

**RESPONSE TO THE
TILEHURST DRAFT NEIGHBOURHOOD PLAN (DNP)
REGULATION 14 CONSULTATION**

TOWN
October 2022

This document sets out objections to two aspects of the draft Tilehurst NP:

- the draft Neighbourhood Plan's failure to identify any housing sites to deliver the housing needed as is required by the National Planning Policy Framework and as proposed by the emerging West Berkshire Local Plan; and
- the proposed designation of Pincents Hill as a Local Green Space as part of Policy I4.1;

In addressing these two aspects the following objections are raised:

Objection 1. Non-conformity with national and local policy, including promoting less development than needed.

Objection 2: Inadequate justification for Local Green Space Designation of Pincents Hill

Objection 3: The proposal to designate Pincents Hill as a Local Green Space is inappropriate and uses the designation to undermine the aim of plan making.

Links to all references, and reports where relevant, are included in footnotes or in the Reference section at the end of this response.

Objection 1. Non-conformity with national and local policy, including promoting less development than needed.

1.1 The DNP must meet the specified statutory requirements, in particular the basic conditions set out in paragraph 8(2) of Schedule 4B TCPA 1990. Basic conditions include being in “General Conformity” with the strategic policies contained in the Development Plan and ‘contributing to the achievement of sustainable development’¹.

1.2 In this respect, the DNP does not meet the basic conditions. There are two parts to this objection:

i) that the Neighbourhood Plan fails the general conformity test in that it does not support the delivery of strategic policies in local plans, specifically Core Policy CS1 and Area Delivery Plan Policy 4 of West Berkshire Core Strategy 2006-2026, (the Adopted Local Plan), and;

ii) that the Neighbourhood plan promotes less development than set out in the strategic policies for the area – development that is demonstrably needed for the area by the DNP’s own evidence - by refusing to allocate sites for housing development.

1.3 The National Planning Policy Framework states the following:

Paragraph 13. *“The application of the presumption [in favour of sustainable development] has implications for the way communities engage in neighbourhood planning. Neighbourhood plans should support the delivery of strategic policies contained in local plans or spatial development strategies; and should shape and direct development that is outside of these strategic policies.”*

Paragraph 29. *“Neighbourhood planning gives communities the power to develop a shared vision for their area. Neighbourhood plans can shape, direct and help to deliver sustainable development, by influencing local planning decisions as part of the statutory development plan. Neighbourhood plans should not promote less development than set out in the strategic policies for the area, or undermine those strategic policies”.*

Footnote 18 to paragraph 29 states *“Neighbourhood plans must be in general conformity with the strategic policies contained in any development plan that covers their area.”*

¹ Schedule 4b (Paragraph 8) Town and Country Planning Act 1990;
<https://www.legislation.gov.uk/ukpga/1990/8/schedule/4B>

1.4 Policy H1 (Housing Development Principles) of the Tilehurst DNP limits the potential areas for development stating that ‘any new developments that take place must comply [with a number of] parameters. This includes *‘Be located on suitable brownfield sites or infill sites and be within the settlement boundary.’*

1.5 This is in contradiction to the Adopted Local Plan in respect to two strategic policies, Core Strategy 1 (CS1) and Area Delivery Plan Policy 4 (ADPP4).

1.6 The Adopted Local Plan **policy CS1** states that new homes will be developed on

- *‘Suitable previously developed land within settlement boundaries.*
- *Other suitable land within settlement boundaries.*

And

- *strategic sites and broad location identified on the Core Strategy Key Diagram’.*

1.7 This reference to a ‘broad location’ in the latter bullet point is part of a principle of the Core Strategy to ‘set out clear spatial choices about the future location of development [...] identifying those sites or broad locations for sites that are considered key to the achievement of the overall strategy’². The identification of broad locations is also seen as providing ‘certainty for the community, as well as for infrastructure providers and investors.’³

1.8 The Area Diagram for the Eastern Area (Figure 2 in the Adopted Local Plan) shows the Eastern Area Broad location. Below is an extract from this diagram (Figure 6) showing how the Eastern Area for Broad Location extends beyond the Main Urban Area and includes the area to the west of the Tilehurst Settlement Boundary, a parameter not included in the DNP policy H1.

² Paragraph 2.38, West Berkshire Core Strategy (2006 - 2026), pg.14, https://www.westberks.gov.uk/media/36374/Core-Strategy-Final/pdf/Core_Strategy_-_Final.pdf?m=637408703013470000

³ *ibid*

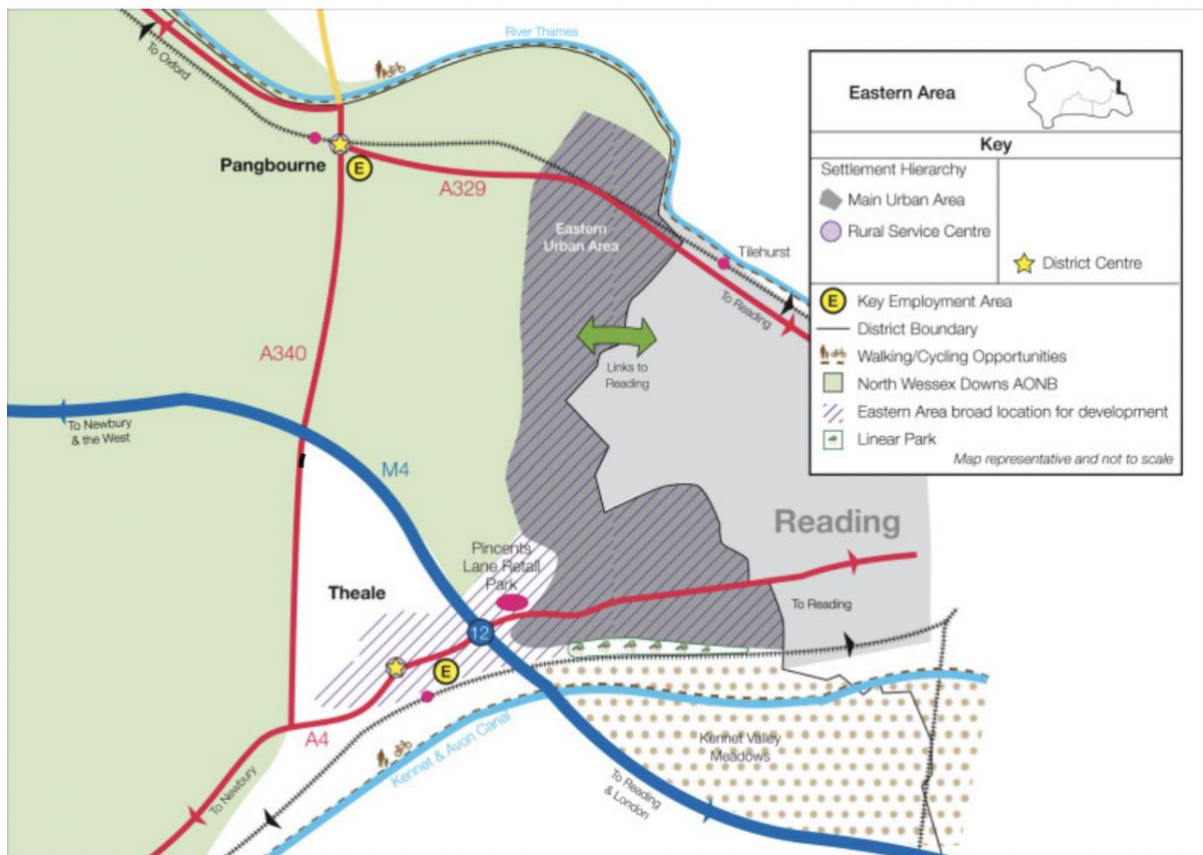


Figure 6: Area Diagram for the Eastern Area showing the Eastern Area Broad location.

1.9 The description of the Eastern Area Broad Location is expanded on in Area Delivery Plan Policy 4 of the Adopted Local Plan as follows:

*'A broad location has been identified on the Key and Area Diagrams which covers the Eastern Urban Area, Theale and the intervening land **within which to find sites for the housing required.***⁴

1.10 Therefore, the Tilehurst DNP Policy H1 is in contradiction to Policy CS1 and Area Delivery Plan Policy 4 of the Adopted West Berkshire Core Strategy and thus fails the general conformity test required by the Town & Country Planning Act 1990.

1.11 There is clarification in policy CS1 that in reference to the identification of sites for housing 'greenfield sites will need to be allocated adjoining settlements in all four of the spatial areas to accommodate the required housing'; an acknowledgement in the Local Plan that all areas of West Berkshire will have to accept the loss of some greenfield sites to meet local housing need.

1.12 The second part of this objection is that the Tilehurst DNP promotes less development in the draft neighbourhood plan area than is set out in the Emerging Local Plan (2020-2037),

⁴ Ibid, pg.35

Regulation 18 draft published December 2020, therefore is not supporting the delivery of an emerging strategic policy and not contributing to the achievement of sustainable development.

1.13 Policy SP12 of the Emerging Local Plan indicates the housing requirement for the period 1 April 2020 to 31 March 2037 as a range, with a minimum requirement of 520 dwellings per annum (meeting the 2019 Local Housing Need (LHN) figure). This equates to 8,840 to 9,775 net additional homes in West Berkshire.

