

# PLANNING SUPPORT STATEMENT

**Land at Lodge Road, Hurst**

*Prepared For*  
**Forays Homes**

**November 2025**



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CHARTERED TOWN PLANNERS

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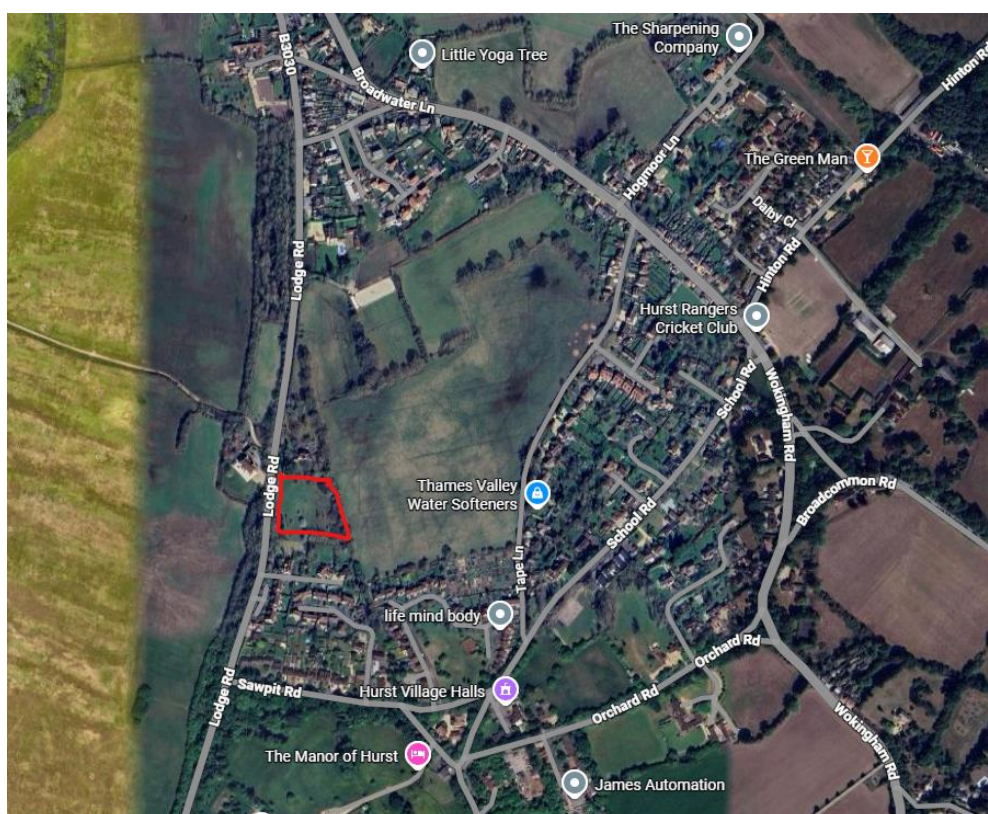
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# 1 INTRODUCTION

- 1.1 The Statement is prepared in support of an application for the erection of three new detached dwellings, including one self-build for the land owner, and associated infrastructure including a balancing pond of Lodge Road in Hurst.
- 1.2 The application site is shown in context of the surrounding area in the aerial photograph below. The site is currently an open field, to the east of the B3030 (Lodge Road) on the western side of Hurst village. It abuts the built form to the south and the village encircles the site to the north, east and south. The site to the immediate north is also in residential use so essentially the proposed development is an infill development between residential properties.



- 1.3 The site is generally open centrally with some low-level scrub centrally located. There are several trees and hedges along the boundary including a small copse of trees in the southwest corner.



- 1.4 The proposed development will reflect the low density detached nature of the residential development in the area. It continues the established building line off Lodge Road as demonstrated by the direct line between the nearest neighbouring properties below:



- 1.5 The proposed development will be access off Lodge Road with an enhanced access in the rough location of the existing access point. It will be centrally located and open out to a three-way driveway for the houses. All three houses will have allocated parking and a double garage within which both cars and cycles can be parked/stored.
- 1.6 A balancing pond will be provided to the south of the development in the area which the Environment Agency (EA) flood maps suggest that there is surface water flooding. This balancing pond is not a requirement for the proposed development and is presented as a betterment to address existing surface water issues rather than because it is a requirement of the proposed development.





