

DELEGATED OFFICER REPORT



WOKINGHAM
BOROUGH COUNCIL

Application Number:	242063
Site Address:	Wind In The Willows, Islandstone Lane, Hurst, Wokingham, RG10 0RJ
Expiry Date:	01/11/2025
Site Visit Date:	4 October 2024
Proposal: Full application for the material change of use of land from agricultural to provide an enlarged caravan site and alterations to provide 4 additional pitches (total of 6 pitches) with associated hardstanding and ancillary day rooms.	

PLANNING POLICY	
National Policy	National Planning Policy Framework (NPPF) Planning Policy for Traveller Sites (PPTS)
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
MDD Local Plan (MDD)	CC01 – Presumption in Favour of Sustainable Development CC02 – Development Limits CC03 – Green Infrastructure, Trees and Landscaping CC06 – Noise CC07 – Parking CC09 – Development and Flood Risk CC10 – Sustainable Drainage TB10 – Traveller Sites TB21 – Landscape Character TB23 – Biodiversity and Development
Joint Minerals and Waste Plan (JMWP)	DM1 - Sustainable Development DM2 - Climate Change – Mitigation and Adaptation DM4 - Protection of Designated Landscape DM5 - Protection of the Countryside DM9 - Protecting Health, Safety and Amenity DM10 - Flood Risk
Local Plan	SS2 – Spatial Strategy and Settlement Hierarchy SS5 - Development in the Countryside

Update (Elp)	H9 – Gypsies and Travellers and Travelling Showpeople Provision H10 - Traveller Sites
Other	National Planning Policy Guidance (NPPG) Borough Design Guide Supplementary Planning Document Sustainable Design and Construction Supplementary Planning Document A Design for Hurst

PLANNING HISTORY		
Application No.	Description	Decision & Date
100848	Application for change of use for the stationing of a caravan and mobile home for residential purposes for one gipsy pitch together with the formation of additional hard standing and utility/dayroom and stable ancillary to that use.	Refused – 21/04/2010
100487	Application for change of use for the stationing of a caravan and mobile home for residential purposes for one gipsy pitch together with the formation of additional hard standing and utility/dayroom and stable ancillary to that use.	Refused – 31/01/2011 (Allowed at appeal 31/01/2012 – APP/X0360/A/1 1/2154295/NW)
153360	Application for removal or variation of a condition following grant of planning permission. (F/2010/2695, approved in Appeal ref: APP/X0360/A/11/2154295)	Approved – 28/04/2016
180072	Application to vary conditions 4 (approved plans) and 5 (number of caravans on site) of planning consent 153360 to increase the number of caravans on site from 2 caravans to 4 (no more than 2 being static caravans), thereby increasing the number of gypsy pitches from 1 to 2.	Refused – 04/07/2018 (Allowed at appeal 01/11/2018 – APP/X0360/W/1 9/3219847)

CONSULTATION RESPONSES
Internal
WBC Drainage – Objection – Highly vulnerable use within a functional flood plain. WBC Highways – No objection subject to planning conditions WBC Landscape and Trees – Request additional information WBC Ecology Newts – No objection subject to conditions WBC Ecology – No response received
External

The Environment Agency – Objection – Inadequate FRA and highly vulnerable use in flood zone 3.

REPRESENTATIONS

Parish/Town Council	St Nicholas Hurst Parish Council objects to application 242063, for the following reasons: 1. Vehicle Parking - the application form states that the existing and proposed vehicle parking spaces is/will be one car. The expansion of the site will increase the number of vehicles and vehicle types. This vehicle movement will have a detrimental impact on the local environment, access routes and the immediate community. Additional vehicles will inevitably add to noise pollution in the area; 2. The Application Form identifies "no" trees or hedges adjacent to the proposed development. The adjacent land/ landscape consists of a myriad of trees and hedges which are sanctuaries for local wildlife; 3. All of the application responses to the Flood Risk are false. The immediate and adjacent land and roads is subject to regular flooding. Adjacent roads and footpaths are regularly impassible due to flooding. The site IS within 20 metres of watercourses and it will, without doubt, increase the flood risk adjacent land; 4. There have been previous comments on previous applications on lack of preapplication advice on other planning applications from this site; 5. The application is stating that to access the village shop, bus stops, primary school by foot is approximately 650 metres. This is inaccurate and the walking distance is approximately 1.5 kilometres; 6. Development is outside the village development limit and is development in the countryside; and 7. Wokingham Borough's emerging Local Plan has now gone to regulation 19, and in their emerging Local Plan they have identified the sites where Gypsy & Travellers pitches are to be met and now have a 5 year G&T supply. This site has not been allocated in the emerging Local Plan, indeed there are no sites allocated to Hurst.
Ward Member(s)	No comments received

Neighbours	Objections have been received from 15 residents on the following matters: - Flood risk including local accounts of significant flood events. - Highway impact (traffic generation). - Anti-social behaviour (<i>Officer note: this is not a material planning consideration</i>). - Insufficient infrastructure. - Light pollution. - Harm to the character and appearance of the area. - Lack of local plan allocation. - Potential commercial use (<i>Officer note: speculation on potential uses are not material considerations</i>). - Harm to neighbouring amenities. - Landscape harm and impact to landscape features. - Lack of need for additional pitches within Hurst. - Loss of floodplain storage.
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APPRAISAL

Site Description:

The site is located in the countryside, circa 1.1km away from the centre of the limited development location of Hurst (as the crow flies), off the rural single track Islandstone Lane and adjacent to Nelson's Lane. The site comprises of two existing Gypsy and Traveller pitches with an area of grazing land (in agricultural use) to the south with modest stables.

Planning permission was allowed via appeal in November 2019 (application reference 180072 and appeal reference APP/X0360/W/19/3219847) to increase the number of pitches in the northern part of the site from one to two. However, the site's circumstances have changed since this date with the application site now located in Flood Zones 2, 3a and 3b (functional floodplain) as per the Environment Agency's updated 'Flood Map for Planning' 2025.

In terms of the site's surroundings, the southern border of the site is buffered by existing hedgerow trees, which provides various views in and out of the site from adjoining Islandstone Lane. The site is served by a hard-surfaced access point which

deviates from the rural character of the lane, providing further views into the site.

To the west of the site is STNH11 byway, open to all traffic, to north-east and north-west of the application site, sits open fields separated from the site by hedgerow trees and to the east of the site lays Broadcommon Farm.

Procedural:

It is noted that the applicant submitted revised plans over numerous occasions throughout the application process in an attempt to override communicated LPA, internal consultee and statutory consultee concerns/ objections. However, these amendments have been minimal and fail to reflect the extent of changes requested by the LPA, internal consultees and statutory consultees. Further, numerous submitted documents are wholly inconsistent with one another, which have not been remedied by revised plans despite requests by the LPA and assertions from the applicant. Following correspondence with the applicant's agent, it was requested the LPA determine the application with the level of detail present.

A timeline of the application is as follows:

On 14/10/2024 the application was made invalid based on drawings that did not scale.

On 31/10/2024 the applicant provided updated plans that scaled correctly and the application was subsequently re-validated.

On 05/11/2024 updated arboricultural information was submitted to address concerns raised by WBC Trees and Landscape. Officers noted that these details were inconsistent with the site layout plan.

On 28/11/2024 updated drainage information was submitted to address concerns raised by WBC Drainage.

On 13/01/2025 further updated arboricultural information was submitted in an attempt to address the inconsistency/ concerns raised by WBC Trees and Landscape. Officers noted that these details remained inconsistent.

Following initial objection from the Environment Agency, on 03/02/2025 the applicant provided a rebuttal note. This was shared with the EA, who upheld their objection.

Given delays with the applicant's drainage consultant, on 07/04/2025 a sequential test was shared with the LPA. On 15/05/2025 an updated site plan, landscaping plan and surface water drainage plan was shared with the LPA. These illustrated changes to plots 2 and 3. Officers noted further inconsistencies arose through the submission of revised plans, namely that none of the arboricultural information reflected the updated layout. This was raised with the applicant but not actioned.

Further to correspondence with the Environment Agency dated 28/05/2025 it was confirmed that the National Flood Map had changed, subsequently including the site within Flood Zone 3a and 3b. This was communicated to the applicant, who outlined

that modelling work would be instructed.

On 15/07/2025 the LPA received correspondence from White Planning outlining that they are the new planning agent on site. The applicant's agent outlined that they did not wish to proceed in undertaking modelling as previously agreed, instead providing a further brief technical note on 13/08/2025 prepared by Flume Consultants. A further brief 'EA Response' document was provided on 19/08/2025.

This technical note was shared with the Environment Agency, who upheld their objection on 29/09/2025. This objection was shared with the applicant. The LPA further communicated that the formerly carried out sequential test was inadequate, failed to consider the National Flood Map and had incorrect parameters.

On 30/09/2025 the applicant's agent shared an email from Flume Consulting in response to the Environment Agency. The applicant further outlined that they did not consider the re-submission of a sequential test to be necessary as they did not consider the site to be within a flood zone at all, which notably deviates from all previously agreed matters, including acknowledgement that the site was located in Flood Zone 3a and 3b by the applicant's previous planning agent.

As this email contained technical information (albeit brief), it was subsequently sent to the Environment Agency, WBC Drainage and WBC Planning Policy for their review. All three consultees objected to the application with the Environment Agency outlining that none of the technical notes/ rebuttal had provided any material reason to permit a highly vulnerable use in Flood Zone 3 (including functional floodplain).

Site History:

Historically, the north-eastern extent of the site has been subject to a number of approved, refused and appealed applications, the first of which being a consent for a Gypsy and Traveller pitch and subsequently appealed under APP/X0360/A/11/2154295 in January 2012. This was allowed on a temporary, 4 year basis.

The second decision of note is appeal APP/X0360/W/19/3219847 under application 180072 in November 2019 which permitted permanent occupation and increased pitch numbers from 1 to 2 and to erect stables.

This submission notably deviates from the two appeal decisions above for a multitude of reasons. Firstly, it is a speculative submission and not tied to personal need and thus no personal circumstances exist that can be weighed into the planning balance. Secondly, the proposal would involve removal of the entirety of the agricultural use on site and constitute a material change of use implicating visual openness and landscape character along Islandstone Lane (which could not be mitigated with buffer planting). Thirdly, the proposal is of a notably larger scale than the appeals allowed above and thus the harms identified by the Inspectorate previously are notably exacerbated and thus increased in weight.

