

SUPPLEMENTARY WRITTEN REPRESENTATIONS

Land North of Broadwater Lane and West of Hogmoor Lane, Hurst

Client	Dr and Mrs Lade Mr and Mrs Anthony King
Local Planning Authority	Wokingham Borough Council
Planning Reference	260353
Appeal Reference	APP/X0360/W/26/6011047
Our Reference	JRTP-02-2026
Date	2 nd September 2026
Version	Final V.2

Prepared by Jen Roberts Town Planning Ltd.

JR-TP.co.uk

CONTENTS

1.0	Introduction and Purpose	2
2.0	Effect on the Written Representation.....	2
3.0	Weight to be given to the Development Plan	2
4.0	The Principle of Development: Policies S3 and S5	3
	<i>Sub-paragraph (e) – limited infilling within groups of houses.....</i>	<i>3</i>
	<i>Sub-paragraph (h) – land around well-connected stations.....</i>	<i>3</i>
	<i>Sub-paragraph (j) – evidenced unmet need.....</i>	<i>4</i>
5.0	Heritage: Chapter 20 of the Framework	5
	<i>Non-designated heritage assets.....</i>	<i>6</i>
6.0	The Planning Balance	6
7.0	Conclusion	7
	APPENDIX 1: Policy Summary.....	9

Important notice

This report has been prepared by Jen Roberts Town Planning Ltd. for the sole use of the client named above and in connection with the site and proposals described herein. It may not be relied upon by any other party without the prior written consent of Jen Roberts Town Planning Ltd. © Jen Roberts Town Planning Ltd. All rights reserved.

1.0 Introduction and Purpose

- 1.1 This Supplementary Written Representation is submitted on behalf of Dr and Mrs Jeremy Lade, and Mr and Mrs Anthony King, further to their Written Representation dated 12th June 2026 (“the Written Representation”).
- 1.2 On 17 August 2026 a comprehensively revised National Planning Policy Framework was published, replacing the version published in December 2024. Annex A, paragraph 1 of the Framework provides that its policies “*are material considerations which must be taken into account in decision-making from the day of its publication*”, with the transitional arrangements at Annex A, paragraphs 4 to 8 relating solely to plan-making.
- 1.3 With the subject Appeal being undetermined, it now falls to be determined against the revised Framework. However, both the Written Representation and the Appeal Statement for Heritage prepared by Dr Richard Massey of Ridgeway Heritage Consultancy, dated 24th June 2026, were prepared against December 2024 Framework.
- 1.4 This document is confined to the consequences of this change in national policy and as such, the Written Representation is maintained in full, together with its appendices. No new evidence is being submitted, although it is accompanied by Statement from Dr Massey, ancillary to original Appeal Statement, which also re-expresses his conclusions solely in relation to Chapter 20 of the revised Framework.

2.0 Effect on the Written Representation

- 2.1 Paragraph 11(d) of the December 2024 Framework and footnote 7 no longer exist. Paragraphs 12.5, 12.6 and 13.1 of the Written Representation, which addressed the operation of the “*tilted balance*” and its disengagement by reason of harm to designated heritage assets, are superseded and should be read as replaced by Sections 4 to 6 below. Section 3 of the Written Representation, concerning the suitability of the proposal for the Permission in Principle process, turns on the statutory scope of that regime and is unaffected. Sections 4 to 11 remain accurate as to fact and planning judgement, subject to updated policy references.
- 2.2 Appendix 1 to this document maps the policy references used in the Written Representation and in its Appendix F to their equivalents in the revised Framework.

3.0 Weight to be given to the Development Plan

- 3.1 Annex A, paragraph 2 provides that development plan policies which are “*materially inconsistent*” with the national decision-making policies should be given very limited weight, but that other development plan policies “*should not be given reduced weight simply because they were adopted prior to the publication of this Framework*”. The adoption dates of the Core Strategy (2010) and the Managing Development Delivery

Local Plan (“MDDL P”, 2014) are not in themselves, therefore, a reason to reduce the weight given to them.

