WRITTEN REPRESENTATION

Dr and Mrs Jeremy Lade and Mr and Mrs Anthony King
Interested Parties

12th June 2026

Appeal Reference 6011047

Appeal by Shorewood Homes against Refusal of Permission in Principle Application by Wokingham Borough Council (Reference 260353) for the proposed erection of a minimum of 5no and a maximum of 7no dwellings on Land North of Broadwater Lane and West of Hogmoor Lane, Hurst, including formation of an access from Broadwater Lane

Executive Summary

This Representation is submitted by Dr and Mrs Jeremy Lade and Mr and Mrs Anthony King as Interested Parties in relation to the Appeal against the refusal of Permission in Principle application 260353 for the erection of between five and seven dwellings on land north of Broadwater Lane and west of Hogmoor Lane, Hurst.

We support Wokingham Borough Council's decision to refuse Permission in Principle and respectfully request that the Appeal be dismissed.

Whilst this Representation responds to a number of matters raised by the Appellant, the principal reasons why the Appeal should be dismissed can be summarised as follows:

- **The Appellant has not demonstrated that the proposal is suitable for the Permission in Principle process.** The Appeal Site appears to have been defined so as to exclude land required to accommodate an attenuation basin, which the Appellant's own evidence identifies as essential to delivering the development. Without the attenuation basin, the Site would not provide a suitable location for residential development because an acceptable drainage solution could not be achieved. In our view, the attenuation basin therefore forms an integral part of the development and should properly be included within the application site. This raises an important question as to whether the proposal falls within the statutory scope of the Permission in Principle process.

- **The principle of residential development remains unacceptable.** The proposal lies outside the defined settlement boundary within designated countryside and conflicts with the Council's adopted spatial strategy. The revised proposal does not overcome the fundamental planning concerns that have consistently resulted in the refusal of previous applications and dismissal of earlier appeals relating to this land.

- **The proposal would continue to cause unacceptable heritage harm.** The Appeal Site forms an important part of the setting of several designated and non-designated heritage assets and contributes positively to the significance of the Hurst Area of Special Character. The revised scheme does not materially alter the planning conclusions reached by Inspector Burnham in Appeal APP/X0360/W/24/3359898, who concluded that residential development in this location would result in unacceptable heritage harm.

- **The proposal would harm landscape character and the rural setting of Hurst.** The development would introduce an urban form of development into an open agricultural landscape that makes an important contribution to the character of the countryside and the transition between Hurst and Whistley Green. It would conflict with the Landscape Character Assessment, the Borough Design Guide and the established loose village form that characterises this part of Hurst.

- **The planning balance weighs clearly against the proposal.** Whilst the proposal would make a modest contribution towards housing supply, the public benefits are materially less than those

considered in the previous appeal, owing to both the reduced number of dwellings proposed and the Council's improved housing land supply position. Those limited benefits are clearly outweighed by the continuing conflict with the Development Plan and the significant harm to heritage assets, landscape character and the rural environment.

Accordingly, and for the reasons set out in this Representation, we respectfully request that the Inspector dismisses the Appeal.

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1. Introduction and Scope

1.1. My name is Annette Lade and I have lived with my husband, Dr Jeremy Lade, in Hurst since 1974 and in Wards Cross House, Hogmoor Lane since 1981. This Representation is also made on behalf of Mr and Mrs Anthony King who have lived in Long Barn, Hogmoor Lane since 1982. Wards Cross House and Long Barn lie immediately adjacent to the Appeal Site which extends around their boundaries to the north, east and south. Wards Cross House is a Grade II listed early 17th Century building. Long Barn is a locally curtilage-listed non-designated heritage asset dating from the same period. Both dwellings share a past tenurial relationship with the Appeal Site.

1.2. This Representation is founded on over four decades of first-hand knowledge of the Appeal Site and its surroundings. As immediate neighbours, we have witnessed its long-term agricultural use, day-to-day management, changing condition and relationship with the surrounding historic landscape. We have also experienced first-hand the recurring flooding and drainage issues affecting this part of Hurst and have closely followed, and actively engaged in, successive planning applications, appeal proceedings and the evolution of the Council's Local Plan relating to the Appeal Site. Over many years, we have consistently sought to assist the Council and the Planning Inspectorate by providing detailed local evidence, historical research and factual information relating to the Appeal Site and its surroundings.

1.3. This Representation has been reviewed with the benefit of planning advice from Mrs Jen Roberts, MA, MA (Hons), MRTPI of Jen Roberts Town Planning Ltd, has assisted in reviewing the planning issues, relevant planning policy, appeal decisions, the technical planning analysis and the overall structure of this Representation. Her role has been to ensure that the planning arguments are accurately presented and properly reflect the relevant planning framework and material considerations applicable to this Appeal. A separate Appeal Statement for Heritage has been provided by Dr Richard Massey BSc, MA, PhD, MCIfA (5470) of Ridgeway Heritage (see Appendix F for the full report and Appendix D for the Executive Summary and Conclusions).

1.4. This Representation supports the Council's decision to refuse Permission in Principle Application 260353 for the proposed erection of between five and seven dwellings on land north of Broadwater Lane and west of Hogmoor Lane, Hurst, including the formation of an access from Broadwater Lane. It explains why, in our view, the Appellant has not demonstrated that Permission in Principle should be granted and why the Appeal should be dismissed.

1.5. The principal reasons why the Appeal should be dismissed are addressed throughout this Representation and can be summarised as follows:

- **The suitability of the Permission in Principle process** – We consider there to be significant doubt as to whether the proposal is appropriate for determination through the

Permission in Principle process. The Appeal Site appears to have been defined so as to exclude land required to accommodate an attenuation basin, which the Appellant's own evidence identifies as essential to delivering the development. Without the attenuation basin, the Appeal Site would not provide a suitable location for residential development because an acceptable drainage solution could not be achieved. In our view, the attenuation basin therefore forms an integral part of the proposed development and should properly be included within the Appeal Site. This raises a fundamental question as to whether the proposal falls within the statutory scope of the Permission in Principle process.

- **The principle of development** – The proposal lies outside the defined settlement boundary within designated countryside and conflicts with the Council's adopted spatial strategy. We consider that the Appellant has failed to demonstrate that the principle of residential development is acceptable in this location or that the proposal overcomes the reasons for refusal identified by the Council.

- **Previous planning decisions** – The Appeal Site has been the subject of numerous planning applications and appeals over many decades. Whilst each proposal must be determined on its own merits, the consistent conclusions reached by both the Council and the Planning Inspectorate provide important context for this Appeal and demonstrate that the fundamental planning constraints affecting the Appeal Site remain largely unchanged.

- **Heritage** – The proposal would continue to cause harm to the setting and significance of designated and non-designated heritage assets, and the Hurst Area of Special Character. We consider that the revised scheme does not materially alter the conclusions reached by Inspector Burnham in the previous appeal and, in some respects, introduces additional heritage impacts.

- **Landscape character** – The proposal would introduce an urban form of development into an open agricultural landscape which makes an important contribution to the rural character of Hurst, the separation of Hurst and Whistley Green, and the setting of the surrounding heritage assets. The proposal conflicts with the Borough's Landscape Character Assessment, the Borough Design Guide and the established loose village form of Hurst.

- **Other site constraints** – We also consider that the proposal fails to adequately address a number of other material planning considerations including drainage and flooding, neighbour amenity and other material planning considerations addressed throughout this Representation.

- **The planning balance** – Whilst the proposal would deliver a modest contribution to housing supply, those benefits are limited and, in our view, are clearly outweighed by the significant conflict with the Development Plan and the continuing harm to heritage

assets, landscape character and the rural environment. Accordingly, we respectfully request that the Appeal is dismissed.

2. Site Description

2.1. The Appeal Site lies within designated countryside, outside but directly adjoining the defined settlement boundary of Hurst. It forms part of an undeveloped, open agricultural field of approximately 3.2 hectares situated between Broadwater Lane and Hogmoor Lane. The field has been defined by the Appellant as a substantially smaller parcel of land through a curved red line boundary which forms only part of the wider field.

2.2. The northern boundary of the wider field is marked by mature trees and vegetation and follows a distinctive historic field pattern identifiable on historic mapping dating back to at least 1727. Beyond this boundary, large open arable fields extend northwards, providing physical and visual separation between Hurst and Whistley Green and the larger urban area of Twyford.

2.3. The wider field has remained in agricultural use for many decades and continues to make an important contribution to the rural character of this part of Hurst. It forms part of the transitional landscape between Hurst and Whistley Green and provides the immediate setting to a number of designated and non-designated heritage assets. The field also contributes positively to the open character of the Hurst Area of Special Character and the established loose village form identified within the Wokingham Borough Design Guide.

2.4. The Appeal Site is broadly orientated from southwest to northeast. The southern edge fronts the A321 Broadwater Lane where there is a linear pattern of residential development including four Grade II listed buildings and other Victorian and Edwardian properties.

