



**West Berkshire Local Plan Review 2022-2039 (LPR)
 Consultation on Proposed Main Modifications
 (6 December 2024 – 31 January 2025)**

Representation Form

Ref:
 (For official use only)

Please complete and return this form:	By email: [REDACTED]
	By post: Planning Policy, Development and Housing, Council Offices, Market Street, Newbury, RG14 5LD
Return by:	11:59pm on Friday 31 January 2025

Please read the **Guidance Note**, available on the Council’s website <https://www.westberks.gov.uk/lpr-proposed-main-modifications>, before making your representations.

This form has two parts:
 PART A – Your details
 PART B – Your representation(s)

Please complete a new form for each representation you wish to make.

<u>PART A: Your details</u>		
<i>Please note the following:</i>		
<ul style="list-style-type: none"> <i>We cannot register your representation without your details.</i> <i>Representations cannot be kept confidential and will be available for public scrutiny, however, your contact details will not be published.</i> 		
	1. Your details	2. Agent’s details (if applicable)
Title	Mrs	
First Name*	Karen	
Last Name*	Wilkinson-Flood	
Job title <i>(where relevant)</i>		
Organisation <i>(where relevant)</i>	Admin of the Pincents Hill Against Development Facebook Group (representing self)	
Address* <i>Please include postcode</i>	[REDACTED]	
Email address*	[REDACTED]	
Telephone number		
Consultee ID (if known)		

*Mandatory Field

PART B – Your representation(s)

All comments made at previous stages of the LPR have been taken into account by the Inspector and there is no need to resubmit these. Publication of the proposed Main Modifications is a regulatory stage and any representations made should relate specifically to the legal compliance and soundness of the proposed Main Modifications and should not relate to parts of the Plan that are not proposed to be modified.

Please note your representation should cover succinctly all the information, evidence and supporting information necessary to support/justify the representation and the suggested change.

Your name or organisation (and client if you are an agent):	Karen Wilkinson-Flood
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Proposed Main Modifications and Proposed Changes to the Policies Map

1. Please indicate whether your representation relates to the Schedule of Proposed Main Modifications or the Schedule of Proposed Changes to the Policies Map and provide the modification/change number you are commenting on below:

Document name	West Berkshire Local Plan Review (LPR) 2022-2039 Schedule of Proposed Main Modifications (MM) - November 2024
Modification/Change reference number (MM / PMC)	MM3

2. Do you consider the Proposed Main Modification or Proposed Policy Map Change to be:
(please tick/mark 'X' one answer for a and one for b)

- a) **Legally compliant** Yes No
- b) **Sound** Yes No

Please refer to the guidance notes for a full explanation of 'legally compliant' and 'soundness'

If you consider the Proposed Main Modification or Proposed Policy Map Change not to be sound, please identify which test of soundness your representation relates to:
(please tick/mark 'X' all that apply)

Positively Prepared: The LPR should be prepared based on a strategy which seeks to meet objectively assessed development and infrastructure requirements.	X
Justified: the LPR should be the most appropriate strategy, when considered against the reasonable alternatives	X
Effective: the LPR should be deliverable	X
Consistent with national policy: the LPR should enable the delivery of sustainable development in accordance with the policies of the NPPF	X

3. If you have answered 'No' to question 2a or 2b above, please provide details of why you consider the Proposed Main Modification or Proposed Policy Map Change is not legally compliant or is unsound, including any changes you consider necessary to make the Plan legally compliant or sound.

You will need to say why this change will make the Local Plan Review legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Tilehurst, Pincents Lane should be completely removed from the LPR. 15+ years of consistent refusal for planning, for many of the same reasons each time – objections not just from local residents, but also from official bodies do not just “disappear”. Trying to include Pincents Lane in the LPR is a “knee-jerk” reaction to “threats” received by the Deputy Prime Minister.

During the Community Forum - Planning Meeting of 10/9/24 it was stated by one of the councillors, from minute 37:46, that “we had a letter from the Deputy Prime Minister, Angela Raynor, & in that letter she actually said that she was going to instruct her Inspectors that if they didn't, couldn't, find a plan sound almost immediately she was advising them to just throw it out. So there are lots of threats involved in this.”

At that same meeting, from minute 5:47, it was stated that there is a “renewed emphasis on using brownfield land where possible.” The land at Pincents Lane is NOT a brownfield site, it is a valued open space utilised by local residents for walking, nature rambles, bird & wildlife observation. It has also had to become home to a great deal of wildlife that were pushed out of the homes they new due to the large, close proximity, Fairfields Berkshire & Stoneham Park developments.

The Community Forum meeting on Tuesday, 10 September was communicated as a means “for an informative session on The Planning process in West Berkshire. This forum is an opportunity for residents, community members, and stakeholders to come together and discuss the planning proposals and issues that are shaping the future of our neighbourhoods”.

It was not a “discussion”, at best it was an “information sharing exercise” where attendees were TOLD what WILL be happening in their neighbourhoods

Quotes from the Council Leader, Jeff Brooks, at the meeting on 10/9/24

From minute 1:17:59 “Look, you may have covered this. I'm Jeff Brooks, the leader of the Council. You may have covered this because, I'm sorry, I was late. The Local Plan, effectively, is likely to be imposed on your district council. We don't believe it's a great plan, the officers have worked very hard on it. We think the site, the sites, could be better. It is likely that in the next few months that plan will be imposed upon us. Watch this space”

From minute 1:19:00 “As much as we, as a district council, has pushed back on the plan in terms of its sites that we don't believe are suitable, that plan is likely to be imposed on us.”

