DELEGATED OFFICER REPORT

WOKINGHAM BOROUGH COUNCIL

Application Number:	261624
Site Address:	Land West of Hogmoor Lane, Hurst
Expiry Date:	19 August 2026
Site Visit Date:	10 August 2026
Proposal: Permission in principle application for the proposed erection of a maximum of 2 no. dwellings (or a minimum of 1 no. dwelling), including formation of an access from Hogmoor Lane.	

PLANNING POLICY	
National Policy	National Planning Policy Framework (NPPF) National Planning Policy Guidance (NPPG)
Core Strategy (CS)	CP1 – Sustainable Development CP2 – Inclusive Communities CP3 – General Principles for Development CP4 – Infrastructure Requirements CP5 – Housing Mix, Density and Affordability CP6 – Managing Travel Demand CP7 – Biodiversity CP9 – Scale and Location of Development Proposals CP11 – Proposals Outside Development Limits CP17 – Housing Delivery
MDD Local Plan (MDD)	CC01 – Presumption in Favour of Sustainable Development CC02 – Development Limits CC03 – Green Infrastructure, Trees and Landscaping CC04 – Sustainable Design and Construction CC05 – Renewable Energy and Decentralised Energy Networks CC06 – Noise CC07 – Parking CC09 – Development and Flood Risk CC10 – Sustainable Drainage TB05 – Housing Mix TB07 – Internal Space Standards TB21 – Landscape Character TB23 – Biodiversity and Development TB24 – Designated Heritage Assets TB25 – Archaeology TB26 – Buildings of Traditional Local Character and Areas of Special Character
Joint Minerals and Waste	M2 – Safeguarding sand and gravel resources

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Plan (JMWP)	
Wokingham Borough Local Plan Update (LPU)	SS1 – Sustainable development principles SS2 – Spatial strategy and settlement hierarchy SS5 – Development in the countryside SS10 – Meeting our housing needs C1 – Active and sustainable transport and accessibility C2 – Mitigation of transport impacts and highway safety and design C5 – Parking and electric vehicle charging H1 – Housing mix, density and standards H3 – Affordable housing FD1 – Development and flood risk (from all sources) FD2 – Sustainable drainage NE1 – Biodiversity and geodiversity NE4 – Trees, woodland, hedges and hedgerows NE5 – Landscape and design NE6 – Valued landscapes DH1 – Place making and quality design DH2 – Safeguarding amenity DH5 – The historic environment DH6 – Archaeology HC5 – Environmental protection
Other	Borough Design Guide Supplementary Planning Document CIL Guidance + 123 List Affordable Housing Supplementary Planning Document Sustainable Design and Construction Supplementary Planning Document A Design for Hurst

PLANNING HISTORY (Application site and wider fields)		
Application No.	Description	Decision & Date
260353	Permission in principle application for the proposed erection of a maximum of 7 no. dwellings (or a minimum of 5 no. dwellings), including formation of an access from Broadwater Lane	Refused 30/03/26 and awaiting outcome of appeal
240583	Outline application for the proposed erection of 9No dwellings and associated access (with Landscaping, Layout, Scale and Appearance reserved and only Access to be considered).	Refused 29/11/24 and dismissed at appeal
981273	Proposed Erection Of 5 Detached Dwellings and Garages	Refused 07/07/98 and dismissed at appeal

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Application reference	Description of Development	Decision	Date
3/56	Outline application for residential development	Refused	03.01.1956
O/259/62	Outline application for residential development	Refused	08.01.1963
O/163/64	Outline application for 5 dwellings	Refused	26.08.1964
15248	Outline application for residential development 9.75 acres	Refused	09.04.1981
15249	Outline application for residential development 8.9 acres	Refused	09.04.1981

CONSULTATION RESPONSES

Internal

WBC Environmental Health – No objection
WBC Drainage (LLFA) – No objection
WBC Highways – No objection
WBC Economic Prosperity & Place (Community Infrastructure) – Affordable Housing contribution would be required at Technical Details Consent Stage

WBC Landscape and Trees – Objection due to harm to views across the landscape (which is considered to be a valued landscape) and development in the countryside

WBC Built Heritage Officer – Objection due to harm to desingated and non-desingated buildings and non-desingated Area of Special Character. In summary:

The proposal would result in less than substnaitla harm (to the low end of the spectrum) to the the significance of the designated heritage asset of Ward's Cross House, a Grade II listed building. The harm would arise from the removal of the historic setting – open, agricultural land associated with the development of Ward's Cross within the manor of Whistley and Hurst, developed by an important Tudor figure, Richard Ward, and the consequential conflicting urbanisation character. The proposed development would also give rise to harm to the significance of Long Barn, as a non-designated heritage asset, for the same reasons.

The proposed development would also lead to harm to the significance of the Village Centre (Hurst) Area of Special Character, also a non-designated heritage asset. This harm would arise from the erosion of the rural landscape.

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WBC CIL – Development would be CIL liable and amount would be calculated at Technical Details Consent Stage **WBC Ecology Newts –** No objection **WBC Ecology –** No objection **WBC Cleaner and Greener –** No comments received
External
Thames Water Utilities Ltd – No comments received **The Environment Agency –** Did not wish to be consulted **Berkshire Archaeology –** No objection subject to condition **Binfield Badger Group –** No comments received

REPRESENTATIONS	
Parish/Town Council	Object for the following reasons: • Request WBC defer on a decision for this application until a decision on the live appeal is made • Conflicts with both local and emerging plans • This is not an infill site • Consistency with decision making given a history of refused applications and dismissed appeals • Site judged as unsuitable for development in LPU • LPU HLS should carry significant weight and 1 or 2 houses will not make any meaningful difference to the current or future housing land supply • Omitted drainage details • Proposal does not avoid increasing (and where possible reduce) risks of or from all forms of flooding to areas beyond the site • Harm to character of the area and valued landscape • Harm to heritage assets (designated, non-designated and Area of Special Character) • Unsustainable location • Junction from Hogmoor Lane for vehicles egressing onto A321 is dangerous due to lack of visibility • Proposed off-site highway works are practical or cost effective due to the storm drain, electrical substantial and needing third party permissions ***Officer comment:*** *The above reflect objections raised by neighbours (below) and will be discussed in the report.*
Ward Member(s)	No comments received
Neighbours	46 representations in objection have been received (excluding duplicates) relating to the following summarised matters: <u>Principle of development:</u> • Site is too large to be considered an infill site

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	• Site is located outside of settlement limits in the countryside • The land is Best and Most Versatile • Site removed from local plan update due to conclusions made in the HEELA ***Officer comment:*** *The above are discussed in the report.* <u>Heritage:</u> • Development would damage the historic character of Hogmoor Lane • Site forms part of the Area of Special Character's wider rural setting • Harm to setting of heritage assets (Listed Buildings) and non-designated heritage assets • Harm to Area of Special Character • The heritage and tree reports submitted do not relate to this application ***Officer comment:*** *The above are discussed in the report.* <u>Impact on character/ landscape:</u> • Increased activity would erode the rural tranquillity of the Lane • Impact on Hogmoor Lane's recreational value • Would remove outlook across open farmland to the veteran trees and listed buildings • Impact on Haines Hill Valued Landscape • Urbanisation of Hogmoor Lane ***Officer comment:*** *The above are discussed in the report.* <u>Flooding:</u> • Red line boundary (in FRA) shows roadside ditch included but is actually Council owned land • An attenuation basin is required and so should be shown within the red line boundary • Not properly assessed that lots of culverts are blocked • There have been instances of flooding on the Lane and on the application site • Culvert bridge could block the ditch and so would need to be carefully designed • Inadequate Flood Risk Assessment and critique of technical matters • Drainage ditch is not on site • Planning statement saying attenuation is required but the FRA does not mention this • Drainage scheme is reliant on off-site ditch which the applicant has no control over ***Officer comment:*** *The above inconsistencies and comments received from the LLFA are discussed in the report.*

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	<u>Highways:</u> • Hogmoor Lane has no passing points or footway • Inadequate visibility splays at the junction with the A321 • Proposed highway mitigation not satisfactory • Unsustainable location • Detailed design of proposed access not provided • Contradiction in the submission regarding the proposed location of the access • Lane is narrow with no street lighting • The Y junction to and from the A321 is narrow with inadequate visibility and hazardous for vehicles and pedestrians • No mention of who would fund the highway work • Highway work would involve works to the storm drain and electrical substation which are at the Y junction. This would cause disruption to the local community and would be unfeasible ***Officer comment:*** *The above are discussed in the report, following consultation with the Local Highway Authority. Highway works would need to be funded/ carried out by the applicant (and would be negotiated further at Technical Details Consent stage). The feasibility of the junction improvements would also have to be considered further at that stage, with the applicant having to get third party consents to implement the works. If the necessary consents cannot be obtained, the development could not be implemented; however, this does not prevent the site being suitable for development in principle.* <u>Procedure:</u> • Approval would set a precedent for future development ***Officer comment:*** *Each application is required to be assessed on its own merits.* • Use of Permission in Principle application route is inappropriate for this complex site ***Officer comment:*** *An application for permission in principle can be made irrespective of site constraints.* • Council may consider deferring the determination of the application until the outcome of the appeal is known ***Officer comment:*** *The LPA has a duty to determine an application within the statutory timeframes (or extended agreed timeframe with the applicant) and cannot stall the decision of this application to an unknown date when the appeal decision will be made.*

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	• Unreasonable approach by developer given number of applications and ongoing appeal ***Officer comment:*** *The applicant is within their right to submit multiple applications in quick succession at any point in time.* • Piecemeal approach should be taken and urge the Council to look at the cumulative impact of these submissions ***Officer comment:*** *This is the only live application relating to this site and so there are no other immediate live applications that need to be taken into consideration alongside the determination of this application. The planning system allows for sites to be split/ submitted separately.* • The Council should consider the present application in the context of that wider proposal (the current appeal scheme) and should not treat the red-line boundary as an isolated, naturally contained plot ***Officer comment:*** *This application can only consider development within the red line site boundary.* • Technical details are needed here and should not be deferred until after the PiP has been granted due to the constraints of the site and are needed to help inform if the principle of development is suitable ***Officer comment:*** *The PiP and Technical Details are a two part process. All technical details cannot be requested at PiP stage. The LPA is satisfied that sufficient information has been submitted to determine this PiP. Any Technical Details Consent application would require technical and detailed information, informed by the final dwelling number and site layout. At that stage, this technical information will be considered and if not satisfactory, would amount to a refusal at that detailed stage.* <u>Housing Supply:</u> • Proposal would have an insignificant effect on housing numbers • The Council is not failing when it comes to housing land supply ***Officer comment:*** *Housing land supply is discussed in the report.* <u>Other Matters:</u> • The site is a wildlife corridor and used by a rare species of bat • Harm to wildlife/ biodiversity

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	Officer comment: *No objection was raised from the WBC Ecologist regarding the principle of development in relation to wildlife/ biodiversity*. • Exisitng issues with local water supply and sewage system ***Officer comment:*** *Thames Water would be re-consulted as part of any Technical Details Consent application where, if there are local capacity issues, these would need to be identified and appropriate mitigation recommended if required.* • Conflict with emerging policy ***Officer comment:*** *The report discusses the emerging policy in the LPU, where applicable.* • Omission of electrical distribution transformer which will affect developable area ***Officer comment:*** *The size of the application site is sufficient for two dwellings (in principle) despite the presence of the transformer. However, at Technical Details Consent, consideration of the exact siting of the dwelling(s) would be made in relation to the transformer and it is not uncommon for such equipment to be located near properties, and sometimes on residential plots. The Health and Safety implications of being in proximity to a transformer (or any other legislation surrounding such equipment) would have to be dealt with by the applicant separately, under that separate legislation. No concerns were raised for WBC Environmental Health regarding the principle of development in relation to this equipment.* • Proposal should be clear if it is for self-build housing as this affects the weight given in the planning balance ***Officer comment:*** *As it is not clear if the dwellings would be self-build, this has not factored into the assessment or planning balance. The proposal is purely assessing the principle of the provision of upto 2 dwellings, not their tenure or market status (at this stage).* • No contribution towards affordable housing ***Officer comment:*** *The planning balance of the report discusses affordable housing. There is no requirement for affordable housing for a scheme of this size. Even if it were required, it would be a matter dealt with at Technical Details Consent stage.* • Lack of control over design, layout and materials means they may not blend in with surroundings and historic buildings

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	Officer comment: *The design, layout and materials would be carefully considered at assessed at Technical Details Consent stage. The LPA do retain control over these matters, and could refuse any Technical Details Consent if these are not satisfactory.*

APPRAISAL

Site Description:
The application site comprises an open parcel of land on Hogmoor Lane. The Lane is a narrow with residential development on both sides, but with a gap in built form at the application site. An off-site ditch runs parallel to the site, adjacent to the road.