2.5. The eastern edge fronts Hogmoor Lane, a narrow single-track rural lane with residential development on both sides including the Grade ll listed Posting House, Grade ll listed Wards Cross House and locally curtilage listed non-designated heritage asset of Long Barn and the non-designated heritage asset of Munfin House. There is an approximately 90-metre-wide open gap formed by the Appeal Site, which contributes significantly to the semi-rural character of the Lane and the setting of the surrounding heritage assets.

2.6. Whilst the Appeal Site itself contains no designated heritage assets, its planning significance derives from its contribution to the setting of surrounding heritage assets, its relationship with the Hurst Area of Special Character, its role within the wider agricultural landscape and its position outside the defined settlement boundary. These characteristics have consistently been recognised through previous planning decisions and are central to the issues before the Inspector in this Appeal.

2.7. These characteristics are not simply descriptive. They underpin the principal planning issues considered throughout this Representation, including the suitability of the Appeal Site for residential development in principle, the effect of the proposal on heritage significance and landscape character, and the extent to which the proposed development conflicts with the Council's spatial strategy for directing development.

3. Suitability of the Proposal for Permission in Principle

3.1. The Appeal Scheme is for Permission in Principle for the erection of a minimum of 5 and a maximum of 7 dwellings on an area of land fronting onto Broadwater Lane joined by an internal access road to a second area of development fronting onto Hogmoor Lane. There is only one viable access to the proposed development from Broadwater Lane and no safe access from Hogmoor Lane.

3.2. The Appeal Site includes approximately one third of the land fronting onto Broadwater Lane that was the subject of Planning Application 240583 which was refused by the Authority in October 2024 and Appeal 3359898 that was subsequently dismissed in 2025. The boundary of the Appeal Site wraps around part of the Hurst Area of Special Character (AoSC) from Broadwater Lane to Hogmoor Lane.

3.3. The Appellant has chosen to seek planning permission through the Permission in Principle process. The fundamental issue for the Inspector is whether the Site is suitable for residential development in principle, having regard to its location, land use and amount of development proposed. These are the matters established through the Permission in Principle process. This includes consideration of the effect of the proposed residential development on the character and appearance of the area, the setting and significance of heritage assets and, if harm arises, whether this is outweighed by other material considerations.

3.4. Whilst we recognise that the Planning Authority is obliged to determine any planning application that is validly submitted, we remain concerned that the Appeal Site has been artificially defined so as to fall below the one-hectare threshold for a Permission in Principle Application. The Appellant has calculated the Site area as 0.96 hectares, by excluding the proposed attenuation basin from the red line boundary, despite the Appellant's own evidence demonstrating that the basin is an essential component of the Sustainable Drainage Strategy (SuDS) required to make the development acceptable.

3.5. The Appellant's own Supplementary Statement on Flood Risk by Simpsons TWA confirms the functional interdependence between the proposed development and the attenuation basin. Paragraph 3.1.2 identifies existing standing water, poor drainage characteristics and the need to direct runoff and exceedance flows to the attenuation basin to ensure that the development does not increase surface water flood risk to neighbouring land.

> "*The surface water drainage scheme and finished level scheme also ensure that there would be no increase in surface water flood risk to neighbouring sites as it directed all runoff and exceedance flows to a large attenuation basin where runoff would be stored, controlled and released … Furthermore 10% allowance was made for potential additional drained area associated with creep."*

3.6. The Appellant's own evidence therefore confirms that the attenuation basin is not an optional engineering refinement to be considered at the Technical Details Consent stage. Rather, it is an essential component of the proposed development without which residential development could not safely come forward. Whilst the detailed design of the drainage system is a matter for Technical Details Consent, the need for the attenuation basin itself is a matter of principle because it is fundamental to establishing whether the Site is suitable for residential development.

3.7. One of three matters established through the Permission in Principle process is whether the **location** is suitable for the proposed amount of residential development. In this case, the Site is located within an area affected by well-documented flooding and drainage issues, including flood events recorded in 2014, 2021 and 2023. The Appellant's own evidence demonstrates that, without the attenuation basin, the Site would not provide an appropriate location for residential development because an acceptable drainage solution could not be achieved. The attenuation basin is therefore integral to establishing the suitability of the Site for residential development in principle and should not properly be regarded as supporting infrastructure to be considered at a later stage.

3.8. If the attenuation basin is integral to demonstrating that the Site is suitable for residential development in principle, we respectfully propose that it should form part of the Appeal Site. The land required for the attenuation basin is within the Appellant's control and there is no apparent planning reason why it could not be included within the red line boundary. If it were included, however, the Site area would exceed 1 hectare and the proposal would no longer fall within the definition of a Minor Housing-led Development capable of being determined through the Permission in Principle process. We therefore respectfully invite the Inspector to consider, as a preliminary matter, whether the Appeal Site has been correctly defined for the purposes of the Permission in Principle application.

4. Planning History and Previous Decisions

4.1. The planning history of the Appeal Site is extensive and provides important context for this Appeal. Whilst each proposal must be determined on its own merits, the previous planning applications and appeal decisions demonstrate a consistent assessment of the Site's principal planning constraints. In our view, those constraints remain materially unchanged and the previous decisions are therefore highly relevant to the determination of this Appeal.

4.2. There has been sustained pressure to develop the Appeal Site and the adjoining land through repeated applications and successive subdivisions of the same field. Permission has been consistently refused or dismissed on appeal over the past 70 years. Wokingham Borough Council and the Planning Inspectorate have repeatedly concluded that this land is unsuitable for development, as the planning history below demonstrates.

Development Proposal	**Date**	**Decision**
Outline application for residential development	March 1956	Refused
Outline application for residential development 3.65 acres	August 1963	Refused
Outline application for residential development	August 1964	Refused
Outline application for residential development 9.75 acres	Sept 1981	Refused
Outline application for residential development 8.9 acres	Sept 1981	Refused
Full application for 5no dwellings on subdivision of the same field fronting onto Hogmoor Lane	April 1998	Refused
Appeal/X0360/A/98/298932/P9 for 5no dwellings	November 1998	Dismissed
Outline application 240583 for 9no dwellings	Oct 2024	Refused
Appeal 3359898 for 9no dwellings	Oct 2025	Dismissed
PiP Application 260353 for between 5-7no dwellings	March 2026	Refused

4.3. Whilst the scale and form of the proposals have varied over time, the planning history demonstrates a remarkably consistent pattern of decision making. For almost seventy years, successive applications to develop this land have been refused by the Council or dismissed on appeal. Although each proposal has been determined against the planning policy framework applicable at the time, the underlying planning constraints affecting the Site have remained substantially the same.

4.4. The planning history demonstrates that the Site has consistently been found unsuitable for residential development because of its countryside location, its relationship with the surrounding landscape and historic environment, and the impact that development would

have on the established character of the area. These longstanding planning considerations remain highly relevant to the current Appeal.

Outline Application 240583 and Appeal Decision APP/X0360/W/25/3359898 (2025)

4.5. The Appellant intends to present this case at Appeal as a continuation of Outline Application 240583 for 9 dwellings and associated access on land northwest of Hogmoor Lane which was refused by the Authority in October 2024 and the subsequent Appeal APP/X0360/W/25/3359898 that was dismissed in October 2025 (Appeal Decision can be found at Appendix A).

4.6. The previous Appeal scheme intended a linear development of 9 dwellings along Broadwater Lane in the form of three cul de sacs and three access points. The current proposal has changed the Site's boundary to a curved parcel of land that includes the same 55 metre frontage on Broadwater Lane that formed part of the previous Appeal Site linked by an internal access road to a second area of development with a frontage of approximately 85 metres on Hogmoor Lane.

4.7. While the current proposal differs in certain respects from Application 240583, the revised scheme does not overcome a number of the substantive objections previously identified by Inspector Burnham in his Decision. There are also several respects in which the amended scheme introduces additional planning harms so that earlier concerns not only remain valid but are now accompanied by further material objections.

4.8. Inspector Burnham dismissed Appeal 3359898 for the following reasons:

- The proposal would result in the deterioration of veteran trees T014 and T016 which are irreplaceable habitat and would be in conflict with Paragraph 193 of the Framework and Policy CC03 of the WBC Managing Development Delivery Local Plan (MDDLP 2014)

- The proposal would result in less than substantial harm to designated heritage assets Buttercups and Elder Cottage and the higher range of less than substantial harm to designated heritage assets Parkers Cottage and Bower Cottage. The proposal would be in conflict with Policy TB24 of the MDDLP. Inspector Burnham attached considerable importance and weight to the desirability of preserving the setting of listed buildings set against the public benefits of the scheme.

- The proposal would cause moderate harm to the significance of the Hurst Area of Special Character and be in conflict with Policy TB26 of the MDDLP.