Further quotes from the meeting

From minute 1:16:10 “Back in June none of this was relevant, we didn't know about the extra houses, we didn't know about anything was saying”

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had planning applications refused time & again over very many years. Applications that have been made by different developers, yet have been refused for the same reasons – reasons which are still present & justified today!

From minute 1:16:51 “One of the things I think we need to think about, & I know it’s not huge numbers, but it’s a start. Things like vibrant villages, where we look at having some of these villages which are, frankly, dying. They’re losing their pubs, their losing their shops, the roll call on schools are going down. Just a few houses in those places. It won’t answer the 1027, but it will go some way towards it”

The 138 dwellings currently proposed for Pincents Lane would be far better suited to be built in places such as the villages mentioned in the above statement. The necessary infrastructures are already in place, it would revitalise smaller communities, & would be more easily deliverable.

What considerations have been given to the established properties along Pincents Lane, directly adjacent to the site? What consideration has been given to any buildings damage incurred by the effects of large construction lorries, excavation machinery & plant entering & exiting the site multiple times a day? What consideration has been given to these properties in respect of subsidence &/or structural damage during excavation & construction, and in the future as a direct result of excavation works & construction? What consideration has been given to the construction vibrations undermining the structural integrity of the established properties on Pincents Lane now & in the future?

Also, what consideration has been given to the structural integrity of Pincents Manor, a Grade II listed building whilst construction & excavation work is being carried out, with large construction lorries, excavation machinery & plant entering & exiting the site multiple times a day? What consideration has been given to the construction vibrations undermining the structural integrity of Pincents Manor, a Grade II listed building, now & in the future?

LOCAL DEVELOPMENT SCHEME

2.3. Community involvement

One of the key objectives of the planning system is greater and more effective community involvement. Arrangements for involving the community in each of the DPDs are explained in the Council’s Statement of Community Involvement (SCI). Public involvement in the production of the DPDs in this LDS will be tailored in accordance with the role and scope of the document as explained in the SCI (Jan 2020).

In terms of these main modifications to the LPR I have seen little evidence of “greater and more effective community involvement” from WBC, almost to the point of the exact opposite

Our approach to community involvement

1.5 Our SCI has been informed by the key principles contained in the Council’s Consultation Policy which are to ensure that:

- We make it clear the purpose of an exercise and how it feeds into the decision-making process
- Sufficient information is provided and accessible to participants to inform their response
- Everyone has the opportunity to contribute and have their views heard
- Appropriate methods are used
- Sufficient time is provided to respond, and for consideration of key findings
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- Key findings are fed back to participants

Unless members of the community have internet access/an on-line presence, (e-mail), it is virtually impossible for them to have their voices heard – they cannot speak about

something that they have not been made aware of! Olivia Bailey MP & Cllr Clive Taylor have made very best efforts to put flyers through letterboxes to raise awareness of what is being proposed for Pincents Lane to give all local residents the opportunity to have their voice heard but, again, their "voice" must be on-line. I have seen no such efforts from WBC, (I would be pleased to be corrected), which appears to be a direct contradiction of their "Statement of Community Involvement".

1.6 It is important that our SCI is built on the fundamental principles of inclusiveness and equality for all. People suffer from exclusion and can be hard to reach for a variety of reasons. In addition, we recognise that although some people or groups may be small in actual numbers, they could be disproportionately affected by planning policies and decisions. The council's Equality Objectives and Guidance on Equality Impact Assessments explain our approach to community inclusion.

"inclusiveness & equality" – WBC appears to have made little or no effort in reaching parts of the community that do not have an on-line presence. Seemingly another contradiction of this policy.

In the wildlife studies/surveys I have seen in regards to Pincents Lane I do not recall seeing any specific mention of hedgehogs, which are a protected species – see below. With the machinery, vehicles, works etc that have been recently carried out on the site in terms of erecting fencing/felling trees I have no doubt that the hedgehog population within the site have suffered numerous fatalities &/or mutilations. I do not believe pleading "ignorance" to the presence of hedgehogs is a plausible excuse for having a directly negative impact on the hedgehog population in this area. It is the responsibility of the developer & WBC to carry out "due diligence" in respect of all wildlife present on the proposed site, I cannot see any evidence specifically relating to hedgehogs in terms of due diligence – I would be pleased to be proved wrong & to understand what measures were taken to ensure that the hedgehog population was not compromised, harmed, injured, or suffered any fatalities whilst the fence construction & tree felling works were carried out.

Hedgehogs are protected by law (Schedule 6 of the Wildlife and Countryside Act 1981) and should be enjoyed at a distance allowing them to be wild. Legally, hedgehogs are only allowed to be handled by a rescue or when in need of emergency care.