1.14 Policy SP12 also state that ‘New homes will be located in accordance with **Policy SP1: Spatial strategy**, Policy SP3: Settlement hierarchy and Policy DC1: Development in the countryside.’⁵ For Tilehurst in the Eastern Area the responsibility for locating of homes is directed through **Policy SP1** which states that ‘New allocations for housing for Tilehurst and Burghfield will be made through NDPs [Neighbourhood Development Plans].’⁶

1.15 A table within policy *SP 14 Sites allocated for residential development in Eastern Area* states that the Tilehurst NPD must allocate sites for 175 units in the plan period to 2037 (see figure 7 below).

Designated Neighbourhood Area	Total
Burghfield	0
Stratfield Mortimer	110 already allocated up to 2026
Tilehurst	175

Figure 7: Extract from Policy SP14

1.16 Whilst acknowledging that a draft neighbourhood plan is not tested against the policies in an emerging Local Plan, the reasoning and evidence that informs the Local Plan process remain relevant, including the inputs into the local plan that determine local housing need figures.

1.17 It is also noted that within the Tilehurst DNP, the Parish Council recognises the need for housing (6.4) and throughout the DNP it is repeatedly acknowledged that within the community there is a need for housing, especially affordable housing (4.1; 4.4; 6.4; 6.5; 7.2).

1.18 Against the setting of this acknowledged need, and strategic policy, the Tilehurst DNP (para 2.5) emphatically states that it will not be allocating any specific areas for new housing development.

⁵ Pg 52, Emerging Local Plan, see references.

⁶ Pg 19, Emerging Local Plan, see references.

1.19 The justification for this is that the residents survey of 2019 indicated that 84% felt there should be no further development except on small infill or brownfield sites because of a ‘perception that infrastructure investment has not kept pace with development and that a period of time is now needed to absorb the recent fast pace of housing development and to allow the infrastructure to ‘catch up’. (2.3) Even were this statement to be evidence-based, the issue of infrastructure investment should not preclude an DNP allocating development sites in a plan covering a 15-year period.

1.20 Further, infrastructure required to support development is managed in the planning system through the Community Infrastructure Levy (CIL) or Section 106 obligations and contributions. It is the responsibility of local authorities, as well as other agencies – such as the Buckinghamshire, Oxfordshire & Berkshire Integrated Care System (BOB ICS) or the Primary Care Networks – to identify and invest in services or infrastructure to meet local need. Withholding housing from the local community will not resolve these infrastructure, service or workforce (e.g., GPs) deficits but will penalise local people who wish to relocate within the area, artificially constrain the supply of housing land and further make housing inaccessible to those wishing to own their own homes, exacerbating the national housing crisis.

1.21 It is noteworthy that housing in West Berkshire continues to become less affordable. The ratio of median house price to median gross annual workplace-based earnings in West Berkshire increased from 9.47 to 9.73 between 2020 and 2021.⁷

1.22 The Tilehurst DNP identifies various windfall site potentials with estimated capacity (numbers of dwellings) as an alternative to allocating sites. However, 6.11 of the emerging draft Local Plan Review is clear that ‘windfall sites of 10 units or more and prior approvals for permitted development are not included in the calculations of future supply’⁸ in order to provide flexibility to the Council in meeting housing targets. This ‘windfall’ approach does not relinquish the DNP from allocating development sites for 175 units.

1.23 Paragraph 103 of the NPPF says:

‘Policies for managing development within a Local Green Space should be consistent with those for Green Belts.’

It is noted that the Tilehurst DNP seeks to designate a number of areas as Local Green Space but there is no corresponding policy wording provided for assessing development proposals within Local Green Spaces. To comply with NPPF 103, a policy for managing development within an LGS should be presented for consultation prior to a draft proceeding to examination. This is not the same as the provision in paragraph 99 which relates to existing open space, sports and recreational buildings and land, including playing fields.

⁷ <https://>

ratioofhousepricetoworkplacebasedearningslowerquartileandmedian www.ons.gov.uk/peoplepopulationandcommunity/housing/datasets/, accessed October 2022

⁸ Pg 54; Emerging Local Plan, see references.

1.24 As per paragraph 30 of the NPPF, the Neighbourhood Plan, as drafted, will quickly become out-of-date once the emerging Local Plan is adopted, The New Local Plan will become a major material consideration in determining planning applications and which will degrade the local ambition to influence development.

1.25 In summary, it is evident that the Tilehurst DNP will not be supporting the delivery of strategic policies as is required by NPPF paragraph 13, but rather will undermine strategic policies CS1 & ADPP4, thus failing the general conformity test. The Tilehurst DNP is promoting less development than set out in the emerging strategic policies for the area and disregarding the existing local housing need assessment that underpins this as is specifically cautioned against in paragraph 29 of the NPPF. Tilehurst DNP is undermining the aim of plan making at a very broad level by not seeking to achieve sustainable development or seeking to meet the needs of the local area.

Objection 2: Inadequate justification for Local Green Space Designation of Pincents Hill

2.1 Policy I4.1 of the Tilehurst DNP is: ‘To maintain, and, where possible, improve green spaces and green routes and to designate a number as Local Green Spaces’. Under this policy there is a proposal to designate Pincents Hill as one of a number of new Local Green Spaces.

2.2 As acknowledged in 9.41 of the Tilehurst DNP, the NPPF presents three criteria that must be met in order for land to qualify for designation as Local Green Space (LGS). It is important to differentiate LGS from designated open space, not least because once it is designated it is akin to the Green Belt in terms of the policy protection. Thus, it is defined as a green area of *particular importance* to a community.

2.3 NPPF paragraph 102 sets out the three criteria for the use of the LGS designation on sites, that all must be met, as follows:

‘The Local Green Space designation should only be used where the green space is:

a) in reasonably close proximity to the community it serves;

b) demonstrably special to a local community and holds a particular local significance, for example because of its beauty, historic significance, recreational value (including as a playing field), tranquillity or richness of its wildlife; and

c) local in character and is not an extensive tract of land.

2.4 The planning practice guidance (PPG) offers further guidance. It advises

*‘Designating any Local Green Space will need to be consistent with local planning for sustainable development in the area. In particular, **plans must identify sufficient land in suitable locations to meet identified development needs** and the Local Green Space designation should not be used in a way that undermines this aim of plan making.’⁹*

Our emphasis added.

2.5 There is insufficient evidence in both the main body of the DNP under ‘policy context and justification’, and in the Appendix F ‘evidential justification’ to demonstrate that this criterion is met. As currently presented, this content is made up of statements or perceptions which do not demonstrate the specialness or significance demanded by NPPF paragraph 102. Moreover, this representation demonstrates that the area of land that is sought to designate is extensive and outside the scope of such a designation.

⁹ PPG, Paragraph: 007 Reference ID: 37-007-20140306; see references, accessed October 2022.

2.6 West Berkshire Council has provided on its website an advice note called *Neighbourhood Planning Advice Note 11: Local Green Space designations* (Note 11) offering guidance that sites should be assessed against the criteria in paragraph 100 (of the previous version of the NPPF, now para 102); that these assessments should form an evidence base to underpin the DNP and which can be updated as the plan develops. The note also provides a helpful breakdown of the criteria so as to guide these assessments.¹⁰

2.7 Clear advice on the type and sources of evidence that could be used to evidentially justify the designation of a site as Local Green Space is also provided in the guidance published by Locality on designating LGS in neighbourhood plans.¹¹

2.8 The following paragraphs set out how the draft Tilehurst DNP does not demonstrate how any of criteria a), b), and c) of NPPF paragraph 102 are met in relation to the site at Pincents Lane.

a) Proximity Criterion

2.9 Planning policy guidance, Paragraph: 014 Reference ID: 37-014-20140306 advises that the site would normally be within easy walking distance of the community:

‘The proximity of a Local Green Space to the community it serves will depend on local circumstances, including why the green area is seen as special, but it must be reasonably close. For example, if public access is a key factor, then the site would normally be within easy walking distance of the community served.’

2.10 Within Appendix F, F2 Proximity identifies that:

‘The proposed land is within very close proximity of both Calcot and Tilehurst communities, affording four public access points. In total, in excess of 1,500 nearby residences, including 200 mobile homes are within 2 to 10 minutes walking distance from this open land which also adjoins ancient woodland and fields used for horse grazing.’

2.11 As evidenced in 2.58-2.59 below, the site is an extensive tract of land meaning that the full length of the site is not in proximity to the community which is only on the eastern/north eastern boundary with the exception of a couple of stand-alone properties on land that runs parallel to the northern boundary and only commercial properties in the south-western corner of the site.

¹⁰ Note 11 references the NPPF revised 2019 rather than the current edition (2021) and there are some references in note 11 to phrases used within the 2019 NPPF version that are now not relevant.

¹¹ Locality, ‘Making local green space designations in your neighbourhood plan’; see references.

2.12 The site owned by U+I plc is 15.5 hectares in size and contains two Public Rights of Way (PRoW) TILE/13/3 and TILE/15/1¹² (see figure 1 below). The distance from the access point in the north for PRoW TILE/15/1, along the PRoWs to the south-west access point of TILE/13/3, the only legally permissible way of traversing the site, is 1.05km, as marked out in figure 2 below.



