

Planning Reference 242067

Land between Lodge Road and Tape Lane, Hurst, RG10 0EG

Submitted by: Jean Dolinski

Address: 34 Martineau Lane, Hurst, RG10 0SF

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I wish to OBJECT to the outline planning application for the proposed erection of up to 99 dwellings, green infrastructure, open space, pedestrian and cycle links, recreational facilities and other associated infrastructure and access point on Lodge Road and Tape Lane with required improvements (all matters reserved except for access).

Firstly, the original planning application and subsequent appeal was robustly dismissed by the Planning Inspector, Mr David Wildsmith, on 9 March 2023. Here we are some 18 months later and absolutely nothing has changed. Hurst is still a limited development location and it is still highly unsustainable, whether the plans are for 200 houses or 99 houses.

The applicant continuously states that by halving the number of houses the harms have reduced by a half. But a harm is still a harm, which surely cannot be halved? All of the original harms are still very much there and the benefits of this proposal do not demonstrably outweigh those harms. The Council could have had 200 houses on this site if application 220458 had been successful. With the current pressure on housing numbers why would they suddenly think that 99 would somehow now be better? Sacrificing a greenfield site for half the number of homes that they could have had before just does not make any sense at all.

Key comments on the current application:

WBC Local Plan Update

- WBC published its emerging LPU on 11 September 2024.
- Hurst is still categorised as a “minor settlement”, and this particular site is not an allocated site.
- Policy SS4 is crucial here in respect of development within and adjacent to minor settlements:
 1. Within minor settlements, residential development proposals of up to 9 dwellings in addition to those specifically identified in this plan, will be supported in principle.
 2. Exceptions include partial or full redevelopment of previously developed land which would not unacceptably harm the character and appearance of the surrounding countryside or the rural setting of the village, and limited infilling of an otherwise built up frontage.
 3. Residential development proposals outside the Green Belt and on unallocated sites adjacent to minor settlements will be refused. This includes when a five year housing land supply cannot be demonstrated

- The Council recognises in the LPU that development in unsustainable countryside locations without access to local services, leads to greater reliance on private cars for travel. The LPU also states that defining the type of development that is acceptable in countryside locations has the benefit of delivering certainty and consistency to residents, developers, and decision makers. Consistency and certainty are fundamentally important principles of the plan-led system.
- This is all quite clear. Up to 9 dwellings in minor settlements, not 99. No speculative applications, using the lack of a five year housing land supply as the main argument. No uncertainty, anxiety, stress and worry for residents subjected to such applications. And no further wasting of Council time and resources defending appeals, and then 18 months later being faced with practically the same application all over again.

Appeal Decision

Please find reproduced below some pertinent points and from Mr Wildsmith's dismissal:

- Paragraph 32
 "I do not consider it unreasonable to ignore the bigger picture, which is that there is a very strong likelihood that the Council will achieve a significant oversupply of dwelling completions over the whole CS period. To my mind this does not signify a Council that is failing in terms of housing provision, but rather one that is performing well and managing to boost the supply of housing over that which it planned for."

The CS period runs until 2026. Therefore even with the current shortfall in the 5-year HLS, the Council is likely to over deliver on targets when looking at the CS period as a whole.

- Paragraph 34
 "Turning to consider the CS's spatial vision, I see nothing in the evidence placed before me to indicate that the Council's chosen method of distributing new housing throughout the Borough had prevented it from achieving satisfactory housing delivery to date. Whilst the Council's inability to demonstrate a deliverable 5-year HLS is clearly a matter of concern, no persuasive evidence has been placed before me to indicate that the most sensible or appropriate way to address this issue is to grant planning permission for a significantly-sized development which would run counter to the spatial vision, as would be the case with this appeal proposal."

99 houses is still a significant number for Hurst, and in principle is no different to 200.

Repeat Applications

- The NPPG guidelines state that local planning authorities have the power to decline an application for planning permission which is similar to an application that, within the last 2 years, has been dismissed by the Secretary of State on appeal.
- A "similar" application is one where the development, and the land to which it relates, are the same or substantially the same.