SCHEDULE 6

Animals which may not be Killed or Taken by Certain Methods

<i>Common name</i>	<i>Scientific name</i>
Badger	Meles meles
[F1]Bats, Horseshoe (all species)	Rinolophidae]
[F1]Bats, Typical (all species)	Vespertilionidae]
[F1]Cat, Wild	Felis silvestris]
[F1]Dolphin, Bottle-nosed	Tursiops truncatus (otherwise known as Tursiops tursio)]
[F1]Dolphin, Common	Delphinis delphis]
[F1]Dormice (all species)	Gliridae]

Hedgehog	Erinaceus europaeus
[F1Marten, Pine	Martes martes]
[F1Otter, Common	Lutra lutra]
[F1Polecat	Mustela putorius]
[F1Porpoise, Harbour (otherwise known as Common porpoise)	Phocaena phocaena]
Shrews (all species)	Soricidae
Squirrel, Red	Sciurus vulgaris

Section 11 of the Wildlife & Countryside Act (1981)

Subject to the provisions of this Part, a person shall be guilty of an offence if that person—

- (a)uses [F9, otherwise than in Wales,] any trap or snare [F10, or in Wales, any trap other than a glue trap,] for the purpose of killing or taking or restraining any wild animal included in Schedule 6 or 6ZA;
- (c)sets in position any electrical device for killing or stunning, or any poisonous, poisoned or stupefying substance, of such a nature and so placed as to be—
 - (i)in England F15..., calculated to cause bodily injury to any wild animal included in Schedule 6;
- (d)uses for the purpose of killing or taking any wild animal included in Schedule 6—
 - (i)any electrical device for killing or stunning;
 - (ii)any poisonous, poisoned or stupefying substance;
 - (iii)any net;
 - (iv)any automatic or semi-automatic weapon;
 - (v)any device for illuminating a target or sighting device for night shooting;
 - (vi)any form of artificial light or any mirror or other dazzling device;
 - (vii)any gas or smoke not falling within sub-paragraph (ii);
 - (viii)any sound recording used as a decoy; or
 - (ix)any mechanically propelled vehicle in immediate pursuit of any such animal;

Wild Mammals (Protection) Act 1996

1 Offences.

If, save as permitted by this Act, any person mutilates, kicks, beats, nails or otherwise impales, stabs, burns, stones, crushes, drowns, drags or asphyxiates any wild mammal with intent to inflict unnecessary suffering he shall be guilty of an offence.

Any form of construction on the land at Pincents Lane, resulting in any hedgehogs being killed, mutilated, man handled, will be in direct contravention of the above protection status of hedgehogs &, as I understand it, will be breaking the law.

The land at Pincents Lane is wholly unsuitable in every way possible, from the impact on wildlife (flora & fauna), the potential negative impact on properties directly adjacent to the site, as well as the Grade II listed Pincents Manor, along with ALL the reasons that ALL previous planning applications for this greenspace have consistently been denied.

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Sustainability Appraisal/Strategic Environmental Assessment (SA/SEA)

4. Do you have any comments on the updated Sustainability Appraisal/Strategic Environmental Assessment Report – Proposed Main Modifications (November 2024)?
(Please be as precise as possible)

Page number	
Paragraph number	
Comments:	

Habitats Regulations Assessment

5. Do you have any comments on the addendum to the Habitats Regulations Assessment of the Proposed Main Modifications (November 2024)?

(Please be as precise as possible)

Page number	
Paragraph number	
Comments:	

Notification of Progress of the Local Plan Review

6. Do you wish to be notified of any of the following?

(please tick/mark 'X' all that apply)

<i>The publication of the report of the Inspector appointed to carry out the examination</i>	
<i>The adoption of the Local Plan Review</i>	

Please ensure that we have either an up-to-date email address or postal address at which we can contact you. You can amend your contact details by logging onto your account on the Local Plan Consultation Portal or by contacting the Planning Policy Team.

Signature	Karen Wilkinson-Flood	Date	29/01/25
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Your completed representations must be received by the Council by 11:59pm on Friday 31 January 2025.



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Title	Mrs	
First Name*	Karen	
Last Name*	Wilkinson-Flood	
Job title <i>(where relevant)</i>		
Organisation <i>(where relevant)</i>	Admin of the Pincents Hill Against Development Facebook Group (representing self)	
Address* <i>Please include postcode</i>	[REDACTED]	
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Telephone number		
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Document name	West Berkshire Local Plan Review (LPR) 2022-2039 Schedule of Proposed Main Modifications (MM) - November 2024
Modification/Change reference number (MM / PMC)	MM29

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Animals which may not be Killed or Taken by Certain Methods

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[F1Polecat	Mustela putorius]
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 - (iii)any net;
 - (iv)any automatic or semi-automatic weapon;
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 - (vi)any form of artificial light or any mirror or other dazzling device;
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 - (viii)any sound recording used as a decoy; or
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Sustainability Appraisal/Strategic Environmental Assessment (SA/SEA)

4. Do you have any comments on the updated Sustainability Appraisal/Strategic Environmental Assessment Report – Proposed Main Modifications (November 2024)?
(Please be as precise as possible)

Page number	
Paragraph number	
Comments:	

Habitats Regulations Assessment

5. Do you have any comments on the addendum to the Habitats Regulations Assessment of the Proposed Main Modifications (November 2024)?

