

PLANNING REF : 260353  
PROPERTY ADDRESS : Wards Cross  
:  
: RG10 0DS  
SUBMITTED BY : Mr Nicholas Willson  
DATE SUBMITTED : 07/03/2026

COMMENTS:  
6 March 2026

Planning Department  
Wokingham Borough Council  
Shute End  
Wokingham  
RG40 1BN

RE: OBJECTION TO PLANNING APPLICATION REF: 260353

Site: Land North West of Hogmoor Lane, Hurst, Wokingham RG10 0SR  
Proposal: Permission in Principle for residential development of between 5 and 7 dwellings  
I write to formally object to the above planning application. I have significant concerns regarding this proposal which fails to address the fundamental issues that led to the previous application's refusal (ref: 240583) and subsequent appeal dismissal (APP/X0360/W/25/3359898).

This objection addresses the applicant's claim that the scheme now overcomes the Inspector's concerns. I contend that it does not, and that permission should be refused for the following reasons.

#### 1. HARM TO DESIGNATED HERITAGE ASSETS

##### 1.1 The Applicant's Admission of Harm

The applicant's own Heritage Assessment (Asset Heritage Consulting, January 2026) admits that the proposal will cause harm to two Grade II listed buildings:

- Bower Cottage (Grade II listed): Less than substantial harm (lower end of scale)
- Parkers Cottage (Grade II listed): Less than substantial harm (lower end of scale)

However, Asset Heritage Consulting has missed that Elder Cottage on Broadcommon Lane, and Wards Cross House (also known as Hunters Lodge) and the Old Posting House on Hogmoor Lane are also Grade II listed and affected by the proposed development. Other properties in Hogmoor Lane opposite the currently open fields are classed by WBC as Non-designated Heritage Assets.

This admission and omission is fatal to the application. The NPPF is clear that great weight must be given to the conservation of designated heritage assets (paragraph 205), and that harm even at the lower end of the less than substantial scale requires clear and convincing justification.

##### 1.2 The 'Strong Reasons' Test: NPPF Paragraph 11(d)(i)

The applicant claims that the tilted balance in favour of development (NPPF paragraph 11(d)) applies due to the Council's lack of a

five-year housing land supply. However, paragraph 11(d)(i) provides an exception where:

"the application of policies in this Framework that protect areas or assets of particular importance provides a strong reason for restricting the overall scale, type or distribution of development in the plan area" (footnote 7 includes designated heritage assets).

I contend that harm to two Grade II listed buildings does constitute a 'strong reason' for refusal, for the following reasons:

- The 2024 NPPF strengthened the test: The previous version (2023) referred to 'clear reasons'; the current version (2024) requires 'strong reasons'. This represents a deliberate policy shift to afford greater protection to heritage assets.
- Any harm to designated heritage assets weighs heavily: Case law establishes that even 'less than substantial harm' at the lower end of the scale must be given considerable importance and weight (see *Barnwell Manor Wind Energy Ltd v East Northamptonshire DC* [2014] EWCA Civ 137).
- The harm is not inevitable: The applicant has chosen a scheme that causes harm. A scheme that avoids harm is clearly preferable to one that causes it.
- Previous Inspector's findings: The October 2025 appeal Inspector found 'higher end of less than substantial harm' to four listed buildings. The principle of harm to the rural setting remains. The Inspector stated (paragraph 33):

I consider that the proposal would alter the character of the setting of the designated heritage assets from a largely quiet, open and rural environment to one that would include additional built form with commensurate increased activity on what is currently an open green space.

This fundamental change in character from open rural land to residential development applies equally to seven dwellings as it did to nine. The setting harm has been eliminated in one area only - that of harm to Veteran Trees - but not eliminated in principle.

### 1.3 The Public Benefits Test: NPPF Paragraph 208

Even if the Council concludes that the 'strong reasons' test is not met, paragraph 208 requires that:

Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal.

The applicant claims that the housing contribution (7 dwellings) in the context of a 1.7-2.5 year supply constitutes a public benefit that outweighs the heritage harm. However:

- Seven dwellings is a derisory contribution: The Council's housing requirement is 750 dwellings per annum (emerging Local Plan Update). Seven dwellings represents less than 1% of the annual requirement. This is not a public benefit of such magnitude that it overrides harm to two listed buildings.
- Alternative sites are available: The Council's housing land supply position requires a strategic, plan-led response through site allocations. Granting permission on constrained sites that cause heritage harm is not the solution. The emerging Local Plan Update will allocate sufficient sites to meet the need without compromising heritage assets.
- This site was deliberately not allocated: The applicant's cover letter acknowledges that this site was originally included in early versions of the Local Plan Update but was removed at Pre-Submission

stage. This indicates the Council's considered judgment that the site is unsuitable for development, likely due to the heritage and other constraints.