- The benefits of the proposal would not outweigh the harms even on the basis that the Council's 5-year housing land supply was agreed as 1.7 years and the subsequent boost to housing supply was recognised in that context

- The Inspector concluded that given the harm to irreplaceable habitats and designated heritage assets, the application of Framework policies provided clear reasons for refusing the proposed development. The proposal did not therefore benefit from the presumption in favour of sustainable development.

4.9. Inspector Burnham's decision is of particular significance because it overlaps part of the current Appeal Site and considered many of the same planning issues that arise in this Appeal. Whilst the Appellant has reduced the amount of development proposed and altered the configuration of the Site, the Inspector's findings on heritage, landscape, the Area of Special Character and the overall planning balance remain highly relevant.

4.10. In our view, the revised proposal does not overcome the principal planning concerns identified by Inspector Burnham. Rather, it seeks to reconfigure the development whilst leaving the fundamental planning constraints materially unchanged. Indeed, as explained later in this Representation, the revised layout introduces additional concerns in relation to the setting of non-designated heritage assets, the character of Hogmoor Lane and the suitability of the proposal for determination through the Permission in Principle process.

4.11. It is of particular note that Inspector Burnham concluded at Paragraph 59, *"The benefits would not outweigh the harms even on the basis that I was to agree with the Appellant that the 5-year housing land supply of the Council is 1.7 years and subsequently recognise the boost to housing supply within that context."* The Council's position has since improved from 1.7 to 2.5 year housing land supply (see Appendix B - Heathlands Road Appeal Decision APP/X0360/W/25/3359928 dated 24th September 2025, confirming 2.5 year HLS). This scheme may well yield only five dwellings (if the minimum number were realised), far fewer than the previous proposal and therefore of even more limited public benefit. Set against the unchanged harm to designated heritage assets, together with the additional harm identified in this Representation in relation to non-designated heritage assets and the landscape character of Hogmoor Lane, the reduced housing benefit is, in our view, even less capable of outweighing the identified planning harms. Accordingly, we consider that the conclusions reached by Inspector Burnham in relation to the overall planning balance remain highly relevant and, if anything, carry even greater force in the context of the current Appeal.

Appeal Decision T/APP/X0360/A/98/298932/P9, January 1999, Hogmoor Lane

4.12. The second area of development fronting Hogmoor Lane was not included with the original Application 240583 but a similar scheme for the erection of 5 detached dwellings with garages on the same land was refused and an Appeal dismissed after a Public Hearing in 1999 (see Appendix C – Appeal Decision T/APP/X0360/A/98/298932/P9). We consider the earlier Appeal Decision to remain directly relevant to this PiP Appeal. The historic development pattern, the rural landscape character and the underlying material planning considerations are unchanged and on a flat planning balance the previous decision still carries weight.

4.13. Inspector Chivers concluded in her Decision Letter that:

- The Appeal Site makes a significant contribution to the semi-rural character of the Lane. The proposed development would be widely visible as a significant incursion into the relatively narrow belt of open land between Hurst and Twyford.

- The proposed Site layout would result in a relatively built-up frontage which would be heightened by the Site's elevated ground level. Occupation of the proposed dwellings would give rise to permitted development which would add to an urbanising effect.

- The scale, size and massing of the proposal would be incongruous and out of character with the semi-rural character of the Lane.

- There were required conditions from the Environment Agency regarding planting to protect wildlife corridors and safeguard the structural integrity of the banks of watercourses that help relieve flooding.

- The proposed development would compromise highway safety on Hogmoor Lane.

- The Inspector concluded that the possibility of a slippage in the programme of housing provision would be sufficient to outweigh the other fundamental objections to the scheme and that a potential shortfall in housing land supply would not warrant the release of this small site.

4.14. Although Inspector Chivers' decision was issued over twenty-five years ago, the principal characteristics of Hogmoor Lane identified in that decision remain readily recognisable today. The open frontage, dispersed pattern of development and semi-rural character of the Lane have been preserved, and the Appeal Site continues to make an important contribution to that character.

4.15. We recognise that planning policy has evolved since 1999 and that the decision must be considered in its proper context. However, the Inspector's assessment of the Site's physical characteristics, landscape contribution and relationship with the surrounding settlement pattern remains highly relevant. In our view, those characteristics have not materially changed and continue to weigh against residential development on this part of the Appeal Site.

Conclusion

4.16. Taken together, the planning history demonstrates a consistent and long-standing assessment of the Appeal Site by both Wokingham Borough Council and the Planning Inspectorate. Although the current proposal differs in its layout and seeks Permission in Principle for a reduced number of dwellings, it relates to substantially the same land and raises many of the same planning issues considered in previous applications and appeals.

4.17. In particular, the Site remains outside the defined settlement boundary within designated countryside, continues to contribute positively to the character of the surrounding landscape and the Hurst Area of Special Character, and retains its important relationship with

designated and non-designated heritage assets. The Appellant has not demonstrated that these fundamental planning constraints have been overcome.

4.18. Furthermore, the public benefits of the current proposal are materially less than those considered by Inspector Burnham in 2025, reflecting both the reduced number of dwellings proposed and the Council's improved housing land supply position. Against a background of largely unchanged planning constraints, we respectfully submit that the conclusions reached through previous planning decisions remain highly material and provide compelling support for the Council's decision to refuse Permission in Principle.

5. Emerging Local Plan and Site Assessment

Call for Sites and Initial Assessment

5.1. The Appellants state in their Appeal Statement (Paragraph 1.3):

> '*When the Appellant entered an Option Agreement for the land with the landowner in October 2023, the site was identified as a potential Site Allocation by the Council since their draft Local Plan was first published in February 2020.'*

5.2. We consider this statement to be misleading. The Appeal Site, as it is currently drawn, was not an allocation for development in the emerging Local Plan. The entire field was originally promoted as Site 5HU030 at the Call for Sites stage of the Local Plan. A subdivision of the field fronting onto Broadwater Lane was subsequently identified as a potentially suitable site for approximately 12 dwellings at the Regulation 18 Public Consultation stage.

5.3. The process by which the Appeal Site was identified and assessed as an *alternative option* in the Draft Local Plan Update was challenged successfully, on the basis that the Housing and Economic Land Availability Assessment (HELAA) process regarding Site 5HU030 was fundamentally flawed and that insufficient consideration had been given to the material planning constraints that inhibit development of the Site and which should have excluded it as part of the housing supply.

HELAA Assessment

5.4. Some of the relevant issues identified are listed below:

- The Initial Scoping and Early Consultation process in Hurst was extremely restricted and none of the Site's planning constraints that would have inhibited development were identified at an early stage.

- Site 5HU030 was combined for assessment with Site 5HU002, Land next to Whistley Green Cottage. The two sites are physically distinct and affected by different planning considerations. The conflation of their assessments led to the material planning constraints that affected Site 5HU030 being minimised or overlooked.

- An incorrect Site number was given in error to the WBC Landscape and Tree Team and therefore no Landscape Character opinion on Site 5HU030 was provided as part of the HELAA process.

- The assessment of effect of development on the setting of multiple heritage assets was incorrect. The impact of development on the Hurst Area of Special Character and Green Route Enhancement Area was overlooked.

- The Woodland Trust Ancient Tree Inventory was not consulted and 4 mature oak trees on and next to the Site were not recognised as veteran throughout the HELAA process.

- There was insufficient recognition of recurrent flooding incidents and drainage issues on Broadwater Lane and Hogmoor Lane with serious incidents affecting residents immediately next to the Site, particularly in 2014, 2021 and 2023. No reference was made to the WBC Flood Investigation Report 2016.

- There was a lack of recognition that Site 5HU030 had poor pedestrian access and connectivity because no viable footpath could be provided without crossing the main A321 highway. The Site was assessed as amber for highway safety.

Removal from the Emerging Local Plan

5.5. The Site was subsequently reassessed as unsuitable for development and ruled out as part of the housing supply at the Regulation 19 Submission stage of the Plan in 2024.

5.6. The WBC Officer's Report for Application 240583, Page 7 states,

> "*The updated Housing and Economic Land Availability Assessment (2024) acknowledged significant material considerations that impact the Site, rendering the site unsuitable for residential development.*"

5.7. The September 2024 HELAA concluded:

> "*The context of the Site is considered unsuitable, being inappropriate in terms of established settlement form and pattern, landscape character, and flood risk (which have been identified through representations).*"

Relevance to Current Appeal

5.8. The emerging Local Plan process is particularly relevant because it provides a separate strategic assessment of the suitability of the Site for residential development, undertaken independently of the current planning application and appeal process. Following detailed technical assessment and consideration of representations, the Site was ultimately removed from the Council's proposed housing supply because of its planning constraints.

5.9. Whilst the emerging Local Plan has not yet been adopted, the evidence underpinning the HELAA assessment is a material consideration. The conclusions reached through that assessment are consistent with the Council's reasons for refusing both Application 240583 and the current Permission in Principle application. They are also consistent with the findings of Inspector Burnham, who concluded that the planning harms associated with residential development on this Site outweighed its public benefits.