In combination with those matters above, the flooding situation on site has since significantly worsened as supported by robust, up-to-date evidence. The Environment

Agency's Flood Map for Planning identifies that the majority of the site falls within Flood Zone 3, with circa 50% of the site falling within Flood Zone 3b. The figures provided by the Environment Agency below illustrates this:

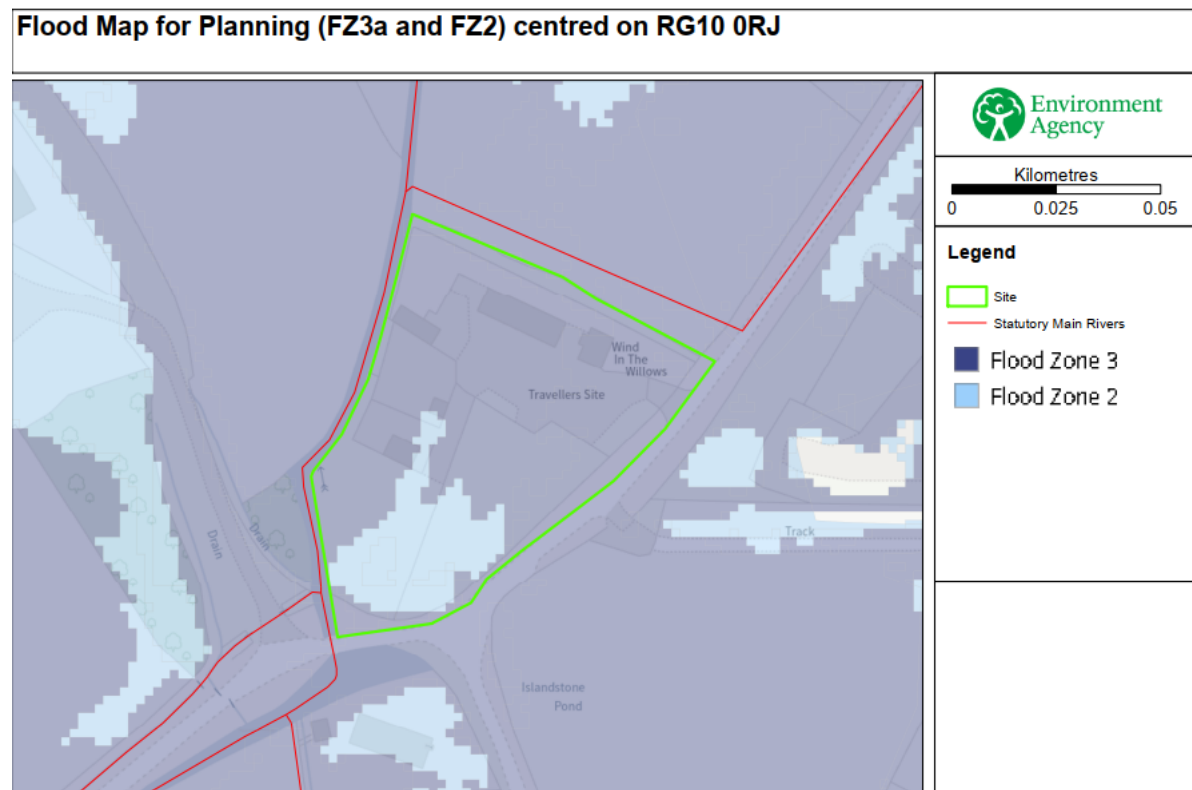


Figure 1 – Extract from EA, Flood Map for Planning

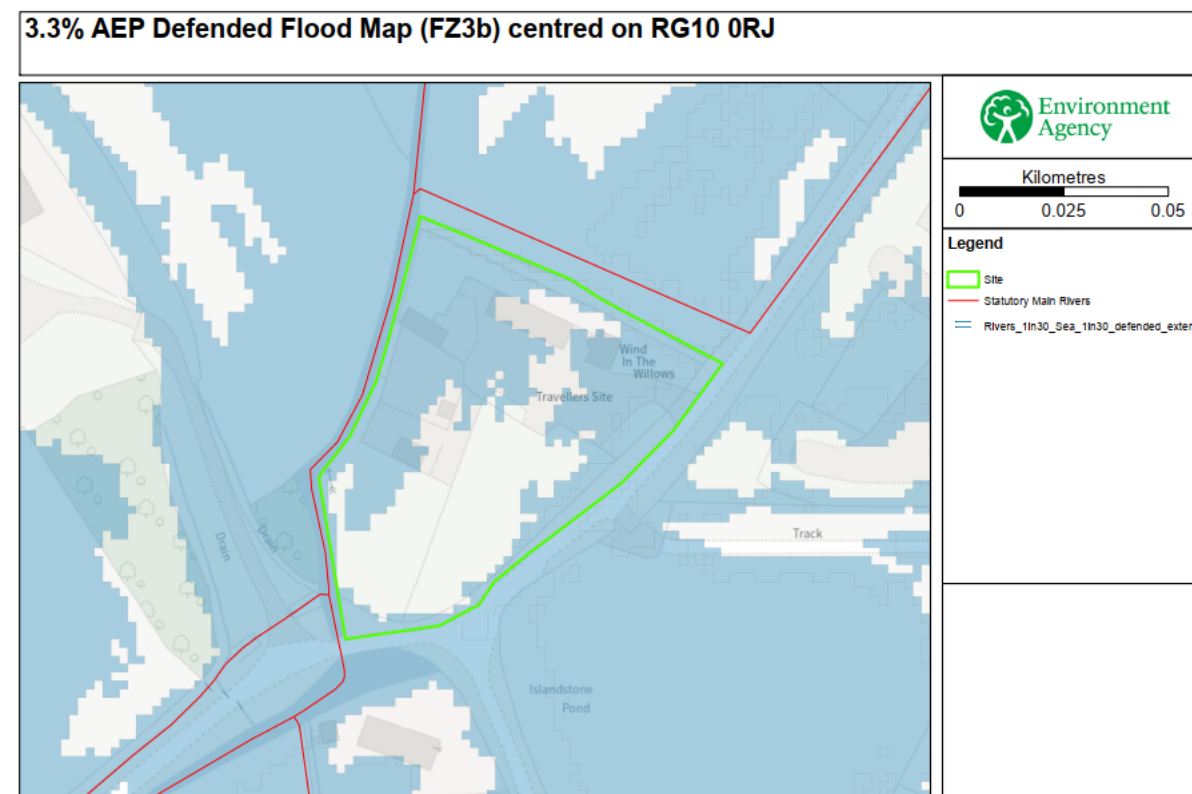


Figure 2 – Extract from EA, AEP Defended Flood Map (FZ3b)

Principle of Development:

The Development Plan:

Section 70(2) TCPA 1990 provides that the decision-maker shall have regard to the provisions of the development plan, so far as material to the application. Section 38(6) of the Planning and Compulsory Purchase Act 2004 (PCPA 2004) provides:

‘If regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts, the determination must be made in accordance with the plan unless material considerations indicate otherwise’. This view is echoed in the Planning Policy for Traveller Sites (PPTS 2024), stating *“Planning law requires that applications for planning permission must be determined in accordance with the development plan, unless material considerations indicate otherwise.”*

Core Strategy Policy CP2 states that new development should contribute to the provision of sustainable and inclusive communities to meet long term needs. Planning permission will be granted for proposals that address the requirements of:

d) The specific identified needs of minority groups in the Borough, including Gypsies, Travellers and Travelling Showpeople and black and minority ethnic groups. Proposals for gypsies, travellers and travelling showpeople will demonstrate that:

- i) The site is located either within or close to the development limits of a settlement in policy CP9 in order to maximise the possibilities for social inclusion and sustainable patterns of living; and
- ii) The proposed site is not disproportionate to the scale of the existing settlement whether singly or cumulatively with any existing sites in the area.

The proposal is not within, nor adjacent to the limited development location of Hurst. It is located in a relatively isolated location, surrounded by rural fields, limited agricultural development and unlit single-track roadways with no pavements. Whilst the Inspectorate within APP/X0360/A/11/2154295 did not identify conflict with the site’s location in accessibility terms, this decision pre-dates the NPPF, MDD Local Plan, PPTS and National Design Guide. In arriving at the conclusion that the site was not inaccessible, the Inspector relied on the site’s connection to the primary road network.

Circumstances in both national and local policy have since changed, in that reliance on the private motor vehicle can limit social inclusion and severely hinder sustainable patterns of living. Thus, cognisant of such changes and the matter of fact that the site is unsustainably located, the proposal fails to comply with CP2(d)(i). However, the proposal would not cumulatively mark a disproportionate increase when contrasted to the scale of Hurst and thus would not stand contrary to CP2(d)(ii)

Policy TB10 of the MDD and R24 of the Borough Design Guide SPD states that the layout and design of gypsy sites should provide a safe living environment that meets the needs of residents, while respecting the character of the local area.

In terms of policy application, Policy TB10 of the MDD Local Plan relates to Traveller Sites. The proposals involve an extension to the existing site, encompassing a material change of use. The development is assessed against the nine criteria of TB10 below:

- a) The site is located in the Borough's existing settlements or is adjacent to an existing settlement either within or adjacent to the Borough.*

As outlined above, the site is located outside of, and not adjacent, nor within a reasonable distance from the limited development location of Hurst. It is relatively isolated in its location, situated circa 1.1km away from the centre of the closest settlement and would require a road-user to travel 1.5km by road unserved by pavements or public transport to reach the edge of the settlement.

- b) Avoids impacting on the separate identity of settlements*

Given the immediate surroundings forming agricultural fields with some examples of sporadic built form and scale of the development the proposal would not create any settlement coalescence and therefore does not stand contrary to criterion b. This is because the site is not located even marginally adjacent to the settlement.

- c) The site has access to a range of local services such as shops; health facilities including doctors, schools, and a range of amenities including play areas and other recreation facilities*

The site does not have reasonable access to a range of local services, the closest being the limited services within Hurst (a small shop, infrequent bus stop, play area and an oversubscribed primary school) which are insufficient to cater to day-to-day needs of future occupiers. Furthermore, these would not be safely accessible by sustainable modes of Transport.

- d) No significant barriers to development exist in terms of flooding, poor drainage, poor ground stability or proximity to other hazardous land or installations where conventional housing would not be suitable*

The site is located within Flood Zones 2 and 3 (including flood zone 3b) and the development proposes a highly vulnerable use in this location. The proposal is subject to a significant barrier of flooding and thus is contrary to criterion d.

- e) Unacceptable impacts on the character and appearance of the surrounding landscape will be minimised through the sensitive and appropriate design of the scheme*

The development would have a harmful impact on the character and appearance of the area and harm the landscape and its intrinsic character through poorly designed, urbanising form. Accordingly, the proposal fails to comply with criterion e.

- f) The proposals will not result in an unacceptable loss of amenity of neighbouring land uses*

By reason of the site's location away from neighbouring dwellings, there are no concerns of any unacceptable losses of amenity.

g) Mixed use proposals (which are sites that include a business use) will only be considered if appropriate to the locality and such uses will not result in an unacceptable loss of amenity

The proposal does not put forward a suggestion of mixed use, and thus criterion g is irrelevant.

h) The scheme avoids any adverse impacts on the Special Protection Area

The site is not within any of the Thames Basin Heath Special Protection Area (SPA) Mitigation Zones. There is therefore no anticipated impact on the SPA. Criterion h is therefore irrelevant to the proposal.

To conclude, the site whilst not necessarily 'away from' settlements, it is equally not within, or 'close' to one insofar as that flexibility to be applied to class it 'adjacent' in line with the wording of CP2 and TB10. The site is poorly served by safe active transport infrastructure, has no public transport offerings within a reasonable distance and the proposals would have a harmful impact to the character and appearance of the area and landscape. Furthermore, the site is subject to significant flood risk. Accordingly, the proposal stands contrary to both CP2 and TB10 when viewed as a whole.

