

Wards Cross House
Hogmoor Lane
Hurst
RG10 0DH

Ms C Davis
Planning Officer
Wokingham Borough Council
Shute End
Wokingham
RG40 1BN

20th July 2026

Dear Ms Davis

Application 261624 for Permission in Principle for the Erection of a Maximum of 2 Homes (and a Minimum of 1) Including Formation of an Access from Hogmoor Lane, Hurst

1 Introduction

- 1.1 I am writing to object to the Permission in Principle (PiP) Application submitted by Shorewood Homes Ltd for the erection of 2 or a minimum of 1 dwelling on Hogmoor Lane, Hurst. I have lived with my husband, Dr Jeremy Lade, in Hurst since 1974 and in Wards Cross House, Hogmoor Lane since 1981. Wards Cross House lies in close proximity to the Application Site which occupies the land to its northeast
- 1.2 Hogmoor Lane is an attractive historic rural lane surrounded by open farmland. It is a scenic, tranquil route to a network of footpaths and bridleways that residents and visitors greatly value for walking, riding, cycling and other recreation, it is one of the most enjoyed and distinctive parts of the local countryside.
- 1.3 We have first-hand knowledge of the Application Site, the Lane and its surroundings. We have witnessed its continuing agricultural use, day-to-day management, changing condition and relationship with the historic landscape over the past four decades. We have also experienced first-hand the recurring flooding and drainage issues affecting this part of Hurst and highway safety difficulties in the Lane and the junction onto the A321 Broadwater Lane.
- 1.4 We have closely followed and been actively engaged in successive planning applications, appeal proceedings and the progression of the Council's emerging Local Plan relating to the field of the Application Site. We have consistently over many years sought to assist the Council and the Planning Inspectorate by providing detailed local evidence, historical research and accurate factual information relating to the Application Site and its surroundings.
- 1.5 This letter of objection has been reviewed with the benefit of planning advice from Mrs Jen Roberts, MA, MA(Hons), MRTPI of Jen Roberts Town Planning Ltd who has assisted in

reviewing planning and relevant policy issues and technical planning analysis. She has ensured that the planning arguments properly reflect the relevant planning framework and material considerations relevant to this Application. A separate Heritage Statement has been provided by Dr Richard Massey BSc, MA, PhD, MCIfA (5470) of Ridgeway Heritage (**Appendix A**). A brief Response to the Applicant's Transport Note by iTransport has been provided by Mr Robert Williams (CEng MICE) of Entran Ltd (**Appendix B**).

1.6 This objection explains the reasons why, in our view, the Applicant has not demonstrated that Permission in Principle (PiP) should be granted for the proposed erection of between one and two dwellings and the formation of access onto Hogmoor Lane.

1.7 The principal reasons for requesting that the Council Defer the determination of this PiP Application or issue a Refusal are addressed in this letter of objection and summarised as follows:

- **Deferment:** this Application concerns substantially the same land and planning considerations as Application 260353, which is now before the Inspector at the undetermined Appeal 6011047. This outcome of this appeal is a material consideration in the determination of this application. We therefore ask that its determination be deferred so that the Council's consideration of planning issues is consistent with the Inspector's (Section 3).
- **An incomplete and inconsistent application:** the Application letter, the Illustrative Layout and the technical evidence conflict with one another, and no deliverable drainage strategy or key site constraints (including the attenuation basin and an electricity transformer) are properly shown, so the proposal cannot be reliably assessed at the Permission in Principle stage (Section 4).
- **The principle of development:** the Site lies outside the settlement boundary within designated countryside, contrary to the Council's adopted spatial strategy (Sections 5 and 15).
- **Planning history:** the wider field has been the subject of numerous refused applications and dismissed appeals over many decades, reflecting fundamental constraints that remain unchanged (Section 5).
- **Heritage:** the proposal would harm the setting and significance of designated and non-designated heritage assets and the Hurst Area of Special Character (Section 7).
- **Landscape character:** the proposal would introduce an urban form of development into an open agricultural landscape, conflicting with the Landscape Character Assessment (LCA C2), the Haines Hill Valued Landscape, the Borough Design Guide and the established loose village form (Sections 8 and 9).

- **Flood risk and highway safety:** the proposal does not demonstrate a safe and deliverable drainage solution that would not increase flood risk elsewhere, or safe access onto Hogmoor Lane (Sections 10 and 11).
- **The planning balance:** the very limited benefit of one or two dwellings is clearly outweighed by the conflict with the Development Plan and the harm to heritage, landscape character and the rural environment (Sections 16 and 17).

2 Site Description

- 2.1 The Application 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. The Site is defined by the Applicant as a substantially smaller parcel of land of .49 hectares through the 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 early enclosure field pattern identifiable on historic mapping dating back to at least 1727. Beyond this boundary, large open arable fields extend northwards, providing physical 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 is included in the Haines Hill Valued Landscape designation and has been assessed by the Council as having features that raise its landscape quality above that of the surrounding area. 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 Application Site is broadly orientated from northeast to southwest. The eastern edge of the Application Site fronts Hogmoor Lane. This is a narrow, single-track rural lane with a small amount of residential development that includes the Grade II listed Old Posting House, Grade II listed Wards Cross House and the locally listed non-designated heritage assets of Long Barn and Munfin House.
- 2.5 The Application Site extends to 0.49 hectares with a frontage of 92 metres. It does not read as a small, undeveloped gap within a built-up frontage but presents as a substantial open break more accurately described as a standalone parcel of land. Its scale and openness make a significant contribution to the Lane's character and it cannot credibly be described as an infill plot. The Inspector at Appeal T/APP/X0360/98/298932/P9 (1999) Page 2, Paragraph 5, stated,

*“The appeal site has a frontage of about 80-90m to Hogmoor Lane which I consider forms a substantial gap in the street scene, greater than what would normally be termed an infill plot and which makes a significant contribution to the semi-rural character of the Lane.” (see **Appendix C**).*

3 Request for Deferment of Determination of Application

3.1 The Application Site forms one of two parcels of land included within Application 260353 which sought permission in principle for the erection of 5–7 dwellings and was refused by the Council in March 2026. The Applicant appealed that refusal in June and Appeal 6011047 is still ongoing and remains undetermined. This proposal is for a materially similar development on the Hogmoor Lane frontage as that already before the Inspector. The overlap is clear and substantive, for the following reasons:

- **Same land parcel:** The Application Site is substantially the same as the Hogmoor Lane parcel of land within Application 260353 which is now under examination in Appeal 6011047.
- **Same development purpose and principle:** Both proposals seek residential development on this parcel of land and the question of whether the Hogmoor Lane frontage is suitable for development in principle is already before the Inspector. The Applicant submitted five alternative Illustrative Layouts at Appeal (8543 F04, F05, F06, F07 and SK-01) including one showing two dwellings on this frontage. We acknowledge that Layout Plans are indicative only at the PiP stage however this proposal closely resembles and directly overlaps with a scheme that is currently under consideration by the Inspector.
- **Same Planning Constraints:** The proposal engages identical planning considerations on the Hogmoor Lane parcel of land, including countryside designation, landscape character sensitivity and harm to heritage setting and significance.
- **Same policy framework:** No relevant policy changes have occurred since the refusal of Application 260353; the same Local Plan Policies, emerging Local Plan Update Policies, Framework Paragraphs and PiP guidance apply to both iterations of the scheme.
- **Same judgement required:** The Council should apply the same planning judgement to this Application as the Inspector is applying in Appeal 6011047 because the planning principles, impacts and policy tests are materially the same.

3.2 The outcome of Appeal 6011047 is therefore a material consideration in the determination of this Application. For the reasons set out above, the Inspector’s findings will bear directly on the same issues as arise on this proposal. Determining this Application in advance of that decision would risk the Council reaching a conclusion that is inconsistent with, or is

subsequently undermined by, the Inspector's findings on substantially the same land and planning considerations.

- 3.3 We respectfully request that determination of the Application is deferred until the Inspector's assessment of the relevant issues is available to Council Officers in order that they can reach a reasoned and consistent decision on this land.

4 Incomplete and Inconsistent Application

- 4.1 The Applicant has chosen to seek planning permission through the Permission in Principle process. The PiP process establishes whether the Application Site is suitable for residential development in principle having regard to its location, land use and the amount of development proposed. Any infrastructure that is functionally essential to the delivery of the development such as internal roads or sustainable drainage schemes including an attenuation basin, forms part of the development and must be included within the red-line boundary of a PiP Application Site.
- 4.2 The Application Site is located within an area affected by well-documented flooding and drainage issues including a significant flooding event in 2023. The Applicant states in Paragraph 60 of the Application letter that *'As with the previous 2025 Appeal, separate drainage details such as swales and basin would follow at the detailed TDC stage (and are indicated on the Illustrative Layout and the swale is shown beyond any tree buffer)*. The Illustrative Layout does not show an attenuation basin or swale, either within the Site's red-line boundary or offsite.
- 4.3 The Applicant's own evidence at Appeals 3359898 and 6011047, in the Simpsons TWA Flood Risk Assessment and the Supplementary Statement on Flood Risk, confirms that all runoff and exceedance flows must be directed to an attenuation basin. The basin is therefore integral to establishing the Site's suitability in principle and cannot be treated as secondary or supporting infrastructure to be deferred to a later stage; it should be shown within the red line boundary. The substance of that evidence is addressed at Section 11 of this letter..
- 4.4 The Applicant has submitted a further Flood Risk Assessment (FRA) by Calibro Ltd with this Application. This omits any reference to an attenuation basin and instead proposes that surface water runoff from the Site would be discharged directly into the Hogmoor Lane ditch network without attenuation. This approach is materially different from the strategy indicated elsewhere in the Application. I
- 4.5 The Calibro FRA asserts in Paragraph 2.2.2 and illustrates in Figures 2.2, 2.3, 3.1 and 3.1 that the Hogmoor Lane drainage ditch parallel to the Site and identified as the primary channel for surface water runoff is located within the Application Site's red line boundary. This is incorrect.

- 4.6 The drainage ditch lies outside the Site boundary on WBC Highways land and is not within the Applicant's ownership or control. This is a fundamental error in the FRA and undermines the reliability of the drainage strategy presented. A PiP Application cannot rely on a drainage scheme that discharges surface-water runoff into a highway ditch outside the Applicant's control and reliant on third party authorisation. Drainage is a fundamental constraint that cannot be deferred to the Technical Details Consent stage, and the consequences for deliverability in principle are addressed at Section 11 below.
- 4.7 In the absence of any drainage solution that is both policy-compliant and within the Applicant's own control, we do not consider that the Applicant has demonstrated that the Site is suitable for residential development in principle.
- 4.8 The Application letter, the Illustrative Layout and the technical information in the Flood Risk Assessment each put forward different and mutually inconsistent drainage solutions ranging from on-site attenuation to direct unattenuated discharge off-site. Although the detailed design and calculation of a drainage strategy would ordinarily be refined at the TDC stage, the Application as presented to the Council is fundamentally inconsistent and does not provide a coherent or reliable basis for assessing flood risk at the PiP stage. An analysis of the Applicant's Flooding and Drainage Strategy is provided in Paragraph 11 of this letter and at **Appendix D**.
- 4.9 **Omission of Electrical Distribution Transformer:** The Applicant's Layout Plan does not indicate the presence of a large double-poled electricity transformer that is sited approximately 17 metres inside the southern red line boundary and within the indicative plot of one of the dwellings. The presence of the electricity distribution transformer is a fixed operational constraint and should have been clearly identified at the PiP stage, both on the Site Layout Plan and in the Application letter. As statutory infrastructure governed by the Electricity Act 1989 and the Electricity Safety, Quality and Continuity Regulations (ESQCR) 2002, it requires defined safety clearances, controlled access and formal wayleave or easement rights, all of which directly affect the developable area and the position of the red line boundary. Its omission from the submitted documents means that the Council has not been provided with an accurate or complete understanding of the Site's constraints, materially undermining the reliability of any assessment made at the PiP stage.
- 4.10 **Location of Access:** The PiP submission is inconsistent on the subject of the access onto Hogmoor Lane. The Transport Note and the Site Layout Plan place the access centrally within the Site whereas the FRA by Calibro Paragraph 3.4.12 proposes that it should be in the northeastern corner of the Application Site where there is a lower risk of flooding. PiP requires the Council to be satisfied that the access location is safe and deliverable in principle. A proposal that contradicts itself on this point is unreliable when determining suitability in principle. Highway safety and the deliverability of the access are addressed at Section 10 below.

- 4.11 **Proposal for Self-Build Housing:** The Applicant states on Page 1 of the Application Letter that, *“These homes could be self-build and this will be decided at the TDC stage.”* Self-build is relevant at PiP because it widens the range of plausible built-form outcomes and in a sensitive rural frontage this uncertainty increases the risk of unacceptable landscape and heritage harms. It can also reduce the level of economic benefit in the planning balance.
- 4.12 The Application letter, the Site Layout Plan and the technical supporting documents taken together present inconsistent and conflicting information that prevents a clear understanding of what is actually proposed. These contradictions indicate a lack of coherent planning and hinder the Council’s ability to assess the scheme at the PiP stage where clarity on the nature and amount of development is essential.

5 Location and Planning History

- 5.1 The planning history of the wider field surrounding the Application Site shows a long and consistent pattern of refusals and dismissed Appeals, all identifying the same fundamental constraints that remain unchanged today. Despite repeated attempts to subdivide and develop the land over many decades, both Wokingham Borough Council and the Planning Inspectorate have consistently concluded that the Site is unsuitable for development and permission has always been refused on this land. Those earlier decisions are highly relevant to the present application.

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 Dwelling on Subdivision of field fronting onto Hogmoor Lane	April 1998	Refused
Appeal/X0360/A/98298932/P9 for 5no Dwellings	Nov 1998	Dismissed
Outline Application 240583 for 9no Dwellings	Oct 2024	Refused
Appeal 3359898 for 9 Dwellings	Oct 2025	Dismissed
PiP Application 260353 for 5-7 Dwellings	March 2026	Refused
PiP Appeal 6011047 for 5-7 Dwellings	June 2026	Ongoing

- 5.2 Whilst the scale and form of the proposals have varied over time, the planning history demonstrates a remarkably consistent pattern of decision making. Although proposals have varied in scale and form, both the Council and the Planning Inspectorate have repeatedly refused or dismissed development because the same fundamental constraints persist. The Site has consistently been judged unsuitable for housing due to its countryside location, its landscape and heritage sensitivities and the harm that development would cause to the established rural character. These considerations remain directly relevant to the current application.

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

- 5.3 Application 240583 proposed a linear development of nine dwellings with three access points along the Broadwater Lane frontage of the same wider field as the Application Site. The Appeal was dismissed by Inspector Burnham for reasons that the proposal would result in the deterioration of veteran trees that are irreplaceable habitat, harm to the setting and significance of designated heritage assets and harm to the setting and significance of the Hurst Area of Special Character.
- 5.4 It is of particular note that Inspector Burnham concluded in 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.”* (Appeal Decision included at **Appendix E**).
- 5.5 The Council's position has since improved from 1.7 to 2.5 years housing Land supply with the Heathlands Road Appeal Decision APP/Z0360/W/25/3359928 dated 24th September 2025 confirming a 2.5-year HLS (Appeal Decision included at **Appendix F**). This scheme will only yield a maximum of two dwellings or one if the minimum number were realised, far fewer than nine dwellings and of almost negligible public benefit. Set against the continuing harm to the setting of the Area of Special Character, harm to the non-designated heritage assets of Long Barn and Munfin House and harm to the landscape character of Hogmoor Lane identified by the Council in Application 260353 and Appeal 6011047, the substantially reduced housing benefit of this Application is even less capable of outweighing the identified planning harms.
- 5.6 We consider that the conclusions reached by Inspector Burnham in relation to the overall planning balance remain highly relevant and if anything, carry greater weight in the context of this current application.

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

- 5.7 A comparable scheme on the Hogmoor Lane frontage that proposed five detached dwellings with garages and access onto Hogmoor Lane was submitted in 1998. The Council refused the Application and the subsequent Appeal was dismissed following a Public Hearing in 1999. That Appeal Decision remains directly relevant to the present Application. The historic development pattern, the rural landscape character and the underlying material planning

considerations have not changed and the Inspector's reasoning continues to carry weight today.

5.8 Inspector Chivers concluded in her Decision Letter that (see **Appendix C**):

- 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 not 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.

5.9 Inspector Chivers' conclusions remain relevant because the physical qualities she identified of an open frontage, dispersed development and a clear semi-rural character are still clearly evident today. Although policy has evolved since 1999, the Application Site's unchanged landscape role and settlement relationship continue to weigh strongly against residential development.

5.10 The relevance of this earlier Appeal Decision is reinforced by the Council's recent assessment of Application 260353 which overlaps the current Application site. When refusing that Application, the Council identified the same underlying constraints on the Hogmoor Lane parcel of land and also recognised harm to the setting of non-designated heritage assets, harm to the setting of the Hurst Area of Special Character and harm to an area of Haines Hill Valued Landscape. Those conclusions were subsequently confirmed and expanded in the evidence the Council presented when defending the Refusal at Appeal 6011047. The consistency of these findings demonstrates that the material considerations relied upon in the 1999 Appeal remain unchanged and continue to carry weight. The Applicant has not demonstrated that these fundamental planning constraints can be overcome and furthermore

the public benefits of the current proposal are materially less than those before both Inspectors.

6 Emerging Local Plan and Site Assessment

6.1 The Applicant states in the Application Letter Paragraph 24 *“The wider field was originally identified as a site allocation in the initial versions of the Local Plan Update in 2020, 2021-22. This allocation was only removed at the Pre Submission stage in 2024.”* This statement is misleading. The wider field of 3.2 was promoted as Site 5HU030 at the Call for Sites but not allocated as a potentially suitable allocation for development. A subdivision of approximately .96 hectares on the southern boundary of the field with a frontage onto Broadwater Lane was identified as a potentially suitable site for approximately 12 dwellings at the Regulation 18 Public Consultation stage.

6.2 The process by which this subdivision 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 would have excluded it as part of the housing supply.

6.3 HELAA Assessment

- The early scoping and consultation for Hurst was very limited and key constraints affecting Site 5HU030 were not identified.
- The Site was incorrectly combined for assessment with 5HU002 despite being physically distinct and subject to different planning considerations, leading to its specific constraints being minimised.
- An incorrect site number was supplied to the Landscape and Tree Team and no Landscape Character Assessment was undertaken.
- Heritage impacts were wrongly assessed with effects on multiple heritage assets, the Hurst AoSC and the Green Route Enhancement Area overlooked.
- The Ancient Tree Inventory was not consulted and four mature oaks were not recognised as veteran throughout the HELAA process.
- Recurrent flooding on Broadwater Lane and Hogmoor Lane, including significant events in 2014, 2021 and 2023, was not acknowledged and no reference was made to the WBC Flood Investigation Report 2016.

- The Site's poor pedestrian access and lack of safe connectivity was not properly recognised. The Site had an amber highway safety rating.

Removal From Emerging Local Plan

6.4 The entire field of Site 5HU030 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.

6.5 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."

6.6 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 Application

6.7 The emerging Local Plan process is particularly relevant as 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. The Site was ultimately removed because of its planning constraints from the Council's proposed housing supply following detailed technical assessment and consideration of representations.

6.8 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 Permission in Principle Application 260353 and the defence of those refusals at Appeal.

6.9 The emerging Local Plan reinforces rather than alters the conclusion that the wider field including the current Application Site is unsuitable for residential development in principle.

7 Location and Heritage

7.1 Under the Permission in Principle regime the matters for the Council's consideration are limited to the location of the proposed development, the land use proposed and the amount of development. Sections 7 to 11 of this letter address the suitability of the Site's location, dealing in turn with heritage, landscape character, settlement pattern, the highway network and flood risk. Land use is addressed at Section 14 and the amount of development proposed is considered in the planning balance at Section 17 and in the Conclusion at Section 18.

- 7.2 The Applicant has submitted the same Heritage Statement by Asset Heritage dated January 2026 that accompanied Application 260353, which the Council subsequently refused in part because of the harmful effect of the proposal on the setting and significance of heritage assets. A detailed Planning Rebuttal for Heritage of this Application proposal has been prepared by Dr Richard Massey BSc, MA, PhD, MCIfA of Ridgeway Heritage and accompanies this letter of objection at **Appendix A**.
- 7.3 We agree with the conclusions reached in that assessment and do not seek to repeat its detailed heritage analysis. We also refer to the Statement from the WBC Heritage Specialist that was submitted as part of the Council's evidence at Appeal 6011047. This section explains why, in our view, the revised Application scheme continues to result in unacceptable harm to the setting of the non-designated heritage assets of Long Barn, Munfin House and the setting and significance of the Hurst Area of Special Character.

Non-Designated Heritage Assets

- 7.4 There are two Grade II Listed buildings, the Old Posting House and Wards Cross House in Hogmoor Lane. The WBC Historic Environment Topic Paper (HETP) 2024 identifies Munfin House as a non-designated heritage asset and Long Barn as a non-designated curtilage-listed asset due to its association with Wards Cross House as a 'farmstead group.' Munfin House lies immediately to the east of the Application Site which is fully in its foreground. Long Barn lies immediately adjacent to the southern boundary of the Application Site. Both buildings make a contribution to the Hurst Area of Special Character which is itself a locally listed non-designated heritage asset.
- 7.5 Dr Massey's Rebuttal Statement notes in Paragraph 6.4 that the most recent amendments to the Framework in February 2025 and the PPG (Historic Environment) significantly strengthened the status of non-designated heritage assets 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 adjoin the Application Site.
- 7.6 The Applicant's Asset Heritage Statement does not identify any level of harm to the settings of Wards Cross House or the Old Posting House from development of the Application Site. It states in Paragraph 5.2.29 that the magnitude of the change to the setting of Munfin House would be high but that the building has limited heritage significance. It states in Paragraph 5.2.30 that there would be no impact on the limited significance of Long Barn and that its contribution to the AoSC would remain unaltered by development. We do not agree with these conclusions.

- 7.7 The scheme proposes up to two large market houses set on land approximately 0.5 metres above Hogmoor Lane with finished floor levels raised by a further 0.4 metres for flood mitigation. Their scale, elevated position and suburban form would introduce an obvious urban element into the historic rural frontage and would visually dominate and overwhelm the Lane, the traditional buildings and surrounding land. The development has direct implications for the settings of both buildings and for the quality of the westward views from Hogmoor Lane. Those views reinforce the essential rural character of the village edge and make an important contribution to the Hurst Area of Special Character.
- 7.8 The Statement from the WBC Heritage Specialist submitted at Appeal 6011047 refers to Historic England's Planning Note 3 on the Setting of Heritage Assets that states, "*Settings of heritage assets which closely resemble the setting at the time the asset was constructed or formed are likely to contribute to their significance.*" Paragraph 5.13 of the Statement describes the wider field of the Application Site as unchanged since at least the 16th Century and whilst there is some modern infill, Wards Cross can still be clearly appreciated as a post-medieval nuclei development with the landscape setting greatly contributing to this understanding.
- 7.9 **Wards Cross House and Long Barn Farmstead Group:** Wards Cross House is a 17th Century Grade II listed former farmhouse that had a strong tenurial relationship with the wider field which includes the Application Site. The surrounding open farmland remains an unaltered aspect of its rural setting. The historic 'long barn' running parallel to Hogmoor Lane is identified as a non-designated heritage asset. The WBC Heritage Specialist's Statement, Paragraph 4.4.1 states that the barn was associated with the Wards Cross House farmstead and provides tangible evidence of the former farmstead's character and that, "*The historic barn strongly contributes to the character and appearance of the AoSC and to the setting of the neighbouring listed buildings notably Wards Cross House, its former host.*" It continues that the barn was specifically built in relation to the land giving rise to a tangible connection and contribution to the asset's significance.
- 7.10 **Significance of Farmstead Groups:** Historic England and English Heritage both recognise that farmsteads are valued as groups and that their significance is inseparable from their countryside context. This is true even when they have fallen out of agricultural use, their contribution arises from their form, character, distinctiveness and relationship with place not their current function. Historic England's Historic Farmsteads and Traditional Farm Buildings: A National Framework (2010) states,
- "Future change including conversion to new uses is inevitable, as they continue to fall out of farming use."*

“Traditional farmsteads and their buildings are heritage assets which, through all types of use, make a significant contribution to the local character and distinctiveness, communities and economies of rural areas.”

- 7.11 These statements directly contradict Asset Heritage’s assessment in Paragraph 5.2.30 that Long Barn no longer has any connection with the land as the barn is now in residential use. The WBC Heritage Specialist’s Statement Paragraph 5.17 states that the development proposed at Appeal 6011047, which included the Hogmoor Lane frontage, would introduce a suburban character that would directly conflict with the historic setting of Wards Cross House farmstead group at a high level of less than substantial harm. It continues that *“As the Long Barn non-designated heritage asset forms part of the historic complex, this too for the same reasons would see its significance harmed through the proposed development.”*
- 7.12 **Munfin House:** The building has been 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. The WBC Heritage Specialist’s Statement states in Paragraph 4.4.2 that due to its historic form and materiality, the building positively contributes to the setting of the AoSC and to the nearby listed buildings. Munfin House has close intervisibility with the open agricultural field of the Application Site opposite. The proposal would replace the open foreground with large, modern suburban dwellings which would irrevocably alter its currently quiet and essentially rural outlook and character. It would clearly have a negative impact and cause harm to the setting of the non-designated heritage asset.
- 7.13 **Hogmoor Lane:** The Lane forms part of the historic road layout of Hurst and appears on mapping from at least 1760. Its antiquity is evident in the historic buildings that border it and in its partly sunken profile with the Application Site sitting around 0.5 m above the Lane. As a largely unchanged route of probable medieval origin, it makes an important contribution to local historic character. The proposed development would significantly erode this character and diminish the Lane’s contribution to the AoSC and nearby heritage assets. WBC’s Heritage Specialist notes in Paragraph 5.14, that the rural setting of the AoSC, including the Application Site, is particularly appreciable when travelling along Hogmoor Lane from the northeast, where its verdant, isolated and historic qualities are most strongly experienced.
- 7.14 **Village Centre (Hurst) Area of Special Character:** The Hurst AoSC is a locally designated heritage asset recognised not only for the built form of a coherent group of vernacular historic buildings in the vicinity but also the rural village character and open fieldscape setting. It is the combination of all the various elements in the area that contribute to its ‘special character.’ The AoSC encompasses part of the settlement of Whistley Green and part of the settlement of Hurst. The wider field of the Application Site is not uncharacterised farmland but part of a legible historic landscape contemporaneous with the heritage assets that define the AoSC.

- 7.15 Hogmoor Lane affords views across this open agricultural land towards the veteran trees on Broadwater Lane and towards Whistley Green and the field provides the immediate rural setting of the AoSC. This rural context remains largely intact and contributes materially to the AoSC's significance, shared historic development and group value. As open land that visually buffers and separates the two settlements and reinforces their rural character, any built-form development here would have a detrimental visual and spatial impact on the AoSC with particularly appreciable harm to the sensitive Broadwater Lane and Hogmoor Lane frontages.
- 7.16 The proposed Application scheme by virtue of its location would fail to conserve or enhance the setting and historic context of the non-designated Munfin House and the Wards Cross House farmstead group and would also fail to preserve the special character of the Hurst AoSC. The proposal conflicts with relevant provisions of the Framework and Policy TB26 of the MDDL that,

"Planning permission will only be granted for proposals to or affecting Buildings of Traditional Local Character and Areas of Special Character where they demonstrate that they retain and enhance the traditional and historical, local and special character of the building or areas."

8 Location and Landscape Character

- 8.1 The Application Site is located outside the Hurst settlement boundary in designated countryside. It is located within the Wokingham Borough Council Landscape Character Assessment (LCA) Area C2 Hurst River Terrace which is a landscape of overall moderate quality and sensitivity with a modest capacity for change.
- 8.2 The Landscape Strategy for LCA C2 is to, *"Conserve and enhance the quiet, rural and agricultural landscape with its scattered rural farmsteads and small red brick villages connected by narrow and rural lanes"*.
- 8.3 The Landscape Aim regarding development is, *"The aim of the Landscape Strategy in terms of development is to conserve the low-density pattern of settlement centred around Hurst and Whistley Green"*.
- 8.4 **Valued Landscape:** The Applicant has provided no landscape assessment with this Application. This omission is significant because the wider field, including the Application Site, lies within the Haines Hill Valued Landscape. Although the Applicant relies on the 2025 Inspector's comment that he was *"not confident"* that the Broadwater Lane Appeal Site formed part of Valued Landscape, the Council's Landscape Specialist confirms that the Valued Landscape boundary has since been extended to include the wider field that includes the Application Site (Paragraph 5.23 Statement of Case Appeal 6011047).

- 8.5 The Council considers that the Site and its surroundings exhibit all the valued landscape attributes required in the Guidelines for Landscape and Visual Impact Assessment 2013 (GLVIA3) including:
- **Landscape condition:** intact rural settlement pattern and openness with higher landscape quality than the broader C2 area.
 - **Scenic quality:** views across the wider field form the backdrop to the AoSC and importantly the views between the gap between Long Barn and Apple Tree Cottage (the Application Site) are important to the recreational routes from Hogmoor Lane.
 - **Rarity:** Veteran trees within boundary hedgerows elevate landscape value.
 - **Representativeness:** the Site reflects the attributes identified for the C2 landscape character area.
 - **Conservation interest:** designated and non-designated heritage assets together with veteran and mature trees contribute to conservation value.
 - **Recreational value:** Hogmoor Lane connects directly to a wider network of rural footpaths, bridleways and recreational routes.
 - **Perceptual quality:** the Site and its surroundings retain qualities of tranquillity and timelessness.
- 8.6 The Council assessed that the combination of veteran trees, intact hedgerows, open views from narrow rural lanes such as Hogmoor Lane and the pastoral backdrop to the AoSC elevates the landscape quality above “*moderate*”. These qualities heighten the sensitivity of the Site and its susceptibility to the impact of change.
- 8.7 The visual impact of development in this location would be amplified by the intrinsic constraint that the ground level of the Site is elevated by at least .5 metres above Hogmoor Lane. Inspector Chivers in the 1999 Appeal noted that this difference is clearly visible when travelling along this area of the Lane. The Applicant’s Supplementary Flood Risk Assessment by Simpsons TWA further requires the finished floor levels of dwellings to be raised by 0.4metres above existing ground levels to mitigate against groundwater flooding (see Paragraph 11 of this Objection). This is not a matter that can be overcome at the TDC stage as both the topography of the Site and the requirement to overcome groundwater flooding are intrinsic to the Application 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.
- 8.8 The Applicant has reduced the proposal to a maximum of two dwellings however this does not avoid landscape harm. Any new built form in this location would still intrude into an open rural

fieldscape that is integral to the Valued Landscape, the setting of the AoSC and the historic settlement pattern along Hogmoor Lane. The introduction of two elevated, modern houses would remain visually prominent, obstructing important outward views from the Lane across open fields to Whistley Green and other areas of the AoSC. Two modern houses inevitably introduce close-board fencing, engineered access, hard surfacing, domestic paraphernalia, lighting, vehicles, and regular human activity. These elements fundamentally alter the rural character, openness and tranquillity of the landscape and the outlook from Hogmoor Lane. The change is not limited to the buildings themselves but it is the cumulative suburbanisation arising from all the associated infrastructure and domestic features that causes appreciable landscape harm. Hogmoor Lane would be materially altered and the rural tranquillity and historic qualities of the landscape would be diminished. In such a sensitive location, even two dwellings would still result in clear and appreciable landscape harm.

