

## HOUSING

### Reading Borough Council response to Issue 7:

Are the policies for Housing justified, deliverable and consistent with national policy?



*Q1. Is the density and mix in Policy H2 justified? Are the requirements in relation to self and custom build based on robust evidence?*

The justification for the provisions of policy H2, in terms of density, mix and custom and self-build, is set out in section 4.33 (pages 106-112) of the Local Plan Background Paper (EV002).

In terms of density, it is worth first noting that the specific density ranges set out are intended as a guide only. Individual site circumstances in Reading tend to lead to a wide variation in the densities that have been achieved in recent years. Substantial work on densities that have been achieved in recent years has been undertaken in the Housing and Economic Land Availability Assessment (HELAA, EV014 & EV015). The average densities from the 54 developments which fed into the assessment are set out below:

- Town centre residential new-build - 325 dwellings per hectare (dph)
- Town centre fringe residential new-build - 200 dph
- Urban residential new-build - 74 dph
- Suburban residential new-build - 42 dph

However, the HELAA also considered the scope to increase these densities in view of the importance of accommodating housing needs, and found that a 10% increase in the average urban and suburban density was reasonable, which means an urban density of 81 dph and a suburban density of 46 dph. These densities have generally informed the content of figure 4.5 of the Local Plan. The ranges expressed accommodate most of the variation that can be seen on different types of site, but it must still be recognised that there are outliers where higher or lower densities are appropriate, and the policy therefore seeks to include flexibility.

Regarding mix, the Background Paper considers the degree to which the existing stock in Reading is weighted towards smaller dwellings, which has only been exacerbated by recent development trends where there has been a strong focus on smaller flats often in the town centre. The Berkshire (including South Bucks) SHMA (EV011) examines the issue of the size of homes needed, and recommends that a majority of new market dwellings within both the Western Berkshire Housing Market Area and Reading more specifically should be of three or more bedrooms. With around half of new homes to be delivered in the town centre, inevitably mostly in the form of one or two bedroom flats, the likely profile of delivery makes achievement of this split unlikely. However, the Local Plan should ensure that, outside town centre locations, new build housing should be weighted towards family housing of three or more bedrooms to ensure that Reading can make a contribution to achieving greater balance in new housing.

The justification and evidence for the requirements on self and custom build is also contained in this section of the Background Paper. The main source of evidence is the Council's Self-Build Register, which at June 2018 contained 145 entries. The Council has a statutory duty under the Self-build and Custom Housebuilding Act 2015, as amended by the Housing and Planning Act 2016, to grant permission to enough serviced plots for self and custom-housebuilding to meet the need in the relevant base period. There is no prospect that, without policy intervention, there will be sufficient self and custom build plots to discharge this statutory duty.

Therefore, the requirements in policy H2 have been set in a way which links directly to the scale of identified need on the Register, which is likely to change over the plan period.

The key variable for the formula contained in the supporting text to H2 is the number of homes that would be delivered on sites to which the policy applies. Requiring provision of self-build plots on sites which are made up of flats is clearly not reasonable, and this excludes a large proportion of Reading's future supply. There is also a need to avoid unreasonable burdens on small developers, and therefore set a minimum threshold above which the policy applies, which the Local Plan sets as 10 houses. Based on the sites contained in the HELAA, the Council has estimated that only approximately 750 dwellings are expected to be delivered on sites of ten or more houses over the plan period (not including those with planning permission already in place). The formula is therefore based on identifying the appropriate proportion of those 750 dwellings which should be delivered as self-build, depending on the scale of the need on the register.

***Q2. What is the justification for the affordable housing requirements set out in Policy H3 and for departing from the Written Ministerial Statement (2014)? What evidence is there that demonstrates exceptional need for sites of between 1 and 9 dwellings?***

Justification for the Council's affordable housing requirements is set out in the Council's Local Plan Background Paper at section 4.34, Affordable Housing (H3), p112-114. The Background Paper sets out the Council's reasons for departing from the Written Ministerial Statement (2014).

The evidence that demonstrates exceptional need for sites of between 1 and 9 dwellings (the written Ministerial Statement actually refers to sites of 10 dwellings or less) is also set out in the Background Paper. This refers to the Council's statement of case for appeals where affordable housing provision on small sites was relevant.