(Please be as precise as possible)

Page number	
Paragraph number	
Comments:	

Notification of Progress of the Local Plan Review

6. Do you wish to be notified of any of the following?

(please tick/mark 'X' all that apply)

<i>The publication of the report of the Inspector appointed to carry out the examination</i>	
<i>The adoption of the Local Plan Review</i>	

Please ensure that we have either an up-to-date email address or postal address at which we can contact you. You can amend your contact details by logging onto your account on the Local Plan Consultation Portal or by contacting the Planning Policy Team.

Signature	Karen Wilkinson-Flood	Date	29/01/25
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Your completed representations must be received by the Council by 11:59pm on Friday 31 January 2025.



**West Berkshire Local Plan Review 2022-2039 (LPR)
 Consultation on Proposed Main Modifications
 (6 December 2024 – 31 January 2025)**

Representation Form

Ref:
 (For official use only)

Please complete and return this form:	By email: [REDACTED]
	By post: Planning Policy, Development and Housing, Council Offices, Market Street, Newbury, RG14 5LD
Return by:	11:59pm on Friday 31 January 2025

Please read the **Guidance Note**, available on the Council’s website <https://www.westberks.gov.uk/lpr-proposed-main-modifications>, before making your representations.

This form has two parts:
 PART A – Your details
 PART B – Your representation(s)

Please complete a new form for each representation you wish to make.

<u>PART A: Your details</u>		
<i>Please note the following:</i>		
<ul style="list-style-type: none"> <i>We cannot register your representation without your details.</i> <i>Representations cannot be kept confidential and will be available for public scrutiny, however, your contact details will not be published.</i> 		
	1. Your details	2. Agent’s details (if applicable)
Title	Mrs	
First Name*	Karen	
Last Name*	Wilkinson-Flood	
Job title <i>(where relevant)</i>		
Organisation <i>(where relevant)</i>	Admin of the Pincents Hill Against Development Facebook Group (representing self)	
Address* <i>Please include postcode</i>	[REDACTED]	
Email address*	[REDACTED]	
Telephone number		
Consultee ID <i>(if known)</i>		

*Mandatory Field

PART B – Your representation(s)

All comments made at previous stages of the LPR have been taken into account by the Inspector and there is no need to resubmit these. Publication of the proposed Main Modifications is a regulatory stage and any representations made should relate specifically to the legal compliance and soundness of the proposed Main Modifications and should not relate to parts of the Plan that are not proposed to be modified.

Please note your representation should cover succinctly all the information, evidence and supporting information necessary to support/justify the representation and the suggested change.

Your name or organisation (and client if you are an agent):	Karen Wilkinson-Flood
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Proposed Main Modifications and Proposed Changes to the Policies Map

1. Please indicate whether your representation relates to the Schedule of Proposed Main Modifications or the Schedule of Proposed Changes to the Policies Map and provide the modification/change number you are commenting on below:

Document name	West Berkshire Local Plan Review (LPR) 2022-2039 Schedule of Proposed Main Modifications (MM) - November 2024
Modification/Change reference number (MM / PMC)	MM44

2. Do you consider the Proposed Main Modification or Proposed Policy Map Change to be:
(please tick/mark 'X' one answer for a and one for b)

- a) **Legally compliant** Yes No
- b) **Sound** Yes No

Please refer to the guidance notes for a full explanation of 'legally compliant' and 'soundness'

If you consider the Proposed Main Modification or Proposed Policy Map Change not to be sound, please identify which test of soundness your representation relates to:
(please tick/mark 'X' all that apply)

Positively Prepared: The LPR should be prepared based on a strategy which seeks to meet objectively assessed development and infrastructure requirements.	X
Justified: the LPR should be the most appropriate strategy, when considered against the reasonable alternatives	X
Effective: the LPR should be deliverable	X
Consistent with national policy: the LPR should enable the delivery of sustainable development in accordance with the policies of the NPPF	X

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Tilehurst, Pincents Lane should be completely removed from the LPR. 15+ years of consistent refusal for planning, for many of the same reasons each time – objections not just from local residents, but also from official bodies do not just “disappear”. Trying to include Pincents Lane in the LPR is a “knee-jerk” reaction to “threats” received by the Deputy Prime Minister.

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Further quotes from the meeting

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The 138 dwellings currently proposed for Pincents Lane would be far better suited to be built in places such as the villages mentioned in the above statement. The necessary infrastructures are already in place, it would revitalise smaller communities, & would be more easily deliverable.

What considerations have been given to the established properties along Pincents Lane, directly adjacent to the site? What consideration has been given to any buildings damage incurred by the effects of large construction lorries, excavation machinery & plant entering & exiting the site multiple times a day? What consideration has been given to these properties in respect of subsidence &/or structural damage during excavation & construction, and in the future as a direct result of excavation works & construction? What consideration has been given to the construction vibrations undermining the structural integrity of the established properties on Pincents Lane now & in the future?

Also, what consideration has been given to the structural integrity of Pincents Manor, a Grade II listed building whilst construction & excavation work is being carried out, with large construction lorries, excavation machinery & plant entering & exiting the site multiple times a day? What consideration has been given to the construction vibrations undermining the structural integrity of Pincents Manor, a Grade II listed building, now & in the future?

LOCAL DEVELOPMENT SCHEME

2.3. Community involvement

One of the key objectives of the planning system is greater and more effective community involvement. Arrangements for involving the community in each of the DPDs are explained in the Council’s Statement of Community Involvement (SCI). Public involvement in the production of the DPDs in this LDS will be tailored in accordance with the role and scope of the document as explained in the SCI (Jan 2020).