- 1.7 Otherwise, the landscaping (trees and hedges) around the periphery of the site will remain to help the proposed development sit comfortably on the site and for it to retain its green characteristics. The density of development also helps then, ensuring against too much hard standing, parking and residential paraphernalia. The result is a high quality, bespoke development of three individually designed houses as shown on the site layout plan below.



## 2 SITE BACKGROUND AND PLANING HISTORY

- 2.1 The application site has been subject to two applications for residential development in the last 10 years.
- 2.2 Application reference 153431 for the proposed erection of 12no dwellings, garages and creation of new vehicular access off Lodge Road was refused in February 2016. There were several reasons for refusal but there is no evidence to suggest that these issues were independently adjudicated by the Planning Inspectorate on appeal.
- 2.3 Instead, the application was followed by application 172894 for the proposed erection of 5 no. new dwellings and garages with creation of a new vehicular and pedestrian access to Lodge Road and footway provision. This was subject to a public inquiry, and an appeal decision dated 31<sup>st</sup> January 2020. For analysis purposes, we show below a screen shot of that proposed development as it helps the narrative on how the issues raised have been addressed:



- 2.4 The main points from the Inspector's decision are presented below but the starting point must be that the Inspector, paragraph 6, concluded at the time that "there is no disagreement that the Council can presently demonstrate a 5 year supply of deliverable housing land, and that it has met the housing delivery test, evidence was



heard on housing matters. However it is accepted that the tilted balance cannot apply in this case through the lack of a 5 year housing land supply". In other words, **the presumption in favour of sustainable development set out in paragraph 11d) of the National Planning Policy Framework (NPPF) did not apply.** This is confirmed in paragraph 19 of the Inspector's decision in concluding, after deliberation about housing delivery and the status of the housing delivery policies, that "taking all of the relevant policies into account it is my judgement that they should not be deemed to be out of date such that the tilted balance of Policy CC01 should apply".

2.5 Other issues of concern are set out below:

- *"In my judgement the site is an important component of the open space which separates the northern and southern arms of the identified settlement of Hurst/Whistley Green. It is, however, not exceptional in itself, and cannot be regarded as a valued landscape for the purposes of NPPF paragraph 170."*
- *"It is not disputed that development of the site would change its character. Housing, the access road, gardens and realignment of hedgerows would be a fundamental change. As I have observed the site is an important component of the rural open space between northern and southern arms of the village. It serves a purpose in retaining the rural character along Lodge Road, and in my judgement it therefore has a moderate degree of susceptibility to change."*
- *"the change which would ensue from the development would be locally significant and would be perceived as the extension of built development into the open countryside. The new access would be a particularly urbanising feature with direct views into a cul-de-sac of large houses. 27. Furthermore, the proposed dwellings would be seen from Tape Lane, albeit across the intervening open field. Nonetheless the houses would project above and between existing vegetation, again emphasising the extension of built development into the countryside."*
- *"Taking all of these matters together it is my judgement that the location of the appeal site would not follow sustainable principles. Residents of the site would not be likely to*



*take advantage of walking, cycling or public transport to any significant degree.*

*In my judgement this is not an accessible location as required by Policy CP9.”*

- 2.6 From this, one of the most significant conclusions is that the type of development previously proposed; from the size of houses, the layout of the development (in the site-filling cul-de-sac style) and the quantum of houses proposed all contributed to the Inspector’s consideration of the magnitude of the harm that would result from the proposal.
- 2.7 By changing the layout to a linear style which reflects the building line and the character of the area, the proposed development now conforms with the identified characteristics of the area. Likewise, reducing the development to 3 dwellings means that they sit comfortably in a linear form. The proposed dwellings are smaller, less grand and therefore less visually dominant. Therefore, whilst there will always be visual impact and a level of harm resulting from new dwellings on a currently undeveloped field, the proposed development significantly reduces the amount of harm which results. The Inspector previously identified the harm at the top of the “moderate” harm spectrum. The proposal now submitted is far less harmful; we conclude “limited” harm (on a scale of no harm – limited harm – moderate harm – substantial harm).
- 2.8 The Inspector did not make a judgement on the level of *harm* resulting from the conclusions on the sustainability/accessibility of the site but given the narrative in dismissing the appeal, it was apparently attributed similar weight to the landscape/visual harm identified above. On this basis, presumably it was also a “moderate harm”.
- 2.9 Of course, in the 6 years since that application was considered by the Inspector, there have been considerable advances in the ownership of electric vehicles and the infrastructure associated with them. The proposed development will include Electric Vehicle charging points. This is important in the context of paragraph 110 of the NPPF which states that “**significant** development should be focused on locations which are **or can be made sustainable**, through limiting the need to travel and offering a genuine





choice of transport modes. This can help to reduce congestion and **emissions**, and improve air quality and public health”.