Conclusion

- 8.9 For the reasons set out above, we consider that the proposed Application scheme would fail to conserve or enhance the character and appearance of the Lane and the surrounding countryside. It would introduce an urban form of development that would fundamentally change the established landscape character of Hogmoor Lane and this part of Hurst. The proposal would conflict with the key strategies, aims and guidance of the WBC Landscape Character Assessment and Policies CC03 and TB21 of the MDDLDP together with Policy CP3 of the Core Strategy.

9 Location, 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 settlement identity and one that is directly relevant to the determination of the Application scheme.

- 9.2 Paragraph 2.3 of the Borough Design Guide 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 of two large market houses would prevent the countryside penetrating into the village along Hogmoor Lane. Figure 3B.12 of the WBC Borough Design Guide exactly replicates the settlement pattern surrounding the Application Site in diagrammatic form and uses it to illustrate the grain of the typical Loose Village Form. The

open field of the Application Site extends into the village and allows the surrounding landscape to penetrate between the historic clusters of development in Hogmoor Lane.



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

- 9.4 The Application scheme would fundamentally alter this defining characteristic of Hurst's Loose Village Form. Rather than reinforcing the established settlement pattern, it would block any penetration of the rural countryside into this important part of Hogmoor Lane and irreversibly erode the characteristics described in the Wokingham Borough Design Guide. We 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.

10 Location in Relation to the Highway Network

- 10.1 We recognise that matters of detailed highway design are ordinarily reserved for Technical Details Consent however the Applicant has chosen to introduce highway access considerations at this PiP stage by describing proposed access solutions and submitting a supporting Highways Transport Note by iTransport which appears to be based on a desktop study. As the Applicant is relying upon technical evidence to assert that access difficulties will be resolved at TDC, we consider that it is appropriate to comment on that evidence and whether, in our view, safe and suitable access can realistically be achieved. This goes directly to the suitability of the Site's location in principle and falls within the scope of this PiP. Our comments in this Section are supported by a brief PiP Transport Note Response by Entran Environmental and Transportation (**Appendix B**).

- 10.2 A reduction in highway safety in Hogmoor Lane and at the junction with the A321 was one of the reasons for dismissal of the 1999 Appeal on the same Site. Hogmoor Lane is a single-track rural road of between 3 – 3.5metres width at the Application Site narrowing to 2.8 metres. It is unlit with no footway, no pedestrian refuge and no passing points. The Lane contains a number of blind bends where forward visibility is so restricted that drivers routinely have to sound warnings to alert oncoming vehicles and pedestrians. The Lane connects to Poplar Lane, which is itself a narrow, single-track rural road with no footway provision and similarly poor inter-visibility
- 10.3 The Applicant's estimate of only 1–2 traffic movements morning and evening for two dwellings is unrealistic. Car ownership in Hurst is above the national average at 2.6 vehicles per household and as public transport is limited, daily activity is heavily dependent on private car use. Allowing for commuting, school trips, shopping, leisure travel, visitors and deliveries, two dwellings would realistically generate approximately 14–20 vehicle movements per day. This higher level of traffic would intensify use of the Lane and compound its existing highway-safety constraints.
- 10.4 The Lane serves a small number of 13 dwellings however it leads onto a network of footpaths and bridleways and is a recreational route that is used by a large number of pedestrians, dog-walkers and cyclists from the village and surrounding areas on a daily basis. The introduction of a new access with additional vehicle movements taken with the existing constraints of the Lane would materially worsen highway safety for all users. The Inspector at the 1999 Appeal assessed in Paragraph 3 of her Decision Letter that, *"There would be considerable potential for conflict between vehicles and other road users in the Lane."*
- 10.5 The Transport Note, Paragraph 3.3.3, intends that access onto Hogmoor Lane from the Application Site will be provided in the form of a crossover/driveway to serve the two dwellings. The Response Note from Entran Paragraph 2, comments that no swept paths analysis has been provided to demonstrate that safe access can be achieved by larger vehicles entering and exiting the Site in forward gear. If this cannot be achieved vehicles would have to wait in Hogmoor Lane blocking the free flow of traffic to the detriment of highway safety.
- 10.6 Access from the Lane onto the A321 Broadwater Lane is via a Y junction which was recognised by the Inspector at the previous 1999 Appeal (**Appendix C**) as being hazardous with inadequate visibility splays. Paragraph 9 notes that visibility is zero when looking left in the left-hand arm of the junction or to the right in the right-hand arm. She concluded, *"It would be difficult to improve the visibility at the junction because the main obstruction to view is the traditional stone wall at the boundary with Wards Cross House, the listed building on the northern corner of the Lane."*

- 10.7 The Applicant has put forward three alternative junction options for consideration at TDC. None of these are acceptable for the reasons set out below. The A321 Broadwater Lane forms the principal route between Henley-on-Thames and Blackwater. Traffic counts undertaken by iTransport in 2024 on the A321 close to the Y-junction recorded approximately 3,500 vehicle movements per day, with an 85th-percentile speed of 36 mph.
- 10.8 The Applicant asserts that because the posted speed limit has been reduced to 30 mph, the junction can rely on the lower 30 mph visibility requirement. This is incorrect. Manual for Streets requires visibility splays to be based on actual measured speeds not the signed limit therefore with an 85th-percentile speed of 36 mph, the appropriate stopping-sight-distance is 59 m, meaning the junction must provide 2.4 m × 59 m splays in both directions.

Table 5.1: Observed Traffic Data

Direction	Observed Traffic Flow (5-day Average)		Recorded 85 th Percentile Vehicle Speeds
	AM Peak (0800-0900)	PM Peak (1700-1800)	
Eastbound	161	151	36.2mph
Westbound	155	138	36mph

Source: Traffic Surveys

Table 5.1 from iTransport Statement for Application 240583 Feb 28th 2024. Traffic flows along Broadwater Lane measured opposite Wards Cross House

- **Option 1:** The junction would remain in its existing form. The iTransport Technical Note does not provide visibility splays based on the measured 85th-percentile 36 mph speed, nor does it demonstrate that the required splays can be achieved. Adequate visibility has therefore not been proven for this option.
- **Option 2:** Change of priority at the junction. The Transport Note proposes that the northern arm of the junction is changed to Entry Only and the southern arm would be changed to Exit Only. Entran have commented that again no swept path analysis has been provided to demonstrate that this option would be achievable for larger vehicles. Whilst visibility splays of 2.4 x 43meters have been provided, the required visibility splays of 2.4 x 59meters for measured speeds of 36mph cannot be demonstrated. Additionally, altering priorities at the junction onto the A321 is a strategic off-site highway intervention requiring a Traffic Regulation Order, safety audits, geometric redesign and Section 278 works. As PiP cannot rely on such off-site changes, this option is not suitable in principle.
- **Option 3:** Reconfiguring the junction by removing the central verge. This option is impractical and unlikely to be achieved. The central grass triangle of the Y junction contains necessary infrastructure including a power cable pole, a 2.5 metre storm drain, underground electricity and telecommunications joint chambers (fibre-optic).

Relocating a storm drain, electricity poles and joint telecommunications chambers is a complex operation requiring multiple utility providers, statutory approvals, excavation within the highway and significant engineering work. This option is not practically achievable or deliverable.

- 10.9 The Applicant has stated that iTransport has demonstrated realistic options that are capable of being secured at TDC, this is not agreed. We do not consider that the Applicant has demonstrated that safe and suitable access to the Site can be delivered. Entran's Response concludes that, *"It has not been demonstrated that the Site is suitable for Permission in Principle to be granted."* The proposal is contrary to Policy CP6 of the Core Strategy and Paragraph 115 of the Framework.

11 Location and Flood Risk

- 11.1 While we recognise that the detailed design, modelling and engineering of any flood-mitigation scheme properly falls within the Technical Details Consent stage, the question of whether the Application Site can be made safe in flood-risk terms and whether the development would avoid increasing flood risk elsewhere is integral to assessing its suitability for residential development at the Permission in Principle stage. These matters relate directly to the Site's location in an area that has a history of significant flooding events and drainage issues affecting residents.
- 11.2 The Applicant's Letter (Paragraphs 50–61) outlines an intended flood-risk strategy and refers back to the Simpsons TWA Flood Risk Assessment submitted under Application 240583 and Appeal 3359898. Paragraph 60 asserts that swales and an attenuation basin are shown on the Illustrative Site Layout; in fact, they have been omitted. A further Flood Risk Assessment (FRA) by Calibro has been submitted with the present Application but appears to be a desktop study. We have submitted a separate Analysis of Flood Risk at **Appendix D** which we do not intend to repeat here but have referred to some key points below.
- 11.3 The FRA states in Paragraph 2.4 that *"The EA Recorded Flood Outlines records no historic flood events in the vicinity of the Site."* Hogmoor Lane is located in an area that is recognised as experiencing recurrent drainage and flooding problems. The last significant event was in 2023 when the Lane was closed to traffic for several days, residents had difficulty accessing and exiting their homes and there was internal flooding of a Listed property in the Lane. This event resulted in WBC commissioning JBA Environmental to carry out a Section 19 Flood Investigation Report (January 2024) which noted that Hurst and this area in particular was the 'flooding hotspot' in the Borough, a conclusion in Section 9 stated that,

"The main flood pathways in Hurst Parish originated from the extensive ditch network within the area. It is evident that roads, footpaths and property gardens acted as conduits channelling water towards the affected properties. It is indicated that water flowed

northwards along Hogmoor Lane before pooling at the junction of Poplar Lane where flooding occurred at the Property.”

- 11.4 The FRA incorrectly states that Hurst and in particular this area of Hurst has a 1 in 100-year flood event. The Section 19 Report Section 9 states that a storm event is estimated as being a 1 in-3 year event,

“Analysis of rain gauge data from the 6.5 hour storm event that affected Wokingham on 31 March 2023 indicates that the storm is estimated to have a return period of approximately 1 in 3 years. This is therefore considered to be a frequent, relatively insignificant rainfall event.”

Using FEH22 (UK depth-duration-frequency modelling) which considers the catchment characteristics in Hurst; a 6.5 hour storm with a 30.19mm rainfall depth is estimated to have a return period of approximately 1 in 3 years. This indicates that the rainfall event was relatively frequent and would not be considered an extreme storm event.

- 11.5 Inspector Chivers also confirmed nearby flooding on Page 2, Paragraph 7 of the 1999 Appeal and stated that the ditches at the front of the Site help relieve flooding to which Hogmoor Lane is susceptible (**Appendix C**).
- 11.6 The Applicant’s FRA appears to suggest in Paragraphs 3.5.5 and 3.8.1 that surface-water run-off from the proposed development would be discharged without attenuation directly into the Hogmoor Lane ditch that runs parallel to the Site. The FRA has supplied no greenfield runoff calculations. The runoff rate from two large dwellings, hard standing and the access road will be much faster than the current greenfield runoff rate. The FRA Figures 2.1, 2.2, 2.3, 3.1 and 3.2 depict the ditch as lying within the Site’s red-line boundary whereas Appendix B of the Applicant’s FRA confirms that it is located offsite outside the red-line boundary on WBC Highways land, any discharge of runoff would require third party permission. This inconsistency creates confusion and undermines the reliability of the drainage strategy presented.
- 11.7 The Analysis of Flood Risk we have submitted at **Appendix D** provides detailed information on the level and causes of groundwater and surface water flooding on the Application Site, the accuracy of the ditch capacity calculations, comments on proposed flood mitigation and responds to statements made in the FRA and Applicant’s letter.
- 11.8 The FRA and the Applicant’s accompanying statements appear not to reflect an accurate understanding of the Site’s flooding history, the conditions that give rise to flooding on Hogmoor Lane or the rates and pathways of surface-water run-off affecting the locality. As a result, the difficulty of achieving a safe and deliverable drainage solution has been underestimated. These matters go directly to the Site’s flood-risk constraints in terms of location and are therefore material at the PiP stage.

12 Response to Applicant's Material Considerations

- 12.1 The Applicant's Letter Paragraphs 72-75 cite **Application 230074 and Appeal 3342812, Land between School Road and Orchard Road, Hurst (Willowmead Field)** for 23 dwellings and 15 car parking spaces for St Nicholas Hurst Primary School (Allowed) as an example of the Council's inconsistency in determining heritage harm (Appeal Decision at **Appendix G**). It is important to acknowledge that since the Appeal was allowed in October 2024 for *Outline Consent*, there are a number of issues that remain unresolved and that the scheme has not yet reached the Reserved Matters stage.
- 12.2 The Applicant argues that Inspector Sargent found that there was no impact from the Willowmead proposal on the Old School House Area of Special Character and yet the Council continued to cite impact to the setting of the Hurst Village Centre Area of Special Character in PiP Application 260353. The Applicant is attempting to conflate the two schemes by stating that both AoSCs are in the same settlement and both adjoin proposed development sites. 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. The Inspector noted + 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 the AoSC is appreciable from the Willowmead Site.
- 12.3 The Hurst Village Centre AoSC, in contrast, forms part of the historic core of the village and contains a materially greater number of Grade II Listed buildings and non-designated heritage assets. It derives its significance from earlier vernacular architecture and strong group value associated with a historic rural setting. The field of the Application Site lies directly within this rural backdrop and the proposed development would harm the Hurst AoSC's openness, historic views and rural character particularly in Hogmoor Lane.
- 12.4 Inspector Sargent accepted that there would be harm from the Willowmead scheme but found that 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 Application by contrast offers only 1-2 market dwellings, no onsite affordable housing and no comparable community benefit 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 Application scheme.
- 12.5 A relevant Appeal Decision on Broadwater Lane relating to the Hurst Village Centre 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 (Appendix H)**. The Site of this Appeal lies approximately 300 metres to the west of the Application 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 non-designated heritage asset of Whistley Green Cottage. It is acknowledged that some of the harm arose from the proposed design and form of the new dwelling however the same principles of inappropriate development eroding the AoSC's character, visibility from the wider area and the harms outweighing the benefit of one dwelling in the planning balance apply to this PiP application

13 Other Material Considerations

Hedgerows and Open Views

- 13.1 The Applicant states at Paragraph 31 that any visual impact of the proposed development would be limited to views from Hogmoor Lane. This is not agreed. The Application Site can be viewed from the wider area as confirmed by the WBC Landscape Specialist who stated in Paragraph 5.24 of the Council's Appeal Statement that the views of the Site are important to recreational routes such as PRow STNH9. Inspector Chivers also noted in Paragraph 5 of her Decision Letter that,

"The hedges which bound the field include mature trees but are discontinuous particularly beside the A321 from which clear views of the Appeal site can be obtained. The site would also be visible from parts of a byway which links the A321 with Hogmoor Lane."

- 13.2 The Applicant's claim that historic boundary planting existed on the site until its recent unauthorised clearance is incorrect. Long-standing residents confirm that the Site's frontage was always open, with no laid hedgerow and the 2009 photograph overleaf clearly shows an unobstructed boundary. The vegetation cleared in January 2026 was on WBC Highways land, not the Application Site and was removed lawfully as part of an LLFA-supported community project to restore the ditch's soakaway function in line with the Section 19 Flood Investigation Report. This is the same ditch the Applicant now proposes to use as the outflow for surface-water discharge from the development.
- 13.3 On 18 June silage bales were placed in a row along the front of the Application Site on WBC Highways land next to the drainage ditch in contravention of Silage, Slurry & Agricultural Fuel Oils Regulations (SSAFO). These partially obstruct views across the Site and do not show the natural state of the land.

Hogmoor Lane looking north, Munfin House on right. Photo taken 2009. No hedgerow present.



Agricultural Land and Land Use

- 13.4 The field that encompasses the Application site is 3.2 hectares and has always been in agricultural use either arable cultivation or grazing pasture for 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 Applicant has not clarified this.

14 Compliance with Key Policies in the Local Development Plan

- 14.1 **Core Strategy Policies CP1 and CP3 Sustainable Development Principles.** The Application scheme does not comply with key criteria set out in Policy CP1. The Policy aligns with the presumption in favour of sustainable development in the Framework. It requires proposals to maintain and enhance the quality of the environment; ensure the provision of adequate drainage and avoid risk from all forms of flooding; provide attractive, safe secure schemes and reduce the need to travel by private car. The proposal conflicts with this Policy as it adversely affects the landscape character and setting of the Hurst AoSC. The Application Site is too compromised by physical planning constraints to deliver a high-quality outcome. The proposal does not demonstrate that safe access can be achieved or that flood risk will not be increased elsewhere.
- 14.2 **Policy CP6, Managing travel demand and Emerging Policy TR1.** Although opportunities to maximise sustainable transport solutions vary between urban and rural areas, the Policy is generally consistent with the Framework in that it prioritises walking, cycling and public transport over car use. Hurst is a Limited Development Location with few employment opportunities, a poor level of services and facilities and a limited public transport system. The

Application scheme does not comply with this Policy as future occupants of the proposed development will be heavily reliant on the private motor car for day to day needs and to access services and facilities further afield.

- 14.3 **Policy CP9, Scale and Location of Development.** The Policy outlines the spatial strategy for the Borough. The Appeal scheme is in conflict with the spatial strategy for the Borough as it is set outside development limits in designated countryside and is not a rural exception site.
- 14.4 **Policy CP11, Proposals Outside Development Limits.** The Policy dictates development within the countryside. Policy CP11's two overarching aims are to maintain the separate identity of settlements and to maintain the quality of the environment. The Appeal scheme does not fall within any of the Policy's exceptions. The decisive issue is the second aim of CP11 to maintain the quality of the environment. The Appeal scheme fails to comply with this requirement. The proposal would introduce built form eroding rural openness and the historic character of Hogmoor Lane. It would harm the landscape features that have been assessed by the Authority as elevating the quality of the landscape surrounding the Site to above moderate in accordance Guidelines for Landscape and Visual Impact Assessment 2013 (GLVIA3)
- 14.5 **MDDL Policy CC02: Development limits. Development within and adjacent to Minor Settlements.** The proposal does not comply with the policy CC02 as it is located outside development limits and will have a negative visual impact on the surrounding countryside. The proposal does not meet the criteria for development adjacent to minor settlements as the Application Site is too large to be termed an infill site.
- 14.6 **MDDL Policy CC09: Development and Flood Risk (from all sources).** The Application Site is categorised as Flood Zone 1 with areas of Flood Zone 3 to the north. The Site and surrounding areas however are susceptible to groundwater flooding, surface water and wastewater flooding with significant flooding events occurring three times in the past 10 years as recorded in WBC Flood Investigation Report 2016 and Section 19 Flooding and Drainage Report 2024. The proposal relies on an offsite drainage network and has failed to demonstrate that a satisfactory flood and drainage strategy that does not increase flood risk elsewhere will be achieved.
- 14.7 **Policy TB21 Landscape Character.** Policy TB21 is a key environmental policy that requires that proposals address the requirements of the WBC Landscape Character Assessment, including landscape quality; landscape strategy; landscape sensitivity and key issues. Proposals should retain and enhance the condition, character and features that contribute to the landscape.
- 14.8 **Policy HC5 of the emerging LPU (moderate weight).** Policy HC5 protects the countryside as a whole and tightly limits development outside settlement boundaries. The proposal conflicts with Policy HC5 because it introduces unjustified residential development into

sensitive countryside, harming an area within Haines Hill Valued Landscape which the Council has recognised is of high local value. The landscape qualities are protected through adopted Policies CP11, CP14 and TB21, all of which require the conservation of countryside character and sensitive landscape settings. The scheme would erode these qualities and therefore stands in clear conflict with HC5 and the wider countryside-protection framework.

- 14.9 **Policy TB26, MDD Buildings of Traditional Local Character and Areas of Special Character.** Policy TB26 states that permission will only be granted for proposals affecting Areas of Special Character where they demonstrate that they retain and enhance the traditional, historical, local and special character of the area or its setting. The Application Site is bordered by and forms part of the setting of the Hurst Area of Special Character. The proposal is not compliant with the Policy as outlined in Paragraph 7 of this letter and supplemental Statement for Heritage.
- 14.10 NPPF Paragraph 15. The planning system should be genuinely plan-led. This is a speculative planning application that is not in accordance with the current or future spatial strategy of the Council.
- 14.11 NPPF Paragraphs 212 and 213. The proposal does not accord with Paragraph 212 because it would harm the contribution that the Site's Valued Landscape and rural setting make to the significance of the nearby heritage assets and the Area of Special Character. It also fails Paragraph 213, as the resulting heritage harm is neither clearly nor convincingly justified.

15 Housing Land Supply, the Emerging Local Plan Update and the Tilted Balance

- 15.1 The Applicant states in Paragraph 22 of the Application Letter that the Council has a serious and substantial Housing Land Supply (HLS) shortfall until it addresses its needs through a Local Plan Review. This statement does not take into account the progress of the emerging Local Plan Update.
- 15.2 The deliverable HLS figure is calculated against the national standard method which calculates that the Borough's Local Housing Need is circa 1300 homes per year. The emerging Local Plan Update (LPU) is currently being examined and on its adoption the housing requirement set out in the LPU will be used. The Plan was prepared under now superseded national planning policy which set the housing requirement at circa 751 homes per year (Policy SS10 of the LPU).
- 15.3 The Applicant quotes the March 2025 HLS but as part of the Council's evidence at Examination of the LPU, the Housing Trajectory Update Table showing the current housing land supply at 31st March 2026 was published. This confirms that the deliverable Housing Land supply (HLS) for the period 1 April 2026 to 31 March 2031 is between 5.5 to 6.2 years depending on the calculation. The accompanying *Explanation of Differences between WBC25*

and WBC27 confirms that the updated housing delivery trajectory for 2023–2040 reflects revised phasing, refreshed deliverability evidence and realistic build-out rates. The Council's response to Matter 5, Question 2 (page 5) emphasises that its housing land supply is robust, evidence-led and grounded in confirmed site progress.

- 15.4 These documents, taken together, demonstrate that the Council has already applied a cautious and defensible approach to housing delivery assets. We understand that the strategic planning for the LPU has been agreed by the Examiners and, as the LPU is at such an advanced stage, in this instance, the LPU HLS figures should carry significant weight. It would appear therefore that at the date of this PiP Application and moving forward there would currently appear to be no Housing Land Supply shortage in the Borough and no justification to permit up to two dwellings on a sensitive site. The Council have, in addition, commenced preparation on a new-style Local Plan including a Call for Sites on 6 July 2026 to ensure compliance with any immediate review once the LPU is adopted.
- 15.5 The Applicant relies on the Council's 2.5-year housing land supply to invoke Paragraph 11(d) of the Framework. In our view Paragraph 11(d) is not engaged: as set out above, the Council's deliverable housing land supply is now between 5.5 and 6.2 years, so the policies most important for determining the Application are not out-of-date. Even if it were engaged, the application of policies to protect the setting of the Grade II listed Wards Cross House and Old Posting House would provide a clear reason for refusing the development under Paragraph 11(d)(i), so the presumption in favour of granting permission would not apply. Yet Inspector Burnham at Appeal 3359898 for a previous scheme found that even a 1.7-year supply and the delivery of nine homes with an affordable housing contribution did not outweigh the harms. This PiP would provide only one or two dwellings with no affordable housing contribution and offer a negligible housing-supply benefit that carries no meaningful weight against the identified harms.

16 Planning Balance

Benefits of the Application Scheme

- 16.1 **Additional Housing Units.** The addition of one or two market dwellings would make only a minimal contribution to the Borough's housing land supply and be of limited weight.
- 16.2 **Direct and Indirect Economic Benefits:** No affordable housing financial contribution has been offered. The Applicant has suggested that the dwellings could be self-build which would attract a Community Infrastructure Levy (CIL) exemption. There will be limited post development economic benefits and short-term benefits during the construction phase however these will be very modest given the scale of the proposed scheme.
- 16.3 The Applicant has applied his own assessment of moderate weight to the provision of sustainable building methods, reduced water consumption, offsite biodiversity net gain and

landscape design which it is intended will be brought forward at TDC. These are notional future benefits at the PiP stage which may or may not be realised and cannot carry any weight in the planning balance.

Disbenefits of the Application Scheme

- 16.4 The proposal conflicts with the WBC Local Development Plan and 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.
- 16.5 **Harm to Landscape Character and Valued Landscape.** The proposal would have a harmful effect on the landscape character of the area. The scheme would undermine the LCA's landscape strategy including Valued Landscape. It would conflict with Borough Design Guide's requirement to maintain the loose village form and protect outward views that shape local character.
- 16.6 **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 and significance of the historic farmstead group comprising of Wards Cross House and Long Barn that lies immediately adjacent to the Application Site. The proposal, by virtue of its location, would urbanise the rural setting and sever the historic agricultural relationship between the land and the buildings. It would also harm the setting and significance of Munfin House. 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.
- 16.7 The proposal does not demonstrate that safe and suitable access for all users to the Site can be achieved. The proposal does not demonstrate that flood risk will not be increased elsewhere.
- 16.8 We consider that the scheme's minimal contribution to the Borough's Housing Land Supply and the very modest economic benefits do not outweigh the harms to the local landscape character and the setting and significance of the Hurst Area of Special Character and non-designated heritage assets.

17 Conclusion

Location

- 17.1 In terms of Location, the proposal would recreate the same heritage, landscape and spatial harms on the Hogmoor Lane frontage that were identified in the previous PiP Application 260353 and Appeal 6011047 which is ongoing and remains undetermined. The Council assessed that development of the Hogmoor Lane Site would cause unavoidable harm to Valued Landscape, the setting and significance of the Hurst Area of Special Character and non-designated heritage assets of Long Barn and Munfin House. Such harm cannot be

mitigated and provides a clear reason for refusing this Application. Flood risk and access are also attributes of this particular location rather than matters of detailed design. The Lane's recorded history of recurrent surface water flooding, the absence of any drainage solution that is within the Applicant's control or that would avoid increasing flood risk elsewhere, and the constraints of the Lane and its junction with the A321 Broadwater Lane, are all location-specific and are not capable of resolution at the Technical Details Consent stage.

Land Use

- 17.2 In terms of land use, the Site lies outside the settlement boundary in open countryside where development would erode the current Loose Village form, disrupt a historic field pattern and introduce suburbanising built form into a sensitive landscape changing the character of a rural Lane. The land is in long-established agricultural use and the proposal would fragment that use.

Amount of Development

- 17.3 In terms of amount of development, although the Site could physically accommodate the proposed quantum of development, it would replace an open agricultural landscape with large modern built form that overwhelms surrounding traditional buildings in terms of height and mass and create a harmful suburbanising effect wholly at odds with Hogmoor Lane's rural character.
- 17.4 The minimal benefit of one or two houses is not sufficient to outweigh the significant heritage and landscape harms already identified. Granting Permission in Principle would be inconsistent with the previous conclusions reached by the Council and the Planning Inspectorate. It would undermine the Council's spatial strategy and would create an unjustified expectation of development of a Site where the principle of residential development has consistently been rejected.

Overall Conclusion

- 17.5 For all the reasons set out in this letter of objection, we consider that the Application 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 Council's Development Plan, the emerging Local Plan Update, would result in unacceptable harm to non-designated heritage assets, the Hurst Area of Special Character, Valued Landscape and the established loose village form of Hurst. The proposal does not demonstrate that highway safety will not be reduced or that the risk of flooding will not be increased elsewhere. The proposal offers minimal public benefits that are insufficient to outweigh the harms. Taken together, these matters provide compelling reasons against permission being granted and we respectfully request the Application is refused.

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- Appendix A A Planning Rebuttal for Heritage – Dr Richard Massey, Ridgeway Heritage
- Appendix B PiP Transport Note Response – Mr Robert Williams (CEng MICE), Entran Ltd
- Appendix C Appeal Decision T/APP/X0360/A/98/298932/P9 (January 1999), Hogmoor Lane, Hurst
- Appendix D Analysis of Flood Risk
- Appendix E Appeal Decision APP/X0360/W/25/3359898 – Land North of Broadwater Lane,
- Appendix F Appeal Decision APP/X0360/W/25/3359928 – Land at Heathlands Road
- Appendix G Appeal Decision, Appeal 3342812, Land between School Road and Orchard Road, Hurst (Willowmead Field), October 2024
- Appendix H Appeal Decision APP/X0360/W/19/3240676 (2020), land next to Whistley Green Cottage, Hurst

Appendix A

Ridgeway Heritage Consultant

A Planning Rebuttal for Heritage

Dr Richard Massey



RIDGEWAY
HERITAGE CONSULTANCY

Land on Hogmoor Lane, Hurst, Berkshire RG10 0DH

A Planning Rebuttal for Heritage



Project Ref: RHC 2026-47
Date: 21/07/2026
Clients: Dr and Mrs J Lade

Land on Hogmoor Lane, Hurst, Wokingham, Berkshire RG10 0DH

A Planning Rebuttal for Heritage

RHC Project No. 2026-47

Date: July, 2026

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C	23.07.26	RWM	Final version

Front cover: Oblique aerial view of Hogmoor Lane and surrounding area, looking north-west.

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1. QUALIFICATIONS AND EXPERIENCE

- 1.1. This Planning Rebuttal for Heritage has been prepared by Dr Richard Massey, in his capacity as Director of Ridgeway Heritage Consultancy.
- 1.2. Dr Richard Massey has over 29 years' experience of working in the heritage sector, in both curatorial and commercial capacities, and has advised on archaeological and heritage management for a wide range of commercial and residential developments. He has widespread experience of providing heritage advice and preparing planning and consent applications for clients in both private and public sectors, both as a commercial consultant, and as a former Inspector of Ancient Monuments at English Heritage (now Historic England). This has included high-level planning advice on all aspects of the management of the historic environment, and the mitigation of impacts to urban areas and heritage settings.
- 1.3. I was a local resident for over 40 years, and have a detailed knowledge of, and interest in, the historic environment of Berkshire and surrounding counties. My work as former project manager at Cotswold Archaeology has included work for local authorities and private clients regarding a wide range of heritage assets across southern England, including both rural and Conservation Area settings. Since establishing an independent consultancy practice in 2020, I have undertaken project work within a wide variety of planning contexts, including at Southampton, Gosport, Portsmouth, Reading, Oxford, Cheltenham, Richmond, London SW1, Edgbaston, Windsor, Marlow, Bristol, Whitchurch, Christchurch, Frome and Pewsey.
- 1.4. I have had extensive experience of planning appeals, at both Written Representation and Public Inquiry levels. Amongst others, this has included appearance as expert witness at Inquiry for Fort Gilkicker, Gosport (2009), Llanvapley, Monmouthshire (2014), Saxonvale, Frome (2016) Wisley, Surrey MDA (2017), and Minchens Lane, Bramley Solar Scheme (2023). Recent Appeals by Written Representation have included those at Pinks Hill, Fareham, Blagrove Street, Reading, Winkfield Row, Berkshire and Great Bedwyn, Wiltshire.
- 1.5. The evidence I have prepared and provided in this Written Representation is true, and has been prepared and given in accordance with the guidance of my professional institutions, the Chartered Institute for Archaeologists (CIfA), of which I am a full member, and the Society of Antiquaries, of which I was elected a fellow in 2020.