#### 1.4 Conclusion on Heritage Harm

For the reasons set out above, I respectfully submit that:

- The admitted harm to Bower Cottage and Parkers Cottage constitutes a 'strong reason' under NPPF paragraph 11(d)(i), preventing the tilted balance from applying.
- The harm to other Grade II listed properties in the vicinity (Elder Cottage, Wards Cross House/Hunters Lodge, the Old Posting House) and to non-designated Heritage Assets has not been considered.
- Even if the tilted balance does apply, the public benefits do not outweigh the heritage harm under NPPF paragraph 208.
- The proposal is contrary to NPPF paragraphs 205 and 208, and to Local Plan Policy TB24 (Designated Heritage Assets).

## 2. INAPPROPRIATENESS OF THE PERMISSION IN PRINCIPLE ROUTE

Permission in Principle (PiP) is a streamlined two-stage consent route designed for straightforward sites where the principle of development can be established without detailed design. This site is manifestly not such a site.

### 2.1 PiP Defers Critical Details to Later Stage

At the PiP stage, the Council is asked to approve the principle of development based solely on:

- Location
- Land use (residential)
- Amount of development (5-7 dwellings)

All matters of design building heights, materials, architectural treatment, landscaping, boundary treatment are deferred to the Technical Details Consent stage.

However, on this constrained site, design is not a 'detail' it is fundamental to whether harm occurs.

### 2.2 Heritage Impact Depends on Design

The applicant's Heritage Assessment concludes 'lower end of less than substantial harm' based on:

- Increased separation distances from listed buildings
- Reduction from 9 to 7 dwellings

- 'Illustrative' site layout plans

What we don't know is the detail:

- Will the dwellings be single or two-storey? Ridge heights?
- What materials will be used? Brick, render, tile, slate?
- What will the architectural character be? Traditional or contemporary?
- What boundary treatment will be provided? Fencing height and type?
- What landscaping will be implemented? Tree planting, hedging? All of these factors directly affect the visual impact on the setting of the listed building and I contend it is not possible to conclude that harm is at the 'lower end' when the developer has provided no information on these critical design factors.

### 2.3 The October 2025 Inspector's Findings on Design

The October 2025 Inspector was dismissive of design mitigation,

stating (paragraph 29):

I acknowledge that the landscaping details and the house designs have yet to be finalised. However, even if some dwellings were to be set back from Broadwater Lane and even if a scheme of landscaping were to be implemented, I consider that the proposal would alter the character of the setting of the designated heritage assets from a largely quiet, open and rural environment to one that would include additional built form with commensurate increased activity on what is currently an open green space.

This finding suggests that design details are insufficient to overcome the fundamental change in character. Yet the applicant is asking the Council to approve the principle based on 'illustrative' designs, with the promise that acceptable details will emerge later. This is

precisely why PiP is unsuitable for constrained heritage sites. The principle and the detailed design are inextricably linked.

## 2.4 The Appropriate Route is Full Planning Application

Given:

- The site's proximity to multiple listed buildings
- The previous application's refusal and appeal dismissal
- The admitted heritage harm even in the current scheme
- The critical importance of design details to heritage impact

The appropriate route is a full planning application with:

- Detailed elevations and floor plans
- Specified materials and finishes
- Comprehensive Heritage Impact Assessment
- Detailed landscaping scheme
- Visualisations from key viewpoints including from the listed buildings

Only with this information can the Council properly assess whether the scheme is acceptable or whether the harm is unacceptable.

## 3. FLOOD RISK: INADEQUATE ASSESSMENT AND LOCAL KNOWLEDGE

The applicant's Flood Risk Statement (Simpson TWS, July 2025) dismisses local concerns about flooding too readily. As a local resident, I can attest that flooding in this area is a real and recurring problem.

### 3.1 Updated Surface Water Mapping Shows New Risk

The Flood Risk Statement acknowledges (paragraph 4.2.2) that the Environment Agency updated its surface water flood mapping in March 2025, and that this mapping now shows an area of surface water flood risk along the northern boundary of the site.

This is new information that was not available at the time of the previous application or appeal. The applicant dismisses it as relating to 'a level part of the site where it is proposed to construct a surface water attenuation swale'. However:

- The mapping indicates that this area has a measurable risk of surface water flooding.
- Constructing a swale in an area prone to surface water accumulation may exacerbate rather than mitigate flooding.
- The updated mapping should trigger an updated Flood Risk Assessment, not a cursory paragraph dismissing the issue.
- The swale has not been included in the overall site area

3.2 Section 19 Flood Investigation: Unresolved Capacity Issues  
Wokingham Borough Council's Section 19 Flood Investigation (March/April 2023 flooding event) identified flooding at three properties in Hurst, including 'Property 1' on Hogmoor Lane / Poplar Lane, approximately 350m northwest of the application site.