5.10. In our view, the emerging Local Plan therefore reinforces, rather than alters, the conclusion that the Appeal Site is unsuitable for residential development in principle. It provides further independent evidence that the principal planning constraints affecting the Site remain unresolved and continue to weigh against the proposal.

6. Heritage

6.1. The Council refused the Appeal Scheme in part because of its harmful effect on the setting and significance of designated heritage assets. We support that conclusion. A detailed specialist assessment has been prepared by Dr Richard Massey BSc, MA, PhD, MCIfA of Ridgeway Heritage, whose Heritage Appeal Statement accompanies this Representation (see Summary at Appendix D and Full report at Appendix E). We agree with the conclusions reached in that assessment and do not seek to repeat its detailed heritage analysis. This section therefore explains why, in our view, the revised Appeal Scheme continues to result in unacceptable harm to both designated and non-designated heritage assets.

Designated Heritage Assets

6.2. The Appellants' case against the Authority's 2nd and 3rd Reasons for Refusal is heavily reliant upon a Heritage Statement by Asset Heritage that was submitted at the PiP Application stage and a further review by Forum Heritage Services (FHS). The latter report is not structured as a conventional Written Representation and it is unclear whether the opinions expressed are based solely on a desk-top study. Regardless, we respectfully disagree with the conclusions reached in both documents.

6.3. It is notable that the scope of the FHS Appeal Statement is limited only to assessing the impact of the proposed dwellings on the designated heritage assets located in Broadwater Lane and not on the impact of the proposed Appeal Scheme as a whole. It omits reference to the Hogmoor Lane area of development, the impact on non-designated heritage assets, Munfin House and Long Barn and the additional impact on the Area of Special Character. The Appellants' case against heritage harm rests solely on assessments of existing visual relationships with the Appeal Site and does not fully consider the effect of the completed development on the wider historic landscape.

6.4. Dr Richard Massey's detailed assessment addresses the matters raised by the Appellant and explains why, in his professional opinion, the proposal would continue to result in unacceptable harm to the significance and setting of both designated and non-designated heritage assets. The detailed heritage analysis contained within Dr Massey's report is relied upon in support of this Representation.

6.5. The Appellants' Appeal Statement principally disputes the Authority's Reason for Refusal 3: *"The proposal, by virtue of its location, would fail to conserve the setting of four designated heritage assets in the form of Grade II Listed buildings, (Bower Cottage, Parkers Cottage, Elder Cottage and Wards Cross House). This is contrary to Policy TB24 of the MDD Plan and the NPPF."*

6.6. The Appeal Site includes a third of the same Broadwater Lane frontage that formed part of Application 240583 and Appeal 3359898. While the Site itself contains no heritage assets, this is precisely the area where Inspector Burnham found that development would cause the

upper range of less than substantial harm to the setting and significance of Parkers Cottage and Bower Cottage.

6.7. The Appellants have submitted five illustrative Site Layout Plans (8543 F04, F05, F06, F07 and SK-01) in an attempt to show reduced harm to heritage assets. The Appellants describe the Illustrative Plans in detail and place great reliance on calculated separation distances in Paragraph 3.10 of their Appeal Statement. We believe that this reliance is misplaced. PiP is confined strictly to the location and amount of development under PPG 58-012; matters of layout, design, siting, appearance, landscaping and mitigation are TDC issues and carry no weight at the PiP stage. The illustrative drawings are non-binding and cannot demonstrate *"no harm"* or suggest that heritage impacts will be avoided. The PiP decision is based on the inherent impacts of the Site itself and not on illustrative mitigation that has no status at this stage.

6.8. The Appellants place great reliance on planting schemes to screen the negative visual impact of the proposed dwellings although it is not a matter for PiP. Paragraph 3.26 describes, *"the retention of existing boundary planting along the highway* (not in the Appellant's control*) and the addition of further intervening planting (hedging and trees)."* It is our understanding that planting schemes for screening carry little weight as they can be unreliable, slow to mature and easily lost through failure or future removal. They cannot disguise, offset or justify development that is inherently harmful to landscape character or rural setting.

6.9. The Inspector at the Woodlands Farm Appeal near Arborfield (APP/X0360/C/21/3270397) stated that, *"The purpose of landscaping is to enhance development not to hide 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."*

6.10. The Appellants seek to present the revised Appeal Scheme as overcoming the identified harm to heritage assets and therefore renders the proposal acceptable. This approach ignores the fundamental point that the levels of harm assessed by Inspector Burnham led to the clear conclusion that any development in this area of the Site would be unacceptable to the setting of the heritage assets particularly Parkers Cottage and Bower Cottage. His conclusion accords with the Authority's and Dr Massey's assessments. The Appellant disputes Inspector Burnham's findings and effectively implies that the Asset Heritage and FHS Statements should supersede his opinion despite his assessment being authoritative, independent and grounded in established heritage principles.

6.11. It was Inspector Burnham's clearly stated opinion that any houses, even with setbacks and landscaping would '*significantly undermine'* the Site's quiet, open rural environment that makes a strong, positive contribution to the setting and significance of the heritage assets and the Area of Special Character.

- Paragraph 25, *"From Broadwater Lane these buildings are currently experienced and perceived with a largely quiet, open and rural environment because of the character and appearance of the appeal site and it is likely that these buildings will have always been set against that backdrop."*

- Paragraph 26: *"The attributes of the site contribute positively to the setting and therefore the significance of the four listed buildings. Historic England guidance on the setting of Heritage Assets advises that settings of heritage assets which closely resemble the setting at the time the asset was constructed are likely to contribute particularly strongly to significance."*

6.12. Inspector Burnham stated in Paragraph 27 that the Site's positive contribution as the setting of the heritage assets would be significantly undermined not only by the new dwellings but by increased noise and activity on the Site. He stated that, *"This would be the case even if some dwellings were to be set back from Broadwater Lane and even if a scheme of landscaping were to be implemented." (*Our underlining)

6.13. The Authority has assessed that the revised scheme would have less direct effect on Grade ll listed Buttercups. The level of harm to Elder Cottage, Parkers Cottage and Bower Cottage however would remain substantially the same. Paragraph 29 of Inspector Burnham's Decision letter states, *"The harm would be towards the higher end within the less than substantial category for Bower Cottage and Parkers Cottage given that they are fully opposite the appeal site and have a close relationship with it."*

Figure *1:* The appeal site from A321 looking down to Munfin House in Hogmoor Lane

6.14. Our assessment of the level of heritage harm arising from the proposed Appeal Scheme is set out below and is supported by Dr Massey's Appeal Statement for Heritage.

- **Elder Cottage:** The proposed 2–3 dwellings and associated structures on Plots 1–3 would remain plainly visible. Northward views from Elder Cottage would be noticeably constrained and this aspect of its historic setting would become more limited and confined. The level of harm would therefore remain largely unchanged and firmly within the less than substantial category.

- **Parkers Cottage and Bower Cottage:** Both Grade II listed buildings would continue to sit directly opposite Plots 1–3 and the same level of impact to setting identified in the previous scheme would persist. The proposed landscaped strip does not alter this relationship. Harm would be intensified by the conspicuous 19-metre bell-mouth access onto Broadwater Lane and the associated internal road and increase in vehicle movements. Parkers Cottage retains clear intervisibility with the Appeal Site. The Appellants refer to boundary treatments at Bower Cottage however these do not wholly obscure views of the open land and do not negate setting impact under current setting guidance. The land to the north sits at a slightly higher level and the roof lines and raised elevations of the proposed dwellings would be conspicuous within these views. Accordingly, the upper end of less than substantial harm to the setting and significance of both listed buildings applies equally to the current Appeal Scheme.

- **Group Value:** These and the other Grade II listed buildings along Broadwater Lane exhibit clear group value and are collectively significant in illustrating the historic development of the village and its settlement landscape. Their setting should therefore be assessed holistically and collectively within the wider historic landscape context.

- **Wards Cross House:** The Grade II listed farmhouse adjoins the Appeal Site on its eastern side and historically had a strong tenurial relationship with the surrounding land. The open farmland remains an unaltered aspect of its rural setting and the Appeal Site is clearly visible in westward views from where the first floors windows and rooflines of the proposed dwellings would be conspicuous. The Illustrative Plans show Plot 3 positioned hard against the boundary of Wards Cross House introducing a substantial modern dwelling directly into its outlook with no meaningful screening, particularly during winter months. This would sever the important visual relationship between the farmhouse and the farmland with which it is historically associated, eroding a key aspect of the open fieldscape setting that contributes materially to its significance. The resulting effect would fall within the higher range of less than substantial harm to the setting and significance of the listed building.

- **Significance of Wards Cross House:** Paragraph 4.9 of the FHS Appeal Statement casts doubt on whether the historic fabric that gives the house its significance still survives. I have lived in Wards Cross House since 1981 before the house was inspected and listed by the Department of the Environment in 1983. The pre-1983 survey notes describe the large early inglenook fireplace; the original timber staircase of early form; the exposed internal timber frame showing early structural phases and partitioning. I can confirm that all the original features including fireplaces, the original staircase and exposed oak beams remain in place and are visible.