The application site indicated (in red) in the context of surroundings

Proposal:
The application is for permission in principle, as provided for in the Town and Country Planning (Permission in Principle) Order 2017. The Planning Practice Guidance (PPG) advises that this is an alternative way of obtaining planning permission for housing-led development which separates the consideration of matters of principle from the technical detail. Planning permission does not exist unless both the Permission in Principle (PiP) and the Technical Details Consent (TDC) are approved. This application relates to the first of these two stages. As the application does not relate to technical details and as such, the submitted site plan is to be taken to be illustrative only.

PiP is sought for the erection of up a minimum of 1 and a maximum of 2 dwellings. This is in line with the PPG's advice that the amount of residential development must be

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expressed as a range, indicating the minimum and maximum amount of new dwellings which are, in principle, permitted.

A proposed site plan has been provided alongside the application, however as mentioned, this can only be taken for illustrative purposes at this PiP stage. Access to the site is shown from a single access point off Hogmoor Lane, where culverting the ditch has been indicated:

The PPG advises that the scope of PiP is limited to location, land use and amount of development. Whether permission in principle should be granted bearing in mind the effects of the proposal's location, land use and amount of development on material considerations is required to be considered.

Background Information:
This application follows the refusal of several applications on larger parcels of land, but some of which have incorporated the current application site.

Firstly, a permission in principle application (ref. 260353) for a minimum of 5 dwellings and a maximum of 7 dwellings was refused and is currently with the Planning Inspectorate following the applicant's submission of an appeal. The site area for that application was as follows, and as can be seen, incorporates the parcel of land on Hogmoor Lane subject of this current application:

Public: Information

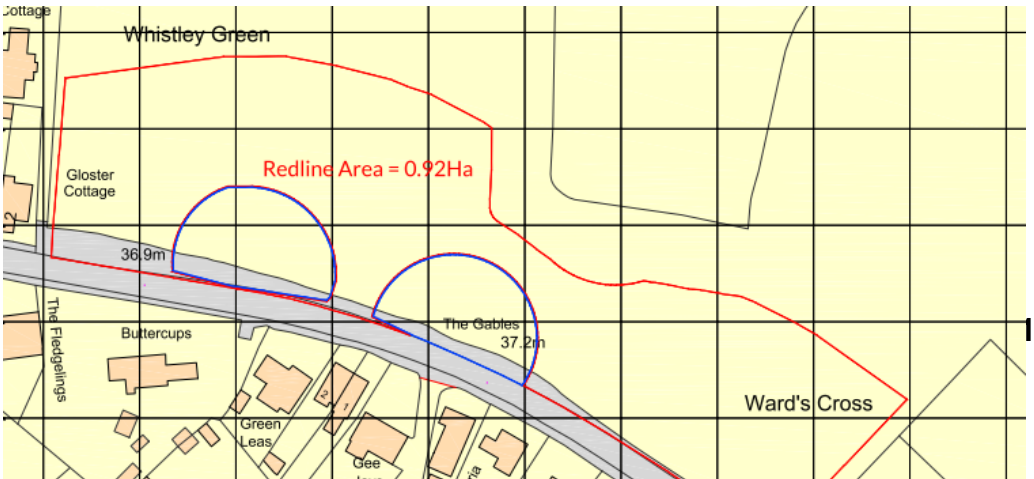
The application was refused for the following reasons:

1. The proposal, by virtue of its location, represents unacceptable unplanned development outside of development limits within the designated countryside which is contrary to the spatial objectives of the development plan. This is contrary to policies CP1, CP9 and CP11 of the Core Strategy along with the NPPF.

2. The proposal, by virtue of its location and amount of development, would fail to suitably assimilate into the established landscape and character of the surrounding area, and would fail to retain and enhance the traditional, historical, local and special character of the Village Centre (Hurst) Area of Special Character. This is contrary to policies CP1 and CP3 of the Core Strategy and policies TB21 and TB26 of the MDD, along with the Wokingham Council Borough Design Guide SPD (2012), Landscape Character Area Assessment (2019) and NPPF.

3. The proposal, by virtue of its location, would fail to conserve or enhance the setting of four designated heritage assets in the form of Grade II Listed Buildings (Bower Cottage, Parkers Cottage, Elder Cottage and Wards Cross House). This is contrary to policy TB24 of the MDD and the NPPF.

Prior to this, refusal of outline planning application 240583 for the erection of 9 dwellings on the following parcel of land:



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This application was refused for the following reasons:

1. The proposal represents unacceptable unplanned development outside of development limits within the designated countryside which is contrary to the spatial objectives of the development plan. The proposal as a whole would not fall into any of the exceptional categories, as identified by CP11 of development plan and is unacceptable in principle. This is contrary to the NPPF (2023) and policies CP1, CP3, CP6, CP9, CP11 and CP17 of the Core Strategy (2010), policies CC01, CC02 and CC03 of the Managing Delivery Document (2014), the Borough Design Guide SPD and the National Planning Policy Framework (2023).

2. The proposed northern and central accesses to the site from Broadwater Lane would significantly harm and lead to the degradation of off-site veteran trees T014 and T016 which form an irreplaceable habitat. Development within the root protection area of the veteran trees with no acceptable buffer zone, mitigation or compensation fails to respond to the Ancient Woodland, Ancient Trees and Veteran Trees: Advice For Making Planning Decisions (2022), prepared by Natural England and the Forestry Commission. There are no wholly exceptional reasons and suitable compensation strategy exists to overcome degradation to this irreplaceable habitat. This is contrary to paragraph 186 of the National Planning Policy Framework (2023) and CC03 of the Managing Development Delivery (2014).

3. The proposed development will have a negative and detrimental impact on the landscape and character & appearance of the area by virtue of the loose urban grain derived from up to 9 dwellings, three access points and site constraints such as the narrow plot and off-site veteran trees, loss of the historic settlement gap and extension of suburban linear development into a sensitive open green field. The proposal poses a significant adverse harm to the character of the and appearance of the Countryside, Hurst River Terrace landscape character area. The proposal is therefore contrary Policies CP1, CP3 and CP11 of the Core Strategy (2010), Managing Delivery Document (2014) Policies CC01, CC02, CC03, and TB21 and to the National Planning Policy Framework (2023).

4. The proposed development comprising 9no. Residential dwellings and 3no. access points onto Broadwater Lane would fail to protect and enhance the Haines Hill Valued Landscape by virtue of the land use resulting in the coalescence of Whistley Green and Hurst Village settlements. This is contrary to paragraph 180 of the National Planning Policy Framework (2023), CP1 and CP3 of the Core Strategy (2010) and CC03 and TB21 of the Managing Development Delivery Local Plan (2014).

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5. The proposal would result in the loss of the historic settlement gap between Hurst Village and Whistley Green, replacing this with suburban linear development which detrimentally harms the edge and setting of the Hurst Area of Special Character. Due to the loss of an open green field which is an important rural characteristic of the to the setting of the Special Character Area. This is contrary to TB26 of the Managing Delivery Document (2014) and the National Planning Policy Framework (2023).

6. The application site is within an unsustainable location that would result in future residents relying on private motor vehicles or day to day needs by reason of the countryside location outside of settlement limits, the limited facilities within Hurst that would be within a safe and convenient walking distance, quality of the walking/cycling & environment and limited public transport links. The proposal would not encourage a modal shift towards sustainable modes of transport. The proposal is contrary to policies CP1, CP2, CP3, CP6 and CP11 of the Core Strategy (2010), CC01 and CC02 of the Managing Development Delivery (2014), the Borough Design Guide Supplementary Planning Document and section 8 & 9 of the National Planning Policy Framework (2023).

7. In absence of a completed legal agreement, the proposal fails to provide off-site drainage measures (swale) to mitigate the impact the proposal would have on surface water drainage, contrary to CC09 of the Managing Delivery Document (2014) and the National Planning Policy Framework (2023).

8. In absence of a completed legal agreement, the proposal fails to provide an adequate provision for affordable housing, contrary to CP5 of the Core Strategy and section 6 of the National Planning Policy Framework (2023).

9. In absence of a completed legal agreement, the proposal fails to secure biodiversity net gain measures. This is contrary to CP7 of the Core Strategy and TB23 of the Managing Delivery Document (2014).

10. In absence of a completed legal agreement, the proposal fails to secure the off-site permissive pedestrian connection between Broadwater Lane and Hogmoor Lane. The proposal fails to comply with CC03 of the Managing Delivery Document (2014).

The refusal was appealed and dismissed by the Planning Inspectorate, albeit the reasons for the appeal being dismissed were only in relation to veteran trees and the impact on Listed Buildings and Village Centre (Hurst) Area of Special Character. Ultimately, as the proposal resulted harm to an irreplaceable habitat (veteran trees) and no wholly exceptional reason and adequate mitigation existed, the tilted balance in favour of granting development was disengaged as per paragraph 11(d)(i) footnote 7 of the NPPF, and the appeal failed. However, it should be noted that this scheme did not include the parcel of land subject of this PiP application.

Lastly, it is also noteworthy that an appeal associated with the refusal in 1998 (ref. 981273) for 5 dwellings was also dismissed and contained land that is within this current application site; that fronting Hogmoor Lane.

It is acknowledged that this 1998 decision was made under a different development plan and pre-dates the NPPF. Nevertheless, the reasons for the refusal/ dismissing of

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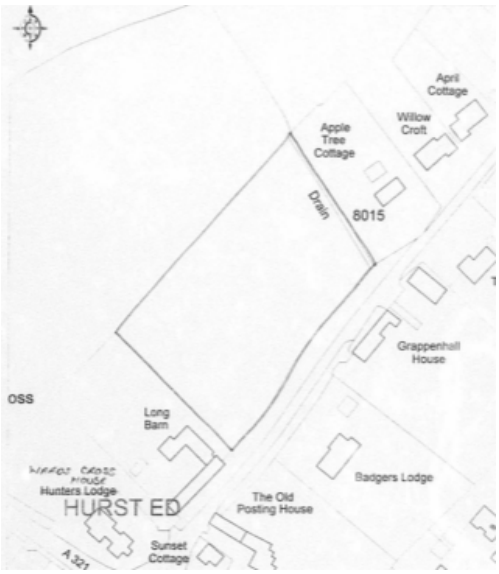
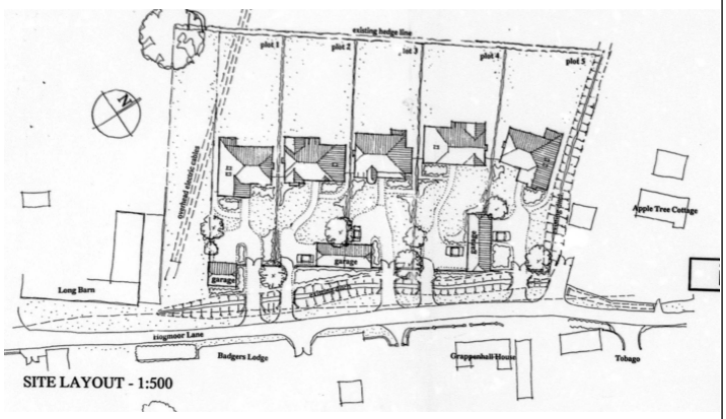
the appeal related to the proposal's impact on the character of the area, resulting in the loss of a 'gap' and scale, size and massing of the proposal would be incongruous and out of character with the semi-rural setting of the Lane. The proposal was also unacceptable in relation to highway safety. Below is the site area and plan for this 1998 scheme:





Before carrying out the assessment, Officers note that a number of third party representations have expressed dissatisfaction with the quality and contents of the applicant's submitted technical reports (namely heritage, flooding and arboriculture reports). It was also highlighted that the heritage and arboriculture reports submitted were those submitted for previous applications at the site and have not been updated for this application. However, specialist consultees are able to conclude their own view irrespective of the applicant's reports.