In terms of these main modifications to the LPR I have seen little evidence of “greater and more effective community involvement” from WBC, almost to the point of the exact opposite

Our approach to community involvement

1.5 Our SCI has been informed by the key principles contained in the Council’s Consultation Policy which are to ensure that:

- We make it clear the purpose of an exercise and how it feeds into the decision-making process
- Sufficient information is provided and accessible to participants to inform their response
- Everyone has the opportunity to contribute and have their views heard
- Appropriate methods are used
- Sufficient time is provided to respond, and for consideration of key findings
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"inclusiveness & equality" – WBC appears to have made little or no effort in reaching parts of the community that do not have an on-line presence. Seemingly another contradiction of this policy.

In the wildlife studies/surveys I have seen in regards to Pincents Lane I do not recall seeing any specific mention of hedgehogs, which are a protected species – see below. With the machinery, vehicles, works etc that have been recently carried out on the site in terms of erecting fencing/felling trees I have no doubt that the hedgehog population within the site have suffered numerous fatalities &/or mutilations. I do not believe pleading "ignorance" to the presence of hedgehogs is a plausible excuse for having a directly negative impact on the hedgehog population in this area. It is the responsibility of the developer & WBC to carry out "due diligence" in respect of all wildlife present on the proposed site, I cannot see any evidence specifically relating to hedgehogs in terms of due diligence – I would be pleased to be proved wrong & to understand what measures were taken to ensure that the hedgehog population was not compromised, harmed, injured, or suffered any fatalities whilst the fence construction & tree felling works were carried out.

Hedgehogs are protected by law (Schedule 6 of the Wildlife and Countryside Act 1981) and should be enjoyed at a distance allowing them to be wild. Legally, hedgehogs are only allowed to be handled by a rescue or when in need of emergency care.

SCHEDULE 6

Animals which may not be Killed or Taken by Certain Methods

<i>Common name</i>	<i>Scientific name</i>
Badger	Meles meles
[F1]Bats, Horseshoe (all species)	Rinolophidae]
[F1]Bats, Typical (all species)	Vespertilionidae]
[F1]Cat, Wild	Felis silvestris]
[F1]Dolphin, Bottle-nosed	Tursiops truncatus (otherwise known as Tursiops tursio)]
[F1]Dolphin, Common	Delphinis delphis]
[F1]Dormice (all species)	Gliridae]

Hedgehog	Erinaceus europaeus
[F1Marten, Pine	Martes martes]
[F1Otter, Common	Lutra lutra]
[F1Polecat	Mustela putorius]
[F1Porpoise, Harbour (otherwise known as Common porpoise)	Phocaena phocaena]
Shrews (all species)	Soricidae
Squirrel, Red	Sciurus vulgaris

Section 11 of the Wildlife & Countryside Act (1981)

Subject to the provisions of this Part, a person shall be guilty of an offence if that person—

- (a)uses [F9, otherwise than in Wales,] any trap or snare [F10, or in Wales, any trap other than a glue trap,] for the purpose of killing or taking or restraining any wild animal included in Schedule 6 or 6ZA;
- (c)sets in position any electrical device for killing or stunning, or any poisonous, poisoned or stupefying substance, of such a nature and so placed as to be—
 - (i)in England F15..., calculated to cause bodily injury to any wild animal included in Schedule 6;
- (d)uses for the purpose of killing or taking any wild animal included in Schedule 6—
 - (i)any electrical device for killing or stunning;
 - (ii)any poisonous, poisoned or stupefying substance;
 - (iii)any net;
 - (iv)any automatic or semi-automatic weapon;
 - (v)any device for illuminating a target or sighting device for night shooting;
 - (vi)any form of artificial light or any mirror or other dazzling device;
 - (vii)any gas or smoke not falling within sub-paragraph (ii);
 - (viii)any sound recording used as a decoy; or
 - (ix)any mechanically propelled vehicle in immediate pursuit of any such animal;

Wild Mammals (Protection) Act 1996

1 Offences.

If, save as permitted by this Act, any person mutilates, kicks, beats, nails or otherwise impales, stabs, burns, stones, crushes, drowns, drags or asphyxiates any wild mammal with intent to inflict unnecessary suffering he shall be guilty of an offence.

Any form of construction on the land at Pincents Lane, resulting in any hedgehogs being killed, mutilated, man handled, will be in direct contravention of the above protection status of hedgehogs &, as I understand it, will be breaking the law.

The land at Pincents Lane is wholly unsuitable in every way possible, from the impact on wildlife (flora & fauna), the potential negative impact on properties directly adjacent to the site, as well as the Grade II listed Pincents Manor, along with ALL the reasons that ALL previous planning applications for this greenspace have consistently been denied.

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Sustainability Appraisal/Strategic Environmental Assessment (SA/SEA)

4. Do you have any comments on the updated Sustainability Appraisal/Strategic Environmental Assessment Report – Proposed Main Modifications (November 2024)?
(Please be as precise as possible)

Page number	
Paragraph number	
Comments:	

Habitats Regulations Assessment

5. Do you have any comments on the addendum to the Habitats Regulations Assessment of the Proposed Main Modifications (November 2024)?