- Such powers are designed to inhibit the use of “repeat” applications that the local planning authority believes are submitted with the intention of, over time, wearing down opposition to the proposed developments.
- There has been no material change of circumstances in this case, and only token attempts to overcome the reasons for refusal, most of which are pie in the sky and completely undeliverable.
- The use of “repeat applications” is a waste of time, money and resources. This includes the time, money and resources already expended by the developers themselves, the Council and the local residents who have already incurred great expense raising funds for Rule 6 representation at the previous appeal. The developer should be forced to recognise the impact onto both the Council and the local residents. It is their own choice to waste their own money - other parties to the repeated applications have no such choice.
- The developer should also be forced to consider the mental health of those who are affected by their actions, and to include appropriate mitigation measures to compensate for adverse impacts.

Sustainability

- The whole principle of sustainable development is to align housing growth with infrastructure. This proposal, even with the amendments made since the initial application, quite simply does not do this.
- Mr Wildsmith noted that matters of scale should be considered when assessing sustainability. He concluded that the Sawpit Road appeal decision could not be used in a direct comparison to this site as it was wholly different in scale and would have a limited effect on the village. A reduction in housing numbers from 200 to 99 is still an extremely significant number of houses in a limited development, unsustainable location.
- Mr Wildsmith noted that the appeal proposal “would not represent development in a location which can currently be considered sustainable or could be made sustainable”. This should be the end of the discussion on this subject. Hurst is not sustainable and the few paltry amendments contained in the current proposal will not miraculously make it sustainable.
- There is no street lighting in Hurst, so walking and cycling would still be unattractive in winter months when it is dark.

Bus Service

- A 16 seater minibus at peak times to serve schoolchildren and commuters will just not be big enough. Who will have priority if it is full?
- The suggested bus improvements are only relevant for children travelling to Piggott School. Piggott will be even more oversubscribed once the Bridge Farm development in Twyford is built as those children will be given priority over Hurst children. It is therefore less likely in future years that Hurst children would get into Piggott.
- Application number 223455, Land North of the A4, has also now gone to appeal. This is potentially another 230 houses even closer to Piggott which could have a substantial impact on to school places available to Hurst children.

- What about those children who cannot get into Piggott? The suggested bus improvements do nothing to benefit all of the other Hurst school children travelling to Waingels, Forest, Emmbrook and Holt.
- The current bus service links Wokingham and Reading. It is only useful if a passenger wishes to travel to somewhere actually on the bus route. Travel anywhere else requires a car.
- The improvements to the bus service will only operate at peak times. There is no service improvement for people who wish to travel at other times of the day.
- The new bus service is to be funded to the tune of 45% from the service charge from the new development itself. However the applicant says that bus travel for residents of the new development will be free. However if the residents of the new development have to fund 45% of the new bus service then it is not free for them is it? Funding for the new service is estimated at £173,000 per annum. 45% of £173,000 = £77,850. Split between 99 households = £786 per property, per annum. If the funding is only payable by the non affordable homes then the service charge doubles to £1,572 per property, per annum. Are these households seriously going to be expected to pay £65/£131 per month for a bus service that they might not even use?
- The potential re-routing of the bus through the new development will have a detrimental impact on people elsewhere in the village who may have to walk further to access the new bus stop within the site.
- Re-routing the current bus through the northern end of Tape Lane would reduce on-street parking there. This is a dis-benefit to those residents who currently enjoy on-street parking in what is at present an access only road. Having a bus going down part of an access only road would no longer make it a 'quiet route'.

Affordable Housing

- 50% of the new development will be affordable housing. Another sweetener to try and make the development seem more attractive.
- Residents of affordable housing have lower incomes and are less likely to drive cars. Logically they should therefore live in more sustainable locations, where there is easier and less expensive access to facilities, services, schools and employment. Placing low income families into an unsustainable countryside location is just not common sense.

