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Note: These Minutes will remain DRAFT until approved at the next meeting of the Committee

DISTRICT PLANNING COMMITTEE

MINUTES OF THE MEETING HELD ON WEDNESDAY, 13 APRIL 2022

Councillors Present: Phil Barnett,Carolyn Culver, Clive Hooker, Alan Macro, Graham Pask, Richard Somner, Tony Vickers, Graham Bridgman (Substitute) (In place of Ross Mackinnon), Geoff Mayes (Substitute) (In place of Royce Longton) and Howard Woollaston (Substitute) (In place of Dennis Benneyworth)

Also Present: Paul Goddard (Highways Development Control Team Leader), Bob Dray (Development Manager), Lydia Mather (Development Control Team Leader), Viv Evans (Interim Planning Service Lead), Bryan Lyttle (Planning & Transport Policy Manager), Kim Maher (Solicitor) and Stephen Chard (Democratic Services Manager)

Apologies: Councillor Alan Law, Councillor Dennis Benneyworth, Councillor Royce Longton and Councillor Ross Mackinnon

PART I

6. Minutes

The Minutes of the meeting held on 2 March 2022 were considered.

Councillor Tony Vickers said the reference to "WAPC" on page 16, second paragraph, should be amended to read "Newbury Town Council".

Councillor Vickers said he had asked at the previous meeting, in the interests of transparency, for the point to be minuted as to whether Councillor Alan Law, who had chaired the meeting, would declare the fact that in a previous role on the Council he had been the Executive Member that signed off the foreclosure of the lease on the football club at Faraday Road as there was a link between the two sites. Councillor Vickers was advised that his request for this to be included in the minutes would be considered and he wanted to know why it was not included bearing in mind there was now a judicial review.

Kim Maher said the responsibility of the inclusion was at the discretion of the Clerk and suggested approval of the minutes should be deferred in order to address this point. Stephen Chard said he had asked the Monitoring Officer whether to include the point Councillor Vickers had raised and the advice was that it was for individual Members to declare their interests rather than them being highlighted by another Member of the Committee. Councillor Vickers referred to an email exchange he had held with the Monitoring Officer on the matter where this same advice was given, but it had not been made clear to him what the outcome would be.

Councillor Pask said that despite the Monitoring Officer's advice, he would defer signing the minutes in the interests of transparency.

7. Declarations of Interest

Councillor Pask said this application had been referred to the DPC having previously been considered at the EAPC and some of the Members of that Committee were also Members of the DPC. Councillor Pask confirmed, for the benefit of those viewing

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proceedings, that Councillors were not precluded from being a Member of this Committee simply because they had previously considered the application in another forum either at the Area Planning Committee or at a Town or Parish Council meeting, provided they had come to this meeting to consider the application afresh and with an open mind. This was covered in the Council's Code of Conduct and the Code of Conduct for Planning, both of which were located at Part 13 of the Constitution.

Councillor Pask declared that he was at the EAPC and had been lobbied at that stage by all sides of those making representations but had not been lobbied this time. He also declared a personal interest by virtue of the fact that he was a member of BBOWT who had been consulted on the application. As his interest was personal and not prejudicial or a disclosable pecuniary interest, he determined to remain to take part in the debate and vote on the matter.

Councillor Alan Macro declared he was at the EAPC and had also been in recent contact with one of the objectors but would approach this evening's proceedings with an open mind.

Councillor Geoff Mayes declared he was at the EAPC. He also declared a personal interest by virtue of the fact that he was a member of BBOWT and the CPRE but he would be considering the matter afresh. As his interest was personal and not prejudicial or a disclosable pecuniary interest, he determined to remain to take part in the debate and vote on the matter.

Councillor Graham Bridgman declared he was lobbied prior to the EAPC meeting, but had not been lobbied since. He also declared that he was predisposed, but not predetermined, on this application.

Councillor Richard Somner declared he was at the EAPC. He also declared a personal interest by virtue of the fact that he was the Portfolio Holder for Planning and was a Holybrook Parish Councillor. As his interest was personal and not prejudicial or a disclosable pecuniary interest, he determined to remain to take part in the debate and vote on the matter.

Councillor Tony Vickers declared a personal interest by virtue of the fact that he was a member of the Local Access Forum which had a considerable interest in active travel and rights of way which he would likely refer to during the meeting. As his interest was personal and not prejudicial or a disclosable pecuniary interest, he determined to remain to take part in the debate and vote on the matter.

8. **Schedule of Planning Applications**

(1) **Application No. & Parish: 19/00113/OUTMAJ - land east of Pincents Lane, Tilehurst**

The Committee considered a report (Agenda Item 4(1)) concerning Planning Application 19/00113/OUTMAJ in respect of land east of Pincents Lane, Tilehurst.

Ms Lydia Mather, Principal Planning Officer, introduced the report to Members. The proposal was as follows:

- Outline Application:
 - for up to 165 dwellings on the western part of the site;
 - 450sqm (GIA) of floorspace building in use class E;
 - Engineering operations within outline area.

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- Matters for consideration: access which included a section of single carriageway, replacement of the bollards to be located further north along Pincents Lane to prevent access beyond the site, a turning head beyond the site for refuse collection and other large vehicles, an emergency services only access point to be located where there was an existing farm vehicle access gate, and a cycleway alongside, but separate from, the existing, and to be retained, public right of way, which ran east-west across the site.
- Reserved matters not for consideration: landscaping, layout, scale and appearance
- Full Application:
 - Change of use of eight hectares of the eastern part of the site to public parkland, proposed to be protected from development in perpetuity.

The application was before Committee due to Ward Member call-in whether the recommendation was to approve or refuse, more than ten letters of objection and more than 20 signatories to a petition.

Officers had been made aware that a request had been received by the Secretary of State to call-in the application for their determination which they could do if Committee resolved to grant planning permission.

The site was outside of the settlement boundary but immediately adjacent to that of Tilehurst along its eastern boundary. The southern boundary was adjacent to the recreation ground and the designated retail and warehousing area which included Sainsbury's. The western boundary was adjacent to Turnhams Green Business Park and included access to the site off Pincents Lane. The northern boundary was adjacent to Pincents Lane, with the AONB terminating to the northern side of that road, and adjacent to fields which were outside of the AONB and the rear gardens of Seventh Avenue. There was a public right of way through the east to the west of the site and another to the eastern boundary along with a claimed path through the site north to south roughly from the back of Seventh Avenue to a pedestrian access point from the recreation ground.

The whole of the site was within a bio-diversity opportunity area, there were individual and group Tree Preservation Orders and the site was in an area of potential archaeological interest. Pincents Manor Hotel, near the access point, was a listed building. There were potential mineral deposits on the site and part of the site was at risk of flooding from surface water.

With regard to the principle of the development, current adopted policies ADPP1 and ADPP4 were spatial policies setting out the hierarchy of settlement and development was to be distributed across the district. ADPP4 related to the eastern area which stated that development would include implementation of existing commitments, infill development and site allocations. The site fell within the part of the broad location which included land outside settlement boundaries. Policy C1 had a presumption in favour of new housing within settlement boundaries and a presumption against such development outside of them with a list of exceptions. There was therefore a presumption against the application under Policy C1 where it was outside the settlement boundary and the proposed development was not on the list of exemptions.

However, as the report set out, this circumstance was unusual as it was highly unlikely that another site within the broad location and outside of the settlement boundary would be acceptable where there were flood zones to the south, where housing development would need to pass a sequential test, and the protected employment area into which other policies directed commercial development and not housing. Officers considered

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that the site otherwise complied with the Spatial Strategy and Policy CS1, and was immediately adjacent to a settlement boundary which was in the broad location in which sites were to be identified for housing in the eastern area. This proposal thereby addressed an identified need and being in a broad location as a type of land on which new homes were primarily to be developed on. Furthermore, where Policies ADPP4 and CS1 included land outside settlement boundaries, and ADPP1 allowed for sites to be adjacent to settlement boundaries, Officers considered, given the particular and unusual circumstances, that less weight could be given to the conflict with Policy C1 where the proposal otherwise complied with the Council's Spatial and Housing policies.

Members viewed a slide of the illustrative master plan which showed how 165 houses could be provided on the site and showed some of the strategy for the landscaping, rights of way of the proposed public parkland, the turning head and emergency-only access point. The development framework showed woodland and tree planting, trees to be retained, open space, amenity grassland, pedestrian routes, public rights of way, development areas, primary access and sustainable drainage features. The land use plan showed built areas, indicative location for the community building, landscape buffers and planting and open space.

Members also viewed plans for development density, no-build zones, building storey heights, green infrastructure, access and movement, ecology strategy and drainage strategy. The plan for access to the site was shown and would be addressed by the Highways Officer.

The considerations found acceptable both to Officers and the Eastern Area Planning Committee (EAPC) included matters capable of being mitigated by condition or through Section 106 agreement were as follows:

Aggregate extraction, archaeology, contaminated land, noise, water network capacity and drainage, the hub building, climate strategy, density, affordable housing, custom and self-build housing, trees, public open space, green infrastructure – including public rights of way, travel plan, biodiversity and landscape matters.