- 3.2 In addition, it is not considered that the relevant policies are materially inconsistent with the revised Framework. NPPF Policy S5 operates by reference to settlement boundaries and the development limits defined by Policy CC02 of the MDDL P are therefore wholly in accordance with Framework. In addition, Policies TB21, TB24 and TB26 of the MDDL P are consistent with Chapters 19 and 20 of the Framework. In particular, the requirement in Policy TB24 that considerable weight be given to the preservation of the settings of listed buildings accords with national decision-making policy HE6. Full weight should be given to each.

4.0 The Principle of Development: Policies S3 and S5

- 4.1 Policy S3(1) states that Policy S4 applies to development within settlements and policy S5 to development outside settlements. The Appeal Site lies outside the defined settlement boundary of Hurst, within designated countryside and Policy S5 therefore applies.
- 4.2 Policy S5(1) states that only certain forms of development should be approved outside settlements. Sub-paragraphs (a), (b), (c), (d), (f) and (g) are plainly not engaged. The proposal is not agricultural, recreational or infrastructure development, nor is it a development for a rural business requiring a countryside location. The site does not constitute previously developed land and there is no existing building capable of reuse, extension or replacement. It is not an exception site under Policy HO10 nor does it address traveller accommodation needs. Sub-paragraph (i) is not engaged either, as the Appeal Site is not currently allocated and, having been assessed through the HELAA, was removed from the emerging Local Plan Update, as set out at Section 5 of the Written Representation.
- 4.3 Only three sub-paragraphs warrant further consideration.

Sub-paragraph (e) – limited infilling within groups of houses

- 4.4 The proposal does not comprise limited infilling. It consists of two separate development parcels on the Broadwater Lane and Hogmoor Lane frontages, linked by an internal access road. The open frontage on Hogmoor Lane forms part of the wider settlement gap between Hurst and Whistley Green described at paragraph 2.5 and Section 9 of the Written Representation. It is not a gap within a group of houses.

Sub-paragraph (h) – land around well-connected stations

- 4.5 Sub-paragraph (h) allows residential development outside settlement boundaries, but only in certain circumstances. The appeal site falls at the first test, as follows:
- i. *Within reasonable walking distance of a well-connected station.*

The nearest train station to the Appeal Site is Twyford station, which is 1.5 miles away along an unlit country road. This is far in excess of the 800m specified in the glossary definition of “reasonable walking distance”, and well beyond ten minutes’ walk time. No part of the Appeal Site falls within that distance. As such sub-paragraph (h) is not met.

Sub-paragraph (j) – evidenced unmet need

- 4.6 It is accepted that the Council’s present position of 2.5 years’ supply engages sub-paragraph (j). However, it does not follow that the sub-paragraph is satisfied. Sub-paragraph (j)(i) further requires that the development *“be physically well-related to an existing settlement [...] and be of a scale which can be accommodated taking into account the existing or proposed availability of infrastructure”*. The proposal meets neither requirement.
- 4.7 The appeal proposal is not physically well-related to the settlement. It extends beyond the established built form, wraps around part of the Hurst Area of Special Character and is of a scale, size and massing that would be incongruous and out of character with the semi-rural character of the area.
- 4.8 In terms of infrastructure, the proposal is not of a scale which can be accommodated by the available infrastructure. As set out at Section 3 of the Written Representation, the Appellant’s own evidence identifies an attenuation basin as essential to the delivery of the development, and that basin lies outside the Appeal Site red line. On the Appellant’s own case, the development cannot be accommodated by the drainage infrastructure available within the land the subject of this Appeal.
- 4.9 If no category within Policy S5(1) is engaged, Policy S5(4) applies and permission should be granted only in exceptional circumstances where the benefits would *“substantially outweigh the adverse effects [...] including to the character of the countryside and in relation to promoting sustainable patterns of movement”*.
- 4.10 It is not considered that the provision of 5-7 houses can be considered a substantial benefit of the proposed development, as it will not make a meaningful contribution to the housing land supply shortfall. Furthermore, the proposed development would have a detrimental impact on the character of the countryside for the reasons set out in the Written Representation, and finally, Hurst village has a limited range of services, is not within reasonable walking distance of a station, and future occupants would be substantially reliant on the private car, which goes against the promotion of sustainable patterns of movement.
- 4.11 If, however, sub-paragraph (j) is found to be engaged, clause 1 of Policy S5 states that the development should be approved unless the benefits of doing so *“would be substantially outweighed by any adverse effects”*. For the reasons at Section 6 and below, they are.
- 4.12 Finally, Policy S5(2) states that the benefits of a proposed development are likely to be substantially outweighed where a proposal fails to comply with a national decision-