Footpath and Cycleway Improvements

- The applicant suggests a footway improvement at the southern end of Tape Lane. The road is just not wide enough for a footpath and the land is not in the control of the applicant anyway. The applicant should not be suggesting proposals that they cannot deliver - please remember the offsite biodiversity net gain that was offered up during the course of the first application which failed spectacularly at appeal when it was demonstrated that it could never work as the applicant did not own or control the freehold of the site on offer.
- Improvements are suggested to the cycle route between Hurst and Twyford railway station. Part of the improvements will be a shared cycleway and footpath. This is never a good idea - just as cars and cycles are not a good mix, neither are pedestrians and cycles.

- Only the most proficient of cyclists would attempt this route regularly, even with the minor improvements suggested. The reality is that the majority of new residents would still choose to drive to Twyford. There would therefore be even more traffic to contend with for the few cyclists who may be brave enough to put their life in their hands and cycle this route.
- Where is Blackwater Road?? It is mentioned in the report but it is not around here! Presumably they mean Broadwater Road, but this just proves that the author of the report does not know Hurst.

Mobility Hub

- The proposal has the “potential” to deliver an on-site mobility hub. It doesn’t mean a mobility hub will be delivered, does it?
- People will want to cycle directly to where they are visiting, they will not want to leave their cycles in a central bike park and then walk on further (potentially in inclement weather) to where they are going.

Services

- The same services and facilities are available in Hurst as there was during the first application. No doctors, no dentists, no pharmacies, no secondary schools, no vets, no supermarkets. And definitely no bakery!
- Mr Wildsmith categorised the facilities in Hurst as basic, rather than good. Nothing has changed and travel outside of the village will still be required for most aspects of day to day life. It is a fact that such travel would be by car.
- Wokingham Borough Council declared a climate emergency in 2019. They produced a Climate Emergency Action Plan which includes the following priorities: (1) to reduce carbon dioxide emissions from transport, and (7) to utilise planning policies to minimise emissions from new developments. This development and the increased car travel arising from it would be in direct conflict with these climate emergency policies.

Loss of BMV Land

- Whilst the land represents a small proportion of the borough’s available BMV, it does represent land that would be lost forever to housing. The cumulative effect of regularly sacrificing small parcels of BMV will eventually become more significant.

Effect on Trees and Hedgerows

- The applicant states that no existing trees would be lost. They fail to mention, however, that in March 2021 two perfectly healthy trees were felled in order to make way for the access from Lodge Road into the centre of the site before application 220458 was even submitted. This was an act of pure vandalism in the hopes that nobody would notice.



Image taken on 10-Mar-21 of the felling of two trees which would have stood in the way of the access road.

Flooding

- The SLR Flood Risk Assessment and Drainage Strategy appears to make no reference to the Wokingham s19 Flood Investigation Report which was published in March 2024. This report was commissioned by the Council in December 2023 in response to flooding issues in the Borough in March 2023, the majority of which occurred in Hurst Parish.
- The s19 report states that the average condition of Environment Agency assets (ditches and culverts) in Hurst is either poor or very poor. The developers rely on these assets as part of their drainage strategies.
- The s19 report identifies that areas at greatest risk of fluvial flooding include the low lying central regions of Wokingham Borough, including Whistley Green and Hurst.
- The report concluded that the storm that occurred on 31 March 2023 is estimated to have a return period of approximately 1 in 3 years. Not 1 in 30 years or 1 in 100 years, but 1 in 3 years.
- It is already widely accepted that the Thames Water pumping station at Broad Hinton is woefully inadequate. This is not likely to be addressed any time soon due to the precarious financial situation of Thames Water.

- Drainage ditches and culverts in the Hurst area have been poorly maintained and therefore no longer function as they should. Some ditches no longer exist as they once did, but desk based flood assessments by developers constantly refer to them. More worryingly they form part of an informed drainage strategy prepared by these so called experts. Have these “experts” actually verified the drainage ditches to which they refer still exist and function as they should? If not, then their reliance on a desk based strategy is at best flawed, and is at worst negligent.