The Council's statement of case (as updated) which has been submitted as part of the Council's evidence for appeals where on small site affordable housing was an issue, is attached as Appendix 3 to the Background Paper. Appendix 3 starts on p257 of the Council's Local Plan Background Paper. This evidence demonstrates the exceptional need for affordable housing to be sought on sites of 10 or less dwellings.

Both the Background Paper and the Appendix refer to appeal decisions supporting the Council's case stating that, " there are now a total of 16 decisions that support the Council's case that local circumstances justify seeking affordable housing provision on small sites in accordance with local plan policies as an exception to the ministerial statement." That figure has now grown to 24 appeal decisions. The List of Relevant Small Site Affordable Housing Appeal Decisions contained at the end of Appendix 3 of the Background Paper has been updated to list the 24 decisions and is attached as Appendix 1 to this response.

It is clear that the Council's case has been overwhelmingly supported by the inspectorate on appeal and it follows that Policy H3 should continue to specify such provision. The fact that the Written Ministerial Statement in relation to affordable housing provision on small sites has now been largely incorporated into the Revised NPPF does not alter the strongly supported conclusion that local circumstances justify seeking affordable housing provision on small sites as an exception to government policy.

#### More up to date information

Paragraph 1.35 of Appendix 3 refers to the evidence of the need for affordable housing in the Berkshire SHMA (EV011) published in February 2016. This was subject to sensitivity testing against alternative economic development projections and a further report was published in March 2018. The sensitivity testing revisited the affordable housing need (see page 65 of EV034), providing an update of the need using the existing methodology but refined with the use of new information, where available, including:

- Housing costs (private sector rent levels) - drawing on the latest Valuation Office Agency data covering a 12-month period to March 2017;
- Income data - taking account of new data about local incomes (including information from the Annual Survey of Hours and Earnings (2016) and small area income estimates from ONS (published in October 2015));
- Estimates of the number of newly forming households - this is a direct output of the demographic modelling included herein;
- Estimates of the supply of affordable housing from relets - taken from Continuous Recording of Lettings data (CoRe) up to 2016;
- Other minor changes: for example estimates of the current need for affordable housing.

The new analysis points to an increase in the overall lower quartile rents, increases in household incomes and variations to other inputs. It found increasing levels of need noting that net affordable need is particularly high in Reading and Wokingham. For Reading, it found that the testing could mean annual need increasing by 81 units per annum from 422 units to 503 units per annum, an increase of almost 20%. Paragraph 5.30 indicates that, "The changes in affordable need reflect modest changes in the relationship between housing costs and incomes, and changes in affordable housing supply." It goes on to conclude that "Councils should therefore seek to maximise the delivery of affordable housing where opportunities arise."

#### ***Q2a. Does Policy H3 provide sufficient certainty for the decision maker in terms of tenure and mix for affordable homes? If it does not, what changes to the Policy would be needed?***

The policy as drafted provides a clear high level policy framework for dealing with detailed requirements such as tenure and mix which change very quickly depending on a number of circumstances. There is a limit to the level of detail that is

appropriate for a local plan which is seeking to set planning policy over a lengthy period and which will operate for some time before it is reviewed. A case in point is the new Revised NPPF, published in July 2018. This adds various tenures to the definition of affordable housing in the glossary.

In the main text the Revised NPPF indicates that, "planning policies and decisions should expect at least 10% of the homes to be available for affordable home ownership". Footnote 29 states that this should be "As part of the overall affordable housing contribution from the site." The Glossary to the Revised NPPF adds provision for Starter Homes, discounted market sales housing, other low cost homes for sale (at a price equivalent to at least 20% below local market value) and rent to buy (which includes a period of intermediate rent). This widening definition of affordable housing will need considerable research and policy development (perhaps via an alteration to the adopted local plan), in order to evidence how these forms and tenures can meet the identified needs in the Borough. The big fear is this widening definition will encourage developers to offer such as housing as their contribution and thus severely dilute the provision of affordable rental accommodation for which there is exceptional local priority need in the Borough.