Principle of Development:

a) Adopted Development Plan

i) Spatial strategy

The National Planning Policy Framework has an underlying presumption in favour of sustainable development which is carried through to the local Development Plan. The Managing Development Delivery Local Plan Policy CC01 states that planning applications that accord with the policies in the Development Plan for Wokingham Borough will be approved without delay, unless material considerations indicate otherwise.

The spatial strategy for the Borough is outlined in policy CP9 of the Core Strategy. This directs development to within settlement limits. The settlement limits are split into three categories depending on the sustainability of those locations; Major, Modest and Limited development locations. The development plan steers Major developments to sustainable Major settlements with the best services, facilities and infrastructure.

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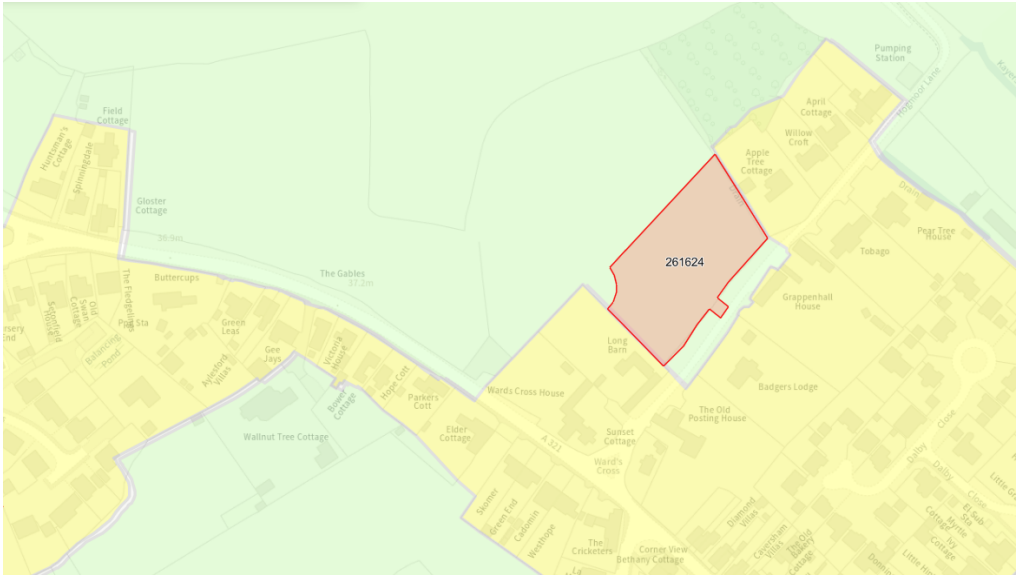
Whilst the site is located adjacent/ partially bordering around the Limited Development Location of Hurst, the entirety of the site is located within the Wokingham Countryside, as can be seen below:



The application site (in red) in the context of the Hurst Limited Development Location (yellow) and the countryside (green)

Policy CP11 dictates proposed development within the countryside. Its overarching aims are to protect the separate identity of settlements and maintain the quality of the environment. The policy states that development will not normally be permitted unless one of the 7 exceptions for development is satisfied which are:

1) It contributes to diverse and sustainable rural enterprises within the borough, or in the case of other countryside based enterprises and activities, it contributes and/or promotes recreation in, and enjoyment of, the countryside; and
2) It does not lead to excessive encroachment or expansion of development away from the original buildings; and
3) It is contained within suitably located buildings which are appropriate for conversion, or in the case of replacement buildings would bring about environmental improvement; or
4) In the case of residential extensions, does not result in inappropriate increases in the scale, form or footprint of the original building;
5) In the case of replacement dwellings the proposal must:
i) Bring about environmental improvements; or
ii) Not result in inappropriate increases in the scale, form or footprint of the original building.
6) Essential community facilities cannot be accommodated within development limits or through the re-use/replacement of an existing building;
7) Affordable housing on rural exception sites in line with CP9.

The proposal does not meet any of the exceptions outlined above.

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Whilst this is the case, it does not automatically conclude that development within the countryside is unacceptable and attention then has to turn to the overall aims of policy CP11 and whether the proposal would comply with these.

Firstly, in considering whether the proposal would protect the separate identity of settlement (ie. preventing settlement coalescence), the proposal would represent a development connecting two edges of the Hurst settlement. Within third party representations, it has been stated that the site would not be an infill development. This is based on the conclusion by the Inspector for the 1998 application/appeal (T/APP/X0360/98/298932/P9) which states that "*The appeal site has a frontage of about 80-90m to Hogmoor Lane which I consider forms a substantial gap in the street scene, greater than what would normally be termed an infill plot and which makes a significant contribution to the semi-rural character of the Lane."* There was also concern from the Inspector over the loss of the defined 'green gap' between Hurst and Twyford.

Whether or not the plot is described as an infill plot or not does not fundamentally alter the conclusion of Officers that this site would not result in settlement coalescence, rather it would be located in a gap between two edges of the defined 'Limited Development Location' of Hurst. The 'green gap' referred to in this historic decision is not designated as such in the present day; it should be noted that this previous historic decision pre-dates the Council's adopted development plan. Within the previous development plan, terms such as 'green gap'/ 'green wedge' were used; but these are not transferred to the currently adopted local plan. As such, based on the current adopted local plan, it is CP11 which is the key driving policy for countryside development, along with its overarching aims, as discussed. As such, this proposal will not result in the loss of a spatially designated 'green gap'. The loss of the gap in visual terms will be discussed elsewhere in the report.

As such, taking all the above into account, Officers are of the view that this development would not conflict with the overarching aim of policy CP11 which is to maintain the separate identity of settlements.

Turning to the second overarching aim of policy CP11, which is to maintain the quality of the environment, this is a multi-faceted assessment that will incorporate other material considerations (those discussed in this report). As such, a judgement as to whether the scheme complies or conflicts with this second overarching aim will be made in the planning balance section at the end of this report. However, it should be noted that when judging whether a proposal maintains the quality of the environment, it is acknowledged that most, if not all development, will have an impact on the environment it sits in. As such, 'maintaining' the quality of the environment is not considered to be a zero-impact test but rather a planning judgement test about effect and acceptability, not absolute preservation.

ii) Locational sustainability

Policy CP6 of the Core Strategy states that development should provide for sustainable forms of transport to allow choice and are located where there are or will be at the time of development choices in the mode of transport available and which minimise the distance people need to travel.

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Within the previous decision (260353) for larger development, which was in part on this application site, it was not concluded by WBC Highways that the site would be an unsustainable location for residential development. This conclusion followed on from the Inspector's conclusion on this matter for application 240583. As such, there is no reason to conclude a different view here for this smaller scheme. WBC Highways have raised no objection to this proposal in terms of site sustainability for residential development.

iii) Minerals and waste

The Central and Eastern Berkshire Joint Minerals and Waste Plan ("Joint Plan") was adopted by Wokingham Borough Council on 19 January 2023. The Joint Plan identifies site allocations and extensions to help provide a future supply of sand and gravel extraction. However, despite these allocations, there remains a shortfall of supply during the plan period. The policy response to address the shortfall is the identification of a 'Minerals Safeguarding Area' (MSA), where Policy M2 of the plan applies, and also an 'Area of Search' where Policy M4 applies. This approach is to demonstrate the potential for, in effect, windfall provision within the Plan area.

The site is within the MSA and contains soft sand arising from historic river deposits. Policy M2 aims to seek to protect mineral resources against unnecessary sterilization by non-minerals development.

The application covers an area approximately 0.48 hectares in size and a 3 hectare threshold is reflected in the supporting text under Policy M2, which states *"A minimum plot size of 3 hectares will apply in the safeguarding process to avoid repeated consideration of prior extraction where this can be assumed to be uneconomic, due to the small size of the parcels of land involved."*

Therefore, given the site's relatively modest scale and below the threshold specified within Policy M2, it is unlikely to be a viable commercial operation or impact any other commercial operations.

b) Emerging Local Plan Update

The Local Plan Update (LPU), the plan which will supersede the adopted Core Strategy and MDD local plans, is at Regulation 24 stage as it has been submitted to the Planning Inspectorate for examination and Part 1 and 2 Hearings are complete, with the Inspector having now provided a letter outlining main modifications required. As per paragraph 49 of the NPPF:

Local planning authorities may give weight to relevant policies in emerging plans according to:

a) the stage of preparation of the emerging plan (the more advanced its preparation, the greater the weight that may be given);

b) the extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given); and

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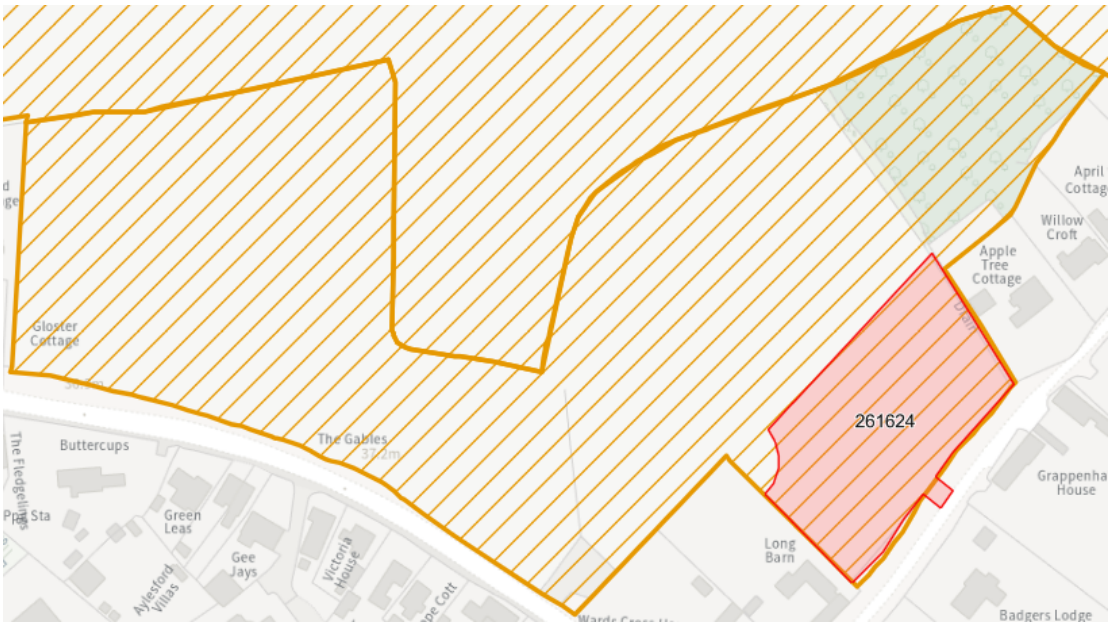
c) the degree of consistency of the relevant policies in the emerging plan to this Framework (the closer the policies in the emerging plan to the policies in the Framework, the greater the weight that may be given)

As a whole, the LPU is still given limited weight, despite its advance stage of preparation. As seen in High Court judgements, even when an emerging plan is at an advanced stage, it may still attract limited weight if further consultation and modifications are required, which is the case here. However, it is acknowledged that some individual policies are capable of being attributed moderate weight in the determination of the application; those are highlighted in yellow in the policy table earlier, as they did not have substantial unresolved objection. The policies that hold moderate weight will feed into/ be considered in their relevant sections in this report where necessary.