The main agenda to the EAPC meeting set out the Officer's position which included the benefits and adverse impact, a recommendation for approval – subject to condition and heads of terms for a Section 106 legal agreement. The minutes of the EAPC meeting set out the reasons for the resolution to refuse the application on three grounds. Officers and the EAPC differed on Policy C1 and Highways access which would be addressed in detail by Mr Paul Goddard and Mr Bryan Lyttle.

Ms Mather summarised that the recommendation before Members was refusal, in line with the resolution of the EAPC, for three reasons:

1. That Committee had considered the conflict of Policy C1 to be direct and not mitigated by the other housing policies.
2. EAPC considered that access into and out of the site along Pincents Lane for future residents of the proposed development to be unacceptable due to existing traffic issues experienced at times along Pincents Lane.
3. The lack of Section 106 Planning Obligations failed to secure matters which included affordable housing, custom and self-build housing and other matters listed in the heads of terms of the main EAPC agenda.

Councillor Graham Pask thanked Ms Mather for her comprehensive presentation and noted there were no urgent questions from Members.

Mr Paul Goddard, Team Leader, Highways Development Control, presented Members with a summary of the Highways section in the main Committee report. It had taken

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Highways Officers three years to assess the proposal in order to be in a position to recommend approval on highways and traffic terms. It had been pivotal that the scheme was reduced from 265 dwellings to 165 dwellings and the reduction, according to the traffic modelling, had made a significant difference.

The main access to the site was from Pincents Lane to the south and on the way into the access there was a proposed pinch point which the applicants had stated they had sufficient land to include. There was a further pinch point further to the south, to the north of IKEA. Highways Officers had no objection to the addition of a further pinch point which they considered would reduce vehicle speeds along this section of the road. Mr Goddard said the existing and proposed pinch points complied with Government guidance contained within the Manual for Streets.

Mr Goddard said the main issue related to traffic. The agenda pack detailed projected traffic generation for the proposal which overall was quite high as this was based on 100% privately-owned dwellings, which would not turn out to be the case as 11% of the development was allocated for retirement dwellings. The report showed the details of the traffic modelling results which complied with all Department for Transport standards and because of the sensitivity of the location with regard to traffic levels, nearby retail facilities and the level of objections raised, Highways Officers had the traffic model independently checked and assessed. The report showed the journey times from different points within the model as well as traffic queue lengths on the Pincents Lane/A4 junction. These were maximum, average figures from a 2019 base to a 2023 base when background traffic growth rates put forward by Government were used. The report then showed the figures when permitted development would include the 200 house development at Dorking Way which was important as it showed how the network would be in 2023 without the proposed development. With the proposed development – reduced from 265 dwellings to 165 dwellings – Highways Officers, found the increase in journey times to be acceptable.

Mr Goddard highlighted the executive summary of the report which outlined that EAPC Members were concerned about traffic congestion and that residents would have difficulty leaving and entering the site at certain times. In response to those concerns, Mr Goddard said the traffic model had indicated that for the vast majority of the time the highway network would work satisfactorily and there would be no severe impact. Highways Officers were aware that there would be occasions throughout the year when the network would become congested but this would be very limited and as such, Highways Officers remained in support of the application.

Councillor Pask thanked Mr Goddard for his summary and Members were invited to raise any urgent questions.

Councillor Alan Macro said he noticed an anomaly in the report in that looking at Pincents Lane from IKEA to the A4 in the AM peak, 2019 showed a base of 90, reducing to 71 with an increase of 265 dwellings but then an increase to 74 with the addition of 165 dwellings. Mr Goddard said that any congestion did not increase uniformly and because traffic was held back in some locations it could help journey times in other locations and it was felt, from watching the videos in the model, that the reduction was due to the increases in traffic queues on the A4 as a result of the proposal and because of the delay in traffic coming from the A4, it helped the situation on Pincents Lane.

Planning Policy

Mr Bryan Lyttle, Planning and Transport Policy Manager, said the Council was required to produce a Local Plan for the developments of the Local Planning Authority area and a recent Regulation 18 Consultation had been held on the Local Plan Review in which it was stated that the Tilehurst Neighbourhood Development Plan (NDP) would allocate

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land for housing. In response to that consultation, the Neighbourhood Planning Group stated that they would not be allocating any sites in the NDP. The Local Plan, which covered the period up to 2037, needed to address developments in the east and there were currently no new developments proposed to be allocated during this period. Following the decision by the EAPC, it was decided by the Service Director that the implications of that decision met the criteria set out in the constitution for referencing up to the District Committee in that it had wider implications for the Local Authority.

Councillor Pask thanked Mr Lyttle for his succinct summary and asked Members if they had any urgent questions.

Councillor Macro sought clarification that there were no new housing sites in the east as he was of the understanding that there were two sites in Theale. Mr Lyttle said these sites had been carried forward from the Housing Sites Allocation Development Plan Document. Councillor Macro said the two sites in Theale were not in the HSA DPD.

Councillor Graham Bridgman referred to the first paragraph in point 1.1 of the executive summary and asked Mr Lyttle whether there was anything with the wording about Policy C1 that he disagreed with, to which Mr Lyttle answered no.

Councillor Bridgman referred Mr Lyttle to the Policy statement which stated that Officers considered there was limited conflict with Policy C1. If this application site was outside a defined settlement boundary, was not land that was allocated for residential development under the HSA DPD and was not an exception to Policy C1, how was there limited conflict with Policy C1? Mr Lyttle said given the requirement in the east and the built-up nature around the site to the north and south, and the protected buffer of the ancient woodland, were the reasons why Officers had reached the decision that there was limited conflict. If a site was being proposed on the edge of a settlement, the settlement boundary would be re-drawn around it.

In this instance the Regulation 18 Consultation said that the Neighbourhood Development Plan Group would be doing that work in allocating sites. This was looking at it in terms of the planning application and balancing up all the issues around that. Officers reached the conclusion that there was limited conflict with CS1 at that time. Councillor Bridgman said reference had been made that Tilehurst had to take 175 houses and sought clarification that was a requirement in the new local plan, on which Council was yet to agree, and in the current local plan, which ran to 2026, that this was not a site that appeared in the HSA DPD. The 175 houses were within the new Local Plan and not the existing Local Plan. Mr Lyttle confirmed this to be the case.

Councillor Tony Vickers asked Mr Lyttle to confirm that paragraph 3.3 of the executive summary was the key point of the issue in that it was now three months on from the EAPC and less than three months away from the publication of Regulation 19, and any appeal against refusal would take place when Regulation 19 was published and the new Local Plan carried a modest amount of weight. Mr Lyttle said any appeal at this stage would be at least twelve months hence and the Local Plan timetable would state that the Local Plan would have to be published within that timeframe.

In accordance with the Council's Constitution, Councillor Clive Taylor, Parish Council representative, Councillor Mary Bedwell and Councillor Claire Tull, adjacent Parish Council representatives, the Rt Hon Alok Sharma MP, Mr Simon Collard, Ms Ailsa Claybourn and Ms Joan Lawrie, objectors, and Mike Bodkin, applicant/agent, addressed the Committee on this application.

Parish Council Representation:

Councillor Taylor in addressing the Committee raised the following points:

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- In planning law, the current development plan was the starting point for the determination of planning applications. There was concern that the Officer's report misinterpreted planning policy.
- The site sat outside of any planning boundary, Policy ADPP1 of the Core Strategy confirmed that only appropriate, limited development in the countryside would be allowed.
- Policy ADPP4 of the Core Strategy set out the spatial strategy for the eastern area identifying that development would take place through existing commitments, infill and allocations made through the plan-led process.
- Policy CS1 made clear new homes would primarily be developed on suitable, previously developed land or on allocated sites. The application was not on an allocated site or previously developed or infill site. If the site was outside the settlement boundary or in open countryside, development would only be acceptable in exceptional circumstances under Policy C1. The site did not meet the exceptions listed.
- The development was contrary to current planning policy and should be refused.
- The broad area of the eastern part of the district, identified in the Core Strategy, was an area within which sites would be short-listed and assessed for their suitability before being allocated.
- This area was never seen as an area where speculative applications would be considered acceptable, as confirmed in the Core Strategy's Inspector's Report.
- The Planning system was plan-led; section 38(6) of the Planning Compulsory Purchase Act 2004 required that all planning applications must be determined in accordance with the Development Plan unless other material considerations indicated otherwise. The proposal remained contrary to the adopted Development Plan.
- The emerging Development Plan currently had no weight in the decision making process and therefore should not be used in decision making. No part of the emerging Plan had been examined so there was no certainty about the spatial strategy, housing numbers or site allocations.
- West Berkshire currently demonstrated a robust five year housing land supply and there was therefore no requirement to allow speculative planning applications.
- At the 2010 Public Inquiry, the Secretary of State, when refusing the developers last appeal, concluded that although the appeal proposal would provide a range of housing, including affordable units, it sat outside the current settlement boundary and in open countryside where policies of restraint applied and within which it would cause substantial harm. Whilst this was a revised application, the fundamental points remained. With the Covid pandemic and the climate emergency, residents had come to increasingly appreciate the importance of open and accessible green spaces.
- The proposed site was used daily by local residents throughout the year and during the recent lockdowns its usage increased considerably as residents found it to be a place of wild beauty in which to exercise.
- During the last year, Tilehurst Parish Council had been consulted on minor changes to the settlement boundary but no changes had been proposed to the

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land in Pincents Lane, which suggested that West Berkshire Council considered the boundary should stay in place.