Figure 1. Map of PRoWs on the Site.

¹² <https://gis2.westberks.gov.uk/webapps/OnlineMap/?vln=PUBLIC%20RIGHTS%20OF%20WAY>, accessed October 2012.

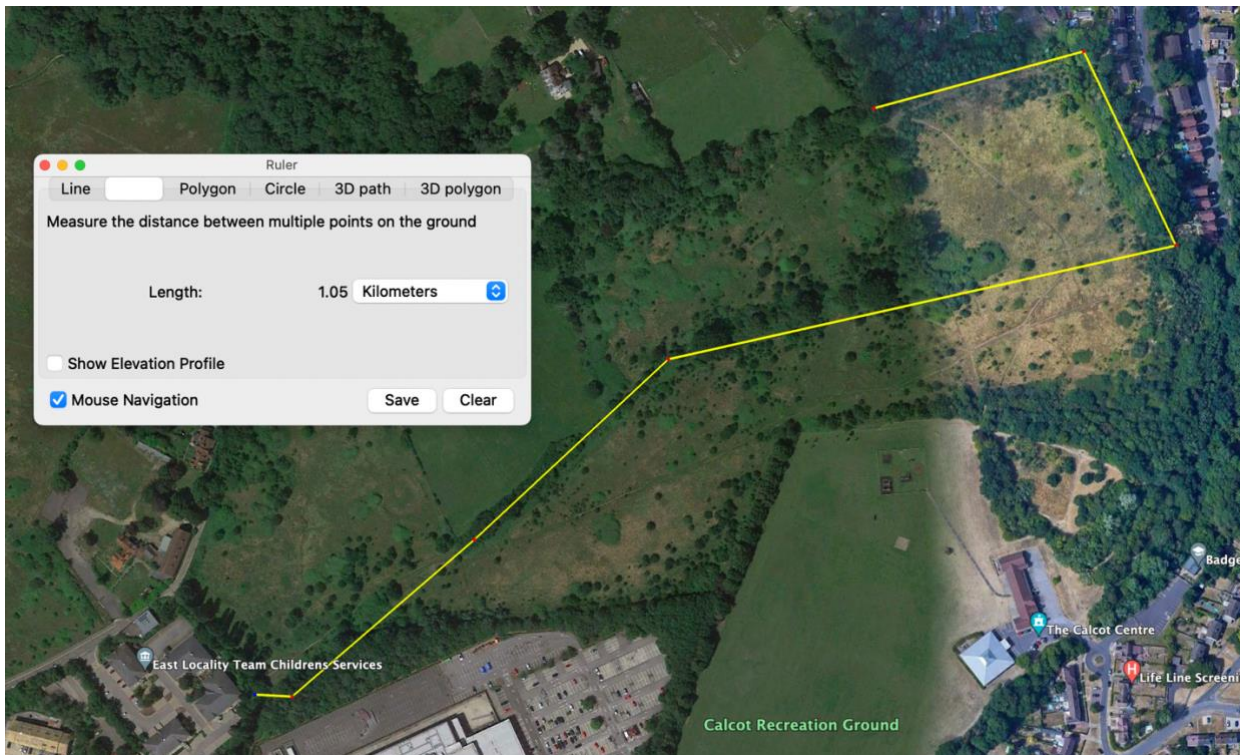


Figure 2. 1.05km distance of route to traverse the length of the site.

2.13 The context and justification text to accompany policy I4.1 is primarily making a case that this site is suitable for exercise for the local community through the use of the pathways. The UK Chief Medical Officers advise that 'Adults in England should aim to take part in at least 150 minutes of moderate intensity physical activity each week, in bouts of 10 minutes or more'¹³; divided over 7 days this equates to 21 minutes of exercise a day.

2.14 An adult can walk 1.7km in 20 minutes (850m in 10 minutes). Measuring from a central point on the TILE/13/3 PRow, the figure below shows a radius of walking 850m to identify the area of residents that are in a close enough proximity to make use of the PRow's as part of this advised exercise length on a return trip basis. Note that this radius is to only walk half way across the footpath on the site, not the full site.

¹³ Health matters: getting every adult active every day; accessed October 2022; <https://www.gov.uk/government/publications/health-matters-getting-every-adult-active-every-day/health-matters-getting-every-adult-active-every-day>



Figure 3: Proximity of Site to residential area.

2.15 The area identifies a small area of residential properties to the east of the site. A number of the residential areas to the south face barriers to accessing the site, in particular the A4, leaving few residents able to frequent the whole site easily and on a regular basis.

2.16 When this proximity is measured against the location of the wider Tilehurst Parish population, there is evidence that only a limited number of residents are in reasonable proximity of the site. Tilehurst Parish stretches considerably further north of the site. The boundary of Tilehurst Parish is very roughly sketched out on to the map in figure 5 below (for illustrative purposes only), and placed against the proposed radius of proximity for the whole site and it is evident that there is a very limited number of residents from the Tilehurst community that have easy access to or are in close proximity to the whole site.

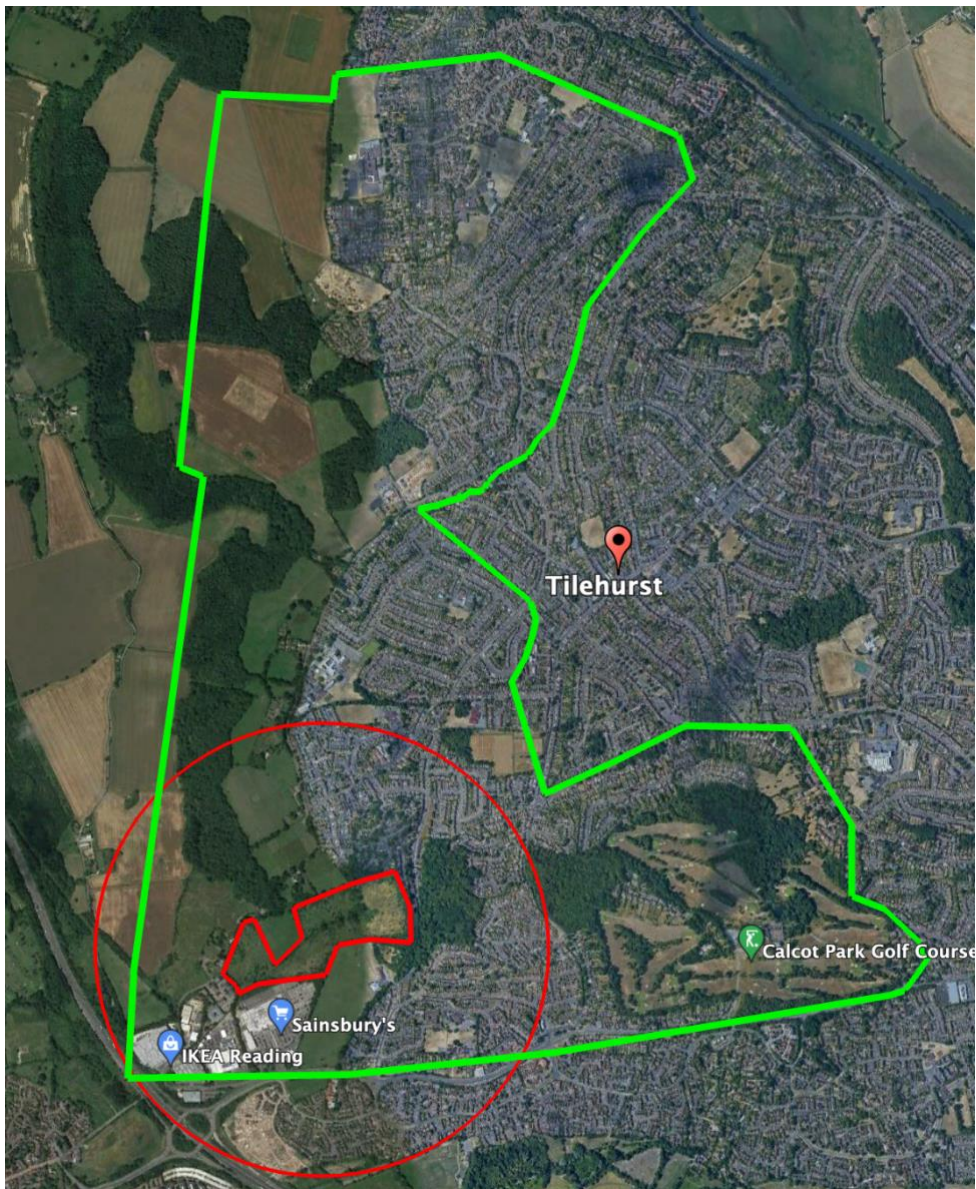


Figure 5: Boundary of Tilehurst Parish versus proximity to Site and walkable radius.