2. THE STRUCTURE OF THIS PLANNING REBUTTAL FOR HERITAGE

2.1 I am instructed to present a Planning Rebuttal in respect of heritage matters in relation to the current planning application for land to the west of Hogmoor Lane, Hurst. My evidence will deal with the nature of the Application Site, the proposed development, the built and landscape context of the Application Site and its visual relationship with heritage assets, and the conformity of the proposed development with local and national planning policies. The planning rebuttal is structured as follows:

- Section 3: provides a description of the Application Site and its historical development;
- Section 4: provides a description of the heritage context of the Application Site;
- Section 5 summarises the planning history of the Application Site;
- Section 6: summarises the planning policy context for heritage in relation to the Application Site;
- Section 7 comprises an assessment of the heritage impacts of the Application scheme;
- Section 8 comprises a Summary and Conclusions for this Planning Rebuttal document;
- Section 9 provides list of the documentary references used in the compilation of this Planning Rebuttal document.

2.2 This Planning Rebuttal document has been prepared following the previous reports and assessments made in response to earlier proposals for the residential development of land north of Broadwater Lane, and west of Hogmoor Lane, Hurst. These include a Heritage Statement (Ridgeway Heritage Consultancy 2024), a Planning Rebuttal document (Ridgeway Heritage Consultancy 2026), and two subsequent Appeal Statements for Heritage (Ridgeway Heritage Consultancy 2025; 2026), which should be referenced in conjunction with this rebuttal report.

3. A DESCRIPTION OF THE APPLICATION SITE AND ITS HISTORICAL DEVELOPMENT

- 3.1 An application for Permission in Principle (ref. 261624) was submitted to Wokingham Borough Council on July 8th, 2026, for ‘the proposed erection of a maximum of 2 no. dwellings (or a minimum of 1 no. dwelling), including the formation of access from Hogmoor Lane.’ This presented as an infill development between residential properties on the north-eastern and south-western sides, and on the opposite side of Hogmoor Lane (Fig. 1). The Application Site would occupy an area of 0.48ha, and be of irregular, rectangular plan, with a quadrant excluded from its western corner, to accommodate an adjacent veteran tree on the neighbouring plot boundary.

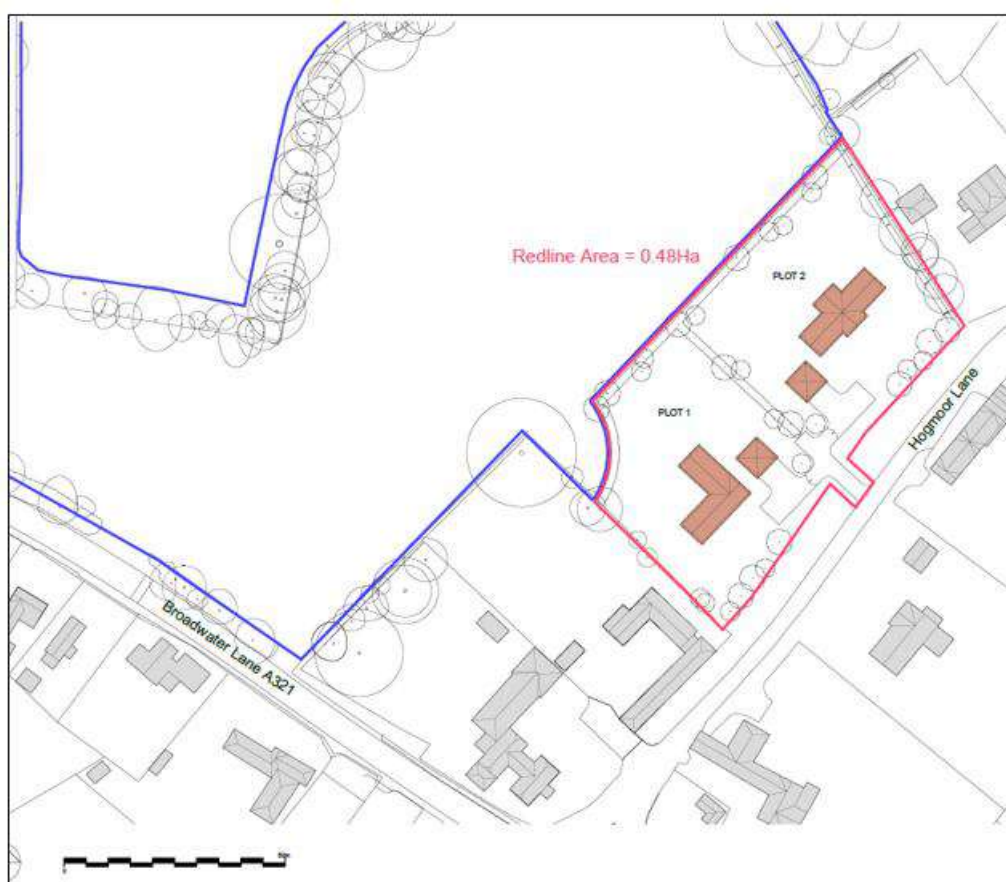


Fig. 1: Proposed Site Plan (Radley House Architects).

- 3.2 The Application Site is located immediately adjacent to the village settlement boundary on three sides, and within an area of designated countryside. The Site boundary would extend along existing land boundaries on Hogmoor Lane, and would exclude a veteran tree buffer to the rear of the neighbouring property of Long Barn (Fig. 1). The Application Site is situated adjacent to the

boundary of the Hurst Area of Special Character (AOSC) and directly within the settings of two non-designated heritage assets (Figs. 2 and 3).

- 3.3 The proposed development would comprise a maximum of two substantial detached dwellings of contrasting ground-plan and layout, to be set in plots of approximately equal size, and accompanied by detached double garages. These, and the respective dwellings, would be directly accessed off Hogmoor Lane by a centrally positioned driveway. The proposed site plan also includes provision for boundary plantings along the Hogmoor Lane frontage, and to the rear of the two plots (Fig. 1). The Applicant has not as yet provided plans or drawings to indicate the scale, massing, materials or elevation design of the dwellings, although these are assumed to comprise conventional, two-storey houses with gabled, tiled roofs, which would broadly conform to local built character, with maximum roof-ridge heights of 8-9m.

Historic Landscape Character

- 3.4 The area surrounding Hurst village is broadly characterised as one of reorganised fields of post-medieval date, with hedged boundaries. These include fields created from Enclosure in the eighteenth and early nineteenth centuries. All of these were registered as agricultural land in *c.* 1761, the date of Rocque's map (Fig. 4). While the East Berkshire Historic Landscape Character study (Lödöen and MacDonald 2019) claims limited evidence for early field systems in this area, the evidence of aerial photography and Lidar (not illustrated) includes some evidence of ridge and furrow cultivation and historic land boundaries, indicating that a number of medieval open fields were enclosed and amalgamated in the post-medieval period. There is also a high incidence of later parkland and designed landscapes, including those of Whistley Park, located 600m to the south-west, and Haines Hill to the north.
- 3.4 Rural settlement in the surrounding area is dispersed, and historically has comprised scattered farmsteads and small village settlements. In the eighteenth century, adjacent Whistley Green was dominated by dispersed farms and dwellings, many of which were of medieval origin. Formerly extensive areas of unimproved land, principally marshland, but including smaller areas of open heath, were converted to farmland in the early modern period (Lödöen and MacDonald 2019, 215). Woodland is dispersed, and mostly comprises small, isolated areas of broadleaf copse. Areas of woodland to the north and east of the Application Site include planted woodland belts surrounding

Haines Hill Farm. There are no neighbouring areas of ancient or ancient replanted woodland (Lödöen and MacDonald 2019, 274).

Heritage Constraints of the Application Site

- 3.5 The Application Site is located at a distance of more than one kilometre from the Hurst Conservation Area, but is directly adjacent to a part of the village designated as an Area of Special Character (AOSC) (Fig. 2). The Application Site therefore has no visual or other associations with the Conservation Area. It contains no known heritage assets, but is partly included with an area associated with recorded archaeological remains of several periods. The Application Site is closely adjacent to, and within the closer settings of, two non-listed buildings, namely Long Barn and Munfin House on the north-western side of Hogmoor Lane (Figs. 3, 12 and 13). It is also located within the wider settings of Grade II-listed Wards Cross House and The Old Post House, also on Hogmoor Lane (Figs. 3, 10 and 11). The Application Site also comprises part of the open rural hinterland of Hurst village, which is an important aspect of its historic context and setting (Figs. 15-18).

The Hurst Area of Special Character

- 3.6 The Application Site is located directly adjacent to the Hurst Area of Special Character (AOSC), as identified by Policy TB26 of the adopted Wokingham Borough Core Strategy (Fig. 2). This designation covers those settlement areas which, while not meriting formal designation as Conservation Areas, retain aspects of historical or traditional character. The designated Area of Special Character extends along Broadwater Lane and the southern part of Hogmoor Lane, and includes historic buildings, both listed and non-listed, associated with the latter. These include the plot boundaries of Wards Cross House and Long Barn (Fig. 2), with the south-eastern course of the AOSC boundary including Grade II-listed The Old Post House on the south-eastern side of Hogmoor Lane (Figs. 2 and 3).
- 3.7 The primary heritage interest of the AOSC derives from its component listed and non-listed historic buildings, which comprise a significant and coherent group, and are importantly illustrative of the post-medieval development of the village. In addition, some integral elements of nineteenth and twentieth-century infill development are not without merit, and are illustrative of later historical development. Collectively, the form, layout and historic character of these buildings contribute importantly to local character and sense of place. A previous heritage statement report

submitted by the applicant stated that the AOSC has ‘some’, but not ‘special’ architectural and/or historic interest, which has been disputed. Notwithstanding the elements of nineteenth and twentieth-century infill development, the individual component historic buildings of the AOSC would be of sufficient intrinsic interest to merit inclusion in a Conservation Area.

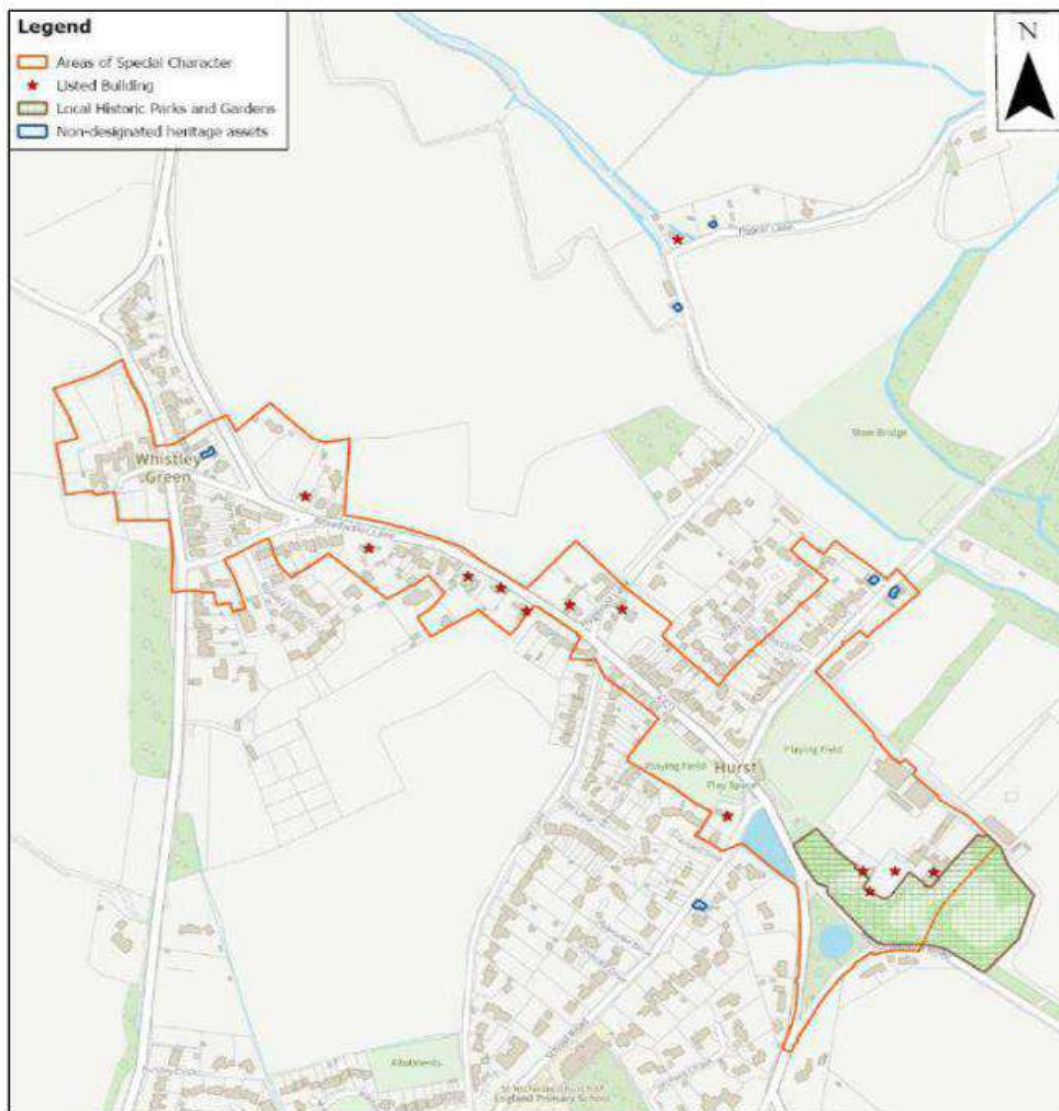


Fig. 2: Plan of the Hurst Area of Special Character (AOSC). The locations of listed buildings are indicated by red dots (Wokingham Borough Council).

- 3.8 While the Application Site does not actually lie within the AOSC, it directly abuts it, together with the plots of some of its most significant heritage assets. As part of a surrounding area of undeveloped farmland which has retained much of its historic character, the Application Site is located within the immediate setting of the AOSC, and within an aspect of setting which both complements, and contributes importantly to, the significance of the AOSC and its component historic buildings. The Inspector at the 2025 Appeal observed that the Application Site and

surrounding fields formed part of the backdrop to the AOSC and, by implication, comprised a significant element of the historic setting of the AOSC and a number of the heritage assets within it.

- 3.9 Direct westward and north-westward views are possible across the Application Site from Hogmoor Lane, where overgrown borders on the north-western side of the Lane have since been cleared, thus offering unrestricted views (Figs. 15 and 17). The Application Site forms an immediate backdrop to the locally-listed buildings of Long Barn and Munfin House, and is located within the wider settings of Grade II-listed Wards Cross House and The Old Posting House (Figs. 2 and 3). Proposed development along the frontage of Hogmoor Lane would wholly alter its rural character, and affect the setting of the AOSC. Existing westward views from Hogmoor Lane incorporate the open fieldscape which forms the historic setting of surrounding heritage assets, and emphasises its rural character (Figs. 15-18).

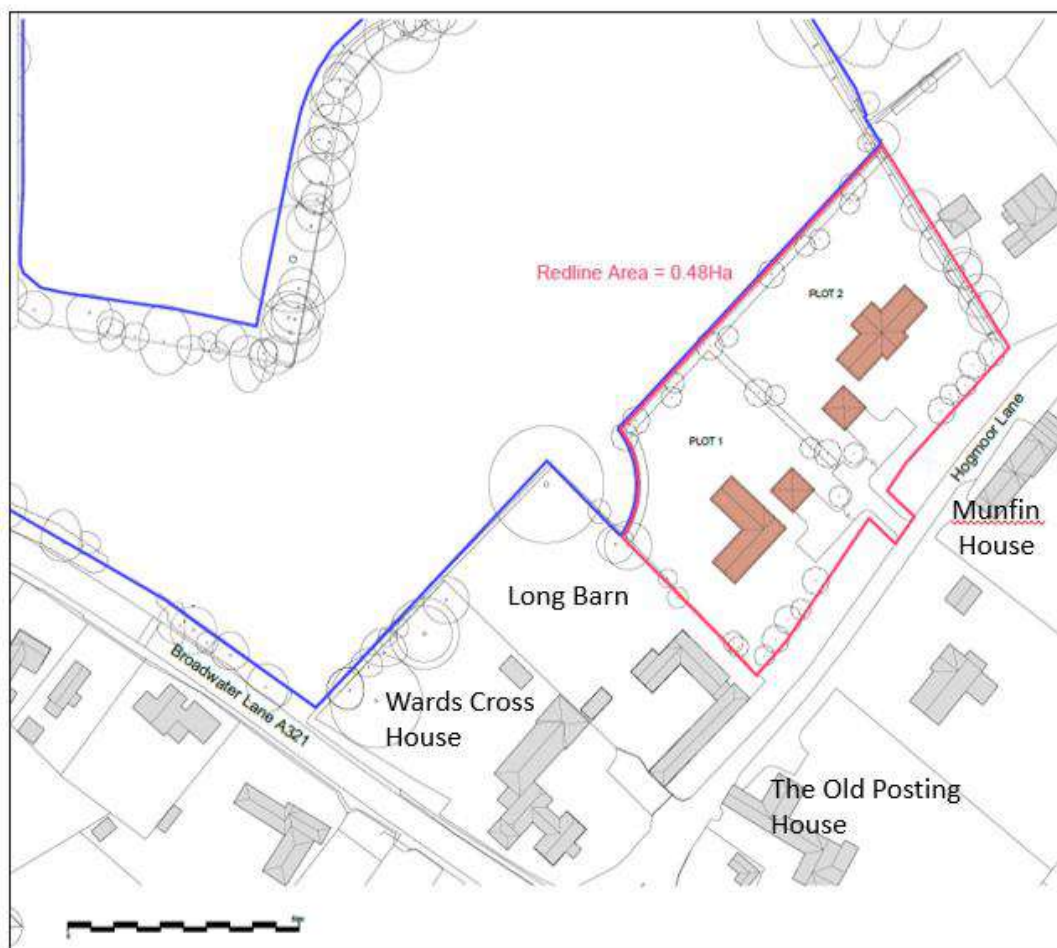


Fig. 3: Annotated Site Plan, showing locations of heritage assets on Hogmoor Lane in relation to the Application Site (after Radley House Architects).

Listed Buildings

- 3.10 The Area of Special Character includes the listed buildings associated with both Broadwater and Hogmoor Lanes, together with parts of Whistley Green, to the north-west (Fig. 2). The majority of the listed buildings within the environs of the Application Site, and on Hogmoor Lane, are attested on earlier historic mapping (Figs. 4-6), and include Wards Cross House and The Old Posting House. In addition to these designated heritage assets, the Application Site directly borders two non-listed buildings of historic interest, namely Long Barn (Figs. 3, 13 and 16) and Munfin House (Figs. 3 and 12). The significance of these listed and non-listed buildings derives principally from their built form and historic fabric, as surviving vernacular buildings of post-medieval and later date. Their largely extensive plots, which comprise aspects of primary setting, have been subject to a number of historic changes, although their wider setting and rural context remains largely unchanged, and contributes importantly to their significance. In addition to individual significances, the historic buildings within the AOSC and along Hogmoor Lane display a degree of contemporaneity and group value.

The Historical Development of the Application Site

- 3.11 Recorded medieval evidence within areas surrounding the Application Site indicates that these were integral to the development of Hurst village, with scattered settlements, including elements of a shrunken village, and a wide agricultural hinterland. Continuing clearance of the neighbouring Windsor Forest in the thirteenth and fourteenth centuries enabled the formation of a number of new manors, including that of Broad Hinton, which included much of the land to the north and east of Hurst.
- 3.12 Historic mapping from the mid-eighteenth century onwards provides evidence of long-term continuity of land use and settlement around the Application Site, which appears to have remained broadly unchanged from the early post-medieval period. Rocque's map of 1761 depicts buildings along Hogmoor Lane, including the present Wards Cross House and Old Posting House, together with buildings along the southern side of Broadwater Lane, most, if not all, of which represent existing structures (Fig. 4).



Fig 4: Extract from John Rocque's *Map of Berkshire*, of 1761 (Royal Collections Trust).

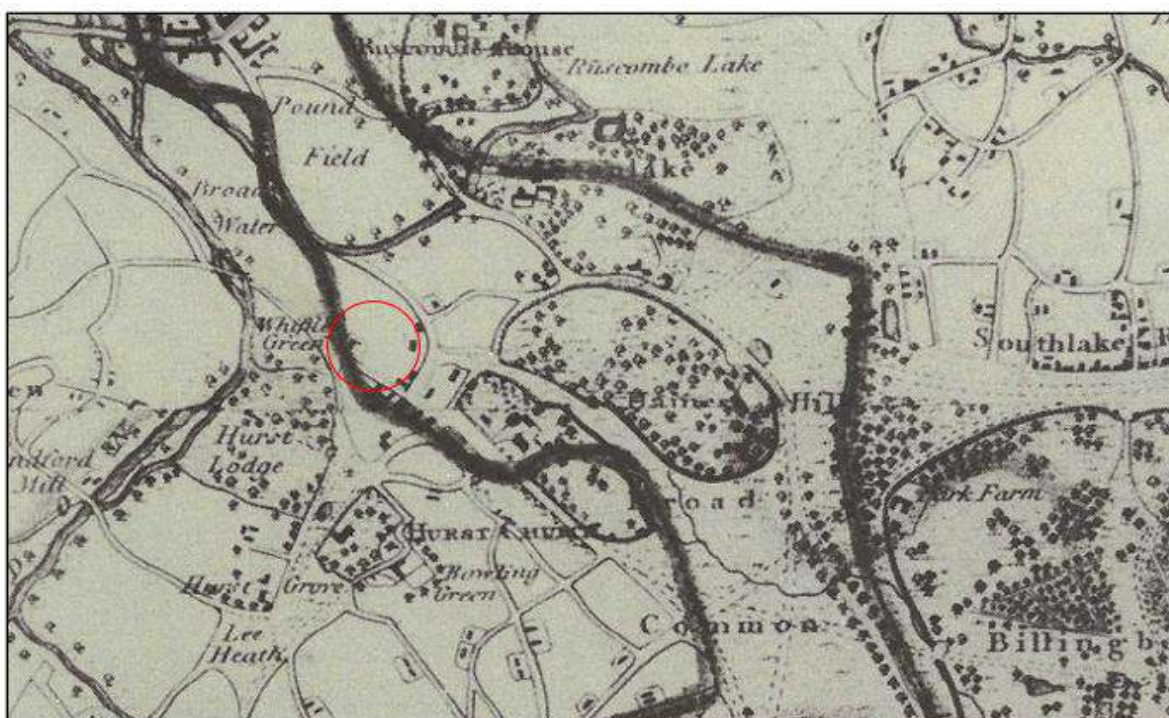


Fig 5: Extract from Thomas Pride's *Map of Ten Miles Around Reading*, of 1790 (Reading Library).

3.13 Rocque's map, and that of Thomas Pride, of 1790 (Fig. 5), confirm a basic rural layout which has remained largely unchanged since that time. Greater detail is provided by the larger-scale Hurst Tithe Map, of 1842 (Fig. 6). This continues to depict the Application Site as open agricultural land, with hedged boundaries which broadly conform to those of the present. This historic fieldscape has clearly survived, and confirms existing field boundaries as historic features. Both maps therefore represent a detailed record of the layout of properties and farmland divisions on this side of the village from the post-medieval period onwards. Many of the principal landscape features depicted on this historic mapping record, including individual dwellings, boundaries, roadways and patterns of land use, have remained largely unchanged since the time of their creation, despite the presence of later infill developments.

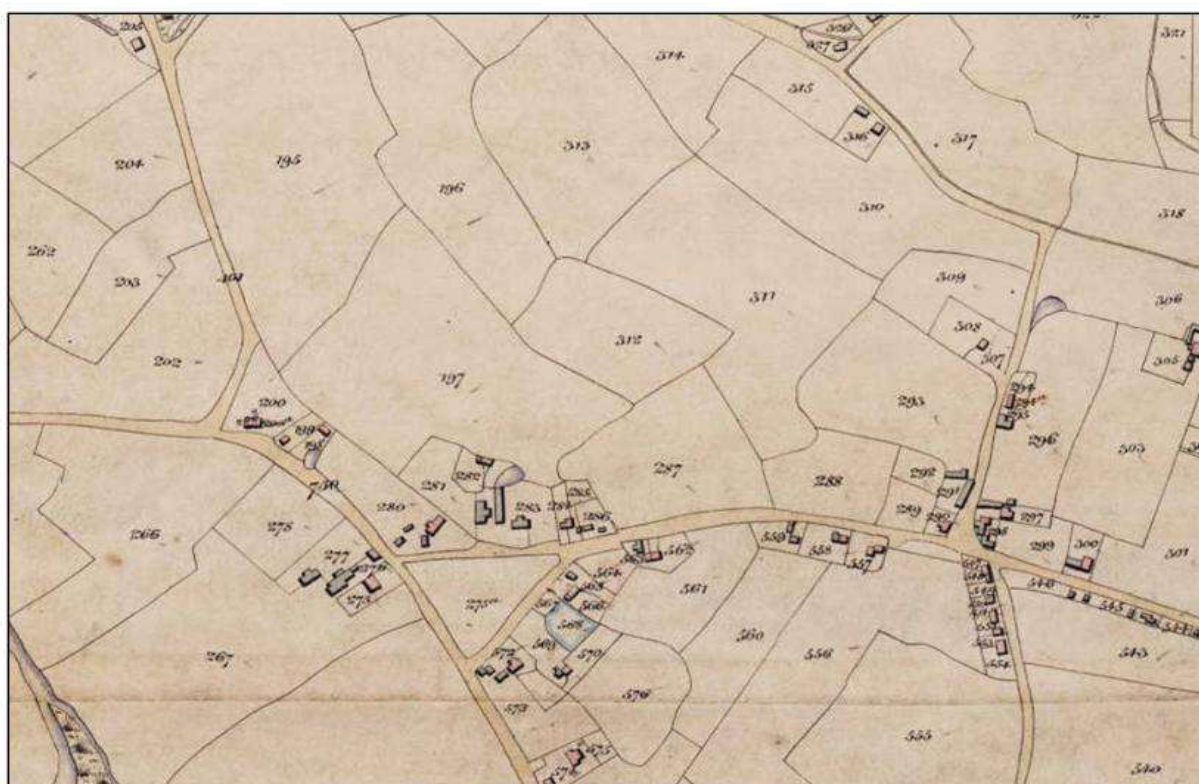


Fig. 6: Extract from the *Hurst Tithe Map*, of 1842 (Berkshire Record Office).

3.14 Tithing records (Berkshire Records Office) indicate that, in 1842, neighbouring landholdings (ie. Plots 289-293; Fig. 6) had remained in the same ownership as shown on the earlier enclosure map (not illustrated). This included the house and gardens at Wards Cross House and the Long Barn, on Hogmoor Lane. Plots 289 and 292 respectively comprised an orchard and pasture, while Plots

197, 311 and 312, to the north and north-west, were owned by John Leveson and Lady Eyre since 1812. These Plots and Plot 293 were apparently all under arable cultivation at this time.

- 5.9 The larger-scale Ordnance Survey maps of the later nineteenth and early twentieth centuries provide greater survey accuracy and more detail, although few changes in the layout of buildings and land boundaries are apparent by this time (Figs. 7 and 8). A number of infill nineteenth-century plots are evident on the Ordnance Survey map of 1909 (Fig. 8), although the basic post-medieval plan has otherwise survived remarkably intact. Significantly, the US Air Force vertical aerial image of 1944 indicates little further change during the first half of the twentieth century, despite the rapid growth of neighbouring village centres (Fig. 9).



Fig. 7: Extract from the Ordnance Survey six-inch England and Wales series, surveyed in 1877 (National Library of Scotland).



Fig. 8: Extract from the Ordnance Survey 25-inch England and Wales series 1842-1952, surveyed in 1909 (National Library of Scotland).



Fig. 9: Vertical aerial image of the land surrounding Broadwater Lane and Hogmoor Lane, Hurst in 1944 (Historic England Archive, Extract from USAAF photograph: Sortie US/PH/GP/LOC208, March 8th 1944).

4. THE HERITAGE CONTEXT OF THE APPLICATION SITE

The Area of Special Character

- 4.1 While the Application Site does not actually lie within the AOSC, it directly abuts it, together with the plot of a heritage asset (Fig. 2). As part of a surrounding area of undeveloped farmland which has retained much of its historic character, the Application Site does lie within the immediate setting of the AOSC, and within an aspect of setting which both complements, and contributes importantly to, the significance of the AOSC and its component historic buildings. The 2025 Appeal Inspector observed that the Application Site and surrounding field formed part of the backdrop to the AOSC, and by implication comprised a significant element of the historic setting of the AOSC and heritage assets within it.
- 4.2 Unrestricted westward and north-westward views are possible across the Application Site from Hogmoor Lane (Figs. 15 and 17). The Application Site forms an immediate backdrop to locally-listed Long Barn (Figs. 13 and 16), and is located within the wider settings of Grade II-listed The Old Posting House and Wards Cross House (Figs. 3, 10 and 11). Proposed development along the frontage of Hogmoor Lane would wholly alter its rural character, and thus the setting of the AOSC. In this context, the Applicant's previous claim, (2025, Para 4.10) that Hogmoor Lane has a 'suburban' or 'semi-rural' aspect, is disputed. Existing westward views from the Lane incorporate an open fieldscape, and thus emphasise its rural character (Figs. 15-18).

Listed Buildings Associated with Hogmoor Lane

1. Wards Cross House

- 4.3 Listed as Hunter's Cottage (NHLE 1117408), Wards Cross House is of seventeenth-century origin, with exposed timber-framing and painted brick infill, and a later, eighteenth-century addition, of brick construction (Figs. 3 and 10). It is a two-storey dwelling, with hipped roofs of plain tiles. The single timber-framed bay is located to the rear (Figs. 3 and 8). The primary significance of Wards Cross House derives from its historic fabric and built form, as a vernacular building of early date, with later adaptations and extensions. Setting also contributes to this significance, including the adjoining historic thoroughfare of Hogmoor Lane on the eastern side. The adjacent building of Long Barn, on Hogmoor Lane, originally comprised part of a farmyard associated with Wards Cross House, but is now in separate occupancy (Figs. 3 and 13).

- 4.4 Wards Cross House has an historical association with the Application Site through common nineteenth-century ownership by one Thomas Garth, as part of the Haines Hill Estate (Victoria County History 1923). The paddocks depicted on the Enclosure and Tithe maps immediately to the east of the property have been incorporated in the extensive garden on the western side. As a former farmhouse, an historical functional association can be claimed to have existed between the adjoining property of Long Barn and the Application Site (Fig. 6). The massing and scale of proposed dwellings would be partly visible in northward views from Wards Cross House, and the proposed development would therefore impact its wider setting and erode the existing rural context and historic association of this house.



Fig. 10: View, looking south, of the rear elevation of Wards Cross House (Historic England).

6. The Old Posting House

- 4.17 The Old Posting House is a two-storey cottage of seventeenth-century date, with exposed timber framing and painted brick infill (NHLE 1117408) (Figs. 3 and 11). The building is of T-plan, with a gabled, tiled roof. A single-storey, timber-framed range of outbuildings extends to the frontage of Hogmoor Lane on the western side. The significance of The Old Posting House relates primarily to its historic fabric and built form, as a vernacular building of seventeenth-century and later date, and evidence of timber-framed construction. It is relatively set back from the frontage of Hogmoor Lane, from which it is partly screened by high hedges and the attached single-storey outbuilding, so that inter-visibility with the Application Site is partly obstructed. However, the Application Site

comprise part of the wider rural setting of The Old Posting House, which contributes to its significance.



Fig. 11: View, looking east from Hogmoor Lane, of The Old Posting House.

Non-designated buildings of historic interest

- 4.18 Heritage assets within and surrounding the AOSC include both statutorily designated buildings and Buildings of Local Traditional Character, which are accepted as being ‘locally-listed’. In addition to these, the HEPT specifies a range of ‘Undesignated heritage assets that positively contribute to the AOSC,’ together with those heritage assets which are outside the AOSC, but which are within its proximity. Two non-designated historic buildings are considered for the purposes of this rebuttal report.