- 2.10 Given that the proposal is considerably reduced from the appeal scheme, it is reasonable to say that it is not “significant development”. Irrespective, the including of EV charging points makes the scheme more sustainable (with the reduced reliance on fossil fuels) and significantly reduces emissions; responding to the three emboldened points above.
- 2.11 The main difference between the previous application and the current proposal is that the harm identified was fatal to the application on the basis that there was no presumption in favour of sustainable development/tilted balance in play at the time. The in-principle conflict with the development plan had, at that time, nothing significant to outweigh it and therefore the site-specific harm identified was always going to be fatal to the proposal.
- 2.12 This current proposal, however, reduces the amount of harm from the proposal, increases the benefits<sup>1</sup> – see below, and, when considered in terms of housing need and the *tilted balance* means that planning permission should be granted on the basis that the benefits outweigh the harm. This statement provides further narrative of this, but it is important to provide the headline in the context of the previous Inspector’s judgement.

### ***Nearby sites – planning history***

- 2.13 There are two nearby sites which have been through the Planning system recently which are worthy of consideration. Firstly application 242067 for “Outline application for the proposed erection of up to 99 no. dwellings, green infrastructure, open space, pedestrian and cycle links, recreational facilities and other associated infrastructure and access points on Lodge Road and Tape Lane with required improvements. (All

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<sup>1</sup> A self build dwelling and a balancing pond to address existing surface water flooding issues



matters reserved except for means of access)” on the land immediately to the east of the application site.

2.14 This was refused by the Borough Council and dismissed on appeal following a public inquiry (decision dated 10<sup>th</sup> November 2025). The following conclusions of the Inspector are most relevant:

- Para. 16 - *Policy CP11 of the Wokingham Core Strategy Development Plan Document (the Core Strategy) resists development except where it falls within a limited range of categories considered appropriate in the countryside. The proposed development does not fall within any of those categories*
- Para. 17 - *Within the hierarchy of development locations identified in Policy CP9 of the Core Strategy, Hurst is recognised as a limited development location. For such locations, Policy CP17 of the Core Strategy allocates 100 dwellings over the plan period, with individual sites generally expected not to exceed 25 dwellings. Even were the site to have fallen within the development limits of Hurst, its scale of up to 99 dwellings would exceed that intended for limited development locations.*
- Para. 19 - *The most recent assessment of housing land supply was undertaken in August 2025 as an update to the evidence base for the local plan examination. It found that there is currently 2.5 years’ worth of housing land supply. As half that required by national policy it is a significant shortfall. This reduces the weight that should be accorded to the spatial strategy.*
- Para. 42 - *The package of measures proposed with the development would go some way to addressing that conflict, but nevertheless the standard of bus service and the quality of the cycling routes would still be likely to lead to a significant proportion of occupants choosing to use their cars in preference to more sustainable forms of transport.*
- Para. 43 - *I conclude that the location of the development is not readily accessible to services and facilities by sustainable means of transport... The development would therefore conflict with Policies CP1, CP3 and CP6 of the Core Strategy which seek to*



*provide choices in the mode of transport available and minimise the distance people need to travel.*