- The latest reports from the Planning Officer appeared to lay some responsibility for the housing position on Tilehurst Parish Council for not having allocated sites as part of its emerging, and still draft, Neighbourhood Plan. When surveyed, Tilehurst residents were overwhelmingly against development of green field sites but indicated support for brown field development.
- West Berkshire Council's now suspended Local Plan suggested 175 units should be allocated for Tilehurst Parish over the next 15 years.
- There were possible brown field or infill alternatives to the proposed 165 houses east of Pincents Lane which would meet the proposed 175 units allocated for Tilehurst Parish:
 - 55 affordable units at Pincents Manor for which no objections had been received.
 - 44 units off New Lane Hill.
 - Calcot Golf Club were in discussion with Tilehurst Parish Council relating to potential housing in local green space.
 - The current sale of the Calcot Hotel on the A4 with potential for redevelopment.
 - Four houses at the bottom of Langley Hill for which planning had been approved.
 - There were empty and commercial units in the Parish which could be redeveloped.
 - The 85-bed care home at Stoneham Farm where planning had been approved.
 - 60 other houses at Stoneham Farm with build already in progress.
- As the existing DPD had five years to run, this application, even spread out over three years, remained premature.
- Tilehurst Parish Council fully supported the decision of the EAPC in relation to traffic and congestion caused at bank holidays and some weekends, and potential residents of this development would be landlocked at various times of the year causing severe and unnecessary inconvenience.
- The single lane pinch point entry and exit at the site further raised the prospect of delay and potential safety issues.
- The emergency access from the north raised safety concerns due to the narrow, windy lane that was prone to water streams, which froze over in winter and had very few passing places.
- With regard to the risk of costs of appeal if the application was refused again, Councillors were asked to have confidence in the decision made by the EAPC which was unanimous and even the Committee Chairman had asked that his opposition should be recorded and at least two Councillors had stood down from that Committee as they felt their views could be seen as predetermined so the Committee could show that it took this decision-making process very seriously. The Council would be shown to have allowed both its Planning Committees to consider this application.

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- West Berkshire Council declared a climate emergency and should be protecting a much loved and used green space that was also home to wildlife, plant life and many wild bird species.
- There were infrastructure issues relating to GPs and school places.
- There had been a huge volume of objections to this application with over 3,000 letters of objection and a petition of over a thousand signatures. Alok Sharma's survey of residents showed 70% opposed the development and the Parish Councils had all objected.
- On behalf of the residents of Tilehurst, Councillor Taylor urged the Committee to reject this Application.

Councillor Pask thanked Councillor Taylor and invited questions from Members.

Councillor Vickers said that from the site visit he was struck by the narrowness to the north of Pincents Lane. Looking at where the schools were it would appear that any secondary school age pupils on the development would probably go up Pincents Lane to get to school and possibly face a fire engine coming in the opposite direction which was a potential danger. Councillor Vickers asked how many homes were involved in the 2010 appeal and whether there was a need for significant improvements to routes from the site towards the Sainsbury's area.

Councillor Taylor said most of the secondary school-aged children on the site would go to Little Heath School which would involve walking up Pincents Hill and on the rare occasion there might be a fire engine then that might present a safety hazard. With regard to the 2010 appeal, the number of houses in the proposed application was in the region of 750. With regard to the need for improvements to routes, there were public rights of way east to west, north to south and with a second north to south path that was likely to be improved in due course. There were lots of informal paths that ran from the western end down to the entrance into Sainsbury's which could do with some improvement but it was not certain whether that lay within the Developer's owned land or not. Councillor Vickers said he would ask Officers what could be done about them.

Councillor Carolyne Culver said she understood that Tilehurst had decided that they were not going to include housing allocation in their NDP and asked why the alternative options Councillor Taylor had outlined would not be included in the NDP. Councillor Taylor said the NDP was still under development and at this time it was not proposed to allocate any sites. It was at least a year away from this possibly going to referendum and the Parish Council was involved in discussions with West Berkshire Council and were awaiting feedback on the current draft document. Councillor Taylor said he would not completely rule out the possibility that some sites may be allocated.

Councillor Bridgman reminded Councillor Taylor that he had said Tilehurst would have to find 175 and if it was not at Pincents Lane it had to be somewhere. With regard to the alternative options of the 60 houses at Stoneham Farm and the 85-bed care home, Councillor Bridgman confirmed both of those sites were in the HSA DPD so were in fact part of the current housing allocation and not future allocation. Councillor Taylor agreed and said the reason he had mentioned them was because in one case the build had not even started but it would not form part of the 175 and in the other case the build had been in progress for approximately 18 months.

Councillor Phil Barnett asked Councillor Taylor what the main concern of the Parish Council was to the proposed application. Councillor Taylor said it was the value that the local community placed on the public rights of way on the land and its growing importance to the local community, and as identified, there were other, nearby alternatives for development such as Pincents Manor.

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Councillors Mary Bedwell and Claire Tull from Holybrook Parish Council, in addressing the Committee, raised the following points:

- Holybrook Parish Council robustly challenged why the application to build on a green field site had been recommended by Officers for approval as the site was never allocated by the DPD, there was a presumption against development outside of settlement boundaries and the development was not needed for the Council to achieve its building target.
- The Prime Minister had pledged no more building on green field sites and the campaign to protect rural England had stated local authorities should delay making decisions until revised planning policy was issued.
- A climate emergency had been declared by West Berkshire. Development destroyed nature and biodiversity, and overloaded the already over saturated infrastructure.
- The Environmental Health Officer's comments regarding noise levels was particularly damning in that air conditioning would be needed in most of the houses because gardens would be too noisy to allow windows to be open in hot weather.
- The loss of displacement deficit could not and would not be regained.
- The reduction in the number of units had not altered the design of the access, and full and proper design of the access was not possible when so much of the development it was to serve was not designed and left in reserved matters.
- The width of the site entrance was intrinsic to the application and could not be ignored and must be measured accurately by Highways Officers. If proven to be smaller than the measurement on the plan, the response from the Royal Berkshire Fire and Rescue Service needed to be revisited and verified.
- The size of fire engines had not changed and RBFRS had stated that some specialist vehicles were larger and manoeuvres difficult through 2.75 metres if possible at all.
- If a fire engine was too big then how would bulldozers enter the site and how would removals, lorries and deliveries on pallet trucks service the site?
- It was not acceptable for emergency services to face additional challenges and the risk of fatalities due to restricted access was unacceptably high and access from the north of the site did not address or mitigate this.
- The access had not changed in size, shape or form and Highways Officers originally deemed it unsuitable and had recommended refusal.
- The EAPC had already established that the development was virtually landlocked and this, combined with the increased risk to responders, made a less than required width unacceptable.
- Whilst mindful of Officer's comments and close communication with developers prior to application, Members were urged to support the EAPC's rejection of the Application and do what was right for the area and residents, and not be persuaded by the threat of an appeal.
- Holybrook Parish scrutinized plans and proposals very carefully especially in respect of design and function, and in this case there were so many conditions relating to reserved matters that Officers had effectively designed the development for the Applicant which demonstrated that the proposal to build on this valuable green field site was biased and why Officers were so eager for approval.
- An Officer stated that Reading Borough was unable to fulfil its house building target but this was not believed to be the case. The Station Hill development alone would provide 1,300 homes plus a 200-bed hotel in 2023. Reading should be asking the eastern area to help mitigate its carbon burden and not increase it.

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- The strategic partnership should not influence this application as it was the vision and needs of the local parish that should take precedence.
- In relation to traffic, Pell Frischmann's modelling data always favoured the Developer and the reality, knowledge and experience of residents was consistently ignored. The Highways Officer had admitted that there was over 90% saturation levels on the roads.
- The 71 pages of available data was out of date and did not take into account the recent change of class from D1 to E for the community hub which opened up the use to a much greater number of commercial and retail uses.
- The community hub itself was a white elephant as no health or community organisation had expressed any interest. It could not be wholly sustainable by the proposed 165 dwellings and deliveries, practitioners and users would have to come from elsewhere to make it viable.
- From 1st July 2022, B&M, the bargain retailer, had confirmed they would be open in the retail park, taking up the former Next store adjacent to Sainsbury's. The traffic modelling must be reassessed, especially with high inflation, as this store sold at rock bottom prices and the congestion and traffic that backed up onto the M4 most weekends and every bank holiday would become an everyday experience.
- Officers had recommended approval on balance however it was clearly out of balance. Members could not have failed to notice the extraordinary number of conditions in order to achieve Officer's recommendation on a site where no building should occur as it was outside the settlement boundary and the call by the Prime Minister for no building on green field sites.
- The point over the width of the access and accessibility by emergency services, the need to employ high energy use mechanics which created more carbon raised the question as to whether having to pump wastewater uphill was a good idea.
- The lack of up-to-date data and detail, and the number of objections from Parish Councils and over 3,000 West Berkshire residents meant the decision must be for refusal and the Committee was strongly urged to do what was right for the eastern area by rejecting this planning application as the EAPC had because the proposed access and reserved matters application was not acceptable.