The site (indicated in red) in addition to land across the wider site, equating to approx. 4 ha, was submitted as part of the Local Plan Update to be allocated for residential development. The site reference was 5HU030 and the extent is shown below:



The site was removed from the HEELA at stage 2b/2c due to the site being inappropriate in terms of settlement form and pattern, landscape character and flood risk (which were identified through representations).

It should be noted that the promoted site is much larger than this application site, and therefore conclusions made in the HEELA are not those made on this live application site alone. Furthermore, each application is required to be assessed on its own merits; a HEELA is high level with the purpose of informing options within plan-making. It is not comparable to a planning application.

c) Housing Land supply

The borough currently does not have a 5 year housing land supply. The borough currently has a 2.5 year housing land supply however this is as a result of previous over-delivery, rather than current under-delivery. Nevertheless, as a result of the

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shortfall, the borough's policies are 'out of date' in accordance with paragraph 11(d)(i) of the NPPF (2024). Therefore, permission for development should be granted *"unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole, having particular regard to key policies for directing development to sustainable locations, making effective use of land, securing well-designed places and providing affordable homes, individually or in combination"*.

Comments from third parties have stated that the Council is not falling short when it comes to housing delivery and the adoption of the LPU will overcome this shortfall. However, as it stands, the Borough does not have the required housing land supply, as evidenced by the Council in their own 5 year Housing Land Supply Statement. Planning Officers have been given no other direction from the Council's Planning Policy team on this matter. As such, the provision of housing is required, and the tilted balance is in play, as stated.

d) Loss of existing land use
Core strategy policy CP1 states that development should *"7) Avoid areas of best and most versatile agricultural land".* BMV agricultural land is grades 1, 2 and 3a of the agricultural land classification.

The site is located within an existing agricultural unit, and the Councill records show site constitutes grade 3 (a or b not known) best most versatile agricultural land ("BMV"), therefore the proposal has potential to result in the loss of BMV land.

Given the modest size of the application site, it would mean the loss would likely have a negligible consequence for any crop growing enterprise. The site is understood to have been more recently used for grazing rather than arable farming. On this basis, it is not considered that this weighs significantly against the use of the site for any other purposes. Furthermore, neither of the recently refused applications were resisted on the loss of the existing land use.

The loss of any BMV land conflicts with policy CP1 of the Core Strategy and Section 15 of the NPPF, but for the reasons identified above has limited weight in the overall planning balance considering the relatively diminutive size of the plot land.

e) Summary on principle of development
The site is located outside of settlement limits in the countryside. It fails to meet any of the specified exceptions for development outside of settlement. When turning to the overall aim of the policy, it would not result in settlement coalescence. When assessing as to whether it would maintain the quality of the environment, this will be considered in light of other material considerations with a final assessment being made at the end of this report. The site is considered a location that is adequately sustainable for up to 2 households and the loss of the existing land use is a policy conflict, albeit mitigated due to the relatively small size of the site.

Officers acknowledge the tilted balance is engaged, as per paragraph 11(d)(ii) of the NPPF and the judgement regarding whether the adverse impacts of granting permission significantly and demonstrably outweigh the benefits will be returned to in the overall planning balance.

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Location, land use and amount of development in relation to the impact on landscape and character and appearance of the area:
Policy CP3 of the Core Strategy sets out general principles for development and states that development should be of an appropriate scale, activity, mass, layout, built form, height, materials and character to the area together with a high quality of design.

Policy TB21 of the MDD states that proposals shall retain or enhance the condition, character and features that contribute to the landscape.

RD1 of the Borough Design Guide states that new development and associated landscape should retain, incorporate and enhance features that contribute towards the landscape character.

Landscape designations
The site is within the Haines Hill valued landscape according to the Wokingham Borough Council Valued Landscapes Assessment (September 2024) Topic Paper to support the preparation of the LPU. The Council has now received the Post Hearing letter with main modifications from the Inspectors for the LPU which seeks to remove all proposed mapped valued landscapes proposed in the borough, along with the associated valued landscape policy (NE6). As such, the Haines Hill Valued Landscape designation holds very limited weight in light of this letter, given eventually the mapped valued landscapes will be removed.

Despite this, a landscape does not have to be mapped to be valued. Rather, it must demonstrate certain characteristics 'on the ground'. Box 5.1 of the GLVIA3 'Guidelines for Landscape and Visual Impact Assessment '(2013) provides a range of factors that can help identify valued landscapes. These factors are in bold, with the WBC Tree & Landscape Officer providing commentary on how the site demonstrates these:

Landscape Condition - The ***landscape condition*** is moderate across the whole of the C2 Landscape Character Area however the physical landscape, rural settlement pattern and openness of the rural landscape is intact. The landscape around site is of a higher quality.

- **Scenic Quality -** There is ***scenic quality*** such as views of key landscape features from both Hogmoor Lane looking across towards the fields to the mature tree and Veteran tree boundaries. Views from travelling on foot or in a vehicle east and west, Broadwater Lane and the backdrop of mature hedgerows of various native tree species. The land contributes to the setting of the Area of Special Character. The views from Hogmoor Lane through the gap between Long Barn and Apple Tree Cottage are important to the recreational routes from Hogmoor Lane such as PRoW STNH9.

- **Rarity -** The site and wider area of pastoral fields to the west, are ***rare*** in that they have Veteran trees identified on the Ancient Tree Inventory and are located in the field boundary hedgerows which themselves are a rare feature within the LCA, which elevates the rarity and landscape value of the site and its wider setting.

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- **Representativeness -** The site and immediate setting is ***representative*** of the Valuable Landscape Attributes described in the C2 Landscape Character Area.

- **Conservation Interest -** The ***conservation*** interest is represented by the listed buildings to the south and east, as well as the veteran and mature trees around the site.

- **Perceptual Qualities -** The site and its immediate surroundings have a ***perceptual quality*** of timelessness and tranquillity.

Based on the above, the site is considered to exhibit qualities of a valued landscape, despite the Haines Hill Valued Landscape designation being removed from the LPU.

As such, paragraph 187 of the NPPF does apply, specifically parts (a) and (b) which state that development should contribute to and enhance the natural and environment by:

a) Protecting and enhancing valued landscapes, sites of biodiversity or geological value and soils (in a manner commensurate with their statutory status or identified quality in the development plan);

b) Recognising the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services – including the economic and other benefits of the best and most versatile agricultural land, and of trees and woodland

The site is also located in the mapped and currently adopted Wokingham Borough Landscape Character Assessment (WBLCA) Area C2 – 'Hurst River Terrace', a landscape of overall moderate quality and sensitivity, with a modest capacity for change.

The Landscape Strategy for LCA C2 is:

to maintain the landscape character of C2 LCA is to conserve and enhance the quiet rural and agricultural landscape with its scattered rural farmsteads and small red brick villages connected by narrow and rural lanes.

The key aspects to be conserved and actively managed are;

- the open views overlooking the adjoining floodplain of the Loddon. There are opportunities to enhance the landscape through restoration and management of the hedgerows. Opportunities also exist to restore lost wetland and grassland habitats and reinstate woodland planting, which may mitigate the influence of the M4/A329 (M).

In terms of development, the aim of the Landscape Strategy is;

- to conserve the low-density pattern of settlement centred around Hurst and Whistley Green.

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Each description of the character areas within the LCAs include 'Valuable Landscape Attributes' which for C2 are;

- **Peaceful and open character** of the undeveloped arable and pastoral landscape when removed from the intrusion of major roads to the south, which provides an escape in close proximity to the urban population.
- **Rural settlement pattern** of small villages with historic cores and farmsteads unified by the cohesive use of redbrick which provides a cultural record of the past and adds local distinctiveness.
- **A network of narrow rural lanes** with characteristic roadside ditches which contribute to scenic quality.
- **Small wetland habitats,** including drainage channels and numerous farm ponds which are valued for flora and fauna.
- **Gently undulating terrace landform provides open and clear views** to the wooded backdrop of the adjacent Loddon Valley.

Assessment:
As part of previous refusals/ appeals on this site, development has been resisted due to impact on the proposal would have on the character of the area and landscape.

Application 260353 was refused due to failure to assimilate into the established character and appearance of the area. With regard to the part of the proposed development on Hogmoor Lane under that application, concern was raised that the dwellings would appear dense and their lack of access from Hogmoor Lane would fail to provide legible integration with the exisitng street scene. The following are sections are taken from the Officer report:

The presence of 4 dwellings on Hogmoor Lane would represent a denser development than found elsewhere on Hogmoor Lane, where properties are generally set in spacious plots. For example, on the eastern side of Hogmoor Lane (opposite the application site), density equates to approx 4 dph. To the west of Hogmoor Lane (application site side), it is acknowledged dwelling density is higher towards the northern end. However, the openness/ visual break in the landscape that the application site provides helps alleviate the perception of this, and when looking at the character and density of Hogmoor Lane as a whole. The proposal, with 4 dwellings on the Hogmoor Lane side, would equate to a density of approx 13 dph. This, combined with the higher density development already to the north (approx 10 dph), would substantially imbalance the density and built form of east and west of Hogmoor Lane, and would result in a stark change to the perception of overall low density and spaciousness on Hogmoor Lane.

When viewed from Hogmoor Lane, these four dwellings would appear inaccessible and alien in their setting along this rural road/track. There would be no obvious perception of how pedestrian, or vehicle, access is provided to these units. This highlights that the proposal is poorly designed in this respect as it would create a development that fails to provide a legible integration within the context of the existing surrounding built form.

Application 981273 raised concern over the urbanising and dense effect of development. There would be limited visual gaps between the 5 dwellings owing to the

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garages being located at the front of dwellings. The impression would be heightened due to the elevated position of the site in comparison to the Lane (by about 0.5m). The associated residential paraphernalia would also contribute to the urbanising effect. In summary, the overall *'scale, size and massing of the proposal would be incongruous and out of character with the semi-rural setting of the Lane'.*

In this case, the proposal would see a minimum of 1 and maximum of 2 dwellings on site equating to a maximum density of 4.17 dwellings per hectare. This is substantially less than both of the previously refused decisions and the small level of development would mean that the arrangement closer aligns to the loose settlement arrangement as discussed in 3B 2.3 of the Borough Design Guide. Loose settlement arrangements are generally more spacious with the landscape penetrating through the village, and overall generally being dominated by landscape. With the spacious site, low density and limited number of dwellings, the landscape beyond would have the potential to penetrate through built form to a greater degree than those previous applications.

The proposal would also be facilitated by an access that positioned on Hogmoor Lane which would overcome previous concerns about dwellings not being legibly accessed from Hogmoor Lane. Plot sizes would be generous, especially for 1 proposed dwelling. If the maximum of 2 dwellings were proposed, plot sizes would also be suitably comparable to those elsewhere on Hogmoor Lane which are also of good size. The extent of residential curtilage would also not go beyond that of properties to the north.

It is acknowledged that any number of dwellings on this site would reduce the 'gap' and views across the landscape which is a primary concern raised in neighbouring objections and from the WBC Tree & Landscape Officer. The Tree & Landscape Officer states that as a result of development, the expanse of the scenic view across the site to fields and trees in the west will be lost and the sense of permeability and views of scenic quality removed. The site is also considered to represent an important visual breathing space from which to experience long views across the countryside and important and valuable features that contribute to it. By developing the site there will be a loss of permeability and restriction in valued views across the rural landscape of the Hurst hinterland. This will adversely affect pedestrians and walkers along recreational routes and lanes, as Hogmoor Lane connects to Public Right of Way footpaths STNH8 and STNH9 to the north of the site.