- *Para. 51 - The appellant has carried out a sequential test, which concludes that there are reasonably available sites appropriate for the proposed development in areas at a lower risk of flooding, and therefore acknowledges that the development fails the sequential test. The main parties disagree on some points of methodology which result in differing numbers of alternative sites. Given that there is agreement that the sequential test is failed, it is not necessary for me to consider those differences in any detail. For the purposes of this appeal, I am satisfied that there are reasonably available sites appropriate for the type of development proposed in areas with a lower risk of flooding.*
- *Para. 54 - It is apparent from these decisions that differing weights have been given to the failure to meet the sequential test, and I acknowledge that it is a matter to be weighed in the planning balance, as noted in the Mead case.*
- *Para. 55 - Paragraph 174 of the Framework says that development should not be permitted if there are reasonably available sites appropriate for the proposed development in areas with a lower risk of flooding. That is a strongly worded policy. Since there are reasonably alternative sites available in this case, it follows that the development should not be permitted.*
- *Para. 88 - In this case the policies most important for determining the proposal are deemed to be out-of-date by virtue of footnote 8 of the Framework because the Council cannot demonstrate a five-year housing land supply. However, areas at risk of flooding are considered to be of particular importance by virtue of footnote 7 of the Framework. Because I consider the failure to meet the sequential test in this appeal to form a strong reason for refusal, the presumption in favour of sustainable development (sometimes referred to as the 'tilted balance') is not engaged.*

2.15 Of these key findings, of course the reference to the disproportionate size of a development of 99 houses is not relevant to a development of 3 units. The



sustainability concerns are noted but they are a consideration to be factored into the planning balance. (noting that the appeal scheme was “significant” development in the context of paragraph 110 of the NPPF rather than the current proposal which is not significant).

- 2.16 As part of this submission, we have prepared a Sequential Test document which acknowledges that the Sequential Test is required for the proposed development. It accepts that, given the Inspector’s findings, it is not going to be passed (at the time of writing) and concludes that the failure of the Sequential Test should not be considered an automatic disengagement of the *tilted balance*. Even the Inspector confirms that the failure of a Sequential Test is an issue that can be considered in the balance. The reference to footnote 7 in terms of not engaging the *tilted balance* is clearly a site-specific judgement based on the size of the development proposed. A 3-unit scheme is incomparable to a 99-unit scheme.
- 2.17 The second application of relevance is application 240583 for Land north-west of Hogmoor Lane Hurst where the following development was proposed – “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).”
- 2.18 In this case, we have picked out the following issues of relevance from the appeal decision issued on 17<sup>th</sup> October 2025 (noting that a site-specific Tree and Heritage issues were fundamental to the outcome of that appeal):
- *Para. 42 - Overall, in conclusion on this main issue there would be no significant adverse impact on the landscape. There would subsequently be no conflict with Policy TB21 of the MDLP which states that proposals must demonstrate how they have addressed the requirements of the landscape character assessment and shall at a minimum retain the condition, character and features that contribute to the landscape.*
  - *Para. 45 - Therefore, whilst services and public transport options are more limited than would be the case within a more urban area, the development would not be for a large*



*number of houses and those limited number of residents would have access to some services and facilities, whilst also being afforded the option of using an alternative means of travel to the car to access services and facilities elsewhere.*

- *Para. 46 - Nonetheless, there would be conflict with the development strategy for the area and with Policy CP9 of the Wokingham Borough Core Strategy (2010) (CS) along with Policy CCO2 of the MDLP which amongst other things seek to direct development to locations within settlement boundaries. The development is not of a type that is supported outside of development limits under Policy CP11 of the CS. The Council however could not articulate to me the harm that would arise from these policy conflicts at the Hearing and I afford limited weight to the conflict with these policies.*

2.19 That appeal failed primarily on the impact on a nearby Heritage Asset and the impact on trees. The Inspector's conclusion on the sustainability of the site is noteworthy as it specifically referred to the proposal not being for a "large number of houses" and a "limited number of residents". This is a nod to the reference to "significant development" in paragraph 110 of the NPPF.

2.20 Had it not been for the Heritage and Tree issues, it appears that the development would have been considered acceptable by the Inspector. That proposal of 9 dwellings is far more comparable in size to the current proposal and should take greater emphasis by the decision maker. The 99 unit proposal, whilst physically closer to the application site, is a different scale which is entirely incomparable.