Member Questions to Parish Council Representatives

Councillor Macro asked whether the location of the new B&M store would increase traffic and Councillor Tull said traffic would increase hugely and described the retailer as a second IKEA.

Councillor Vickers asked Councillor Tull for her view on whether a community hub was required to service the needs of the proposed 165 houses which would be fairly detached from Calcot and the rest of Tilehurst. Councillor Tull said the Parish Council was not implying there was no need for community facilities but were questioning the provision within this application because there was no provision for health facilities or an uptake by the CCG or Theale general practice which was already over-subscribed. For this application, the community hub may not be used as intended hence the reason for changing its class of use to open up to more commercial and retail use rather than community.

Objector Representation

The Rt. Hon Alok Sharma, MP, in addressing the Committee, raised the following points:

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- He had been campaigning since 2008 to stop development on this site with local residents and paid particular tribute to Joan Lawrie and the many others involved.
- There had been thousands of objections to the application which had been heard at the EAPC.
- Mr Sharma had asked the Secretary of State to call this in and had confirmation that should this application be approved by the Council then the Secretary would consider whether a call in was appropriate.
- The reasons for objection remained the same as Mr Sharma had given previously with the key one being that this was contrary to some of West Berkshire's own planning policies.
- The proposed development was outside the Tilehurst settlement boundary and the current DPD still had a number of years left to run.
- The revised National Planning Policy framework continued to make clear the starting point for decisions was a development plan meaning that this proposed development was premature and West Berkshire Council was able to demonstrate a five-year housing supply which did not include the proposed site.
- The site conformed to all the principles of a strategic gap and was a haven for biodiversity and wildlife.
- Five applications and two appeals had been rejected on the site since 1987 which indicated this was not an area suitable for development.
- He was in agreement with the submission from Holybrook Parish Council in terms of the impact on local traffic, the pinch point and the safety issues and based on all of these objections he requested Members to reject the planning application as the EAPC had.

Mr Collard, in addressing the Committee, raised the following points:

- The RBFRS had twice rejected the application in the last 12 months mainly because of the access requirements being unacceptable and Building Regs 210, section B5, table 13.1 set out the minimum requirements. 3.1 meters in a straight line was a minimum requirement and Pincents Lane was not a straight line. The fire service had said it was imperative they could gain access and the proposal to use Pincents Lane as the sole access may compromise their ability to do so.
- With regard to the leasing of the building opposite Pincents Manor, there was an empty office building and the applicant had stated there would be a pinch point of 5.75m including a 2m footpath and a 3.75m road width which would require the removal of the laurels and potentially removal of the building.
- The leasing agent had confirmed the applicant had a five-year lease starting last year and the actual owner of that building had no intention of demolishing it so the proposed access could not be achieved without demolishing the building.
- Theale Medical Centre currently had 10,900 patients according to ONS, 2.4 people per dwelling and there were 915 dwellings within a 1.25 mile radius of junction 12 of the M4 which would create another 2,200 patients resulting in 13,000 patients at Theale Medical Centre – 72% more than the national average for a General Practice.
- With regard to school places, 915 dwellings at 0.8 of a pupil (according to ONS), equalled 690 school-age children within a 1.25 mile radius of junction 12 of the M4. Little Heath School had a waiting list, there were only 60 places available in

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schools within this radius according to West Berkshire Council, the UK Government Education websites and each of the schools within this radius.

- The draft 106 document was virtually worthless because there were hardly any commitments in it and Mr Collard implored the Committee to refuse the application as a matter of protecting the interests of the effected residents.

Ms Claybourn, in addressing the Committee, raised the following points:

- She had conducted frequent bird surveys over the last year and the results had been stunning. Pincents Hill was rich in biodiversity and at least six species of red listed birds of conservation concern bred there.
- Ecological consultants found it of distinct value for invertebrates, breeding birds and local value for bats.
- On the strength of one season's bird records, the nomination of the hill as a local wildlife site had been suggested when usually a minimum of five years data was required. It had the potential to be made even better by developing it for biodiversity and this fulfilled the Council's and national policies.
- West Berkshire's environment strategy stated there was an increasing need for action to respond to the danger the climate emergency posed to people, wildlife and environment, and not building on Pincents Hill would help to address these dangers.
- With the laudable aim of carbon neutrality, West Berkshire would use local carbon sequestration e.g. leaving big areas of grassland undeveloped and as part of local green space.
- One of the aims of the environment strategy was to encourage more people to spend time in local green spaces to benefit their health and wellbeing and not building on Pincents Hill would help achieve this.
- The Council's Planning Core Strategy stated habitats which support protected, rare or endangered species would be protected and enhanced and not building on Pincents Hill would help achieve this. The national Environment and Rural Communities Act 2006 tasked the Council to have regard to conserving biodiversity by enhancing a population or habitat. The developer's statement on ecology concluded that their proposal would have a positive impact on the habitats and species on the site, but building 165 dwellings, roads, cycle paths, a pumping station and a community building did not support this aim.

Ms Lawrie, in addressing the Committee, raised the following points:

- It was hard to understand why this application was ever recommended for approval when it was totally against some of the national planning regulations and the Council's own safe policies, the landscape value, the previous five planning applications and two appeals.
- The reasons for refusal and dismissal had not changed, other than the increased traffic, and the public interest and involvement. However, many of these considerations had been ignored and these were the reasons the Secretary of State would take into consideration for a potential call-in.
- Development should be plan-led but by granting permission it would actually undermine the plan making process by pre-determining decisions about the scale, location or phasing of new development.
- The proposal remained contrary to the adopted Development Plan; a member from the policy department had stated that the development was against NPPF

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rules and as the site was outside the settlement boundary and in the open countryside, development was only considered acceptable in exceptional circumstances. The site did not meet the exceptions listed in Policy C1.

- For the next four years this land was still a gap although it would appear that this designation could be withdrawn in the next DPD.
- The development should be judged on the current existing policies not future DPDs.
- With regard to the need to help Reading fulfil its house building target, this was withdrawn last year and there was no need. The Commons Library Research Briefing of 27th August 2021 stated the increase in the number of homes to be delivered was expected to be met by the cities and urban centres themselves rather than the surrounding areas.

Member Questions to Objectors

Councillor Bridgman referred Mr Collard to the points made about pressure on services such as GPs and schools and said that any development anywhere would have some kind of pressure on services and it was the infrastructure that needed to be developed in order to accommodate any new building. Mr Collard concurred with the comment but said when looking at the surrounding areas, that within a one and a quarter mile radius of junction 12 there were, under proposal, 915 homes. The doctor's surgery in Theale was already seriously over-subscribed and some of the schools had waiting lists so the infrastructure could not cope but development was still taking place without any extra services whatsoever.

Councillor Macro asked Mr Collard how Theale Surgery was currently coping. Mr Collard said it was not coping, and as Vice-Chairman of the patient participation group, he was able to advise Members that the Practice had lost two senior partners in the last two and a half years and had only got five and a half full-time GPs. The national average was about 2,000 patients per GP and Theale was already well past that at 72 times more than the national average. Councillor Macro asked whether there was any prospect of Theale Medical Centre being able to expand in any way to cope with the extra load. Mr Collard said the Practice had unsuccessfully tried to secure additional GPs as those approached had received better offers from other places.

Councillor Vickers said he assumed Mr Collard was aware of what the Community Infrastructure Levy (CIL) was for and assumed he also knew that schools and GP services were supposed to get their share having reasonably calculated what they needed in order to expand their facilities. Councillor Vickers added that the Council was not responsible for delivering those services anymore and therefore wanted to check with Mr Collard that he was aware that during debate he may find his points on these matters rejected. Mr Collard said he was aware of the constraints Councillor Vickers had outlined and was aware of the CIL payments made, but it was not possible to dictate where funding was spent so the fact that the surgeries and schools may not get any additional funding was a matter that could not be ignored.

Councillor Culver referred Mr Sharma to the report which stated that the new methodology for judging how many houses needed meant that Reading Borough Council was not going to be able to meet all of their need. Was Mr Sharma confident that the area of his constituency would be able to provide enough housing without the Pincents Hill development. Mr Sharma said he could not speak on behalf of Reading Borough Council and reiterated that, as MP for the local area, his reasons for objection were the more than 3,000 objections from local residents and that determining this application should be based on the current policies in place locally and nationally rather than

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projecting forward, as Officers appeared to be effectively suggesting, as to what may happen with a future DPD.