2.17 F2 in Appendix F refers to the space being in close proximity to 1,500 residents, however this is only 10% of the Tilehurst Parish population of 15,000. This suggests the whole site cannot be considered in reasonable proximity to a majority proportion of the Tilehurst population, and that this reasonable proximity is limited to the PRoWs on the eastern section of the site.

b) Demonstrably special to a local community and holds a particular local significance

i) Evidence that demonstrates the site holds a particular local significance because of its beauty:

2.18 F3 Beauty within Appendix F, states that:

'The land is unique within Tilehurst Parish in so far as it is not parkland, it is not woodland although has many trees; it is described by many as 'an attractive tract of open, wild countryside'. From its highest point, it provides outstanding views of the Kennet Valley and beyond and also adjoins the North Wessex Downs AONB with views across the Downs.'

2.19 This is a description of the site and an assertion of what others have described the space to be rather than an assessment or demonstration through objective evidence.

2.20 The quotation in the evidence is used as an example of the way that many people describe the site. The use of the word 'attractive' is a way of describing something of limited beauty and does not portray a community that regard the site as substantially 'special' or 'locally significant' in terms of beauty. On any objective basis it is the adjacent AONB that possesses special qualities. Indeed, it is notable that when the boundaries of the AONB were drawn the site was not included within it.

2.21 There is no further evidence behind this statement that explains who has provided this description nor is it possible to judge if this statement is representative of the local community at large. There has been no attempt to assess the 'beauty' of the site in any objective way against the remainder of the DNP area or further afield.

2.22 The Landscape sensitivity study for West Reading, published in 2009¹⁴, references the site as part of the Tilehurst Plateau Edge (LLCA14J). Whilst this plateau edge area is substantially larger than the site in question, there are key notes describing the character of the whole plateau edge area and the following could be understood to relate to this site as part of the Tilehurst Plateau Edge.

- Extensive areas of open grassland with public access
- Panoramic views from open slopes
- Good public access and recreational provision

2.23 These attributes remain entirely valid when accessing the site along the PRoWs. However, these attributes are not special to this site as figure 6.1 'Designated Footpaths in the Parish' on page 27 demonstrates, showing numerous public rights of way throughout the AONB area that falls within the Tilehurst Parish Boundary.

2.24 Public access and recreational provision is already amply provided by the Calcot Recreational Grounds, the large adjacent tract of public open space owned by Tilehurst Parish Council, which extends to some 10.13 hectares in size. The footpath through the U+I-

¹⁴ Local Development Framework an Integrated Landscape Sensitivity Approach to Settlement Expansion Within West Berkshire Summary Report: West Reading, April 2009. <https://www.westberks.gov.uk/lca>; Accessed October 2022.

owned site adds to this access but of itself is no evidence of any special quality of the land beyond the PRow footpaths.

2.25 Under the 2019 application by U+I (Pincents Lane) Ltd for a scheme of 165 homes, it was proposed to provide open space on the eastern half of the site. This would have addressed all three of the aspects of beauty listed above within the eastern section of the site. It would also have afforded ready access to the adjacent Calcot Recreational Grounds.

2.26 It is also worth noting that the Landscape sensitivity study (2009) does not designate any value to the area in terms of Nature Conservation areas (see Figure 3.4: Nature Conservation Designations of the 2009 study).

2.27 The 2009 study also assesses the quality of the dark skies across the district, an aspect that may be considered to contribute to beauty. However, the site scores poorly on this measure too, with a scoring of 8 – 16 Night Lights (NanoWatts/cm²/sr). (See Figure 3.7: Dark Skies of the 2009 study).

ii) historical significance:

2.28 Within Appendix F, F4 Historical Significance it is stated that:

‘Historic findings have emerged from archaeological studies undertaken in 1987 and 2009 in the form of Roman and Medieval objects – pointing to the possible existence of a Roman building(s) in the area. The land has a significant history that can be traced back some 2000 years.’

2.29 The 1987 archaeological study included four ‘spot sites’ within the site in which 12 sherds of pottery and a small number of flint flakes were found. It was during this survey that the only find from the medieval period was recorded (MWB14320), a medieval pottery sherd. This was a single findspot that is likely to be associated with the nearby farmstead at Pincents Manor.

2.30 The 2009 archaeological study – which is publicly accessible via the Historic Environment Records website - was undertaken in support of the 2009 application to determine the extent, condition, nature, character, quality and date of any archaeological deposits and features. The evaluation consisted of twenty-nine trenches across the site:

‘A total of 15 sherds of pottery weighing 261.3g were recovered. These are mostly of Late Iron Age / Early Roman date but include one sherd of Samian ware, possibly dating to the 2nd century. One undiagnostic flint flake was recovered. All the pottery was examined and spot-dated. As the quantity of pottery is so small it has not been presented in a separate table but is shown below. [...]’¹⁵

¹⁵ Murray, P. (2009). Pincents Hill Tilehurst, Reading, West Berkshire. Oxford: Oxford Archaeology. <https://doi.org/10.5284/1030732>; pg.8; Accessed October 2022.

2.31 The 2009 survey and evaluation uncovered limited findings. Features of a field or enclosure boundary - dated as Roman - were found in the horse paddock - which is not part of the proposed LGS designation area. The report describes this as presenting 'significant evidence' of Roman activity but which the report suggests likely relates to the evidence of a Roman building (UID241363) found beyond the site on Pincents Farm, 400m to the west of the site. The Roman Buildings references in F4 are not in the area of the site.

2.32 It should be emphasised that the report described this evidence as 'significant evidence of Roman activity' rather than evidence of significant Roman activity, which carries a different means and strongly suggests that these Roman and medieval remains do not demonstrate that the site has particular local historical significance.

2.33 The Tilehurst DNP's analysis of evidence as to the historical significance of the site is limited only to these archaeological finds, which as concluded above does not show any evidence of a settlement within the site.

2.34 Furthermore, the extensive remodelling of the site prior to its use as a nine-hole golf course would indicate that any potential archaeological interest would have been lost. The Councils' archaeological adviser was satisfied that any such interest could be covered by planning conditions on any permission for development of the site.

2.35 The Landscape sensitivity study for West Reading (2009)¹⁶ provides a broader assessment of the site as part of a district-wide analysis of the location of historic landscape types that have significant value. In this study, figure 3.5: 'Historic Landscape Character Areas', shows that there are no designations covering the Site broad categories such as meadow, managed cultural asset, commons and greens or historic settlement, pre 18th C irregular fields, pre-18th C regular fields, pre-18th C sinuous fields.

2.36 WBC Note 11 (see paragraph 2.6 above) offers further prompts that might help assess the local significance of a space:

'Are there any historic buildings, features or remains on the space? (e.g., listed building, scheduled monument)'; Are there any important historic landscape features on the space? (e.g., old hedgerows, ancient trees, historic ponds, historic garden features?) Does the space have a historic literature or art connection? Did any important historic events take place on the site? Did the site play an important role in the historic development of the village or town? (e.g., part of the grounds for a manor house, site of an old railway station, village green). Is there a long-standing event which takes place on the space?

2.37 Taking these questions in turn:

¹⁶ Local Development Framework an Integrated Landscape Sensitivity Approach to Settlement Expansion Within West Berkshire Summary Report: West Reading, April 2009; Pg 26, <https://www.westberks.gov.uk/lca>; Accessed October 2022.

Are there any historic buildings, features or remains on the space? (e.g., listed building, scheduled monument)';	No, as evidenced by the archaeological surveys of 1987 and 2009
Are there any important historic landscape features on the space? (e.g., old hedgerows, ancient trees, historic ponds, historic garden features?)	No, as evidenced in the WBC Land Character Assessment 2019.
Does the space have a historic literature or art connection?	None has been identified
Did any important historic events take place on the site?	None has been identified
Did the site play an important role in the historic development of the village or town? (e.g., part of the grounds for a manor house, site of an old railway station, village green).	Whilst it is close in proximity to the Manor House there is no evidence of a relationship between the Manor house and the site or the site having any history of relating specifically to the history of the Manor House.
Is there a long-standing event which takes place on the space?	There is no record of a long-standing event taking place on the site.

2.38 A review of local history sites identified a transcript of a talk given in June 2018 by Mike Keep, assumed to be a local historian.¹⁷ Called 'A Short History of Tilehurst' By Mike Keep, within this there is no reference to the site or its neighbouring sites, nor any reference to significant Roman or Medieval history in the area.

2.39 David Nash Ford's *Royal Berkshire History* website page on Tilehurst does not mention the site. There is a mention of activity in the medieval period in the surrounding Tilehurst area, but no mention of Roman activity.¹⁸

2.40 In conclusion, there is no evidence provided, through the Tilehurst DNP or through assessing other material, to demonstrate that the site holds a particular local historical significance that makes it special to the local community.

iii) Recreational Value

2.41 In appendix F, F5 states that:

'The land is in constant, daily use, primarily by people walking or jogging for exercise and wildlife, flora and fauna observation. There are five officially designated public rights of way in addition to uncharted but frequented footpaths. Immediately south of, but complimenting, this land there is a large recreational

¹⁷ A Short History of Tilehurst By Mike Keep This is the text of a talk given by Mike Keep in June 2018: <https://tilehurstmemories.org.uk/Frames/Tilehurst%20History.PDF>

¹⁸ <http://www.berkshirehistory.com/villages/tilehurst.html>

area providing football pitches, outdoor gym and playground equipment. Records of actual average usage by the public can be provided if required.'