Whilst it is undeniable that built form on this site would result in a degree of loss of the gap in the landscape that would be irreversible, the exact extent of the loss of the gap cannot be determined on this stage, as it is dependent on the final number of dwellings and their scale/ siting. However, given the modest number of units in relation to the size of the application site area, there would realistically be some views retained across the landscape between plots. The lack of intervisibility between Hogmoor Lane and the surrounding countryside to the rear of the site would therefore not be as great as the previous schemes. The exact scale, siting and design of the dwelling(s) would be robustly assessed at Technical Details Consent stage.

The application site would need to be accessed via Hogmoor Lane; in character terms this would not be at odds with the surrounding area that have similar access arrangements.

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In summary, it is acknowledged that this site and wider landscape is displays characteristics, which, in the view of the WBC Tree & Landscape Officer, means the site is a valued landscape. Built form, in any form, on a landscape, will have a degree of impact on surroundings. The overall landscape strategy for the C2 landscape character area is in part to conserve and enhance the agricultural landscape which would be in conflict with this proposal.

As such, particularly by reason of its location, this harm to the landscape is acknowledged and is a disbenefit of the scheme that will be factored into the overall planning balance. However, this harm, is, to a degree, tempered, due to the modest amount of development in relation to the plot size, means there will be a retained degree of intervisibility, unlike previous schemes. Furthermore, the low density of the development does accord with the specific landscape strategy for development to a degree as whilst it would introduce 1-2 dwellings (which adds to the overall density of development in the area), it would be a low density scheme in itself and to the surrounding area of Hurst and Whistley Green.

Location, land use and amount of development in relation to the impact on heritage assets:

Policy TB24 of the MDD states that *"The Borough Council will conserve and seek the enhancement of designated heritage assets in the Borough and their settings by:… a) Requiring works to or affecting heritage assets or their setting to demonstrate that the proposals would at least conserve and, where possible enhance the important character and special architectural or historic interest of the building, Conservation Area, monument or park and garden including its setting and views"*

Policy TB26 of the MDD states *"Planning permission will only be granted for proposals to or affecting Buildings of Traditional Local Character and Areas of Special Character where they demonstrate that they retain and enhance the traditional, historical, local and special character of the building or area and its setting".*

The following heritage assets have been identified in the vicinity of the site:

<u>1. Designated Heritage Assets</u>

- Ward Cross House– Grade II listed building
- Old Posting House – Grade II listed building
- Elder Cottage – Grade II listed building
- Parkers Cottage – Grade II listed building
- Bower Cottage – Grade II listed building

<u>2. Non- Designated Heritage Assets</u>

- Long Barn
- Munfin House (formerly Grappenhall House)
- Hurst Area of Special Character

<u>3. Potential Archaeology</u>

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Third parties have noted that the Heritage Statement submitted by the applicant is the same as that submitted for the previous application which incorporated this site (ref. 260353). This is noted, however does not prevent Officers from carrying out their own assessment. The WBC Built Heritage Officer has confirmed that the applicant's submitted heritage statement, along with the heritage statement prepared by Ridgeway Heritage Consultancy, commissioned by a neighbour, has also been considered. More broadly, the planning officer notes the numerous objections on heritage grounds.

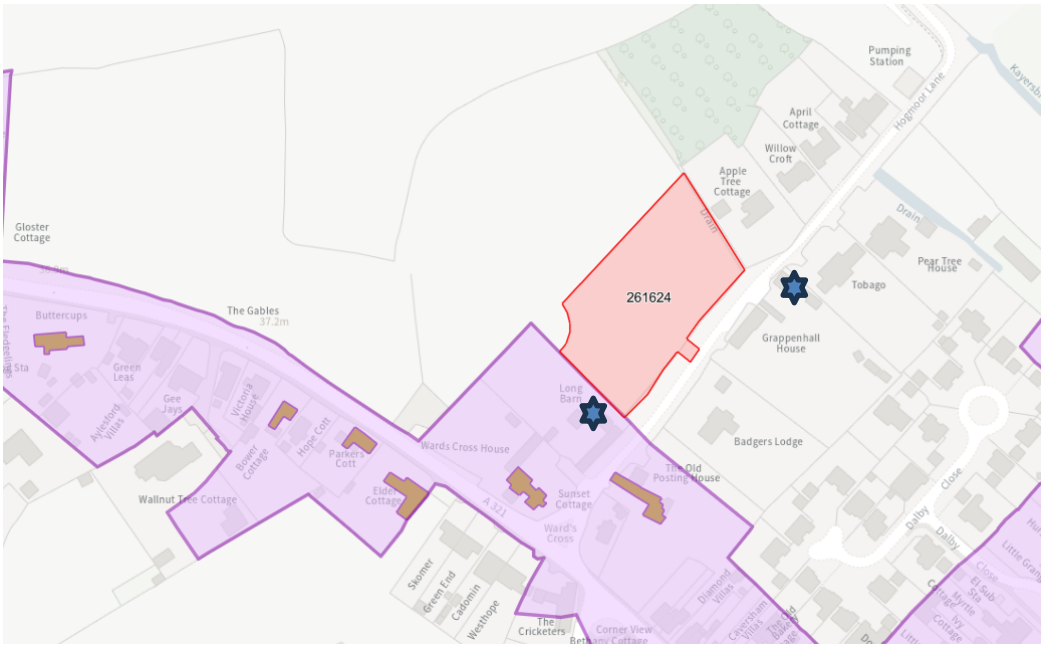
The application site does not contain any designated heritage assets (Listed Buildings), and therefore the proposal will not have a physical direct impact on these assets. However, the development would have an impact to varying extents on the setting of nearby assets. Historic England's 'The Setting of Heritage Assets, Historic Environment Good Practice Advice in Planning Note 3 (Second Edition)' advises:

"Setting is the surroundings in which an asset is experienced and may therefore be more extensive than its curtilage. All heritage assets have a setting, irrespective of the form in which they survive and whether they are designated or not."

And that:

"The extent and importance of setting is often expressed by reference to visual considerations. Although views of or from an asset will play an important part, the way in which we experience an asset in its setting is also influenced by other environmental factors such as noise, dust and vibration from other land uses in the vicinity, and by our understanding of the historic relationship between places."

Below shows the application site in relation to designated and non-designated heritage assets:



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The application site (red) in the context of Listed Buildings (brown), Non-Designated heritage assets (buildings) (blue starred) and the Hurst Area of Special Character (purple)

Impact on Designated Heritage Assets (Bower Cottage, Parkers Cottage, Elder Cottage, Wards Cross House and The Old Posting House)

Impact on Bower Cottage, Parkers Cottage & Wards Cross House
Whilst setting is not limited to intervisibility, due to the relative and increased distance (as compared to the previous application currently at appeal), development at the application site would not be considered to have a harmful impact upon the setting of Elder Cottage, Parkers Cottage, Bower Cottage and Buttercup (all Grade II listed). As such, no further assessment of these designated heritage assets is undertaken.

Impact on The Old Posting House
The Old Posting House (Grade II) is a 16th century timber framed building with a Queen post gabled roof form, infill brick noggin panels, altered and extended in the 17th, 18th, 19th, 20th and 21st centuries. The current primary elevation faces south towards Broadwater Lane, however there is an appreciation of the building is from north-west, from Hogmoor Lane, of which the original structure – a two-bay late 16th century – faced. The (now attached) barn elevation ends on to the lane, immediately abutting the highway, and when appreciated in combination with Long Barn opposite provides a significant contribution to the rural character of the AoSC. The Old Posting House and associated barn positively contribute to the character and appearance of the of the AoSC and draw their significance not only form the architectural and historical interest but to their setting, notably the transition from the open landscape of Hogmoor Lane into the built historic cluster around Ward's Cross. However, due to the set back nature of the building, as well as the lack of tangible evidence that the application site formed part of the functional holding of the building (as compared to Ward's Cross House), whilst the wider rural setting of the listed building would be eroded, this would not reach the level of 'less than substantial' harm in NPPF terminology. This assessment is consistent with the LPA's consideration for the previous applications. Accordingly, there the proposal would not result in quantifiable harm to this designated asset.

Impact on Wards Cross House
Wards Cross House (Grade II) is a 17th century timber framed farmhouse with cross wing, altered and extended in the 20th century, located on the junction of Broadwater Lane and Hogmoor Lane. The building is of two-stories, mainly with white painted render, with some exposed timber framing, under a hipped and half-hipped roof structure. The building was the farmhouse for the former farmstead, which includes the property now known as 'Long Barn' – which is part formed from a likely 18th century cartshed – as well as a number of other ancillary buildings which have been demolished. As a farmhouse, the building had a functional relationship with the land that surrounded it, specifically that land to the north-west and north-east (which forms the application site). Whilst no longer in the same ownership, nor farmed by the farmstead, the application site forms an important setting and element to the building's significance, in that this was the associated agricultural land for which the purpose of the building was constructed. Further to this, the open field setting to the north-east provides contemporary contextual understanding of the former farmstead, allowing for greater appreciated of the historic significance of the listed building. To introduce built

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form and thus remove the agricultural aspect of the setting to the north-east, would seek to erode this appreciation leading to harm to the listed building's significance. The WBC Built Heritage Officer confirm this harm would be identified as less than substantial at a low level within this scale (due to the reduced development area (as compared to applications 240583 and 260353), as the proposed development would introduce a suburban character which directly conflicts with the historic setting.

The increase in population as a result of the development will also result in more residential paraphernalia (which the Inspector of the 1999 appeal referred to as a shortcoming) and every day residential occurrences such as vehicle movements and general household noise. However, this is the case for all scales of residential development, and the provision of 1 or 2 dwellings is a modest amount for the historic surroundings, given the surrounding area is an established residential area.

The Council must perform its duty under section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 as to have *"special regard to the desirability of preserving the building or its setting".* Taking this into account, there would be less than substantial harm (to the low end of the spectrum) to the setting of Grade II designated heritage asset Wards Cross House. Accordingly, paragraph 215 of the NPPF applies which sates:

"Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use".

As such, a heritage balance, taking into account the harm and public benefits, is required and is below.

The proposal would result in a degree of less than substantial harm to the significance of the designated heritage asset through its impact on its setting. The harm identified is at the lower end of the less than substantial harm spectrum. In accordance with Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, considerable importance and weight has been given to the desirability of preserving the listed building and its setting. Great weight is also attached to the conservation of heritage assets in accordance with paragraph 212 of the NPPF. Applying the heritage balance required by paragraph 215 of the NPPF, the identified heritage harm has been weighed against the public benefits of the proposal.

The proposal would provide one/two additional dwelling(s), contributing to the supply of housing and making an efficient use of land within a location that, despite the site's designation in the countryside, is deemed to be suitably sustainable following assessments of recent nearby planning applications and appeals. Having regard to the limited nature of the heritage harm identified, it is considered that these public benefits outweigh the less than substantial harm to the significance of the heritage asset. Whilst Policy TB24 of the MDD seeks to conserve and enhance of designated heritage assets including their setting, paragraph 215 of the NPPF is a material consideration. Accordingly, whilst there is a degree of conflict with TB24, the existence of the balance to be undertaken at paragraph 215 of the NPPF tolerates less than substantial harm

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(no matter if that is low or high ends of the spectrum) if the public benefits outweigh this harm. Ultimately here, the harm is judged by Officers to outweigh by the public benefits.

Impact on Non-Designated Heritage Assets (Hurst Area of Special Character, Munfin House and Long Barn)

The Area of Special Character, Munfin House and Long Barn are in close proximity to the site and the site is deemed to form part of the setting of these assets.