Councillor Culver thanked Ms Claybourn for her observations as a result of the bird surveys she had conducted and referred her to the report which stated the area needed management as there was a lot of scrub there which would turn into secondary woodland without management. Councillor Culver asked Ms Claybourn what she felt should be done with the area if she did not accept that the applicant could improve it and provide net gain of 10% biodiversity. Ms Claybourn said she agreed the area should be managed and should be managed for biodiversity. One possibility was doing a hay cut on the big open area of grassland on the eastern side where scrub was encroaching but scrub should be managed carefully as it provided a brilliant habitat. The central part of the site was mainly scrub land because it had been left to rewild and had a number of different species of birds breeding on it and Ms Claybourn said she would be happy for that to extend a little bit further east and also to manage the grassland. There were all kinds of grasses in there and a huge number of wildflowers so management of two cuts a year, as you would do with a hay meadow, would encourage the seed stock of wildflowers to flourish.

Agent/Applicant Representation

Mr Mike Bodkin in addressing the Committee, raised the following points:

- With regard to whether the proposal was in accordance with the existing Development Plan, case law stated that the decision maker had to consider compliance with the policies set out in the Development Plan when taken as a whole. The Planning Officer's report had set out their assessment that when taking the Council's housing policies as a whole there was limited conflict with Policy C1, from the HSA DPD, and no conflict with Policy CS13 from the Core Strategy nor the NPPF.
- The Planning Officer's report to the EAPC noted the accord with the key strategic policies of the Core Strategy, partly due to the site's location in that broad location for development.
- With regard to Policy C1, Planning Officers had already discussed the partial conflict. Policy C1 was a 'daughter' document of the Core Strategy and was an inherently weaker policy than Core Strategy policies. If the site was to be allocated through the Local Plan, the settlement boundary would be adjusted in the normal way and there would be no conflict.
- In consideration of the Planning Officer's remarks about the need for sites for 175 homes in Tilehurst and the absence of alternative suitable sites for housing in the area as noted in the HELAA, discussion had already taken place about the Tilehurst Neighbourhood Development Plan first notified in 2015 and still at least a year away from consultation. It was therefore doubtful as to whether there would be a turnaround and allocation of sites that way.
- The Officer's recommendation of approval at EAPC indicated an implicit conclusion that the proposal demonstrated compliance with the Development Plan policies when taken as a whole.
- There were carefully designed proposals to meet the requirements of the landscape advisors through parameters, land use, height and other density parameters with strong buffers and the use of boundary treatment to the development areas.
- There was no objection from the Council's Ecologist or the Wildlife Trust and a guarantee of 10% biodiversity net gain.

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- Paragraph 1.11 of the NPPF stated that refusal should only be where there would be unacceptable impacts on highway safety or the residual cumulative impacts would be severe. The applicant had worked with Highways Officers closely over several years to secure the strong recommendation that Mr Goddard gave to the EAPC so there could be no conflict with the NPPF as suggested in the second reason for refusal set out from the EAPC.
- With regard to the traffic modelling, the existing mover software on the lights was the reason why it seemed to produce counter-intuitive results in relation to speeding up journey time through the network and this could be addressed later on in the meeting.
- With regard to access arrangements, the plans showed the result of a detailed topographical survey on the ground and were consistent with Government Policy Manual for Streets and the Highways Department had raised no objection to the proposals.
- The landowner and promoter of the site had control of the new commercial unit adjacent to the access point which was on a lease with an option to buy and an agreed sum so that could be exercised in the event of requiring the building.
- The proposal was in accordance with the existing Development Plan taken as a whole and Mr Bodkin suggested that Planning Officers agreed with this view, either explicitly as stated in relation to housing policy, and also partly implicitly.
- With regard to prematurity which was discussed at the EAPC, the bar was set high when it came to prematurity under the planning system. The development was not so substantial as to threaten delivery of the plan as a whole and the emerging plan was not at an advanced stage.
- In relation to the points over lack of need, and the existence of a five-year housing land supply on the achievement of the housing delivery targets of the Council in recent years, these were floor targets to be exceeded not a quantum to be achieved and development to be shut down.
- Where the proposal was not in accordance with the Development Plan, material consideration should be given to the delivery of 99 market units, in an area where the ratio of house prices to average wage was almost 11, and the delivery of 66 affordable new homes for local people to assist in meeting the shortfall of delivery, equating to 73 units per annum on the Council's own figures; the delivery of the equivalent of seven month's supply of self-built homes; the delivery of homes for older people – both market and affordable; the delivery of 22 acres (in excess of nine hectares) of public parkland protected in perpetuity and managed according to Council or local arrangements with a guaranteed minimum of 10% biodiversity net gain measured across the whole site and confirmed through Section 106 Agreement and current government guidance.
- The health care hub would be offered first to the NHS and then to private healthcare providers and restricted to only suitable use classes under the new regime.
- There would be an upgrade to some of the off-site public rights of way.
- On climate change, resilience and an adaptation strategy there was an extraordinary set of benefits and material considerations weighted in favour of the development.
- The third reason for refusal in relation to a lack of suitable planning obligation was very much a technical ground and heads of terms had already been tabled for a suitable agreement.

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Member Questions to the Agent/Applicant

Councillor Culver asked Mr Bodkin why one bedroom properties had been removed from the proposal given the gap between average income and house prices and asked if he was aware of the Strategic Housing Market Assessment which stated that at least 15% of all homes ought to be one bedroom. Mr Bodkin said the housing mix presented was not a firm proposal but was illustrative as an outline application and the mix would be taken as a starting point at reserved matters stage.

With regard to older people, Councillor Barnett referred Mr Bodkin to paragraph 6.97 of the report which referred to older people as 55 and asked whether at least one person in a couple had to be 55 years or older or would both partners need to be 55 or over. Mr Bodkin said whilst he was working on another scheme where only one partner in a couple had to be 55 years or over, for this proposal, the question would need to be determined at a later stage.

Ward Member Representation

On behalf of Councillor Jo Stewart who had sent her apologies, Councillor Tony Linden, in addressing the Committee, raised the following points:

- This piece of land and the surrounding area were of extreme value to residents and those in surrounding wards.
- The reasons for objection by the EAPC were believed to be sound and specifically identified where policy was being contravened. In particular, Policy C1 of the HSA DPD 2006-2026 as well as five policies of the West Berkshire Core Strategy 2006-2026 and the NPPF.
- The concern was not only for residents already living in the area but also those living in neighbouring wards and parishes who had no choice but to use the available infrastructure and road networks for living and working.
- There was additional concern for all new residents who may come to live in any proposed new development on Pincents Hill.
- Highways Officers had concluded that traffic modelling showed negative impact on anyone using the road network in the area would be limited to possibly less than ten times a year and as they had no objections presumably they considered that to be acceptable. However, if you lived in that development and were trying to get out for an appointment or for work and had to do so by car, then it would not be acceptable to be imprisoned in the estate or have to park your car a mile away perhaps and walk or bus home until traffic abated.
- Public money was used in the pursuit of planning applications and any subsequent appeal and there was a duty to ensure any monies were spent with care and due consideration of that obligation. The decision to bow to the pressure of a developer was not understood, especially when doing so would contravene the Council's own planning policies, simply because the Council was concerned it may lose. To go down that route would put the Council at the mercy of any developer who may view the Council as a soft touch.
- The Committee was urged to heed the sound policy-based reasons made by EAPC and refuse the application.

Councillor Tony Linden, in addressing the Committee in his own right, raised the following points:

- Full support was given to the reasons of Councillors Graham Bridgman and Clive Taylor for refusing the application.

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- At the EAPC, no Officers mentioned the appeal at the end of the hearing when Members suggested refusing the application. That was considered normal if there was a worry from Officers that there could be an appeal and potential costs.
- The Transport Policy in the report referred to people traveling from the site as pedestrians and cyclists which may be appropriate on the Hill for fit and able residents but quite a lot of residents who moved in may not be fit and able and public transport would end at IKEA with the number 26 bus.
- In terms of ADPP4, there was a map in the report which showed the eastern area broad location by developers that was hatched in that area with the Pincents Lane outside and within the retail park; this site had not been approved by the Council. Officers may think there were suitable sites but it had not been approved by the Councillors.
- At the previous meeting Councillor Linden had raised the objection of the RBFRS being approved by the Chief Fire Officer, the Deputy Fire Officer and the Chairman of the Fire Authority.
- Thames Valley Police had stated that in times of heavy traffic, the response of emergency services would likely be compromised and be detrimental to public safety.
- The local MP, residents and three Parish Councils had all objected to the proposal.

Members Questions to Ward Representatives

Councillor Vickers said he thought the Fire Authority objection had been cleared with regard to traffic congestion and asked whether the solution of an emergency access to the north of Pincents Lane was a satisfactory one and also sought clarification on whether the Fire Service HQ was a source for responder services or just an HQ for office staff.

Councillor Linden directed Members to page 24 of the pack and the comments on the 265 and 165 houses included the authorised Fire Safety Inspector. The service HQ was the site which was the access point in between the car park and IKEA. That was the problem on the egress in terms of operational fire staff who were based there so the appliances would normally come from the field community fire station but also other fire station equipment could arrive including from Newbury and Whitley Lane in Reading. The Dee Road was being disposed of and it was only the school there and Pangbourne Fire Station was shut. Fire Officers were based there, including the Chief Fire Officer, Deputy Chief Fire Officer and key fire control staff as well as Thames Valley Fire Control Service in the building which covered Berkshire, Oxfordshire and Buckinghamshire. There was also a department from TVP based there.