- **Wards Cross House and Historic Rural Associations:** Clifford Hornby (1899–1989) the Berkshire writer and rural observer, lived at Wards Cross House through the late 1940s and 1950s. His memoir *The Rural Amateur* (Collins 1974) provides one of the most valuable first-hand accounts of both the house and the rural life of Hurst before modern development. Hornby described Wards Cross House as *"a house built for usefulness rather than show",* noting particularly the old fireplace and staircase. Hornby records the agricultural activity surrounding Wards Cross House, including horses stabled in Long Barn for haymaking and ploughing, cattle grazing in the adjoining fields and seasonal work such as hedge-laying, ditching, and small-scale mixed farming carried out by local families. He describes a dispersed rural community connected by footpaths and fields. He notes the deep quiet of the area with Wards Cross House as *"a place where the countryside came right up to the door"* and Hogmoor Lane disturbed only by farm carts, livestock, and wildlife in the fields and orchards. The evidence is that Wards Cross House derives its significance not only from its historic fabric but from its close relationship with the surrounding agricultural countryside and rural settlement pattern.

6.15. For the reasons set out above, and in the accompanying Heritage Appeal Statement prepared by Dr Richard Massey, we consider that the revised proposal would continue to result in harm to the setting and significance of the designated heritage assets adjoining the Appeal Site. Whilst the number of dwellings has been reduced, the proposal does not overcome the fundamental heritage concerns identified by Inspector Burnham. Those harms should continue to attract considerable weight in the planning balance in accordance with the statutory duty under section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990.

Non-Designated Heritage Assets

6.16. The WBC Heritage Environment Topic Paper lists Munfin House (formerly Grappenhall) on Hogmoor Lane as a non-designated heritage asset. Long Barn is also listed as a non-designated curtilage-listed asset due to its association with Wards Cross House as a *'farmstead group*.' Both buildings make a contribution to the Hurst Area of Special Character. The AoSC itself is also a locally listed non-designated heritage asset.

6.17. The WBC Built Heritage Officer's Report does not identify any level of harm to the setting of Munfin House or Long Barn. We do not agree with that conclusion. It is notable that neither the Appellants nor the FHS Appeal Statement refer to possible harm posed to the setting of the non-designated heritage assets (NDHAs) in Hogmoor Lane by the proposed development. The Appellants' Appeal Statement, Table 2, states '*Opinion Not Requested'* from FHS in regard to harm to NDHAs. This aspect of the proposed development has important implications for the settings of the two buildings and the quality of the westward views from Hogmoor Lane. These views emphasise the essentially rural character of the village margins along the Lane and contribute importantly to the Hurst Area of Special Character (AoSC)

6.18. Dr Massey's Statement for Heritage Paragraph 6.4 notes that the most recent amendments to the Framework in February 2025 include increased protection for non-designated heritage assets (Footnotes 7 and 8 and Para 155). This has significantly strengthened the status of NDHAs by giving them clearer policy footing, requiring earlier identification through Local Plans and elevating the weight given to their conservation in decision-making. These amendments represent a material increase in protection compared with those stated in the 2021-2023 Framework and have important implications for the settings of Long Barn, Munfin House and the wider area of the AoSC which directly adjoins the Appeal Site.

- **Munfin House:** is a long building formed by the amalgamation of two 19th-century brick rural cottages with a historic gabled roof, symmetrical Victorian frontage and traditional low hedge-and-wall boundary set within a characteristically large plot. It has close intervisibility with the open agricultural field opposite that forms part of the Appeal Site. The field is central to the Lane's rural setting and the dispersed historic pattern of the Hurst Area of Special Character. The proposal replaces this open foreground with a suburban row of dwellings fronted by an internal access road. This would irrevocably alter its currently quiet and essentially rural character. It would clearly have a negative impact and cause harm to the setting of this NDHA.
- **Long Barn:** is a notable 17th century agricultural building of elongated form sited immediately adjacent to the Appeal Site. It derives much of its significance from its open rural context and historic farmstead relationship with Wards Cross House, Hogmoor Lane and the Appeal Site. The introduction of an internal access road in front of a suburban row of dwellings 25 metres from the Barn would replace its rural outlook with modern domestic form, eroding openness, interrupting its agricultural setting and suburbanising this part of the Hurst Area of Special Character.

Conclusion

6.19. For the reasons set out above, and in the accompanying Heritage Appeal Statement prepared by Dr Richard Massey, we consider that the revised Appeal Scheme would continue to result in harm to the setting and significance of both designated and non-designated heritage assets. Whilst the number of proposed dwellings has been reduced, the proposal does not overcome the fundamental heritage concerns identified by Inspector Burnham and introduces additional impacts affecting Long Barn and Munfin House which were not considered as part of the previous appeal. We therefore consider that the proposal remains contrary to Policy TB24 of the MDD Local Plan and the relevant provisions of the National Planning Policy Framework and the statutory duty to give special regard to the desirability of preserving the setting of listed buildings. A consolidated assessment of the relevant Development Plan policies is provided at Appendix F.

7. Hurst Area of Special Character

7.1. The Hurst Area of Special Character (AoSC) is a locally designated heritage asset recognised for its distinctive historic settlement pattern, rural village character and relationship with the surrounding agricultural landscape. Although only part of the Appeal Site lies within the AoSC, the Site forms an important part of its wider setting. We therefore consider that the effect of the proposal on the character and significance of the AoSC is a separate and important planning consideration, in addition to its effect on individual designated and non-designated heritage assets.

7.2. The WBC Historic Environment Topic Paper assesses that the Hurst AoSC's significance lies in its coherent group of vernacular historic buildings, its rural village character, its dispersed historic development pattern and the open fieldscape setting that provides essential views and contextual relationships.

7.3. The Appeal Site is not uncharacterised farmland but part of a legible historic landscape contemporaneous with the heritage assets that define the Area of Special Character (AoSC). This section of the AoSC contains a coherent group of listed and non-listed buildings on both sides of the Appeal Site, including the boundaries of Wards Cross House and Long Barn.

7.4. Hogmoor Lane affords views across the open agricultural field towards the veteran trees on Broadwater Lane and to Whistley Green, and the field provides the immediate rural setting of Wards Cross House, Long Barn and Munfin House. This wider rural context remains largely intact and contributes materially to their significance, shared historic development and group value.

7.5. Inspector Burnham also noted that the Appeal Site and the surrounding field form the visual backdrop to the AoSC and several of its heritage assets. We agree with that assessment. The Appeal Site's contribution is not limited to its physical relationship with individual buildings but extends to its role within the wider historic landscape that defines the character, significance and setting of the Hurst Area of Special Character.

Figure 2: View Westwards from Hogmoor Lane

7.6. The proposed Appeal Scheme, by virtue of its location, would fail to conserve or enhance the setting and historic context of the NDHAs of Long Barn and Munfin House and would also fail to preserve the special character of the Hurst Area of Special Character. We therefore consider that the proposal conflicts with Policy TB26 of the Managing Development Delivery Local Plan and the relevant provisions of the National Planning Policy Framework. A consolidated assessment of the relevant Development Plan policies is provided at Appendix F.

8. Landscape Character

8.1. The Council's second Reason for Refusal concludes that the proposal, by virtue of its location and amount of development, would fail to assimilate successfully into the established landscape and character of the surrounding area. We support that conclusion. In our view, the revised Appeal Scheme would result in unacceptable landscape harm along both Broadwater Lane and Hogmoor Lane and would conflict with the objectives of the Wokingham Borough Landscape Character Assessment and relevant Development Plan policies.

Broadwater Lane

8.2. The Appeal Site is located outside the settlement boundary and within designated countryside. The second Reason for Refusal states that *"The development, by virtue of its location and amount of development, would fail to suitably assimilate into the established landscape and character of the surrounding area and would fail to retain and enhance the traditional, historical, local and special character of the Village Centre Area of Special Character"*.

8.3. The Appellants seek to rely on Inspector Burnham's comments at the previous Appeal to assert that there will be no negative impact on landscape. We believe, however, that the material differences of this proposal increase the negative impact on the character of the surrounding landscape. It introduces two separate development areas that will have to be linked by an engineered internal road running across an agricultural field from a large 19-metre bell-mouth access. This would create a conspicuously suburban development in an agricultural field and replace long rural views with modern development.

8.4. **Conflict with WBC Landscape Character Assessment C2 Hurst River Terrace:** The Appeal Site lies within the C2 Hurst River Terrace Landscape Character Area. Key characteristics are flat lowland; a network of water features; a simple agricultural landscape of mainly arable farmland with pasture; an open character; villages that are located around historic cores including Whistley Green and Hurst; a tranquil rural area and wooded horizons.

