

Appellant Update Note — APP/X0360/W/25/3364304



Land Between Lodge Road and Tape Lane Hurst, Wokingham, RG10 0EG

The Inspector is aware that since the Inquiry was adjourned on the 19th August 2025, matters have continued to be worked on by the parties, and the Appellant felt that a short update note would greatly assist the Inspector.

Flooding, Modelling, Drainage

- 1.1. The revised modelling (reports and data files) which were submitted to the EA (and copies in front of the Inquiry) were found to be fit for purpose on the 26th August 2025.
- 1.2. However, the EA advised on the 1st September 2025 (not the 28th August 2025 as per the agreed timetable) that the FRA was inadequate for a single remaining reason.
- 1.3. The Appellant proposes to respond to this formally and in writing, through an additional Proof from Mr Walton, which will be provided to PINS and the main parties no later than Wednesday 10th September 2025.
- 1.4. The Appellant has received no response from the LPA (as the LLFA) on flooding and / or drainage matters, and we do not expect to receive an objection from them on these matters, of which the information has been with them for a considerable period of time.

2. Sequential / Exception Test

- 2.1. The LPA's response to the ST which they have had for over 5 weeks was received by the Appellant on 3rd September 2025 (not the 2nd September 2025 as agreed). The LPA's response does not put forward a positive position but identifies purported flaws in the methodology used by the Appellant which, it suggests, means that there are a greater number of Reasonably Available sites to the Appeal Site.
- 2.2. It is unclear why it should have taken 5 weeks to respond in the manner that it has.
- 2.3. The Appellant proposes to respond to the LPA's criticisms formally, and in writing, and submit that response as an additional Proof from Mr Slatter, to PINS and the main parties no later than Wednesday 10th September 2025.

3. Local Nature Recovery Strategy (LNRS)

- 3.1. As was agreed with the Inspector, the Appellant is preparing a note to assist the Inquiry, setting out the implications of the Berkshire LNRS on the Appeal Site, which is currently at prepublication stage. This will be provided, along with other documents to the PINS and the main parties, no later than the 10th September 2025.

4. Veteran Trees

- 4.1. Subsequent to the adjournment of the Inquiry, the Appellant came across a recent appeal decision, in Wokingham, that has dealt with the matter of the definition of a Veteran Tree and the NPPF. We provide a copy this appeal decision alongside this update note (ref: 3366977, 24th July 2025).
- 4.2. We drew the LPA's attention to this on the 27th August 2025 and invited them to agree the definition should be as per the NPPF, so as to assist the Inspector, but we have had no response from the LPA.
- 4.3. Notwithstanding the copy provided, Mr Slatter will be producing this to Inquiry as part of his evidence.

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5. S106 Agreement

- 5.1. Subsequent to the adjournment, the LPA have requested one minor change, which is considered to not be material, and only clarifies the “Detailed Specification” details that will be submitted for approval by the Council in respect of the various highway works.
- 5.2. Specifically, the following definition has been added in Schedule 10:

“Detailed Specification: the specifications and plans agreed by the Council in accordance with which the Access Highway Works, the Broadwater Land Highway Works, the Strategic Cycle Route Highway Works and the Tape Land and School Road Highway Works will be constructed to the Council’s adoptable standard”
- 5.3. An Engrossed (but unsigned) version will be provided to PINS not later than the 10th September 2025.

6. Conditions

- 6.1. The Appellant has taken away the responsibility for updating the Condition List, to respond to Round Table Discussion, and the matters raised by the Inspector and Main Parties. A ‘tracked note’ version was sent to the LPA for agreement and input on the 21st August, but no response has been received.
- 6.2. The Appellant has recently asked (2nd September) the EA to confirm, clarify and provide some suggested wording for the three conditions set out in Section 10 of Joanna Marchant’s PoE. A response is awaited.
- 6.3. Similarly, the Inspector will recall the EA’s request for a Riparian Corridor Buffer condition, set out in Lesley Sproat’s PoE, on the 28th August 2025 we sought clarity on the suggested wording, and await a reply.
- 6.4. The Appellant will continue to work with the main parties to resolve, finalise, and provide a composite update list to PINS, before the Inquiry reconvenes.

7. Inquiry Library

- 7.1. With regards to the additional documentation that has been shared between the parties and the Inspector already, and which will be provided, we assume the Council will make these available in the Inquiry Library. The Appellant is more than happy to assist, if the LPA would like.
- 7.2. The Appellant notes that with all documents provided by no later than the 10th September 2025, this will allow at least 11 days before the Inquiry reconvenes, for the Inspector, the main parties, and the public to review.