Grappenhall/Munfin House

- 4.19 Munfin House (formerly known as Grappenhall) stands on the eastern side of Hogmoor Lane, opposite the Application Site (Figs. 3 and 12). There was a building on this site in 1840, which was recorded as two houses with gardens. The house has a long frontage of six wide bays facing Hogmoor Lane, which is set back behind a brick wall, hedge and garden. Machine-sawn timber framing is infilled with brick panels laid in a mix of patterns. The central and outer bays are distinguished by wide gables with scalloped bargeboards. The house has a plain, clay-tile-covered roof with brick stacks, and its style and materials indicate an early twentieth-century date. There are open views from the house across Hogmoor Lane towards the application Site, which

emphasise the unaltered rural setting of this building, and contribute to its significance (Figs. 15 and 18).



Fig. 12: View, looking north-east along Hogmoor Lane, with the frontage of Munfin House to the right.

Long Barn

- 4.20 Long Barn comprises a range of former agricultural buildings which have undergone late twentieth-century conversion to a dwelling (Figs. 3, 13 and 16). A single-storey, weather-boarded range on the Hogmoor Lane frontage features prominently in views from the southern end of the Lane (Fig. 13). Historically, Long Barn was associated with Wards Cross House, as part of a farmstead. The considerable area of surrounding land farmed from this property included the Application Site and surrounding areas, indicating a significant historic relationship which emphasises the importance of its current rural setting. However, the tenurial relationship between Long Barn and surrounding land has long since been broken. The two-storey brick-built element of the house, to the north-east, is visible in views along, and from, Hogmoor Lane, with a hedgerow boundary at the road frontage (Figs. 13 and 16).



Fig. 13: View, looking west from Hogmoor Lane, of the road frontage of Long Barn.

Historic Landscape Character and Valued Landscape

4.21 Policy TB21 of the MDD Local Plan states that “Proposals shall retain or enhance the condition, character and features that contribute to the landscape.” The Wokingham Borough Landscape Character Assessment 2019 (WDLCA) shows the site sits within the C2 Hurst River Terrace Landscape Character Area. The WDLCA lists the following Valuable Landscape Attributes for the C2 Hurst River Terrace LCA:

- Peaceful and open character of the undeveloped arable and pastoral landscape when removed from the intrusion of major roads to the south, which provides an escape in close proximity to the urban population.
- Rural settlement pattern of small villages with historic cores and farmsteads unified by the cohesive use of redbrick which provides a cultural record of the past and adds local distinctiveness.
- A network of narrow rural lanes with characteristic roadside ditches which contribute to scenic quality.
- Small wetland habitats, including drainage channels and numerous farm ponds which are valued for flora and fauna.
- Gently undulating terrace landform provides open and clear views to the wooded backdrop of the adjacent Loddon Valley.

4.22 The eastern side of Hogmoor Lane is characterised by a gap between the few dwellings, and provides a clear view of the eastern edge of the Application Site and the mature hedgerow field boundary that extends south across the field toward the southern edge of the Application Site (Figs. 15-18). The landscape attributes applicable to the proposal is the need to retain the settlement pattern (which the Site as an existing, undeveloped, greenfield site contributes towards), peaceful character of the undeveloped arable and pastoral landscape, roadside ditches and small wetland habitats. Therefore, residential development within this location would result in the inevitable loss of these features, contrary to the established character of the Hurst River Terrace C2 Landscape Character Area (LCA), and TB21 of the MDD Local Plan.

Hogmoor Lane

4.23 Hogmoor Lane comprises part of the historic road layout of Hurst village, and is depicted on earlier historic mapping (Figs. 4-6). Its antiquity is indicated by the historic buildings which border it, and by its partly sunken aspect, with ground levels within the Application Site being some 0.5m higher than the Lane surface. As a largely unchanged route of probable medieval origin, Hogmoor Lane itself contributes importantly to local historic character, and is an important aspect of heritage settings. The proposed development would considerably detract from the historic character of Hogmoor Lane, and its contribution to the setting of the AOSC and other surrounding heritage assets. The creation of a new entranceway on the north-western side of Hogmoor Lane, and the effect of additional vehicle movements, would compound the adverse impacts to this quiet rural lane.

5. THE PLANNING HISTORY OF THE APPLICATION SITE

The 1998 Application

5.1 Planning permission was sought, in 1998, for the construction of five dwellings, with garages, on this Site and fronting onto Hogmoor Lane (ref 98/67400/F). This application was refused by Wokingham Borough Council, and was subsequently dismissed at Appeal on January 12th, 1999.

5.2 Paragraph 5 of the 1999 Planning Inspector's report included the following comments:

'The Site also lies within the green gap between Hurst and Twyford. The aim of the green gap policy is to maintain the physical and visual separation between settlements, in order to retain their distinctiveness and open rural setting. At my inspection, I noted that the built-up area of Twyford (ie. Whistley Green) lies about one kilometre north of the Appeal Site area, and is of open countryside, consisting of about one or two large fields. The hedges which bound these fields contain mature trees, but are discontinuous, particularly along the A321, from which views of the Appeal Site can be obtained. The Site would be visible from parts of a byway which link the A321 with Hogmoor lane. The Appeal Site has a frontage of about 80-90m along Hogmoor Lane, which I consider to form a substantial gap in the streetscene, greater than what would normally be considered as an infill plot, and makes a substantial contribution to the semi-rural character of the lane. Viewed from the Lane, the Appeal Site appears as an integral part of the green gap between the village and Twyford. It is separated from the field of which it forms a part only by a recently planted hedge of low and sparse growth. The proposed development would be visible as a significant incursion within the relatively narrow belt of open land between Hurst and Twyford. Other infill developments are outside the green gap, and are therefore subject to different policies'.

5.3 Paragraph 6 of the 1999 Planning Inspector's comments included the following comments:

'Hogmoor Lane is an area of low-density development which formed a zone of transition between the densely developed village and the countryside beyond. The dwellings vary in age, size and design, but the majority are traditional detached dwellings in relatively large plots. Two of the properties, Long Barn and Grappenhall (ie. Munfin House) are close to the road, but most are set back, with wide frontage. The effect of the proposed development would be that of a relatively densely built-up frontage, with few visual gaps. This impression would be heightened by the fact that the ground level at the Appeal Site is about 0.5m higher than that of the Lane. It is likely that the occupation of the proposed dwellings would give rise to a demand for associated

patios, children's play equipment and the like, not all of which are subject to planning control, and which in my view would add to the urbanising effect'.

The 2024 Outline Planning Application

- 5.4 An outline application submitted by Shorewood Homes in 2024 (ref. 240583) was for:
‘The Construction of nine detached dwellings of Broadwater Lane, with three access points off the Lane.’

This 0.92ha Application Site was located within designated countryside adjacent to both Broadwater Lane and Hogmoor Lane, and situated outside, but bordering, the settlement limits of Hurst village. The Application Site was bounded on the southern, north-western and south-eastern sides by the Hurst Area of Special Character (AOSC), but did not include the current Application Site.

- 5.5 The application was refused under delegated powers, on 29th November, 2024. Refusal Reason 5 of the Decision Notice (CD 3.1) stated that:

‘The proposal would result in the loss of the historic settlement gap between Hurst Village and Whistley Green, replacing this with suburban linear development which detrimentally harms the edge and setting of the Hurst Area of Special Character. Due to the loss of an open green field, which is an important rural characteristic of the setting of the Special Character Area. This is contrary to TB26 of the Managing Delivery Document (2014) and the National Planning Policy Framework (2023).’

- 5.6 The Delegated Officer's Report of November 29th, 2024 stated the position of the Local Planning Authority with regard to a number of relevant planning policies and criteria expressed within them:

Built Heritage:

‘The site is located on the border of (but affecting) Hurst's Village Centre Area of Special Character, and near to Buttercups, a Grade II-listed building, Bower Cottage, a Grade II-listed building, Parkers Cottage, a Grade II-listed building, Elder Cottage, a Grade II-listed building, Ward Cross House, a Grade II listed building and Long Barn, a non-designated heritage asset. Therefore, the proposals are subject to assessment under policies TB24 and TB26 of the MDD Local Plan. From historic Ordnance Survey mapping of 1873 it appears the application site has been unchanged over all that time.

5.7 This application was subsequently appealed in August, 2025, and this Appeal was subsequently dismissed in October, 2025. The Planning Inspector's comments with respect to landscape impact are particularly relevant in this case:

- 5.8
- 35. The Appeal Site and the wider countryside beyond make for a pleasant backdrop to Broadwater Lane. The residential development on the opposite side of Broadwater Lane is largely continuous, linking Hurst and Whistley Green. This makes it difficult to assess when on the ground on this part of Broadwater Lane where these respective settlements begin and end, meaning that there is no obvious gap between the two settlements in this particular location. The importance of maintaining this 'green gap' was emphasised in the Planning Inspector's comments in relation to the 1999 Appeal.
 - 36. The Hurst River Terrace Landscape Character Area (HRTLCA) within which the site sits encompasses land from the A329 (M) to the south incorporating land a short distance to the north of Whistley Green.
 - 37. Its key characteristics amongst other things include being a simple agricultural landscape of mainly arable farmland, with pasture enclosed in relatively large straight-sided fields as well as being a rural and tranquil area. Its valuable landscape attributes amongst other things include the peaceful and open character of the undeveloped pastoral landscape. Amongst the key issues is demand for residential development increasing linear development along rural lanes and continuing to push towards the amalgamation of close settlements Whistley Green and Hurst, impacting rural character.
 - 38. The Landscape guidelines include amongst other things conserving the open and rural qualities of the landscape and maintaining the sparse settlement pattern of villages and dispersed farms through control of new development, avoiding further linear spread of development.

The 2026 Application

5.9 A Permission in Principle application was submitted by Shorewood Homes on February 9th, 2026, for 'the proposed erection of a maximum of 7 no. dwellings (or a minimum of 5 no. dwellings), including formation of an access from Broadwater Lane' (ref. 260353). This application represented a revision of the 2024 Application and 2025 Appeal sites, with a partial redistribution of built form from the Broadwater Lane frontage to Hogmoor Lane. The revised proposals have sought to address the reasons given by the planning inspector for dismissing the Appeal. The application for Permission in Principle was refused on March 30th, 2026, with the following reasons given for refusal:

1. The proposal, by virtue of its location, represents unacceptable unplanned development outside of 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, along with the NPPF.
 2. 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 Village Centre (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, along with the Wokingham Council Borough Design Guide SPD (2012), Landscape Character Area Assessment (2019) and NPPF.
 3. 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, including Wards Cross House. This is contrary to policy TB24 of the MDD and the NPPF.
- 5.10 Further objections to the Permission in Principle Application concerned its effect on the settings of two non-listed heritage assets, and on the views of open farmland on the western side of Hogmoor Lane. Following refusal, this application was appealed in June, 2026, and an Appeal Statement to support objections was issued by Ridgeway Heritage Consultancy. The current application for the Hogmoor Lane Site was made subsequent to the Appeal submission, but prior to any Appeal decision.

6. PLANNING POLICY CONTEXT FOR HERITAGE IN RELATION TO THE APPLICATION SITE

6.1 The relevant adopted National and Local Planning Documents for the purposes of this Planning Rebuttal for Heritage comprise the following:

- The Wokingham Borough Council MDD Local Plan, 2016-2036, adopted in 2014;
- The Wokingham Borough Council Core Strategy Policy CP3;
- Berkshire Structure Plan: Policy EN4: Historic Environment;
- The Planning (Listed Building and Conservation Area) Act 1990;
- National Planning Policy and Planning Policy Guidance; and
- Wokingham Borough Council Supplementary Planning Documents.

6.2 The following policies of the Wokingham Borough Council Local Plan and the Berkshire Structure Plan are relevant to this Application:

- WBC Policy TB21: Relating to Landscape Character;
- WBC Policy TB24: Relating to Designated Heritage Assets;
- WBC Policy TB 26: Relating to Buildings of Traditional Character and Areas of Special Character;
- WBC Policy CP3: Relating to General Principles of Development; and
- BSP Policy EN4: Historic Environment.

National Planning Policy

6.3 Relevant sections of the National Planning Policy Framework (NPPF) (rev. December, 2024, amended February 2025) comprise:

- Section 16 - Conserving and Enhancing the Historic Environment.

6.4 Attention is drawn to the most recent amendments to NPPF, of February, 2025, which include provision for increased protection for non-designated heritage assets (footnotes 7 and 8; Paras. 2002, 203 and 207). Further provision is contained in PPG (Historic Environment) (2019), Paragraph 039. These enhanced policy provisions have significantly strengthened the status of non-designated heritage assets (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 NPPF, and have important implications for the settings of affected non-

designated heritage assets in this case, which include the buildings of Long Barn and Munfin House, and the wider Area of Special Character (AOSC) which directly adjoins the Appeal Site.

- 6.5 Relevant sections of The Planning (Listed Building and Conservation Area) Act 1990 comprise:
- Sections 66 and 72.

Local Planning Policies

Wokingham Borough Council Local Plan

- 6.6 Policy TB24 of the Wokingham Local Plan (adopted 2014) relates to Designated Heritage Assets: The Borough Council will conserve and seek the enhancement of designated heritage assets in the Borough, and their settings, by:
- (a) Requiring works to, or affecting heritage assets, or their settings, to demonstrate that the proposals would at least conserve, and where possible enhance, the important character and special architectural or historic interest of the building;
 - (b) Support development proposals or other initiatives which will conserve, and where possible enhance, the local character, setting, management and historic significance of designated heritage assets.
- Development proposals shall include sufficient information to convey the exact nature of the proposals and their impacts on the significance of the existing buildings, including plans, elevations and sections.

Wokingham Borough Council Core Strategy Policy CP3: General Principles for Development

- 6.7 Planning permission will be granted for proposals that:
- are of appropriate scale, mass, layout, built form, height, materials and character to the area, together with a high quality of design;
 - have no detrimental impact on important ecological, heritage, landscape or geological features or water courses; and
 - contribute to a sense of place in the buildings and spaces themselves, and the way in which they integrate with their surroundings.

Berkshire Structure Plan: Policy EN4: Historic Environment (2001-2016)

- 6.8 Relevant sections of Berkshire Structure Plan Policy EN4 include the following:

1. Historic features and areas of historic importance and their settings will be conserved and, where appropriate, enhanced. [The Councils] will only permit development if it has no adverse impact on features or areas of historic importance.
2. Proposals will be expected to have regard for the wider historic environment, and will only be permitted when they would conserve or enhance the character or setting of Berkshire's historic landscape and built environment.

Supplementary Planning Guidance

Wokingham Borough Design Guide Supplementary Planning Document (2012)

- 6.9 This guidance “seeks to ensure that development is of a high standard of design that can integrate with the character of the area, and is important in achieving sustainable development within the Borough”. The Design Guide extends previous guidance, in accordance with the Adopted Core Strategy for the Borough. The overall aim of the Guide is to enhance the quality of development, and ensure that proposal embody the highest standards of design. The following objectives stated within the Guide are considered to be relevant in this case:

- RD1: New development and associated landscape should retain, incorporate and enhance features that contribute towards the landscape character and biodiversity of the area.
- RD5: New development in the rural area should respond to the typical forms of buildings in the village or locality.
- RD6: The elevations of new buildings must be well composed, well-proportioned and well detailed.
- RD7: New buildings should respond to the materials, details and colours that may be distinctive to a locality.
- RD11: The form, or massing of a replacement dwelling should relate well to its context and to local character. The relationship between the form of the building, the topography and landscape, will be of particular importance.

Designated heritage assets:

- 6.10 Policy TB24 of the MDD Local Plan seeks to conserve and enhance designated heritage assets in the Borough and their settings by:
- a. Requiring works to or affecting heritage assets, or their setting, to demonstrate that the proposals would at least conserve and, where possible enhance the important character and special architectural or historic interest of the building, Conservation Area, monument or park and garden including its setting and views.

- b. Supporting development proposals or other initiatives that will conserve and, where possible, enhance the local character, setting, management and historic significance of designated heritage assets, with particular support for initiatives that would improve any assets that are recognised as being in poor condition or at risk.

Landscape Character and Valued Landscape:

6.11 Policy TB21 of the MDD Local Plan states that “Proposals shall retain or enhance the condition, character and features that contribute to the landscape.” The Wokingham Borough Landscape Character Assessment 2019 (WDLCA) shows the site sits within the C2 Hurst River Terrace Landscape Character Area. The WDLCA lists the following Valuable Landscape Attributes for the C2 Hurst River Terrace LCA:

- Peaceful and open character of the undeveloped arable and pastoral landscape when removed from the intrusion of major roads to the south, which provides an escape in close proximity to the urban population.
- Rural settlement pattern of small villages with historic cores and farmsteads unified by the cohesive use of redbrick which provides a cultural record of the past and adds local distinctiveness.
- A network of narrow rural lanes with characteristic roadside ditches which contribute to scenic quality.
- Small wetland habitats, including drainage channels and numerous farm ponds which are valued for flora and fauna.
- Gently undulating terrace landform provides open and clear views to the wooded backdrop of the adjacent Loddon Valley.

Area of Special Character:

6.12 Policy TB26 of the MDD Local Plan seeks to protect and enhance Areas of Special Character. The policy states:

1. Planning permission will only be granted for proposals to or affecting Buildings of Traditional Local Character and Areas of Special Character where they demonstrate that they retain and enhance the traditional, historical, local and special character of the building or area and its setting. Paragraph 209 of the NPPF (now Paragraph 216) states that “The effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.” Paragraph 214 of the NPPF (now Paragraph 221) states that

“Local planning authorities should assess whether the benefits of a proposal for enabling development, which would otherwise conflict with planning policies but which would secure the future conservation of a heritage asset, outweigh the disbenefits of departing from those policies.” The southern boundary of the application site falls within Hurst’s Area of Special Character (“AOSC”), and strongly correlates to its northern limit in providing a valuable setting for the wider AOSC. The site is also bound by the AOSC to the east and west.

- 6.13 While settlement limits often combine historic settlements to acknowledge existing built form, this does not detract away from retained historic separate identity. The site represents an area of open land that provides both a historic and visual sense of separation between the historic community of Whistley Green and the part of Hurst that initially developed around the historic Hurst Lodge and the former farmhouse of Ward’s Cross, at the junction with Hogmoor Lane. Historically, the green gap on the southside of Broadwater Lane between Whistley Green and Hurst Village has been subject to incremental infill development, with the dwellings directly adjacent to the application site (to the south) being constructed as late as the later 20th century. These two communities have been identified by the Council as an area of special character, in part due to the listed buildings and on the merits of those late nineteenth /early twentieth-century developments, including infill development, which in part define the character of the area.

7. ASSESSING THE HERITAGE IMPACTS OF THE APPLICATION SCHEME

- 7.1 A justification of the proposed scheme and its effect on the historic environment is contained within a supporting heritage statement produced by Asset Heritage Consulting (2026). This appears to be a document originally prepared in respect of the 2025 Permission in Principle application, and therefore relates only in part to the current Application Site. This section of the Planning Rebuttal report will assess the potential heritage impacts arising from the proposed scheme, and will critique the claims and justifications made in the applicant's supporting heritage statement.

Heritage Settings

- 7.2 The proposed scheme on Hogmoor Lane would have a deleterious effect on heritage settings and historic character. Notwithstanding the proposals to soften or limit the visual impact of the proposed scheme, this would still be apparent as a development of distinctly suburban aspect, which would conflict with surrounding rural character and heritage settings. The comments and observations of the 1999 Planning Inspector are of direct relevance in this case. In the case of the quieter, more rural aspect of Hogmoor Lane, the effect of the current Application scheme would be particularly marked (Figs. 13 to 15).



Fig. 14: View, looking south-west, of Long Barn, with adjoining part of the Application site visible on the Hogmoor Lane frontage.



Fig. 15: View, looking north from Hogmoor Lane and Munfin House across the Application Site and the Hogmoor Lane frontage.

- 7.3 The effect of the proposed Hogmoor Lane development on the wider setting of Grade II-listed Wards Cross House is an important consideration, as the proposed development would affect an area which was historically associated with Wards Cross House, and with the adjoining Long Barn. The upper storeys and roof-lines of the proposed new dwellings would be visible in northward views from Wards Cross House, and from adjoining Long Barn, and would occupy an area which comprises the unchanged rural landscape context of both buildings. This aspect of open, fieldscape setting contributes importantly to the significance of both historic buildings. The level of harm resulting from this impact is assessed as being in the middle level of less than substantial.
- 7.4 Consideration should also be given to the wider setting of Grade II-listed The Old Posting House, located on the eastern side of Hogmoor Lane, although this building recessed from the road frontage, and partly screened by boundary vegetation and built form (Figs. 3 and 11). This property enjoys some limited views across Hogmoor Lane and the open ground beyond, which would be irrevocably altered by the revised scheme. A previous claim, that the 2025 scheme would not result in harm to the setting and significance of this listed building, was disputed. The proposed dwellings within the Application Site would be highly conspicuous in any views from Hogmoor Lane, and

would diminish the quality of views within this thoroughfare, together with its currently quiet and essentially rural character (Figs. 15 and 17). Such impacts would include the setting of locally-listed Munfin House, which includes views of open farmland to the west, which would be irrevocably altered (Fig. 15). A previous claim made in respect of the 2025 application, that the proposed development on this side would not result in any impacts to heritage settings, or that the two non-listed buildings concerned were of notably limited significance, has been strongly disputed. Attention is drawn to the February 2025 amendments to NPPF, which substantially enhance the levels of protection for non-designated heritage assets, including changes to their settings.

Landscape Setting and the AOSC

- 7.5 While much of Hogmoor Lane lies outside the boundary of the AOSC, the westward views from it which incorporate open fields to the west comprise an important part of the setting and context of the AOSC (Figs. 14, 15, 16 and 17). It is acknowledged that, while WBC Policy TB26 does not preclude development within the setting of an AOSC, it is made clear that such development should protect the special character of the Area, with special regard given to historical context, outbuildings, scale, form, massing and materials. Such development should also retain key architectural features and detailing which contribute to character. While the Application scheme would be assumed to introduce dwellings of a scale and form broadly appropriate to the surrounding area, it would fail to comply with the special character or historical landscape context of the AOSC, and would therefore be inappropriate in this location.
- 7.6 While the AOSC principally concerns an area of built townscape interest, this cannot be divorced from its wider landscape context, and the relationship between its built form and wider rural setting, which is of some historic interest. Such visual and contextual relationships are particularly significant at the margins of a village settlement, as must be the case here. The current Application Site comprises part of an open rural landscape which directly borders the AOSC, but is not part of it (Figs. 15-18). This juxtaposition offers both a contrast and complement to built form within the AOSC, which is part of an historic rural settlement which has always been enclosed, and defined by, areas of open farmland. The area of surrounding farmland comprises a dominant feature in such a relationship. Any partial replacement of this aspect of historic setting, by what could be described as an enclosing development of suburban character, would be directly visible within outward views from the AOSC, and would considerably detract from its character, and the

contribution made by such views to significance. It is therefore argued that the Application scheme would be contrary to Policies TB21 and TB26 of the MDD Local Plan.



Fig. 16: View, looking south-west from the Application Site, from a location close to Long Barn.

- 7.7 The Application Site indisputably comprises part of a significant and historic settlement gap between Hurst village and Whistley Green, to the north. This gap of open countryside is significant in that it represents a clear, open distinction between two neighbouring village settlements (Figs. 15-18 and report front cover). This is important in an area which is otherwise characterised by extensive twentieth-century village expansion and connecting ribbon developments. The proposed development would partly erode the spatial distinction between adjoining villages, and leave a reduced strip which would be potentially vulnerable to future infill development. The distinctive, and spatially distinct, rural character of Hurst village contrasts with the extensive, amorphous modern developments surrounding the neighbouring settlements of Twyford, Winnersh and Wokingham, and such surviving character should be preserved.



Fig. 17: View, looking south-west across the Application Site, from a location on Hogmoor Lane, June, 2026. Long Barn is located just to the left, out of the picture.

- 7.8 The proposed development would visually separate this part of Hurst village from its open historic landscape setting to the west, and would partly erode the significant spatial distinction between adjacent village settlements. The proposed layout would impact the quality of westward view from Hogmoor Lane, and would not avoid a degree of setting impact to Grade II-listed Wards Cross House and The Old Posting House. The proposed scheme would also divorce non-listed historic buildings from their unaltered rural landscape context. This includes available views north-westward from Wards Cross House, and Long Barn (Fig. 16). Hurst village has retained a distinct historic and spatial identity, with an unchanged landscape setting to the north-west, which contributes importantly to the setting and significance of historic buildings, and to the setting and rural context of the AOSC.
- 7.9 The Application scheme would result in unacceptably adverse impacts to the wider landscape settings of a number of designated and non-designated historic buildings, and of the Hurst Area of Special Character. It would also erode an area of open farmland on the margins of the village which is an important and largely unchanged historic survival. While not formally designated as such, this surviving fieldscape is integral to its historic landscape context of the village, and forms

an important settlement gap. As such, it is recognised as an area of Landscape Value by Wokingham Borough Council. While the overall level of harm to heritage assets and landscape resulting from the revised scheme is assessed as being in the middle range of less than substantial, this would extend to the higher range of less than substantial in the case of some individual heritage assets. This planning rebuttal document for heritage therefore endorses many of the assessments and opinions expressed in earlier Heritage Statement reports (RHC 2024; 2025), and subsequent Appeal Statements (RHC 2025 and 2026). The revised scheme would conflict with the requirements of the National Planning Policy Framework and Policies TB21, TB24 and TB26 of the WBC MDD Local Plan.



Fig. 18: View, looking north along the Application Site, from the garden of Long Barn, with Munfin House to the right of the picture.

8. SUMMARY AND CONCLUSIONS

- 8.1 The Applicant's case appears to rest on assessments of existing visual relationships with the Application Site, and not on relationships with the Application Site *as a completed development*. This is a critically important distinction. The Applicant has provided no supporting proposals for the scale, massing, elevation design or materials of the proposed dwellings, although it is assumed that these would be substantial two-storey dwellings with roof-ridge heights of not less than 8-9m, so that they would be highly conspicuous in shorter and long-range views. Setting and landscape impact assessments should therefore relate to the Application Site *as developed*, and not to its currently open state. The comments of the 1999 Planning Inspector in respect of additional intrusive developments such as patios, play equipment etc are directly relevant here.
- 8.2 The Application scheme has important implications for the landscape settings of two non-listed historic buildings, namely Long Barn and Munfin House, and for the quality of westward views from Hogmoor Lane. These unaltered views emphasise the essentially rural character of the village margins along Hogmoor Lane, and contribute importantly to the AOSC. In view of the enhanced 2025 NPPF provisions for non-designated heritage assets, these are important considerations.
- 8.3 The unchanged rural character of the adjoining Application Site and surrounding land comprises an important aspect of the landscape context and setting of the AOSC, and it is therefore the case that the Application scheme would result in a measurable degree of harm to the AOSC (Figs. 9, 11 and 12). The Permission in Principle application was refused partly because the proposed scheme would be contrary to Policy TB26 of the MDD local Plan, and would fail to retain and enhance the Hurst AOSC, and would harm the setting and significance of surrounding heritage assets.
- 8.4 The proposed development would erode an area of open farmland on the margins of the village which is an important, and unaltered historic landscape survival. This would potentially leave any surviving open areas on the western margins of Hurst village vulnerable to future infill development. While not formally designated as such, this surviving fieldscape is integral to the historic plan and landscape context of the village, and forms an important green settlement gap between Hurst and Whistley Green. The Application Site and its surroundings have been assessed against the relevant criteria of the GLVIA 3: *Guidelines for Landscape and Visual Impact Assessment* (2013), and are found to demonstrate all relevant landscape values, including scenic quality, rarity,

conservation interest and associations. WBC has therefore established that the Application Site and surrounding landscape contain numerous and significant visual landscape attributes.

- 8.5 The proposed dwellings of the Application Site would face onto Hogmoor Lane, and would considerably detract from the quiet rural aspect of this road and would obstruct the direct views of open countryside on its north-western side. The westward views from Hogmoor Lane, and its open rural surroundings, contribute importantly to the settings and significance of non-listed Long Barn and Munfin House, both of which are of historic interest. Such development would also have a more limited effect on the wider rural setting of adjacent Grade II-listed The Old Posting House, on the south-eastern side of Hogmoor Lane, and of Wards Cross House on the north-western. Hogmoor Lane is of probable medieval date, and comprises part of the historic plan and layout of Hurst village. Its partly sunken nature identifies it as a routeway of considerable antiquity, and therefore one which contributes importantly to the setting and significance of surrounding heritage assets and historic character. The construction of imposing modern dwellings within the Application Site would considerably diminish the heritage value of Hogmoor Lane, and the contribution it makes to local historic character.
- 8.6 The proposed scheme would result in unacceptable adverse effects to the wider landscape settings of a number of designated and non-designated historic buildings, and of the Hurst Area of Special Character. It would also partly erode an area of open farmland on the margins of the village which is integral to its historic landscape context, and which forms an important settlement gap between Hurst and the adjoining village settlement. The overall level of harm to heritage assets and historic landscape resulting from the Application scheme is assessed as being towards the middle range of less than substantial. This planning rebuttal document therefore strongly endorses the assessments and opinions expressed in earlier assessments (RHC 2025 and 2026), and the earlier comments and observations made in the Planning Inspector's report of January 1999, and October, 2025. The Inspector's comments made in respect of the 1999 Appeal remain wholly relevant in this case. The revised scheme would also conflict with the requirements of the National Planning Policy Framework, and Policies TB21, TB24 and TB26 of the Wokingham Borough MDDL. On this basis, it is strongly recommended that this application be refused.

9. REFERENCES

Asset Heritage Consulting 2026 *Land at Broadwater Lane and Hogmoor Lane, Hurst, Berkshire: Heritage Statement*, report ref. SW/10250.

Department for Communities and Local Government 1990 *Town and Country Planning (Listed Buildings and Conservation Areas) Act*,
<https://www.legislation.gov.uk/ukpga/1990/8/part/VIII/chapter/I/crossheading/trees-in-conservation-areas>. [accessed 27.10.21].

Department for Communities and Local Government 2012 (rev. 2024) *National Planning Policy Framework*.

Dils, J. and Yates, M. (eds.) 2012 *An Historical Atlas of Berkshire*, Reading, Berkshire Record Society.

ES Landscape Planning 2024 *Land North of Broadwater Lane, Hurst: Landscape and Visual Impact Assessment*, unpublished Report No. 111176.LVIA.002.

Ford, S. 1987 *East Berkshire Archaeological Survey*, Berkshire County Occasional Paper 1, Reading, Department of Highways and Planning

English Heritage 2008 *Conservation Principles: Policies and Guidance for the Sustainable Management of the Historic Environment*.

Farrer, H. 1984 *The Book of Hurst*, Buckingham, Barracuda Books.

Gelling M, 1973, *The Place Names of Berkshire - Volume I*, London, English Place-names Society.

Historic England 2015a *Historic Environment Good Practice Advice in Planning: Note 2: Managing Significance in Decision-Making in the Historic Environment*.

Historic England 2015b *Historic Environment Good Practice Advice in Planning: Note 3: The Setting of Heritage Assets*

Historic England 2016 *Understanding Historic Buildings: a guide to good recording practice*.

Historic England 2024 [1983] 'Hunter's Lodge', National Heritage List Entry 1312957
<https://historicengland.org.uk/listing/the-list/list-entry/1312957> [accessed 26.02.24].