2.37 The statement in F5 is primarily focused on the exercising value of the site. The content of 'context and justification' for policy I4.1 is broadly centred around the lack of recreational open areas in Tilehurst Parish. However, within these texts, there are a number of contradictions. There is also a lack of clarity on terms used and critically a lack of proper assessment of the community's access to open areas for recreation.

2.38 The DNP is clear that there is significant opportunity for the residents of Tilehurst to access open green space for walking and exercise because of the parish's proximity to the North West Downs AONB.

'9.43 Tilehurst Parish benefits from having the NWD AONB literally 'on its doorstep', providing relatively convenient access for most residents and visitors from surrounding areas. As such, the AONB offers a wide choice of footpaths and bridleways across open fields and woodlands (See map on page 50)'

2.39 However 9.44 asserts, without providing evidence, that there is insufficient recreational space (play areas and recreational grounds) and no green spaces such as parkland.

9.44 However, within the Parish itself, there are only six small children's play areas, within residential conurbations, and three recreational grounds, including the Cotswold Sports Centre. As such there are no open 'green' areas, public gardens, allotments or parklands for the residents. Feedback from the Resident's Survey indicated that slightly in excess of 70% of respondents were concerned about the loss of countryside and open spaces.

2.40 A statement in the following paragraph (9.45) is wholly unsubstantiated.

'considering the above and the obvious lack of any public open parklands, it was not deemed necessary to undertake any community assessment of the few remaining woodlands.'

2.41 Importantly though, the criteria for designating a Local Green Space does not include meeting a community's need for green space but is about preserving an area seen as having special qualities.

2.42 Aside from this, there is no evidence that there is a lack of green space. There is no updated open space and leisure space needs assessment yet published as part of the evidence for the emerging West Berkshire New Local Plan. And given the existence of the adjacent Calcot Recreation Grounds, which extends to more than 10 hectares, it is fallacious to argue that there is an obvious lack of open parklands, particularly given the wording of DNP para 9.43 as stated above.

2.43 It would be further useful to understand what kind of space the Tilehurst DNP is meaning. It is variously referred to as open space, countryside, open parklands and/or woodlands. A clear definition of what an open 'green' area is understood to be in terms of features and purpose in the context of the Tilehurst DNP would give clearer meaning to the community's feedback noted in 9.44:

'Feedback from the Resident's Survey indicated that slightly in excess of 70% of respondents were concerned about the loss of countryside and open spaces.'

2.44 This maybe so but it does not reference the criteria in NPPF 102. The justification for Policy I4.1 is to maintain, and, where possible, improve green spaces and green routes and to designate a number as 'Local Green Spaces' and is predominantly focused on meeting a recreational need. However, the simple fact of the matter is that that the Land East of Pincents Lane is not an existing recreational area and legal access to the site is limited to the Public Rights of Way (PRoWs) directed through signage across the whole site saying '*Private Property. Walkers keep to Designated Footpaths*'.

2.45 The community's use of the site being limited to the PRoWs only, was confirmed during the public local inquiry in to a Town and Village Green Application submitted in 2009 (inquiry 2010) that was refused by WBC on the recommendation of the Inspector. A couple of extracts below from the Inspectors Report illustrate their findings:

10.9 [...] the Applicant did not demonstrate on the balance of probabilities that the application land has been used for lawful sports and pastimes for 20 years up to the date of the application in April 2009. That observation applies whether the land is considered as a whole, or when considering individual parts of it.

10.11 [...] any relevant use in the 20 years up to the date of application has not been 'as of right'. The failure of many of the Applicant's witnesses to have seen the four large clear notices which are still on Area 4 is astonishing. In any event some of the Applicant's witnesses had in fact seen the notices, and clearly understood the implications of them. [...]

10.16 In considering any claimed recreational use on the land, it is very important to distinguish the use of footpaths from use of the land as a whole for sports and pastimes. It is clear from the cases that where the public use defined tracks over land, that will generally only establish public rights of way unless the use of the land as a whole is plainly wider in scope than that, or the tracks are of such a character that use of them cannot give rise to a presumption at common law of a public highway.

2.46 A link to the full Inspectors Report, as well as the decision record by West Berkshire Council, can be found in the reference section below.

2.47 Following the public inquiry, a number of additional signs were erected indicating that the site was private land.

2.48 In conclusion, Appendix F of the Tilehurst DNP does not provide sufficient evidence to demonstrate that the site is special or holds a particular significance because of its recreation value but rather identifies that the PRoWs on the site are being utilised by people walking or jogging for exercise. As a public right of way this use is acceptable at whatever frequency and these PRoWs are protected by law. But in itself this is not *a particular local significance that demonstrates that the site is special to the local community.*

iv) Tranquillity

2.49 Within Appendix F, F6 Tranquillity states that:

'Though very close to fairly dense housing estates the visibility of these surrounding buildings is well shielded by wooded areas, trees and hedges along the perimeter. People access the land to relax, calm down, listen to, watch and photograph the wildlife.'

2.50 This is a statement rather than evidence. It states that, due to the vegetation of the site, people that access the land are unable to see surrounding buildings. The assumption is that it is the inability to see the built forms around that enables people to relax and engage with their setting.

2.51 Whilst this might be a feature at view points across the site, this does not provide any evidence of the site's tranquillity being demonstrably special to the local community or of being of particular local significance.

2.52 There is further evidence of the limited tranquillity of the site in the Landscape character assessment 2019. Page 33 shows a tranquillity map of West Berkshire district in which the area of the site is shaded an orange and dark orange indicating it is one of the least tranquil areas in the West Berkshire district.¹⁹

2.53 Finally, concern was raised in relation to noise emanating from the adjacent Sainsbury's goods vehicle yard during the determination of the 2019 application, particularly vehicles and reversing alarms. Although no objection was raised by the Council's Environmental Health Officer, this is particularly inconsistent with designation of the western part of the site on grounds of tranquillity.

v) Richness of wildlife

2.54 In appendix F, F8 states that:

'The whole area offers an abundance of wild life including deer (muntjac and roe), badgers, foxes, rabbits, hedgehogs, squirrels, bats and, among many species of birds, red kites. In

¹⁹ West Berkshire Landscape Character Assessment, August 2019, Pg. 33:
https://www.westberks.gov.uk/media/47980/West-Berkshire-Landscape-Character-Assessment-2019/pdf/West_Berkshire_Landscape_Character_Assessment_2019.pdf?m=638006494990200000

addition, butterflies, stag beetles and many other insects. Horses graze nearby. Being adjacent to the AONB, both Withy and Oliver's Copses, the land provides a natural corridor for the movement of wildlife between habitats.'

2.55 An ecology survey commissioned in 2018 as part of an Environment Impact Assessment found the most significant ecological aspect to the site were:

'nine hedgerows [that are] defined as the Hedgerow Habitat of Principal Importance, there are five lengths of hedgerow on the site that qualify as Important Hedgerows.'

2.56 It concluded that:

'Other than for the hedgerows, the habitats on-Site are of low intrinsic value. For species the Site is considered to be of Local value in most cases, but of District value for invertebrates and breeding birds. Although the evaluation for bats concludes the Site to also be of Local value, there is a confirmed roost present within the area allocated for open space [within the 2019 proposed scheme].'

2.57 It is noteworthy that neither the Berkshire, Buckinghamshire and Oxfordshire Wildlife Trust (BBOWT) nor the Council's Ecological Adviser raised objection to the 2019 application for a housing scheme, recognising that in excess of 10% Biodiversity Net Gain would be provided by the proposed scheme.

c) local in character and is not an extensive tract of land.

2.58 In appendix F, F9 Character and Extent of Land states that:

'The land lies completely within Tilehurst Parish with clear access public points and is 14.9 hectares in size. Boundaries are provided by fencing, trees or hedging and Pincents Lane itself provides a wide footpath.'

2.59 The site is undeniably an extensive tract. The distance from the south west access point to the north east access point is 1km in distance. Access points only afford access to the PRoWs crossing the site and there is no access point to the Site directly from Pincents Lane. The site proposed for designation as Local Greenspace constitutes 14.9ha of a 17.8ha site which is the area, owned by two landowners in total, proposed for housing and open space in 2019. The land identified has previously accommodated large scale uses such as multiple fields for a tenant farmer to both graze cattle and for arable farming, as well as accommodating a nine-hole golf course.²⁰ By any measure the site is an extensive tract of land.

²⁰ See commentary in Inspector report

Objection 3: The proposal to designate Pincents Hill as a Local Green Space is inappropriate and uses the designation to undermine the aim of plan making.

3.1 There are two aspects to this third point of objection. Firstly:

- there is substantial evidence that the Land East of Pincents Lane is suitable and sufficient to meet identified development, the type of land that the Tilehurst DNP is required to identify in the DNP, therefore designation as LGS is inappropriate, and secondly;
- that this proposed designation is part of a longer history of the community as LGS vexatiously seeking to prevent development on this site. The LGS designation is being used in an attempt to undermine the aim of plan making and sustainable development.