There was also the use of existing retail outlets which at the time of the report did not include B&M.

Councillor Vickers asked would providing an alternative access get around the problem of response times which, as indicated, would still on the whole have to come from the A4 via Sainsbury's and IKEA and go past the HQ which was not a source of responder vehicles except for perhaps some high commander vehicles going to a site to supervise. Councillor Linden said Officers would be able to comment on this but this would be Command and Control and not a source for response vehicles which came from the area, neighbouring areas and elsewhere in the country.

Councillor Macro asked if there was a serious incident, would senior Officers need to go from HQ to attend as there was a concern if there was heavy congestion in Pincents

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Lane they may be delayed. Councillor Linden said senior Officers would need to attend a serious incident and this would be a concern because time was vital and there was already congestion at particular times of the day, particularly if there were problems on the M4 and local routes needed to be used.

Members Questions to Officers

Councillor Vickers asked Mr Lyttle if it was correct that costs would only be incurred on an appeal of refusal but if the application was approved and Mr Sharma referred it to the Secretary of State, then no costs would be incurred for any decision the Secretary of State might make. Mr Lyttle said he believed this was the case.

Councillor Vickers said if there was no answer from the Fire Service whether they were happy that emergency access was now provided – notwithstanding that the view had been expressed at this meeting that emergency access would make the area less safe having a large vehicle travelling down Pincents Lane at high speed – could Members be assured that emergency access was needed as well as being assured that the fire service were now happy with it. Mr Goddard said this was a somewhat difficult area because the comments from the RBFRS were somewhat limited in that they never comment on the physical access arrangements of the site because they tended to be more involved at building control level so access design was very much for Highways Officers to decide.

Highways Officers had some difficulty because with emergency access provision there were currently no local policies on providing emergency access within any design guidance. The Government's Manual for Streets did not help very much either because it did not specify x number of houses required an emergency access. Nevertheless, with this proposal, an emergency access had been proposed and Highways Officers would have asked for one anyway because it was a good thing to have from a safety point of view. If Members were concerned about emergency access, Mr Goddard advised them to be cautious about how defensible any position was at appeal as the responses from the RBFRS were as far as they were going to go. They had objected to the potential congestion for 265 dwellings but their response that followed later on, when the scheme was reduced to 165 dwellings, was a little less clear as they just reiterated what they said before and Mr Goddard was concerned that they may have missed the point that the scheme was reduced to 165.

Councillor Howard Woollaston said he had visited the site on a Saturday afternoon at 2.00pm and it was very busy with lots of people going to IKEA. Having looked at the access point at the site, Councillor Woollaston asked for an explanation as to how it could be widened. Mr Goddard said the Manual for Streets stated that, for short distances, to enable access by emergency vehicles a width of 2.75m was required, but overall 3.7m was required because that gave enough room for a fire crew to operate around. The proposed access provided a pinch point that was 3.75m wide and the applicant had informed that they had the land to deliver this along with a 2m wide footway.

Councillor Culver asked whether Members were happy to approve an application where there was going to be a community building that could be empty for several years as the CCG had already stated they would not want to use it. Lydia Mather said Section 106 heads of terms had a cascade mechanism in terms of who it was offered to first and then it made its way down until it would end up effectively, from a commercial point of view, in the open market. In terms of the use class, it was put forward for class D1 and then the use class order had changed so that class D1 was part of class E and then there was a condition restricting the uses within that recommended in the Officer's report.

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Councillor Culver asked which organisation might end up managing the parkland because this was going to be a long-term commitment. Lydia Mather said this was captured in the Section 106 with a response from the Countryside Team who said they may be interested in taking it on.

Councillor Vickers said he had visited the site and went through the traffic lights where people cross from the IKEA car park to IKEA and he stopped at the red light to let some pedestrians cross but the light did not turn to green again. Councillor Vickers asked whether a condition could be put on the application that all the traffic light arrangements on that whole route could be paid for by the developer as he could see lights were not currently needed as there was nowhere to really go. Mr Goddard said given the scenario Councillor Vickers had described it was difficult to give an answer, but he could get it looked into to make sure those signals were working correctly but that was a reporting issue outside the remit of this meeting.

Councillor Culver asked for clarity about the number of dwellings that may be affected by the sound levels as 12 out of 22 areas that were tested would exceed the World Health Organization levels. Lydia Mather agreed that 12 out of the 22 areas tested exceeded WHO levels but did not have the information on how many houses that would equate to. The layout was a reserved matter and Environmental Health had indicated that with the final layout, having to take the noise into account, the orientation of the houses and that the layout may minimise some of that, the comments were based on the current layout and the noise assessment to date.

Councillor Barnett asked whether the footbridge over the M4 going across to the back of the road in question was ever likely to become, or could become, a vehicle bridge if there were further applications under consideration. Mr Goddard said with the IKEA proposal, some improvements to the bridge and to the approaches were made to make it better for cyclists but no further improvements were scheduled.

Councillor Macro raised the issue of the shortfall of houses in the Tilehurst area and asked Mr Lyttle when it was calculated whether the 300 homes at the west end of Theale called Lakeside was taken into consideration because that was taken out of the housing supply calculation some time ago. Mr Lyttle said his understanding was it was a question of deliverability of that site and referred to Bob Dray. Mr Dray said Lakeside was not included in the five year housing land supply because of the delays in it coming forward for development but it was a committed development in the HSA DPD so they were two different things.

Councillor Bridgman raised the issue of 'limited' conflict with C1 (under Policy on page 6 of the pack) and point 6.15 of the Officer's report where it stated that this was 'directly' in conflict with C1 because it was outside the settlement boundary and the proposal was not a listed exception. Mr Lyttle was asked to comment on the contrast between 'limited' and 'direct' conflict. Mr Lyttle said it came down to the balancing matter. As he had previously stated, Officers would want plans to come forward in the Local Plan period. However, this site was taken out of the Reg 18 and was left for the Neighbourhood Planning Group to take forward and it was in that round that the Planning Officers made the decision, following the turning down by the Neighbourhood Planning Group, for allocating the site in this broader area.

Councillor Bridgman referred to the question and answer session reflected in the minutes of the EAPC in which he and Mr Lyttle had a conversation about the numbers in the current Local Plan that had been delivered or were due to be delivered and the reference there to 280 dwellings forming part of the HSA DPD for this part of the district and Councillor Bridgman's calculation that 333 dwellings had actually been brought forward or were on the table to be delivered. Mr Lyttle had now referred Members to a reason

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why ADPP4 should be preferred because of the removal of Pangbourne from the DPD because it was AONB according to the Inspector. Policy HSA 21 of the DPD said that was a delivery of 35 dwellings which, if added to the 280 that were due to be brought forward totalled 315 but 333 were already being delivered so the HSA DPD number was being delivered and West Berkshire currently had a housing land supply of about 7.1 years and we were achieving 1.17 on the housing delivery test. Councillor Bridgman asked Mr Lyttle to reflect on the delivery of housing that had already taken place in this area compared to what was in the DPD.

Mr Lyttle said the delivery to the Core Strategy and the HSA DPD to 2026 was correctly reported on page 98 of the pack. What was being talked about was the Local Plan review going forward to 2037 and it was that additionality that the Service Director said was a district-wide matter and that is why he had referred it up to tonight's Committee.

Councillor Bridgman said that he preferred policy C1 over other policies because, as already stated, the Committee was proud of being a policy-led Council. He asked Mr Lyttle if he could recall any application that had been brought for housing outside a settlement boundary which had not met any of the exceptions to C1 where Officers had recommended approval. Mr Lyttle said north Newbury was an example where it was outside of settlement boundary; all the land north of Vodafone and to the west of that came outside of the Local Plan because it was too late to be included in it. The Council had taken the strategy for Sandford forward because it was not delivering and it was not part of the exceptions test but were at danger of losing a five-year land supply argument and therefore in that exceptional circumstance, Members allowed at Committee to agree the application for north Newbury.

Councillor Vickers said as a point of information he had been at that meeting and confirmed it had been approved but only on appeal. It was refused by WAPC for the reasons given and it went to appeal which was lost because the five year land supply could not be demonstrated.

Councillor Bridgman took the point but asked Mr Lyttle whether he agreed that there was a difference between that position at the time where the Council was in danger of losing on a five-year housing land supply and this one where there was a 7.1 year housing land supply so that test for Officers did not arise. Mr Lyttle said he agreed with that and reiterated that it was a short-term versus long-term issue.

Councillor Vickers said that from the site he had walked the connecting route to the west of Sainsbury's where he saw the informal unsatisfactory cut through that people had been using. Looking at the map, he realised there was another possible route along the western edge of the recreation area where the developer was proposing to provide an access but where there was not currently a public right-of-way. Although the online map showed a perfectly good route which could not be seen all the way because of the trees, he wondered, if Members were minded to approve, if it was possible, since those routes were outside the control of the applicant, to make the applicant pay for the necessary dedication or provision of those routes. Lydia Mather said it would be a Section 106 and would be a negotiation to take place.