Turning to the spatial strategy, policy CP9 of the Core Strategy Scale and Location of Development Proposals states that proposals will be permitted within development limits where the scale of the application reflects the facilities and services within the settlement. The settlements are split into three categories depending on the sustainability of those locations; Major, Modest and Limited development locations. Policy broadly steers development to sustainable major settlements with the best services, facilities and infrastructure. The definition of development limits recognises the consistent approach in planning to identify appropriate and sustainable areas for development.

The purpose of Policy CP9 is to identify the hierarchy of locations within which development is acceptable. The inherent caveat of the policy is that proposals located outside of settlement limits would conflict with Policy CP9. The site is located outside of settlement limits and thus conflicts with CP9.

Policy CP11 of the Core Strategy is the Council's principal policy for protecting the countryside, which reflects a local thrust of the objections of the NPPF and PPTS. CP11 does not permit development outside of development limits unless it falls within the exceptions listed within the policy.

It is acknowledged that CP2, TB10, and PPTS are GRT focused policies, whereas CP9 and CP11 are broader overarching policies. Never-the-less the proposal would fail to comply with any of the criteria within CP11 and thus would not 'normally' be permitted. In such cases, it is equally pertinent to consider the proposal against the

overarching objectives of CP11 which are to maintain the quality of the environment and prevent reliance on private motor vehicles. These are relevant considerations to the determination of this application given its location outside of settlement limits, and the nature of the proposals despite separate assessment being required by the PPTS, CP2 and TB10 respectively.

The proposal involves a notable increase in the number of pitches on the site which would result in the entire loss of the remaining field and encroach into the undeveloped countryside to the west, losing visually appealing grazing land and replacing this with urbanising residential form. Whilst dispersed hedgerow is present around the site, this does not provide valuable screening, nor would increased screening be appropriate as the vistas afforded on site through the large gaps in the hedgerow provide visual context to the landscape's historic agricultural and equestrian ties. In the above respects, the proposal would not maintain the quality of the environment, however, would not lead to the perceived or physical coalescence of settlements. Thus, the proposal stands contrary to CP11 which remains relevant for assessing all schemes within the designated countryside.

Local Plan Update:

The Wokingham Borough Local Plan Update 2023-2040: Proposed Submission Plan was submitted to the Secretary of State for examination on Friday 28 February 2025. Two Planning Inspectors have been appointed to examine the plan. This plan will supersede the current Core Strategy and MDD Local Plan, which sets out the spatial strategy for the development plan up to 2026. The LPU sets out a development strategy and site allocations over the period to 2040.

The examination of the local plan is ongoing, and the council responded to initial questions and requests from the Inspectors in May 2025. First hearings are scheduled for November 2025. Adoption of the plan is anticipated in 2026.

The plan includes allocations for residential development and GRT pitches and the site is not a draft allocation.

In considering the weight to be given to Wokingham Borough Council's emerging Local Plan Update (LPU), it is necessary to refer to the National Planning Policy Framework (NPPF 2024), Paragraph 49 states that decision-makers may give weight to emerging policies according to:

- The stage of preparation of the emerging plan (the more advanced its preparation, the greater the weight that may be given);
- 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);
- The degree of consistency of the relevant policies in the emerging plan with the NPPF (the closer the policies are to the Framework, the greater the weight that may be given).

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, and the Inspector has yet to issue a final report. Wokingham's LPU has several stages yet to be completed, including the examination hearings and main modifications stages, which restricts the weight that can currently be afforded to non-substantive and is therefore generally considered to hold limited weight. Although some non-strategic policies may be considered to hold moderate weight as they have received limited to no objections.

LPU Policy SS5, Development in the countryside is relevant to this application, as it seeks to restrict development in areas outside settlements defined in LPU Policy SS2 with the exception of types of developments listed. The application proposal would not meet any of these exceptions and as such, would conflict with LPU Policy SS5. Though similarly to SS2 this is afforded limited weight.

LPU Policy H10 outlines criteria that must be met for the LPA to support gypsy sites within the borough. The proposal fails to comply with the exceptions when taken as a whole and thus limited weight is afforded against the development on this basis.

Planning Policy for Traveller Sites:

Paragraph 14 of the PPTS (Planning Policy for Traveller Sites) states that when assessing the suitability of sites in rural or semi-rural settings, local planning authorities should ensure that the scale of such sites does not dominate the nearest settled community. The nearest settled community in this instance, is the limited development location of Hurst which given the scale of the application is unlikely to dominate the settlement, even in combination with the piecemeal applications approved in close proximity to the site (to the south-east). Given the site's location away from the settlement it is not capable of dominating the closest settlement considering its sense of isolation and lacking visual, physical or spatial connection to any settlement.

Paragraph 26 of the PPTS outlines that Local planning authorities should very strictly limit new traveller site development in open countryside that is away from existing settlements. It is acknowledged that whilst the thrust of the PPTS is for providing GRT with suitable sites, this does not override the Development Plan or Framework and weight must be afforded to each policy in combination. The development is specific to the circumstances of the Wokingham Borough. Where the proposed development may conflict with some policies but not others, this does not constitute inconsistency, rather highlights their altering thrusts.

It is acknowledged that case law has not evolved to stipulate what a decision maker can class as 'open countryside'. The assessment of whether a site lies within the "open countryside" or is "away from settlements" is a matter of planning judgement. The proposed development is (in the majority) on an undeveloped green field with an agricultural use within the countryside, notably away from any settlement limits and is situated along a single narrow and unlit road with pavement. In this sense the site is spatially within the open countryside. There is however the presence of built form on site, partial existing use of residential purposes (on circa 40% of the site) and further built form within a reasonable proximity (24 metres at the closest point, across

Islandstone Lane). Taking these factors combined with the fact that site is 'away' from the nearest settlement and outside areas allocated in the development plan, thus there is a degree of conflict with the PPTS.

Conclusion – Principle of Development:

The proposal stands contrary to the Development Plan when viewed as a whole, with breaches evident within TB10, CP2, CP9 and CP11. Furthermore, the proposal would conflict with the PPTS and NPPF with respect to its location within Flood Zone 3, and in an isolated location which though is spatially 'not-away' from settlements in terms of physical location (as acknowledged previously by the on-site Inspector), equally is not close, nor served by any pavements, public transport or services. Accordingly, the proposal reflects unsustainable development notwithstanding the LPA's absence of a 5-year supply of a GRT pitches in borough and thus the proposal is unacceptable in principle.

GRT Supply:

Policy H of the PPTS is titled 'Determining planning applications for traveller sites'. Paragraph 25 states that local planning authorities should consider the following issues amongst other relevant matters when considering planning applications for traveller sites:

- a) the existing level of local provision and need for sites
- d) that the locally specific criteria used to guide the allocation of sites in plans or which form the policy where there is no identified need for pitches/plots should be used to assess applications that may come forward on unallocated sites

Whilst the Council are currently unable to demonstrate a five-year deliverable supply of permanent GRT pitches, this shortfall is not acute as demonstrated by the Gypsy and Traveller accommodation topic paper September 2024 (GTATP).

The PPTS states within footnote 4 *"To be considered deliverable, sites should be available now, offer a suitable location for development, and be achievable with a realistic prospect that development will be delivered on the site within five years. Sites with planning permission should be considered deliverable until permission expires, unless there is clear evidence that schemes will not be implemented within 5 years, for example they will not be viable, there is no longer a demand for the type of units or sites have long term phasing plans."*

Accordingly, those sites with planning permission (and any subsequent completions) at the base date of the Gypsy Traveller Accommodation Assessment (GTAA) 2023 were factored into the needs modelling. The GTAA outlines a total cultural need of 35 pitches between 2023-2027 rising by 51 pitches in the long term (up to 2040), which is modest in the context of the borough's history of proactive completion and the granting of planning permissions. In short, this essentially dictates that whilst in deficit the Council can continue to work proactively with landowners to deliver appropriate sites, preventing unacceptable development that stands at odds with both national policy and the Development Plan.

The PPTS requires local planning authorities to ensure they have a supply of specific deliverable sites sufficient to provide 5 years' worth of pitches/plots against a locally set requirement (paragraph 10). The adopted development plan does not include a locally set requirement. The Council therefore considers the sufficiency of supply against the GTAA 2023.

Policy H9 of the Local Plan Update (LPU) outlines that notwithstanding the limited five-year need, the Council has sought to plan to meet the overarching aim of 86 pitches up to 2040, showing a proactive approach on delivering appropriate, well planned and high-quality GRT pitches within the borough over a sustainable period. This process included the allocation of 43 pitches, which when combined with GRT provision within strategic sites total an anticipated delivery of 81 pitches. This policy is afforded moderate weight given the limited objections received further to its drafting.

This baseline position accounting for current 5 year supply means that the council is currently unable to demonstrate a five year supply of pitches, in part due to the timing of the GTAA 2023 being finalised. PPTS paragraph 28 states:

“If a local planning authority cannot demonstrate an up-to-date 5 year supply of deliverable sites, this should be a significant material consideration in any subsequent planning decision when considering applications for the grant of temporary planning permission”

Whilst national policy sets out that sites with planning permission are in principle deliverable, sites without permission may also meet the test of having a realistic prospect of being delivered within 5 years. As confirmed in case law, the relevant test is that the site has a realistic prospect of being delivered within 5 years. There is no need for the likelihood to be higher than realistic, such as certain or probable.

At 31 March 2025, a full application at Plot 10 Highfield Park (application reference 223669) for *“the proposed addition of 5 no. mobile home pitches and re-arrangement of existing pitches on plot 10 for gypsy and traveller residential use”* was pending determination having been validated on 8 February 2023. The site is previously developed land within a wider mobile home site on which Gypsy and Traveller households live and the proposal was not for major development. The s106 legal agreement has just been completed for this site, and permission is planned to be granted imminently. Thus, a total of 4 additional pitches can be anticipated to be delivered on sites subject to pending planning applications.

The total of deliverable pitches within the borough equate to a deliverable supply of 3.64 years.

Notwithstanding the shortfall in deliverable supply, there is a pipeline of developable sites that are capable of assisting in meeting needs. For completeness, the PPTS at footnote 5 defines developable as follows:

“To be considered developable, sites should be in a suitable location for traveller site development and there should be a reasonable prospect that the site is available and could be viably developed at the point envisaged.”

At 31 March 2025, an application at Land at Dun Elms, Nelsons Lane, Hurst that was before the Council. This was subsequently approved on 11 April 2025 (application reference 243193), post the 31 March 2025 monitoring period. This permission would result in a net increase of five pitches, over and above the earlier permission at the site which has been included in the supply position above. This application was being positively progressed by the Council's Development Management officers with firm progress made towards the grant of permission. This is demonstrated by revised parking and turning plans having been requested and received to overcome technical concerns. Thus, the proposed development under 243193 was only marginally short of being considered deliverable at 31 March 2025. The subsequent approval of this application very shortly after the monitoring period emphasises this point.