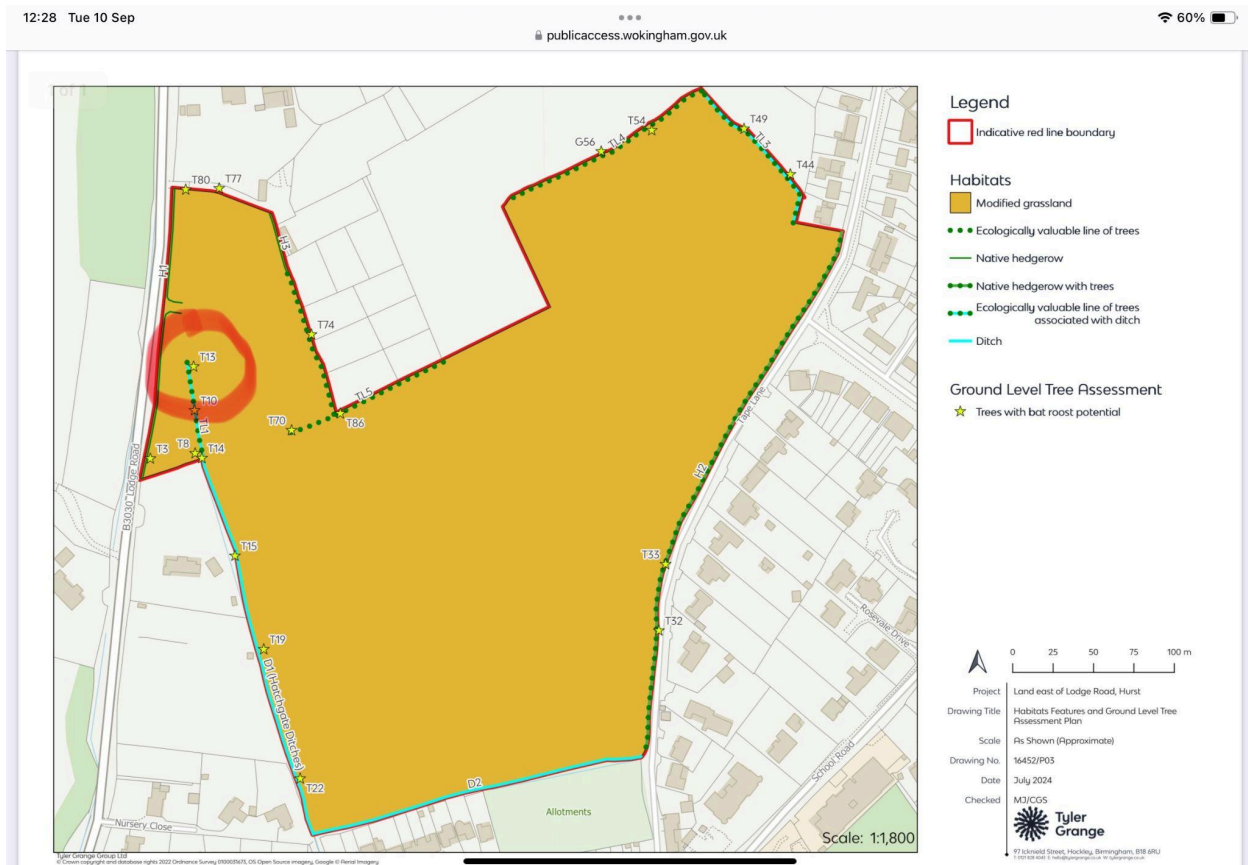
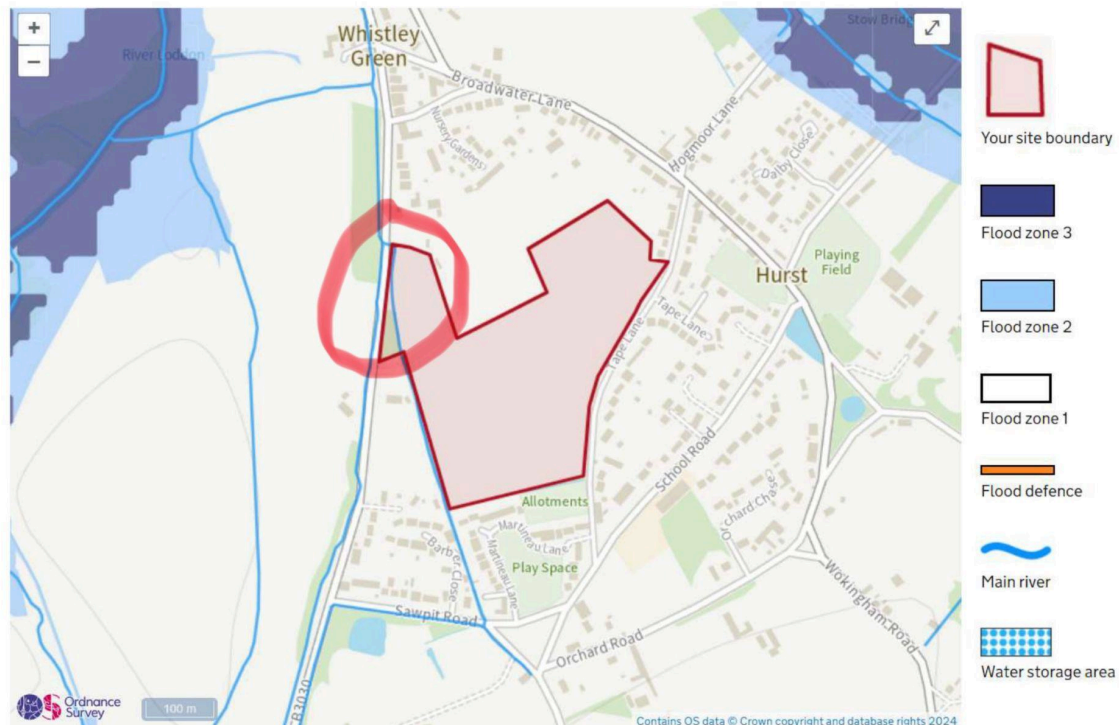