The Local Plan Viability report clearly looks at a broad range of tenure options in the various scenarios that it tested and found that all the various tenures would be supported in varying amounts at the current time. However, we appreciate that circumstances change and that factors relating to viability change quickly. Consequently from time to time, there is a need to adjust and fine tune the detail of policies. Our current policy has been to deal with more detailed matters through an SPD. Subject to resource availability, SPDs are relatively easy to prepare and amend and can be adjusted speedily in response to changing circumstances. A local plan is not nearly so easy to change. Our view remains that these are matters best dealt with through an SPD.

### *Q2b. Is an open book-approach to viability justified?*

A number of local authorities (e.g. Brighton and several in London) have recently moved formally to open book appraisals being submitted with planning applications and that they are published on websites with other application documents to ensure all parties have access to the reasoning behind any arguments that a development cannot afford policy compliant levels of affordable housing. The Revised NPPF now follows that line stating:

"All viability assessments, including any undertaken at the plan-making stage, should reflect the recommended approach in national planning guidance, including standardised inputs, and **should be made publicly available**" (emphasis added).

The National Planning Guidance (NPPG) on Viability, updated at the same time as the Revised NPPF was published in July 2018, clearly advocates an open book approach. It states:

“Any viability assessment should be prepared on the basis that it will be made publicly available other than in exceptional circumstances. Even in those circumstances an executive summary should be made publicly available.”

It goes on to state that the government intends to produce a standard executive summary template for such appraisals with a view that this is published as part of the application process.

If the planning system is to be open and transparent to communities, it is inevitable that evidence to justify making decisions that are not policy compliant must be available to the public. Viability appraisals have become common in justifying decisions on planning proposals that do not comply with policies seeking provision of affordable housing and in some cases items of infrastructure. Inevitably, the community wishes to know the details behind why decisions are taken on the basis that proposals are not fully compliant with policy. An open book approach to viability must therefore be justified.

***Q3. Are the requirements for Build to Rent Schemes as set out in Policy H4 justified, in accordance with national policy and guidance, and based on robust evidence?***

The requirements in Policy H4 are justified and based on robust evidence. This evidence is set out in full in section 4.35 (p114 to 119) of the Local Plan Background Paper (EV002).

At the time of submission of the Local Plan national policy and guidance was only evolving through consultation papers.

Since the preparation of the Background Paper, the final version of the NPPF has been published. The Glossary provides a definition of Build to rent as follows:

“Build to Rent: Purpose built housing that is typically 100% rented out. It can form part of a wider multi-tenure development comprising either flats or houses, but should be on the same site and/or contiguous with the main development. Schemes will usually offer longer tenancy agreements of three years or more, and will typically be professionally managed stock in single ownership and management control.”

The Glossary makes reference to Build to Rent in relation to its definition of affordable housing for rent as follows:

“a) Affordable housing for rent: meets all of the following conditions: (a) the rent is set in accordance with the Government’s rent policy for Social Rent or Affordable Rent, or is at least 20% below local market rents (including service charges where applicable); (b) the landlord is a registered provider, **except where it is included as part of a Build to Rent scheme (in which case the landlord need not be a registered provider)**; and (c) it includes provisions to

remain at an affordable price for future eligible households, or for the subsidy to be recycled for alternative affordable housing provision. For **Build to Rent** schemes affordable housing for rent is expected to be the normal form of affordable housing provision (and, in this context, is known as Affordable Private Rent).” (emphasis added)

Paragraph 64 of the NPPF also exempts build to rent schemes from making provision for 10% of the homes to be available for affordable home ownership

There is no additional policy or guidance in the NPPG.

The London Plan has also been submitted for Examination. The submission Draft Plan includes minor amendments to policies, including minor amendments to Policy H13 on Build to Rent.

***Q4. Are the requirements in Policy H5 (parts a-f) justified, and based on robust evidence in all cases? Are the standards necessary in the light of technical standards and other regulatory requirements?***

The requirements in policy H5 are justified and based on robust evidence, and this evidence is set out in full in section 4.36 (pages 119 to 129) of the Local Plan Background Paper (EV002). In relation to the optional technical standards regarding space standards, water efficiency and accessibility, the answer to Q16 in the Council’s Response to Initial Questions and Comments provides a very brief summary of the justification, and it is not proposed to repeat that here.

