

Land North of Reading Road

*Outline application for up to 111 no. dwellings with associated works, parking, landscaping,
publicly accessible open space and access from Reading Road planning permission (all
matters reserved except for means of access*

OPENING STATEMENT FOR WOKINGHAM BOROUGH COUNCIL

INTRODUCTION

1. The application for planning permission the subject of this appeal was refused by the Council for ten reasons.
2. Reasons for Refusal 8 and 9 (in relation to the planning obligations required for employment and skills and affordable housing) have now been addressed. At the time of writing, the Appellant has failed to agree the terms of an obligation to address RfR 10 (in relation to the contribution required to sports and recreational facilities). Otherwise, the Council maintains its objection to the proposals by reference to RfR 1 – 7 (albeit that the flood risk issues have moved on somewhat since the application was determined, as set out below).
3. In its statement of case, the Council raised four additional issues.¹ Of these, issues (ii) (in relation to access geometry and visibility splays)² and (iv) (in relation to protected species and BNG)³ have now been resolved. Additional Issues (i) (in relation to the potential prejudice to the delivery of the LVGV development and (iii) (in relation to veteran/ancient trees) remain.
4. So far as the issues of flood risk and drainage are concerned, updated environment agency flood mapping confirms that parts of the site fall within Flood Zone 2 and 3, rather than Flood Zone 1 as had previously been the case. Groundwater monitoring

¹ CD14.01, para 2.6

² CD05.05, para 5.6 – 5.8 following a site visit which took place on 7 January 2026.

³ CD05.10 following the provision of additional information by the Appellant

results now also demonstrate that the site is at risk of groundwater flooding.⁴ In light of that updated information, the Council further objects to the appeal scheme on the basis that, as the site is within an area of flood risk, a sequential test is required, and none has been undertaken.

5. So far as the issue of foul water infrastructure capacity is concerned, the Council is satisfied, based on advice from the EA, that this issue is capable of being resolved by way of a condition (although the Appellant now appears to have changed its position to argue that such a condition would be unreasonable.)
6. As to the impact from the access works on the main river, the Appellant has now produced evidence that there is a pre-existing culvert which may, depending on its structural condition, obviate the need for any further mitigation to address the issue raised. Following a meeting which took place on 20 February 2026 between the EA and the Appellant, facilitated by the Council, the EA is satisfied that, subject to the imposition of a condition requiring details of the access road to be submitted and approved by the Council, its objection can be withdrawn.⁵
7. The Council therefore considers the following to be the main issues remaining in dispute between the Council and the Appellant:
 - (1) Whether the proposed development is in a suitable location having regard to local and national policies in relation to the location of housing.
 - (2) The effect of the proposed development on the character and appearance of the surrounding area.
 - (3) Whether the quantum and scale of development is acceptable.
 - (4) Whether the proposal would be sustainable development, having regard to its location and the opportunities for sustainable travel.
 - (5) Whether the development would be acceptable in terms of flood risk.
 - (6) Whether any potential adverse effects on the integrity of the Thames Basin Heaths SPA would be adequately mitigated.

⁴ CD17.08. Submitted on 4th February 2026

⁵ CD 17.13

- (7) Whether the proposal would prejudice the delivery of Loddon Valley Garden Village for reasons of highway capacity.
- (8) The effect of the proposal on irreplaceable habitats, in particular the adequacy of buffer zones around veteran trees.
- (9) The overall planning balance.

THE COUNCIL'S CASE

- 8. Turning to the Council's position in respect of each of those issues:

(1) The suitability of the location

- 9. All parties agree that the appeal proposals are contrary to the development plan by reason of the site's location in the countryside, outside settlement limits. The scheme is contrary to Policies CP1, CP9 and CP11 of the Core Strategy, Managing Development Delivery Local Plan policies CC01, CC02, CC03 and TB21 and Arborfield Neighbourhood Plan Policy IRS1 and AD1.
- 10. While the Council accepts that it cannot currently demonstrate a 5YHLS and that the settlement boundaries in the extant Local Plan restrict the delivery of housing, the objectives underlying the spatial strategy accord with the aims of the NPPF. Furthermore, it is evident that the extant spatial strategy has functioned well to deliver housing over and above the need identified in the Plan and that the Council's current 5YHLS position is the result, in part, of an over-delivery of homes in the early part of the plan period and the sudden change to the Council's assessed needs brought about by the standard assessment.
- 11. Looking to the future, the appeal site was assessed but rejected from inclusion with the emerging Local Plan Update. The LPU has now made significant progress since the time the application was determined with Stage 1 Hearings having now taken place in relation to the overall housing requirement, and the so-called Strategic Development Locations ("SDLs"). The Stage 2 Hearings are poised to commence and, while there is some way to go before the LPU is adopted, it is reasonable to assume that the Local Plan Examining Inspectors did not have any fundamental concerns with the overall housing requirement and the Council's strategy for delivering the majority of its housing need through the SDLs (otherwise they would not have permitted the Plan to

