

**STRATEGIC ENVIRONMENT, PLANNING AND TRANSPORT COMMITTEE
26 MARCH 2015**

Present: Councillors Tickner (Chair), DL Absolom, Ayub, Chrisp, Dennis, Duveen, Maskell, Page, Stanford-Beale and Whitham.

Apologies: Councillors Anderson, K Edwards, Jones and Willis.

21. MINUTES

The Minutes of the meeting of 25 November 2014 were confirmed as a correct record and signed by the Chair.

22. MINUTES OF TRAFFIC MANAGEMENT SUB-COMMITTEE

The Minutes of the meeting of the Traffic Management Sub-Committee of 15 January 2015 were received.

23. MINUTES OF OTHER BODIES

The Minutes of the meeting of the Reading Climate Change Partnership Board of 3 March 2015, the meeting of the Joint Waste Disposal Board of 22 January 2015 and the Minutes of the meeting of the AWE Local Liaison Committee of 17 December 2014 were submitted.

Resolved: That the Minutes be noted.

24. PETITIONS IN ACCORDANCE WITH STANDING ORDER NO 36

Karen Rowland presented a petition in the following terms:

"We the undersigned owner/occupiers of Jesse Terrace are concerned to learn that, under national Government relaxations of the planning regulations, small family houses, such as all the houses in Jesse Terrace, may be redeveloped into HMO's (Houses in Multiple Occupation) as being generally "permitted development" and therefore without any planning consent needing to be applied for.

We understand that, in any part of their area where a local Council considers that uncontrolled exercise of generally permitted development rights would harm local amenity or the proper planning of the area, the Council has power to make what is called an *Article 4 Direction* specifying the kinds of permitted development considered potentially harmful and effectively requiring a planning application to be made for any such development within the specified area.

We understand that in 2004 the Reading Borough Council made an Article 4 Direction in respect of Jesse Terrace but, as currently worded, it only covers alterations to the external appearance of the properties. We believe that uncontrolled internal conversion of the Jesse Terrace houses into HMOs will harm local amenity and the proper planning of the area. We point to the progressive harm (blighting effect) from uncontrolled HMO development already evident in the nearby streets and which is now threatening to spread into Jesse Terrace.

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We petition the Reading Borough Council to make a fresh *Article 4 Direction* covering Jesse Terrace and removing permitted development rights in respect of HMO redevelopment.

We are interested in requesting Reading Borough Council to look into the aspects - both advantages and disadvantages - of re-applying for Listed status with English Heritage for the homes and streetscape of Jesse Terrace and would request a further consultation on this at which time more knowledge is gained on such a Listed status and how this would work in relation to a new Article 4 direction."

In his response, Councillor Page (Lead Councillor for Strategic Environment, Planning and Transport) stated:

I thank Karen Rowland for her petition on behalf of residents of Jesse Terrace, and would thank her for the work that she and other local residents do with, and on behalf of, the Baker Street Area Neighbourhood Association (BSANA).

By way of background context, the previous Government introduced the new C4 use class in early 2010 to create a separate use of small HMO's (up to six unrelated adults), as the planning system did not recognise small HMO's as a separate use, but classed them as a single dwelling house. The new Coalition Government, almost as soon as it came into power, then made changes of use from single dwelling house (use Class C3) to small HMO (Class C4) a permitted development. Under normal circumstances therefore planning permission is not required for such a change of use. This was a most regrettable and ill-advised decision that has had a major detrimental impact on many areas of Reading.

As Ms Rowland knows the Council does have the power to introduce an Article 4 Direction for a range of purposes including that of controlling changes of use from single dwelling house (use Class C3) to small HMO (Class C4). However, this would only cover the change of use of the property. Unless a building is listed, planning has no control over internal conversions or alterations. Such works are not classed as 'development' under the Planning Act's definition of development.