In light of these non-designated heritage assets, paragraph 216 of the NPPF is applicable which states that *"The effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset."*

Establishing the significance of the non-designated heritage assets is therefore essential as it is the effect on this significance that needs to be taken into account in determining the resultant harm.

Hurst Area of Special Character

Areas of Special Character (AoSC) are areas or groups of buildings that are of a consistent period or character, but where a Conservation Area designation may not be justified. Such areas have local value and may be designated through local listing as Areas of Special Character. Areas of Special Character were initially identified through a built environment survey that informed the 1994 Wokingham District Plan. Since then, this local designation and the areas identified were reaffirmed through the adoption of the Managing Development Delivery Document (MDD) in 2014, in accordance with MDD Policy TB26 'Buildings of Traditional Local Character and Areas of Special Character'.

The Village Centre, Hurst Area of Special Character is one of a series of such areas, established in 1994, that gave recognition to historic settlement areas within the borough, which whilst not meeting conservation area quality however contained historic and traditional buildings and/or settlement layout such that these areas are acknowledged to be of local historic interest.

The Historic Environment Topic Paper (HETP) assessment states that: *"The area has a largely linear layout, with the majority of built form concentrated on Broadwater Lane which links the settlements of Whistley Green and Hurst. The area is predominately residential, comprising two storey semi-detached and detached buildings of a variety of ages and designs, featuring a mix of brick and white render elevations. Broadwater Lane is heavily vegetated on the stretch of road between Hurst Village and Whistley Green, with many mature trees and open fields on the northern side of the street. The AoSC encompasses the Hurst Cricket Club to the south, as well as Hurst Lodge, a Grade II* listed building and its adjacent Locally Listed Historic Park and Garden. There are also a number of Grade II Listed Buildings within the area, dating from the 16th to late 18th century."*

Munfin House

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Munfin House (previously Grappenhall) is located outside the AoSC to the north-east, along Hogmoor Lane, and directly opposite to the application site. The building is identified as a non-designated heritage asset. The age of the building is uncertain, as whilst it presents as a 19th century 'Tudorbeathan' recreation, it may contain earlier fabric. Due to the historic form and materiality, the building positively contributes to the setting of the AoSC, and to the nearby listed buildings.

Long Barn

Long Barn refers to a now residential dwelling, which is formed part from the 'long barn' which runs parallel to Hogmoor Lane. It is only the historic barn element of the property which is identified as a non-designated heritage asset. The barn was associated with the Wards Cross House farmstead and provides tangible evidence of the former farmstead's character. The exact age of the barn is uncertain. The linear form is raised on a brick plinth of approximately 15 courses, primarily in a Header bond, (presumed) timber frame structure clad in weatherboard, under a hipped roof. From the presence of Queen Closers on the plinth it can be assumed the length of the building is unaltered, and thus taken with the other elements can conject that the building may have been a cartshed-cum-shelter dating from the 18th century (this is caveated as a full inspection has not been possible). In any rate the historic barn strongly contributes to the character and appearance of the AoSC and to the setting of the neighbouring listed buildings, notable Wards Cross House, its former host. This is particularly emphasised due to the historic relationship between the built form and the land in that the barn was built specifically in relation to the land, and the functional purpose of it, thus giving rise a tangible connection and resultant contribution to the asset's significance.

Assessment

Impact on AoSC

The rural setting of the AoSC can be particularly appreciated when travelling along Hogmoor Lane from the north-east. The lane is very rural and verdant in character with scattered historic dwellings – there is very much the feeling of being isolated and travelling along a historic route as it navigates field boundaries. Further to the south-west more built-form arrives, but there is still a sense of that rural – to semi-rural character, this is, in part, informed by the appeal site to the north of the lane. From travelling from this direction, the end of the long barn of Wards Cross House (former) farmstead is prominent and reinforces the rural and agricultural character of the vicinity. It is only when you arrive at the Ward's Cross itself as a junction does the character shift from semi-rural to village in nature. Taking the historic context and the contemporary appearance, the proposed development would seek to harm the significance of the AoSC through the erosion to its setting.

Impact on Long Barn

The application site forms and important setting and element to the Long Barn's significance, in that it was associated agricultural land for which the purpose of the building was constructed. This would be, in part, lost as a result of development on this site. Ultimately, as the Long Barn forms part of the historic complex, it would see its significance harmed for the same reason as was concluded for designated heritage asset Wards Cross House.

Impact on Munfin House

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The development of the land opposite would seek to erode the setting, and thus the character of this vicinity, however, in purely heritage terms, the non-designated heritage asset draws some, but limited, significance, from this setting, being that it was not part of its holding, or at least there is no evidence to suggest so, although the land does form part of its contextual setting. Consistent with the LPA's previous assessment, it would be considered no harm would arise to the significance of this non-designated heritage asset.

Overall, the resultant harm to Long Barn and the AoSC non-designated heritage assets is the loss of the open land which provides visual and historic value to the setting of these assets. This was also the harm that the designated heritage asset (Wards Cross House) would also experience.

Heritage Conclusion

The proposal would alter the views and established context of the AoSC and Long Barn thus there is acknowledged conflict with policy TB26 of the MDD which states that proposals should… "*retain and enhance the traditional, historical, local and special character of the building or area and its setting"*. It is acknowledged that the level of harm could be reduced depending on the final number of dwellings (1 or 2) and their siting. For example, if only 1 dwelling were proposed to the north of the site, there could remain a sizable portion of the field left closest to Long Barn, which would help minimise impact on the significance of this asset. However, unlike landscape impacts which are more long reaching across the site, the impact on heritage assets are more directly related to the loss of the application site itself per se as a totally open field due to the historic link and formation.

Despite the conflict with policy TB26, paragraph 216 of the NPPF requires a balanced judgement which means there is no automatic presumption against harm. Rather, a proportionate balancing exercise is required between the significance of the asset and the scale of any harm or loss.

As identified above, the loss of the field in any form will result in adverse harm to the significance of both the non-designated heritage assets. Whilst the exact number of dwellings and the siting of the dwellings is a matter for Technical Details Consent stage (where Officers would seek the most appropriate siting in relation to heritage assets as possible), the PiP application site extends the entirety of the field, and therefore on that basis, Officers are working on the maximum case scenario that the proposal would result in the total loss of the field as an agricultural field which in itself is an important contribution to the setting and significance of the non-designated heritage assets.

Whilst there is no formal weighting scale to measure harm to non-designated heritage assets, unlike when assessing harm to designated heritage assets, Officers prescribe moderate harm to the significance of the assets and therefore overall the weight against the proposal is also judged to be moderate, when taking into account paragraph 216 of the NPPF. In the previous, larger application which incorporated this application site (ref. 260353), the harm attributed to the Area of Special Character was moderate to high. Given this scheme is reduced compared to the portion of this previous scheme on Hogmoor Lane, the harm, logically, is also reduced to moderate.

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The moderate level of harm to 2 x non designated heritage assets, as a result of the location, land use and amount of development, will be factored into the overall planning balance as a disbenefit of the scheme. The balanced judgement, as required by paragraph 216 of the NPPF will also factor into the overall balance.

Archaeology

Policy TB25 of the MDD states that *"Where development is likely to affect an area of high archaeological potential or an area which is likely to contain archaeological remains, the presumption is that appropriate measures shall be taken to protect remains by preservation in situ. Where this is not practical, applicants shall provide for excavation, recording and archiving of the remains."*

Upon consultation with Berkshire Archaeology it was identified that there are potential archaeological implications with this proposed development as demonstrated by Berkshire Archaeology's Historic Environment Record. The site lies close to the village of Whistely Green, which has origins in the Medieval period, being mentioned within 13th century documentary evidence as exiting in 968AD whilst an 11th century timber church is believed to have been established by 1090AD. Crop marks c.430m northwest of site, along with pottery finds, evidence it may be a shrunken Medieval village which extended over a wider area. A further complex of crop marks 360m north of the proposal may indicate a further area of settlement, and Prehistoric worked flints and Medieval pottery found near to these cropmarks during a field walking survey. At Valley Nurseries c.260m southwest of the site a series of undated ditches and gullies suggest further settlement activity in the area. Although this is a much-reduced proposal, it is likely the plot has never previously been developed and therefore any archaeology may remain undisturbed.

Whilst this is the case, Berkshire Archaeology have ultimately not raised objection to the principle of development on this site but have recommended a condition for a Written Scheme of Investigation to be submitted and approved which will seek to outline methodologies and recording of any archaeology found on site. Such a condition could only be applied at Technical Details Consent stage, and this would be done so if requested by Berkshire Archaeology at that stage.

Location, land use and amount of development in relation to the impact on neighbouring amenity:

Policy CP3 of the Core Strategy states that development shall be without detriment to the amenities of adjoining land users. This is echoed by DH2 of the LPU.

From the indicative layout there would be an approx. 33m and 43m separation distance between the proposed dwellings and those opposite. This is in excess of the Borough Design Guide SPD which states there should be minimum 10m front-front relationship across the street.

The proposed dwellings would indicatively be relatively in line with adjacent neighbours, although noted that presently plot 1 would be set back further than the exisitng neighbour to the south-west (Long Barn). However, as mentioned, the layout as shown on the proposed site plan is indicative only.

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Given the size relative to the number of dwellings proposed, in principle, Officers are confident that the location and amount of development could be accommodated in principle without detrimentally affecting neighbours in terms of loss of light, privacy or overbearing. Concerns have been raised regarding the topography of the site being on more elevated land than the highway (by 0.5m). The final layout would be provided at Technical Details Consent stage where a more in-depth assessment on neighbouring amenity would occur. However, due to the land not being so substantially elevated that it appears overly stark to the eye in relation to surroundings, this is not considered to prevent the site's redevelopment in principle. Rather, the scale and massing of the dwelling(s) would need to be carefully and sensitively designed at the Technical Details Consent stage.

Location, land use and amount of development in relation to flood risk:
Policy CC09 of the MDD states that all sources of flood risk, including historic flooding, must be taken into account at all stages and to the appropriate degree at all levels in the planning application process to avoid inappropriate development in areas at risk of flooding. Policy CC10 of the MDD states that all development proposals must ensure surface water arising from the proposed development including taking into account climate change is managed in a sustainable manner.

A number of representations from third parties have objected on grounds of flooding and drainage, stating the site and surrounding area floods and this has failed to be acknowledged by the applicant's flood risk consultant. Objections have also been received questioning the reliability of the FRA, noting that it contains a disclaimer limiting liability to third parties. However, the disclaimer is not cosndiered to render the report redundant for the purposes of planning. Rather, the relevant consideration for the LPA/ LLFA is whether the submitted FRA provides sufficient information to assess flood risk and whether its conclusions are accepted by the Council's technical consultees.

The LLFA have reviewed this application, and despite errors or omissions perceived by neighbours in the FRA, the LLFA as the expert specialist, has the ability to come to a view.

According to the Environment Agency's flood risk map for planning, the application site is located in Flood Zone 1 which is defined as the areas of lowest risk of fluvial flooding.

According to the PPG, Table 2: Flood risk vulnerability and flood zone 'incompatibility' outlies that 'More Vulnerable' development (which buildings used for dwellinghouses are as per Annex 3 of the NPPF (2024), Flood Risk Vulnerability Classification) is compatible in Flood Zone 1 without the requirement of a sequential or exception test. Development should aim to be located in areas of low fluvial flood risk, and as such, sequentially there is not a lower or more suitable flood zone for this residential development to be situated in.