### 3 POLICY CONSIDERATION – PRINCIPLE OF DEVELOPMENT

- 3.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that planning applications should be determined in accordance with the Development Plan unless material considerations indicate otherwise.
- 3.2 For the purposes of this application the Development Plan comprises of:
- Adopted Core Strategy (CS) Development Plan Document - January 2010
  - Adopted Managing Development Delivery (MDD) Local Plan – February 2014
  - Policies Map
- 3.3 Whilst there is an agreed designation for the St Nicholas Hurst Neighbourhood Plan, there is no Plan currently in place.
- 3.4 The Council have been preparing a new local plan that sets out the proposed planning strategy for the Borough to 2040. Several Regulation 18 consultations were undertaken (with the site identified as an early draft allocation within the Regulation 18 Local Plan Update: Revised Growth Strategy published in November 2021) before the Regulation 19 version was published (wherein the site was removed as a proposed allocation) and subject to consultation in September-November 2024. The plan was submitted to the Secretary of State or independent examination in February 2025, and two Planning Inspectors have been appointed to examine the submitted plan. The examination of the local plan is ongoing, and the council responded to initial questions and requests for further information from the Inspectors in May 2025. The first session of the Examination in Public was held in late November 2025.
- 3.5 At the time of writing, whilst progressed significantly, the amount of weight that can be attributed to the emerging local plan is limited, especially in context of housing deliver which is currently under considerable scrutiny.
- 3.6 In terms of the principle of development under the provisions of the local plan, policy CP9 seeks to set out the scale and location of development proposals. Hurst falls within a category described as a *limited* development location. In such locations (and



elsewhere) the scale of development proposals is expected to reflect the existing or proposed levels of facilities and services at or in the location, together with their accessibility. The objectives of the policy clearly follow the intentions of the NPPF in seeking to guide development to locations where travel is reduced and a choice of travel mode is likely to be available. We are content that this policy is consistent with the NPPF and should be regarded as being up to date.

- 3.7 It is a policy that, nevertheless, accepts that some development is acceptable in the Parish and that even limited development locations offer the potential for development consistent with the scale of the village (unlike the 99 units on the neighbouring site). The approach in the NPPF underlies the spatial strategy found in the development plan. Core Strategy Policy CP9 requires the scale of new schemes to reflect the proposed or existing level of services at or in a location. To this end, Hurst is identified as one of 9 Limited Development Locations.
- 3.8 This is illustrative of the services it offers, and places it in the third tier of settlements in the Borough, beneath major and modest development locations, where services are more extensive. This position is supported by Core Strategy Policy CP17, which concerns housing delivery. It states that over the plan period there should be 100 houses delivered within the Limited Development Locations, with sites generally not exceeding 25 units (of course, the proposal is significantly under this threshold). As clarified by previous Inspectors, the thrust of this policy is to ensure new housing is in some way proportionate to the services a settlement offers, thereby stimulating the survival of those services but not overwhelming them or meaning they were inadequate. This is clearly an illustration of the service provision and the status of Hurst in this regard.
- 3.9 Policy CP11 deals with development outside identified settlement limits. The objective is clearly stated to be the protection of the separate identity of settlements and maintenance of the quality of the environment. Development which does not fall within a specified range of criteria will not normally be allowed. The use of the word *normally* implies some discretion applies where material considerations might lead to



a different conclusion, it does not suggest that there would be a balancing exercise carried out of the type envisaged by the NPPF.

**CP11 - Proposals outside Development Limits (including countryside)**

In order to protect the separate identity of settlements and maintain the quality of the environment, proposals outside of development limits will not normally be permitted except where:

- 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.

3.10 We note that the 9 units scheme referred to above was originally refused by the Council on the basis that (reason for refusal 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.”

3.11 This is the Council’s stated approach to development proposals outside of the settlement limits and, given that the proposal does not pass any of the tests of points 1) to 5) in the policy, we have to conclude that there is conflict with policy CP11 of the Local Plan. This is not, however, the end of the consideration. For example, the recent approval of 23 houses outside of the settlement boundary which the Council refused because it was contrary to CP11<sup>2</sup>.

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<sup>2</sup> APP/X0360/W/24/3342812 Land between School Road and Orchard Road, Hurst, Reading, RG10 OSD



3.12 In this decision, the Inspector concluded that there wasn't a conflict with the *aims* of the policy and therefore, despite being outside of the settlement boundary and not satisfying any of the criteria of points 1) to 5), it didn't conflict with the aims of the policy:

9. However, that policy says that '*in order to protect the separate identity of settlements and maintain the quality of the environment*' development outside Development Limits will not normally be permitted. Whilst there appears to be an assumption that a proposal outside of the Development Limits would contravene one or both of those aims, if the specific issues around a case meant it did not, then the policy would not be contravened and there would be no need to comply with any of the certain circumstances given.