3.2 Paragraph 101 of the NPPF offers criteria that is about ensuring that Local Green Space (LGS) designation is appropriate and part of the broader objective of plan-making, to ensure sustainable development:

- *‘Designating land as Local Green Space should be consistent with the local planning of sustainable development and;*
- *[Local Green Space should] complement investment in sufficient homes, jobs and other essential services;*
- *Local Green Spaces should only be designated when a plan is prepared or updated, and;*
- *be capable of enduring beyond the end of the plan period.’*

3.3 The National Planning Practice Guidance states the following in regard to how Local Green Space designation relates to development (Paragraph: 007 Reference ID: 37-007-20140306):

*“In particular, plans must identify **sufficient land in suitable locations** to meet identified development needs and **the Local Green Space designation should not be used in a way that undermines this aim of plan making.**” (Our emphasis).*

3.4 Policy I4.1 of the DNP is not NPPF compliant. It addresses the criteria set out in paragraph 102 of the NPPF (see objection 1 above) but ignores the criteria set out in paragraph 101 i.e., ‘Designating land as Local Green Space should be consistent with the local planning of sustainable development’ **AND** complement investment in sufficient homes, jobs and other essential services.’

3.5 The need for investment in sufficient homes is expressed throughout the Tilehurst DNP, as set out in 2.16 above, but substantiated in policy H1 and H2 of the Tilehurst DNP; H1 identifies need for starter homes and Policy H2 affordable housing including First homes.

3.6 The land East of Pincents Lane is an important site for providing sufficient homes of this type. It meets future housing needs (Emerging Local Plan SP14 i.e., 175 homes), and will be an opportunity to provide affordable housing including first homes (starter homes as per H1) or affordable homes as per H2.

3.7 It can be evidenced that the site is suitable for housing in a number of ways:

- Policy ADDP4 and the Broad location for growth – as explained within 2.19 above

And through the following, which will be explored below:

- A Statement of Common Ground agreed 2016
- The West Berkshire Council's Housing & Economic Land Availability Assessment (HELAA)
- Highways concern resolved in 2019 application.
- All other concerns on impact resolved within the 2019 application and which was recommended for approval by officers.

3.8 During the production of the West Berkshire Housing Sites Allocation DPD, a Statement of Common Ground was agreed in 2016 between WBC and the owners of this site which stated that *“the site is both available and deliverable to meet the needs of the Eastern Spatial Area and the district as a whole subject to the Council's highways concerns being resolved”*. This Statement of Common Ground can be found in Appendix 1.

3.9 More recently the site was assessed as part of the West Berkshire Council's HELAA,²¹ published in December 2020. Within this assessment the Council noted that the western section of this site is suitable for allocation subject to satisfaction of considerations related to ecology, landscape and highways. The site was recognised as partly suitable, available and deliverable for housing.

3.10 The highways concerns expressed in 2016 were resolved to the highways officers' satisfaction during the 2019 application (19/00113/OUTMAJ) process, in part through the reduction of housing numbers from 265 to 165. Externally verified data showed this number of units to be acceptable to WBC's Highways Officers, see para 6.50 of the Officer Report.²²

²¹ See references to site reference TIL13 in Appendix_4_HELAA_Site_Assessments, Accessed 21.10.22, https://www.westberks.gov.uk/media/49853/HELAA-Appendix-4-Site-Assessments/xls/Appendix_4_HELAA_Site_Assessments.xlsx?m=637910505659730000

²² Para 6.50, Officer Report on 19/00113/OUTMAJ Tilehurst for Eastern Area Planning Committee, 19th January 2022; <http://planning.westberks.gov.uk/rpp/showimage.asp?j=19/00113/OUTMAJ&index=2058405>

3.11 West Berkshire Council officers showed considerable rigour in supporting the developer to bring forward an acceptable and sustainable scheme. In doing so, substantial benefits for the community were proposed, providing homes needed along with 40% of these as affordable housing, as well as securing the features and benefits sought for preservation through the draft Tilehurst DNP in proposing the LGS designation, including:

- an open green space of 8.77ha in the area of closest proximity to the community, protected from development and secured in perpetuity for the community's access (6.58);
- Preservation of all significant views including views of the Kennet Valley and the North Wessex Downs AONB (6.130);
- The preservation and enhancement of all the officially designated public rights of way including all access points on to the area and connecting to community facilities such as the neighbouring recreational area. (6.71);
- Significant buffer zones on parameters to provide tranquillity of the open green space on the eastern part of the site. (1.8);
- preservation of the natural corridor of movement between the AONB, Withy and Oliver Copses. (6.90).

Reference to these benefits can be found in the Officer Report that accompanied the application in the paragraphs noted by number in the brackets above²³.

3.12 The application was submitted in January 2019 and in due course was recommended by officers for approval with no objections from statutory consultees. This is testament to the suitability of this site for housing and the deliverability of the site to meet housing need.

3.13 It was however refused by the District Planning Committee in April 2022. The landowners are currently reviewing the strategy for planning with options being to promote through the local plan process or to proceed to submit a further application supported by the range of impact assessments including updated traffic modelling.

3.14 Community resistance to the development of this site for housing has been long-standing. An application to designate the site as a village green was submitted in 2009 by a local resident in the same year that an application for housing was made by Blue Living. The Town and Village Green (TVG) application site covered almost the whole of the land covered by that application - 48 acres in total. The TVG application passed the test for a public hearing which was held and lasted two weeks. The Inspector's report found the conditions for designation weren't met and West Berkshire Council turned down the application²⁴.

²³ Officer Report on 19/00113/OUTMAJ Tilehurst for Eastern Area Planning Committee, 19th January 2022; <http://planning.westberks.gov.uk/rpp/showimage.asp?i=19/00113/OUTMAJ&index=2058405>

²⁴ Decision details: Application to Register a Town or Village Green - Village Green 105, Tilehurst (EX2201): <http://decisionmaking.westberks.gov.uk/ieDecisionDetails.aspx?Id=233>

3.15 It is notable that the Inspector's report includes the following paragraph, illustrating the community's preoccupation at the time with the pending housing application of 2009 and the potential of the TVG registration to limit this potential housing development:

*'11.97 I do have to note that, in spite of my indications on several occasions, beginning with the Pre-Inquiry Meeting, that issues going to the planning merits of retaining this land as an open area, as opposed to its potentially being developed, could not possibly be of relevance to any determination under the Commons Act, the Applicant did persist in addressing this point right up to and including the conclusion to her final submissions at the end of the inquiry. A large number of witness statements in support of the Applicant also made reference to this aspect.'*²⁵

3.16 This is an important context in understanding the proposal to designate the site as LGS in 2021 as part of the Tilehurst DNP, when the U+I (Pincents Lane) Ltd application for housing was submitted in 2019 (decided in April 2022).

3.17 It is also relevant that the proposed LGS area is not limited to the area that was identified for proposed parkland with the 2019 application, but covers the whole site including the area understood within Local Plan evidence (HELAA) to be suitable for housing.

3.18 Local Green Space protection is consistent with that in respect of the Green Belt:

'Designating a green area as Local Green Space would give it protection consistent with that in respect of Green Belt' (NPPG Paragraph: 020 Reference ID: 37-020-20140306)

3.19 That protection is very high in that 'A local planning authority should regard the construction of new buildings as inappropriate in the Green Belt' (NPPF para 149) and that 'Inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances.' (NPPF para 147).

3.20 An LGS designation on this site would prevent the long-term delivery of homes on a site that is demonstrably suitable for housing, as recognised by West Berkshire Council.

3.21 In summary, the Land East of Pincents Lane site ('the site') provides sufficient land in a suitable location to meet the identified development need for housing in the Eastern Area of West Berkshire. Designating the proposed area as a Local Green Space would undermine the sustainable development aim of plan making.

3.22 Further, the land at Pincents Lane is also one of the few opportunities to significantly deliver against the needs and policy objectives identified in the Tilehurst draft

²⁵ Report Of The Inspector Mr Alun Alesbury, M.A., Barrister At Law Into An Application To Register The Land At Pincents Hill As A Town Or Village Green, 2009; <http://decisionmaking.westberks.gov.uk/documents/s5884/Appendix%20A%20-%20Report%20of%20the%20Inspector%20Mr%20Alun%20Alesbury%20dated%2029%20November%202010.pdf>

Neighbourhood Plan; a sustainable development that can meet local needs for affordable housing whilst also ensuring the provision of 8.77ha of publicly accessible green space as proposed in the 2019 planning application for the site, land which is only currently accessible via the Public Rights of Way network.

3.23 Sadly, it appears that rather than using the designation of LGS for the purposes set out in the NPPF, the Tilehurst NP Steering Group is attempting to thwart any development proposals for the land east of Pincents Lane.

3.24 A fourth and final point to make is that the landowner was not informed of the pre-submission consultation (regulation 14).

3.25 PPG Paragraph: 019 Reference ID: 37-019-20140306 states that landowners should be contacted *'at an early stage about proposals to designate any part of their land as Local Green Space. Landowners will have opportunities to make representations in respect of proposals in a draft plan.'*²⁶

3.26 The landowner received a letter in 2021 informing them of the intention to propose the site as a Local Green Space, to which a response was submitted objecting and expressing concern and intention to respond further should the proposal transpire. There was no further communication beyond this, the Neighbourhood Forum Steering Group did not notify us that the draft DNP was out for Reg 14 consultation which would have denied us our opportunity to make representations in respect of proposals in the draft plan had we not happened to check progress online. We would suggest that due process hasn't been undertaken and that this portrays an unfortunate duplicity of the Neighbourhood Forum Steering Group.