8.5. The Landscape Strategy for the C2 Hurst River Terrace LCA is to conserve and enhance the quiet, rural and agricultural landscape and in the context of the Appeal Site, *"The aim is to conserve the low-density pattern of settlement centred around Hurst and Whistley Green."*

8.6. The key Guidance on page 112 stated: *"To conserve the peaceful and open rural character of the open landscape between adjacent village centres to protect the individual identity of settlements and retain their sense of physical and visual separation in particular protect the sensitive areas of open land remaining between Hurst and Whistley Green."*

8.7. The Appellant has not provided a Landscape Visual Impact Assessment (LVIA) in support of either the PiP Application or this Appeal. Given the countryside location of the Site and the

acknowledged sensitivity of the surrounding landscape, we consider this to be a significant omission. Indeed, it is contrary to Policies CC03 of the Core Strategy and Policy TB21 of the MDDLP for all applications in the countryside. The impact of the Appeal Scheme on landscape character is of particular importance as the Site and surrounding landscape are assessed as having many of the attributes of Valued Landscape. The Site lies within Haines Hill Valued Landscape according to the WBC Valued Landscapes Assessment Topic Paper 2024.

8.8. The open field of the Appeal Site lies on the north of Broadwater Lane which is significantly more rural than the opposite side and has retained its historic development pattern both in terms of density and quantity of buildings. The field lies directly between the Victorian Gloster Cottages and Field Cottage in Whistley Green in the northwest and 17th century Wards Cross House and Long Barn in Hurst in the southeast.

8.9. In Appeal Decision APP/X0360/W19/3240676, Land next to Whistley Green Cottage, the Inspector defined the settlement limit of Whistley Green on the northern side of Broadwater Lane in Paragraph 9*, "the development limit of Whistley Green includes the area of the enclave of the five dwellings and the area opposite along Broadwater Lane."*

8.10. Inspector Burnham stated in his Appeal Decision *"It is difficult to assess when on the ground on this part of Broadwater Lane where these respective settlement of Hurst and Whistley Green begin and end meaning there is no obvious gap between the two settlements in this location".* In our view, this observation relates to the south side of Broadwater Lane and not the north, where the visual and physical separation between Hurst and Whistley Green is immediately apparent. The Appeal Site forms an important part of that separation.

8.11. An additional Key Issue in the C2 Hurst River Terrace LCA Page 111 is the *"demand for residential development increasing linear development and continuing to push towards the amalgamation of close settlements of Whistley Green and Hurst impacting the local character."* The intention of introducing linear development into both Broadwater Lane and Hogmoor Lane directly conflicts with the objectives of the LCA which specifically seek to discourage any further linear development in this area.

8.12. It is acknowledged that this proposal would leave part of the field undeveloped but the incursion of three modern dwellings in a linear row on the village edge, unrelated to any existing built form and contrary to the established grain of development, would be a clear encroachment into this open landscape.

8.13. This harm is intensified by the addition of a large 19-metre bell-mouth access and an engineered internal curved road running across the agricultural field to Hogmoor Lane. The associated domestic gardens, close-boarded fencing, parked vehicles and everyday residential activity would further erode rural tranquillity and diminish the traditional landscape setting that characterises this part of the village.

8.14. We therefore consider that the Appeal Scheme would fail to conserve or enhance the key characteristics and attributes of the landscape and the setting of the Hurst Area of Special Character. The proposal therefore conflicts with Policies CC03, TB21 and Policy CP3 of the Core Strategy.

Hogmoor Lane

8.15. Hogmoor Lane has remained unchanged since the time of Inspector Chivers' Decision in 1999 with no additional development or material change to the surrounding area. Her Appeal Decision still holds weight on a flat balance and her findings in landscape terms are still relevant to this Appeal.

8.16. Inspector Chivers found that the Appeal Site makes an important contribution to the semi-rural character of Hogmoor Lane and the proposed development would appear as a visible incursion into the narrow belt of open land between Hurst and Twyford. The current proposal repeats the same urban intrusion into the Lane's semi-rural character. This is heightened by the fact that the dwellings cannot be accessed from Hogmoor Lane and any workable layout depends on access from Broadwater Lane forcing a road to curve around existing properties. This results in an intensely urban form of development that is wholly out of keeping with the surrounding settlement pattern where homes sit in large plots with their own direct access. The Appeal Scheme creates a separate urban-style enclave with a convoluted layout that blocks important landscape views across the agricultural field to Whistley Green.

8.17. The visual impact of development in this location would be amplified by the fact that the ground level of the field is elevated by at least 0.5metres above Hogmoor Lane. Inspector Chivers noted that this difference is clearly visible when travelling in this area of the Lane. The Applicant's Supplementary Flood Risk Statement further requires finished floor levels to be raised by between 0.4–0.7 metres above existing ground levels to mitigate against groundwater flooding. The combined effect would be to elevate the proposed dwellings significantly above the Lane.

8.18. The Delegated Officer's Report states that this is a matter to be resolved at the TDC stage. However, both the topography and the requirement to overcome groundwater flooding are intrinsic to the Site and are fixed. There would be elevated massing that would introduce a pronounced urban character into a historically rural area and would overwhelm its traditional neighbours. It would be wholly out of keeping with the established scale, form and setting of the surrounding area.

Conclusion

8.19. For the reasons set out above, we consider that the Appeal Scheme would fail to conserve or enhance the character and appearance of the surrounding countryside and would introduce an urban form of development that is fundamentally at odds with the established landscape character of this part of Hurst. The proposal would conflict with the objectives of

the Wokingham Borough Landscape Character Assessment and with Policies CC03 and TB21 of the Managing Development Delivery Local Plan together with Policy CP3 of the Core Strategy. These policy conflicts are summarised in Appendix F.

9. Loose Village Form and Settlement Pattern

9.1. Hurst is defined in the WBC Borough Design Guide as one of the few rural villages in the Borough that has a *'loose village form*.' We consider this to be an important characteristic of the village's identity and one that is directly relevant to the assessment of the Appeal Scheme.

9.2. Paragraph 2.3 states:

> *"The character of the villages is defined by a dominance of landscape. They are generally more spacious, with streets being less enclosed …Landscape and the rural hinterland penetrate into the village with trees and vegetation between buildings and along boundaries. These villages generally consist of housing areas that have been built at various times, with the landscape creating a consistency in character*."

9.3. The proposed development, with its higher density, engineered internal access road and suburban layout, would not reflect this established settlement pattern and would conflict with the principles described in Paragraph 3b of the Design Guide.

9.4. Figure 3B.12 of the WBC Borough Design Guide exactly replicates the settlement pattern surrounding the Appeal Site in diagrammatic form and uses it to illustrate the grain of the typical Loose Village Form. Broadwater Lane, Hogmoor Lane, Tape Lane, The Street and Hinton Road are easily recognisable with the open field of the Appeal Site extending into the village and allowing the surrounding landscape to penetrate between the historic clusters of development.

Figure 3B.12: The figure ground indicates that development is predominantly detached and more scattered than in other character areas

9.5. The Appeal Scheme would fundamentally alter this defining characteristic of Hurst's Loose Village Form. Rather than reinforcing the established settlement pattern, it would introduce a more suburban form of development characterised by an engineered internal access road,

increased density and a layout that is inconsistent with the spatial qualities identified within the Wokingham Borough Design Guide. In doing so, it would irreversibly erode an essential element of Hurst's distinctive settlement pattern. We therefore consider that the proposal would fail to respect the established Loose Village Form, reinforcing the conclusion that the Site is unsuitable for residential development in principle and further supporting the Council's decision to refuse Permission in Principle. A consolidated assessment of the relevant Development Plan policies is provided at Appendix F.

10. Response to Appellant's Material Considerations

10.1. The Appellants' Appeal Statement Paragraph 3.2.1 cites **Appeal 3342812, Land between School Road and Orchard Road (Willowmead Field), Hurst** for 23 dwellings and 15 car parking spaces for St Nicholas Hurst Primary School (Allowed) as an example of the Authority's inconsistency in determining heritage harm (see Appeal Decision at Appendix H). It is important to acknowledge that since the Appeal was allowed in October 2024 for *Outline Consent,* there are a number of issues which remain unresolved and as such, the scheme is seemingly stalled before reaching the Reserved Matter stage.

10.2. Vine Cottage is a Grade II listed building that lies approximately 40 metres north of the Willowmead Appeal Site. Its orientation is away from the Appeal Site and facing Orchard Road and views of the Appeal Site are filtered through what is described as a 'thicket'. Vine Cottage has no historic, functional or spatial relationship with the Appeal Site or surrounding buildings. This is an entirely different relationship from that of the Grade II listed buildings surrounding the Broadwater Lane Appeal Site.

10.3. The Appellants complain that Inspector Burnham's assessment of less than substantial harm to Elder Cottage and Buttercups was different to that of Inspector Jackson regarding Vine Cottage. This misses several fundamental points:

- Harm to heritage assets is not based on separation distances alone but can also arise from the impact of development on the asset's setting, character, views and experience.
- The current PiP proposal affects the setting and significance of multiple individual heritage assets which have a group value.
- Elder Cottage, Parkers Cottage, Bower Cottage and Wards Cross House share the field of the Appeal Site as part of their setting and retain a strong historic relationship with the Appeal Site.