Councillor Vickers said he had noted that all the engineering works were part of outline planning and knowing that soil was precious and stripping of top soil for a long time completely destroyed the soil structure and not good for biodiversity, ecology or drainage, was there a way one could condition the amount of engineering works that took place so that it was limited to what was absolutely necessary. Lydia Mather said as part of the plans there was an existing topographical survey, there were proposed ground levels, a spoil condition and also parameter plans regarding land form and build heights, all of which had AOD figures on them so they could be conditioned and their working

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conditions recommended on ground levels so the extent of necessary works could be controlled.

Councillor Clive Hooker queried, looking at the restriction of the road and the access in through IKEA, if anything needed to be taken out what route would be taken that would not be a disruption to the shopping area. Paul Goddard said it would go out via Pincents Lane and he would not want it going out via the north along City Road near Little Heath School. He thought the best route would be via Pincents Lane to the south and said he thought, as was quite common with construction management plans, that times at which deliveries could take place could be limited and deliveries could be made avoiding peak travel periods for instance which would ensure that construction vehicles did not add to any congestion during peak travel periods. Mr Goddard also confirmed that the materials for 165 houses would also come in via the IKEA route.

Councillor Pask said he believed in traffic modelling but having spent all his professional life in the aviation industry if something did not look right, invariably it was not right. Page 80 of the pack showed maximum average journey times and in the column for 2023 plus growth, the figures decreased from 88 to 74 with the addition of 165 houses on the route from IKEA towards the A4. Mr Goddard had earlier said that the traffic delays on the A4 increased but from IKEA to the A4 they reduced.

Mr Bodkin had made a comment that sensors on traffic lights would improve flow but Councillor Pask was puzzled as to how adding 165 houses could reduce delays both in times and, in some cases, in distance. Mr Goddard said he would need to delve into the matter more to provide a definitive answer of why the modelling behaved in that way. As stated earlier, if the traffic was delayed in one part of the network, that would hold traffic back and that could help others. Mr Bodkin had mentioned MOVA – microprocessor optimization vehicle activation – which was a software package that was installed at the traffic signal junction A4 Pincents Lane and Dorking Way that enabled the junction, within confined limits, to think for itself meaning that if there was a longer queue in one direction it would increase the green time to help to clear it. It was the AM peak that was being looked at and the traffic signals at A4 Pincents Lane would be set up for the retail outlets there and the traffic that would come from them. During the AM peak there was very little demand from those uses and the signals would probably be adjusted when the development was put in and that probably resulted in the big falls in journey times at that time in comparison to PM and Saturday peak times. Mr Goddard added that the traffic model had been independently checked by WSP Consultants.

Councillor Somner said Dorking Way currently had 199 dwellings being developed and there was another site opposite which he believed was going to be in the region of 38 dwellings. The last application that went in that was rejected had reduced the number of dwellings but put in a pub restaurant. Councillor Somner sought confirmation that the numbers in the pack included the current development, the other development which would be coming forward because it was in the DPD and the current movement of that traffic depending on which way it went. Mr Goddard was able to confirm that the 199 dwellings on Dorking Way were included within those figures. From recollection, Mr Goddard thought the traffic direction was 50/50 between coming towards the M4 and going towards Reading. Mr Goddard was not sure whether the smaller housing development complete with the restaurant was included in the figures without referring back to the full information but thought it probably was as it was committed development that was in the HSA DPD.

Debate

Councillor Hooker thanked all the participants that had come along for their contribution to the meeting and everything they said had been taken on board by Members. For the

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benefit of those watching the meeting and Members, he said he had read the papers in great detail and had attended the site meeting last week which was excellently conducted by Lydia Mather.

Councillor Hooker said he had not watched the zoom meeting of the EAPC to avoid being influenced in any way but would say from the outset that he was concerned that he was being drawn to a decision for potentially, what may be perceived by fellow Committee Members, to be the wrong reason and he would be interested to listen to the full debate to convince him differently. He said much weight and emphasis had been put on the fact that a refusal of the application by the Committee would result in an appeal and with that the subsequent costs of defending that appeal.

Councillor Hooker said he was conscious that this emphasis, given by the Development Control Manager, had in fact set a precedent as in his experience it was more robust than he would otherwise expect in an application at this level. It was for this reason his attention and direction had been focused wider than purely on planning issues and policies. When Councillor Hooker had initially looked at the plans and layout of the application, he thought it to be a good, well thought out residential development albeit in its outline state and was encouraged to see the large green parkland for a recreational use. He knew well the junction 12 area off the M4 with the retail park but it was not until he went to the site meeting and went onto Pincents Lane that he realised that there was only one way in and out of the development and the exit point was only just over 5m wide, just enough to take an emergency vehicle and justify that requirement. For daily traffic movements a single way traffic system would be in place requiring give and take by drivers to get through.

He was surprised that when walking the site road down to IKEA to find that traffic from the estate would have to negotiate a traffic lighted zebra crossing for IKEA customers crossing from the car park to the store and then further down the road to the roundabout, more traffic lights before getting onto the A4 itself. Councillor Hooker said he would like to make it clear that he had much respect for the Highways Officers and in particular Mr Goddard but in this case, the computer traffic modelling exercise, in his opinion, resulting in the computer saying 'yes' suggested the computer had not applied and could not be programmed for one element the Committee could apply, which was common sense.

The site would accommodate 165 houses all hoping at daily peak times to leave and enter for work, school runs and shopping through a one-way exit/entrance system and he feared at times this would make smooth traffic flow untenable and road rage would inevitably ensue.

Whilst at the site meeting it was suggested by the agent that the developers had acquired the building on the right to the entrance, Members had heard today that it was the case as a lease and an option to buy it. The agent might consider, to alleviate these traffic problems and to assist the application, that the Developer could consider realigning the boundary fence of that property or knocking down the building to enable widening that road onto that site.

Councillor Hooker said Members were proud the Council was plan-led with respect to planning issues. The site had been in the headlines for over 40 years and had experienced problems in 1977, 1983, 1987, 1988 and 1989 with applications for residential development being submitted and refused. In 2009, a further development for 750 houses was applied for, refused, appealed and then dismissed by the Inspector. In the current Local Plan, the site was not put forward during the call for sites exercise and had not been submitted for consideration in the Local Plan currently in draft. Therefore, the application was effectively a speculative development. The site was also outside of the settlement boundary.

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Due to a change of mind on the Regs 8 consultation by the Tilehurst Neighbourhood Steering Group, it informed the Council it no longer wished to allocate land for housing as part of its DPD. This had increased the demand for housing sites in the east of the district and the, up to now, plan-led policy, which had always been rigorous appeared to have come under duress, and in this case to be forsaken with a recommendation of approval by Officers.

As Members of this Committee, decisions were made on policies and common sense always taking note of local concerns. Members were, however, lay planners and must take heed of advice given by Planning and Highways Officers and the Development Control Manager. Councillor Hooker said he was conscious of the requirement for housing in this part of the district but had serious concerns regarding traffic matters and for these reasons and those mentioned earlier felt the outcome of this application could be unfavourable.

Councillor Hooker said he was equally concerned that in the current climate of Government looking to drive up construction of houses wherever it could and with the perceived pressure on Inspectors to accommodate that requirement, he felt that the professional opinion suggested by the Development Control Manager would come to fruition, that should this application go to appeal, the Inspector may overturn a decision of refusal. Councillor Hooker said he was conscious of Members possibly committing the Council to exorbitant appeal costs having had a strong indication in the advice given of the outcome of the appeal, hence his view of a decision being made for the wrong reasons.

Councillor Hooker said he looked forward to the remainder of the debate to see if the feelings of the other Members on this was in line with his thinking as this was a most contentious application.

Councillor Macro said he had several concerns about this application mainly revolving around highways and access. As heard from objectors and could be seen in local newspapers, there were frequent, long hold ups along Pincents Lane, particularly on bank holidays and wet Sundays due to people accessing IKEA and the other retail shops, and that was likely to be made worse when B&M opened. The idea of putting another 38 vehicles per hour on that Lane on a weekend was only going to make that situation worse. It would be appalling if there was an emergency on the site and an emergency vehicle could not get through IKEA and had to divert all the way around via Tilehurst adding 10-15 minutes to the journey. If emergency vehicles were going up and down the upper part of Pincents Lane, it would make things dangerous for anybody who was walking along the Lane which did not bear thinking about with Little Heath School and Springfield Primary School at the top of the hill.

Councillor Macro did not envisage many parents expecting their children to walk up the hill particularly in bad weather which would lead to far more traffic putting a lot more strain on the A4 on the traffic lights at Langley Hill. Despite Mr Goddard's comments, Councillor Macro said he still had severe doubts about the traffic modelling. He had spent the last few years of his career developing and validating computer models and if he saw numbers like those in the pack, then he would have delved deeply into why there were anomalies.