making policy and should be refused. Policies HE6 and HE7 of the Framework are national decision-making policies, and as evidenced by the heritage section below and Dr Massey's addendum statement, the proposed development fails to comply with either of them, causing *substantial harm* to the significance of three Grade II listed buildings (with lesser harm to a further two) and *substantial harm* to three non-designated heritage assets.

5.0 Heritage: Chapter 20 of the Framework

- 5.1 Chapter 20 replaces Chapter 16 and paragraphs 202 to 221 of the December 2024 Framework. Policies HE4 to HE10 are national decision-making policies.
- 5.2 Policy HE5 requires development proposals affecting heritage assets to be accompanied by an assessment of the significance of the assets affected, including any contribution made by their setting, and of the potential effect of the proposal on that significance. It requires that assessment to identify whether the proposal would have a positive effect, no effect, result in harm with the degree of harm identified, or cause total loss of significance. Policy HE5(3) confirms that it is the effect on significance, not the scale of development, which is relevant. Policy HE5(4) provides that "*decision-makers should be satisfied that assessments accurately reflect the effects on heritage assets caused by development proposals*".
- 5.3 Dr Massey observes at paragraph 9.14 of his Appeal Statement that no assessment has been made of the eastern element of the Appeal Site fronting Hogmoor Lane and therefore none of the effects of the development on Long Barn and Munfin House has been considered. It is therefore clear that the material submitted does not satisfy the requirements of policy HE5(1) and HE5(4). The omitted assets are those most directly affected by the eastern parcel of the proposed development.
- 5.4 The category of "less than substantial harm" has been removed. Policy HE5(2) now distinguishes between harm, substantial harm and total loss of significance, with substantial harm arising "*where the development proposal would seriously affect a key element of the asset's significance*". Dr Massey's Addendum re-expresses his conclusions.

Designated heritage assets

- 5.5 Policy HE4(1)(b) requires proposals to avoid or, if that is not possible, minimise harm to the significance of heritage assets, whilst Policy HE4(2) requires any harm to the significance of a designated heritage asset, including from development within its setting, to have a clear and convincing justification. No such information has been provided. Policy HE6(1) requires substantial weight to be given to the asset's conservation, the more important the asset the greater the weight, and expressly irrespective of the degree of effect. Policy HE6(3) provides that "*any harm to a designated heritage asset will be a matter of considerable importance and weight*" (my emphasis), and Policy HE6(4) requires that harm to be weighed against the public

benefits of the proposal. Notably, examples of important public benefits are provided and do not include the provision of housing.

- 5.6 Where substantial harm or total loss would be caused, Policy HE6(5) states that consent “*should be refused*” unless the harm is necessary to achieve substantial public benefits that outweigh it, or the cumulative circumstances at HE6(5)(a) to (d) apply. None of those circumstances arises here and it is not considered that the provision of 5-7 houses would constitute “*substantial public benefit*” to outweigh the harm.

Non-designated heritage assets

- 5.7 Non-designated heritage assets are given more consideration in the new Framework, having their own national decision-making policy, HE7. In this context, Long Barn and Munfin House are considered non-designated heritage assets, as is the Hurst Area of Special Character.
- 5.8 Policy HE7(2) requires harm to be weighed against the benefits of the proposal and a balanced judgement made. Policy HE7(3), which has no counterpart in the December 2024 Framework, provides that where a proposal would cause substantial harm to, or the total loss of, the significance of a non-designated heritage asset, it “*should only be supported where the harm or loss is outweighed by the benefits of the proposal*”. To the extent that Dr Massey identifies substantial harm to Long Barn or Munfin House, that policy is engaged, and for the reasons at Section 6 the harm is not outweighed.