Image from the developers own “BNG Site Habitat Plan” included in the application documents, showing the Hatchgate ditch abruptly ending towards the north western corner of the plot.

Figure 2: Extract of EA Flood Map for Planning

EA Flood Map of the site from the SLR Flood Risk Assessment and Drainage Strategy document showing the western drainage ditch connecting to the wider drainage network.

- The SLR Flood Risk Assessment and Drainage Strategy states the following:
 - Point 2.2 = “An unnamed watercourse is located along part of the western site boundary, adjacent to Lodge Road. This tributary appears to flow in a northerly direction and is designated as a main river”.
 - Point 5.4.2 = “As there is an existing watercourse on site, this would be the feasible receptor for the proposed surface water system on site”.
- Drainage issues come up time and time again in Hurst planning applications and nobody seems to take any notice. The recent s19 flood report was a step in the right direction, and one which the current application has chosen to ignore in its entirety.
- The development site suffers from standing water in winter, and the drainage report does not adequately address the issues.



Image of the field from the rear of Martineau Lane taken 30-Jan-21

Footpath Network

- Mr Wildsmith acknowledged that the standard of the footpath connections in Hurst are “not good”. Footpaths are not continuous, are narrow in many places, and are non-existent in others. The walking environment is not conducive to enticing people out of their cars.
- Token improvements at Lodge Road and between the development and the village shop are minimal.
- Improvements to the walking route between the development and the village shop would be dependent upon agreement by the Parish Council. This cannot be guaranteed and is therefore unreliable as a solution.

Landscape and Character

- Whilst the site is private land, it very much contributes to the rural feel of the village. It provides a sense of openness and tranquility.
- Tape Lane is classified as a “quiet route”. With two pedestrian/cycle accesses and one vehicular access to 99 houses, 200 + pedestrians, dog walkers, cyclists and a bus potentially using this route it will most definitely not be a “quiet route” any longer.