One other aspect related to congestion on Pincents Lane was that currently if there was heavy congestion on a weekend or bank holiday, the main people affected were customers of IKEA, Dunelm or Sainsbury's but if the development went ahead, there would be shift workers delayed getting to work, people missing flights or hospital appointments so the effect was going to be far worse. One of the other aspects was the surface water drainage proposal which was that the water would drain down to a

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retention pond at the bottom of the site and from there would be pumped back up to the top. Drainage people were concerned about that in terms of maintenance and access but Councillor Macro said he was also concerned that it was not sustainable spending a lot of money pumping water up uphill for it just to run down to another watercourse somewhere. There was also the issue of if there was a power cut you could end up with the flood water cascading down Pincents Lane into the area of IKEA.

Finally, Councillor Macro said normally a site like this would have been proposed for the Local Plan, the Local Plan would have gone for consultation and local residents consulted twice – Regulation 18 and 19. In the regulation 18 consultation the site was not there; if it had been put in the Neighbourhood Development Plan, it would have gone to referendum so local residents would have had at least two opportunities to have their say before the planning application was submitted.

Councillor Vickers said he had come to the application fresh like Councillor Hooker and was very grateful for his very comprehensive prepared and balanced speech. Councillor Vickers said he had read the papers twice and had been to Pincents Lane beforehand and looked over the fence where the emergency exit/entrance was and thought it surely could not be this housing site that was being talked about, before realising it was coming to the DPC. When he went back there for his own private site visit he had looked at it in detail realising this was a highly contentious site.

Councillor Vickers said having initially thought the application could not be approved to now looking at the plans and thinking it was not as bad as he had first thought, he was now undecided. He said whatever happened, the final decision was almost certainly going to take place after the Reg 19 was published where the new Local Plan would have considerable weight.

Councillor Vickers said he was satisfied by the argument that it was, on balance, in conformance with the Local Plan and was happy with the principle of development because Core Strategy CS1 talked about broad location and there were no broad locations within the settlement boundary. With regard to the proposed highways reason for refusal, Councillor Vickers said he was concerned about the whole situation with Pincents Lane. He agreed that modelling worked but it did not take full account of behavioural patterns and it was important to make sure that alternative methods of travel were as convenient as possible for all essential travel routes. Councillor Vickers also felt that approving the application would secure the decent management of a very significant area of beautiful open space which would meet wildlife considerations. In summary, Councillor Vickers said if there was a proposal to support Officer's recommendation to approve then he would support it.

Councillor Bridgman said he had come to the meeting predisposed but not predetermined and was fully prepared to be persuaded by Officers that the views he had expressed to the EAPC were wrong. Those views were that as a policy-led Planning Authority, policy should be followed and that policy C1 should be preferred.

However, Councillor Bridgman said he had not been persuaded by Officers that his initial views were wrong. With the references made to ADPP4, Councillor Bridgman reflected that was a policy of the current plan and he preferred the concept which was there was an overarching strategy, then there were bids for sites, then there was the HSA DPD, and Council considered at some length what sites should come within the Local Plan and should be brought forward for development and this was not one of them.

If it was accepted that development that had not been debated and had not gone to consultation should not be developed, then his view was that this development was of that type. Councillor Bridgman said he understood the argument that was put forward in

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respect of north Newbury but things had changed since that time. There was now a 7.1 year housing land supply and a robust defence of Policy C1 at every opportunity and apart from two applications, the Council had won every appeal that had been brought against the Council on housing land supply. If the new Local Plan had been adopted or was yet to be implemented and debate had taken place about what sites should be in it and the Council had had the opportunity to debate and decide what sites should be brought forward for development, Councillor Bridgman said he would have great sympathy with the argument on behalf of the developer but that was not the case as the current Local Plan still had four years to go.

Councillor Bridgman said this development was against policy and Officer's recommendation should be rejected.

Councillor Culver said she was in full agreement of the views expressed by Councillor Bridgman. She was also concerned about the noise and the fact that large parts of the site would exceed WHO levels and was not persuaded that orientation of houses would overcome the problem. Councillor Culver said she was concerned about the northern route that was being proposed for emergency vehicles to come in as the Lane was very narrow with hardly any passing places. With respect to the community building, she was concerned that developers had not given sufficient thought to the purpose of it; bearing in mind the CCG did not want it there was a real prospect the building would sit empty for a number of years.

Councillor Culver said she did not think the proposal to pump water uphill sounded like a good idea and was concerned about the impact that might have on flooding. It was believed that some of the homes would have to use air-conditioning to overcome external noise which would not be environmentally friendly. Councillor Culver said she was conscious that the housing mix was a reserved matter but the proposed application as it stood did not have any one bedroom homes and had given no regard to the Council's Strategic Housing Market Assessment.

Councillor Culver felt the site was great from a sustainability and rewilding perspective. She had questioned whether she should sacrifice her concerns about that in order to provide housing but this application had not convinced her of that because it did not meet local housing need.

Councillor Geoff Mayes said he had reviewed the traffic data and was happy with most of it but did not agree with the data for Pincents Lane as he thought what was being muddled was the actual traffic flow and the length of the queues in Pincents Lane itself, not in the wider area that had been surveyed by the traffic counts that were mainly on the A4. He felt as far as Pincents Lane was concerned, there was a big problem which was quantified by the length of the queues that were quoted to be 35 to 45 at peak hours with up to 70 cars in a queue on a Saturday and possibly Sunday.

Councillor Mayes expressed concern about the proposed drainage system in that the drainage from that area could quite easily go into the Kennet catchment without being re-pumped.

Councillor Mayes' final point was in relation to the emergency access in that there was a gate on the northern part of Pincents Lane which was the closed section from the south but there was not a road from the gate area onto the adopted road system within the actual housing area.

Councillor Richard Somner thanked Officers for the considerable amount of work that had been put into this case over many years. He said he had been litter-picking recently in Pincents Lane and was nearly knocked down by a cyclist who was free-wheeling down the hill and who knew there was nothing coming the other way but expected nobody to

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be walking on it. In addition, Councillor Mayes was nearly hit by a small hatchback car that was not speeding, but to avoid collision Councillor Mayes had to climb the bank, the issue being that this was a small car, not a fire engine or refuse lorry. Councillor Mayes said this had reinforced the comments he had made at the EAPC about the lack of safety for the people moving into the area and his position on that and other issues remained unchanged.

Councillor Barnett said the main concerns had centred around access to the site, vehicle movements and build up and the loss of another green field site which was valued by local people and such loss was of great concern to them. Councillor Barnett felt the evidence put forward had reiterated a lot of the points made at the EAPC and whilst he had come to the meeting with an open mind he was still at this late stage in the meeting very much in the middle as to how he would vote.

Councillor Woollaston said he had come to the meeting completely fresh and with an open mind. Whilst there was a clear need for housing, his main concerns with the development were traffic generation and access to the site which he believed would be a major problem and he was minded to vote against the proposal.

Councillor Bridgman proposed rejection of the application and to go against Officer's recommendation on precisely the same basis as was debated at EAPC:

1. Policy
2. Highways
3. Section 106

The proposal was seconded by Councillor Culver.

Councillor Vickers proposed an amendment to the proposal to remove reason number one in relation to Policy. Councillor Vickers said he would not support the motion unless reason number one was removed. Councillor Pask said that was his choice but he had a proposal which had been seconded and had been advised by Officers that as that had happened, no further amendment could be made.

- Those in favour of the proposal were asked to show their hands. The motion was carried – 7 in favour and 2 against.

RESOLVED that the Service Director for Development and Regulation be authorised to refuse planning permission for the following reasons:

1. The proposed development for up to 165 houses is not on land identified as suitable for residential development. The application site is located outside of a defined settlement boundary, below the settlement hierarchy, and where there is a presumption against residential development. The site is not land that has been allocated for residential development. The proposed development is not for rural exception housing, to accommodate rural workers, or limited infill within a closely knit cluster of 10 or more dwellings. As such the proposed development is contrary to policy C1 of the Housing Site Allocations DPD 2006-2026 and the National Planning Policy Framework.
2. The proposed access along Pincents Lane is not suitable to serve the proposed development. At peak times the existing congestion along Pincents Lane is such that it would have an unacceptable impact on the access to and egress from the site on the proposed residents of the development and therefore on highway safety and the flow of traffic. As such the proposed development is contrary to policy CS13 of the West Berkshire Core Strategy 2006-2026 and the National Planning Policy Framework.

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- 3. The application fails to provide an appropriate planning obligation to mitigate the impact of the development with regard to affordable housing, housing for older people, custom and self-build housing, community building, emergency vehicle access, public open space, public rights of way, sustainable travel, climate change and resilience measures. The District has a high affordable housing need and an affordability ratio above the national average as well as a high number of individuals seeking self-build plots. Public open space and upgrades to the public rights of way and increase in sustainable travel options are all required from the development, and there is a statutory duty on climate change. Without these planning obligations the proposed development conflicts with policies CS5, CS6, CS13, CS15, and CS18 of the West Berkshire Core Strategy 2006-2026, the Planning Obligations SPD and the National Planning Policy Framework.

(The meeting commenced at 6.30pm and closed at 9.53pm)

CHAIRMAN

Date of Signature