86. Turning to whether the most important policies are out of date, as I read it I consider Core Strategy Policy CP11 does not appear to offer a basis to resist development in the countryside that would neither fail to protect the separate identity of settlements nor maintain the quality of the environment, as any such development would not conflict with its purpose. Although that brings

3.13 So, two important tests. Does the proposal undermine the need to protect the separate identity of settlements? Does it maintain the quality of the Environment? In terms of the first question, the settlement of Hurst, as demonstrated in Section 1 above, wraps around the development site so that there are elements of the village to the south, east and north. The application site will extend the southern part of the village to the north but only in so much that it takes it closer to the existing development (still Hurst) to the north. The proposal will be viewed in context of the village and will have the feel of being part of Hurst. It doesn't fail the first test.

3.14 In terms of the second test, the quality of the Environment is not the same test as visual impact/landscape impact. If anything, it is more a consideration of the character of the area which we have concluded elsewhere in this statement as being in keeping with. Residential development in a residential area. Detached houses in an area characterised by detached houses. The proposal will maintain the quality of the environment. On this basis the proposed development, despite being outside of the development limits of the village, is not contrary to the *aims* of policy CP11.



- 3.15 Nevertheless, we have to accept that the Council and the Planning Inspectorate have found that Hurst only has basic facilities and services in the village and the nature of the bus service, mean that any development in or near the village would result in a reliance on private motorised transport (to a degree) as residents must travel further afield to access what was not provided locally. This has been concluded consistently as being contrary to Core Strategy Policies CP1 and CP6, which together seek to direct development to sustainable locations where there is transport choice.
- 3.16 It has not, however, been consistently fatal to the outcomes of appeals. This is confirmed in the explanation of the appeal decision in allowing 23 units<sup>3</sup>:
- Para. 90 – *“Moreover, when I consider the development plan conflict in the light of the shortfall in housing land supply, it is likely that, to redress this situation, at least some housing is to be required outside Development Limits on greenfield sites that are deemed to be countryside. It is also reasonable to assume that such sites may well be in less sustainable locations or locations where there is, relatively speaking, a greater reliance on private motorised transport than those identified through the local plan process. “*
  - Para. 91 – *“Accordingly, I acknowledge the scheme would give rise to some harm and development plan conflict, but I conclude that its adverse impacts, even if taken together, do not significantly and demonstrably outweigh the benefits that would arise. Therefore, planning permission should be granted.”*
  - Para. 92. *“In making this judgement, I accept that the Lodge Road decision reached a different view. However, that was for an appreciably larger development, that had a different relationship to the settlement’s services and its built form. As such the relative weights attributed to the scheme’s benefits and adverse impacts would not have been the same”*

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<sup>3</sup> APP/X0360/W/24/3342812 Land between School Road and Orchard Road, Hurst, Reading, RG10 0SD - Erection of 23 dwellings with associated access and 15 carparking spaces for the local primary school





- 3.17 The decision maker will again note the reference in paragraph 92 above to the scale of development. Not the “significant” development referred to in paragraph 110 of the NPPF.
- 3.18 From this section we can conclude that there is policy conflict in terms of the sustainability of the location and that the proposal fails the tests of policy CP11 (1) to 5) even if it doesn’t conflict with the aims of the policy.



## **4 PRESUMPTION IN FAVOUR OF SUSTAINABLE DEVELOPMENT (THE TILTED BALANCE)**

4.1 Given the identified policy conflict, we therefore need to present the Council with a compelling case for why planning permission should, nevertheless, be granted permission.

4.2 When considering development outside of development limits, Core Strategy Policy CP11 sets out exceptions where proposals will be supported. Whilst the proposed development does not meet these criteria, regard should also be given to the Council's housing land supply position, which is a material planning consideration in determining planning applications.