As indicated in the report on tonight's agenda on "Enhancement of Conservation Areas," Article 4 Directions need to be researched and taken through consultation and legal processes. If potential compensation claims are to be avoided, notice of the Direction needs to be served on affected parties 12 months before the Direction takes effect (which could spur people to carry out the permitted development works in advance of the Article 4 coming into effect). Even when an Article 4 Direction is in force, applications for changes of use have to be tested against planning policy. The main planning consideration is how each change of use affects mixed and balanced communities in an area. The Council's current policy in its residential conversions SPD indicates that this becomes a concern when more than 25% of properties in a 50m radius are in HMO use. Applicants have a right of appeal.

As outlined in the "Enhancement of Conservation Areas," report, the Council has indicated that the operation of the existing Article 4 Direction controlling HMO changes of use parts of Redlands, Park and Katesgrove Wards would be reviewed at an appropriate point in time and consideration would then be given to such directions being applied to other parts of the Borough. The Planning Applications Committee

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has recently indicated that an early review is now required. Work on that review will commence shortly with a view to bringing a full report back to a future meeting of this Committee. In the meantime I have arranged for a response to this petition, and an interim report on the review, to be brought to the next meeting of this Committee on 15th July.

In relation to the final point made in the petition, the addition of buildings to the Statutory List of Historic Buildings lies with English Heritage (as of 6 April 2015, Historic England) as central Government's advisor on heritage. It is the sole responsibility of English Heritage to assess and advise DCMS and the Secretary of State on whether or not to add a building/terrace to the statutory list."

25. ENVIRONMENT AGENCY PRESENTATION ON THE OXFORD WESTERN CONVEYANCE CHANNEL AND ABINGDON FLOOD STORAGE AREA

The Director of Environment and Neighbourhood Services submitted a report updating the Committee on the proposed flood alleviation schemes upstream of Reading in the Oxford area. Attached to the report at Appendix A and B were maps showing the proposed location of both schemes.

The report stated that the two schemes were the Abingdon Flood alleviation scheme and Oxford Flood alleviation scheme. The Oxford Flood alleviation scheme was similar in principle to the Jubilee River in Windsor and would be called the Western Conveyance Channel. The Abingdon scheme comprised three parts including a proposed flood storage area for the river Ock and would require hydraulic modelling from Sandford to South of Mapledurham. At present neither scheme had been approved or designed.

Emma Formoy, Funding and Benefits Realisation Manager for the Oxford and Abingdon Scheme, and Jeanne Capey, Partnership and Strategic Overview Team Leader, gave a presentation and answered questions on the proposed schemes.

Resolved:

- (1) That the report and presentation be noted;
- (2) That a formal response be made to the planning application once an application had been submitted.

26. THAMES WATER PRESENTATION - WATER SECURITY SCRUTINY REVIEW

The Director of Environment and Neighbourhood Services submitted a report updating the Committee on the Water Security review that had been agreed at the meeting of 25 November 2014 (Minute 19 refers) to consider the current condition of Reading's water supply and waste water infrastructure. The scope of the review also included consideration of the planned investments and how the impact of planned and emergency works could be minimised.

Huw Thomas, Thames Water Local Government Liaison, Tony Owen, Thames Water Strategic Planning Manager, Steve Harvey, Thames Water Asset Modelling Specialist and Carl Smith, Thames Water Wastewater Asset Planner, gave a presentation and

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answered questions on water security, their planned investment programme and future works.

At the invitation of the Chair, Mr Tony Pettitt, Reading Buses, addressed the Committee.

Resolved: That the response to the review from Thames Water and the investment programme for Reading be noted.

27. FLOOD & WATER MANAGEMENT ACT 2010 - LOCAL FLOOD RISK MANAGEMENT STRATEGY FOR READING

The Director of Environment and Neighbourhood Services submitted a report to update the Committee on the Local Flood Risk Management Strategy (LFRMS) for Reading, a copy of which was attached to the report at Appendix 1. The LFRMS was currently out on a public consultation which closed on 27 April 2015.

The report stated that the Flood and Water Management Act 2010 included statutory provisions for the implementation of the recommendations in the Pitt Review following the July 2007 exceptional rainfall event. County and Unitary Authorities were given the leadership role for the local flood risk management from all sources of flooding, except main rivers and the sea and so Reading Borough Council had been designated as the Lead Local Flood Authority (LLFA) in Reading.