²⁶ Open space, sports and recreation facilities, public rights of way and local green space planning policy guidance, <https://www.gov.uk/guidance/open-space-sports-and-recreation-facilities-public-rights-of-way-and-local-green-space>, accessed 21.10.22

Conclusions

3.27 In conclusion, this letter of objection demonstrates that:

1. There is grossly inadequate assessment provided against criteria set out in NPPF paragraph 102 to warrant justification of the site's designation as Local Green Space;
2. The draft plan is not in conformity with national and local strategic policy, in that it fails to support the delivery of that policy and promotes less development than is required by adopted and emerging policy; and
3. The proposal to designate Pincents Hill as a Local Green Space is inappropriate and is a use of the designation to undermine the aim of plan making.

TOWN

October 2022

References:

paragraph 8(2) of Schedule 4B TCPA 1990

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<http://planning.westberks.gov.uk/rpp/showimage.asp?j=19/00113/OUTMAJ&index=2058405>

Appendix.

1. Statement of Common Ground, 2016.

**Land at Pincents Lane,
Tilehurst (Site Ref: EUA007)**
Statement of Common Ground

**Land at Pincents Lane,
Tilehurst (Site Ref: EUA007)
Statement of Common Ground**

June 2016

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Land at Pincents Lane, Tilehurst (Site Ref: EUA007) Statement of Common Ground

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Land at Pincents Lane, Tilehurst (Site Ref: EUA007)

Statement of Common Ground

Appendices

Appendix 1

Indicative masterplan

Appendix 2

Appeal decision ref: APP/W0340/A/10/2133957

Appendix 3

Committee report, appendices and decision notice
(LPA Ref: 11/00218/COMIND)

Appendix 4

Committee report, appendices and decision notice
(LPA Ref: 14/03032/COMIND)

Appendix 5

SHLAA Site Assessment

Appendix 6

Note prepared by Phil Jones Associates

1. Signatures

This SCG is prepared jointly and agreed by:

Signed:

Date: 17 June 2016



Indigo Planning Limited (on behalf of TOWN)

Signed:

Date: 17th June 2016



West Berkshire Council

2. Overview

- 2.1. TOWN and Indigo Planning submit this Statement of Common Ground (SoCG) to West Berkshire Council for agreement in advance of the Housing Site Allocations DPD (HSADPD) examination. The purpose of the SoCG is to inform the HSADPD Inspector on matters agreed with the Council in respect of the potential for land at Pincents Lane (Site Ref: EUA007) to come forward for housing. It also identifies the remaining points of contention that have prevented the Council from allocating the site for residential development in the HSADPD Submission version of the document.
- 2.2. This SOCG is submitted on behalf of the owners of land at Pincents Lane, Tilehurst, namely Blue Living (Pincents Hill) Limited, a wholly owned subsidiary of U+I plc (formerly Development Securities plc), which owns the part of the site formerly in use as a golf course, and Mr and Mrs A Barron and Mrs C Platt, who together own the part of the site which is currently grazing land.
- 2.3. The matters which are agreed are as follows:
- The site is both available and deliverable to meet the needs of the Eastern Spatial Area and the district as a whole subject to the Council's highways concerns being resolved;
 - The quantum of development proposed and the location of the development areas are considered acceptable provided that development is removed from the eastern part of the site as per the latest indicative masterplan drawing provided at **Appendix 1**;
 - The proportion of affordable housing proposed is acceptable;
 - The amount of open space provided on site is acceptable;
 - There are no outstanding concerns preventing the site from coming forward in landscape terms subject to appropriate mitigation as set out in the Council's landscape capacity assessment and as proposed by the landowner; and
 - The key reason why the site has not been allocated is due to the potential highway impact of the scheme in the context of the IKEA development. The

Council states that this position will be reviewed following the completion of IKEA and as part of the Local Plan review.

3. The Site and Surroundings

- 3.1. To assist the Council and the Inspector in understanding the nature of the site and the proposed development, please refer to the latest representations submitted by TOWN in response to the HSADPD Proposed Submission in December 2015. These contain a description of the site, as well as other relevant background information on the proposal.
- 3.2. The proposal is for an allocation to provide a total of 200 to 300 homes (the draft allocation being for 285 homes), with the eventual number depending on the precise development footprint, the mix and size of homes, and the development density. All of these would be subject to discussion and agreement with West Berkshire Council. Of this housing number, 40% would be affordable, in line with Council policy.
- 3.3. This scale of development is in contrast to the 2009 planning application (and subsequent appeal scheme dismissed in 2011), which proposed a total of 750 homes, together with a range of other uses. An indicative masterplan showing how the reduced level of development might be accommodated is included at **Appendix 1**.

4. Planning History

Land at Pincents Lane, Tilehurst

- 4.1. A proposal for comprehensive development of the site was considered at an inquiry held in February and March 2011. The appeal decision is provided at **Appendix 2**.
- 4.2. The proposal considered at the inquiry involved the delivery of a mixed use development including provision for up to 750 new dwellings, along with a hotel, commercial offices, restaurants and cafes, a number of community facilities and uses, with open spaces and landscaping and wildlife corridors.
- 4.3. The proposed development identified in the representations has taken on board the Inspector's comments and the scheme has been significantly revised to address both the Council's and the Inspector's concerns. This is reflected in the site's identification as a potential allocation in the HSADPD Preferred Options and demonstrated by the significantly reduced number of issues associated with the site as outlined in this Statement.

IKEA, Calcot proposals

- 4.4. In August 2012, planning permission was granted for the erection of a Class A1 retail store with associated car parking, landscaping, serving and access arrangements on land at the Berkshire Retail Park, Pincents Lane (LPA Ref: 11/00218/COMIND). This is located to the south west of the site.
- 4.5. This planning permission was for the development of a new IKEA store comprising 39,612sqm of retail floorspace distributed over three levels. The store will be served by a multi-storey car park which will provide a total of 1,179 parking spaces. The scheme would also incorporate a pull-in area to the front allowing for local bus services to be extended, a taxi drop off point, landscaping works and a package of off-site highways improvements.
- 4.6. The scheme was fully considered by the Highway Authority Officer who concluded that subject to the mitigation measures proposed, the scheme was acceptable.
- 4.7. A copy of the committee report and appendices, along with the decision notice, are provided at **Appendix 3**.

- 4.8. In March 2015 planning permission was granted for the variation of the planning permission reference 11/00218/COMIND (Erection of Class A1 retail store with associated car parking, landscaping, servicing and access arrangements) (LPA Ref: 14/03032/COMIND) to reduce the size of the store.
- 4.9. The IKEA store would be two storeys in height compared to a previous three storeys and the floor area of the store would be reduced from 39,612sqm to 32,500sqm.
- 4.10. The number of car parking spaces was reduced from 1,179 customer spaces and 36 co-worker spaces to 984 customer and co-worker spaces. This included the removal of the co-worker parking to the side of the building to facilitate the increase in the footprint.
- 4.11. The committee report stated that the S73 application did not propose to materially alter the package of mitigation measures previously agreed, despite the smaller store. The Section 106 and 278 Agreements would secure such a package under this S73 application. The requirement to widen the A4 between Royal Avenue and Langley Hill was removed as these works were being undertaken separately. A financial contribution was sought to contribute towards this instead. The conditions remained largely unaltered.
- 4.12. A copy of the committee report and its appendices along with a copy of the decision notice are provided at **Appendix 4**.
- 4.13. The key points on the highway mitigation measures as agreed are as follows:
- The proposed improvements to the Pincents Lane/Sainsbury's/A4 junction are consistent with what was proposed for the larger store;
 - The widening works to the A4 towards Reading are no longer a direct requirement of the scheme as they are already underway. A contribution of £208,804 towards these works was agreed instead;
 - A reduced mitigation scheme for the M4 J12 was proposed as part of the application. This involved just the widening of the eastbound approach to the junction (which formed part of the original proposals) and revising the signal plans for the junction. The widening of the circulatory carriageway and the southbound slip road was not included in the submission but was previously part of the scheme for the larger store; and

- The committee report does indicate that the HA have no objections to the proposals but are however still working with IKEA to determine the appropriate amended scheme proposal for the junction. This work will be reflected in the S106/S278 agreements.

5. Background to Site Promotion

- 5.1. The site is identified as site reference EUA007 in the Council's Strategic Housing Land Availability Assessment (SHLAA), published in December 2013. The published details for this site show an indicative density of 30 dwellings per developable hectare with the potential for the site to deliver a residential-led mixed use development with 225 to 330 dwellings. This follows on from TOWN's submission in response to the call for sites during February to April 2013.
- 5.2. The site was subsequently included as one of the preferred options for housing development (for 285 dwellings) for the Eastern spatial area in the Housing Site Allocations DPD Preferred Options (July 2014) to be explored further by the Council through consultation and further technical work.
- 5.3. However, the Council removed the site from the Proposed Submission version of the HSADPD (published in November 2015), and subsequently from the HSADPD, submitted for examination, on the basis of the potential cumulative impact of the proposed development and the committed IKEA store on the operation of the junction between Pincents Lane and the A4 with a view to reconsidering the site's status once the IKEA store had been in operation for a period of time. The council's position is that this would be undertaken through the Local Plan review.