The investigation found that flooding was caused by:

- Exceedance of ditch and culvert capacity
- Lack of maintenance of the drainage system

The applicant argues (paragraph 5.2.4) that the development will not increase flood risk because:

- The site already drains to the same ditch system
- Surface water discharge will be restricted to less than greenfield runoff rates
- The ditch will be cleared and maintained

However, these assurances are insufficient:

- Greenfield runoff rates are a baseline, not a guarantee of no impact: The development will add impermeable area (dwellings, driveways, roads). Even with attenuation, this changes the runoff characteristics. If the downstream ditch system is already at or near capacity (as evidenced by the 2023 flooding), even a small additional volume could cause exceedance.
- Maintenance assurances are unenforceable: The applicant promises that 'the ditch will be cleared and maintained'. By whom? For how long? What happens when the site is sold to a management company, which subsequently goes into liquidation? What enforcement mechanism exists? The Section 19 investigation identified 'lack of maintenance' as a causal factor in the 2023 flooding there is no reason to believe future maintenance will be any better.
- No hydraulic modelling of the downstream system: The Flood Risk Statement provides no hydraulic modelling of the ditch and culvert system to demonstrate that it has capacity to accommodate the additional discharge (even at greenfield rates) without exceeding its conveyance capacity.

### 3.3 Recommendations

I respectfully request that the Council requires:

- Updated Flood Risk Assessment: Accounting for the March 2025 surface water mapping updates and including hydraulic modelling of the downstream ditch and culvert system.
- Legally enforceable maintenance regime: A Section 106 obligation requiring the establishment of a maintenance fund and management company with long-term liability for drainage infrastructure maintenance.
- Surface water exceedance flow paths: Detailed plans showing where surface water will flow in the event of attenuation system failure or exceedance.
- Consultation with affected residents: Engagement with residents of properties on Broadwater Lane and Hogmoor Lane who have experienced flooding, to gather local knowledge.

### 4. PREMATURITY: LOCAL PLAN UPDATE IN PROGRESS

Wokingham Borough Council submitted its Local Plan Update for examination in February 2025. Part 1 Examination Hearings were held in November 2025. Part 2 Hearings are scheduled for March 2026, with adoption expected in December 2026.

This application is premature and should be refused.

#### 4.1 The Site Was Deliberately Not Allocated

The applicant's cover letter admits (paragraph 7.8):

The site was originally included in the earlier versions of the LPU which were consulted on between 2021 and 2023... However, at the Pre-Submission (Regulation 19) stage the site was removed from the list of site allocations.

This is a critical admission. It means:

- The Council considered allocating this site for development - The Council undertook public consultation on that allocation - The Council, having considered all representations and evidence, made a deliberate decision to remove the allocation at Pre-Submission stage

Why was it removed? Presumably because the Council concluded that the site's constraints heritage, trees, flooding, landscape made it unsuitable for development, or that better, less constrained sites were available.

#### 4.2 Granting Permission Would Prejudice the Plan-Making Process

The purpose of the Local Plan Update is to identify sustainable sites for development through a plan-led process. Granting permission for this site now would:

- Undermine the Council's deliberate decision to exclude it from the Pre-Submission Plan

- Set a precedent that sites rejected through the plan-making process can simply be brought forward as speculative applications
- Pre-empt the Inspector's examination of the Plan, which may result in modifications or additional site allocations

National Planning Practice Guidance on prematurity states:

In the context of the Framework - and in particular the presumption in favour of sustainable development - arguments that an application is premature are unlikely to justify a refusal of planning permission other than in the limited circumstances where both: a) the development proposed is so substantial, or its cumulative effect would be so significant, that to grant permission would undermine the plan-making process by predetermining decisions about the scale, location or phasing of new development that are central to an emerging plan; and b) the emerging plan is at an advanced stage but is not yet formally part of the development plan for the area.

This application meets both criteria:

- Criterion (a): The Council deliberately excluded this site from the Pre-Submission Plan. Granting permission would undermine that decision and predetermine a question that is central to the emerging plan (whether this site is suitable for development).

- Criterion (b): The Local Plan Update is at an advanced stage (submitted for examination, hearings underway, adoption expected in 2026).

#### 4.3 Decision Should Await Plan Adoption

The appropriate course of action is to refuse this application as premature and allow the Local Plan Update process to conclude. If the Inspector concludes that additional sites are needed, the Plan can be modified accordingly. If not, the Council's decision to

exclude this site will be upheld.

Granting permission now would be a disorderly, plan-undermining approach that conflicts with the fundamental principle of plan-led development.

#### CONCLUSION

For the reasons set out above, I respectfully request that Wokingham Borough Council refuses planning permission for this application.

The proposal:

- Causes admitted harm to more than two Grade II listed buildings, contrary to NPPF paragraphs 205 and 208 and Policy TB24. This harm constitutes a 'strong reason' under NPPF paragraph 11(d)(i), preventing the tilted balance from applying. Even if the tilted balance applies, the public benefits do not outweigh the heritage harm.
- Uses an inappropriate Permission in Principle route for a constrained heritage site, where design details are critical to heritage impact. The Council cannot properly assess whether harm is at the 'lower end' without seeing detailed designs, elevations, materials, and landscaping.
- Inadequately addresses flood risk. Updated surface water mapping (March 2025) shows new risk. The downstream ditch system has a history of capacity exceedance. No hydraulic modelling or enforceable maintenance regime has been provided.
- Is premature, undermining the Local Plan Update process. The site was deliberately excluded at Pre-Submission stage. Permission should not be granted before the plan-making process concludes.

Yours sincerely,  
Nick Willson