The proposed allocation Land at Honeysuckle (SS14.2) was also developable at 31 March 2025. As per the analysis in section 4, there were no technical reasons preventing the site coming forward. However, in the absence of a clear timeframe for the submission of an application to support the allocation, a conservative approach has also been taken with the site not being assessed as deliverable. Notwithstanding, there are no apparent technical reasons that would prevent the site coming forward in the next five years, providing an additional four pitches.

The proposed allocation Woodlands Farm (SS14.3) was also assessed as developable at 31 March 2025. Clarity regarding the allocation will be provided through the course of the local plan examination which is ongoing, with hearing dates expected in Autumn 2025. In the event that the examining Inspectors concur with the Council's position that the site is suitable for Gypsy and Traveller use, and not bricks and mortar development, it is not unrealistic for the pitches to come forward within five years providing 10 of the 15 pitches.

If the above sites were to be considered deliverable, the boost to supply would be 19 pitches. This would raise the deliverable supply to 51 pitches in total or 5.8 years. Therefore, whilst the Council's position is currently that it can demonstrate a 3.64 year supply of pitches, this is considered to represent a conservative minimum supply scenario. This would ordinarily trigger paragraph 28 of the PPTS (to be discussed later in this report).

Locational Sustainability:

Paragraph 13 of the PPTS states that Local planning authorities should ensure that traveller sites are sustainable economically, socially and environmentally. This differs from a site's physical location which inform the basis of CP2(d)(i) and TB10(a). With respect to location sustainability, local planning authorities should, therefore, ensure that their policies:

- a) promote peaceful and integrated co-existence between the site and the local community
- b) promote, in collaboration with commissioners of health services, access to appropriate health services
- c) ensure that children can attend school on a regular basis
- d) provide a settled base that reduces both the need for long-distance travelling

- and possible environmental damage caused by unauthorised encampment
- e) provide for proper consideration of the effect of local environmental quality (such as noise and air quality) on the health and well-being of any travellers that may locate there or on others as a result of new development
- f) avoid placing undue pressure on local infrastructure and services
- g) do not locate sites in areas at high risk of flooding, including functional floodplains, given the particular vulnerability of caravans
- h) reflect the extent to which traditional lifestyles (whereby some travellers live and work from the same location thereby omitting many travel to work journeys) can contribute to sustainability.

Policy CP1 of the Core Strategy states that planning permission will be granted for development proposals that:

- Demonstrate how they support opportunities for reducing the need to travel, particularly by private car in line with Core Strategy

Policy CP2 of the Core Strategy states that planning applications must “...*ensure that new development contributes to the provision of sustainable and inclusive communities (including the provision of community facilities) to meet long term needs, planning permission will be granted for proposals that address the requirements of:*

[...]

b) Children, young people and families, including the co-ordination of services to meet their needs;”

The supporting text of CP2 outlines “*Sustainably meeting the needs of young people includes ensuring that children of primary school age have access to a school within walking or cycling distance of their home... along a safe route. Furthermore, young people aged 13-19 need to have sufficient access to positive activities and safe places to go.*”

Policy CP6 of the Core Strategy states that planning permission will be granted for schemes that:

- Provide for sustainable forms of transport to allow choice
- 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;

The site is relatively isolated in its location, situated c1.1km from the centre of Hurst (as the crow flies) and clearly outside of settlement limits. This isolation is spatially visible on the figure below was evident when visiting the site:

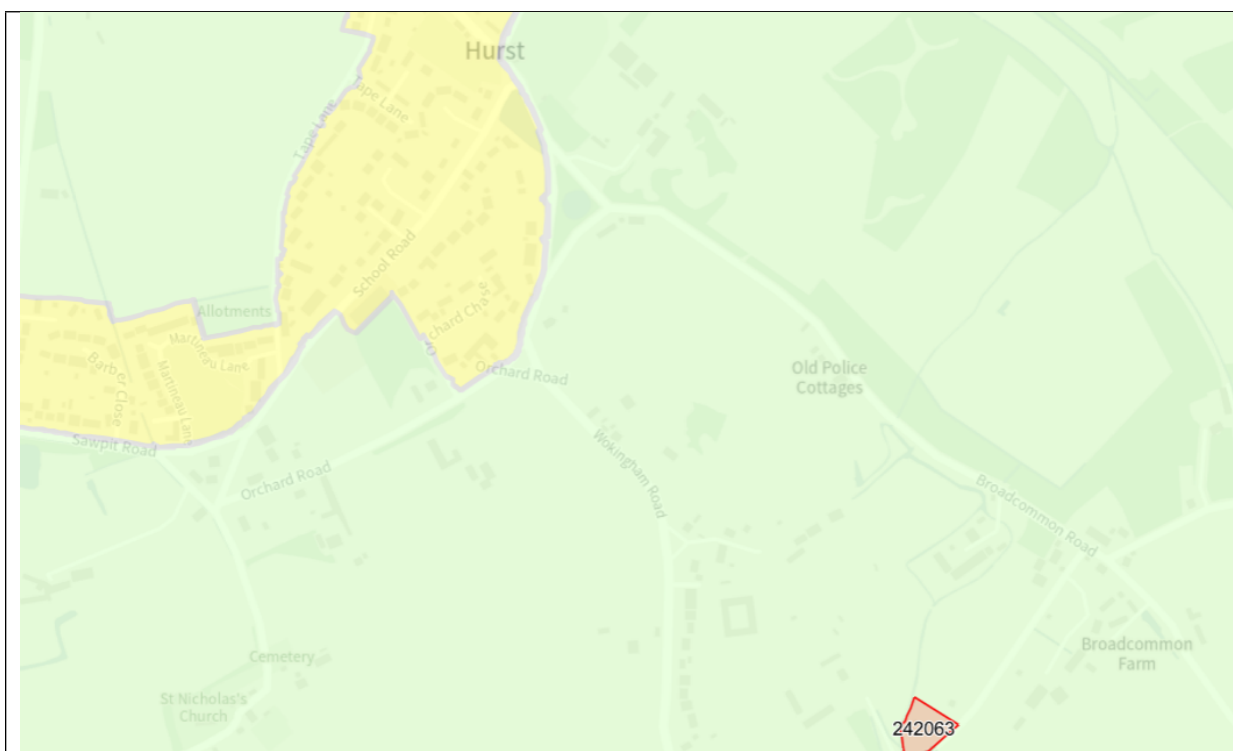


Figure 3: The site's proximity away from settlement limits.

The distances to Hurst from the site are not truly walkable and cyclable given the routes from the site to the settlement are narrow, unlit, lack footpaths and are situated on single-track classified roads which makes regular walking or cycling unattractive to occupants of the site. For example, leaving the site to connect with Hurst either to the east or west would rely on occupants walking down unlit 60mph roads with no pavements. To the east, occupants would connect to Broadcommon Lane, a 60mph road with no pavements or lighting with very little informal pedestrian refuse in the event of a car using the road at the same time. During officer site visit, it was evidenced that if a pedestrian is walking in the road, there are limited passing points given the position of the brook and subsequent ditches, creating the perception of an even more un-safe walking environment.

To the west, occupants would connect to Wokingham Road (A321) which is unlit, busy and has no pavements, again with little emergency refuse should a vehicle be on the road at the same time. The LPA further note that within the winter-spring months, Islandstone Lane has been evidenced to be submerged by water meaning pedestrian or cycle access is near impossible, often resulting in the closure of the road as reflected by historic flooding records. In fact, without a suitable 4x4 even motorist access is severely hindered as acknowledged by resident objections. This point was acknowledged by the Inspector within the previous on-site appeal decision in paragraph 25, stating *"In any event the flooding on the surrounding lanes poses a question mark over the issue of safe access and egress from the site."* By way of updated flood mapping and visual evidence of flood waters on/ directly adjacent to the site, this question mark formerly held by the Inspector has translated into significant harm.

Turning to public transport, there are no nearby bus stops that can be reasonably accessed by any other means than the car. The closest of which lay within Hurst,

being over c1200 metres away. Connecting to these stops would require navigating a narrow, non MfS compliant walking/ cycling environment (as above) which is highly unlikely to be utilised by future occupants and fail to remotely reflect 'a safe route' as advocated by CP2.

Whilst for the reasons outlined above extremely difficult to access other than via a vehicle, the adjacent village of Hurst (which does not include the application site) is classed as a Limited Development Location, which is summarised in the development plan as those settlements containing 'a basic range of services and facilities' and is at the bottom of the settlement hierarchy. Therefore, occupants of the site would need to travel to other settlements further away for basic day-to-day services. Islandstone Lane itself has no pedestrian footpath, nor Wokingham Road (a relatively busy rural road) which are required to access Hurst from the site.

In appeal decisions APP/X0360/W/24/3342812 at School Road and APP/X0360/W/22/3309202 at Lodge Road (both on the border of Hurst, but significantly more centrally located than the application site), Inspectors have previously identified that Hurst itself is an unsustainable development location for residential development and has a very limited range of services that are insufficient to cater for new development.

It should be noted that with the permanent closure of 'Hurst Bakery and Provisions' and oversubscription of the local school (St Nicholas CofE), the adjacent settlement's services are now significantly worse than they were at the time of the two determined appeals above and the former on-site appeals. This in combination means that the location of the site is incapable of complying with CP1, CP2 and CP6 of the Core Strategy and TB10 as not only would it be impossible to access the closest settlement safely considering its relatively isolated location and poor infrastructure, the provisions within the closest settlement itself lack the ability to cater to day-to-day requirements such as food, education, health and wellbeing, dentistry etc.

The lack of services was acknowledged within an earlier appeal on site (APP/X0360/A/11/2154295), with the Appellant submitting a Unilateral Undertaking to provide contributions towards facilities such as healthcare and schooling (paragraph 4). No such obligation has been offered within this submission, nor has a sustainability assessment been carried out. On this occasion, considering the quantum of development put forward 4x the size of the original on-site appeal decision, contributions would not overcome the harms associated with an unsustainable development location as identified above.

Turning to social cohesion, the over-reliance on motor vehicles would mean that it is likely that if someone is going to go shopping via the car for example, they are more likely not to drive to a local shop regularly (which no longer exists in Hurst), but to go occasionally to the nearest superstore and do it all in one go (on the assumption that even a vehicle could exit the site during surface water flooding events). It is self-evident that if you can walk easily to your local shop, school or pub you are more likely to do so than if you need to drive and so you are more likely to meet people, stop and speak to them. Once you get in the car, you then have a much wider choice available and are likely to exercise that choice failing to promote social cohesion and exacerbating the use of the private motor vehicle and carbon emissions. Overall, the

location of the site is not considered likely to encourage peaceful integration of future occupants, rather purposefully distancing them from the community.

The proposal would fail to comply with CP1 and CP6 of the Core Strategy, as well as the guidance within the National Design Guide and Manual for Streets. Whilst it is acknowledged that the provisions of paragraph 13 of the PPTS relate to planning policies, they can by default reasonably be applied to decision making as relevant material considerations. The proposal within this location would fail to meet those relevant tests within paragraph 13 of the PPTS.

Character of the Area:

With regards to well-designed places, paragraph 135 of the NPPF states planning policies and decisions should ensure that developments:

- a) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;
- b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;
- c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);

Paragraph 139 goes on to state *“Development that is not well designed should be refused, especially where it fails to reflect local design policies and government guidance on design”*.