Energy efficiency standards for new housing are also dealt with in section 4.36 of the Background Paper, specifically on p123 to 126. Very briefly, the importance of tackling climate change is a central tenet of national and local policy, and Reading Borough Council has committed in its Climate Change Strategy to a 34% reduction in the Borough’s carbon footprint by 2020 compared to 2005. The approach of seeking zero carbon homes on residential developments of a certain size is an essential element of achieving these aims, and is consistent with the approach in other nearby urban centres such as London, Southampton and Milton Keynes. Zero carbon homes is achievable, and has been included in the Local Plan Viability Testing (EV006) and found to be viable. However, the Council recognises that smaller developments may have more difficulties in meeting this requirement, and therefore the Local Plan includes less stringent expectations for smaller developments in line with the focus in national policy on reducing burdens for small developers.

One helpful point that has arisen since the submission of the Local Plan is that, despite the content of the Ministerial Statement of 25<sup>th</sup> March 2015, the Government has clarified that local authorities are not prevented from requiring energy efficiency standards above Building Regulations. The Government Response



to the Draft Revised National Planning Policy Framework Consultation (July 2018)<sup>1</sup>, contained the following statement:

“A number of local authority respondents stated the view that the text in the revised Framework restricted their ability to require energy efficiency standards above Building Regulations. 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 efficiency standards above Building Regulations. The Government remains committed to delivering the clean growth mission to halve the energy usage of new buildings by 2030.” (p48)

In terms of the necessity of points a) to f) of policy H5, this is largely covered by the Local Plan Background Paper. Existing technical standards are generally those set out in the Building Regulations, for water efficiency, energy efficiency and accessibility. The technical standards in H5 are designed to be more demanding than the minima in the Building Regulations, as a reliance on the existing Regulations would fail to meet the challenges of a more sustainable use of resources to reduce Reading’s contribution to climate change and catering to an ageing population over the plan period.

*Q4a. Would the standards apply to student accommodation (particularly internal space) and if so, is this approach justified?*

The standards in H5 would not apply to student accommodation. Paragraph 4.4.36 states that: “These standards apply to residential uses in the C3 use class only”.

*Q5. Are the requirements for Policy H8 justified? What is the basis for the 50m radius set out in the policy?*

The NPPF states that Local Planning Authorities should plan for a mix of housing of varied type, size and tenure according to the specific needs of communities. In Reading conversions to flats and houses in multiple occupation provide reasonably affordable accommodation, particularly for students and other individuals seeking flexibly-let or short-term accommodation. Although the Council recognises the important role that HMOs can play in meeting housing need, in some circumstances such conversions have resulted in poor or inadequate accommodation or led to significant loss of family housing in some neighbourhoods. More information is provided in Section 4.39 of the Local Plan Background Paper (EV002). A Supplementary Planning Document dealing with Residential Conversions was

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[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/728498/180724\\_NPPF\\_Gov\\_response.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/728498/180724_NPPF_Gov_response.pdf)



adopted in November 2013 and guides assessment of applications for both small (C4) and larger (sui generis) HMOs<sup>2</sup>.

The 50m radius is explained in beginning in paragraph 5.30 of the Residential Conversions SPD. Various approaches were tested in developing the SPD, and the Council believes that a 50m radius provides a fair sample size of nearby properties and responds to certain area specific concentrations of HMOs. A radius of 50m almost always includes immediate neighbours to the application site and typically includes properties on nearby streets that may be affected. This method is consistent and has been used successfully to allow HMOs in appropriate locations in Reading while also preventing proliferation in certain areas, helping to maintain mixed communities.

***Q6. Are Policies H6 and H7 consistent with each other in respect of the loss of general housing?***

Policies H6 and H7 are consistent with one another regarding the loss of general housing. Policy H7 contains a clause about exceptional circumstances, and the supporting text in paragraph 4.4.54 clarifies that this will include provision for vulnerable people and cross-refers to policy H6. The second bullet point of criterion (ii) of policy H6 provides the specific requirements that would be fulfilled.