6.0 The Planning Balance

- 6.1 The benefits of the Appeal scheme are limited. It would deliver between five and seven dwellings with no on-site affordable housing. The financial contribution offered is modest and the Appellant has indicated that it is to be reduced further. The economic benefits are those ordinarily arising from a development of this scale. The further benefits asserted by the Appellant such as sustainable construction methods, reduced water consumption, off-site biodiversity net gain and pedestrian accessibility, are matters reserved to the Technical Details Consent stage and can carry no weight at the Permission in Principle stage, which is confined to location, land use and amount of development.
- 6.2 Those benefits are materially less than those considered in Appeal Decision APP/X0360/W/25/3359898, which concerned nine dwellings at a time when the Council could demonstrate only 1.7 years’ supply. That appeal was dismissed. The present proposal offers fewer dwellings and a reduced contribution at a time when the Council’s position has improved to 2.5 years.
- 6.3 Against those limited benefits stand the following adverse effects:
- Harm to the setting and significance of five Grade II listed buildings, including *substantial harm* to Wards Cross House, Bower Cottage and Parkers Cottage,

attracting substantial weight under policy HE6(1) and considerable importance and weight under policy HE6(3);

- Harm to the significance of Long Barn and Munfin House as non-designated heritage assets, engaging policy HE7;
- Harm to the character and significance of the Hurst Area of Special Character;
- Harm to landscape character and to the rural setting of Hurst, and erosion of the settlement gap between Hurst and Whistley Green;
- The absence of a demonstrated drainage solution within the Appeal Site; and
- A location giving rise to substantial reliance on the private car.

6.4 It is considered that the proposal fails the tests in Policy S5(1) and Policy S5(4), as set out in Section 4 of this statement. Furthermore, Policy S5(2) states that the benefits of a proposal are likely to be substantially outweighed where a development proposal would fail to comply with one of the national decision-making policies. In this regard, it has been demonstrated that the proposal fails to comply with policies HE6 and HE7, given the harm to nearby heritage assets and as such, the minimal benefits are clearly outweighed.

7.0 Conclusion

7.1 Nothing in the National Planning Policy Framework published on 17 August 2026 alters the conclusion reached in the Written Representation of 12 June 2026. Conversely, it is considered that the revised Framework strengthens the case against the Appeal scheme in particular through policy HE6 which attaches considerable importance and weight to any harm to a designated heritage asset, and policy HE7, which for the first time provides a distinct test for harm caused to a non-designated heritage asset. For the reasons set out above, and in the Written Representation which is maintained in full, we respectfully request that the Inspector dismisses the Appeal.

Use of Artificial Intelligence (AI) Disclosure

As the Agent acting on behalf of the objector(s), I confirm that an Artificial Intelligence tool Claude was utilised during the preparation of this Supplementary Written Representation.

The tool was used specifically to assist with formatting, proof-reading, cross-referencing planning policies and cross-checking with the newly published NPPF, 2026.

In accordance with Planning Inspectorate guidance, all AI-generated outputs, including policy citations and factual data, have been thoroughly reviewed, verified, and fact-checked against official sources. I accept full professional responsibility for the accuracy and content of this submission.

APPENDIX 1: Policy Summary

Mapping the policy references used in the Written Representation of 12 June 2026, and in its Appendix F, to their equivalents in the August 2026 Framework.

Dec 2024 NPPF	August 2026 NPPF	Note
Para 11(d), footnote 7	Policies S3, S4, S5	Tilted balance replaced. No equivalent to footnote 7.
Para 78 (five year supply)	S5(1)(j); Annex A para 3; Annex D	Shortfall now a gateway to a countryside category.
Para 205	HE6(1)	“Substantial weight” to conservation.
Para 206	HE4(2)	Clear and convincing justification for any harm.
Para 207	HE6(5), HE6(6)	“Should be refused” formulation retained.
Para 208	HE5(2)	“Less than substantial harm” abolished.
Para 209 / 216	HE7(2), HE7(3)	HE7(3) is new.
Paras 170–186	Chapter 18 (F1–F9), Annex F	SuDS to National Standards.
Chapter 15	Chapter 19 (N1–N6)	“Valued landscapes” removed at N2(1)(a).
Chapter 16, paras 202–221	Chapter 20 (HE1–HE10)	Plan-making and decision-making separated.