Historic England 2025 *Protecting Heritage: Beyond the List*, <https://historicengland.org.uk/listing/what-is-designation/protecting-heritage-beyond-list/> [accessed 12.06.25].

Lödöen, A. and MacDonald, F. 2019 *East Berkshire Historic Landscape Characterisation*, Berkshire Archaeology.

https://www.readingtownhall.co.uk/sites/default/files/downloads/East%20Berkshire%20Historic%20Landscape%20Characterisation_0.pdf [accessed 04.01.22].

Ministry for Housing, Communities and Local Government 2016 [rev. 2021] *Planning Practice Guidance: Conserving and Enhancing the Historic Environment* www.gov.uk/guidance/conserving-and-enhancing-the-historic-environment-decision-making-historic-environment

Ridgeway Heritage Consultancy 2024 *Land north of Broadwater Lane, Hurst, Berkshire RG10 0DS: A Heritage Statement*, RHC Report 2024-12.

Ridgeway Heritage Consultancy 2025 *Land north of Broadwater Lane, Hurst, Berkshire RG10 0DS: an Appeal Statement for Heritage*.

Ridgeway Heritage Consultancy 2026 *Land north of Broadwater Lane and west of Hogmoor Lane, Hurst, Berkshire: An Appeal Statement for Heritage*, RHC Report ref. 2026-40.

Shorewood Homes 2026 *Planning Statement*

Victoria County History 1923 'Parishes: Hurst', in *A History of the County of Berkshire: Volume 3*, London, HMSO, British History Online <https://www.british-history.ac.uk/vch/berks/vol3/pp247-260> [accessed 15 March 2024].

Wokingham Borough Council 1993 *Hurst Conservation Area Leaflet*
<https://www.wokingham.gov.uk/sites/wokingham/files/2023-06/Hurst%20CA%20leaflet.pdf>
(accessed 01.03.24).

Wokingham Borough Council 2012 *Borough Design Guide*
<file:///C:/Users/rwmas/Downloads/CD13.03%20Borough%20Design%20Guide%20Interactive%20SPD.pdf> [accessed 20.04.23].

Wokingham Borough Council 2014 *Wokingham Borough Council Local Plan*
www.wokingham.gov.uk/planning-policy/planning-policy-information/load-plan-an-planning-policies/
[accessed 21.04.23]

APPENDIX A: CURRICULUM VITAE FOR DR RICHARD MASSEY

Address: 5 Orchardleigh View, Frome, Somerset BA11 3SB

t: 0118 933 3147 m: 07584 951602 e: richard@ridgewayheritage.com

PROFESSIONAL SUMMARY

A widely experienced archaeologist and heritage professional, with a strong academic background and proven track-record, in both commercial and curatorial sectors, in the successful management of change in the historic environment.

WORK HISTORY

Ridgeway Heritage Consultancy (October 2020 – present)

I have established an independent consultancy practice, offering bespoke heritage and archaeological advice to a growing client base, with a wide range of projects, including area assessments for archaeology and cultural heritage, historic buildings, setting assessments, urban landscapes and conservation areas, Conservation Management Plans and archaeological fieldwork.

Key recent projects have included:

- Key view impact assessments for Royal Botanic Gardens, Kew World Heritage Site;
- Conservation Area and urban character impact assessments for Eaton Terrace SW1.
- Conservation plans and conservation area assessments for three sites in Cheltenham;
- Conservation Area impact assessments for RORC, Cowes, IoW;
- Setting and urban landscape and archaeology assessments for a major development in central Southampton;
- Historic landscape study and pre-demolition recording of a building in Nettlebed, Oxon;
- Historic landscape study and impact assessment for a listed barn at Chedworth, Glos;
- Historic landscape study and impact assessment at Twickenham, Middx.
- Historic landscape study and heritage impact assessment at Middle Littleton, Worcs.
- Conservation Area and urban character impact assessment for Petersfield, Hants.
- Historic landscape and cultural heritage study for Boars Hill, Oxon.

Cotswold Archaeology (November 2013 – October 2020)

Senior Heritage Consultant and Post-Excavation Manager

Engaged in advising wide range of local authority, national agency and commercial clients, and in archaeology project management. Project work has included EIAs, impact assessments, landscape surveys, urban area assessments, statutory consents, archaeological mitigation strategies, appeals and detailed pre- and post-application planning support. Effective project management and delivery within demanding time and cost constraints.

Key achievements have included:

- Archaeology/heritage mitigation strategies and survey for former Wisley Airfield MDA, Surrey;
- Fort Gilkicker, Gosport, 2016-2017. Residential conversion of a scheduled 19th-century fort.
- Bicester Gateway, Oxon 2016-2017. Archaeological management for major mixed-use site.
- Temple Quay, Bristol, 2015-16. Planning support and assessment for major mixed development;
- Finzel's Reach, Redcliffe, Bristol, 2015. 'Constructive Conservation' repair and re-purposing of historic industrial buildings on margins of inner-city conservation areas.
- Fraser Range Development, Eastney, Portsmouth, 2016-20. Major re-development of 20th-century defence site, including impacts on archaeology and setting of Fort Cumberland.
- Archaeological survey and management plans for Three National Trust Estates;
- Heritage management and consents for major renewable energy schemes.
-

English Heritage SE Region (June 2005 — November 2013)

Inspector of Ancient Monuments for Hampshire, Surrey, West Sussex and Isle of Wight

Provision of statutory planning advice and consents for a wide variety of applications affecting scheduled monuments, archaeological areas and the wider historic environment. Scope of work included detailed pre-application advice, project scoping, designations, heritage at risk, heritage crime investigations, maritime and forestry management plans, national park and partnership agency liaison, repair and conversion of historic structures and archaeological management plans.

Key achievements included:

- Archaeological management of HLF-funded Guildford and Farnham Castle projects and Fernhurst Furnace, West Sussex;
- DERA Chobham, and other MoD disposal sites;
- Portsmouth Battery 2012-13, and Spitbank Fort, Portsmouth, 2007-12. Regeneration projects for repair and conversion of scheduled coastal defences to retail/craft units and hotel.
- Fort Nelson, Portsmouth "Voice of the Guns" HLF-funded project for integration of historic fort structures with modern visitor facilities and display spaces.
- New Mary Rose Museum in Portsmouth Historic Dockyard, 2007-2012. Conversion of scheduled historic dock and assessment of non-physical setting impacts for new museum.
- New Forest and South Downs National Parks Lidar survey and interpretation 2009-12.
- Southampton West Quay III projects, 2006-2012 and Lower High Street regeneration scheme.

English Heritage SE Region (January 1997 — May 2005)

Historic Environment Field Advisor: SE Counties

Repair/management agreements and grant aid for repair. Monitoring of recording briefs associated with monument consent. Correlation of Heritage at Risk data and prioritisation of sites and monuments for conservation. Working with local authorities and partnership agencies in developing common SAM management strategies. Key achievements include: English Heritage regional Heritage at Risk projects, 2004-2012, and DEFRA Management of Arable Landscapes Project 2002-3.

SKILLS

- Good IT skills, including use of MS Office and GIS applications;
- Familiarity with planning process, consent procedures and heritage policies and guidance;
- Effective project management and familiarity with decision-making processes in archaeology;
- Lidar and aerial photography: mapping and interpretation.
- Good report writing and presentation skills, with excellent written and oral communication;
- Wide archaeological/heritage knowledge, including architectural history, and comprehensive experience of heritage assets and historic environments;
- Current driving licence.

EDUCATION AND QUALIFICATIONS

Chartered Institute for Archaeology

2006 MCIfA: Full member of the Chartered Institute for Archaeologists

University of Reading

PhD: Archaeology (06/2006)

‘The Formation of the Atrebatian kingdoms: settlement change and social formation in the Late Iron Age of Central-Southern Britain’

University of Bristol (02/2000)

MA: Landscape Archaeology (Distinction)

Society of Antiquaries

Elected Fellow of the Society of Antiquaries (FSA), December 2020.

Oxford University Department of Continuing Education

Undergraduate and Weekly Course Tutor in Archaeology (2009-present).



RIDGEWAY

HERITAGE CONSULTANCY

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Appendix B

Entran Ltd

PiP Transport Note Response

Mr Robert Williams

Lane Northwest of Hogmoor Lane, Hurst: PiP Transport Note Response

1.0 Introduction

- 1.1.1 This Transport Note has been prepared in response to the Permission in Principle (PiP) application for the residential development of up to two dwellings on land to the northwest of Hogmoor Lane in Hurst, Wokingham and relates only to highway matters.

2.0 Site Access

- 2.1.1 There are no swept path analysis demonstrating that safe access to / from the application site can be achieved by expected delivery vehicles entering and exiting the site in a forward gear (i.e. food deliveries).
- 2.1.2 If this cannot be achieved vehicles would have to wait on Hogmoor Lane thus blocking the free flow of traffic on Hogmoor Lane to the detriment of highway safety.

3.0 Hogmoor Lane Junction Options

- 3.1.1 The first option proposes the junction remain in its existing form. This comprises two simple priority junctions, split by a grass verge. However, visibility splays consistent with the measured speeds have not been shown.
- 3.1.2 The second option proposes a change of priority, with the northern of the two priority junctions changed to 'entry only', with all northbound movements using this arm. The southern priority junction would be changed to 'exit only', with all southbound traffic directed to this arm. However, no swept path analysis has been provided to demonstrate whether this option would work based on the largest vehicles entering and exiting Hogmoor Lane, therefore such a junction may or may not be deliverable.
- 3.1.3 Whilst Visibility splays of 2.4m x 43m can be provided in both directions, consistent with the 30mph speed limit on Broadwater Lane, the actual speeds presented in previous submissions are circa 36mph so visibility splays should be consistent with measured speeds. Furthermore, visibility splays should be presented to the nearside of Broadmoor Lane (as shown in option 3) and clearly that would very significantly reduce available visibility to the detriment of highway safety.
- 3.1.4 As for option 3, again visibility splays consistent with measured speed should be shown.
- 3.1.5 Given the large volume of statutory undertakers infrastructure in the exiting triangle, the viability of delivering this option should have been demonstrated. It is quite clear from the attached photos that this option is completely impractical.

4.0 Summary and Conclusion

- 4.1.1 This PiP Transport Note response has highlighted a number of matters that it is felt should be addressed to ensure a viable and safe scheme can be delivered which we believe based on existing constraints cannot.
- 4.1.2 In conclusion, it has not been demonstrated that the site is suitable for Permission in Principle to be granted.

Photographs of triangle at A321/Hogmoor Lane junction

Note: Power cable pole

Empty BT green box: X3 concrete lined junction boxes for BT, City fibre, Talk Talk.

The junction box closest to the road exploded in 2024, blowing the lid off.



Triangle from L hand branch of Y junction emerging onto A321



Grassy Triangle from R hand branch of Y junction showing manhole cover over 8 feet deep storm drain.



Hurst resident examining storm drain on Triangle.



Close up of entrance to storm drain.



Storm drain with metre measure. Depth 2 metres plus thick mud at the bottom, total 2.5 metres= 8 feet deep.



Appendix C

Appeal Decision T/APP/X0360/A/98/298932/P9– Hogmoor Lane

Decision Dated: 12th January 1999

DECISION NOTICE

98/67400/F



The Planning Inspectorate

Room 1404
Tollgate House
Haulton Street
Bristol BS2 9DJ

Direct Line 0117 - 987 8927
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C A Lennon Associates
Oxford House
2a Oxford Road East
WINDSOR
Berks
SL4 1EF

Your ref:
RJH
Our ref:
T/APP/X0360/A/98/298932/P9
Date:
12 JAN 1999

Dear Sirs

**TOWN AND COUNTRY PLANNING ACT 1990, SECTION 78 AND SCHEDULE 6
APPEAL BY HICKS DEVELOPMENTS LTD
APPLICATION NO: 98/67400/F**

1. The Secretary of State for the Environment, Transport and the Regions has appointed me to determine this appeal which concerns the decision of Wokingham District Council to refuse planning permission for **5 detached dwellings and garages** at Hogmoor Lane, Wards Cross, Hurst. I conducted a hearing on 12 November 1998.
2. From all that I have seen, heard and read, I consider that the main issues in this appeal are the **effect of the proposed development on the character and appearance of the rural area, the effect of the proposal on highway safety in Hogmoor Lane and at its junction with the A321 and whether a shortfall in housing land supply warrants the release of this site.**
3. The development plan consists of the Berkshire Structure Plan 1991-2006 and the Loddon Area Local Plan 1995 (LALP). The plan period of the LALP ended in 1996. The policies detailed below which are most relevant are not however date-related, and will remain in force as development plan policies in terms of Section 54A of the Act until the replacement local plan is adopted. The emerging Wokingham District Local Plan Deposit Draft 1997 is about to pass through a 2-stage inquiry, the final report on which is not expected for a considerable time. I will therefore afford a lesser weight to those policies of the Deposit Local Plan which are not similar to those of the development plan.
4. Policies C2 of the Structure Plan, LTV2 of the Loddon Area Local Plan and WCC1 of the Deposit Local Plan aim to restrict development in the countryside outside settlement boundaries. Policies C6 of the Structure Plan, LC1 of the Local Plan and WCC2 of the Deposit Local Plan afford especially rigorous protection to areas designated as green gaps between settlements. Policy LBE2 of the Local Plan states that development which would adversely affect the character of an area will not normally be permitted. Policy WBE1 of the Deposit Local Plan sets out criteria against which development should be judged. Finally, Deposit Local Plan policies which are not reflected in the

development plan are Policy WH6 which states that a variety of house sizes and types are required to meet the housing needs of the district, and WIC18 which aims to protect watercourses.

5. The appeal site is on the north west side of Hogmoor Lane, outside the settlement boundary of Hurst as defined in the Local Plan. You claim no agricultural or other policy justification for the proposed development. National advice in Planning Policy Guidance 7, *The Countryside - Environmental Quality and Economic and Social Development* (PPG 7), states that new housebuilding in the countryside should be strictly controlled. The site lies also within the green gap between Hurst and Twyford. The aim of the green gap policy is to maintain physical and visual separation between settlements in order to retain their distinctiveness and their open rural setting. At my site inspection I noted that the built up area of Twyford lies about 1Km north of the appeal site, across an area of flat countryside consisting of about 1 or 2 large open arable fields. The hedges which bound those fields include mature trees but are discontinuous, particularly beside the A321 from which clear views of the appeal site can be obtained. The site would also be visible from parts of a byway which links the A321 with Hogmoor Lane. The appeal site has a frontage of about 80m-90m to Hogmoor Lane, which I consider forms a substantial gap in the streetscene, greater than what would normally be termed an infill plot, and which makes a significant contribution to the semi-rural character of the Lane. Viewed from the Lane the appeal site appears as an integral part of the green gap between the village and Twyford. It is separated from the field of which it forms a part only by a recently-planted hedge of low and sparse growth. Although you comment that the rear boundary of the site is in line with those of the adjacent dwellings, and that the development would thus represent a logical rounding-off of the built form of the village, I consider that the proposed development would be widely visible as a significant incursion into the relatively narrow belt of open land between Hurst and Twyford. You state that Hogmoor Lane has other examples of infill development, in the form of Willow Croft and April Cottage, near to the appeal site on the north side of the Lane, and Badgers Lodge opposite. However, I find that all those examples are within the settlement boundary of Hurst and outside the green gap, and are therefore subject to different policies.

6. Hogmoor Lane is an area of low-density development which forms a zone of transition between the densely developed village and the open countryside beyond. The dwellings vary in size, age and design but the majority are traditional detached dwellings in relatively large plots. Two of the properties, Long Barn and Grappenhall House are located close to the road but most are set well back with wide frontages. The proposed houses would however be closely spaced with about 2m-3m between most dwellings. The proposed garages would be located at the front of the plots, in such a way as to fill many of the visual gaps between the dwellings. I consider therefore that the effect of the development would be that of a relatively densely built-up frontage with few visual gaps. In my view the impression would be heightened by the fact that the ground level of the appeal site is about 0.5m above that of the Lane. It is likely that the occupation of the proposed dwellings would give rise to a demand for associated patios, garden furniture, washing lines, children's play equipment and the like, not all of which are subject to planning control, which in my view would add to the urbanising effect.

7. There are deep, wide ditches at the front and north east sides of the site. The area is not within a floodplain but the watercourses provide a wildlife corridor and help to relieve the flooding

to which Hogmoor Lane is susceptible. The proposed dwelling on plot 5, and the proposed garages at the front of the site, would be located from 0.5m-2.0m from the top of the bank. The Environment Agency suggested a condition that a 4m planting zone be left at the tops of the banks, in order to protect the wildlife corridor and to safeguard the structural integrity of the banks. You state that you are unsure whether the site boundary passes along the centreline of the watercourses or along the tops of the banks, but that you have no objection in principle to such a condition. However, I consider that the amendments to the scheme which would be necessary to accommodate such a planting zone would represent a substantial change to the proposed layout of the development. The garages would be set further back on the site but I consider that would be outweighed by the fact that the dwellings would be likely to be located closer together, thus adding to the urbanising effect identified above. I consider therefore that in view of all the above the scale, size and massing of the proposal would be incongruous and out of character with the semi-rural setting of the Lane, and that the proposed development would conflict with the Council's aims to restrict development in the countryside and to maintain the separate identity of neighbouring settlements. I conclude therefore that the proposed development would conflict with Policies C2 and C6 of the Structure Plan, with Policies LTV2, LC1 and LBE2 of the Loddon Area Local Plan, and with Policies WCC1, WCC2 and WBE1 of the emerging Wokingham District Local Plan.

8. I now turn to consider the second issue, that of the effect of the proposed development on highway safety. Hogmoor Lane is a single-track road about 3m-3.5m wide in the vicinity of the appeal site, narrowing to 2.8m wide about 20m-30m to the north. There are no footways, and vehicles appear to use the private drives of houses on the lane as informal passing places. The Lane is used for recreation by pedestrians, cyclists and riders as part of a local network of footpaths and byways. As there is no footway pedestrians have to step onto the verge by the appeal site, or take refuge in driveways to allow vehicles to pass. It was stated by residents in representations that the Lane is used as part of a commuter "rat-run" in the morning and evening rush hours, but no evidence of this was presented. Although you comment that the addition of 5 new driveways would increase the number of passing spaces for pedestrians and vehicles, I consider that there would still be considerable potential for conflict between vehicles and other road users in the Lane. At present Hogmoor Lane in the vicinity of the appeal site serves 13 dwellings, together with a small number of scattered dwellings and farms in the rural area beyond the settlement boundary. I noted at my site inspection that the volume of traffic in the Lane is low. This observation is supported by a limited survey of traffic movements which you carried out at the junction of Hogmoor Lane and the A321. There is likely to be considerable reliance on the car by existing and proposed residents for journeys to work, school and shop in view of the infrequency of the local bus service and the fact that a car is needed to reach the nearest railway station at Twyford. I consider therefore that the traffic generated by 5 additional dwellings would represent a significant proportional increase in the number of vehicles likely to use the Lane, even if through-traffic would be likely to be reduced by the erection of the approved Access Only signs at its entrance.

9. The junction of Hogmoor Lane and the A321 is in the form of a Y, with a small informal island between the arms of the junction. There is a 40mph speed limit on the main road, and the volume of traffic appeared to me to be moderate, although considerably greater than on Hogmoor Lane. Visibility for emerging traffic is restricted at the junction, particularly when looking towards the right or north west, in the direction of vehicles approaching the village from Twyford. Vehicles

approaching from that direction appeared to me to travel faster than those approaching the junction from the centre of the village, where cars parked on the road outside the shops have something of a traffic calming effect. Planning Policy Guidance 13, *Transport* (PPG 13), contains recommendations on minimum visibility distances at road junctions. For the junction as a whole maximum visibility is 38m at a minor road distance of 4.5m and 58m at 2.4m. These distances are considerably less than the 120m visibility distance recommended in PPG 13. Visibility is zero when looking to the left in the left hand arm of the junction, or to the right in the right hand arm. No accidents involving personal injury have been recorded in the vicinity of the junction in the last 3 years. It would be difficult to improve the visibility at the junction because the main obstruction to view is the traditional stone wall at the boundary with Wards Cross House, the listed building on the northern corner of the Lane. To sum up on this issue, therefore, I consider that the volume of traffic likely to be generated by the proposed dwellings would result in a significant increase in the use of this rather hazardous junction, and in the potential for conflict between vehicles and other road users on the Lane itself. I conclude that the proposed development would be likely to lead to an unacceptable reduction in highway safety on Hogmoor Lane and at its junction with the A321.

10. I now turn to the third issue, concerning housing land availability. Planning Policy Guidance 3, *Housing* (PPG 3), states that the planning system must provide an adequate and continuous supply of land for housing, with a choice of sites which are both suitable and available. The Council has for many years experienced problems in establishing a 5 year supply of land for residential development, and has recently carried out an exercise to identify new sites. You point out that the appeal site formed part of 2 larger proposals for housing development land put forward for consideration in the Council's recent consultation exercise to find new sites for residential development, and was identified as being suitable for 5 dwellings. However, the proposals which included the appeal site were eliminated at an early stage of the sifting process. The development strategy aims to concentrate housing growth on a new settlement at Glezely, and on 2 other large sites elsewhere, which together with other measures would appear to meet the required targets, according to the very recent report on the situation supplied by the Council. You expressed doubts that, for a number of reasons, the sites would be unlikely to be developed in time to fulfil either the 5 year requirement or indeed the Structure Plan programme. The appropriate way to test that is through the process leading to the adoption of the emerging Local Plan. However, in my view the Council appear to be making strenuous efforts to overcome the problem. On balance I do not consider that the possibility of slippage in the programme of housing provision would be sufficient to outweigh the other fundamental objections to the scheme identified above. I conclude on this issue that a potential shortfall in housing land supply would not warrant the release of this small site.

11. I note that there is a badger sett on land adjacent to the appeal site. Planning Policy Guidance 9, *Nature Conservation* (PPG 9), confirms that the presence of a protected species is a material consideration when proposed development might harm the species or its habitat. The sett is about 20m from the northern corner of the land. The proposed development would therefore be unlikely to affect the sett directly, but would alter the character of part of the badgers' range. However, gardens can be valuable foraging areas. A license would be required under the 1992 Protection of Badgers Act to carry out development within a certain distance of the sett, which would include the specification of measures to protect the badgers. The Council has proposed a condition which would

require a badger survey and a mitigation scheme. I consider therefore that measures could be agreed to ensure that the badgers would not be adversely affected by the proposed development.

12. I have taken into account all other matters raised in the representations. Neither these nor any other matters were therefore sufficient to outweigh the considerations which led me to my conclusion.

13. For the above reasons and in exercise of the powers transferred to me, I hereby dismiss this appeal.

Yours faithfully

Stephanie Chivers

Stephanie Chivers BA(Hons) DipTP MRTPI

Inspector

Ref No: T/APP/X0360/A/98/298932/P9

APPEARANCES

FOR THE APPELLANTS

Mr M H Carter - Lennon Associates

FOR THE COUNCIL

Mrs B Polnik BSc (Hons) DipTP MRTPI - Senior Planning Officer
Wokingham District Council

Mr T Callaghan - Highways Development Control Officer
Wokingham District Council

Mr D Webb - Environment Agency

INTERESTED PERSONS

Mr H Larkin - St Nicholas Hurst Parish Council
Quest Cottage, Hinton Road, Hurst

Mr J Lemon - Chairman, Hurst Village Society

Mrs A Lade - Friends of Hogmoor Lane
Wards Cross House, Hogmoor Lane, Hurst

Dr J Lade - Wards Cross House, Hogmoor Lane, Hurst

Mrs A Leigh - Resident, Hogmoor Lane, Hurst

Mrs J Spiller - 3 Hogmoor Lane, Hurst

Mrs A Drake - Waldon Acres, Wokingham Road, Hurst

Mr F Whittaker - Appletree Cottage, Hogmoor Lane, Hurst

Mr A Hitti - The Old Posting House, Hogmoor Lane, Hurst

Ref No: T/APP/X0360/A/98/298932/P9

Mr T Pope	-	Grappenhall House, Hogmoor Lane, Hurst
Mrs E L Robinson	-	White Rose Cottage, Poplar Lane, Hurst
Mr and Mrs D King	-	Long Barn, Hogmoor Lane, Hurst

DOCUMENTS

Document 1	-	List of persons present at the hearing
Document 2	-	Note on situation re. 5-year housing land supply requirement, as at 9 November 1998
Document 3	-	Proof of evidence of Mr C A Lennon re. Proposed new village at Grazeley
Document 4	-	Suggested condition re. badger survey and protection
Document 5	-	Agenda of Environmental Services Committee Meeting, 9 November 1998
Document 6	-	Advice note <i>Badgers on Site - A Guide for Developers and Planners</i>
Document 7	-	Inspector's Decision Letter re. Appeal at land south of 352 Finchampstead Road, Wokingham 98/292611
Document 8	-	Suggested Highways conditions
Document 9	-	Results of traffic survey on Hogmoor Lane and A321

Ref No: T/APP/X0360/A/98/298932/P9

PLANS

Plan A

- Extract from Wokingham District Local Plan Deposit
Draft showing Hurst and Twyford

Plan B

- Extract from Wokingham District Local Plan Deposit
Draft showing Shinfield area

PHOTOGRAPHS

Photographs 1

- Set of photographs of the area near to the appeal site

Photographs 2

- Photocopies of same set of photographs, numbered with
key plan showing location of sites from which the
photos were taken

LIGHTSPEED



Appendix D

Analysis of Flood Risk

Comments on Location Land Use and Amount of development in relation to flood risk and the PiP application for 261624 as presented by Shorewood Homes.

The Application Site lies within Flood Zone 1 and is adjacent to an area prone to surface water flooding to the north of the Site. Flood Risk Analysis is therefore required to demonstrate that there will be no risk of flooding and no risk of increasing flooding elsewhere in the area.

1. A risk of surface water flooding on the Site occurs as the soil has a low potential for infiltration as evidenced by Simpsons TWA at Application 240583 (2024), any water deposited on the surface does not drain away quickly but often stays in the form of ponding. The garden of Long Barn, immediately adjacent to the south of the Site, typically has standing water present in wet weather.
2. The groundwater table in this location is known to be exceptionally high, as evidenced by the findings of Simpsons TWA in Application 240583 (2024). Calibro state that they have no access to borehole data however this position is difficult to reconcile with the extensive investigations across the wider field undertaken in 2024 by Aviron Associates Ltd on behalf of Simpsons TWA and the Applicant. These borehole records are recent and are directly relevant to the present Site. They should be available to Calibro and the reason for their absence remains unclear.
3. Both Simpsons TWA and Calibro acknowledge the flood-risk constraints of the Application Site by recommending that any dwellings constructed here should have Finished Floor Levels raised above existing ground levels. Calibro propose a 0.15 m uplift, while Simpsons advise a significantly greater increase of 0.45 m. Although the recommended levels differ, both assessments recognise that elevated floor levels are necessary due to the identified risk of flooding.
4. The Applicant appears to be presenting two solutions to the problem of moving the water away from the surface of the Application Site:
 - (i) **The first** is to rely on directing water from the Site into the Hogmoor Lane drainage ditch. This ditch has not been surveyed on Site but assessed by Calibro using Topography and Lidar. The ditch was heavily overgrown at the time of the study with dense vegetation obscuring much of its profile. It is relatively deep, between approximately 0.5 m and 1.0 m and the northern end appears to be partially blocked. It is possible that the capacity of the ditch may be exceeded in very wet weather because:
 - Runoff from the Site will be at its height;
 - New houses with roofs, associated buildings and hard standing increase the runoff rate.
 - Domestic culverts to the north of the ditch are not adequate and often become blocked.
 - In wet weather the drainage from Dalby Close forms a significant stream that flows across the south of Hogmoor Lane from the garden of The Old Posting House and onwards to the ditch.

- The sewage main on the A321 becomes overloaded at times of heavy rainfall and the rising main from Hogmoor Lane becomes blocked. The Hogmoor Lane pumping station, located at the sharp northern corner of the Lane, continues to operate. Wastewater is driven southwards along Hogmoor Lane reaching the manhole outside Wards Cross House where it is forced upwards and escapes. The overflow then runs back down the Lane and ultimately drains into the main ditch.
- In addition the pumping station in Hogmoor Lane collects waste water from Dalby Close and the chamber is flooded by the KayersBridge Brook. The Lane rapidly floods at this point.

Hogmoor Lane manhole discharge going down Hogmoor Lane



- This adverse collection of events is seen every 3 - 4 years, it is distressing for residents and has even caused water ingress in some residences. The construction of large houses with impermeable roofs and hard standing will increase the risk of flooding elsewhere. This is contrary to WBC Core Policies CP1, CP3, CP9, CC10 and the Framework Paragraphs 170,182.
 - The Hogmoor Lane ditch is however not part of the site 261624, being outside the red line and in fact belonging to the Highways Authority. Only the Highway Authority can authorise any connection to the highway drainage system under section 100 of the Highways Act 1980. A PiP cannot be issued where the drainage solution lies outside the applicant's control.
- (ii) **The second** solution is suggested by the Applicant in Paragraph 60 of the Application letter which states that, *"Separate drainage details such as swales and basin would follow at the detailed TDC stage (and are indicated on the illustrated layout and the swale is beyond any tree buffer)."* No such details have been submitted and the proposal is therefore deficient in this respect. PiP guidance is that all infrastructure necessary to ensure the safe delivery of the proposal should lie within the area outlined by the red line boundary. Outside the red line the Applicant does not have control over development and the integrity of a SUDS scheme could not be guaranteed. If a SuDS scheme is deferred to the TDC stage but is intended to include an attenuation basin within a residential garden, this would constitute a substantial engineered feature occupying a significant area of private amenity space. Such infrastructure requires

ongoing inspection and maintenance, responsibilities that cannot reasonably be transferred to a future homeowner. Its presence would also materially reduce the usable extent of the garden, further undermining the suitability of the scheme.

5. The FRA (Paragraph 3.4.12) claims that the northeastern corner of the Site represents a low flood risk point that is the most suitable for access, yet this is precisely where severe winter flooding begins. Water from all the sources described above accumulates in Hogmoor Lane adjacent to this part of the Site and in wet winter weather the Lane can become impassable for vehicles and pedestrians from this point southwards to Poplar Lane. Any increased runoff from development on the Application Site would risk worsening the situation and should be avoided.
6. This contradiction is compounded by the wider PiP submission, which is internally inconsistent on the position of the access. The Transport Note and Site Layout Plan place it centrally within the Site while the Flood Risk Note recommends that it should be in the northeastern corner where the risk of flooding is lower. PiP requires the Council to be satisfied that the access location is safe and deliverable *in principle* a proposal that contradicts itself does not provide reliable information for determination.

“The northeast corner of the site”



In summary the Applicant's drainage scheme fails to demonstrate that the proposal would not increase flood risk elsewhere in an area that already experiences significant flooding and drainage problems for the following reasons:

- **Increased runoff** from the Site would worsen existing flooding conditions on Hogmoor Lane.

- **No permission** has been secured to discharge into the Hogmoor Lane drainage ditch on WBC highways land.
- **Drainage infrastructure outside the red line** boundary cannot be relied upon at the PiP stage.
- **A SuDS attenuation feature cannot be practically accommodated** within the red line without occupying residential garden space or requiring private maintenance.