***Q7. Will Policy H6 be effective in delivering accommodation for older people?***

Policy H6 should be effective in delivering accommodation for older people. Within the C2 use class. The headline figures for how need relates to C2 residential care provision for older people on identified sites is set out below:

Identified need	253 bedspaces
Completions 2013-2018	-134 bedspaces
Outstanding permissions at 1 April 2018	101 bedspaces
Allocation in Local Plan <sup>3</sup>	46 bedspaces
Remainder on unidentified sites	240 bedspaces

As can be seen, very little of the identified residential care need is on sites which have been specifically identified through planning permissions or in the Local Plan. However, over the whole planning period, this is a comparatively small number that could potentially be accommodated in two or three developments. The supporting text to site allocation policies (e.g. paragraph 5.4.36) of the Local Plan clarifies that there may be potential for identified housing sites to incorporate uses such as specialist residential accommodation, and that this will be acceptable as

<sup>2</sup> <http://www.reading.gov.uk/media/1066/Residential-Conversions-Supplementary-Planning-Documents-Adopted-November-2013/pdf/Residential-Conversions-Supplementary-Planning-DocumentsNov13.pdf>

<sup>3</sup> Excludes CR14k, where a wholly residential development is now being implemented

long as it does not harm the chances of meeting housing targets. Provision of housing for elderly people has been a common part of larger housing developments in Reading in recent years, with either residential care or extra care being delivered as part of housing developments at, for instance, Dee Park, Avenue School and Green Park Village. The Local Plan contains sufficient flexibility to allow this to continue. Reflecting this potential flexibility between different forms of residential accommodation, the Housing Trajectory at Appendix 1 of the plan measures against a total of the needs from both policy H1 and H6<sup>4</sup>, and demonstrates that the full need can be met.

***Q8. What is the justification for Policy H9 considering that there is some duplication with Policy CC7?***

The general justification for policy H9 is set out in section 4.40 (pages 133-134) of the Local Plan Background Paper (EV002). It is accepted that there is inevitably some overlap with policies such as CC7 on design. However, H9 covers ancillary accommodation such as granny annexes, which are not dealt with in CC7, or any other policies. In addition, it provides a clearer focus on the specific elements that will need to be considered for house extensions, such as the arrangements of doors and windows and the building line.

There are also specific, pragmatic reasons why a self-contained policy on house extensions is required. Generally, around 20-35% of planning applications in Reading each year are householder applications. The majority of applicants will have very little familiarity with the planning system, and are unlikely have undertaken pre-application discussions. Setting out a policy with a clear, straightforward set of expectations for these applications will therefore help to keep the process as simple as possible for applicants.

***Q9. Is Policy H11 consistent with national policy?***

Policy H11 is consistent with national policy. Paragraph 53 of the 2012 NPPF states that “Local planning authorities should consider the case for setting out policies to resist inappropriate development of residential gardens, for example where development would cause harm to the local area.” The NPPF does not offer any further guidance on such developments, and neither does Planning Practice Guidance, and it is therefore left to individual Local Plans to set out what would be likely to cause harm to the local area. This is the basis for policy H11.

The criteria for assessing whether proposals cause harm are also consistent with national policy. Criteria 1) to 5) are consistent with the strong wording in the NPPF in terms of good design and the need to guide “the overall scale, density, massing, height, landscape, layout, materials and access of new development in relation to neighbouring buildings and the local area more generally” (paragraph 59). Criterion 7) emerges from the need to plan for a mix of housing across the area

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<sup>4</sup> The need for 253 bedspaces is translated into a residential equivalent of 127 dwellings on the basis of the comments in paragraph A1.3 of the Local Plan.

from paragraph 50, and reflects the fact that garden land will be in out of centre locations where the focus will be on family sized housing as set out in policy H2, as well as better reflecting the character of surrounding areas. Criterion 8) is in line with the provisions of paragraph 109 on securing net gain of biodiversity where possible. Criterion 9) helps to ensure that opportunities to boost the supply of housing in line with paragraph 47 of the NPPF are not lost due to piecemeal development. Criterion 6) does not specifically relate to a provision of the NPPF, but is in line with the requirements of Local Plan policy CC8.

***Q10. Is Policy H12 justified and based on robust and up to date evidence?***

The justification for policy H12 is set out in section 4.43 (p138-141) of the Local Plan Background Paper (EV002). This looks at the evidence for the need for new accommodation, from both the Strategic Housing Market Assessment and information prepared on behalf of the University of Reading, and sets this in the context of the planning pipeline for new student accommodation. It also discusses the implications of student accommodation on sites not already in university or student accommodation use for provision of general housing, and the remaining potential on existing university or student accommodation sites.