proceed to Stage 2). Two of the three applications expected for the Loddon Valley Garden Village (“LVGV”) have been submitted with a third expected imminently.

12. The appeal scheme is therefore contrary to both the extant and emerging spatial strategies in a district which has both a strong record of delivering plan-led growth and a reasonable expectation that it will be able to demonstrate a five year housing land supply in the relatively near future (having regard both to the adoption of the LPU and the fact that planning applications are coming forward for development allocated within the LPU in advance of the adoption of the Plan).

(2) Harm to character and appearance

13. The Appellant accepts that the appeal scheme will cause harm to the character and appearance of the area.⁶ The only dispute between the parties is therefore the extent to which it would do so (as recorded in the SoCG).⁷
14. The Council will demonstrate that the appeal scheme would result in an obviously fundamental alteration in the character of the landscape, introducing a residential estate into a rural field displaying many of the characteristic qualities of the landscape in this area. The Council will demonstrate that the Appellant’s analysis misunderstands the settlement pattern in this locality and downgrades the contribution made by the appeal site to the local landscape. The fact that this is a ‘settled landscape’ in so far as there are villages and sporadic development within it does not mean that every rural field within that landscape is suitable for development. The Appellant has failed properly to account for the effects brought about by the highway works on Reading Road and the effects at nighttime.
15. While the Council accepts that the appeal site is not part of a ‘valued landscape’ and that the effects will be most keenly felt within the vicinity of the appeal site, that does not diminish the effects that have been identified. The appeal site sits on an identified ‘Green Route’ and the appeal site will, in future, be an important part of the countryside setting for Arborfield Cross and the LVGV development.
16. The Council will demonstrate that the harm caused to landscape character and appearance is substantial and the appeal proposals are contrary to CS Policies CP1,

⁶ CD 13.06.01, see, e.g. paras 4.5 and 5.42.

⁷ CD05.02, para 7.15

CP3, CP11 and CP9, MDD Policies CC02, CC03 and TB21, and ABNP Policies IRS1, IRS2 and AD1, as well as Sections 12 and 15 of the NPPF.

(3) The quantum and scale of development

17. Linked to the previous issue, the Council will demonstrate that the quantum and scale of development would conflict with the established rural character, the pattern and density of surrounding development and the essential functioning of this land as part of the countryside.
18. The site is highly constrained (having regard, in particular, to issues of flood risk and veteran trees) significantly reducing the area of the site that can be developed. While, as set out elsewhere, the Council is not satisfied that the effects on veteran trees and the flood risk issues have been resolved in any event, the consequence of the Appellant's attempts to avoid these constraints have resulted in a proposal for housing which obviously cannot be accommodated acceptably within the remaining footprint available.
19. While it is right that the NPPF encourages the efficient use of land, it does not do so at the expense of good design.
20. The proposals would be contrary to CS Policies CP1, CP3, CP9 and CP11, and ABNP Policies IRS1 and AD1 as well as Sections 11 and 15 of the NPPF.

(4) The sustainability of the location

21. The Council's extant and emerging Development Plans, and the NPPF, seek to ensure that growth is directed to locations which are, or which can be made sustainable.
22. Here, there are no day-to-day services in the sporadic development which makes up the settlement of Arborfield. While day-to-day services are available in Arborfield Cross, the site is appreciably detached from that settlement and those services are beyond the 800m walking distance referred to in Manual for Streets, National Design Guide and CIHT guidance. While there are some services within 1 – 1.4km and it is possible that some people might walk that kind of distance, they would be doing so along a busy main road (even taken account of the Appellant's proposed highway improvements).

23. While the site does benefit from a ‘good’ bus service (as defined by CS Policy CP6), that service primarily serves longer distance or higher order trips. In reality, for most local convenience, school, health and leisure trips, residents are very likely to continue using their car.
24. The Appellant wrongly assumes that the appeal site would be within walking distance of day to services provided as part of the LVGV allocation but the location and delivery of those services is not certain at this stage.