The effect of water levels on the site and aspects of their management

1. The effect of groundwater level upon the likely height of proposed houses.

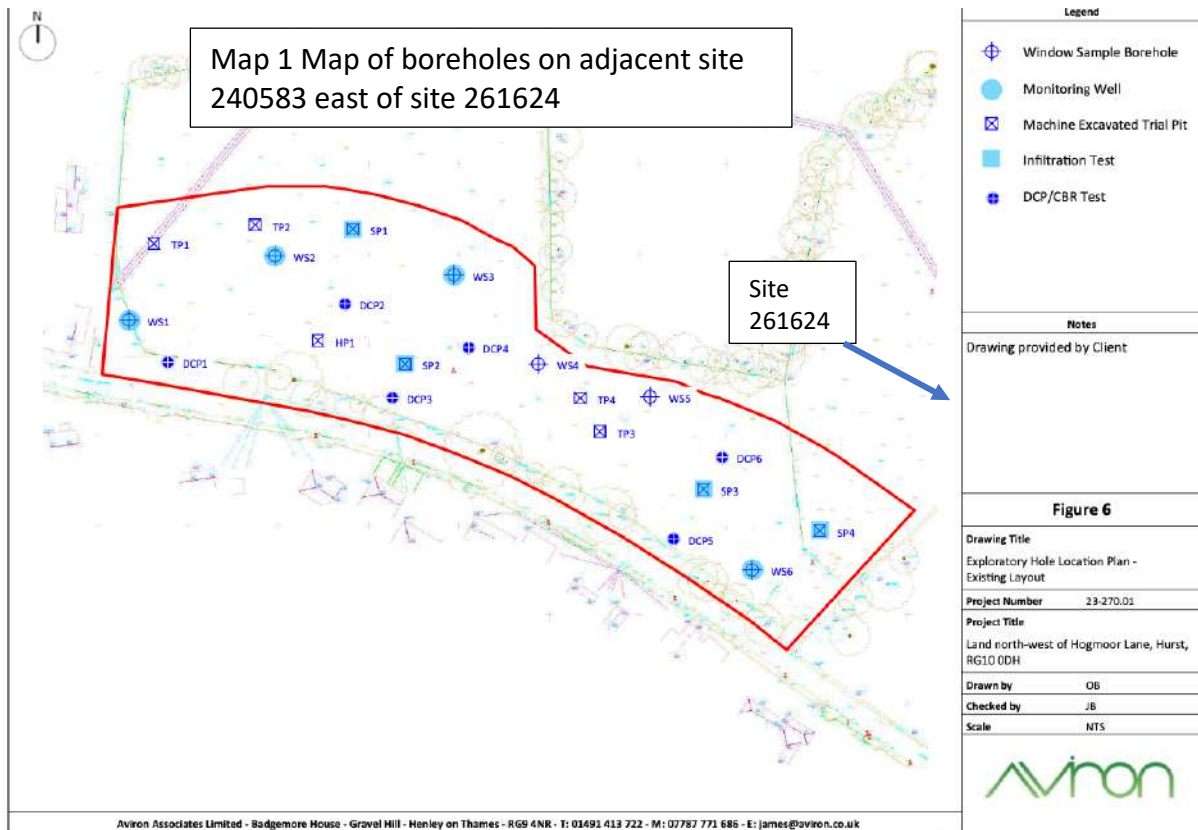
1.1 The Section 19 Flood Investigation Report 2024 by JBA on behalf of Wokingham Borough Council recognises Hurst as “*the hotspot for flooding*” in the Borough. Most recently significant flooding has occurred in 2014, 2021 and 2023 and on these occasions the A321 has been closed to traffic for several days and Hogmoor Lane has also been closed. On all these occasions floodwater has been mixed with sewage which has also drained down Hogmoor Lane. The flooding in this area is predominantly surface-water driven and because the groundwater table is already very high, runoff is slow to dissipate. The principal cause of the surface-water flooding is the extensive network of local drains and ditches that have been allowed to become heavily occluded. In addition, historic changes to the local topography particularly the construction of the landfill site south of Lodge Road have disrupted natural drainage routes, preventing water from flowing efficiently towards the Thames.

1.2 The types of flooding that can affect the Application Site are surface water, groundwater and sewage flooding. The main objective of developers is always to avoid the possibility of internal flooding onsite and to achieve this the dwellings must be built on foundations that are higher than any surrounding water may rise to and the water levels must be kept as low as possible.

1.3 The Applicant has submitted a Flood Risk Assessment by Calibro in support of this PiP Application. It appears from the submitted information that the FRA is based on a desktop study without a site visit. Calibro state that the Application Site is situated in an area which is assessed as having critical drainage problems and there is a mapped area of surface water flooding at the Site. Calibro states that there are no records of boreholes near the Site to enable them to assess the risk of flooding due to groundwater. This is not the case, Simpsons TWA submitted a lengthy and detailed Flood Risk Assessment in support of Application 240583 in 2024 which included comprehensive results of borehole data over the wider field of the Application Site. At that time the groundwater levels were found to be very high and the addition of surface water left much of the field under water for many weeks. The photographs below show the state of the wider field of the Application Site in January 2024 and also a bore hole. The presence of surface water and ponding over the field is very evident.



1.4 The diagram below shows the extent of bore holes and other investigations performed by Aviron on behalf of Simpsons TWA in 2024. Application Site 261624 is just off the corner of the red line boundary on the right of the diagram. The fields have been in continuous common use for 300 years at least and may be assumed to have similar soil structure. This information should have been available to Calibro as they have also been commissioned by the same Applicant.



1.5 The British Geological Survey (BGS) has produced a national dataset on the susceptibility of groundwater flooding, covering England, Wales, and Scotland. The dataset is based on geological and hydrogeological information and can be used to identify areas where geological conditions could enable groundwater flooding to occur and where groundwater may come close to the ground surface. Figure 15 below shows the BGS groundwater susceptibility map with the Application Site's location indicated. Figure 15 indicates the Application Site to be in an area where there is potential for groundwater flooding to occur at the surface.

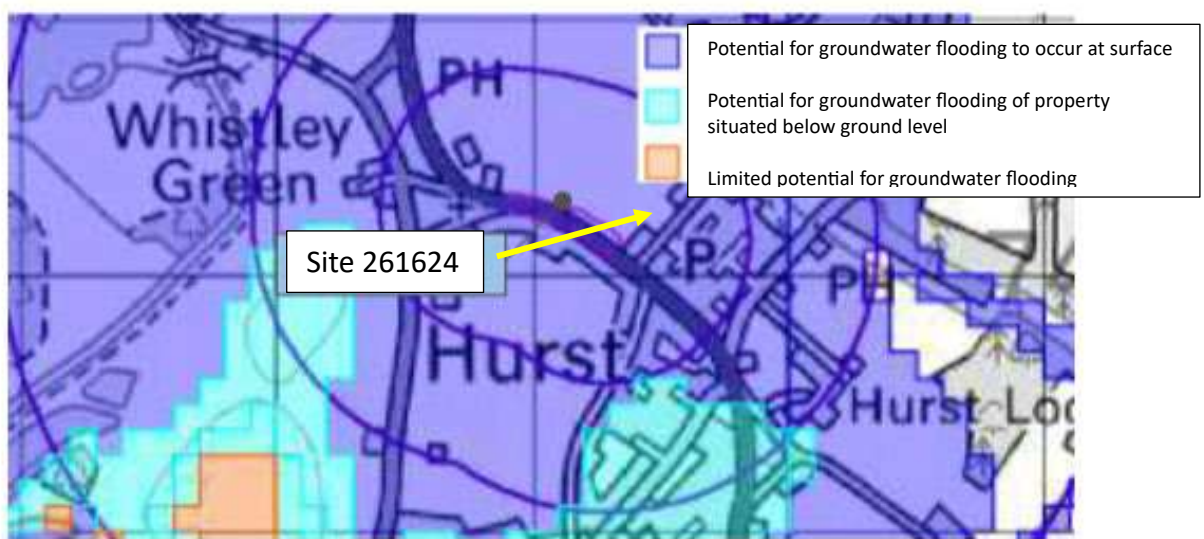


Figure 15: BGS Groundwater Susceptibility Map

1.6 GeoSmart information have developed algorithms and calibrated predictions of the risk of groundwater flooding occurring in Great Britain. The resulting map classifies ground risk for each 5m x 5m into four categories, negligible, low, moderate, and high. The classifications are based on the level of risk, combining severity and uncertainty that will suffer groundwater flooding within a return period of about 200 years. Figure 16 below is the GeoSmart Information.

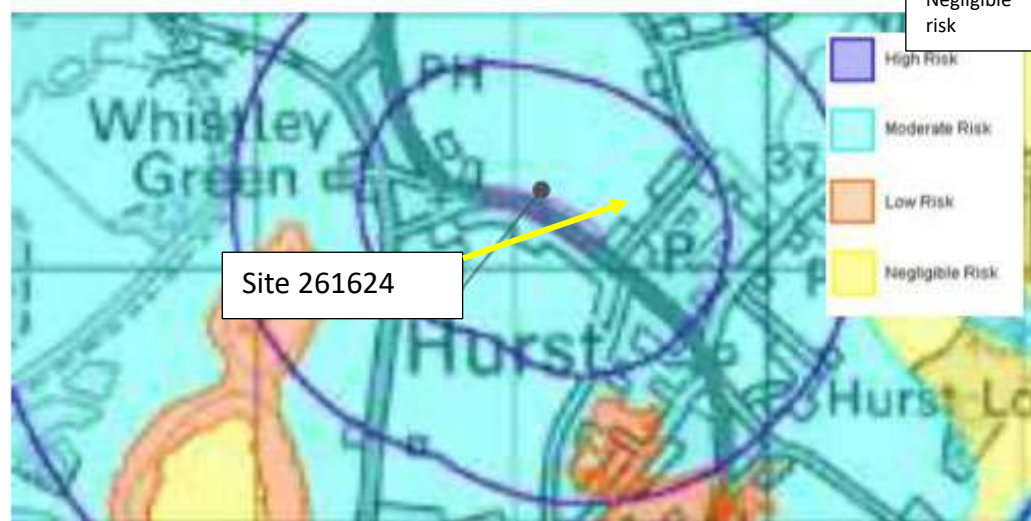


Figure 16: GeoSmart Information Groundwater Flood Map



GeoSmart Information Groundwater Flood Map

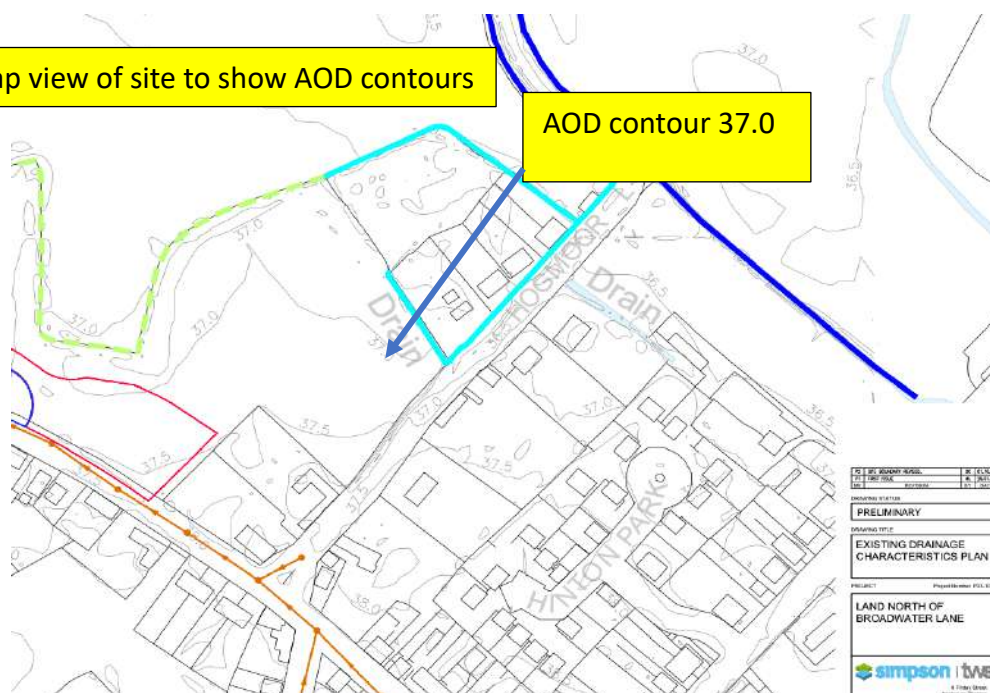
1.7 According to GeoSmart whilst the mapping in Figure 15 and Figure 16 shows the Application Site to be at potential risk of groundwater flooding, the dataset covers a large area of land and only isolated locations within the overall susceptible area are likely to suffer the consequences of groundwater flooding. In addition, due to the proximity of the watercourse to the north of the Site, it is likely that fluvial flood mapping would be more representative of groundwater flooding as groundwater levels are likely to be closely linked to fluvial flood levels. As flood mapping shows the Site to be in Flood Zone 1, it can be determined that present site surface levels are raised above flood levels in extreme fluvial flooding conditions. GeoSmart specifically state that any dwellings in this area should have Finished Floor Levels raised above existing ground level to protect against groundwater flooding. This may protect the development however introducing raised buildings in this way would have a detrimental visual and landscape impact, particularly within the sensitive rural setting of Hogmoor Lane.

1.8 A Section 19 Flood Investigation Report by JBA was commissioned by Wokingham Borough Council to assess the floods that occurred in March 2023. Much of the flooding occurred in Hurst and particularly in and around Hogmoor Lane which is on the eastern border of the Application Site. In the Applicant's FRA Paragraph 4.1.11 Calibro has assessed the Application Site as being of low or **negligible** risk from flooding of all sources. Nevertheless in Paragraph 4.1.10 the Site is assigned a Medium risk of flooding from groundwater and it is proposed that Finished Floor Levels

1.9 It appears that this assessment of risk was also shared by Simpsons TWA in their FRA that supported Application 240583 in October 2024 (subsequently dismissed at Appeal). The Simpsons FRA included a survey of the ground from Whistley Green to Wards Cross. The Simpsons Site Plan P23-1019-SK103 is reproduced below showing one of the indicative dwellings on the left with an AOD of 37.04m and a Finished Floor Level of 37.45m, an elevation of .4m. The present Application Site is a short distance to the right of the Plan and shows the same contour of elevation with an AOD of 37.04m and Calibro also show a minimum of 36.5m.



Map 3 Wider map view of site to show AOD contours



1.10 The Calibro FRA asserts that the Finished Floor Levels of the dwellings on the Application Site should be raised by only 0.15m above ground level at around 36.6m to 37.15 to avoid a risk of flooding. Simpsons TWA recommend a higher FFL of 37.45. Simpsons appear to have carried out a more extensive assessment and it is probable that as the proposed dwellings as the Application Site has the same AOD levels, the higher Finished Floor Level of 37.45m will have to be used.

1.11 Although a PiP cannot fix detailed building design, it is still necessary to consider the implications of the development parameters. If large modern houses were built on land already 0.5–1 m higher than Hogmoor Lane and then raised by a further 0.45 m to meet the recommended Finished Floor Levels, the resulting height and mass would be visually dominant. Such elevated buildings would overwhelm the surrounding traditional buildings, harm the Lane’s semi-rural character and irreversibly change the heritage setting, it would be contrary to Policies TB21 and TB26 of the MDDL P.

2 The Proposed Management of Water on the Site by Direct Drainage Offsite to the Hogmoor Lane Ditch

2.1 This PiP proposes two fundamentally different solutions to managing flood risk and drainage issues on the Application Site. The FRA by Calibro proposes in Paragraph 3.5.55 that “*The ditches and watercourses within the vicinity of the Site would assist with the management of water levels and drainage of groundwater before it it becomes a significant risk*”. The position set out by Calibro is not the same as that put forward by the Applicant in Paragraph 60 of the Application Letter which states “*As with the previous 2025 appeal, separate drainage details such as swales and basin would follow at the detailed TDC stage (and are indicated on the illustrative layout and the swale is shown beyond any tree buffer)*”. This point will be discussed.

- 2.2 There are two ditches bordering the Application Site, one to the north and the larger one in Hogmoor Lane to the east. Calibro apparently anticipate that any water on the Site will naturally drain towards the east because the Runoff Surface Water Flood mapping (RoSWF) does not identify mapped flooding in that area. Calibro appear to have assessed the capacity of the Hogmoor Lane ditch from topographical and Lidar studies only rather than from on-site measurements. At the time of the capacity assessment, they believed the ditch to be densely vegetated and so impossible to assess accurately.
- 2.3 The FRA does not recognise the presence of standing water and ponding on the field in wet weather neither has it provided and recorded greenfield runoff rates. There is no assessment of the infiltration performance of the soil which is known to be very low (according to Simpsons measurements) giving rise to increased surface water accumulation and offsite discharge. There appears to be no consideration of the increased runoff that will be caused by rainfall on impermeable surfaces such as house roofs, garages, sheds and hard standing. This increase in runoff rate from the area would effectively increase the rate of discharge from the Site and increase the flooding risk to areas downstream in Hogmoor Lane.
- 2.4 Importantly the FRA appears to misunderstand the details of ownership of the Hogmoor Lane drainage ditch. It has been confirmed by the Wokingham Borough Highways Authority that the area shown green on the WBC map below is Highways Authority land. Draining water from private land onto a ditch on WBC Highways land requires formal permission. Without consent any connection is an unlawful interference under Section 100 of the Highways Act 1980.
- 2.5 The Applicant may argue that Highway Authority consent and any Environment Agency permit can be secured later and that drainage details are not required at PiP stage. However, PiP demands that essential infrastructure is *deliverable in principle*. A strategy relying on third-party land and permissions that have neither been sought nor obtained is not deliverable. Any discharge into a highway ditch requires Highway Authority approval and potentially EA consent, so the drainage strategy remains speculative and cannot support a PiP..



2.6 Conclusion

The drainage proposal is fundamentally unsound as it relies on discharging surface water into a Highways-owned ditch that the Applicant does not control. A Permission in Principle cannot be granted where essential infrastructure depends on speculative third-party consent. Only the Highway Authority can authorise any connection to the highway drainage system under s.100 of the Highways Act 1980, and no such consent has been secured. Without it, the proposed outfall is not only uncertain but unlawful. The LPA is therefore entitled and obliged to regard the drainage strategy as undeliverable. A PiP cannot be issued where the applicant's chosen solution lies outside their ownership, outside their control, and outside the scope of lawful implementation.

3 The Proposed Management of Flood Risk by SUDS.

3.1 The Application letter Paragraph 60 states: *"As with the previous 2025 appeal, separate drainage details such as swales and basin would follow at the detailed TDC stage (and are indicated on the illustrative layout and the swale is shown beyond any tree buffer)*. It is understood that the TDC stage should only proceed once a PiP has been approved and detailed design issues are not considered until then. The swales and attenuation basin required for SUDS would occupy a substantial area within the red line boundary of the Site.

3.2 It appears from Paragraph 60 that the Applicant will not be expecting to use drainage ditches as indicated by Calibro but instead plan to instal a SUDS scheme with swales and an attenuation basin probably in the field to the west of the site. An attenuation basin would materially alter the character and amenity of the application site. It would introduce a permanent engineered feature

into what is proposed to be a residential setting, reducing usable space, creating a visually intrusive depression or fenced area and adding ongoing ownership, management and maintenance requirements. It would diminish the quality, safety and enjoyment of the residential environment

4. Safe Access and Egress.

4.1 As already noted, the FRA recommends in Paragraph 3.4.12 that the area of least flood risk to enter the Application Site would be the northeast which happens to be the location where the winter floods are situated. The FRA also suggests that a safe access route would be to the south of the Application Site. This appears impractical as the Site is bordered by the Hogmoor Lane ditch which is impassable.

5 Conclusion

The proposal fails to show that surface-water drainage can be managed safely or without increasing flood risk in an area already prone to flooding. The measures needed to keep the new dwellings safe particularly raising finished floor levels would elevate the buildings and introduce harmful visual and physical impacts in a sensitive location. On this basis, the scheme is not suitable for Permission in Principle.

Appendix E

Appeal Decision APP/X0360/W/25/3359898 – Land North of Broadwater Lane

Decision Dated: 17th October 2025



Appeal Decision

Hearing held on 6 and 7 August 2025

Site visits made on 6 and 7 August 2025

by T Burnham BA (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 17 October 2025.

Appeal Ref: APP/X0360/W/25/3359898

Land north of Broadwater Lane, Hurst Easting 479531 Northing 174133

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant outline planning permission.
 - The appeal is made by Mr Stuart Garnett (Shorewood Homes) against the decision of Wokingham Borough Council.
 - The application Ref is 240583.
 - The development proposed is outline application for proposed erection of 9no. dwellings and associated access.
-

Decision

1. The appeal is dismissed.

Preliminary Matters

2. Additional plans were submitted by the appellant at the appeal stage. The proposed site plan has been amended to be titled an illustrative site layout plan. An increased buffer zone is shown for T16, the plot 2 double garage is removed, plot 3 and 4 garages are changed to single garages and the plot 5 single garage is removed. The street scene has been re-labelled as illustrative whilst the site access arrangements have been re-labelled as proposed rather than potential.
3. Whilst it is not the purpose of the appeal process to evolve a scheme, the amendments are effectively only minor changes in wording to clarify their intended purpose as well as effectively proposing reductions to the scheme. As such the acceptance of those plans would not represent procedural unfairness to those with an interest in the scheme and I have considered those plans as part of the appeal.
4. The application is made in outline with all matters reserved except for access. Therefore, only the site location plan and plan detailing the access arrangements would form the approved plans. The other plans are illustrative. However, I was advised at the Hearing that those plans should be afforded substantial weight and much of the appellants case is made on the basis of the details of the scheme that are referenced within the illustrative plans. I have therefore considered the proposal on the basis of the scheme shown within the illustrative plans. The site plan shows that each dwelling would be served by one of three shared access points from Broadwater Lane.
5. The Council confirmed at the Hearing that it does not consider that the proposal would adversely affect the setting of nearby listed buildings. This is not the view taken by interested parties. The effect of the proposal on the setting of nearby listed buildings has been considered as a main issue.

Main Issues

6. The first main issue is whether Tree T14 can be considered veteran and the effect of the proposal on Trees T14 and T16. The second is the effect of the proposal on the setting of four nearby grade II listed buildings. These are known as Buttercups, Bower Cottage, Parkers Cottage and Elder Cottage. The third main issue is the effect of the proposal on the Village Centre (Hurst) Area of Special Character (AOSC).
7. The fourth main issue is the effect of the proposal on the character and appearance of the area with regard to the landscape. The fifth main issue is the suitability of the site for residential development having regard to the development strategy for the area including whether future occupants of the site would be reliant on private motor vehicles for access to day to day services and facilities.

Reasons

8. The site is located adjacent to Broadwater Lane from where Whistley Green can be located in one direction and Hurst in the other, the site being located outside of the Hurst/Whistley Green settlement boundary. The site is in agricultural use for the grazing of livestock. Two Oak Trees (T14 and T16) amongst other forms of planting are located close to the boundary of the site with Broadwater Lane. Residential properties are located opposite the site including the four listed buildings. Fields forming countryside interspersed with field boundary planting extend beyond the site to the rear.

Trees

9. The Council considers that the proposed northern and central accesses would significantly harm and lead to the degradation of trees T14 and T16. These are both English Oak Trees located between the appeal site and Broadwater Lane. It is common ground that the concerns of the Council with regard to trees relate to these trees only and that both trees are identified in the Wokingham District Veteran Tree Association Survey Map and the Woodland Trust Ancient Tree Inventory as veteran trees. The appellant considers only T16 as veteran.
10. The Framework¹ defines a veteran tree as a tree which, because of its age, size and condition, is of exceptional biodiversity, cultural or heritage value. T14 has an estimated age of 290 years with an estimated planting date of 1735. It has a girth of 4.8m which when referenced against the extract from Lonsdale² would see the tree fall within, albeit at the bottom of the light green shaded part of the chart labelled as veteran/notable. Therefore, T14 could be classed as veteran on account of its age and size.
11. The principal difference between the parties in terms of whether T14 should be classed as veteran is with regard to its condition. The appellants statement³ references that it is highly likely that there will be some decay at the base of the trunk albeit that this is not extensive or significant. It is further noted that T14 has vertical fluting of the trunk, one instance of delamination of wood high in the canopy and some minor deadwood. The deadwood was however at the time of the

¹ National Planning Policy Framework 2024.

² Detailed as figure 3 within SJA Trees Appeal Statement by Frank Spooner, April 2025.

³ SJA Trees Appeal Statement by Frank Spooner, April 2025, 4.2.37, 4.2.38, 4.2.40.

Arboricultural Impact Appraisal and Method Statement⁴ considered to be such an issue that the removal of deadwood over the road was considered a management recommendation.

12. My attention is further drawn to the Lonsdale Book⁵ and in particular p. 26/27 which is concerned with recognising ancient and veteran trees. Whilst it is clear that T14 does not have all the attributes listed, when I account for the above, I consider that there is nothing compelling within the evidence that excludes T14 from being considered veteran. I consider that a precautionary approach should be taken, and I consider that T14 should be considered veteran.
13. Regardless, the appellant indicates that a precautionary approach has been undertaken with veteran tree 'buffer zones' applied to both trees in any event and this is perhaps a reflection of the fine nature of the judgement with regard to the tree, a matter on which different experts in that field have not been able to agree.
14. The appellant maintained at the Hearing that the buffer zones around T14 and T16 do not need to be off set to account for the presence of Broadwater Lane which has the potential to have caused the growth of roots in an offset pattern.
15. However, the evidence indicates that a sewer was installed beneath it in 1975 and suggests that at least a 3m deep trench is likely to have been laid to accommodate this. This, combined with the generally inhospitable environment to tree roots provided by a metalled road, leads me to conclude that the tree roots are likely to have preferred the appeal site over the years in spite of its agricultural use and as such an increased buffer zone including an off-set should be provided as a result of the particular local characteristics to account for the likely spread of roots fostered by the particular location of this site.
16. Whilst I note the findings of the Tree Radar Root Investigations Report⁶, it was acknowledged at the Hearing that this survey method was unlikely to pick up on for example fine feeder roots. It is the case that upper levels of the soil often contain important roots for the health of a tree, and that mature trees are more at risk of decline and failure than young trees as a result of root damage.
17. I note the appellants position that standing advice does not suggest that buffer zones seek to protect all the roots of a tree. However, I consider that a cautionary approach should be taken here with regard to the buffer zones and subsequent protection of potential fine feeder roots.
18. The appellants evidence shows that if the buffer zones were to be off set, the central and western access would fall within these areas. The works associated with the construction of the accesses would subsequently be likely to result in the loss of roots within that area subsequently risking the health of T14 and T16, potentially leading to their deterioration. This potential harm would outweigh all of the suggested benefits put forward for the trees, relating to removal of the site from agricultural use, alleviation of soil compaction, habitat connectivity, management and succession planting.

⁴ Arboricultural Impact Appraisal and Method Statement, Land to NE of Broadwater Lane, Hurst, Technical Arboriculture, Kevin Cloud, October 2024.

⁵ Ancient Tree Forum/Woodland Trust - Ancient and other veteran trees: further guidance and management, David Lonsdale 2013.

⁶ Tree Root Mapping Report, Peter Barton Associates.

19. There would subsequently be conflict with Policy CC03 of the Wokingham Borough Managing Development Delivery Local Plan (2014) (MDLP) which states amongst other things that Development proposals should protect and retain existing trees. There would also be conflict with the Framework which states at paragraph 193 amongst other things that development resulting in the deterioration of irreplaceable habitats such as veteran trees should be refused, unless there are wholly exceptional reasons and a suitable compensation strategy exists. Those are not before me.

Listed buildings

20. Buttercups is a grade II listed C17 timber framed dwelling, later altered. I accept that a substantial degree of its significance can be attributed to its early date and survival of early fabric. It has a slight degree of visual separation from the appeal site by reason of its set back from Broadwater Lane and the tall timber fence which forms its front boundary treatment.
21. Bower Cottage is another grade II listed C17 timber framed house, later extended. A substantial degree of its significance can be attributed to its early date and fabric and the example it provides of a smaller vernacular box-framed cottage. As with Buttercups, it has a slight degree of visual separation from the appeal site by reason of a brick wall and hedging which forms its front boundary treatment.
22. Parkers cottage is a C18 property, later extended. A substantial degree of its significance can be attributed to the earlier part of the building and its fabric including a thatched roof. It only has very limited visual separation from the site as it is set forward close to Broadwater Lane. The boundary treatment appeared to have been formed of low brick wall and railing at the time of the Heritage Statement⁷.
23. Elder Cottage has C16 Origins, C17 fabric with further extensions dating from later periods. A substantial degree of its significance can be attributed to its early date and surviving fabric. It has more separation from the appeal site by reason of its position on Broadwater Lane which does not fully front the site.
24. I note that the site is separated from these properties by Broadwater Lane and accept that the evidence does not indicate associative links between the listed buildings and the appeal site. I also note that the setting of the listed buildings has suffered some erosion through the introduction of more modern infill development on this side of Broadwater Lane.
25. However, from Broadwater Lane, these buildings are currently experienced and perceived within a largely quiet, open and rural environment because of the character and appearance of the appeal site. There is nothing to indicate any history of development on the appeal site and it is likely that these buildings will have always been set against that backdrop. This relationship can be appreciated both from within the appeal site and from Broadwater Lane.
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

⁷ Asset Heritage Consulting, Heritage Statement, February 2024, p47.

the setting at the time the asset was constructed are likely to contribute particularly strongly to significance⁸.

27. That positive contribution would be significantly undermined through increased noise and activity on the site as well as the physical presence of nine well sized houses. 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.
28. The proposal would cause harm to the setting of Buttercups, Bower Cottage, Parkers Cottage and Elder Cottage. The arising harm to the significance of the assets would be less than substantial.
29. The harm would be towards the higher end within the less than substantial category for Bower Cottage & Parkers Cottage given they are fully opposite the appeal site and have a close relationship with it and because of the forward positioning of plots 6 and 7. The harm would be at the lower end within the less than substantial category for Buttercups given the development would be set further back at this end of the site and this would also be the case for Elder Cottage given its positioning slightly further along on Broadwater Lane not fully fronting the site.
30. Overall, there would be conflict with Policy TB 24 of the MDLP which amongst other things states that the Council will conserve and seek the enhancement of designated heritage assets in the Borough and their settings by requiring works to or affecting the setting of heritage assets to demonstrate that the proposals would at least conserve the important character and special architectural or historic interest of the building including its setting.
31. I must give considerable importance and weight to the desirability of preserving the setting of listed buildings. Harm should be weighed against the public benefits of the scheme.

AOSC

32. The AOSC, a non-designated heritage asset, encompasses part of Whistley Green and Hurst. Its significance in part sits with its buildings which are of a variety of ages, designs and materials including buildings and features that are designated and non-designated heritage assets in their own rights.
33. However, the AOSC also includes the land immediately on the boundary of the site adjacent to Broadwater Lane. Whilst the appeal site is not referred to as a component of the AOSC setting, details within the Historic Environment Topic Paper, where referring to this particular AOSC summarise amongst other things that Broadwater Lane is heavily vegetated on the stretch of road between Hurst Village and Whistley Green, with many mature trees and open fields on the northern side of the street. It can therefore be reasonably concluded that the planting on the boundary of the site including T14 and T16 makes a positive contribution to the significance of the AOSC as a backdrop which frames the buildings within it.
34. Whilst I note that the proposal would likely see the provision of substantial landscaping to the boundary as part of any approval, given the risk of deterioration

⁸ Historic England, The Setting of Heritage Assets, Historic Environment Good Practice Advice in Planning Note 3 (Second Edition) p4.

associated with the proposal to T14 and T16 on that boundary and the importance of those trees within the boundary planting, the proposal would subsequently cause moderate harm to the significance of the AOSC. The proposal would therefore conflict with Policy TB26 of the MDLP which amongst other things states that planning permission will only be granted for proposals affecting Areas of Special Character where they demonstrate that they retain and enhance the traditional, historical, local and special character of the area.