The Council is not aware of any more robust and up-to-date evidence than that which is set out in the Background Paper.

***Q10a. Is Policy H12 consistent with other Policies for in the LP and if not, is this approach justified? (For example, is the reference to student accommodation Policy CR13a consistent and if not why not?)***

Policy H12 is consistent with other policies in the Local Plan. Appendix 8 of the Local Plan Background Paper (EV002) is a matrix examining the consistency of policies in the plan with one another. In general, it considers that H12 is consistent with other policies in the plan, but notes that the relationship with CR13 and ER1 is worthy of further consideration, and provides more detail in section 3.8 (see point 32, p43).

Policy CR13a, Reading Prison, includes student accommodation as a potential use within the allocation. The main prison building is listed, and as such any conversion will need to retain the significance of the building. The prison is an early example of a typical Victorian prison design, and does not necessarily lend itself easily to conversion. One of the uses to which such a layout may possibly lend itself is a more institutional use, which could include some forms of student accommodation. Since finding a beneficial use for such an important heritage asset is paramount, it is not appropriate in this exceptional case to rule out uses such as student accommodation which might otherwise be acceptable.

In the case of ER1a, the Woodley Arms, there have been recent planning applications for student accommodation on the site. The previous refusal, which is the subject of an ongoing appeal, was on the basis of the specific design and scale

of the development proposed, rather than on the principle of student accommodation. For that reason, it is considered that the principle of student accommodation on this site has been assessed and found acceptable, and it is therefore reasonable to continue to include student accommodation as an option.

Policies CR13a and ER1a are therefore exceptions to the general provisions in H12, and the policies are otherwise consistent. If there is considered to still be an inconsistency between policies H12 and individual site allocation policies, it could potentially be dealt with by a slight alteration to policy H12 so that it is as follows:

"Unless on a site identified for student accommodation in this Plan, new student accommodation will be provided ..."

***Q10b. Is Policy H12 consistent with Policy OU1 where it relates to education?***

Policies H12 and OU1 are consistent with one another, and need to operate in tandem. The issue which both policies are trying to address is the pressure that student accommodation places on the Borough, particularly in terms of the loss of sites that could meet Reading's substantial needs for general housing. Policy OU1 ensures that new development for further and higher education is supported by adequate student accommodation, whilst H12 ensures that this accommodation is in appropriate locations. As set out in section 4.43 of the Local Plan Background Paper (EV002), there is considered likely to be adequate space in the locations prioritised by H11 to deliver sufficient accommodation. If this is not the case, policy H11 enables an applicant to demonstrate that need cannot be met on or adjacent to existing further or higher education campuses, or as an extension or reconfiguration of existing student accommodation.

***Q11. Does the Reading Gypsy and Traveller, Travelling Showpeople and Houseboat Dweller Accommodation Assessment (EV016) provide a realistic assessment of the needs of these communities? Have options for sites been fully explored and is this supported by robust evidence?***

The Gypsy and Traveller, Travelling Showpeople and Houseboat Dweller Accommodation Assessment (GTTSHDAA, EV016) is a realistic assessment of the needs of those. The Assessment follows a broad methodology used elsewhere, and which has been accepted in a number of Local Plan examinations (see Q19 of the Council's Response to Initial Comments and Questions, EC001) as well as appeals.

The cornerstone of the approach of the GTTSHDAA is the result of interviews conducted with gypsies, travellers, travelling showpeople and houseboat dwellers. Since the main evidence is directly from the households involved, this is an approach which is rooted in realism. Six interviews were conducted with gypsies and travellers, four with travelling showpeople, and four with those dwelling on houseboats. Given the limited amount of relevant households within Reading, this is considered to have led to a fair representation of needs. Where arc4 has been unable to conduct interviews, which has primarily been for households in bricks

and mortar, needs have been assumed based on proportions of households requiring accommodation from studies elsewhere. It is not unusual for such assessments to struggle to conduct interviews for those in bricks and mortar, and the approach in the GTTSHDAA is therefore the best available way forward.

It is worth noting that Reading's GTTSHDAA results in some permanent accommodation needs from those dwelling on unauthorised encampments (as opposed to more permanent unauthorised sites). This is not the case for many of the GTAAs for surrounding authorities<sup>5</sup>, and it arguably presents a more complete picture of need. Had the same methodology been used as in the majority of surrounding authorities, the study would have identified permanent accommodation needs in Reading of only one pitch.