Paragraphs 187(b) of the NPPF state that development should contribute to and enhance the natural and local environment by:

“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 National Design Guide section B1, paragraph 67 also states that the built form of well-designed places should relate well to:

- the site, its context and the opportunities they present;
- the proposed identity and character for the development in the wider place;

Paragraph 68 follows on from this stating that houses and streets should establish an appropriate relationship with the pattern, sizes and proportions of existing houses in the local area. It is noted that the proposal is for GRT pitches as opposed to housing, however, the guidance remains applicable.

Policy CP1(1) similarly only supports development that maintains or enhances the

high quality of the environment, with policy CP3 supporting development of an appropriate mass, layout, built form, height and character to the area and which makes a positive contribution to the sense of place contributes to the buildings and spaces themselves and in the way they integrate with their surroundings.

The Borough Design Guide Supplementary Planning Document provides further guidance for developers with general guidance that development should respond positively to its site and local context (G1) and respond positively to the local character of the area (G2).

R24 of the Borough Design Guide states that the layout and design of gypsy sites should provide a safe living environment that meets the needs of residents, while respecting the character of the local area. A list of key guidance is contained within R24 with respect to positive design and adequate living conditions.

Policy CP5 of the Core Strategy and Policy TB05 of the MDD Local Plan require an appropriate density and R10 of the Borough Design Guide SPD seeks to ensure that the development achieves an appropriate density in relation to local character.

Layout, density and design:

The surrounding area is an attractive rural landscape, which generally is unspoilt by built development other than piecemeal built form associated with agricultural/ equine activity.

In terms of the appearance, 6 GRT pitches in this location is considered to be moderate density for this rural and verdant location, however, visually would appear cramped given the ancillary built form proposed in combination with touring caravans. Given the plot size of 0.45 hectares, the density would be 13.3 pitches per hectare. Whilst this is relatively modest (though higher than residential density within the locale), the submitted plans show that each pitch would contain a static caravan, touring caravan and dayroom. Thus, approving a total of 6 pitches in this location would lead to the siting of 6 static caravans, 6 touring caravans and 6 dayrooms, vehicles and other residential paraphernalia.

The knock-on impact on having such a densely populated site (with respect to all structures and buildings proposed) would be an overly urbanised appearance which drastically alters the character of the site along a quiet rural lane. The proposals would further be visually notable (albeit localised) in the context of the street scene which fails to recognise the intrinsic beauty of the countryside and accordingly would fail to maintain the quality of environment. As existing, this high-quality character is informed by large separation distances and a localised absence of development as a whole unless tied to agricultural/ equestrian use (when contrasted to the closest settlement). Small modern residential cul-de-sacs are very much at odds with the established character within this rural area.

The proposed site layout illustrates multiple caravans sited under the canopy of the treeline running along the site's north, south and western boundary. As per the guidance contained within the BDG, caravans should be positioned away from overhanging trees for fire safety reasons as well as character and visual amenity

reasons. Built form so close to the road again is significantly out of odds with the character of the area, which visually would be received as an alien feature in the street scene, thus failing to comply with CP1 and CP3 of the Core Strategy which require development to maintain the quality of the environment and be of an appropriate scale of activity, appearance and design.

The site as existing hosts a hard surfaced entry and parking area, however, the majority of the site as existing retains open qualities for the grazing of horses with the southern and western extent of the site being solely retained for agricultural use. This forms the appearance of a traditional farmstead which maintains a sense of tranquillity along Islandstone Lane with the development concentrated to the northern and eastern boundaries of the site.

The proposal seeks to lay hard surfacing over the entirety of the site, with whole-stone finish even being proposed in the amenity space of each plot. This removes all of the site's existing green qualities and eradicates its farmstead appearance from the street scene, harming the site's underlying rural character in conflict with CP1 and CP3 of the Core Strategy as well as the provisions of the borough design guide.

This existing rural appearance, directly appreciable from the street scene is shown in the figure below:



Figure 4: 2021 Street View of the site, from Islandstone Lane.

Turning to the proposed layout itself, the plots broadly are spread around the edges of site, whilst bolster their visibility from the street scene. Whilst it is noted that limited harm was attributed by the on-site Inspector previously, this was given the notable set back of the existing pitch and limited visibility from the street scene which constituted more “low key” change (paragraph 19 APP/X0360/A/11/2154295). The same does not apply to the proposal, with multiple caravans directly adjacent to the boundary. From the viewpoint above, 1 static caravan would be present within c0.85 metres of the fence line and another circa c4 metres away directly facing onto the street, with 1 further touring caravans within c1.5 metres of the boundary. The submitted

landscaping scheme indicates this area will be left as an open vista, and as such clear views will be afforded to this urbanising layout, which decimates the pleasant rural character of the west of the site. This hardening, urbanising approach stands contrary to CP1, CP3, TB10, TB21 and the NPPF.

Whilst it is noted that appeal inspectors on site, and within the locale have previously regarded that screening via condition limits landscape and character harm, a more recent appeal decision APP/X0360/C/21/3270397 to land known as at Woodlands Farm outlines a clear principle that screening cannot make an unacceptable development acceptable, nor should good development need to be hidden from the public eye. Paragraph 59 of this decision states *“Whilst the proposed landscaping could be secured by the imposition of conditions it would not assimilate the site within the landscape but would aim to hide the site. The purpose of landscaping conditions is to enhance a development and not hide an unacceptable visual intrusion. It is not reasonable to impose maintenance conditions for landscaping in perpetuity and therefore reliance on landscaping to hide an unacceptable form of development is also not reasonable.”* The LPA view this application (which proposed a more appreciable form with even less softening) as directly applicable to this decision, in that no landscaping can truly mitigate the harm to the street scene and appreciable openness of the western extent of the site.

The proposed layout is poorly designed and fails to respect the underlying character and appearance of this attractive rural area influenced by open grazing fields and agricultural/ equine development. The siting of the proposed caravans and ancillary buildings seek to maximise views from the street scene, rather to integrate them into the site. This would create alien form which fails to be of an appropriate scale of activity, layout and character to the area and would subsequently fails to maintain the quality of the environment contrary to CP1 and CP3. The proposal's layout would further fail to comply with the Borough Design Guide which seeks to inform positive design of gypsy and traveller pitches, which has not been followed by the applicant.

Landscape Character:

Policy TB21 of the Managing Development Delivery Local Plan states that proposals must demonstrate how they have addressed the requirements of the Council's Landscape Character Assessment, including the landscape quality; landscape strategy; landscape sensitivity and key issues. Proposals should retain or enhance the condition, character and features that contribute to the landscape.

The application site is located within the Landscape Character Area (LCA) known as I4: Hurst Farmed Clay Lowland according to the Council's Landscape Character Assessment November 2019. This is a landscape of high quality, moderate sensitivity and limited capacity for change. Key characteristics of the LCA include:

- Wooded context provided by dense, overgrown, rough hedgerows with hedgerow trees aligning winding rural roads, which creates an enclosed character.
- Predominantly a pastoral landscape dominated by horse grazing and exercising paddocks, with areas of sheep grazing. There are also some larger areas of arable farmland.

- Low density settlement pattern of closely spaced farmsteads
- Peaceful rural landscape with an intimate character with localised experience of dark night skies.

To maintain the landscape character of the Hurst Farmed Clay Lowland the following strategy is required: to conserve and enhance the rural pastoral intimate character. In terms of development, the aim is to conserve the low-density settlement pattern of farmsteads along rural lanes and the small village of Hurst. The landscape guidelines for the LCA also encourage the protection of the perceptions of rural tranquillity in the landscape through the management of development.

Emerging Policy NE6 of the LPU states that *“Development proposals will only be permitted where they protect and enhance features that contribute to the character, quality and interpretation of valued landscapes and specifically the criteria set out in the Guidance for Landscape and Visual Impact Assessment (GLVIA) Box 5.1:...”*

Along with being located within a high-quality area of landscape, the site is located within the Haines Hill Valued landscape as per the 2024 topic paper. This topic paper directly mentions the I4 LCA identifying elements of local importance that would be difficult to re-create. They include: the peaceful, rural quality; the low-density settlement; and the distinctive small-scale pattern of pastoral fields, units, drainage ditches and hedges, characteristics that wholly apply to the application site.

As above, the proposed landscaping plan clarifies that the entire site will consist of whole-stone finish, removing all of the on-site verdant features of pastoral quality which contributes to the site’s current high quality landscape character. As above, the LCA is categorised as high quality by virtue of its pastoral landscape, low density settlement pattern and peaceful rural landscape. Intensifying the use of the land and removing the pastoral field adjoining to provide a high-density residential scheme is significantly out of odds with this established and valuable character. The development as proposed would stand contrary to the guidance within the LCA in that it would fail to *“...conserve the low-density settlement pattern of farmsteads along rural lanes and the small village of Hurst”*. Rather, it would introduce alien urbanising, visually hardening form of high density that disrupts the low-density settlement pattern and rural quality of the environment.

Turning to soft landscaping, the proposed landscaping plan shows ‘native hedgerows’ in between pitches, and bordering the site. The indicated hedgerow is inconsistent in width, and the wider landscaping plan contains no tree planting despite request by WBC Trees and Landscape, nor clarify on which species will thrive in such a narrow distance. The minimum distance in width of the hedgerow is illustrated to be c0.48metres between plots 1 and 6 which does not form a meaningful landscape led response to the site’s location within a sensitive landscape. This approach of limited width is replicated on site in numerous locations. The LPA are unaware of which native species would thrive at such limited width bound by hard-surfacing on each side. Further, given the tight layout proposed, it is not considered that meaningful mitigation planting could come forward at conditions stage and furthermore as above, a landscaping condition in this instance would be to hide unacceptable development,

rather than to enhance it.

The proposed development given its inevitable and purposeful urbanisation would stand contrary to paragraph 187 of the NPPF, as the provision of 6 gypsy pitches, tarmacked access and tight-night design on a previously undeveloped field for grazing purposes is not capable of protecting yet alone enhancing the value of the landscape. Furthermore, by the same virtue, the proposal fails to comply with TB21 of the MDD Local Plan as the development fails to retain or enhance the condition, character and features that contribute to the landscape. This is returned to within the planning balance.

Neighbouring Amenity:

Core Strategy Policy CP3 requires development to be without detriment to the amenities of adjoining land users including open spaces or occupiers and their quality of life. In this instance, the most pertinent points to consider are potential overlooking, overbearing, overshadowing, noise and light impacts.

Overlooking:

The additional pitches on site would face to vegetation to the north, south, east and west. The native hedging boundary treatment between each pitch could add to perceived privacy for all occupants despite it being limited in scale. Overall, there are no significantly overlooking concerns.

The closest separation distance between are plots 3 and 4 which measure circa 15 metres front to back. Whilst the borough design guide does not stipulate minimum distances between static homes, at single storey the proposal would unlikely lead to significant overlooking or intervisibility given its layout/ orientation.

Loss of Light and Overbearing:

As outlined above, adequate separation distances are achieved between each plot on site and the nearest residential dwelling is located 40 metres to the south. There are therefore no loss of light or overbearing concerns, particularly considering the proposal's single storey nature.