Landscape impact

35. The appeal site and the wider countryside beyond make for a pleasant backdrop to Broadwater Lane. The residential development on the opposite side of Broadwater Lane is largely continuous, linking Hurst and Whistley Green. This makes it difficult to assess when on the ground on this part of Broadwater Lane where these respective settlements begin and end meaning that there is no obvious gap between the two settlements in this particular location.
36. The Hurst River Terrace Landscape Character Area (HRTLCA) within which the site sits encompasses land from the A329 (M) to the south incorporating land a short distance to the north of Whistley Green.
37. Its key characteristics amongst other things include being a simple agricultural landscape of mainly arable farmland with pasture enclosed in relatively large straight-sided fields as well as being a rural and tranquil area. Its valuable landscape attributes amongst other things include the peaceful and open character of the undeveloped pastoral landscape. Amongst the key issues is demand for residential development increasing linear development along rural lanes and continuing to push towards the amalgamation of close settlements Whistley Green and Hurst impacting rural character.
38. The Landscape guidelines include amongst other things conserving the open and rural qualities of the landscape and maintaining the sparse settlement pattern of villages and dispersed farms through control of new development, avoiding further linear spread of development.
39. Considering the key characteristics, valuable attributes, key issues and guidelines of the HRTLCA against the characteristics of the site as described above, I consider that the proposals could be integrated into the landscape setting without any significant adverse landscape effects.
40. Whilst the appeal site is not currently within an area designated as a valued landscape, the Council has intentions to extend the Haines Hill valued landscape such that it would include the appeal site.
41. However, when referring to the Haines Hill Valued Landscape Narrative and a map which includes the appeal site, the Council's Valued Landscapes Assessment⁹ does not refer to the HRTLCA within which the appeal site sits despite referring to other landscape character areas. Whilst I note the site specific reassessment supplied by the Council¹⁰, on that basis, I am not confident that the appeal site should be considered as part of a valued landscape based on current evidence.

⁹ Wokingham Borough Council, Valued Landscapes Assessment, September 2024.

¹⁰ 240583 Land north-west of Hogmoor Lane Hurst Brief reassessment of Valued Landscape 13th September 2024.

42. Overall, in conclusion on this main issue there would be no significant adverse impact on the landscape. There would subsequently be no conflict with Policy TB21 of the MDLP which states that proposals must demonstrate how they have addressed the requirements of the landscape character assessment and shall at a minimum retain the condition, character and features that contribute to the landscape. Given my conclusions with regard to valued landscapes there would be no conflict with paragraph 187 which requires that planning decisions should contribute to and enhance the natural and local environment by amongst other things protecting and enhancing valued landscapes.

Development strategy

43. I noted that whilst the footpaths adjacent to the roads within Hurst are at some points narrow and require pedestrians to cross where only provided on one side it would nonetheless be entirely possible for future residents to access the primary school by walking to it. Further, I noted that the public house, the Elephant and Castle at Whistley Green was located close to the site. There is also a convenience store near to the site and although that is currently closed, confidence was expressed at the Hearing by various parties that this would be re-opening shortly.
44. Whilst bus services are somewhat limited, it was clarified at the Hearing that it would be entirely possible to, for example, catch a bus to Twyford, board a train, and arrive within central London in time for a day of work.
45. Therefore, whilst services and public transport options are more limited than would be the case within a more urban area, the development would not be for a large number of houses and those limited number of residents would have access to some services and facilities, whilst also being afforded the option of using an alternative means of travel to the car to access services and facilities elsewhere.
46. Nonetheless, there would be conflict with the development strategy for the area and with Policy CP9 of the Wokingham Borough Core Strategy (2010) (CS) along with Policy CCO2 of the MDLP which amongst other things seek to direct development to locations within settlement boundaries. The development is not of a type that is supported outside of development limits under Policy CP11 of the CS. The Council however could not articulate to me the harm that would arise from these policy conflicts at the Hearing and I afford limited weight to the conflict with these policies.

Other Matters

47. The proposal is accompanied by a planning obligation under S106 along with a unilateral undertaking. They include provision for an offsite affordable housing contribution of £250,000, Biodiversity net gain at 42.78% habitat units and 137.84% hedgerow units (minimum), pedestrian route, management company, SUDS and drainage. These address matters in the Councils refusal reasons 7-10 which related to the absence of a completed legal agreement to deal with these matters.
48. The evidence indicates that the provisions within the planning obligations are necessary to make the development acceptable in planning terms. They are

directly related to the development and fairly and reasonably related in scale and kind. They therefore meet the relevant tests¹¹.

49. The Councils Five Year Housing Land Supply (5YHLS) was originally agreed at 1.7 years as common ground. At the Hearing, the Council revised its 5YHLS supply position to 2.5 years. The 5YHLS therefore falls within a range of between 1.7 and 2.5 years. The Council cannot demonstrate a 5YHLS.
50. I have considered the appeal decisions that have been brought to my attention where relevant to the main issues. However, I do not consider that any of those appeals relate to exactly the same circumstances as those which are very particular to this site before me which limits the weight that I afford to them.

Planning Balance

51. Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that planning applications are determined in accordance with the development plan unless material considerations indicate otherwise.
52. There would be public benefits to the scheme. These would include the provision of 9 houses within a location that would not be unsustainable for a limited housing scheme. There would be an affordable housing contribution of £250,000. There would be a boost to housing supply within the context of a 5YHLS with a range between 1.7 and 2.5 years. This benefit is tempered given the limited number of houses proposed. Nonetheless, I afford these matters significant weight.
53. The properties could incorporate more sustainable methods of heating and power, with reduced water consumption and would offer support to a small and medium housebuilder. There would be direct and indirect economic benefits of the type which would normally always be associated with a development of this scale. There would be biodiversity net gain of 42.79% in habitat units and 137.84% for hedgerow units. The development would provide a contribution towards CIL at a rate of £551.02 per m². These benefits are afforded moderate weight.
54. There would be the provision of a pedestrian route onto Hogmoor Lane to provide some increased accessibility in the area, although the real world benefits of this are likely to be limited given the simplicity of the existing route. I afford this matter limited weight.
55. Set against the benefits, I have found that the construction of the accesses would risk the health of T14 and T16 which can be considered as veteran, potentially leading to their deterioration. Even were I to take a less cautious approach and only consider T16 as veteran as is common ground between the main parties, the offset buffer zone for that tree would include both accesses in any event. The conflict with Paragraph 193 of the Framework would remain.
56. I have found that the proposal would cause less than substantial harm to the significance of four grade II listed buildings. For Bower Cottage & Parkers Cottage the harm would be at the higher end of the spectrum within the less than substantial category and in respect of Buttercups and Elder Cottage the harm would be at the lower end of the spectrum within the less than substantial category. The harm would not be outweighed by the arising public benefits and there would be conflict with the Framework.

¹¹ Within Paragraph 58 of the National Planning Policy Framework 2024.

57. I have also found that the proposal would harm the significance of the AOSC and I have taken this into account.
58. The benefits would not outweigh the harms even on the basis that I was to agree with the appellant that the 5YHLS of the Council is 1.7 years and subsequently recognise the boost to housing supply within that context.
59. Given my findings with regard to irreplaceable habitats and designated heritage assets the application of Framework policies relating to those matters provide clear reasons for refusing the development proposed. The proposal does not therefore benefit from the presumption in favour of sustainable development.
60. The proposal would conflict with policies CC03, TB24 and TB26 of the MDLP. I afford the conflict with these policies substantial weight given their broad alignment with the Framework.
61. The proposal would conflict with the development plan and there are no material considerations which indicate a decision should be made otherwise than in accordance with it.

Conclusion

62. For the reasons given above the appeal should therefore be dismissed.

T Burnham

INSPECTOR

APPEARANCES

FOR THE APPELLANT:

Matthew Henderson (of Counsel)

Mr Garnett

Stuart Graham Crickett (Planning Balance)

Gregory George Henry Nightingale (Ecology)

Francis Paul Spooner (Arboriculture)

Chris Jenkinson (Landscape)

Sarah Lucille Watt (Heritage)

Stacey Gander (Transport)

Mark Breen (Viability)

FOR THE LOCAL PLANNING AUTHORITY:

Benjamin Hindle (Wokingham Borough Council)

Mark Croucher (Wokingham Borough Council)

Chris Hannington (Landscape/Arboriculture)

Keith Frost (Built Heritage Officer)

Duncan Fisher (Ecology)

Benjamin Amey (Highways)

INTERESTED PARTIES:

Sebastian Charles

Edward Levy

Mr Manning

Ivor Fiennes

Penny Curry

Andrew Butler

Councillor Conway

Hal Appleyard

Jeremy Lade

Tony King

Jonathan Norris

DOCUMENTS SUBMITTED AT HEARING:

Appeal Decision Letter Ref: APP/C1435/W/24/3357954

Continuum Independent Viability Assessment Land North of Broadwater Lane, Hurst for Wokingham Borough Council (Local Planning Authority) June 2025

Draft Planning Obligation

Plan of 1998 application site for 5 houses

DOCUMENTS SUBMITTED AFTER HEARING:

Viability Note

Savills Financial Viability Assessment Report

Continuum Independent Viability Assessment

Monaghans Review of Cost Appraisal Prepared for Shorewood Homes Dated April 2025

Email from Continuum July 2025

Continuum Development Appraisal 1 Aug 2025

Completed planning obligations

Appendix F

Appeal Decision APP/X0360/W/25/3359928 – Land at Heathlands Road

Decision Dated: 24th September 2025

Appeal Decision

Hearing opened on 18 June 2025

Site visit made on 13 August 2025

by David Prentis BA BPI MRTPI

an Inspector appointed by the Secretary of State

Decision date: 24th September 2025

Appeal Ref: APP/X0360/W/25/3359928

Land at Heathlands Road, Wokingham RG40 3AR

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant outline planning permission.
 - The appeal is made by Maverick Properties Ltd against the decision of Wokingham Borough Council.
 - The application reference is 240831.
 - The development proposed is an outline application for the redevelopment of the site for 49 dwellings with associated access, infrastructure, open space and landscaping (All matters reserved except means of access into the site).
-

Decision

1. The appeal is dismissed.

Applications for costs

2. An application for a partial award of costs was made by Maverick Properties Ltd against Wokingham Borough Council. An application for a partial award of costs was also made by Wokingham Borough Council against Maverick Properties Ltd. These applications are the subject of separate decisions. The applications were made at the Hearing. I arranged a procedure for responses and final comments to be made in writing at later dates.

Preliminary matters

3. The Hearing sat for 3 days on 18 and 19 June 2025 and on 12 August 2025. Due to the lack of a suitable venue, Day 3 was conducted as a virtual session. With the agreement of the parties, I carried out an unaccompanied site visit on 13 August 2025.
4. The application was submitted in outline with only the means of access to be determined at this stage. Appearance, landscaping, layout and scale would be reserved matters. The application was supported by an indicative masterplan which was updated during the appeal process, together with 3-D visualisations. I have had regard to this material, taking account of its illustrative status.
5. On Day 1 the appellant sought to introduce a number of additional documents. Having had an opportunity to consider these before the Hearing resumed on Day 2, the Council indicated that it was content for some of them to be accepted.¹ However, I considered that documents relating to the calculation of buffer zones and root protection areas around an oak tree² introduced new technical material

¹ HD8 to HD13

² HD14 to HD18

that the Council would need more time to consider and comment on. I therefore instituted a written procedure for comments on this material. As things turned out, the Hearing was not completed on Day 2 and the written procedure took place during the adjournment.

6. When the Hearing resumed on Day 3, I pointed out that both the Council and the appellant had submitted further evidence on various matters that were not included in the written procedure that I had put in place. However, I considered that any potential procedural unfairness had been addressed by the fact that this had been a two stage process and also because, by then, common ground had been reached on what the buffer zone would be if either the Council's or the appellant's approach were preferred. The Council and the appellant agreed that, in all the circumstances, it would be appropriate for me to take account of the documents submitted during the adjournment on the basis that they did not change any written or oral evidence given on Day 1 and Day 2. They were to be read as additional information alongside that evidence. I have taken the adjournment documents into account on that basis.
7. Discussions on a section 106 Agreement (the Agreement) continued during the Hearing. I allowed a period following the Hearing for the document to be signed. The completed version of the Agreement was the same as that discussed on Day 3. It includes financial contributions relating to:
 - allotments;
 - bus stop improvements;
 - bus service enhancements; and
 - off-site sports facilities.
8. The Agreement also includes the following provisions:
 - 40% of the dwellings would be delivered as affordable housing, of which 70% would be social rented housing and 30% would be shared ownership housing;
 - an open space scheme would be submitted for the approval of the Council, together with arrangements for securing public access to the open space and for future management and maintenance. The Agreement would provide either for the delivery of a local equipped area for play on site or for a financial contribution to off-site play areas;
 - either an employment and skills plan would be submitted for the approval of the Council or there would be a financial contribution to employment and skills initiatives;
 - the estate roads would be constructed to adoptable standards, either subject to a highways agreement or for subsequent transfer to a management company;
 - arrangements for implementing and monitoring biodiversity enhancements associated with the Biodiversity Gain Plan, Habitat Monitoring and Management Plan and Compensation Habitat Scheme, including payment of a monitoring fee to the Council;

- arrangements for securing off-site suitable alternative natural greenspace to mitigate impacts on the Thames Basin Heaths Special Protection Area (TBH SPA), together with a financial contribution to strategic access management and monitoring; and
 - submission of a travel plan, together with arrangements for implementing and monitoring the plan and a financial contribution to monitoring by the Council.
9. The Council submitted a statement of compliance with Regulation 122 of the Community Infrastructure Levy Regulations 2010. This explained the policy basis for the various obligations and set out how the financial contributions had been calculated. The obligations were not controversial and no party at the Hearing suggested that any of them would not comply with Regulation 122. I comment below on the weight to be attached to the obligations relating to bus stops, bus service enhancements and the travel plan. Otherwise, I see no reason to take a different view in relation to the obligations and I have taken them into account accordingly.
10. The Agreement resolved reasons for refusal (7) (affordable housing), (8) (employment and skills training), (9) (public open space and estate roads) and (10) (TBH SPA). These reasons for refusal were not pursued at the Hearing. Reason for refusal (3) referred, in part, to the Gorrick Plantation Local Wildlife Site. This part of the reason for refusal was not pursued but the Council maintained its objection in relation to species of principal importance.

Main issues

11. The main issues are:

- a) whether the appeal site is an appropriate location for the proposed development, having regard to the spatial strategy of the development plan;
- b) the effect of the proposal on the character and appearance of the area;
- c) the effect of the proposal on trees;
- d) the effect of the proposal on biodiversity;
- e) whether the appeal site is in a location that is, or can be made sustainable, through limiting the need to travel and offering a genuine choice of transport modes; and
- f) whether the proposal would provide satisfactory living conditions for future occupiers.

Reasons

Spatial strategy

12. The development plan includes:

- Wokingham Borough Council Core Strategy (adopted 2010) (CS); and
- Wokingham Borough Managing Development Delivery Local Plan (adopted 2014) (MDD).

13. The Central and Eastern Berkshire Minerals and Waste Plan (adopted 2023) also forms part of the development plan, although it does not contain any policies relevant to the appeal. Saved Policy NRM6 of the South East Plan, which deals with the TBH SPA, is referred to below. The Local Plan Update: Proposed Submission Plan was published in September 2024 and the Regulation 19 consultation was closed in November 2024. At the time of the Hearing the plan had been submitted for examination but no hearing dates had been set. I consider that only limited weight can be attached to the policies of the Local Plan Update (LPU), given the stage that the examination has reached.
14. CS Policy CP9 states that the scale and location of development proposals must reflect the level of services and facilities at the location. Development proposals within development limits will be acceptable in various major, modest and limited development locations which are identified in the policy. It was common ground that the application site is not within any of those locations and is located outside of the development limits, within the countryside. It would therefore be contrary to the spatial objectives of the development plan and in conflict with Policy CP9.
15. CS Policy CP11 states that proposals outside development limits will not normally be permitted except where certain exceptions apply. It was common ground that the appeal scheme does not meet any of these exceptions. Nevertheless, the appellant argued that the use of the word “normally” would enable development to be permitted in accordance with CP11 where it would be consistent with the purposes of the policy. The purposes of the policy are to protect the separate identity of settlements and to maintain the quality of the environment. The Council accepted that the appeal scheme would not harm the separate identity of settlements and I share that view. However, the Council maintained that the proposal would be harmful to the environment. I agree, for reasons which are explained below. Looking at CP11 as a whole, I consider that the appeal scheme would be in conflict with this policy.
16. MDD Policy CC02 states that development limits for each settlement are defined on the Policies Map. As noted above, it was agreed that the site is outside any such limits. The statement of common ground records the appellant’s acceptance that there would be conflict with Policy CC02. At the Hearing, the appellant suggested that the policy allows for some flexibility and that the proposal would respect the transition between the built up area and the countryside. Whilst this is a factor mentioned in part (2) of Policy CC02, it is mentioned in the context of proposals that are at the edge of settlements but within development limits. The proposal therefore gains no support from this part of the policy.
17. Not only is the site outside any development limits, it is also not adjacent to any defined settlement. It is well separated from Crowthorne, which is the nearest settlement. The appellant drew attention to the LPU, which is seeking to extend the development limits to the south of Wokingham, around 1.6km to the north of the appeal site. I saw that development is in fact underway in parts of this area. However, the appeal site is physically separate from the urban area of Wokingham.
18. The appellant also argued that the development limits of Crowthorne should be amended through the LPU process to include a site called Pine Copse, together with ribbon development along Nine Mile Ride to the south and south west of the appeal site. If that were done, the appeal site would be adjacent to the settlement limits of Crowthorne. I attach very little weight to this suggestion. The site is not

within the settlement boundary as defined in the development plan, nor is there any such proposal in the LPU. It is not for me to comment, in this appeal decision, on matters which may be considered through the LPU examination process.

19. To my mind, the proposal would be poorly located in relation to the existing pattern of development, having no obvious relationship with existing settlements.
20. A recent appeal decision relating to land adjacent to Blagrove Lane, Wokingham,³ found that CS Policies CP9 and CP11 and MDD Policy CC02 are out-of-date because the CS was based on the housing requirements of the South East Plan, prior to the first publication of the National Planning Policy Framework (the Framework) in 2012. The CS has not yet been updated and the housing requirement has increased with the introduction of the standard method. The Council and the appellant agree that, taking account of the latest standard method (December 2024) and the latest supply position, the total deliverable housing supply demonstrated in the 2025 five year housing land supply position statement is 2.5 years⁴. I agree with the Blagrove Lane Inspector that Policies CP9, CP11 and CC02 are inconsistent with the delivery of the level of housing that is required by the Framework. I also agree that this does not mean that any conflict with these out-of-date policies should carry little or no weight. Weight is to be determined the light of the particular circumstances of this appeal.
21. I conclude that this is not an appropriate location for the proposed development, having regard to the spatial strategy of the development plan. It would conflict with Policies CP9, CP11 and CC02. The proposal would be poorly located in relation to the existing pattern of development.

Character and appearance

22. The appeal site extends to around 2ha, mainly comprised of open grassland, located to the west of Heathlands Road. There are some trees along the boundary to Heathlands Road, together with the stools of two large oak trees (referred to as Oak 1 and Oak 2 at the Hearing). To the north east, there is a detached house and garden known as Sulby Croft. The rest of the northern boundary adjoins woodland forming part of Gorrick Plantation, a local wildlife site. There is a woodland belt to the west of the site, beyond which there are playing fields and tennis courts. To the south, there is a block of woodland, a cemetery and St Sebastian's School. The trees around the site boundaries, including Oak 1 and Oak 2, are covered by a Tree Preservation Order (TPO).⁵ There is some ornamental planting in the northern part of the site which is not covered by the TPO.
23. To the east, on the opposite side of Heathlands Road, is a development of 16 houses set in landscaped grounds (Heathlands Court). The wider surroundings include areas of woodland, to the north and south of Nine Mile Ride. There is ribbon development along the north side of Nine Mile Ride, to the west of its junction with Heathlands Road. There is also a loose cluster of houses along Hatch Ride, to the north east of the appeal site, and some individual detached houses accessed from Heathlands Road.

³ APP/X0360/W/24/3354667 – Appendix 42 to the Council's Statement of Case

⁴ For the period 1 April 2025 to 31 March 2030

⁵ Tree Preservation Order 1961/2024 was made on 21 March 2024 and confirmed on 16 September 2024

Whether the appeal site forms part of a valued landscape

24. The Framework states that planning decisions should contribute to and enhance the natural and local environment by protecting and enhancing valued landscapes. Whilst this is to be done in a manner commensurate with their identified quality in a development plan, the appellant accepted that it is not necessary for a valued landscape to be designated in a development plan for it to be treated as such for development management purposes.⁶ The appellant considers that the site has a medium-high level of landscape value, which is below the level of a valued landscape.
25. The Council has produced a Valued Landscape Assessment (2022) (VLA) which assesses landscapes across the borough with a view to identifying areas that may be designated as valued landscapes in the LPU. The appeal site is within the Forest and Rides Valued Landscape, as proposed in the LPU. For the reasons given above, I attach limited weight to the proposed designation. Moreover, it is not for me to comment on whether this area ought to be designated as that will be a matter for the LPU examination. However, it is necessary for me to form a view on whether the attributes on the ground indicate that this should be regarded as a valued landscape for the purposes of this appeal. In making that assessment, I have taken the VLA into account, together with the other evidence before the Hearing.
26. The site is within the M1: Finchampstead Forested and Settled Sands Landscape Character Area (LCA) of the Wokingham Borough Landscape Character Assessment (2019). The character is described as that of an elevated plateau characterised by its densely wooded context, which creates a strong sense of enclosure. The assessment notes that low density settlement is arranged along linear rides or in the settlements of Finchampstead and part of Crowthorne. The key characteristics are said to include large swathes of interconnected forestry and woodland which dominate the area, long straight roads such as Nine Mile Ride (which originated as historic rides through the then open landscape of the Royal Forest of Windsor), a strong settlement character, with a low density pattern of detached houses lining the historic rides, good public accessibility and localised areas of remoteness within woodlands which provide a sense of tranquillity.
27. This assessment of the LCA was not disputed by the appellant and it is consistent with what I saw on my visit to the area. However, the appellant sought to distinguish the character of the immediate surroundings of the appeal site from that of the wider LCA, drawing attention to various developments that have taken place. I have noted above the residential development at Heathlands Court. That development is enclosed within extensive well-treed grounds, such that it has very little impact on the character and appearance of the locality. I saw that there is a block of apartments at St Sebastian's Court, facing Nine Mile Ride, which replaced a former public house. There is also a cul-de-sac of semi-detached houses at Grove Close, a little further along Nine Mile Ride. Those dwellings are sited well back from Nine Mile Ride and are set within generous plots.
28. To my mind, the existence of some different development typologies in the locality does not significantly alter the predominant settlement pattern, which is a low density pattern of detached houses lining the historic rides. The detached houses

⁶ Inspector's note – this was confirmed by Mr Kirkpatrick in answer to my question. It is consistent with the approach of Inspectors in various appeal decisions set out in Appendix CH10 to the Council's Landscape Statement of Case

closest to the appeal site are contained within large and well-treed plots, set back from the road frontages. As one moves through the locality, the defining characteristics are the dominance of forestry and woodland and the distinctive character of the straight rides. These provide long views, framed by trees, through a generally enclosed landscape. In my view the appeal site and its surroundings are characteristic of the LCA of which they form a part.

29. The Council considers that Heathlands Road is a historic ride, which is representative of the more open hunting landscape that preceded the forestry plantations of the 19th and 20th centuries. The appellant disagrees, relying on the Ordnance Survey Old Series Map 1816 – 1830 which does not show a road or track here. However, the more detailed Berkshire Inclosures Map of 1817 does show a road or track where Heathlands Road is today. Moreover, a similar road is shown in earlier maps such as Roques map of 1761 and Prides map of 1790. It is also shown on the later Henry Walter map of 1823. On the balance of the evidence, I consider that Heathlands Road should be regarded as being a historic ride. In any event, even if it is not, it has the landscape character of historic rides such as Nine Mile Ride.
30. The Guidelines for Landscape and Visual Assessment include a range of factors that can help in the identification of valued landscapes. I have made my own assessment of the site and its surrounding landscape having regard to those factors. The LCA notes that the condition of the landscape in area M1 is good, due to the well-managed nature of the woodlands. The area has undoubted scenic quality, with its swathes of interconnected forestry and woodland, interspersed with more open areas (such as the appeal site), together with the long, straight roads such as Nine Mile Ride and Heathlands Road. These roads form strong and distinctive elements in the landscape. They are representative, in that they recall the historic use of the area as a royal hunting ground. Moreover, they are also representative of the landscape as it has evolved since the early 19th century.
31. Features of conservation importance in the locality include the Heath Lake Site of Special Scientific Interest and the Gorrick Plantation Local Wildlife Site. There are ancient and veteran trees at Ravenswood Park, which is also of cultural importance as a historic park and garden. The LCA notes that the area has good public accessibility for informal recreation via a network of footpaths and bridleways. Perceptually, footpaths, bridleways and access land enable people to experience localised areas of remoteness. In terms of historical associations, the landscape is particularly associated with Queen Anne and King George III, who used the carriage rides to watch hunting.
32. Drawing all this together, I consider that the attributes I have identified are such that, for the purposes of this appeal decision, the landscape around the appeal site should be regarded as a valued landscape in the terms of paragraph 187(a) of the Framework. Not all of the attributes are found within the appeal site itself. For example, there are no nature conservation designations within the site, nor is there any public access to it. Nevertheless, the site is an integral part of the surrounding landscape that does contain those attributes. Moreover, the open grassland of the site, which contrasts with the fine trees adjoining it, is characteristic of that landscape and makes a positive contribution to it.

The effect of the appeal proposal

33. The appellant has provided an updated indicative masterplan (UIM), together with 3-D visualisations, which help to show the effect of accommodating the amount of development proposed on the appeal site. I appreciate that the UIM shows only one way in which the site could be laid out. Nevertheless, it is a detailed plan, which has no doubt been produced with due professional care to show a realistic scenario. The site would be transformed from open grassland to a medium density residential estate in which most of the land would be taken up with buildings, roads, driveways, footways, verges and private gardens. This would be an essentially urban form of development, incorporating terraced housing and some apartment blocks, arranged to front the estate roads.
34. The surroundings are rural in character, albeit that some settlement is readily apparent with a low density pattern of detached houses lining the historic rides. The scale, form and character of the proposed development, which would include development in depth extending far back from Heathlands Road, would stand in stark contrast to the predominant settlement pattern. It would appear out of keeping and would cause significant harm to the character and appearance of the area.
35. The appellant submitted a landscape and visual assessment which concluded that there would be a low magnitude of adverse landscape impact on LCA M1 in year one, reducing to neutral by year fifteen. The assessment found that there would be medium visual impacts in year one for users of Heathlands Road, visitors to the cemetery and for houses to the south of the site. These effects would reduce to low by year fifteen. However, I consider that the appellant's assessment has understated both landscape and visual impacts in year one and has overstated the extent to which these impacts would reduce over time. This is partly because, on the appellant's assessment, this is not thought to be a valued landscape. However, I consider that the appellant has also placed too much reliance on the effects of existing trees and on new tree planting.
36. Although there are large trees adjoining the site to the north, west and along part of the southern boundary, there are few large trees within the site. Following the felling of Oak 1 and Oak 2, which is discussed below, the remaining trees along the road frontage provide only a thin screen. This would be breached by the construction of the proposed access road which, together with its footways and junction radii, would open up views into the site. The extent of development in depth would be readily apparent in such views. The trees along the northern boundary of the cemetery are relatively small, with gaps between them. There are clear views through in summer and this boundary would be quite open in winter.
37. The UIM does not show extensive new planting along either the southern boundary or the eastern boundary. This is unsurprising because there is a lack of space for such planting. Amended layouts were submitted during the Hearing, which showed how the UIM might be amended to allow for buffer zones around Oak 1 and Oak 2. Whilst such buffer zones would provide green space on the site frontage, it seems unlikely that trees would be planted here due to the need to allow Oak 1 to regenerate.
38. Planting within private gardens cannot be relied on because future occupiers would have control over what, if anything, is grown there. Therefore, the main scope for tree planting would be street trees and planting within any public open spaces.

Whilst planting street trees is to be welcomed, the species selected would need to be compatible with a location in the public realm close to housing. Such trees would need to be clear stemmed with relatively compact crowns. It may be that public open space would provide scope for a few larger trees but this is unlikely to be sufficient to alter my conclusion, which is that the amount of development proposed would not leave sufficient space for significant tree planting, other than street trees. Consequently, I do not think that either the landscape or the visual impacts would change much over time. Moreover, even if there was more screening, hiding the scheme would not change my finding that the scale, form and character of the proposal would be out of keeping with its surroundings and would result in the loss of an area which makes a positive contribution to a valued landscape.

39. The Council and the appellant submitted various calculations of housing density on individual sites or areas. However, such calculations are dependent on the precise area chosen. I have attached greater weight to my assessment of the character and appearance of the relevant sites and areas on the ground.
40. I acknowledge that views of the scheme would be limited to the area around the site by adjoining woodland. However, landscape is experienced in a kinetic way by those living in and moving through the locality. The scale, form and character of the proposed development would be apparent to those living close to the site and to those passing by.
41. My conclusions on these matters stem from the amount of development proposed rather than the particulars of the UIM. I see no reason to think that an alternative layout for the same amount of development would have any less impact.

Conclusions on character and appearance

42. For the reasons given above, I conclude that the proposal would cause significant harm to the character and appearance of the area. It would fail to protect or enhance the valued landscape which it would be located within. This would be contrary to paragraph 187(a) of the Framework.
43. The appeal scheme would conflict with CS Policy CP3, which states that proposals should contribute to a sense of place in the way they integrate with their surroundings, and with Policy CP11 which seeks to protect the quality of the environment. It would also be contrary to MDD Policy TB21, which seeks to retain or enhance the character of the landscape, and with Policy CC03 which promotes the integration of development proposals with adjoining countryside.

Trees

Oak 1 and Oak 2 – background

44. Oak 1 and Oak 2 were large oak trees standing within the appeal site close to the boundary with Heathlands Road. Both trees were felled⁷ on or around 2 March 2024. The trees were cut at a height of around 0.9m above ground level. The Council made a TPO on 21 March 2024. There is no dispute that, as the stools were still alive at the time the TPO was made, they are subject to it. The planning application which is the subject of this appeal was submitted on 28 March 2024.

⁷ Inspector's note – the Council and the appellant disagree over whether the term "felled" or "coppiced" should be used. To my mind it does not matter which term is used. There is no dispute that most of each tree was cut down but the stool remains and is alive.

The stools remained in place at the time of my site visit and new shoots were growing from them.

45. The Council considers that Oak 1 is a veteran tree which was felled in order to facilitate the proposed development. On that basis, the Council argued that the proposal is contrary to paragraph 193(c) of the Framework which states that:

“development resulting in the loss or deterioration of irreplaceable habitats (such as ancient woodland and ancient or veteran trees) should be refused, unless there are wholly exceptional reasons and a suitable compensation strategy exists.”