(5) Flood Risk

25. Parts of the site, according to the updated EA fluvial mapping, is within Flood Zone 2-3. The Appellant’s recent site-specific groundwater modelling results also demonstrate that groundwater levels across the site are between 0.025 and 0.5m below the surface with groundwater in some parts of the site much closer to the surface.⁸
26. Para 175 of the NPPF makes clear that *“[t]he sequential test should be used in areas known to be at risk now or in the future from any form of flooding, except in situations where a site-specific flood risk assessment demonstrates that no built development within the site boundary, including access or escape routes, land raising or other potentially vulnerable elements, would be located on an area that would be at risk of flooding from any source, now and in the future (having regard to potential changes in flood risk).”*
27. So far as the fluvial risk is concerned, the Appellant’s position appears to be that a sequential test is not required because no development is proposed within areas at Flood Risk. However, the appeal scheme would involve the creation of an access route to Church Lane across the area of land at flood risk. Access Routes are specifically identified in para 175 NPPF as triggering the need for a sequential test and it seems likely that the access route would in any event involve built development (whether by way of engineering operations or otherwise).
28. So far as the risk from groundwater flooding is concerned, the Appellant relies upon the SFRA which identifies a risk of groundwater emergence in a small part of the site of between 0.025m – 0.5m to justify its position that the appeal site is not at risk of

⁸ Levels of between 0.025 and 0.5m were recorded at all the borehole locations. 6 of the 8 borehole locations recorded levels of between 0.25m and 0.5m for the majority of the readings taken.

flooding from groundwater. However, the Appellant now has the results of site-specific groundwater modelling⁹ which are not consistent with the mapping, contrary to the Appellant's suggestion otherwise. In each of the borehole locations, groundwater levels are identified to be between 0.025m and 0.5m below ground. The site-specific results therefore demonstrate that the groundwater levels across the site are higher than anticipated by the maps. It is nonsensical for the Appellant to continue to rely on the mapping in the face of detailed, site-specific evidence.

29. Insofar as the Appellant relies upon the WBC Sequential and Exception Test produced as part of the LPU process,¹⁰ the evidence demonstrates that the site is not one with less than 75% of its area at a groundwater level of between 0.025m and 0.5m below ground, as the Appellant asserts. Levels of between 0.025 and 0.5m were recorded at all the borehole locations. 6 of the 8 borehole locations recorded levels of between 0.25m and 0.5m for the majority of the readings taken. On this metric alone, the site is not one which would be identified to be at 'low risk' of flooding, having regard to the WBC SET. The Appellant has, furthermore, ignored the other criteria¹¹ (all of which needed to be fulfilled in order for the site to be considered to be low risk) as it is within Flood Zone 3 and contains a main river.
30. The Appellant is proposing to site attenuation ponds in areas at risk of groundwater flooding which will require land raising (as is made clear by the cross-sectional drawings provided by Mr Seymour).
31. Taking all the above together, the Appellant cannot sensibly argue that the site is not at risk of flooding, nor that one of the exceptions identified in paragraph 175 of the NPPF exists to obviate the need to carry out a sequential test.
32. The appeal proposals are therefore contrary to CS Policies CP1 and CP3, MDD LP Policy CC09 and Section 14 of the NPPF.

(6) Mitigation for the effects on the TBH SPA

⁹ CD 17.08

¹⁰ Which suggests, at para 2.4, that "With regard to groundwater, sites with less than 10% of their area at a level of between 0 and 0.025m below ground or with less than 75% of their area at a level of between 0.025m and 0.5m below ground have been considered low risk."

¹¹ See para 2.2

33. There is no dispute on the part of the Appellant that mitigation is required in respect of the effects on the Thames Basin Heath SPA.
34. As the Council has continually made clear to the Appellant, there is insufficient capacity available at the Council-owned Rooks Nest Wood SANG to mitigate the effects of the development and the Council is, in any event, unwilling to allocate capacity at this site to this scheme. That is not ‘unreasonable’ as the Appellant has suggested. RNW SANG was scaled to serve plan-led development that accords with the adopted spatial strategy, not speculative proposals such as this which do not accord with the Council’s spatial strategy. Allocating the remainder of the available capacity to this scheme would extinguish the Council’s ability to provide capacity within its strategic SANG in respect of schemes that comply with the Council’s spatial strategy.
35. The Appellant has, belatedly, taken steps to explore the possible provision of SANG through a third-party provider. At the time of writing, the Council has not been provided with details of the proposals to enable the Council to have sufficient certainty that the mitigation can be delivered. In accordance with the view expressed by Natural England¹², therefore, the proposals are contrary to Policy NRM6 of the South East Plan, CS Policies CP4 and CP8 and Section 15 of the NPPF.