Noise:

The existing site is already in residential in use. The addition of 4no. pitches is unlikely to generate any adverse noise impacts, mainly due to the separation distances between the site and neighbouring properties, plus the noise suppression provided by the partially vegetated borders.

Lighting:

Whilst it is noted that neighbouring objections mention increased light pollution, considering the site's proximity away from neighbouring dwellings this is not considered to detrimentally harm adjoining occupier's quality of life. If the application was otherwise acceptable, details could be secured by condition.

Odour:

The site is part agricultural in use, however, it is understood that this will cease should permission be granted. Thus, there are no concerns raised in relation to odour.

Sewage:

Due to the increase in pitches on site proposed currently, further details of the existing sewerage connection and its viability will be secured via condition.

Highway Access and Parking Provision:

Parking

Policy CC07 and Appendix 2 of the MDD Local Plan stipulates minimum off street parking standards, including provision for charging facilities.

P3 of the Borough Design Guide SPD notes that parking spaces are to be a minimum of 5m x 2.5m and there should be 6m separation between the two rows of parking spaces to allow for safe manoeuvring.

The development in the quantum proposed within a Village location will require two to three driveway parking per pitch within the red line boundary. Based on the submitted scheme of the six pitches, the driveway of each pitch will have sufficient spaces to provide three or more parking spaces, which is acceptable. Two unallocated visitor parking spaces are proposed adjacent to the site access.

Cycle Parking:

Policy CC07 and Appendix 2 of the MDD Local Plan stipulates minimum cycle parking standards and Policies P2 and P3 of the Borough Design Guide SPD ensure that it is conveniently located, secure and undercover and provided where it is compatible in the streetscene.

One/two cycle storage space (measuring 2m x 0.9m) is required for each pitch to promote sustainable transport, this is proposed within each pitch. Further, sufficient space remains within each plot's day room to facilitate this storage and this matter could be secured by planning condition if the application was otherwise acceptable.

Access and Manoeuvring

The applicant has revised the site layout for the provision of turning head. While it is not clearly indicated in the swept path, the dimensions of the vehicle shown are the same as the WBC adopted dimensions for fire tender. With the internal road width of 4.9m, emergency vehicles are likely to be able to access and egress in forward gears. WBC Highways raise no objection to the proposed internal roadway/ retained Highway access point.

Refuse Collection Strategy

A bin store has been shown to be provided per pitch and the collection arrangements will be the same as they current practice. As the site is gated and the internal road of

access will remain private, according to Manual for Streets, the bin collection areas shall not be placed exceeding the maximum carrying distances for households (30m) and refuse collection operators (25m) from the public highways. Whilst the distances between the bin stores of Pitches 3-5 and the public highways exceed acceptable carrying standards, this is a marginal shortfall that would not warrant objection.

Traffic Generation

The traffic generated from 4 additional pitches are unlikely to have significant impacts on the wider highway network.

Amenity Space:

Though there is no strict policy requirement or guidance when assessing static caravans' provision of amenity space, a small parcel of land is shown accompanying each pitch which is suitable for light outdoor activities such as clothes drying, enclosed play and socialising.

Flooding and Drainage:

Core Strategy Policy CP1 states development will be acceptable where they avoid increasing (and where possible reduce) risks of or from all forms of flooding (including from groundwater).

Policy CC09 of the MDD Local Plan states *"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."* It goes on to state *"Development proposals in Flood Zones 2 or 3 must take into account the vulnerability of proposed development."*

Paragraph 13(g) of the PPTS states that Local Planning Authorities should ensure their policies *"do not locate sites in areas at high risk of flooding, including functional floodplains, given the particular vulnerability of caravans."* Whilst in relation to plan making, this sets the tone for the unacceptability of highly vulnerable development within a functional floodplain.

Modelling:

Following updates to EA modelling in early 2025, the application site now lies within Flood Zones 2 and 3 (including Flood Zone 3B).

Flood Zones 2 and 3 are defined by the National Planning Policy Framework (NPPF) and associated Flood risk and coastal change Planning Policy Guidance (PPG) as having a medium and high probability of flooding. In addition, the application site lies within the 3.3% annual exceedance probability (AEP) flood outline which is identified by the Wokingham Borough Council Strategic Flood Risk Assessment (SFRA), dated May 2023, as within Flood Zone 3b (the functional floodplain).

Further to the Environment Agency outlining that the Flood Risk Assessment submitted pursuant to the application was inadequate, the applicant submitted a technical note prepared by Flume Consultants in August 2025. As outlined in an

objection received by the Environment Agency, the submitted Technical Note focuses on the use of the Loddon (Lower) 2009 model to assess flood risk in this location and states this is the 'hydraulic model for this river reach and remains the underlying source of the current Flood Map for Planning outputs'. The Environment Agency outlined that this is factually incorrect and that the New National Model (NNM) informs the Flood Map for Planning in this location, and the watercourses adjacent to the application site are not included in the Loddon 2009 model. Therefore, upon raising statutory objection, the Environment Agency outlined that the Flood Risk Assessment and subsequent technical notes inadequately covered the high potential of flood risk associated with a highly vulnerable use.

The Environment Agency has outlined that the applicant is relying on data from the Loddon (Lower) 2009 detailed model to try to show the site is not in Flood Zones 3a or 3b. However, the objection received confirmed it is not appropriate to use the Loddon 2009 model to inform an FRA in this location as it does not appropriately cover the site and all sources of flooding. Notwithstanding request from the Environment Agency, further modelling or topographical work has been undertaken.

The objection from the Environment Agency further highlighted that the application site is at flood risk from the Kayersbridge Brook, which was not included in the Loddon 2009 model. An example of the inadequacy of the 2009 model provided by the Environment Agency is that it does not illustrate flood risk shown in the Kayersbridge Brook river channels except in the 0.1% AEP flood extent. Thus, it was confirmed that sole reliance on the 2009 model is insufficient, as it does not factor in a key factor which influences the site's flooding. The LPA note that this matter was acknowledged by the Inspectorate within the on-site appeal referenced APP/X0360/A/11/2154295 dated 30/12/2025. Paragraph 25 of the Inspector's decision stated *"The EA representative confirmed that the modelling is, by its very nature, somewhat generalised and it does not take into account the Kayersbridge Brook. This causes me some concern given that the appeal site sits at the junction of two arms of the Kayersbridge Brook which wraps around two boundaries of the site."* Factually, the Environment Agencies modelling has moved on since this appeal, and in the case of the above, the Inspector relied only upon visual observation that the site was at marginally higher level than Islandstone Lane in combination with former classification of Flood Zone 2, which was taken at face value. The factual evidence prepared by the Environment Agency has notably advanced since the date of this former decision and thus supersedes the Inspector's former conclusions, this updated evidence is outlined within the statutory objection received.

Furthermore, the Environment Agency outlined within their objection that all extents except the 0.1% AEP only extend a little way up the Kayersbridge Brook. These extents from the Loddon 2009 model are only showing flood risk from the Billingbear Brook backing up the Kayersbridge Brook and are not representative of flood risk from the Kayersbridge Brook itself. In support of the Environment Agencies technical observations above, the LPA note that there are also records of historic flooding in this location, as well as physical proof shown gained from Officer site visits in the table below:

Image	View
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	Directly adjacent to the site along Islandstone Lane – February 2025
	Within the access of Bridleway Farm on the western boundary of the site, looking west down Islandstone Lane – February 2025
	Directly adjacent to the site's southern boundary, looking east up Islandstone Lane - February 2025
	Adjacent to the site's southern boundary, looking west up Islandstone Lane – February 2025

As acknowledged by the applicant and Environment Agency, there is no detailed local modelling available for the application site and notwithstanding the applicant's former planning agent outlining this would be prepared, none has been undertaken. In line with the statutory objection received, the only modelling available for the Kayersbridge Brook is the Environment Agencies New National Model (NNM) and the applicant has failed to consider this within this submission, nor provided any meaningful rebuttal as to the inadequacies of this model as shown by the Environment Agency upholding their objection following the receipt of further technical notes.

The NNM shows the site to be within, and surrounded by, the 3.3% AEP, thus within Flood Zone 3b. The site is also in the 1% AEP in accordance with the NNM and so is within Flood Zone 3a. Highly vulnerable development is not compatible in Flood Zones 3a or 3b and therefore stands contrary to the NPPF as well as the guidance within the PPG/ PPTS.

Safety of the development

As outlined by the Environment Agency within their statutory objection, the applicant has submitted insufficient information and thus the safe design flood level for this site has not been agreed. Accordingly, the Environment Agency are not satisfied that it has been demonstrated that finished floor levels can and will be set above the design flood level.

In addition, the EA has outlined that incorrect data has been used to inform the applicant's assessment of access and egress route which as shown in the table above is entirely impassable by a normal motor vehicle let alone active transport methods. Therefore, the Environment Agency are not satisfied that future occupants will be safe for the lifetime of the development. There would be an unacceptable risk to the health and safety of the occupants in a flood event. This is contrary to the NPPF.

Flood risk elsewhere

No new information on the proposed works has been provided by the applicant, who sought only to challenge the views expressed by the Environment Agency. The Environment Agency noted in their objection that the applicant has only tried to demonstrate the site is outside the design flood extent, most recently highlighting that they do not consider the site to be within a flood zone at all. Notwithstanding, this erroneous approach has arisen from inappropriate data as set out above and within the statutory objection that does not acknowledge the Kayersbridge Brook.

With respect to the new buildings/structures and potentially land raising in the floodplain proposed, the Environment Agency noted that the development will result in a loss of floodplain storage which will impede flood flow within the 1% AEP flood extent with an appropriate allowance for climate change. The proposed development will therefore increase the risk of flooding both onsite and elsewhere which is contrary to paragraph 181 of the National Planning Policy Framework and adopted policy CP1 in the Wokingham Borough Core Strategy.

The Environment Agency noted that a mixture of voids and floodable structures are proposed to mitigate for an increase in built footprint within the 1% annual exceedance probability (AEP) flood extent with an appropriate allowance for climate change. The Environment Agency has confirmed that is not appropriate and level for level compensation is required. They outlined within that statutory objection that voids are not an appropriate form of mitigation in accordance with paragraph 49 of the Planning Practice Guidance which states stilts and voids '*should not normally be relied upon for compensating for any loss of floodplain storage*'. This is because voids do not allow water to freely flow through them, they have limited capacity, it is difficult to stop them being used for storing belongings or other materials and voids can get silted up and/or blocked. It was further outlined that floodable structures also not appropriate for similar reasons. Thus, the development has not been demonstrated to prevent flood risk increasing elsewhere and in this case would significantly exacerbate it.

Sequential Test:

The NPPF, PPG and CC09 of the MDD Local Plan all require that a sequential approach be taken to steer development to areas with the lowest probability of flooding. Para 023 of the PPG explains that the Sequential Test is the most effective way of addressing flood risk because it places the least reliance on measures like flood defences, flood warnings and property level resilience features.