The Council has undertaken considerable work to identify potential sites to provide for permanent and transit needs for gypsies and travellers. This is set out in a number of documents on the examination documents list, but the most concise and up-to-date summary is in the answer to Q20 of the Council's Response to Initial Comments and Questions (EC001). This has involved a wide-ranging search for sites, and has included an additional stage of public consultation and engagement under the duty to co-operate.

### *Q11a. Is Policy H13 consistent with national policy?*

The Council's view is that policy H13 is largely consistent with national policy as set out in Planning Policy for Traveller Sites (PPTS). H13 sets out a criteria-based policy to guide any proposals, which seeks to be fair and balanced as required by paragraph 11 of PPTS. The criteria set out are in general conformity with criteria a) to h) of paragraph 13 and do not place any undue burdens on those proposing sites.

However, it is clear from recent discussions around Local Plans elsewhere that criterion i) of policy H13 may not be in conformity with national policy. The Council is aware that in the recent Examination of the Waverley Local Plan Part 1, the Inspector recommended a modification to Policy ANH4 which removed the requirement for proposals for traveller accommodation to meet an assessment of need, as this conflicted with the PPTS requirement to ensure criteria were in place to judge proposals where no need has been identified. This has also been reflected more recently in a proposed main modification to the Rushmoor Borough Local Plan to remove a similar requirement.

It is therefore suggested that the deletion of criterion i) of policy H13 would ensure that the policy is fully in conformity with national policy.

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<sup>5</sup> e.g. Wokingham, Bracknell Forest, Cherwell/Oxford/South Oxfordshire/Vale of White Horse, West Berkshire, Basingstoke and Deane, Rushmoor

*Q11b. What is the effect of withdrawing Policy WR4 (see EC001) on the provision of transit sites within the HMA?*

The withdrawal of Policy WR4, as referred to in the Council's Response to the Initial Questions and Comments (EC001), would mean that no site is identified for gypsy and traveller transit provision in the Local Plan. The Council has committed at Policy Committee on 11<sup>th</sup> June 2018 to continue to seek to identify an appropriate site to meet Reading's transit needs, but the extensive work on site identification that has already been undertaken has not resulted in any potential sites arising so far.

The question refers to the Housing Market Area. The Council does not necessarily consider that the Housing Market Area is the relevant functional area for planning for gypsies and travellers, where patterns are more fluid. However, within the Housing Market Area, there are no existing traveller transit sites. In total, the transit need identified by the most up-to-date Accommodation Assessments for Reading, West Berkshire, Wokingham and Bracknell Forest is 15 pitches.

Whilst transit provision outside Reading could have some benefits in terms of reducing unauthorised encampments in the first place, it would be far preferable in terms of enforcement if a site could be delivered within Reading's boundaries. Sections 62 A-E of Criminal Justice and Public Order Act 1994 give police powers to direct both trespassers and travellers to leave land and remove any vehicle and property from the land where the senior police officer reasonably believes that two or more people are trespassing on land with the purpose of residing there, that the occupier has taken reasonable steps to ask them to leave and there is a suitable pitch available on a caravan site elsewhere in the local authority area. Therefore, if a pitch is not within the local authority area, these enhanced powers cannot be used. This is a significant disadvantage of provision of transit needs in another authority. As a result, the Council has no plans to seek transit provision outside its boundaries.

Therefore, any decision to withdraw policy WR4 should not have direct implications on provision of transit sites in the wider Housing Market Area or on any other nearby authorities.