6. Agreed Planning Issues

- 6.1. The Council states at paragraph 2.25 of the HSADPD Submission that the constraints and technical issues associated with the Eastern Spatial Area mean that there is a housing shortfall for this area when compared to the Core Strategy requirement as it has not been possible to find enough developable sites in the area. The site was considered for development by the Council in West Berkshire's Strategic Housing Land Availability Assessment (SHLAA) in December 2013. The Council considered that the site was developable in six to ten years. A copy of the Council's SHLAA assessment of the site is provided at **Appendix 5**.
- 6.2. The site was subsequently put forward as one of 11 preferred options for housing in the Eastern Area and was identified as having the potential to deliver 285 homes. Following a meeting with planning policy officers at West Berkshire in August 2014 where it was agreed that further information would be provided to the Council to assist in preparing the next stage of the consultation, a submission was made in December 2014.
- 6.3. The submission noted that the Inspector, in considering the previous appeal (for a much larger scheme) on the site, found that the analysis of highway arrangements and proposed mitigation led to his conclusion that there would be limited effect on highway safety and the free flow of traffic, and that the proposals would accord with relevant local plan policy considerations in this respect.
- 6.4. The site was supported by an analysis of landscape impact of traffic and transport impacts. As part of this, the proposed allocation was based on a significantly reduced developable area within the site, and a significant reduction in the number of homes compared to that associated with the appeal scheme.
- 6.5. The submission noted that the proposed development expected to utilise an access onto the southern section of Pincents Lane which was considered to be acceptable by the Council.
- 6.6. Following the submission, officers acknowledged at a meeting in March 2015, the work that TOWN has undertaken to address the real and perceived issues in

respect to the site. Officers advised that all the Eastern Urban Area sites received a similar number of objections.

6.7. The officers advised that TOWN should confirm:

1. That the development proposed was not the first phase of a larger development;
and
2. That the proposed public open space would be protected in perpetuity.

6.8. Following the meeting a further submission was made by TOWN to West Berkshire in May 2015 which included a landscape appraisal outlining TOWN's commitment to offering a substantial portion of the site to the Council/Parish Council/local community for use as open space in perpetuity.

6.9. It is agreed that the land at Pincents Lane site (Site EUA007) is an available, and developable site which subject to the Council's highway concerns which currently affect the deliverability of the site being overcome could make a meaningful contribution to meeting identified housing requirements in the Eastern Spatial Area of West Berkshire within a short timeframe. TOWN and Indigo's position is that the site is deliverable now. The site represents a responsible, proportionate and sustainable level of development that as well as contributing to housing supply, would deliver substantial community benefits in the form of up to 11ha of new public open space protected from development in perpetuity, financial contributions to improve local physical and social infrastructure, and up to 133 new affordable homes (40%).

6.10. As such, the following matters have been agreed:

- The site is currently available to meet the needs of the Eastern Policy Area and the district as a whole and would be deliverable if the Council's highway concerns can be demonstrably resolved;
- The quantum of development proposed and the location of the development areas are considered acceptable provided that development is removed from the eastern part of the site as per the latest indicative masterplan drawing provided at **Appendix 1**;

- The proportion of affordable housing proposed is acceptable;
- The amount of open space provided on site is acceptable;
- There are no outstanding concerns preventing the site from coming forward in landscape terms subject to appropriate mitigation as set out in the Council's landscape capacity assessment and as proposed by the landowner; and
- The key reason why the site has not been allocated is due to the council's concern about the potential highway impact of the scheme in the context of the IKEA development. The Council states that this position will be reviewed following the completion of IKEA and as part of the Local Plan review.

6.11. No other issues of principle have been identified by the Council as these have either been addressed through the submissions to the Council or can be dealt with at planning application stage.

7. Points of Contention

Highways

- 7.1. As noted in Section 5, the Council has concerns that the site allocation will have a negative impact on the operation of the junction between Pincents Lane and the A4 when the cumulative impact of the consented IKEA development is also accounted for.
- 7.2. Although there is agreement with the methodology and results of the modelling of the traffic impact of the scheme, there is currently disagreement on the interpretation of the results and whether any impact, no matter how small, is severe or not.
- 7.3. A detailed modelling assessment has been undertaken by WSP on behalf of West Berkshire Council to assess the impact of the potential development sites outlined in the HSADPD on the A4 corridor at Calcot. This assessment included the traffic generated by the consented IKEA development and the associated mitigation measures. The WSP assessment represented a worst case scenario for the modelling as all potential HSADPD development sites were considered at their maximum size and fully developed state.
- 7.4. The assessment concluded that the HSADPD development only had a marginal effect on the operation of the A4 Bath Road corridor in the Calcot Area.
- 7.5. Concerns were highlighted about the Pincents Lane/A4 junction as this would see an increase in traffic queues during the afternoon peak hour. However, the maximum increase in queueing shown by the model was equivalent to only an additional two vehicles on the southbound and westbound approaches to the junction. This marginal increase in queueing does not significantly affect the efficient operation of the highway network and should be viewed as a worst case as it includes traffic from all potential development sites at their maximum size. Outside of the afternoon peak period the impact of the proposed residential traffic will be less.
- 7.6. The Council's transport evidence has concluded that, even if all the HSADPD Preferred Options were brought forward at maximum capacity (including Pincents

Lane) there would only be a marginal effect on the operation of the local highway network. No significant adverse impacts were identified.

- 7.7. In order to provide further evidence that the proposed allocation at Pincents Lane is acceptable in highways terms, Phil Jones Associates, on behalf of TOWN, commissioned an additional modelling exercise from WSP and West Berkshire to identify the specific impact of the proposed scheme relative to the predicted future baseline traffic situation including traffic generated by other sites contained within the HSADPD. Two scenarios were assessed. The first included a scheme for 285 homes and the second comprises a reduced scheme of 170 homes to assess the impacts of a partial allocation of the site. The note provided at **Appendix 6** sets out the details of this additional modelling and summarises the results to demonstrate the specific highways impact of a residential development at Pincents Lane.

IKEA development

- 7.8. Planning consent was originally granted for a new IKEA store comprising a gross external area (GEA) of 39,612sqm. The initial IKEA application committed to several areas of off-site highways works to mitigate the impact of the development on the local highway network including the removal of the existing roundabout junction between the A4 and Pincents Lane, replacing this with a signalised arrangement.
- 7.9. Subsequently, a smaller IKEA development was submitted and approved by the Council which reduced the scale of the store to 32,500sqm GEA. The Transport Assessment submitted as part of the planning application for the revised scheme showed that the reduced store size would result in a corresponding reduction in the number of trips generated by the scheme. The highways mitigation proposed for the A4 / Pincents Lane junction as part of the larger scheme has, however, remained unchanged.
- 7.10. Therefore the highways mitigation approved as part of IKEA's proposals essentially has built-in capacity to accommodate additional vehicular movements on the local highway network.
- 7.11. From the Council's perspective, whilst the store is smaller, the catchment area will remain the same. Therefore it is not necessarily the case that the traffic levels will be reduced. Proposed parking levels have been reduced but parking demand will be subject to periodic monitoring once the store is opened and there is scope to increase parking levels if the monitoring proves it necessary.

- 7.12. There is sufficient capacity built in to the mitigation schemes approved as part of the IKEA scheme to accommodate 285 homes at Pincents Lane and still result in less vehicular trips in peak hours compared with the original IKEA scheme (see **Appendix 6**). This assumes a worst case scenario. The number of vehicular trips will ultimately be less should the site be allocated for less than 285 homes as demonstrated by the assessment of a 170 unit scheme as set out in the note.
- 7.13. However, the Highway Authority has stated that it remains very concerned regarding traffic levels at the A4/Pincents Lane area. While theoretically with the traffic modelling produced there would seem to be a somewhat limited impact from Pincents Hill, with the bus facility, the ingresses and egresses to Macdonalds, Sainsbury and the Petrol Filling Station in such close situ, the authority is concerned that this location is very sensitive to changes in traffic levels that would cause more extensive traffic queues. This has been a concern echoed by local businesses including Sainsbury's. The Highway Authority has always made it clear that such businesses are not detrimentally affected, including the Berkshire Fire Control Centre situated on Pincents Lane. A better understanding of the traffic impact from IKEA on the new junctions will be able to be determined once the store has been open for 12 months.
- 7.14. In addition, any future planning application for residential development at Pincents Lane will be accompanied by a full Transport Assessment that will undertake further detailed modelling to demonstrate the impact of the scheme in keeping with Paragraph 32 of the NPPF and the test for severity. Any scheme would need to also model the accesses into the IKEA car park and consider how to resolve existing car parking issues along Pincents Lane in order to ensure satisfactory access into the development site. Any transport assessment will also need to include measures to reduce the reliance on the private car which again will result in a further reduction in vehicular trips compared with the original IKEA scheme.