The Council's experience is that this issue arises more often in proposals for development in back gardens in more suburban locations.

In addition, the analysis in the Housing and Economic Land Availability Assessment (EV014 & EV015) considers amenity issues as part of the suitability assessment, and this includes whether development would result in unacceptable back-to-back distances. On some sites the dwelling capacity is reduced to allow for acceptable separation. This is the case on, for instance, part of the West of Caversham Road site (CR11f, listed in the HELAA as AB075), where part of the site is very close to the rear of dwellings on Swansea Road. Therefore, on allocated sites, difficulties in providing adequate back-to-back distances are already taken into account.

In any case, policy CC8 makes clear that this is not an absolute requirement, and that there may be circumstances on individual sites that may enable dwellings to

be closer without a detrimental effect on privacy. This policy is therefore sufficiently flexible.

Q7. Is the requirement for financial contributions in CC9 including monitoring justified and consistent with the Community Infrastructure (CIL) Regulations and paragraph 204 of the NPPF?

The Local Plan Viability Assessment (EV006) included CIL contributions when assessing the viability of a range of development scenarios and found that CIL rates in combination with the proposed policies in the Local Plan will not impede development in Reading. The Community Infrastructure Levy Charging Schedule (PP009) and Community Infrastructure Levy Regulations 123 List (PP013) provide further support for Policy CC9. CIL was implemented in Reading on 1 April 2015.

The Council will only seek Section 106 contributions that “are necessary to make the development acceptable in planning terms, directly related the development and fairly and reasonably related in scale and kind to the development” as outlined in paragraph 204 of the 2012 NPPF and the CIL regulations. The first paragraph of CC9 makes clear that contributions will be where this is made necessary by the development, and all of the types of contribution listed are of a type which, where relevant, fulfil the three criteria in paragraph 204.

The Local Plan Includes an Infrastructure Delivery Schedule (Figure 10.2) which outlines the infrastructure necessary to support growth throughout the plan period and is accompanied by an Infrastructure Delivery Plan (EV007). In some cases it will not be possible for reasons of viability for development to mitigate all relevant impacts. Thus, the Council will take into account the priorities listed in Policy CC9.

The Council’s response to Q1a of Issue 6 explores the justification for seeking affordable housing contributions from employment development in more detail.

Q7a. Has there been sufficient regard for safe access and egress in relation to Flood Risk and site allocations within the LP?

There has been sufficient regard for safe access and egress in the event of flooding in relation to site allocations within the Local Plan.

Each site at risk of flooding has been through the sequential test and, where necessary, exception test, as set out in the Sequential and Exception Test (EV028). Part of the exception test process is demonstrating that a site will be safe for its lifetime. Therefore, a Strategic Flood Risk Assessment Level 2 has been carried out for each site where the exception test would be required (EV026, EV027), and this included considering the issue of safe access and egress, taking account of maximum flood depth, flood warning and period of inundation, velocity of flood waters and the presence of flood defences. For each site, the SFRA Level 2 comes to an initial conclusion on whether safe access and egress could be gained, whether

the site is therefore capable of being developed safely, and ultimately therefore whether the exception test is passed.

For a number of sites, particularly where there would be changes to flood zone boundaries under climate change scenarios, the SFRA Level 2 identifies that a Flood Management and Evacuation Plan would be required, to be considered at planning application stage. The main representation by the Environment Agency on the subject of safe access and egress asks for greater certainty that a Flooding and Evacuation Plan would be acceptable, particularly for Reading's Emergency Planning team. The Council can confirm that it has spoken to the Emergency Planning Team, but, essentially, the team would not be in a position to comment on whether a plan would be acceptable until such a plan was drawn up, and it cannot be drawn up until there is a full development proposal.

There are eight sites identified in the Local Plan where the SFRA Level 2 identified a need for a Flood Management and Evacuation Plan:

- CR11h: Napier Road Junction
- CR11e: North of the station
- CR11g: Riverside
- CR11i: Napier Court
- CR11f: West of Caversham Road
- WR3i: Part of former Battle Hospital
- WR4: Cow Lane
- CA1a: Reading University Boat Club

Of these, Cow Lane is suggested to be removed from the Local Plan, whilst Napier Road Junction has planning permission and is under construction. The development of part of former Battle Hospital was granted permission subject to the completion of a Section 106 agreement in July 2018, and this included approval of relevant details including an evacuation plan. This leaves five allocated sites (CR11e, f, g, and i and CA1a)¹, four of which make up part of the Station/River Major Opportunity Area, and three of which are already allocated in existing development plans.

In terms of the prospects of these sites being able to demonstrate safe access and egress, we would again underline that this has been considered in general terms within the SFRA Level 2. All sites are within the flood plain of the Thames, and as stated in the SFRA Level 2, the period between the rainfall over the catchment and the rising river levels downstream can be significant, ensuring there is typically a significant period of advance warning before flooding occurs in the area. Some of these sites (CR11e and CA1a) immediately adjoin areas that would not be in Flood Zone 3 under any climate change scenarios, whilst for some others (CR11g and CR11i) most of the site would only be affected by the 75% climate change scenario. In addition, in the case of the Riverside site (CR11g), to which the Environment Agency has made a specific representation, the main barrier to safe access would be Vastern Road. Improved north-south links across the site including Vastern Road is a key part of CR11, and the provision of safe access could therefore be considered as part of an application in that context.

¹ Plans of these sites showing flood risk can be found on pages 52, 55, 60, 63, 70 and 103 of the Sequential and Exception Test (EV028).