4.3 Indeed, a key driver of the NPPF is of course to significantly boost the supply of homes, stating that:

*"To support the Government's objective of significantly boosting the supply of homes, it is important that a sufficient amount and variety of land can come forward where it is needed, that the needs of groups with specific housing requirements are addressed and that land with permission is developed without unnecessary delay."*

4.4 Paragraph 78 of the NPPF continues that Councils must maintain a 5 year supply of housing sites:

*"Local planning authorities should identify and update annually a supply of specific deliverable sites sufficient to provide a minimum of five years' worth of housing against their housing requirement set out in adopted strategic policies, or against their local housing need where the strategic policies are more than five years old".*

4.5 At the time of writing Wokingham's housing land supply is reported to be 2.5 years (March 2025) as shown below.



Table 4.1. Housing land supply at 31 March 2025 (LHN 1,316)

House Land Supply Category	Number of Dwellings Needed
Housing need at 1,316 homes per annum 01/04/2025 – 31/03/2030	6,580
Housing need plus 5% buffer for period 01/04/2025 – 31/03/2030	6,909
Annual rate for 5 years plus 5% buffer	1,382
Total deliverable housing supply for period 01/04/2025 – 31/03/2030	3,453 <sup>29</sup>
Total deliverable housing supply in years for period 01/04/2025 – 31/03/2030	2.5 years

4.6 This falls significantly short of the five-year supply of deliverable homes that is required under provisions set out in the NPPF. As such the Council's policies for delivering housing development (which includes CP1 and CP6 and, importantly, CP11) are out of date and the tilted balance set out under paragraph 11(d) should be applied. This states that:

*Where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:*

- the application of policies in this Framework that protect areas or assets of particular importance provides a strong reason for refusing the development proposed (footnote 7); or*
- 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.*

4.7 The lack of a five-year housing land supply was not disputed by the Council for the neighbouring appeal scheme and the Inspector found that *"the proposal would align with the aims of the Framework to significantly boost the supply of housing and that*



*small-scale developments can make an important contribution to meeting the housing requirement.”*

- 4.8 The first test for the decision maker is there whether there are any footnote 7 reasons which would provide a strong reason for refusal (para. 11d)i). The only possible issue here is the flooding issue. This is fully assessed in our report entitled “Sequential Test” which concluded conclusively that the failure to provide or pass a Sequential Test does not automatically mean that there is a strong reason for refusing the application. In fact, there is clear case law suggesting otherwise. There is no actual harm that would result from granting permission for houses on the site. This narrative doesn’t require repeating here.
- 4.9 One of the negative issues raised relates to the site’s location and whether this is inducive to minimising the reliance on the private car to access services and facilities. We cannot dispute that access facilities would require the use of narrow roads or paths that have intermittent or no lighting, footways and cycle lanes.
- 4.10 Consequently, whilst there would be a reliance on private vehicles, the site does have access to some transport options and local facilities. The NPPF (para 110) only provides advice on “significant developments” and also states that opportunities to maximise sustainable transport solutions will vary between urban and rural areas, and this should be taken into account in decision-making. In any event, it is evident that the site is not wholly in an unsustainable location given it is on the edge of a third tier village in the Settlement Hierarchy, and this should be considered within the planning balance.
- 4.11 Furthermore, the whole reason for applying the tilted balance is that there is an agreed position that the development plan is not able to deliver the necessary number of houses. If the housing demand could be delivered in the built up areas and on strategic sites, then there wouldn’t be a 2.5-year deficit. Put another way, the only way that the Council will get towards the required 5-year land supply target is to deliver new houses which are contrary to policy; namely in the countryside. The countryside is, by definition, less sustainable than built up areas – this should not prevent development



being approved as a matter of principle. The sustainability of the site is merely one consideration in the planning balance; a tilted balance which emphasises housing delivery.

4.12 On this basis, if the tilted balance is correctly applied, then planning permission should be granted unless the decision maker concludes that *“any adverse impacts of doing so would significantly and demonstrably outweigh the benefits”*. The application is supported by an array of technical documents including:

- Landscape Impact Assessment – which concludes at 6.16 that the scale and nature of the proposal and its juxtaposition to other built form will have an overall weighted landscape impact that could be considered small as they are not uncharacteristic when set within the attributes of the existing landscape.
- Ecology Reports which confirm that there is no harmful impact on Ecology resulting from the proposal
- Biodiversity Net Gain calculations which demonstrate how the BNG can be delivered.
- Transport Statement which considers that there is no highway safety impact
- Flood Risk Assessment which concludes that there is no threat to future residents and that the proposal will not result in flooding elsewhere. Indeed, the accompanying surface water drainage strategy confirms that the balancing pond will improve the surface flooding issues currently experienced in the vicinity.
- Tree Impact Assessment which confirms no impact on any trees worthy of retention

4.13 Policy CP5 expects a housing mix to be provided on the site. However, other policies of the development plan require that proposal conform with the prevailing characteristics of the area which, in this case, is detached houses on good size plots. Smaller dwellings would not fit in with these prevailing characteristics.