(7) Prejudice to LVGV

36. The delivery of the LVGV SDL would bring about up to 2,800 new homes along with associated facilities and services as part of a highly sustainable development. Achieving that quantum of development is dependent upon the delivery of a significant amount of new, and expensive highways infrastructure. One will not come about without the other.
37. As part of the emerging LPU evidence base, the Council has identified that there are already significant constraints on the highway network, including for example, at the ‘Black Boy’ roundabout, adjacent to the M4. The Council has produced an interim transport assessment which demonstrates that up to 800 dwellings (and other uses) at LVGV can be accommodated ahead of the strategic River Loddon crossing and M4 bridge, provided that other highway network mitigation measures are delivered.

¹² CD16.13

38. The appeal scheme is not making any contribution to those other highway measures and would use up 111 units of the 800 dwelling headroom envisaged for the planned development at LVGV. It therefore has the potential to affect the delivery of the LVGV, bringing forward the need for more expensive highways infrastructure affecting both the viability and delivery of LVGV.
39. The Appellant's highways evidence demonstrates that traffic from the appeal scheme would interact with the highways network as modelled through the interim TA and, in particular, the Black Boy roundabout. The Appellant's position is that the effects from the appeal scheme would be insignificant. However, this fails to acknowledge that the roundabout is already operating under severe pressure and that, if the Appellant's argument were replicated by the promoters of other schemes, the 800-unit headroom identified to enable the delivery of the development at LVGV would be eaten up in its entirety.

(8) Veteran Trees

40. The Appellant has produced a succession of layouts, in an attempt to overcome the concerns raised by the Council in relation to the effects on veteran/ancient trees.
41. However, even the latest iteration of the layout fails to demonstrate that there will not be deterioration to veteran trees.
42. In particular, the Appellant has failed to identify adequate buffer zones around the trees to account for the need for off-setting from roads and other land outside the Appellant's control but, even if the proposed buffer zones are taken at face value, they are already within areas of public open space which will be subject to disturbance risking deterioration.
43. The Appellant's most recent drainage plans, produced to the inquiry for the first time by way of an Appendix to Mr Seymour's rebuttal evidence, also give rise to a further issue so far as the impact on trees is concerned, namely that the Appellant proposes to undertake land raising across the site by way of soil deposition. This means, for example, that in the buffer zone around T72, the large tree in the middle of the site, there will be deposited some 0.5m of soil. This, in and of itself, is likely to lead to deterioration in the tree.

44. The proposals would therefore be contrary to CS Policies CP1, CP3, CP7 and ABNP Policy IRS3 as well as paragraph 193(c) of the NPPF.

(9) Planning Balance

45. The starting point, given that the development is contrary to the Development Plan, is that permission should be refused.

46. The Council accepts that the appeal proposals would bring about substantial benefits in terms of the delivery of market and affordable housing and some economic and environmental benefits, which would be associated with any scheme of this nature.

47. By reason of any one of the issues of flood risk, the effect on the TBH SPA and the effect on veteran trees, the tilted balance in paragraph 11(d) of the NPPF is disengaged. Even if it is not, however, the adverse impacts of granting permission clearly significantly and demonstrably outweigh the benefits.

48. The Council is firmly of the view that there are no material considerations which indicate that a decision should be made other than in accordance with the Development Plan and will respectfully invite the Inspector to dismiss the appeal.

10 March 2026

Jack Parker

Cornerstone Barristers

List of Appearances

Jack Parker of Counsel instructed by **Amanda Pierce** Solicitor for Wokingham Borough Council will call¹³:

- **Joanna Carter**, LLB(Hons) LLM MA MRTPI, in relation to planning matters
- **Chris Hannington** BSc (Hons) MPhil CMLI MRTPI, in relation to landscape and arboricultural matters
- **Alan Lewis** C. Eng FIHE CMILT, in relation to highways and locational sustainability matters
- **Ian Church** BA(Hons) MA MRTPI in relation to housing need and delivery

¹³ The Council has submitted a proof of evidence from Duncan Fisher in relation to ecology matters but does not intend to call him, unless requested otherwise