10.4. The Appellants' argument in Paragraph 3.2.5 is flawed. Inspector Burnham's finding of upper end of less than substantial harm was not based on separation distances. He made clear that harm would remain even with greater setbacks or planting. His conclusion rested on the unavoidable effects of introducing housing into the cottages' rural setting which had remained unaltered since they were built and the increased built presence, domestic activity and loss of openness. The Appellant seeks to recast Inspector Burnham's reasoning as distance dependent and then to import Inspector Sargent's conclusions from a different Appeal site with a different heritage context. This comparison is incorrect. Inspector Burnham's assessment of the Broadwater Lane frontage was setting-led and explicitly resistant to mitigation, it cannot be overridden by Inspector Sargent's findings on the Willowmead Field scheme.

10.5. Inspector Sargent accepted there would be harm from the Willowmead scheme but found it was outweighed by the public benefits of 23 dwellings with 40% affordable housing, a

16-space school-relief car park, an upgraded bus stop and new open space facilities. This PiP Appeal by contrast offers only 5–7 market dwellings, no onsite affordable housing and no comparable community benefits, while generating a greater range of harms. Inspector Sargent's planning balance was reached on materially different facts and cannot properly be relied upon in support of the current Appeal Scheme.

10.6. The Appellants have put forward the same argument regarding the two Areas of Special Character. Paragraph 4.1.2 states that both AoSCs are non-designated heritage assets, are in the same settlement and adjoin proposed development sites. The Appellants are again attempting to conflate the two schemes. The Old School House AoSC is smaller and contains a more tightly defined group of buildings that collectively represent the civic and educational history of the village. Inspector Sargent noted at Paragraph 30 of his Decision Letter that the three oldest buildings are late 19th and early 20th century; that the Old School House and the Lodge stand away to the south and modern structures such as the Air Scout Hut and the Sawpit Road housing scheme are visually dominant. He concluded that little of this AoSC is appreciable from the Willowmead Appeal Site.

10.7. The Hurst AoSC, in contrast, forms part of the historic core of the village and contains a materially greater number of Grade II listed buildings and NDHAs. It derives its significance from earlier vernacular architecture and strong group value associated with a historic rural setting. The Appeal Site lies directly within this rural backdrop and the proposed development would harm the Hurst AoSC's openness, historic views and village-edge character in a way that does not arise for the Old School House AoSC.

10.8. A relevant Appeal Decision on Broadwater Lane within the same AoSC is **APP/X0360/W/19/3240676 (2020) for the refusal of permission for the erection of one dwelling on land next to Whistley Green Cottage, Hurst** (see Appendix G). The Site of this Appeal lies approximately 300 metres to the west of the Broadwater Lane Appeal Site. Inspector Jackson dismissed the Appeal on grounds of less than substantial harm to the setting of Grade II listed Huntsmans Cottage; the middle range of less than substantial harm to the Hurst Area of Special Character and the upper range of less than substantial harm to the setting of the NHDA, Whistley Green Cottage. It is acknowledged that some of the harm arose from the proposed design and form of the new dwelling however, Inspector Jackson particularly assessed the effect of proposed planting and landscaping on Broadwater Lane, "*Even the maintenance of the existing vegetation along the Broadwater Lane frontage would not screen these through the entrance to the site. In any event and however desirable landscaping may be, it does not make the unacceptable acceptable and does not change the level of harm."*

10.9. A similar PiP Appeal Decision is **Appeal 3369472 against refusal of planning permission for the erection 3 dwellings on Land off Station Road, South Cerney, Cirencester (Dismissed November 2025,** see Appeal Decision at Appendix I). This is relevant to the Hurst Appeal scheme in that the main issues are the suitability of the location and the effect of the proposal on several listed buildings and a conservation area. The Local Authority has

a housing land supply of 1.8 years. Some of Inspector McDonagh's most relevant observations to this Appeal are quoted below:

- "*The Appeal Site's location on the edge of the important open space, relationship with other heritage assets and its inherent rural character contributes considerably to the character and appearance thereby to the significance of the CA*."
- *"The loss of rural character would also mean harm to the setting of the listed buildings due to the contribution of the Appeal Site, moreover the significance derived from their inherent group values and interrelationships formed over hundreds of years of the village would also be eroded and harmed.".*
- *"Listed buildings are safeguarded for their inherent special interest and visibility is but one consideration of the impacts of a development proposal on the significance of a designated heritage asset. A lack of visibility from public vantage points therefore does not equate to an absence of harm."*

11. Other Material Considerations

Hedgerows and Open Views across the Appeal Site

11.1. The FHS Appeal Statement suggests in Paragraph 4.4 when referring to the Appeal Site on Broadwater Lane that, *"it is possible that there was a substantial hedge blocking views into this area in the past,"* no evidence is offered to support this statement. Dr Massey has confirmed in Paragraph 9 of his Appeal Statement that early mapping and Lidar photography submitted in the Ridgeway Heritage Report for Application 240583, show that there is no evidence of any substantial hedgerow in this area from the mid-18th Century. It is his opinion that although historically there was a hedgerow and trees on the northern boundary of the Site, the southern boundary onto Broadwater Lane and the listed buildings has remained open.

11.2. I have lived in Hurst since 1974 and can confirm that there has been no hedgerow along Broadwater Lane and Hogmoor Lane but only low growing vegetation. This is confirmed by the photographs of the southern boundary of the Site on Broadwater Lane and views of the Site from Hogmoor Lane taken in 2009 below. It was only with the erection of livestock fences in the past ten years that bramble scrub, nettles and bracken have been left uncut and unmanaged but this does not constitute a managed and laid hedgerow with native species.

Figure 3: Southern boundary of site in 2009 showing low growing scrub, no formal hedging

11.3. The area opposite Parkers Cottage and Bower Cottage in Broadwater Lane is currently being used for the storage of disused agricultural machinery with the recent addition of a pile of decommissioned telegraph poles placed on the border in the same field as a herd of cows. On June 18th silage bales were placed in a row along the front of the Appeal Site on

WBC Highways Land in Hogmoor Lane partially obstructing views across the open countryside to Whistley Green. This is not the natural state of the land.

Agricultural Land and Land Use

11.4. The field that encompasses the Application Site is 3.2 hectares and has always been in agricultural use either arable cultivation or grazing by sheep and cattle. It is classified as Grade 3 agricultural land although it has not been established whether this is Grade 3a (best and most versatile) or Grade 3b and the Appellant has not clarified this. The proposal would therefore result in the permanent loss of agricultural land.

11.5. The Appellants claim that the remainder of the field will continue in agricultural use, however that use would be severely constrained. The proposal would divide the land and the current agricultural access would be removed. The residual parcel would be functionally unworkable, reducing agricultural activity to a limited residual use rather than a viable agricultural holding. The proposal therefore represents a significant change of use that would erode the agricultural character and productivity of the wider field.

12. Planning Policy Context

Development Plan

12.1. The Wokingham Borough Council Development Plan consists of Core Strategy DPD (2010) and the Managing Development Delivery Local Plan (2014) (MDD). Supporting adopted Supplementary Planning Documents include the Landscape Character Assessment (2019), the Borough Design Guide (2012) and Design for Hurst (2005).

12.2. The Cross Cutting Policies are CC01 Presumption in Favour of Sustainable Development; CC02 Development Limits; CC03 Green Infrastructure and CC09 Development and Flood Risk together with Landscape and Heritage Policies TB21, Landscape Character and TB26 Buildings of Traditional Local Character and Areas of Special Character.

12.3. Planning Policies in the emerging Local Plan Update will supersede the Core Strategy and MDD and clarify and strengthen the Council's spatial strategy. The emerging Plan is now at an advanced stage with the Public Hearings completed at the time of writing. The Delegated Officer's Report lists C5, DH2 Safeguarding Amenity and HC5 Environmental Protection as holding moderate weight when determining this proposal.

12.4. A detailed assessment of the Appeal Scheme against the principal policies of the Development Plan is contained in Appendix F. The main body of this Representation explains the factual and planning basis for those conclusions.

Housing Land Supply and the Tilted Balance

12.5. Examination of the WBC emerging Local Plan Update has progressed significantly since Appeal 3359898 was determined in October 2025 and is now at an advanced stage with Public Hearings completed. While some policies still attract only limited weight, the strategic housing sites required to meet the Borough's housing land supply have been found sound in principle. The shortfall is therefore not the result of any structural defect in the Plan but simply reflects the timing of adoption and a secure future housing land supply is now assured.