Notwithstanding that, WBC Drainage Officers/ LLFA have acknowledged that the area experiences very high groundwater levels. A mapped area of surface water flood risk is present, associated with the roadside ditch along the site's eastern/northern boundary, and is accepted as being substantively contained within this feature rather than posing a risk to the developable area. Whilst there is evidence of high groundwater

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and mapped surface water flood risk associated with the roadside ditch, these matters are technical considerations that will need to be addressed through an a flood risk assessment/ surface water drainage strategy at Technical Details Consent stage once the site layout is confirmed.

Objections refer to the Wokingham Borough Council Section 19 Flood Investigation and contends that the submitted Flood Risk Assessment does not adequately address flooding issues identified within that report. However, the application has been assessed by the Council in its role as Lead Local Flood Authority and no objection has been raised on flood risk or drainage grounds in principle. The LLFA is the Council's statutory technical adviser in respect of local flood risk matters and is satisfied that the proposal would not result in an unacceptable increase in flood risk to prevent the PiP being granted. Consequently, whilst the comments are noted, they do not provide substantive evidence to demonstrate that the proposal would result in an unacceptable flood risk impact.

As raised in third party comments, there are some inconsistencies in the applicant's submitted planning statement and the submitted Flood Risk Assessment:

- Red line boundary in the FRA includes the ditch which runs along Hogmoor Lane
- Planning statement mentions swales and attenuation basin but these are not shown on the submitted plan
- FRA mentions locating the access to the north, but plans show it located centrally

Council records show that the roadside ditch is in Council adopted land, and as such, separate consent from the Council as landowner will be required to culvert or discharge into the ditch. Obtaining separate consents are not a matter to resist this PiP application. If the landowner cannot obtain necessary consents then they would not be able to implement any approval.

The LLFA have advised that if the final design requires a new crossing of the roadside ditch, this would be subject to separate consideration under the relevant consenting regime. Any works affecting the ordinary watercourse, including culverting, would require the appropriate consent where applicable, and would be assessed on their own merits at that time.

It is noted that the planning statement mentions the use of swales and an attenuation basin, but this is not reflected in the FRA. The proposed drainage scheme would be secured at Technical Details Consent stage. No drainage details are required, or can be approved, at PiP stage, as it is a matter for technical consideration that will ultimately depend on the final number of dwellings and the overall site layout. As such, the applicant's potential proposal of using the ditch for drainage may also not come to fruition. A compliant drainage scheme would be required, and would be reviewed, at Technical Details Consent stage.

There is also inconsistency amongst documentation regarding the location of the access. As part of the PiP application, the red line application site covers the proposed access, and so would be expected to be in this location at Technical Details Consent stage, although Officers do acknowledge this is a somewhat grey area given access is

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not an explicitly referenced matter for determination at PiP stage. However, there has not been in principle concern raised regarding this inconsistency from the LLFA or no explicit comment from them in their consultation response advising that this proposed access location as outlined on the site location plan raises concern or objection. Furthermore, no suggestion or request was made to move the access to an alternative location on the grounds of flood risk. Ultimately, should the access need to be repositioned upon the final design of the site layout, or to satisfy the LLFA at Technical Details Consent stage, the applicant will not be able to progress this PiP. However, it is considered that suitable drainage scheme at Technical Details Consent is a plausible solution to prevent surface water flooding on the proposed central access point.

Therefore, the site is located in an area of low risk fluvial flooding and as such, there is not a sequentially preferable location for residential development in principle. Matters of drainage are for Technical Details Consent, where if the off-site ditch were proposed to be used for drainage, confirmation of landowner consent/ Ordinary Water Course consent would be needed, as would it be to culvert the ditch. Overall, the LLFA/ WBC Drainage have raised no objection to this permission in principle application or raised concern over flooding that would a constraint to the principle of development. It should also be noted that the Environment Agency were also consulted on this application, but stated they did not wish to comment.

Location, land use and amount of development in relation to the highway network:

Policy CP6 of the Core Strategy states that development should not lead to highway problems, along with providing for sustainable forms of transport.

Policy CC07 states that sufficient parking shall be provided as part of development proposals, as does policy C5 of the LPU.

The applicant's transport note (prepared by itransport) as well as the note commissioned by a neighbour, prepared by Entran Ltd, have been reviewed, along with other neighbour comments.

The traffic generated from up to two new dwellings are unlikely to have significant impacts on the wider highway network. Parking provision would also be assessed and secured at TDC, however the size of the site relative to the number of dwellings would not indicate concern that adequate parking could not be achieved on site.

The proposed dwellings would be accessed via a new vehicular access onto Hogmoor Lane. At PiP stage, the requirement is to ensure the site does have the capability of being accessed in principle (but with all technical matters and detailing being considered at TDC stage).

The Inspector of application ref. 981273 was concerned with the potential conflict between vehicles and other road users along Hogmoor Lane and the intensification of substandard junction onto the A321. It is relevant to note that Hogmoor Lane provides access to another 13 no. dwellings, which remain unchanged since the application 981273, but the speed limit of the A321 Broadwater Lane is reduced from 40mph (in the late-90s) to 30mph (latest).

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As stated in the Inspector's decision, Hogmoor Lane is a single-track road about 3m-3.5m wide in the vicinity of the appeal site and narrowing to 2.8m wide about 20m-30m to the north, which can accommodate one-way traffic with limited informal passing places provided at the access to other residential dwellings.

The applicant will be expected to provide proportionated improvements to minimise conflicts between vehicles and other road users and sufficient intervisibility from the proposed site access onto Hogmoor Lane will need to be demonstrated; both at Technical Details Consent stage.

The applicant has presented 3 options to upgrade the Hogmoor Lane/ Broadwater Lane junction. The Local Highways Authority would also expect improvements to the substandard junction. On that basis, Junction Option 1 would not likely be accepted. For the remaining two options that require works on classified A-road, the acceptance of proposed junction arrangement will have to be supported by a Stage 1 Road Safety Audit at Technical Details Consent stage. Any works to the junction will also have to be assessed from a character/ heritage perspective at that stage, particularly in light of the WBC Tree & Landscape Officer's comments that highlight that the works could result in the loss of a central grass verge which is a historic feature of the village network of lanes and footpaths.

Overall, the proposed development on this site may require off-site highway improvements (especially if 2 dwellings are proposed). However, a proportionate view would be required at Technical Details Consent stage based on the current context.

Any off-site highway works cannot be secured at PiP stage (ie. through a legal agreement, as legal agreements cannot be attached to PiPs) and furthermore the site layout is indicative (the LPA are unsure if the minimum 1 or maximum 2 dwellings would ultimately come forward) which may affect the extent of off-site works needed.

Therefore, for a PiP application proposing development that will require off-site highway improvements, the below are the extent to which Officers consider can reasonably consider/ ensure at this PiP stage:

- Seek highway authority advice on whether the principle of mitigation is acceptable
- Confirm that land/control issues do not prevent delivery
- Note that the detailed design and delivery mechanism (condition, s106 and/or s278) will be addressed through the subsequent Technical Details Consent application

In this instance, the principle of mitigation is acceptable, subject to final design and assessment of consequential impacts on the surrounding area (ie. in terms of design). WBC Highways have also not raised any concerns regarding deliverability given the present 3 options are all contained within the adopted highway (and should the design of junction improvements evolve in the future, these will need to remain in the adopted highway if they wish to actually be able to be delivered, unless agreement is made with private third parties). The detailed design and mechanism of

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delivery would be secured at Technical Details Consent stage via planning conditions and legal obligations; these are beyond the scope of a PiP.

Furthermore, visibility splays and all other highway technical documentation will be required to demonstrate the detailing of the access would be safe. However, in principle, WBC Highways do not object to the application for redevelopment of the site for a maximum of two dwellings. As such, in terms of location, land use and amount, the site is suitable for permission in principle in terms of highway considerations.

Location, land use and amount of development in relation to the impact on the natural environment (trees and ecology)

Policy CC03 of the MDD states that development shall protect exisitng trees and hedges and incorporate high quality landscaping.

Policies CP7 and TB23 of the MDD state that biodiversity and protected species should be protected.

Trees
An Arboricultural Implications Report has been submitted. This is the report that was submitted for the previous application which included this application site (ref. 260353). As noted by the WBC Tree & Landscape Officer and third parties, the report has not been updated to reflect this current scheme. This was raised as a concern by both.

The report includes the site within its survey, although it is not showing the site layout for this particular application. As the proposed design includes access to the dwellings from Hogmoor Lane there will be a requirement to remove some of the boundary hedgerow and potentially trees. An updated Arboricultural Implications Assessment to BS5837:2012 is required as part of the required. However, this can be submitted at Technical Details Consent stage when the proposed layout would be finalised.

The site contains no protected trees and so there is not ground to conclude that the site is unsuitable for development in principle. Trees/ vegetation is also located on the boundaries as opposed to centrally in the site, and as such trees are not a constraint to development to conclude it is unsuitable in principle for development, despite an absence of an arboricultural report.

One tree that is just outside the site is a veteran, within the rear north-west corner of the garden of Long Barn. The tree surveyed as T1 Oak in the tree survey is protected by TPO 1788-2021. The site boundary follows the line of the Veteran tree Buffer Zone which is measured at 15 x girth diameter at 1.5m from the ground. This is intended to protect the tree from development however there is no information on how the transition to the buffer zone may be dealt with. However, this would be considered and explored further at Technical Details Consent stage one the final layout is known.

Any loss of vegetation identified at Technical Details Consent stage should be replaced elsewhere on site to ensure there would be no net loss of landscaping, as per policy CC03 of the MDD.

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Ecology
The WBC Ecologist has reviewed the proposal. Previous surveys undertaken on this site, in relation to outline planning application: 240583, identified the site supports a population of bats of county-level importance, with nine species recorded and two offsite trees (T014 and T016) containing features with potential to support a maternity roost. However, the current PiP proposal does not provide any ecological surveys to indicate bat potential for the onsite off-site veteran oak tree (Tree no.1). However, the oak tree is proposed to be retained and the development to fall outside the root protection zone.

Artificial lighting from the development could impact this tree however it is possible this can be mitigated for and therefore details can be addressed at Technical Details Stage. Although the site lies within an SSSI Impact Risk Zone, the scale and nature of the proposed development do not trigger consultation with Natural England.

Ensuring the proposed culverting will not result in ecological harm is also a matter that can be assessed at Technical Details Consent stage, as confirmed by the Ecologist.

In terms of Great Crested Newts specifically, NatureSpace have been consulted and advise that the site falls within the amber impact zone for great crested newts and there are records of the species within 500m. Their presence on site, therefore, cannot be ruled out. However, NatureSapce have advised this matter can be investigated further dealt with at Technical Details Consent Stage where a Preliminary Ecological Appraisal will be required to be carried out.

On this basis, the WBC Ecologist and NatureSpace have not identified any constraints that would prevent the site being considered suitable for development in principle.

Other Matters:
WBC Environmental Health have also confirmed that given the nature and limited scale of the proposal, Environmental Health is satisfied that the principle of residential development for up to two dwellings is acceptable from an environmental health perspective and that matters such as noise or land contamination do not pose a constraint to the principle of development. Any detailed matters relating to the layout and design of the development, construction activities, lighting, noise or other amenity considerations can be assessed, where necessary, at the Technical Details Consent stage.

Planning Balance/ Conclusion:
The most important policies for determining the application are out of date by virtue of The absence of a 5 year housing land supply. Paragraph 11 of the Framework therefore states that permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole.

Paragraph 9 of the NPPF outlines that achieving sustainable development means that planning system has three overarching objectives: economic, social and environmental. The benefits and disbenefits of the scheme are therefore considered against these three objectives below.

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The proposal would provide several material benefits that weigh in favour of the application. The provision of new housing weighs substantially in favour of the scheme and there would be associated economic benefits as a result of the new population and during the construction phase, albeit the latter would be a short-term benefit. The social benefit of up to two new dwellings is therefore afforded **substantial** positive weight in light of the borough's identified shortfall and the economic benefits are afforded **moderate** positive weight.