4.14 CP5 also demands that all green field housing sites of more or 0.16 hectare (net) and larger must deliver 40% affordable housing. Given the nature of the development





proposed, it is not feasible to deliver affordable housing on site and therefore this will be secured in the form of an off site financial contribution.

- 4.15 This just leaves one final material consideration which is the impact on neighbours. Given the separation distances from the neighbours, it is inconceivable that the proposal would result in any loss of amenity to these neighbours.
- 4.16 Having set this context, the tilted balance of paragraph 11d)ii) is applied in the conclusion below.



## 5 CONCLUSION

- 5.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that planning applications are determined in accordance with the development plan unless material considerations indicate otherwise. We have identified a conflict with policies CP1, CP6 and CP11 of the Local Plan.
- 5.2 Wokingham Council has a 2.5 year housing land supply which means that there is a danger of serious and substantial under delivery of housing in the foreseeable future. The provisions of paragraph 11d) of the NPPF are specifically in place to address this shortfall and ensure that the housing crisis doesn't accelerate whilst councils do not have up to date local plans. We have demonstrated that there is no footnote 7 reason why planning permission should be refused and therefore the tilted balance of paragraph 11d)ii) is engaged.
- 5.3 Whilst we have identified a conflict with the tests of policy CP11 which governs development in the countryside, there is no conflict with the aims of the policy and the provision of 3 houses in Hurst is broadly consistent with the adopted spatial strategy. The proposed development responds to the site-specific concerns which were identified when the Inspector previously considered residential development on the site. The proposed development is now linear which is far more characteristic with the area and will relate better to the public realm of Lodge Road.
- 5.4 As confirmed by the Landscape Visual Assessment, there will still be visual impact, the inescapable truth of any application on a green field site. The harm is on the lower end of the spectrum which can therefore only be attributed **limited** weight against the application.
- 5.5 In terms of the site's accessibility of services, the location of the site does make it more reliant on the private car than ideal. However, Hurst is not entirely absent of services and facilities, and where they are needed more are available without the need for long car journeys. Whilst this does weigh against the proposal, the proposal is not a "significant development" which is the principal concern of paragraph 110 of the



NPPF. It is also inevitable that any development will encroach into the countryside and because this goes to the heart of whether the principle is acceptable. We therefore afford this conflict **limited** weight also.

5.6 There would be public benefits to the scheme. These would include:

- the provision of 3 houses within a location that would not be unsustainable for a limited housing scheme. There would be a boost to housing supply within the context of a 5YHLS of 2.5 years. Whilst this benefit is reduced given the limited number of houses proposed these housing deliver matters must carry **significant** weight.
- There would be a financial contribution towards off site affordable housing which carries **limited** weight.
- The properties could incorporate more sustainable methods of heating and power, with reduced water consumption and would offer support to a small and medium housebuilder. There would be direct and indirect economic benefits of the type which would normally always be associated with a development of this scale. We afford this **limited** weight.
- There would be biodiversity net gain of 27% in habitat units and 12% for hedgerow units. Watercourse units would increase by 37%. The development would provide a contribution towards CIL. These benefits are afforded **moderate** weight.
- The proposal addresses an identified surface water flooding issues on the site and the surrounding area. The balancing pond of the nature proposed is not required to mitigate the scheme. It is therefore an added public benefit to be afforded **moderate** weight.
- One of the dwellings will be a self-build dwelling for the land owner. This carries **limited** weight.

5.7 Then the benefits are balanced against the harm it is evident that the benefits far outweigh the harm. When a positive presumption to granting planning permission is applied, it is reasonable to conclude that this is a perfect site to deliver a small-scale



development of the nature proposed. It is a development which is appropriate to the size of the settlement and appropriate to its site.

- 5.8 By applying the presumption in favour of sustainable development, planning permission should be granted as soon as possible.