The report explained that Reading's LFRMS had been prepared in conjunction with the Berkshire Strategic Flood Risk Group which consisted of the Berkshire Five Flood Risk Authorities (excluding Slough as they were not within the Thames catchment area), the Environment Agency and Thames Water.

Resolved:

- (1) That the Local Flood Risk Management Strategy for Reading be noted;**
- (2) That, following the public consultation and in conjunction with the Lead Councillor for Strategic Environment, Planning and Transport, the Director of Environment and Neighbourhood Services be authorised to adopt the Local Flood Risk Management Strategy.**

28. LOCAL TRANSPORT PLAN IMPLEMENTATION PLAN 2015-16

The Director of Environment and Neighbourhood Services submitted a report to update the Committee on the fifth Implementation Plan for the Local Transport Plan (LTP).

The report stated that the LTP was a statutory document which set out the Council's transport strategy and policy and that the third Local Transport Plan (LTP3) for the period was adopted by the Council on 29 March 2011. This plan had included a 15-year Strategy Document and incorporated a rolling three-year programme so that this report was the fifth LTP3 Implementation Plan.

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The LTP3 Implementation Plan was reviewed annually through a scheme prioritisation matrix and budgeting exercise that also produced a prioritised list of proposed projects and budget allocations for the next year, with reserved and development schemes for subsequent years identified. For 2015/16, many of the schemes reflected the conclusion of the current Local Sustainable Transport Fund (LSTF) scheme and the implementation of the new 2015-16 LSTF revenue package. The LTP3 Programme and Budget Tables were attached to the report at Appendix A.

The report explained that the LTP3 Implementation Plan also monitored progress within the Strategy Plan detailed policy and delivery areas and that the Delivery Highlights for 2014-15 were attached to the report at Appendix B and that an analysis of the projects and measures delivered through the LTP3 that helped Reading achieve the Sustainable Community Strategy Vision was attached to the report at Appendix C.

Resolved:

- (1) That the programme and the spend approval for the 2015/16 schemes as attached to the report at Appendix A, be approved;
- (2) That the proposals for subsequent years as listed in Appendix A be approved and approval of any forward planning before the next Implementation Plan be delegated to the Lead Member for Strategic Environment, Planning & Transport in conjunction with the Head of Transportation & Streetcare;
- (3) That the progress made in delivering the LTP3 Implementation Plan during 2014/15 be noted.

29. REVISED SUPPLEMENTARY PLANNING DOCUMENT ON PLANNING OBLIGATIONS UNDER SECTION 106

The Director of Environment and Neighbourhood Services submitted a report to update the Committee on the new version of the Section 106 Planning Obligations Supplementary Planning Document (SPD) that was attached to the report at Appendix 2 and was required with the introduction of the Community Infrastructure Levy (CIL).

The report stated that the CIL, which would come into force from 1 April 2015, partially replaced the Section 106 system and was a levy on new developments that would be charged per square metre of floor space. The Council's CIL Charges had been approved at Council on 27 January 2015 (Minute 43 refers). The role of Section 106 was now restricted to securing affordable housing (which was dealt with in the Council's adopted Affordable Housing SPD) and dealing with site-specific infrastructure requirements.

The report explained that the new version of the Section 106 Planning Obligations SPD set out the basis of securing site-specific infrastructure. It had been subject to consultation from March to May 2014 and a summary of responses to the consultation, along with a draft response stating how the point had been taken into account in the final version of the SPD was attached to the report at Appendix 1.

Resolved:

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- (1) That the results of the consultation on the Section 106 Planning Obligations Supplementary Planning Document, undertaken during March, April and May 2014, as set out in the Consultation Statement at Appendix 1, be noted;
- (2) That the Section 106 Planning Obligations Supplementary Planning Document, as set out in Appendix 2 to the report, be adopted, effective from 1 April 2015.