(Please be as precise as possible)

Page number	
Paragraph number	
Comments:	

Notification of Progress of the Local Plan Review

6. Do you wish to be notified of any of the following?

(please tick/mark 'X' all that apply)

<i>The publication of the report of the Inspector appointed to carry out the examination</i>	
<i>The adoption of the Local Plan Review</i>	

Please ensure that we have either an up-to-date email address or postal address at which we can contact you. You can amend your contact details by logging onto your account on the Local Plan Consultation Portal or by contacting the Planning Policy Team.

Signature	Karen Wilkinson-Flood	Date	29/01/25
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 Consultation on Proposed Main Modifications
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Representation Form

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	1. Your details	2. Agent’s details (if applicable)
Title	Mrs	
First Name*	Karen	
Last Name*	Wilkinson-Flood	
Job title <i>(where relevant)</i>		
Organisation <i>(where relevant)</i>	Admin of the Pincents Hill Against Development Facebook Group (representing self)	
Address* <i>Please include postcode</i>	[REDACTED]	
Email address*	[REDACTED]	
Telephone number		
Consultee ID (if known)		

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PART B – Your representation(s)

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Document name	West Berkshire Local Plan Review (LPR) 2022-2039 Schedule of Proposed Main Modifications (MM) - November 2024
Modification/Change reference number (MM / PMC)	MM45

2. Do you consider the Proposed Main Modification or Proposed Policy Map Change to be:
(please tick/mark 'X' one answer for a and one for b)

- a) **Legally compliant** Yes No
- b) **Sound** Yes No

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Sustainability Appraisal/Strategic Environmental Assessment (SA/SEA)

4. Do you have any comments on the updated Sustainability Appraisal/Strategic Environmental Assessment Report – Proposed Main Modifications (November 2024)?
(Please be as precise as possible)

Page number	
Paragraph number	
Comments:	

Habitats Regulations Assessment

5. Do you have any comments on the addendum to the Habitats Regulations Assessment of the Proposed Main Modifications (November 2024)?

(Please be as precise as possible)

Page number	
Paragraph number	
Comments:	

Notification of Progress of the Local Plan Review

6. Do you wish to be notified of any of the following?

(please tick/mark 'X' all that apply)

<i>The publication of the report of the Inspector appointed to carry out the examination</i>	
<i>The adoption of the Local Plan Review</i>	

Please ensure that we have either an up-to-date email address or postal address at which we can contact you. You can amend your contact details by logging onto your account on the Local Plan Consultation Portal or by contacting the Planning Policy Team.

Signature	Karen Wilkinson-Flood	Date	29/01/25
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Your completed representations must be received by the Council by 11:59pm on Friday 31 January 2025.



**West Berkshire Local Plan Review 2022-2039 (LPR)
 Consultation on Proposed Main Modifications
 (6 December 2024 – 31 January 2025)**

Representation Form

Ref:
 (For official use only)

Please complete and return this form:	By email: [REDACTED]
	By post: Planning Policy, Development and Housing, Council Offices, Market Street, Newbury, RG14 5LD
Return by:	11:59pm on Friday 31 January 2025

Please read the **Guidance Note**, available on the Council’s website <https://www.westberks.gov.uk/lpr-proposed-main-modifications>, before making your representations.

This form has two parts:
 PART A – Your details
 PART B – Your representation(s)

Please complete a new form for each representation you wish to make.

<u>PART A: Your details</u>		
<i>Please note the following:</i>		
<ul style="list-style-type: none"> <i>We cannot register your representation without your details.</i> <i>Representations cannot be kept confidential and will be available for public scrutiny, however, your contact details will not be published.</i> 		
	1. Your details	2. Agent’s details (if applicable)
Title	Mrs	
First Name*	Karen	
Last Name*	Wilkinson-Flood	
Job title <i>(where relevant)</i>		
Organisation <i>(where relevant)</i>	Admin of the Pincents Hill Against Development Facebook Group (representing self)	
Address* <i>Please include postcode</i>	[REDACTED]	
Email address*	[REDACTED]	
Telephone number		
Consultee ID <i>(if known)</i>		

*Mandatory Field

PART B – Your representation(s)

All comments made at previous stages of the LPR have been taken into account by the Inspector and there is no need to resubmit these. Publication of the proposed Main Modifications is a regulatory stage and any representations made should relate specifically to the legal compliance and soundness of the proposed Main Modifications and should not relate to parts of the Plan that are not proposed to be modified.

Please note your representation should cover succinctly all the information, evidence and supporting information necessary to support/justify the representation and the suggested change.