In terms of environmental benefits, these are limited due to the nature of the application type where the number of dwellings and siting of development is not finalised. However, the site would be located in a suitable sustainable location which could provide some realistic opportunities for residents to travel to local facilities and amenities via sustainable transport methods, and consequently this has environmental benefits. However, this is considered to feed into the substantial positive benefit of housing as identified above. Whilst not a benefit, no natural environment constraints have been identified for development in principle (in relation to trees and ecology) and accordingly these are not given weight.

Against these benefits, harms have been identified to the natural and historic environment. The harm to the landscape is considered to be afforded **moderate** negative weight. Any built form here would reduce this 'gap' in the landscape, and the views across the landscape for those on/ travelling along Hogmoor Lane. It would also conflict with the landscape strategy for the C2 Landscape Character Area which is to '*conserve and enhance the quiet rural and agricultural landscape'* and so there would be conflict with policy TB21 of the MDD. The site is also considered to be a valued landscape (due to the WBC Tree & Landscape Officers assessment as opposed to its designation in the Hill Haines Valued Landscape – as discussed earlier in the report). Paragraph 180 of the NPPF requires protection and enhancement of valued landscapes. This proposal, through introducing built form, would inevitably conflict with this due to the presence of built form on a presently greenfield site. However, there are considered to be factors that have resulted in a tempering of this harm to reach an overall moderate level. Most notably, this is the very low density of development, and the quantity of development in relation to the application site there would be some intervisibility across the site and wider fields due to the limited number of dwellings proposed. The presence of 1 or 2 dwellings would also be considered a suitable number to satisfactorily assimilate into the loose village character found on Hogmoor Lane. This is a distinct contrast with the previous scheme that is currently at appeal.

Low level less than substantial harm has been identified in respect of designated heritage assets (Ward Cross House) which is a disbenefit of the scheme per se, however the heritage balance assessment, as required by paragraph 215 of the NPPF concluded that public benefits of the provision of housing would outweigh this harm.

Moderate negative weight is given to the harm identified to the setting of non-designated heritage asset Long Barn and the Hurst Village Area of Special Character. The harm identified to the setting was due to the erosion of the rural landscape which informs its character, two-fold: as an unchanged post-medieval agricultural landscape associated with the manorial development and the interrelated setting of the historic buildings in the vicinity, and that it provides a contemporary verdant rural backdrop to the village character defined as an important quality of the area.

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As a result of the proposal exhibiting a moderate level of harm to the natural and historic environment, the proposal is also judged as not according with the overarching aim of policy CP11 which is to maintain the quality of the environment. Accordingly, conflict with the countryside and spatial strategy policies of the development plan, including CP11, is afforded moderate negative weight in the planning balance. However, in light of the borough's housing land supply shortfall (absence of a required 5 year housing land supply), the conflict with policies associated with the spatial strategy hold **moderate negative weight.**

As the above identified benefits and harms then carry across into the final planning balance.

Whilst the proposal would result in low-end less than substantial harm to the setting of Wards Cross House, the identified heritage harm does not amount to a robust reason for refusal under paragraph 11(d)(i) of the NPPF and has therefore been weighed within the overall planning balance.

As mentioned, the Council cannot demonstrate a 5-year housing land supply and paragraph 11(d) of the NPPF therefore states that permission should be granted unless:

(i) The application of policies in this Framework that protect areas of assets of particular importance provides a strong reason for refusing the development proposed; or

(ii) any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole, having particular regard to key policies for directing development to sustainable locations, making effective use of land, securing well-designed places and providing affordable homes, individually or in combination

Footnote 9 of the NPPF confirms that the relevant 'key policies' referred to are those in paragraphs 66 and 84 of chapter 5; 91 of chapter 7; 110 and 115 of chapter 9; 129 of chapter 11; and 135 and 139 of chapter 12 of the NPPF. Considering each of these in turn:

- Paragraph 66 – Affordable Housing – There will not be a requirement for this small site to provide affordable housing. The Council's affordable housing policy is contained within Core Strategy Policy CP5 and the Affordable Housing SPD (2013). However, these documents pre-date subsequent changes to the NPPF (Para 65), which established that the provision of affordable housing should not be sought for residential developments that are not major developments, other than in designated rural areas (where policies may set out a lower threshold of 5 units or fewer). In addition, the Council can only currently demonstrate a 2.5-year housing land supply, significantly below the required five years, meaning that Policy CP5 is afforded reduced weight as an out-of-date policy. This position has been reinforced through the examination of the emerging Local Plan Update, where the Inspectors concluded that the proposed five-dwelling threshold in Policy H3 is inconsistent with national policy and should be amended to reflect the national 10-dwelling

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threshold, finding no evidence to justify a local departure. In light of these considerations, significant weight is afforded to the national policy position and the Council does not seek affordable housing contributions from residential developments of fewer than 10 dwellings. Accordingly, the absence of affordable housing provision in this case is not considered to weigh against the proposal in the planning balance.

- Paragraph 84 – Rural housing – The development would not result in isolated homes in the countryside.

- Paragraph 91 – Main town centre uses which are neither in an existing centre nor in accordance with an up-to-date plan – Not applicable to this scheme.

- Paragraph 110 and 115 – Sustainable transport – The proposed site is located in the countryside which is not, by definition a sustainable location. However, based upon previous decisions on the site and in the immediate vicinity have not concluded that the site is not a sustainable location, and those schemes were for larger dwelling numbers. Furthermore, the LHA have not objected to this application on sustainability grounds (or any other highway grounds).

- Paragraph 129 – Achieving appropriate densities – As discussed in the report, the maximum proposed density is considered appropriate given the surrounding context.

- Paragraphs 135 and 139 – Achieving well-designed places – Given this is an PiP application, the full design of the residential scheme is subject to further approval. However, there will be landscape harm as a result of the proposed residential development which will affect the appearance of the surrounding area to a degree, but the harm is judged to be tempered by the low density and intervisibility between Hogmoor Lane and the wider landscape beyond the site.

On the whole, the proposal is deemed acceptable in relation with the vast majority of the key policies that para 11(d)(ii) refers the decision maker to consider, despite the moderate harms in relation to the spatial strategy and the natural and historical environment that have been identified.

As such, taking into account the benefits and disbenefits (harms) discussed and when assessed against the policies in the NPPF taken as a whole, with particular regard to those as discussed above, it is not considered that this harm is to such an extent, that it would significantly and demonstrably outweigh the identified benefits of the scheme. Therefore, the application is, on balance, recommended for approval.

NB. It should be noted that the larger scheme which incorporates the application site, which is currently under appeal, is still judged to be an unacceptable proposal, where the benefits were judged to be outweighed by the identified, larger harms (in comparison to this proposal). However, each application has to be assessed on its merits at the time it is submitted. Hence a different planning balance is reached here when taking all matters into consideration. However, this decision is not considered

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to, or seeks to undermine, the Council's case put forward for the appeal scheme which it urges the Planning Inspector to dismiss.

Community Infrastructure Levy (CIL): When planning permission is granted for a development that is CIL liable, the Council will issue a liability notice as soon as practicable after the day on which the planning permission first permits development. Completing the assumption of liability notice is a statutory requirement to be completed for all CIL liable applications.

The Public Sector Equality Duty (Equality Act 2010): In determining this application the Council is required to have due regard to its obligations under the Equality Act 2010. The key equalities protected characteristics include age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex or sexual orientation. There is no indication or evidence (including from consultation on the application) that persons with protected characteristics as identified by the Act have or will have different needs, experiences, issues and priorities in relation to this particular planning application and there would be no significant adverse impacts as a result of the development.

RECOMMENDATION	
Conditions agreed:	Not required – conditions cannot be attached to PiP applications
Recommendation:	Approve
Date:	13 August 2026
Earliest date for decision:	31 July 2026

Recommendation agreed by: **(Authorised Officer)**	
Date:	13/08/26

PLANNING CONSTRAINTS/STATUS

#	NAME
1	Outside Development Locations

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2	Within Modest or Limited Development Locations
3	Within Modest or Limited Development Locations
4	Within All Development Locations

Scale and Location of Development Proposals | Total count: 1

#	FEATURE_TYPE	NAME
1	Countryside	Countryside

Areas of Search for Sand and Gravel | Total count: 1

#	OBJECTID	OBJECTID_1
1	108	108

Mineral Safeguarding Areas | Total count: 3

#	Type	SubType
1	Soft Sand	Construction sand: Palaeogene: Thanet Sand Formation, Lambeth Grou Formation, London Clay Formation
2	Sharp Sand and Gravel	River Terrace deposits
3	Soft Sand	Construction sand: Palaeogene: Thanet Sand Formation, Lambeth Grou Formation, London Clay Formation

Major Nuclear Sites Consultation Zone | Total count: 1

#	FEATURE_TYPE	FEATURE_NAME	PLANNING_NOTE
1	Consultation Zone - Major Nuclear Site	AWE: Special Case Zone	ONR also requests to be consulted on planning applications, irrespective of distance from nucle special cases. Developments that either introdu hazard or change the existing external hazards nuclear sites.

Aerodrome Safeguarding: Heathrow Consultation Zone | Total count: 1

#	Height Band	Wind Turbine	A
1	All works exceeding 150 metres (492.1 feet)	YES	Y

Submitted Sites Live | Total count: 1

#	SITE_REF	LUPP	ADDRESS
1	5HU030	Housing (C3 Planning Use Class).	Land north-west of Hogmoor La

EA Groundwater Zones | Total count: 1

#	FEATURE_TYPE	FEATURE_NAME	CONSULT
1	Groundwater Consultation Zones	Groundwater Consultation Zone 3	Environment Agency (only if application in contaminated land) – see separate sheet: consult the Environment Agency

Water Network Watercourse Consultation Zone | Total count: 1

#	watercourseName	form
1	*No data*	inlandRiver

Annual likelihood of surface water flooding 1 in 1000 | Total count: 2

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#	depth_band
1	300-600mm
2	<150mm

Bat Roost Habitat Suitability | Total count: 3

#	FEATURE_TYPE	FEATURE_NAME	CONSULT
1	Bat survey required for planning applications that involve roof modification or demolition.	VO598	Ecology Officer, Infrastructure Te
2	Bat survey required for planning applications that involve roof modification or demolition.	VR593	Ecology Officer, Infrastructure Te
3	Bat survey required for planning applications that involve roof modification or demolition.	VR595	Ecology Officer, Infrastructure Te

Badger Consultation Zones | Total count: 2

#	FEATURE_TYPE	FEATURE_NAME	CONSULT
1	Badger Sett Consultation Zone	100 Metre Consultation Zone	Ecology Officer - Green Infras Team
2	Badger Sett Consultation Zone	100 Metre Consultation Zone	Ecology Officer - Green Infras Team

Great Crested Newt Impact Risk Zones | Total count: 2

#	FEATURE_TYPE	FEATURE_NAME	CONSULT
1	Great Crested Newt Impact Risk Zone	Green	Consult NatureSpace for Major developme
2	Great Crested Newt Impact Risk Zone	Amber	For Householder applications check HH La NatureSpace for all other types of developr

SSSI Impact Risk Zones | Total count: 1

#	IRZURL
1	https://irz.geodata.org.uk/IRZ/step2.html?irzcode=0101000322302&notes=&location=47992 %20(IRZ%20polygon%20centre)

Landscape Character Assessment 2019 | Total count: 1

#	FEATURE_TYPE	Name
1	Landscape Character Assessment 2019	Hurst River Terrace

Wards | Total count: 1

#	Name of area	Closest Approximate Distance
1	Twyford, Ruscombe & Hurst Ward	0 m

Parishes | Total count: 1

#	Name of area	Closest Approximate Distance
1	St. Nicholas, Hurst CP	0 m

Public: Information that can be seen and used by everyone inside and outside the Council.