30. EMPLOYMENT AND SKILLS PLANS - PROGRESS SO FAR

The Director of Environment and Neighbourhood Services submitted a report updating the Committee on the progress on drawing up and implementing Employment and Skills Plans (ESPs). A number of case studies outlining the effects of ESPs were attached to the report at Appendix 1.

The report stated that ESPs were required for major developments under the Employment, Skills and Training Supplementary Planning Document (SPD) and that good progress had been made on securing these plans which had led to very positive outcomes, both during construction and in the end use of a development.

The report stated that Reading UK CIC had provided the following information with regard to securing ESPs on developments in Reading since April 2013:

- eight permissions had been subject to a requirement to provide an ESP covering the construction phase, whilst a further three had committed to making a financial contribution towards employment and skills for the construction phase;
- seven major commercial or employment-generating permissions had been subject to a requirement to provide an ESP covering the end use, whilst a further three committed to making a financial contribution towards employment and skills for the end use phase.

Resolved: That the progress in drawing up and implementing ESPs for major developments be noted.

(Councillor Duveen declared an interest in this item. Nature of Interest: Councillor Duveen's wife was a shareholder of Tesco.)

31. ENHANCEMENT OF CONSERVATION AREAS

The Director of Environment and Neighbourhood Services submitted a report updating the Committee on some of the issues raised by residents groups, members of the public and by Councillors in relation to a number of Conservation Areas in the Borough.

The report stated that these issues concerned whether the Council's Conservation Areas strategy, policies, and individual conservation area appraisals were up to date and whether the Council should be taking a more positive approach to the environment and historic assets within conservation areas. The report set out the

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background to conservation areas and conservation area designation and how the legislation and policies operated in Reading. The report set out information and various options regarding conservation area boundary reviews, reviews of conservation area appraisals, conservation areas at risk and Article 4 Directions.

At the invitation of the Chair, Ms Karen Rowland addressed the Committee.

Resolved:

- (1) That the Council's current practice in relation to Conservation Areas and the options for future operations in Conservation Areas, be noted;
- (2) That a working group of relevant officers be set up under the Head of Transportation and Streetcare, working in consultation with interested community groups (e.g. Neighbourhood Action Groups), to examine priorities for action and improvement and ways to deal with priority matters in selected conservation areas within available budgets and resources.

32. ADOPTION OF THE OUTLINE DEVELOPMENT FRAMEWORK FOR THE SITE OF READING PRISON

The Director of Environment and Neighbourhood Services submitted a report containing the results of the consultation on the Draft Development Framework for the Reading Prison Site and updating the Committee on the situation with regard to the future of the site. The report of the consultation, detailing the individual consultation responses received and how they had been considered, was attached to the report at Appendix 2. The proposed Outline Development Framework for the Reading Prison Site was attached to the report at Appendix 3.

The report noted that on 4 September 2013 the Government announced the closure of Reading Prison. The prison closed in early 2014 and the Ministry of Justice was considering future options for the site but had been progressing towards the eventual disposal of the site. The Policy Committee held on 17 February 2014 (Minute 85 refers) approved a Draft Outline Development Framework for the site for consultation.

The report stated that the proposed framework, in addition to the consultation responses received, had been informed by continuing dialogue with the landowners of the site and by continued work on its historic significance. Consultants acting for the Ministry of Justice had now produced a detailed desk based archaeological assessment and a desk based Historic Building Assessment. Summaries of the results of these historical studies had been incorporated into the Framework.

The report stated that once adopted, the Outline Development Framework for the site of Reading Prison would be used as a Supplementary Planning Document to the Reading Central Area Action Plan for the determination of planning applications on the site, and also for informing any pre-application discussions.

Resolved:

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- (1) That the results of the consultation on the Draft Outline Development Framework for the Reading Prison Site, undertaken in February - April 2014, as set out in the Consultation Statement, be noted;
- (2) That the Outline Development Framework for the Reading Prison Site be adopted as a Supplementary Planning Document.

(The meeting started at 6.30pm and closed at 8.38pm).