Your name or organisation (and client if you are an agent):	Karen Wilkinson-Flood
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Proposed Main Modifications and Proposed Changes to the Policies Map

1. Please indicate whether your representation relates to the Schedule of Proposed Main Modifications or the Schedule of Proposed Changes to the Policies Map and provide the modification/change number you are commenting on below:

Document name	West Berkshire Local Plan Review (LPR) 2022-2039 Schedule of Proposed Main Modifications (MM) - November 2024
Modification/Change reference number (MM / PMC)	Annex F

2. Do you consider the Proposed Main Modification or Proposed Policy Map Change to be:
(please tick/mark 'X' one answer for a and one for b)

- a) **Legally compliant** Yes No
- b) **Sound** Yes No

Please refer to the guidance notes for a full explanation of 'legally compliant' and 'soundness'

If you consider the Proposed Main Modification or Proposed Policy Map Change not to be sound, please identify which test of soundness your representation relates to:
(please tick/mark 'X' all that apply)

Positively Prepared: The LPR should be prepared based on a strategy which seeks to meet objectively assessed development and infrastructure requirements.	X
Justified: the LPR should be the most appropriate strategy, when considered against the reasonable alternatives	X
Effective: the LPR should be deliverable	X
Consistent with national policy: the LPR should enable the delivery of sustainable development in accordance with the policies of the NPPF	X

3. If you have answered 'No' to question 2a or 2b above, please provide details of why you consider the Proposed Main Modification or Proposed Policy Map Change is not legally compliant or is unsound, including any changes you consider necessary to make the Plan legally compliant or sound.

You will need to say why this change will make the Local Plan Review legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Tilehurst, Pincents Lane should be completely removed from the LPR. 15+ years of consistent refusal for planning, for many of the same reasons each time – objections not just from local residents, but also from official bodies do not just “disappear”. Trying to include Pincents Lane in the LPR is a “knee-jerk” reaction to “threats” received by the Deputy Prime Minister.

During the Community Forum - Planning Meeting of 10/9/24 it was stated by one of the councillors, from minute 37:46, that “we had a letter from the Deputy Prime Minister, Angela Raynor, & in that letter she actually said that she was going to instruct her Inspectors that if they didn't, couldn't, find a plan sound almost immediately she was advising them to just throw it out. So there are lots of threats involved in this.”

At that same meeting, from minute 5:47, it was stated that there is a “renewed emphasis on using brownfield land where possible.” The land at Pincents Lane is NOT a brownfield site, it is a valued open space utilised by local residents for walking, nature rambles, bird & wildlife observation. It has also had to become home to a great deal of wildlife that were pushed out of the homes they new due to the large, close proximity, Fairfields Berkshire & Stoneham Park developments.

The Community Forum meeting on Tuesday, 10 September was communicated as a means “for an informative session on The Planning process in West Berkshire. This forum is an opportunity for residents, community members, and stakeholders to come together and discuss the planning proposals and issues that are shaping the future of our neighbourhoods”.

It was not a “discussion”, at best it was an “information sharing exercise” where attendees were TOLD what WILL be happening in their neighbourhoods

Quotes from the Council Leader, Jeff Brooks, at the meeting on 10/9/24

From minute 1:17:59 “Look, you may have covered this. I'm Jeff Brooks, the leader of the Council. You may have covered this because, I'm sorry, I was late. The Local Plan, effectively, is likely to be imposed on your district council. We don't believe it's a great plan, the officers have worked very hard on it. We think the site, the sites, could be better. It is likely that in the next few months that plan will be imposed upon us. Watch this space”

From minute 1:19:00 “As much as we, as a district council, has pushed back on the plan in terms of its sites that we don't believe are suitable, that plan is likely to be imposed on us.”

Further quotes from the meeting

From minute 1:16:10 “Back in June none of this was relevant, we didn't know about the extra houses, we didn't know about anything was saying”

This indicates that this whole process has been rushed, that Pincents Lane has been added in as a “knee jerk” reaction to an unreasonable time frame set by the Inspector. A few months to identify suitable sites, carry out the necessary surveys & inspections, to ensure that the most suitable, sound, sites are included in the plan. Not a site that has

had planning applications refused time & again over very many years. Applications that have been made by different developers, yet have been refused for the same reasons – reasons which are still present & justified today!

From minute 1:16:51 “One of the things I think we need to think about, & I know it’s not huge numbers, but it’s a start. Things like vibrant villages, where we look at having some of these villages which are, frankly, dying. They’re losing their pubs, their losing their shops, the roll call on schools are going down. Just a few houses in those places. It won’t answer the 1027, but it will go some way towards it”

The 138 dwellings currently proposed for Pincents Lane would be far better suited to be built in places such as the villages mentioned in the above statement. The necessary infrastructures are already in place, it would revitalise smaller communities, & would be more easily deliverable.

What considerations have been given to the established properties along Pincents Lane, directly adjacent to the site? What consideration has been given to any buildings damage incurred by the effects of large construction lorries, excavation machinery & plant entering & exiting the site multiple times a day? What consideration has been given to these properties in respect of subsidence &/or structural damage during excavation & construction, and in the future as a direct result of excavation works & construction? What consideration has been given to the construction vibrations undermining the structural integrity of the established properties on Pincents Lane now & in the future?

Also, what consideration has been given to the structural integrity of Pincents Manor, a Grade II listed building whilst construction & excavation work is being carried out, with large construction lorries, excavation machinery & plant entering & exiting the site multiple times a day? What consideration has been given to the construction vibrations undermining the structural integrity of Pincents Manor, a Grade II listed building, now & in the future?

LOCAL DEVELOPMENT SCHEME

2.3. Community involvement

One of the key objectives of the planning system is greater and more effective community involvement. Arrangements for involving the community in each of the DPDs are explained in the Council’s Statement of Community Involvement (SCI). Public involvement in the production of the DPDs in this LDS will be tailored in accordance with the role and scope of the document as explained in the SCI (Jan 2020).