**APPENDIX 1: LIST OF RELEVANT SMALL SITE AFFORDABLE HOUSING APPEAL DECISIONS**

APPEAL REF	ADDRESS	RBC REF	DATE DETERMINED	ALLOWED/ DISMISSED?	MAIN ISSUES ADDRESSED	COMMENT
APP/E0345/15/3141752	The Pond House, Oxford Rd	150539	25/07/2016	ALLOWED	Affordable Housing DM6 (not supported), Highway Safety	Case not submitted
APP/E0345/W/16/3149180	51 Cressingham Road	152016	21/10/2016	DISMISSED	Character, Highway Safety, Wheatcroft Principles	Affordable Housing reason withdrawn
APP/E0345/W/16/3153661	17 St Barnabas Rd Emmer Green	151893	02/12/2016	DISMISSED	Affordable Housing DM6, Character, Spaciousness, Privacy	
APP/E0345/W/16/3160582	79 Henley Road	150151	05/12/2016	DISMISSED	Affordable Housing DM6	
APP/E0345/W/16/3154971	51 Cressingham Road	160820	16/01/2017	DISMISSED	Affordable Housing DM6, Character	
APP/E0345/W/16/3159962	8 Thornton Road	160460	18/01/2017	DISMISSED	Affordable Housing DM6, Character	
APP/E0345/W/16/3157856	1 The Ridings, Emmer Green	151773	19/01/2017	DISMISSED	Affordable Housing DM6, Character, trees	
APP/E0345/W/16/3154721	Land at Oxford Road, Tilehurst	150136	30/01/2017	DISMISSED	Affordable Housing DM6, Character, biodiversity	
APP/E0345/W/16/3155586	126, Westwood Road, Tilehurst,	160083	06/02/2017	DISMISSED	Affordable Housing DM6, Character, amenity, biodiversity	
APP/E0345/W/16/3160994	26 Woods Road, Caversham	160059	17/02/2017	ALLOWED	Affordable Housing DM6 (not supported) Character, living conditions.	See PINS Complaint
APP/E0345/W/16/3162360	153 Hemdean Road, Caversham	160088	20/02/2017	ALLOWED	Affordable Housing DM6 (not supported) Character.	See PINS Complaint
APP/E0345/W/16/3162427	171 Blagdon Road	160752	13/03/2017	DISMISSED	Affordable Housing DM6, Character, Living conditions	
APP/E0345/W/16/3161485	Gloucester Court	160482	13/03/2017	DISMISSED	Affordable Housing DM6, Character, Spaciousness, Parking, Wheatcroft Principles	
PP/E0345/W/17/3168768	65 Peppard Road, Caversham	160527	12/06/2017	DISMISSED	Affordable Housing DM6, Character, biodiversity	
APP/E0345/W/16/3161384	37 Hilcot road, Reading RG30 2SX	150238	12/07/2017	DISMISSED	Affordable Housing DM6	



APPEAL REF	ADDRESS	RBC REF	DATE DETERMINED	ALLOWED/DISMISSSED?	MAIN ISSUES ADDRESSED	COMMENT
APP/E0345/W/16/3154971	51 Cressingham Road	160820	16/01/2017	DISMISSED	Affordable Housing DM6, Character	
APP/E0345/W/17/3173270	Rear of 52 Norcot Road	151144	17/08/2017	ALLOWED	Affordable Housing DM6 and whether the submitted Unilateral Undertaking was adequate.	Affordable housing provided by UU
APP/E0345/W/17/3174759	42 Bulmershe Road	161665	21/09/2017	DISMISSED	Affordable Housing DM6, Character, Living conditions, Highway Safety	
PP/E0345/W/17/3174559	54 Lyndhurst Road, Tilehurst	161664	06/10/2017	DISMISSED	Affordable Housing DM6, Character, Living conditions, Highway Safety	
APP/E0345/W/17/3176746	85 Ambrook Road, Whitely	170231	27/10/2017	DISMISSED	Affordable Housing DM6, Character, Living conditions, Highway Safety	
APP/E0345/W/17/3183456	8 Ardler Road, Caversham	170574	21/03/2018	DISMISSED	Flooding, highway safety, affordable housing, character.	
APP/E0345/W/17/3184513	8 Benson Close, Reading	170609	13/04/2018	Dismissed	Character, amenity, affordable housing	
APP/E0345/W/17/3189394	48 Watlington Street, Reading	170975	01/06/2018	Dismissed	Amenity, character, cycle parking, affordable housing	
APP/E0345/W/17/3191092	90 Oakley Road, Hemdean Road, Caversham	170775	03/07/2018	Dismissed	Character, amenity, highway safety, affordable housing, cycle parking and bin storage.	
APP/E0345/W/17/3191047	4 Copse Avenue, Caversham	170691	06/07/2018	Dismissed	Character, highway safety, affordable housing.	