- The proposed development will be highly visible from both Lodge Road and Tape Lane. The LVIA is laughable, with faint outline sketches of the new roof lines. Hardly realistic images.
- The horses, ponies and donkeys grazing the field are also residents of Hurst, they are very much cherished by the residents, and they also require somewhere to live.



A much cherished current resident of the field.

Site Plans

- It is obvious that splitting the development down the middle has been designed to avoid the perceived coalescence of Hurst and Whistley Green, which was discussed at some detail during

the enquiry. The current plans would however still serve to infill the existing gap to a certain degree.

- Hurst has traditionally grown organically through small scale development. The settlement has a spread out linear and spacious feel. This development would immediately introduce two clusters of densely packed housing - one housing estate bolted on to Whistley Green and another housing estate bolted on to Hurst. It would introduce suburbia to the countryside.
- The proposed density is extremely high at 25 dph. Average density in Hurst is 13 dph and is 0.7 dph in the countryside generally. Martineau Lane density is actually 16 dph, including the central green. It is disingenuous and misleading for developers to consistently quote the Martineau Lane housing density as excluding the central green. This green at Martineau Lane was an integral part of the development design, and it provides a sense of openness and space which these two housing estates just would not have.

Ecology

- According to the Tyler Grange Ecological Impact Assessment the UK Habitat Classification survey and Preliminary Bat Roost Assessment was undertaken on 12 December 2024. Really??
- In a rush to submit the planning application it is acknowledged within the ecology report that only the first of three scheduled Night Time Bat Walkovers had taken place. Information from the previous planning application has therefore been used, and this is therefore out of date and cannot be relied upon.
- The reptile survey report states that “During each visit the refugia were checked visually from a distance to determine whether reptiles are basking on their surface. The refugia were then carefully approached and lifted to check for reptiles sheltering beneath them”. Not quite what was observed from the rear of our property. The person doing the survey did not take due care and attention at all - she picked up the mats quickly, had a cursory glance, and then just threw them back down. When asked politely from the rear of our garden what she was doing she said that she did not know! Hardly a professional survey that can be relied upon.
- Night Time Bat Walkover - “the visit on Thursday 27th June 2024 was intended as a spring visit”. Am I missing something here, but June has always traditionally been in summer. If a walkover is intended to be carried out in spring then do it in spring. Do not do it in June and pretend it was spring.
- Parts of the Tyler Grange Ecological Impact Assessment have been redacted. According to the Council these redacted sections “contain information about sensitive protected species, in order to safeguard the species involved”. If this is relevant in terms of planning balance then I would expect the Council to take account of any impact that the potential development could have on these sensitive protected species.

Conclusion

The suggestions put forward by the applicant to overcome the reasons for refusal at the previous appeal are woefully inadequate, and most definitely will not suddenly make Hurst “a highly sustainable location”. The suggestions are no more than tokenistic tinkering with a failed application.

The suggested “improvements” over the previous application are limited, unreliable, and potentially undeliverable. MacMic Strategic Land is merely promoting the land for development only, and would not be building out the development. And we all know that when a developer subsequently takes on a site the existing plans are likely to change. Just look at how the Sawpit Road site in Hurst was sold to Westbourne Homes after planning permission was initially granted. Westbourne Homes then subsequently changed just about everything from the original plans that they could change, and the built out development was materially different to that which was originally agreed by the Planning Inspector. So we should not be fooled into believing that anything promised in this current application, even at this outline stage, will actually be delivered.

The previous planning application (220458) on this site was refused and the appeal was robustly dismissed by the Planning Inspector Mr David Wildsmith. Absolutely nothing has changed in the last 18 months. This site is not allocated in the WBC Emerging Local Plan Update, and the LPU is quite categorical in stating that larger applications in minor settlements will be refused, even when there is a lack of a five year housing land supply. This will protect the intrinsic value of the countryside, maintain the separation between settlements, and hopefully make damaging, unsettling and costly speculative planning applications a thing of the past.

This application should be refused, for all of the reasons stated above.