The sequential approach applies both to the selection of sites and to the layout of development within a site. Paragraph 175 of the NPPF confirms that the Sequential Test should be used unless the development lies entirely outside areas at risk from any source of flooding, now or in the future. As set out in the previous section, the layout does not avoid areas at risk from flooding.

CS Policy CP1 and CC09 reinforces this approach by requiring a risk-based, sequential approach to development and states that flood risk should not be worsened for the application site or elsewhere. Ideally, it should result in betterment. The policy requires consideration of all sources of flooding.

The proposal would result in a highly vulnerable use within Fluvial Flood Zones 2, 3a and 3b and therefore requires the application of the Sequential Test and (if passed) the exception test. It is also relevant that no flood modelling showing the flood zones adjusted for climate change has been provided and therefore it is likely that climate change exceedance would show a greater extent of flooding across the site. This point was formerly acknowledged by the on-site inspector. The applicant has provided a sequential test and exception test to support their application which has been reviewed by WBC Planning Policy.

In accordance with paragraph 173 and 174 of the NPPF, development in flood risk areas should not be permitted if there are reasonably available alternative sites, appropriate for the proposed development, in areas with a lower risk of flooding. The sequential test establishes if this is the case. Wokingham's Strategic Flood Risk Assessment provides further basis to undertake this test on the site.

The absence of a 5-year housing land supply is not a relevant consideration in applying the sequential test for individual applications. However, housing considerations, including housing land supply (including GRT pitch supply), may be relevant in the planning balance, alongside the outcome of the sequential test.

The submitted Sequential Test does not take account of the updated flood map for planning (neither does the latest FRA on which the application is predicated) having been produced prior to the update being available. The applicant has been presented with the opportunity to update both documents but has chosen not to do so. Given the majority of the site now lies within Flood Zone 3 based on the updated Flood Map for Planning (updated in March 2025) as outlined by the Environment Agencies statutory objection, WBC Policy considers the Sequential Test therefore does not accurately consider sequentially preferable sites as it is predicated on an outdated and flawed assessment of flood risk.

This is communicated by the applicant within paragraph 5.24 which states "*any sites*

within Flood Zone 2/3 have been excluded from the search parameters as these sites contain an equal or higher level of flood risk severity, subject to an assessment being made regarding the overall flood risk, from any sources, on site.” Considering the site falls within a mixture of Flood Zone 2, 3a and 3b it is unreasonable of the applicant to exclude available sites within Flood Zone 2 which would not have a ‘higher level of flood risk severity’.

The Flood Risk Assessment “*has been used to assist in ruling out sites on flooding grounds.*” Given the FRA does not accurately reflect latest flood risk, there are fundamental deficiencies in the approach taken. The applicant seeks to place great emphasis on the aim of the Sequential Test being to ‘steer’ development, rather than be a blocker to it. Regardless, WBC Policy consider this position is fundamentally flawed given the site is mostly FZ3 and a highly vulnerable use is proposed, where national and local policy is clear development should not be permitted. This is informed by an inadequate and insufficient Flood Risk Assessment.

Avoiding flood risk through the sequential test is the most effective way of addressing flood risk because it places the least reliance on measures such as flood defences, flood warnings and property level resilience. As the applicant has utilised an incorrect scope which fails to account for the site’s location in Flood Zone 3, it has not been demonstrated if there are reasonably available sites appropriate for the proposed development in areas with a lower risk of flooding.

The area of search for the Sequential Test encompasses the whole borough (per paragraph 4.26) which is welcomed by WBC Policy, given that policy, with the exception of that relating to development in the Green Belt, does not limit in principle the proposed development type to particular geographical parts of the borough as with other uses e.g. agglomeration clusters. This said, paragraph 4.37 of the Sequential Test, argues that sites outside of 2km of a settlement cannot be viewed as reasonably available – the implication being they would not be found suitable based on existing policy.

Whilst WBC Policy do not disagree that a site more than 2km from a settlement is unlikely to be found to comply with the locational requirements of CP2 and TB10, that does not mean that sites so located would not have other benefits which could be weighed in the planning balance on a case by case basis, especially in light of the current lack of five year land supply and potential application of the presumption in favour of sustainable development. WBC Policy outlined that to dismiss sites out of hand on that basis is therefore overly simplistic and likely to significantly reduce alternative sites at lower flood risk which should be assessed in detail to determine if they are ‘reasonably available’.

Paragraph 4.40 of the sequential test – argues that for sites to be ‘reasonably available’ they should be both ‘deliverable’ AND ‘developable’. WBC Policy have outlined that these terms have different meanings as defined in footnotes 4 and 5 of the PPTS respectively, and therefore different tests. A site which is considered ‘developable’ cannot also be ‘deliverable’, which is the reason why this separate definition exists for sites which aren’t available now. The key test in the definition of reasonably available sites is that alternatives are capable of being developed at the same time as the proposal. This may be now or it may be at some point in the future.

WBC Policy consider the claim that reasonably available sites need to be both 'deliverable' and 'developable' is misguided as by definition it is impossible for a site to be both. In applying this logic, the Sequential Test sets too high a bar and has discounted sites which are genuinely reasonably available. For the avoidance of doubt, the definition of reasonable available sites in the PPG is as follows:

"Sites should be considered 'reasonably available' for the purposes of the sequential test if their location is suitable for the type of development proposed, they are able to meet the same development needs and they have a reasonable prospect of being developed at the same time as the proposal."

Para 4.63 of the Sequential Test argues that 'the point of time envisaged' must be within the next 3 years. WBC Policy disagree with this approach in principle. It is not a logical position to take to assume delivery must be within 3 years as, for example, a large outline application would take many years to develop, potentially even starting beyond 5 years. By only assessing alternatives that can deliver within 3 years a Sequential Test would be applying a higher bar to alternative sites than the reality of its own delivery / point in time availability. This test in the view of WBC Policy is if an alternative can be delivered at a similar time to when the application development is proposed to be delivered. In principle, WBC Policy do not consider it to be a robust approach to discount sites that could genuinely come forward at a similar timeframe to the application scheme.

The LPA and WBC Policy note that the HELAA 2019 version was used rather than the latest 2024 version which includes any additional sites promoted since earlier versions. The 2019 version is incorrectly described as the 'most recent' version at paragraph 5.27. It is therefore clear that the best, most up to date information has not been used, particularly given the implications to search area. In terms of HELAA sites, the Sequential Test places a lot of emphasis on conclusions of sites being 'potentially developable' rather than 'developable'. The definition of 'potentially developable' in the HELAA 2024 is: *"The site has been identified as potentially suitable and/or potentially available. Whether the site becomes developable will depend on further assessment through the plan making process, e.g. whether circumstances support the amendment or removal of existing designations, and further investigations into its availability."* The HELAA is a starting point in the site selection process and should be read alongside the Site Allocations Topic Paper which constitutes further assessment through the plan making process. All proposed allocations in the LPU specifically for GRT pitches are identified in the topic paper as having an anticipated timescale for delivery of 'short' term (2023 to 2028) with one site being short / medium. The proposed allocation of these sites in the emerging LPU means that they are by definition developable.

Turning to site area and in particular smaller sites, paragraphs 5.15 and 5.16 discount sites below 0.39ha on the basis that they would not provide a 'viable alternative' is not agreed by WBC Policy. The GTAA identifies an aspirational pitch size of 625sqm. A 0.39ha site would therefore be able to accommodate at least 6 pitches compared to the 4 additional pitches being applied for. The methodology tests sites able to accommodate 3-5 pitches, and therefore on the basis of the GTAA aspirational pitch size, a site as small as 0.19ha (rounded) would be capable of accommodating the lower end of this figure. That is notwithstanding that the 625sqm size is aspirational

with smaller pitches being capable of meeting occupier needs.

Furthermore, WBC Policy outlined that the sequential test does not consider any assessment of a series of two or more smaller sites that could accommodate the quantum – no evidence of a consideration of a series of smaller sites has been provided. The conclusion at para 5.16 that *“it is evident that a smaller site than the chosen plot, will not be able to accommodate the proposed development in a manner which is suitable for the proposed use”* is therefore clearly not robust or justified.

With respect to larger sites above the site area, paragraph 5.17 argues that sites of greater than 0.57ha would be too large to accommodate the proposed development practically and so sites above this threshold are removed. WBC Policy consider that no evidence or justification for this statement regarding practicality is provided. It is clearly eminently possible for part of a larger site to be developed to accommodate the quantum and also provide opportunities for other policy requirements such as onsite BNG, or to landscape and subdivide the larger area in some way. The identified upper limit is therefore also not considered robust or justified by WBC Policy who object in this respect.

It is further noted that within paragraph 5.21, the applicant argues that there would never be a scenario in which a Gypsy and Traveller site was owned by different individuals or families. However, WBC Policy have outlined that this is exactly the situation found within Wokingham borough at Highfield Park. This reasoning is therefore likely to have constrained the identification of genuinely reasonably available sites.

Finally, paragraph 5.24 outlines that the area of search is predicated on the site being located in Flood Zone 2 and therefore only sites within Flood Zone 1 have been considered. WBC Policy consider this approach as flawed firstly because the site now lies mostly within Flood Zone 3, and therefore sites within Flood Zone 2 are sequentially preferable. Secondly, even if the site remained in Flood Zone 2 only, there may still be sites located within Flood Zone 2 which have a lesser flood risk extent than the application site, which are also consequently sequentially preferable. To discount all sites covered by Flood Zone 2 and only assess sites wholly within Flood Zone 1 would still not have been a robust approach based on the now outdated flood risk extent.

The proposed development constitutes a ‘highly vulnerable use’ as per Annex 3 of the NPPF (2024) and guidance within the PPG. On that basis, development may be permitted in Flood Zone 2 subject to the application of the Sequential Test to demonstrate that the proposed development cannot be guided to an area of lower flood risk, and also the Exception Test as outlined by WBC Policy.

The applicant has failed to show that the Sequential Test can be passed. In these circumstances the PPG is clear Exception Test should only be carried out when there are clear no alternative sites for the development and this is not the case here. Notwithstanding, the Exception Test cannot be passed due to the FRA relying on outdated information and the Environment Agencies objection.

National and local policy is clear that development of 'highly vulnerable' uses in Flood Zone 3 should not be permitted. The site mostly lies within Flood Zone 3, with the proposed quantum not being capable of being located in FZ2 only, and therefore the proposals are not acceptable in principle. WBC Policy considers the application fails the sequential and exception tests and subsequently provide a strong reason for refusing planning permission.

Arboricultural Matters:

CC03 of the MDD Local Plan requires development to prevent the fragmentation of Green Infrastructure and to prevent its loss.

The application is accompanied by an Arboricultural Method Statement, Arboricultural Survey to BS5837:2012 and Tree Protection Plan. However, it is noted that these documents have been prepared on an alternative site plan which does not include the built form within the RPA of native trees. This impacts the validity of the assessment. The site utilised by the applicant's Arboricultural information and that proposed in the site plan are contrasted below for ease of reference:



Figure 5: Comparison between submitted site layout plan and tree protection plan

The submitted Arboricultural Survey outlines a mixture of category B and C native trees to be present on the site, outlining them in the vast majority to be of good condition.