In terms of these main modifications to the LPR I have seen little evidence of “greater and more effective community involvement” from WBC, almost to the point of the exact opposite

Our approach to community involvement

1.5 Our SCI has been informed by the key principles contained in the Council’s Consultation Policy which are to ensure that:

- We make it clear the purpose of an exercise and how it feeds into the decision-making process
- Sufficient information is provided and accessible to participants to inform their response
- Everyone has the opportunity to contribute and have their views heard
- Appropriate methods are used
- Sufficient time is provided to respond, and for consideration of key findings
- The results are used to inform the decision-making process
- Key findings are fed back to participants

Unless members of the community have internet access/an on-line presence, (e-mail), it is virtually impossible for them to have their voices heard – they cannot speak about

something that they have not been made aware of! Olivia Bailey MP & Cllr Clive Taylor have made very best efforts to put flyers through letterboxes to raise awareness of what is being proposed for Pincents Lane to give all local residents the opportunity to have their voice heard but, again, their "voice" must be on-line. I have seen no such efforts from WBC, (I would be pleased to be corrected), which appears to be a direct contradiction of their "Statement of Community Involvement".

1.6 It is important that our SCI is built on the fundamental principles of inclusiveness and equality for all. People suffer from exclusion and can be hard to reach for a variety of reasons. In addition, we recognise that although some people or groups may be small in actual numbers, they could be disproportionately affected by planning policies and decisions. The council's Equality Objectives and Guidance on Equality Impact Assessments explain our approach to community inclusion.

"inclusiveness & equality" – WBC appears to have made little or no effort in reaching parts of the community that do not have an on-line presence. Seemingly another contradiction of this policy.

In the wildlife studies/surveys I have seen in regards to Pincents Lane I do not recall seeing any specific mention of hedgehogs, which are a protected species – see below. With the machinery, vehicles, works etc that have been recently carried out on the site in terms of erecting fencing/felling trees I have no doubt that the hedgehog population within the site have suffered numerous fatalities &/or mutilations. I do not believe pleading "ignorance" to the presence of hedgehogs is a plausible excuse for having a directly negative impact on the hedgehog population in this area. It is the responsibility of the developer & WBC to carry out "due diligence" in respect of all wildlife present on the proposed site, I cannot see any evidence specifically relating to hedgehogs in terms of due diligence – I would be pleased to be proved wrong & to understand what measures were taken to ensure that the hedgehog population was not compromised, harmed, injured, or suffered any fatalities whilst the fence construction & tree felling works were carried out.

Hedgehogs are protected by law (Schedule 6 of the Wildlife and Countryside Act 1981) and should be enjoyed at a distance allowing them to be wild. Legally, hedgehogs are only allowed to be handled by a rescue or when in need of emergency care.

SCHEDULE 6

Animals which may not be Killed or Taken by Certain Methods

<i>Common name</i>	<i>Scientific name</i>
Badger	Meles meles
[F1]Bats, Horseshoe (all species)	Rinolophidae]
[F1]Bats, Typical (all species)	Vespertilionidae]
[F1]Cat, Wild	Felis silvestris]
[F1]Dolphin, Bottle-nosed	Tursiops truncatus (otherwise known as Tursiops tursio)]
[F1]Dolphin, Common	Delphinis delphis]
[F1]Dormice (all species)	Gliridae]

Hedgehog	Erinaceus europaeus
[F1Marten, Pine	Martes martes]
[F1Otter, Common	Lutra lutra]
[F1Polecat	Mustela putorius]
[F1Porpoise, Harbour (otherwise known as Common porpoise)	Phocaena phocaena]
Shrews (all species)	Soricidae
Squirrel, Red	Sciurus vulgaris

Section 11 of the Wildlife & Countryside Act (1981)

Subject to the provisions of this Part, a person shall be guilty of an offence if that person—

- (a)uses [F9, otherwise than in Wales,] any trap or snare [F10, or in Wales, any trap other than a glue trap,] for the purpose of killing or taking or restraining any wild animal included in Schedule 6 or 6ZA;
- (c)sets in position any electrical device for killing or stunning, or any poisonous, poisoned or stupefying substance, of such a nature and so placed as to be—
 - (i)in England F15..., calculated to cause bodily injury to any wild animal included in Schedule 6;
- (d)uses for the purpose of killing or taking any wild animal included in Schedule 6—
 - (i)any electrical device for killing or stunning;
 - (ii)any poisonous, poisoned or stupefying substance;
 - (iii)any net;
 - (iv)any automatic or semi-automatic weapon;
 - (v)any device for illuminating a target or sighting device for night shooting;
 - (vi)any form of artificial light or any mirror or other dazzling device;
 - (vii)any gas or smoke not falling within sub-paragraph (ii);
 - (viii)any sound recording used as a decoy; or
 - (ix)any mechanically propelled vehicle in immediate pursuit of any such animal;

Wild Mammals (Protection) Act 1996

1 Offences.

If, save as permitted by this Act, any person mutilates, kicks, beats, nails or otherwise impales, stabs, burns, stones, crushes, drowns, drags or asphyxiates any wild mammal with intent to inflict unnecessary suffering he shall be guilty of an offence.

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