12.6. The Delegated Officer's Report, Page 14, states the Authority can only demonstrate a 2.5 year housing land supply although this is due to past over rather than under delivery. The policies most important for determining this Appeal are therefore considered to be out of date in accordance with Paragraph 11(d) of the Framework. Harm to heritage assets however engages Paragraphs 207 – 208 of the Framework which require a straight, untilted balance. These are policies that protect assets of particular importance for the purposes of Paragraph 11(d) and the 'Tilted Balance' is therefore disengaged. It is our contention that even if the 'Tilted Balance' were engaged, the proposal still fails in principle on other constraints.

13. Planning Balance

13.1. The Authority has accepted that it cannot currently demonstrate a five-year housing land supply and that the presumption in favour of sustainable development would ordinarily be engaged. However, where harm to designated heritage assets is identified, the statutory duty and the relevant provisions of the Framework require an untilted heritage balance to be applied in accordance with Footnote 7.

Benefits of the Appeal Scheme

13.2. It is acknowledged that the proposal would have some material benefits**:**

13.3. **Additional Housing Units.** The proposal is for 5-7 dwellings which is a very limited addition to the Borough's housing land supply and there is no provision for onsite affordable housing. The Appellants intend that the modest financial contribution of £250,000 will be reduced even further. The previous proposal provided 9 dwellings when the Authority could only demonstrate a 1.7 year housing land supply. This proposal provides a reduced number of 5-7 dwellings and a reduced affordable housing contribution when the Authority's position has improved to 2.5 years. The benefits are proportionately less and carry less weight.

13.4. **Direct and Indirect Economic Benefits.** It is acknowledged that there will be some economic benefits arising from the Appeal Scheme. These will mainly arise from the Community Infrastructure Levy, some post development economic benefits and short-term benefits during the construction phase. However, these are modest given the scale of the Appeal Scheme and carry only moderate weight.

13.5. The Appellants have applied their own assessment of moderate weight to the provision of sustainable building methods, reduced water consumption, off-site biodiversity net gain and the possible provision of pedestrian accessibility which they intend will be brought forward at the TDC stage. These are notional future benefits at the PiP stage which is confined to location, land use and amount of development and therefore cannot carry weight in the planning balance.

Disbenefits of the Appeal Scheme

13.6. The proposal conflicts with the Authority's spatial strategy as it is located outside development limits in designated countryside. The proposal would not maintain the quality of the environment in a physical, visual or historic sense.

13.7. **Harm to Landscape Character and Valued Landscape.** The proposal would have a harmful effect on the landscape character of the area. The proposal introduces strongly urban development into a rural area and does not relate to the surrounding countryside or the established pattern and grain of development. It replaces the Loose Village Form with a modern suburban forma of development and fails to protect the Site's features that have been identified as part of the Haines Hill Valued Landscape.

13.8. **Harm to the Setting and Significance of Multiple Designated Heritage Assets.** The proposal places new built form within the setting of multiple heritage assets. It places modern housing in an open field that forms part of their setting and would harm their rural historic character and significance. The level of harm to Elder Cottage, Parkers Cottage and Bower Cottage remains unaltered. The level of harm to Wards Cross House would be greater under the current proposal.

13.9. **Harm to the Setting and Significance of non-designated heritage assets and to the Hurst Area of Special Character.** The proposal would harm the setting of the non-designated assets of Long Barn and Munfin House. The proposal, by virtue of its location, would urbanise the rural setting and sever the historic agricultural relationship between the land and the buildings. The proposal would cause moderate to high harm to the setting and significance of the Hurst Area of Special Character. Harm to heritage and non-designated heritage assets carries significant weight against the proposal.

14. Summary of Objections

The Council's Reasons for Refusal

14.1. We agree with the Authority's Reason for Refusal that: the Proposal by virtue of its location represents unacceptable, unplanned development outside development limits within the designated countryside which is contrary to the spatial objectives of the Development Plan. This is contrary to Policies CP1, CP9 and CP11 of the Core Strategy and the Framework. The reasons why we support this conclusion are set out in Sections 3 to 5 of this Representation.

14.2. We agree with the Authority's reason for refusal that: the proposal by virtue of its location and amount of development would fail to suitably assimilate into the established landscape and character of the surrounding area and would fail to retain and enhance the traditional, historical, local and special character of the Hurst Area of Special Character. This is contrary to Policies CP1 and CP3 of the Core Strategy and Policies TB21 and TB26 of the MDD, the Wokingham Borough Design Guide, WBC Landscape Character Assessment and the Framework.

14.3. We agree with the Authority's reason for refusal that: the proposal by virtue of its location, would fail to conserve or enhance the setting of four designated heritage assets in the form of Grade II listed Buildings (Bower Cottage, Parkers Cottage, Elder Cottage and Wards Cross House). This is contrary to Policy TB24 of the MDD and the Framework.

Additional Material Considerations

14.4. Whilst we agree with the Authority's stated Reasons for Refusal, we also have additional objections to the negative impacts of the Appeal Scheme which we believe have not received sufficient consideration.

14.5. **We disagree** with the Authority's view that the Appeal Scheme would cause no harm to the setting of the non-designated asset of Munfin House. The proposal, by virtue of its location, has close intervisibility with Munfin House and would urbanise its rural foreground, disrupt historic views and introduce visually dominant modern built form, thereby eroding the tranquillity of its setting. This is clearly demonstrated in Paragraph 9.14 of Dr. Massey's Statement (see Appendix E).

14.6. **We disagree** that the Appeal Scheme would cause no harm to the setting of the non-designated curtilage listed Long Barn which lies immediately adjacent to the Site. The proposal, by virtue of its location, would urbanise its rural setting, sever the historic agricultural relationship between the Barn and the adjoining field and lose the spatial qualities that underpin its significance. These impacts amount to material harm to both Non-designated Heritage Assets and are contrary to local heritage Policy TB26 of the MDDLP and the Framework. These conclusions are supported by paragraph 9.14 of Dr. Massey's Statement (see Appendix E).

14.7. **We disagree** with the Authority that the amount of development could be accommodated in principle within the Appeal Site. We maintain that the SuDS attenuation basin and drainage scheme that constitute essential infrastructure required to support the development cannot be accommodated within the boundary of the Appeal Site and therefore the location and amount of development are unsuitable in principle. Under the Town and Country Planning (Development Management Procedure) Order 2015 (DMPO), the red-line boundary must include all land necessary to carry out the proposed development. As the SuDS attenuation basin cannot be accommodated within the Appeal Site boundary, the development cannot be considered suitable in principle under PPG paragraphs 58-001-20180615 and 58-012-20180615.

14.8. **We disagree** with the Authority that the location and amount of development would not detrimentally affect neighbouring amenity. We maintain that the location and amount of the proposed development would materially harm neighbouring amenity. Its massing and proximity would create an overbearing presence and erode the current open outlook. The closeness of the new dwellings to Parkers Cottage, Bower Cottage, Wards Cross House, Long Barn, Munfin House and Apple Tree Cottage would result in a clear loss of privacy. Additional activity, noise, lighting and vehicle movements across what is presently an agricultural field would further diminish the tranquillity of the area.

15. Conclusion

15.1. The Appeal Site is fundamentally unsuitable for residential development when assessed against location, land use and amount of development.

Location

15.2. In terms of location, the proposal would recreate the same heritage, landscape and spatial harms recently identified by Inspector Burnham. He assessed that any development on this area of the Site would cause unavoidable harm to the setting and significance of multiple listed buildings and to the Hurst Area of Special Character; such harm cannot be mitigated and provides a clear reason for refusing the Appeal under paragraph 11(d)(i) of the Framework.

Land Use

15.3. In terms of land use, the Site lies outside the settlement boundary in open countryside where development would erode settlement separation, disrupt historic field patterns and introduce suburbanising built form into a sensitive rural landscape. The land is in long-established agricultural use and the proposal would fragment that use and leave the remaining parcel functionally unworkable.

Amount of Development

15.4. In terms of amount of development, five to seven dwellings cannot be accommodated without reproducing the very harms identified by previous appeal decisions. The Broadwater Lane frontage would again damage listed building settings while the Hogmoor Lane frontage would have the appearance of an overdeveloped suburban enclave with the internal access road severing the historic field pattern.

15.5. The limited benefit of five to seven dwellings is not outweighed by the significant heritage and landscape harm. Granting Permission in Principle would be inconsistent with the conclusions reached by a recent Inspector's decision, would undermine the Council's spatial strategy, and would create an unjustified expectation of development on a Site where the principle of residential development has consistently been rejected.

Overall Conclusion

15.6. For the reasons set out throughout this Representation, we consider that the Appeal Scheme has failed to demonstrate that the Site is suitable for residential development in principle, having regard to its location, land use and the amount of development proposed. The proposal conflicts with the Development Plan, would result in unacceptable harm to designated and non-designated heritage assets, the Hurst Area of Special Character, landscape character and the established loose village form of Hurst, and offers only limited public benefits that are insufficient to outweigh those harms. Taken together, these matters provide compelling support for the Council's decision to refuse Permission in Principle. We therefore respectfully request that the Inspector dismisses the Appeal.