The parking spaces proposed for pitch 3 would incur into the RPA of T07 (category B Hawthorn of good quality) and potentially within T08 (category B Oak of good quality). The site plan does not show the RPA of either tree and proposes a reduced canopy which appears to mislead the decision maker. The submitted Tree protection plan and AMS utilises a different site plan and therefore does not provide conclusive evidence the trees will be protected/ effectively mitigated.

The proposed touring and static caravan pursuant to pitch 3 would incur notably into

the RPA of T05 (category B Oak of good quality). As the submitted tree protection plan is based on an alternative site plan, the mitigation protection measures are not applicable to the proposed site plan as per the May 2025 update and therefore its protection cannot be secured.

The static caravan pursuant to pitch 5 would notably incur into the RPA of both G04 (four oak and one willow, B category of good quality) and T12 (C-Category Hawthorn of good condition). As above, the site layout plan does not reflect the tree protection plan or mitigation measures outlined within the AMS. Further, considering the location of the static directly over T12 it is not considered possible to mitigate harm, nor has it been demonstrated otherwise.

Insufficient information has been submitted in the form of a Tree Protection Plan and Arboricultural Method Statement for the LPA to ascertain that no harm will arise from the proposal to trees marked for retention. The submitted documents are wholly inconsistent with those proposed in the form of the site plan, and whilst it is noted that the proposal includes a change of use of the land, the operational development pursuant to the application must be considered as fixed.

Whilst none of the trees potentially impacted are of TPO, Veteran or Ancient status, objection is raised on this basis, as mitigation/ preventing harm to good quality native trees and hedgerow have not been demonstrated to be possible, nor reasonable in kind. Accordingly, given the fundamental drafting error and inconsistency outlined above, it would not be reasonable for the LPA to secure these matters via condition, particularly as no details on tree loss have been provided that reflects the proposed site plan contrary to CC03 of the MDD Local Plan.

Ecology:

Policy TB23 of the MDD Local Plan requires the incorporation of new biodiversity features, buffers between habitats and species of importance and integration with the wider green infrastructure network.

Great Crested Newts:

The development falls within the red impact risk zone for great crested newts. Impact risk zones have been derived through advanced modelling to create a species distribution map which predicts likely presence. In the red impact zone, there is highly suitable habitat and a high likelihood of great crested newt presence.

Further to consultation, WBC Ecology Newts were satisfied with this subject to planning conditions that could be secured in the development was otherwise acceptable.

Bats:

The application is accompanied by a Preliminary Ecological Appraisal and Roost Assessment prepared by Arbtech. This demonstrates that the existing mobile home on site to be demolished sports negligible roosting potential given relatively modern construction, limited crevices/ cracks and insulation.

Mammals and Aves:

The submitted PEA further outlined assessment of birds, badgers, hedgehogs and dormice. Given the site's relative unsuitability for mammals and recommended precautions that could be taken with respect to construction outside of bird mating season, no objections are raised in this respect.

Ecological Enhancements:

The submission further suggests numerous ecological enhancements that could be secured by condition if the application was otherwise acceptable. These include the planting of fruit bearing trees, creation of brush piles for hedgehogs, hibernacula, log piles, bird boxes and three bat boxes. These enhancements would be proportionate to the scale of development.

BNG:

Following the introduction of 'Biodiversity Net Gain' which will be mandatory on both major and minor development in future, applicants must demonstrate how the development will increase biodiversity by a minimum of 10%. A biodiversity metric has been provided which shows a broadly agreeable baseline. If the application was otherwise acceptable, mandatory net gain could be secured via condition or planning obligation.

The Public Sector Equality Duty (Equality Act 2010) and Human Rights Act:

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, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief.

There site is proposed for the Gypsy/Traveller community which are considered to be persons with protected characteristics as identified by the Act have or will have different needs, experiences, issues and priorities in relation to this application. On this occasion, the submission is made on a speculative basis and there would be no significant adverse impacts as a result of the development, namely refusal of the application would not render any party homeless, interfere with their human rights nor harm the applicant's protected rights.

This advice does not prejudice the gypsy/travellers nor disadvantage them when compared to anyone who does not have such a protected characteristic. Regardless of the background of the applicant, concerns relating to flood risk, character impact, landscape harm, sustainability concerns, arboricultural implications and principle have been raised. The ethnicity of the applicant is immaterial to these considerations which are supported strongly by planning policy both local and national.

Planning Balance:

The statutory starting point for determination is the development plan. The site is

outside of the defined settlement limits and within the countryside and conflicts with policies in the Development Plan.

Paragraph 28 of the PPTS states that *“If a local planning authority cannot demonstrate an up-to-date 5 year supply of deliverable sites, the provisions in paragraph 11(d) of the National Planning Policy Framework apply.”*

Paragraph 11(d) of the NPPF requires decision makers to engage the titled balance where a 5 year deliverable supply cannot be evidenced. Whilst footnote 8 of the NPPF directs this towards housing provision, paragraph 28 above clarifies that this approach applies to Gypsy and Traveller development.

Engagement of the titled balance is not an absolute, but a qualified matter subject to 11(d)(i) and footnote 7. This states planning permission should be granted 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 clarifies this includes “areas at risk of flooding or coastal change” as an area of particular importance.

The proposal is located at least in part, within a functional floodplain and constitutes a highly vulnerable use. The applicant has not evidenced the development will not increase flood risk on site, or elsewhere, nor if it is a safe and adaptable scheme. The proposal fails the sequential test and thus as the development pertains to an area at risk of flooding, the titled balance reverts to a flat balance for the purposes of determination.

The planning balance is assessed below:

Spatial Strategy

The proposal is located within the designated countryside and therefore the principle of development is considered by Core Strategy Policy CP11. Policy CP11 refers to development within the countryside and states ‘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 for the exceptions listed.

The proposed development would not fall within any of the exceptions set out in policy CP11 and would fail to comply with the aims of this development plan policy.

The proposal would further conflict with CP2 of the Core Strategy which requires GRT sites to be located within or close to development limits. The site, whilst not within the ‘open countryside’ is relatively isolated in its location, and whilst adjacent to existing pitches does not satisfy this requirement.

The proposal would conflict with the requirements of TB10 of the MDD Local plan, as it is not located within or adjacent to a settlement and fails to meet the specified criteria.

Paragraph 26 of the PPTS further seeks to limit development in the open countryside that is away from existing settlements or outside of areas allocated within the

development plan. The proposal is located away from the nearest settlement abutting a rural single track lane, a vacant pastoral field to the north, east and west away from the closest settlement of Hurst, however, as assessed above the site does not form 'open countryside'. Thus, whilst the proposal is not located within the open countryside, it does not fully accord with the requirements of the PPTS.

The proposal stands contrary to the Development Plan when taken as a whole with respect to the spatial strategy, and furthermore does not fully accord with the PPTS. This weighs against the proposal.

GRT Pitch Delivery

The delivery of 4 speculative pitches provides a modest contribution to the borough's need for pitch delivery. As the titled balance is disengaged, this matter weighs moderately in favour of the application on balance and would have social benefits to those with accommodation needs within the borough.

Flood Risk:

The application site is located within an area highly prone to fluvial flooding. It lays within Flood Zones 2, 3a and 3b as per the Environment Agencies National Flood Model and proposes a highly vulnerable use with limited mitigation. The Environment Agency, a statutory consultee have objected to the application on the basis that the proposal is not safe for its lifetime, has not shown it would not increase flood risk elsewhere nor that the FRA is adequate for determination. This is afforded very significant weight against the proposal on balance.

Sequential Test:

By reason of an inadequate scope put forward by the applicant with respect to alternative site considerations/ parameters, combined with incorrect flood zone classification, the submitted sequential test fails to demonstrate the development would not be safer to deliver elsewhere contrary to the NPPF. This, considering the high vulnerability of the use within Flood Zones 2, 3a and 3b provides a clear reason for refusing the application.

Whilst the applicant at a late stage outlined that they do not consider the site to even be within Flood Zone 2 let alone 3 was received (allegedly removing the requirement for a sequential test at all) this is significantly out of odds with the evidence provided by the Environment Agency and the applicant themselves earlier submitted a sequential test. The proposal would also fail to meet the exception test given the sustainability benefits it offers to the public are limited and it has not been proven the development could be safe for its lifetime. This is afforded very significant weight against the development.

Arboricultural Impact:

By way of insufficient and inconsistent information, the applicant has not demonstrated that the trees marked for retention can be adequately protected and mitigated against. As such, uncertainty is afforded as to the retention of numerous

class B and C trees of good condition which appear to be significantly harmed by the development with their RPA's notably encroached. Considering these trees do no benefit from protection orders and are not considered to be veteran trees, the lower end of moderate weight against the scheme is afforded on the basis of this inconsistent and irrelevant information prepared within the AMS/ Tree Protection Plan that does not reflect the intended site layout.

Locational Sustainability

The site is situated in an isolated location served by a single-track road, devoid of any pavements, street lighting and prone to flood risk. Even the closest settlement, Hurst (which is inaccessible by active or public transport) is impermeable, poorly served by public footpaths, safe walking/ cycling environments and absent of adequate services. The site fails to promote a modal shift away from the use of the private vehicles contrary to CP6, fails to provide a safe and adaptable scheme contrary to CP1 and furthermore fails to provide an adequate level of services to cater for future occupants contrary to CP2. This weighs against the scheme.

Landscape Character

The proposals would have a harmful impact on the landscape character of the area and would fail to protect and enhance the Haines Hill valued landscape. The proposal involves the development of an otherwise green parcel of agricultural land with valuable attributes that contribute to the wider valued landscape and high quality landscape character. By way of significantly urbanising a modest pastoral field/ pony paddock with an overly dense residential scheme of limited design merit, the proposal would have a detrimental character impacts to the high-quality features of the landscape which is defined as 'rare and not easy to replicate'. This is afforded moderate weight against the proposal on balance, considering the existing use of a small portion of the site and presence of built form.

Conclusion:

The factors in favour of the application listed above do not outweigh an unsustainable form of development, that is contrary to the spatial strategy, demonstrably harms the landscape, introduces a high vulnerability use into functional floodplain, fails the sequential and exception test nor those harms associated with developing an unsustainable site in accessibility terms. Even if the tilted balance was engaged (which it is not) the harms identified above are not outweighed by the modest contribution of 4 speculative GRT pitches within the Borough. With the above in mind, the proposal is recommended for refusal.

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, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief. 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	
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Conditions agreed:	Not required
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Recommendation:	Refused
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Date:	30 October 2025
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Earliest date for decision:	7 May 2025
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Recommendation agreed by: (Authorised Officer)	<i>MC</i>
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Date:	30.10.2025
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PLANNING CONSTRAINTS/STATUS
Heathrow Aerodrome Consultation Zone
Scale and Location of Development Proposals
Great Crested Newt Consultation Zone
Ground Water Zones
Nuclear Consultation Zone
Landscape Character Assessment Area
SSSI Impact Risk Zones
PRoW Within WB Consultation Zone
Main Rivers DRN Consultation Zone
Ordinary Watercourses Consultation Zone
Local Plan Update Submitted Sites
Flood Zones 2 and 3
Functional Flood Plain
Great Crested Newt Consultation Zone Minor