46. The appellant stated that both trees were removed due to concerns for the safety of persons using Heathlands Road, because they had been shedding deadwood onto the highway. This was unrelated to the application so paragraph 193(c) was not engaged. The appellant also argued that Oak 1 was not a veteran tree, a matter that I shall return to below.
47. Whilst I appreciate that the trees were removed shortly before the planning application was submitted, the appellant gave evidence in person to explain the sequence of events leading up to the tree works on or around 2 March 2024. The appellant also submitted a statement from Pineridge Tree Care, who carried out the works, which set out their involvement from October 2023 onwards. Having regard to that evidence, I conclude that the works were carried out because of safety concerns. It follows that paragraph 193(c) was not engaged at that time. The Council argues that it was not necessary to fell the trees and that any safety concerns could have been addressed in a less drastic way. However, as the tree works were not a result of the proposal that is before me, it is not necessary for me to comment on that matter.

Is Oak 1 a veteran tree?

48. There is no dispute that, if Oak 1 was a veteran tree at the time it was felled, then it is still a veteran tree now because the stool is alive. The Framework defines ancient or veteran trees as those which are of exceptional biodiversity, cultural or heritage value because of their age, size and condition. The first point to note is that Oak 1 was identified as a veteran tree in the national Ancient Tree Inventory at the time it was felled. At the Hearing, the appellant sought to downplay the significance of the inventory. I appreciate that survey information may be estimated where surveyors do not have access to the land. Nevertheless, Government standing advice on veteran trees and development advises developers to use the inventory to help decide whether a proposal will affect ancient or veteran trees. To my mind identification of a tree in the inventory is an important starting point, although not necessarily determinative where there is clear evidence to the contrary.
49. Age and size are closely related. Guidance published by the Woodland Trust includes a chart which relates the girth of a tree to age and classification.⁸ Girth is normally measured at 1.5m above ground level. This presents a practical problem when a tree has been felled. On 22 May 2025, the Council measured the stool and found the diameter to be 1.8m. On 10 June 2025, the Council made a further site visit and measured the girth of the stool to be 5.78m. At the Hearing, the Council

⁸ Figure 1.3 - Ancient and other veteran trees: further guidance on management (Appendix CH05 to the Council's Statement)

pointed out that the measurements were taken at 0.9m above ground level, above the root flare. Therefore, it was suggested, these measurements were unlikely to be much different from what they would have been at 1.5m. In addition, the Council produced a photograph from before the tree was felled which indicates that the tree did not taper much, if at all, above the root flare.⁹

50. The appellant's Compensatory Strategy for the Loss of Irreplaceable Habitat states that their tree consultant measured the diameter of the stool to be 1.5m and, on this basis, estimated that the diameter at 1.5m above ground level would have been 1.4m. This would equate to a girth of 4.3m. However, at the Hearing, the appellant's tree consultant stated that he had not measured the stump but had measured the actual diameter at 1.5m above ground to be 1.4m.¹⁰ Apart from the obvious inconsistency in the appellant's evidence, there is a further difficulty in that the only survey information before the Hearing from before the tree was felled was an arboricultural report dated 29 February 2024. However, the plan attached to that report is dated 19 March 2024 and does not appear to show Oak 1. The appellant was unable to provide any explanation for this discrepancy. I attach very little weight to the measurements contained in the schedule to the arboricultural report of 29 February 2024 because there is no corresponding plan to relate those measurements to any particular tree.
51. I saw the stool of Oak 1 on my site visit. Whilst it is not for me to make independent measurements, from what I saw the Council's measurements seem reasonable.
52. The appellant's evidence included an email from a second consultant (Mr Muir). However, there is no indication that Mr Muir ever saw the tree in question, either before it was felled or afterwards. Mr Muir bases his comments on the estimate of the girth of the tree made by the appellant's tree consultant, which I have commented on above. I therefore attach very little weight to this email.
53. Overall, I attach greater weight to the Council's evidence on this matter. With the trunk having been removed, it is not possible to achieve certainty. Nevertheless, I consider that the Council's figures are the best evidence before the Hearing, with the proviso that they may be a slight over-estimate as the tree may have tapered a little between 0.9m and 1.5m above ground level. Applying those figures to the chart referred to above, taking account of the fact that they may be a slight over-estimate, indicates to me that the girth of Oak 1 is consistent with it being a veteran tree.
54. With regard to the condition of the tree, the statement from Pineridge Tree Care referred to above notes the owner's concern about branches falling into the road in October of 2023. The appellant's arboricultural statement of fact refers to the situation in late February 2024, recording that Oak 1 and Oak 2 had shed significant diameter branches into the road. The appellant's tree consultant noted that they had significant decay in their major scaffolds. After the trees had been felled, the Council's landscape officer noted the presence of brown rot in the stool, although the trunk was not hollowed out.
55. Drawing all this together, I conclude that Oak 1 was a veteran tree when it was felled and that the stool is a veteran tree now.

⁹ Appendix 44 to the Council's statement – Image 5

¹⁰ Inspector's note – in answer to my question, Mr Harper stated that he would not measure a stump and that he had measured the tree at the correct height

The effect of the proposal on Oak 1

56. Although the application is in outline, access is not a reserved matter. The proposed site access design includes a 2m footway along the site frontage. I saw on my visit that such a footway would come very close to the stool of the tree. There would be a need to excavate into the rooting area in order to construct the footway. However carefully that were done, there would be further impact on a tree that has already been impacted by the felling that has taken place.
57. As discussed below, the presence of Heathlands Road is likely to have affected the way the tree roots have grown. Nevertheless, I saw that the footway would impact ground that is not currently hard surfaced. Even allowing for the possibility of localised narrowing of the footway to 1.5m, in my view this would cause significant further harm. Moreover, it would be necessary to cut back any shoots on the road-facing side of the stool in order to allow pedestrians to use the footway. This would hinder the restoration of the stool, as proposed in the appellant's Compensatory Strategy for the Loss of Irreplaceable Habitat.
58. The stool is irreplaceable habitat in the terms of paragraph 193(c) of the Framework. Construction of the footway would result in deterioration of that habitat which should only be permitted if there are wholly exceptional reasons and a suitable compensation strategy exists. The appellant advanced the argument that the need to protect users of Heathlands Road from falling branches amounted to a wholly exceptional reason. That may or may not have been a sound argument in relation to the felling of Oak 1. However, as explained above, the felling took place before the planning application that is before me was submitted. This argument cannot apply in circumstances where the tree has already been removed so there is no threat to road users. The deterioration that would flow from the appeal scheme would facilitate the construction of a footway to serve proposed housing. To my mind that is a commonplace reason, far from the wholly exceptional reasons contemplated in the Framework.
59. The appellant's Compensatory Strategy for the Loss of Irreplaceable Habitat seeks to address the felling of Oak 1. The evidence does not address compensation for the deterioration of habitat that would arise from construction of the proposed footway. If it had been necessary, I could have sought further information on that point. However, the Framework makes clear that suitable compensation is required in addition to wholly exceptional reasons. As there are no wholly exceptional reasons here, further information on compensation would not alter the outcome. The proposal would result in deterioration of irreplaceable habitat and, in the absence of wholly exceptional reasons, the Framework indicates that permission should be refused.

Buffer zones

60. The Council and the appellant disagreed on the extent of the buffer zone that should be created around Oak 1 to avoid further deterioration to irreplaceable habitat. The differences arose from differing assumptions about the diameter of the tree, which is used to calculate the buffer zone, and a disagreement as to whether an offset should be applied to account for the proportion of a circular zone that would be underneath Heathlands Road. For reasons given above, I give greater weight to the Council's estimate of the diameter of the tree.

61. Offsets are commonly applied when calculating root protection areas, to account for parts of a theoretical circular root protection area that may be beneath roads or other hard surfaces. This is to reflect an expectation that roots will have extended further in directions that are not affected by hard surfaces. The guidance on buffer zones for veteran trees does not comment on offsets. However, given that one of the important purposes of a buffer zone is to protect tree roots, it seems logical to apply the same approach and to apply an offset to account for the proportion of a circular zone that would be under Heathlands Road. The Council's approach includes such an offset, resulting in a 37m buffer zone within the site.
62. An update to the statement of common ground includes a plan (HD28) showing where a 37m buffer zone would extend to, superimposed on the UIM. For the reasons given above, the Council's estimate of the diameter may be a slight overestimate. I have taken into account that this would have the effect of reducing the extent of the buffer zone. The plan shows that a 37m buffer zone (or something of that order) would require the relocation of four of the houses shown on the UIM.

Effect on other trees

63. On the southern boundary there is a large oak (T102) which spreads over the site. The UIM showed a building within the spread of this tree. HD28 shows the buildings relocated, with a three storey block of apartments at this point. Even so, I saw that there would be a risk of the tree coming into conflict with the building, resulting in pressure to reduce the tree at a later date.
64. On the northern boundary, I saw that T37 is a tall and dense tree with several major limbs spreading deep into the appeal site. Other trees, including T36, extend well into the site. On the UIM, the gardens of the houses backing on to the northern boundary are largely within the spread of these trees. HD28 shows the houses moved away a little but this would not resolve the difficulties of placing houses close to very large trees. The siting shown (on either plan) would result in problems of overshadowing gardens, safety concerns, leaf and branch litter and damage to garages and garden structures. It is very likely that there would be pressure to reduce the trees, either immediately or over time, which would be hard to resist given the impact that they would have on the new occupants.

Conclusion on trees

65. The trees around the site, including Oak 1 and Oak 2, are covered by a TPO. Neither the UIM, nor HD28, demonstrate that the scale of the trees around the site has been adequately taken into account. The juxtaposition of dwellings and large trees as shown would not be sustainable over time and would be likely to result in harm to the TPO trees.
66. The appellant suggests that these are matters of detail which could be resolved at the reserved matters stage and/or through the imposition of conditions. The appellant relies on advice in the PPG relating to Grampian conditions which states that such conditions should not be used where there are no prospects at all of the action in question being performed.¹¹ However, this advice does not assist the appellant. First, the advice relates to a specific type of condition, known as a Grampian condition, which requires works on land that is not controlled by the applicant or that requires the consent or authorisation of another body. Tree

¹¹ PPG – Reference ID: 21a-009-20140306

protection conditions relating to the appeal site would not be Grampian conditions. In any event, the PPG says when a Grampian condition should not be used. It does not follow that such a condition should be used in every case where there is some prospect of the action being taken. That will be a matter of planning judgement for the decision maker in all the circumstances of the case.

67. In this case, I have to take an overall view on the merits of the proposal. In order to achieve a satisfactory relationship with the TPO trees to the north and south, and Oak 1 and Oak 2 to the east, it would be necessary to make very significant changes to the illustrative layouts that have been submitted. To my mind the appellant has failed to demonstrate that this amount of development could be accommodated on this site in a satisfactory manner without harm to protected trees. Granting permission in the terms sought would pose an unacceptable risk of harm to trees that are protected by a TPO. That risk would not be avoided by imposing conditions. The proposal would be contrary to MDD Policy CC03 which seeks to protect existing trees.
68. The proposal would be contrary to paragraph 193(c) of the Framework in that it would result in the deterioration of irreplaceable habitat, namely Oak 1 which is a veteran tree.

Biodiversity

Biodiversity Net Gain

69. A revised biodiversity net gain (BNG) matrix was submitted during the appeal process. The Council agreed with the revised baseline. The matrix showed that, post development, there would be a 39% net loss of area-based habitat units and a net gain of linear-based habitat units. However, as part of the BNG plan required under the Environment Act, it would be open to the appellant to purchase off-site habitat units. On this basis, the Council did not object to the fact that BNG would not be achieved on site.

Reptiles

70. The preliminary ecological appraisal identified that habitats recorded on and adjacent to the site would provide suitable shelter, commuting and hibernation opportunities for reptiles. The presence of common reptiles on site could not therefore be discounted. At the Hearing, the appellant's ecologist commented that it would have been disproportionate to carry out presence/absence surveys because the grassland that would be developed was not of high value to reptiles. It was suggested that there are standard approaches to mitigation that could be secured by condition. The Council pointed out that four species of reptiles have been recorded locally, namely adder, grass snake, common lizard and slow worm. The Council considered that a strategy for mitigating impacts on reptiles should have been submitted with the application.
71. Whilst a Strategy for Compensating Protected Species was submitted during the appeal process (HD9), this was a high level and generic document. It did not refer specifically to the appeal site, the species in question or any particular mitigation measures. I attach little weight to this document.
72. The preliminary ecological appraisal identified habitat creation measures that could be incorporated into the development. The measures identified were creation of

refugia and hibernacula and planting native scrub and grassland to increase foraging opportunities. However, I have commented above that the UIM shows that most of the land would be taken up with buildings, roads, driveways, footways, verges and private gardens. There would be limited space within the site in which to implement habitat creation.

73. I conclude that the proposal has not adequately considered how the impact on reptiles could be mitigated. There is an unacceptable risk that the proposal would be harmful to reptiles. The means of mitigation, and its likely effectiveness, are unclear. In these circumstances it would not be appropriate to rely on a condition to secure such mitigation. The proposal would be contrary to CS Policy CP7 and MDD Policy TB23, which together seek to ensure that development which may harm species of principal importance will only be permitted where mitigation measures can be put in place or appropriate compensation measures are provided.

Bats

74. The preliminary ecological appraisal noted that the site provides abundant foraging and commuting opportunities for bats including grassland, hedgerows, scrub, and adjacent woodland. It also noted that the hedgerows and adjacent woodland will provide significant linear features providing optimal commuting opportunities, such that it is likely that bats will forage and commute in the area. Moreover, a separate survey at Sulby Croft, which immediately adjoins the appeal site, identified six bat species at or over that property, with a maximum of 48 bats emerging from the side of the house during a dusk survey in the summer of 2024.¹² The survey report concluded that there was an active maternity roost at the property.
75. At the Hearing, the appellant's ecology consultant confirmed that no site-specific bat survey had been undertaken. Given the acknowledged suitability of the site for foraging and commuting bats and the presence of an active maternity roost on adjoining land, in my view that was a significant omission. In the absence of survey information, I can only conclude that it is probable that there is an active commuting/foraging route across the site, most likely adjacent to the adjoining woodland to the north.
76. The appellant argued that the linear features present adjacent to the site would remain and that mitigation could be provided by way of a sensitive lighting strategy, secured by a condition. However, although the linear features would remain, they would be affected by the proximity of housing. The condition seeks to control "*external lighting*." I can appreciate that such a condition could require sensitive street lighting and, potentially, external lighting installed on new houses by the developer. However, in practical terms, it could not control light spill from inside dwellings. Nor could it prevent householders from installing their own amenity and/or security lighting in the future. This is particularly significant given that there are likely to be many plots with houses backing on to woodland edges which are likely to be commuting routes for bats.
77. The appellant suggested that it would be possible to create dark corridors along the woodland edge. However, in my judgement that would be unachievable due to a lack of space, given the amount of development proposed.

¹² Inspector's note – the Sulby Croft survey was carried out by different consultants although for the same client. In answer to my questions, Ms Reid said she had not been aware of the Sulby Croft survey before the Hearing although she was aware that there is a maternity roost there.

78. I conclude that the proposal does not provide an adequate understanding of the way bats are currently using the site. However, there is clear evidence that the site is likely to be actively used for commuting and foraging. There would be an unacceptable risk of significant harm to bats. I do not consider that the suggested lighting strategy and dark corridors would provide effective mitigation due to light spill from domestic properties and because there would be insufficient space for dark corridors. My conclusions on these matters stem from the amount of development proposed rather than the particulars of the UIM. I see no reason to think that an alternative layout for the same amount of development would enable effective dark corridors to be created.
79. The proposal would be contrary to CS Policy CP7 and MDD Policy TB23. It would also be contrary to the Framework, which states that if significant harm to biodiversity cannot be avoided, adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused.

Thames Basin Heaths Special Protection Area

80. The proposal would create new housing within 5km of the Thames Basin Heaths Special Protection Area (TBH SPA). It is therefore necessary to consider whether the new residents would have an adverse impact on the TBH SPA, through the potential for additional recreational pressure. A number of local planning authorities have formed the Thames Basin Heaths Joint Strategic Partnership with a view to enabling a strategic approach to avoiding such impacts. The TBH SPA Delivery Framework provides a way in which individual development proposals can contribute proportionately to the delivery of suitable alternative natural greenspace (SANG).
81. The Agreement would make provision for part of a nearby strategic SANG to be allocated to the appeal scheme. In addition, there would be a financial contribution to strategic access management and monitoring. The Council is satisfied that these measures would provide suitable avoidance and mitigation measures, consistent with the Delivery Framework. As noted above, reason for refusal (10) relating to the TBH SPA was not pursued. I see no reason to take a different view. I consider that proposal would accord with South East Plan Policy NRM6 and CS Policy CP8, which together seek to protect the TBH SPA.

Whether the site is a sustainable location

Active travel

82. The site is not within or adjoining any defined settlement although there is ribbon development along Nine Mile Ride. The only facilities close to the site are a church, a primary school and a tennis club. There is a garden centre which offers a form of food shopping and some other businesses around 0.8km to the north. However, the intervening section of Heathlands Road has no footways and limited scope for pedestrians to take refuge clear of the carriageway. It feels like an unsafe environment for walking and I consider that few would use it as a walking route.
83. There are facilities in Crowthorne, including primary schools and a local shopping parade with a Tesco Express. The walking distance to the shops is 1.8km, which in itself would be a deterrent to some. Moreover, the route is not attractive for pedestrians, particularly along Nine Mile Ride where the combination of a narrow footway and busy traffic makes for an uncomfortable walking experience. The

combination of distance, unattractive walking environment and a relatively limited retail offer at the destination indicates to me that, in practice, very few residents at the appeal site would choose to walk to the Crowthorne shops. Similarly, very few would walk to the Crowthorne primary schools.

84. Crowthorne, Wokingham, and Wokingham train stations are all within cycling distance. However, the roads are not attractive for cycling because of busy traffic and a lack of dedicated cycle facilities. Hatch Ride is a promoted cycle route which runs towards Wokingham from Heathlands Road. The route follows a track through Gorrick Plantation. No doubt this would be an attractive leisure route during fine weather. However, I doubt it would be attractive as a year round commuting route. Overall, I consider that only the most experienced and determined cyclists would make a significant number of trips from the appeal site by cycle.

Public transport

85. Bus route 125 runs along Nine Mile Ride, providing services to Crowthorne and Wokingham. The Council estimates that the walking distance to the stop from the appeal site is 0.8km. That distance would, in itself, deter some from choosing to use bus services. Moreover, the service level is not frequent. The first bus to Crowthorne is not until around 10:00 and thereafter the buses are around every two hours until early evening. The Council's transport witness commented that this service provides an opportunity to make some shopping and leisure journeys by public transport but would not be suitable for most trips for work or education. I agree.
86. National rail services can be accessed at Wokingham, Bracknell and Sandhurst, amongst other locations. There are therefore opportunities to make longer trips by rail although, for the reasons given above, it is likely that most trips to the stations would be by car.

Transport measures

87. The main transport measures proposed are a footway on the west side of Heathlands Road, from the site access to Nine Mile Ride, a bus service enhancement contribution, a contribution to enhance two bus stops and a travel plan. The footway would connect to the site to existing footways on Nine Mile Ride which would improve pedestrian accessibility to the appeal site. However, in my view this is unlikely to have much effect on the travel choices made by future residents because there are so few facilities nearby.
88. The Agreement provides for a "*bus service enhancement contribution*." However, the detailed wording of the Agreement makes clear that enhancing services is only one potential use of this contribution. It could be used simply to maintain the existing level of service, which is itself dependent on public subsidy. Although the Council has a Bus Service Improvement Plan, route 125 is only one of a number of services to be considered for enhancement. The operator of route 125 has advised that enhancing the service interval would cost £220,000 each year, whereas the contribution would amount to £44,800 for one year only. This could only be effective if pooled with other contributions. However, there was no evidence before the Hearing that significant further development is likely to come forward in relevant locations to generate such contributions. In my view it is more likely that the contribution would be used to maintain the existing level of public subsidy. This would not improve on the current situation and would be temporary.

89. Improving the nearest bus stops would no doubt be useful in itself. However, without any changes to the services on offer, it is unlikely to make a material difference to transport choices.
90. The Framework Travel Plan submitted with the application is mainly directed to providing information to new residents that may encourage take up of sustainable travel options. The difficulty with that approach in this case is that the opportunities for sustainable transport options would be limited, so it is hard to see how merely providing information would have much practical effect on the transport choices made by future residents.
91. Overall, I consider that the proposed transport measures would do little to improve the ability of new residents to choose sustainable transport modes. I attach only limited weight to the transport measures contained in the Agreement.

Conclusions on transport options

92. Drawing all this together, I consider that the proposal would be highly dependent on transport by car. In the terms of paragraph 110 of the Framework, I do not consider that this is a sustainable location. Nor would it be made sustainable through the proposed transport measures. The proposal would not limit the need to travel, because there are so few facilities nearby. Nor would it offer a genuine choice of transport modes, other than to a very limited extent. I note that the Framework states that opportunities to maximise sustainable transport solutions will vary between urban and rural areas. Nevertheless, looking at this appeal scheme in the round, I consider that it is contrary to the policies of the Framework that promote sustainable transport.
93. The proposal would be contrary to CS Policy CP1, which requires proposals to demonstrate how they would reduce the need to travel, particularly by private car. It would also be contrary to Policy CP6, which seeks to manage travel demand by locating development where there will be choices in the mode of travel and where the distance people need to travel will be minimised.

Living conditions

94. The Council was concerned that some plots shown on the UIM would not meet the minimum garden length of 11m which is set out in the Borough Design Guide (BDG) Supplementary Planning Document. An alternative version of the layout (HD28) showed how the scheme could be adjusted to meet that minimum. Given that this is an outline application, I consider that it has been shown that the Council's objection in relation to the BDG (if that were the only matter of concern) could be resolved at reserved matters stage.
95. I commented above that the garden depths shown on the UIM and HD28 would not create a sustainable relationship with protected trees, nor would they avoid harm to bats. Those are matters that I have taken into account elsewhere. I conclude that the Council's concerns in relation to the BDG are not a matter that in itself weighs against the appeal.

Other matters

96. Interested parties raised a number of matters, most of which have been covered above. In addition, there were concerns about the safety of the proposed access. An access road would be created in the position of an existing field gate. I saw that

there is scope to create adequate visibility splays at this point. This could be secured by condition. The Council has not objected on grounds of highway safety. I share that view.

97. The Buckinghamshire, Oxfordshire and Berkshire West Integrated Care Board sought a developer contribution to primary health care facilities if the appeal was to be allowed. However, as I have decided to dismiss the appeal on other grounds, it is not necessary for me to comment further on this matter.

Conclusions

The development plan

98. MDD Policy CC01 sets out a presumption in favour of sustainable development which is in similar, though not identical, terms to that set out in the Framework. It states that where relevant policies are out-of-date at the time of making the decision then the Council will grant permission unless material considerations indicate otherwise. I have concluded above that that Policies CP9, CP11 and CC02 are inconsistent with the delivery of the level of housing that is required by the Framework. They are therefore out-of-date. These are important and relevant to the determination of the appeal because they relate to the spatial strategy of the plan. The balancing exercise set out at 2(a) and 2(b) of the policy is therefore engaged.
99. Part 2(b) of the policy requires the decision maker to take account of whether specific policies in the Framework indicate that development should be restricted. In this case I have found that the proposal would be contrary to policies of the Framework relating to the natural environment because it would result in the deterioration of irreplaceable habitat, namely the veteran tree Oak 1. The Framework says that such development should be refused unless there are wholly exceptional circumstances, which there are not. It follows that there are material considerations which indicate that development should be restricted, so the proposal would be contrary to Policy CC01.
100. Even if Part 2(b) did not indicate that development should be restricted, it would be necessary to determine whether any adverse impacts of planning permission would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole. If that exercise were undertaken, I consider that the benefits would be:
- delivery of 49 dwellings, to which I attach significant weight having regard to the current position on housing land supply;
 - delivery of 20 affordable housing units, to which I attach significant weight having regard to the need for such units;
 - economic benefits, to which I attach moderate weight because these would largely be during the construction phase; and
 - creation of public open space, to which I attach limited weight, first because the amount of such space is not yet known, and second because the site is relatively isolated and any open space within it would meet the needs of new residents rather than the wider community.
101. The provision of a footway along Heathlands Road, as far as the site access, would provide pedestrian access for new residents but would have little benefit to

the wider community. There would be a net loss of BNG area-based habitat units on site. The requirement for 10% net gain would need to be met by off-site credits at an unknown location. I regard these as neutral factors.

102. The adverse impacts would be:

- conflict with the spatial strategy, to which I attach moderate weight because, although the spatial strategy is out-of-date, the proposal would be poorly located in relation to the existing pattern of development;
- harm to the character and appearance of the area, to which I attach significant weight because, although the impacts would be localised, this is a valued landscape, which the Framework seeks to protect and enhance, and because the proposal would result in a significant level of harm;
- that the site is not a sustainable location, to which I attach significant weight because the Framework emphasises the importance of promoting sustainable transport;
- impacts on bats and reptiles, to which I attach very significant weight, in particular because there would be significant harm to bats, which are protected species, and the Framework states that planning permission should be refused if significant harm to biodiversity cannot be avoided, mitigated or compensated for; and
- deterioration of irreplaceable habitat, to which I attach very significant weight because the Framework states that planning permission should be refused where development results in such deterioration unless there are wholly exceptional reasons.

103. I consider that the adverse impacts would significantly and demonstrably outweigh the benefits. It follows that the proposal would be contrary to Policy CC01.

104. For the reasons given above, I consider that the proposal would also be contrary to the following development plan policies:

- CP1 – sustainable development;
- CP3 – general principles for development;
- CP6 – managing travel demand;
- CP7 – biodiversity;
- CP9 – scale and location of development proposals;
- CP11 – proposals outside development limits;
- CC02 – development limits;
- CC03 – green infrastructure, trees and landscape; and
- TB23 – biodiversity and development.

105. The proposal would accord with South East Plan Policy NRM6 and CS Policy CP8 relating to the TBH SPA. The statement of common ground identifies other relevant

development plan policies, such as those relating to infrastructure, housing mix, sustainable design and other development management matters. No party suggested that these policies would be breached or that they could not be addressed at reserved matters stage. Nevertheless, the proposal would be contrary to a number of important policies, as set out above. I conclude that the proposal would be in conflict with the development plan as a whole.

Other material considerations

106. The Framework is a material consideration. The approach to decision making set out in paragraph 11(d) is engaged because of the housing land supply position. The policies most important for determining the application are therefore deemed to be out of date. However, irreplaceable habitats are assets of particular importance, as identified in footnote 7. In my view the deterioration of irreplaceable habitat, namely Oak 1, provides a strong reason for refusing the proposal. This is because I have found that there would be significant harm to Oak 1 and because the Framework states that planning permission should be refused where development results in deterioration of irreplaceable habitat unless there are wholly exceptional reasons.

107. However, even if this did not provide a strong reason for refusal, it would then be necessary to carry out the balancing exercise set out in paragraph 11(d)(ii). The benefits and adverse effects would be as identified above. It would also be necessary to have particular regard to relevant key policies of the Framework, as detailed in that paragraph. I consider that the policies that seek to direct development to sustainable locations are particularly pertinent to the circumstances of this appeal, so this could only add weight to the adverse effects. The outcome of that exercise would be the same as for Policy CC01. The adverse impacts would significantly and demonstrably outweigh the benefits. It follows that the Framework does not indicate a decision other than in accordance with the development plan.

Overall conclusion

108. For the reasons given above, the appeal should be dismissed.

David Prentis

Inspector

APPEARANCES

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Geraldine Medrano Prince 2 Practitioner	Housing, Wokingham Borough Council
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DOCUMENTS

<i>Documents submitted on Day 1 and Day 2</i>	
HD1	Appearances for the appellant
HD2	Appearances for the Council
HD3	HRA Plan for SANG (1 of 2) (Appellant's Appendix 7)
HD4	HRA Plan for SANG (2 of 2) (Appellant's Appendix 8)
HD5	Compensation Strategy for the Replacement of Irreplaceable Habitat (trees) 20 May 2025 (Version 2) (Appellant's Appendix 10)
HD6	Biodiversity Net Gain Baseline Assessment by Arbtech 7 June 2025
HD7	Updated Biodiversity Net Gain Metric 7 June 2025
HD8	Photograph of a tree being removed from the site on 3 March 2024 (Appellant's Appendix 17)
HD9	Strategy for Compensating Protected Species (Appellant's Appendix 20)
HD10	Email from hrclegal 3 June 2025 (Appellant's Appendix 22)
HD11	Statement by Pineridge Tree Care (undated) (Appellant's Appendix 23)
HD12	Article from Wokingham Today about storm damage in Heathlands Road (Appellant's Appendix 24)
HD13	Email from the Woodlands Trust 17 June 2025 (Appellant's Appendix 25)
HD14	Plan showing Appellant's calculation of buffer zone (21m) based on 1400mm diameter (Appellant's Appendix 12)
HD15	Plan showing potential development if Appendix 12 arises (Appellant's Appendix 13)
HD16	Plan showing Appellant's calculation of RPA (Appellant's Appendix 14)
HD17	Plan showing potential development if Appendix 14 arises (Appellant's Appendix 15)

HD18	Extract of updated indicative masterplan showing potential revised position of the proposed compensation tree with a 21m buffer (Appellant's Appendix 16)
<i>Documents submitted during the adjournment</i>	
HD19	Letter from ET Planning 4 July 2025
HD20	Note on hearing documents HD14, HD16 and HD18 by Harper Tree Consulting 27 June 2025
HD21	Design statement relating to additional hearing documents HD15, HD17 and HD18 by Colony 4 July 2025
HD22	Mr Hannington's note on the protection of newly cut ancient and veteran coppice stool 3 July 2024
HD23	Letter from ET Planning 18 July 2025
HD24	Response to HD22 by Harper Tree Consulting 16 July 2025
HD25	Response to HD22 by Colony 16 July 2025
HD26	Tree Root Protection Areas and Buffers Rebuttal Statement by Mr Hannington July 2025
HD27	National Forest Inventory of Great Britain Survey Manual: 3rd cycle April 2023 (Mr Hannington's Appendix 26)
HD28	Drawing 919-03-21 Rev Ee (showing 37m buffer zone) with associated emails from ET Planning 8 August 2025 and the Council 6 August 2025
<i>Documents submitted on Day 3</i>	
HD29	Update to Statement of Common Ground with Five Year Housing Land Supply Statement and Buffer Zone drawings attached
HD30	Statement of Common Ground on Bus Contributions
HD31	Day 3 version of S106 Agreement
HD32	Appellant's application for costs
HD33	Council's application for costs
<i>Submitted after the Hearing</i>	
	Appellant's rebuttal of the Council's cost application
	Council's rebuttal of appellant's costs application
	Appellant's final comments on costs
	Council's final comments on costs
	Completed S106 Agreement dated 1 September 2025

Appendix G

Appeal Decision APP/X0360/W/24/3342812 – Land between School Road and Orchard Road (Willowmead Field)

Decision Dated: 11th October 2024



Appeal Decision

Hearing held on 4 September 2024

Site visit made on 5 & 9 September 2024

by Mr JP Sargent BA(Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 11 October 2024

Appeal Ref: APP/X0360/W/24/3342812

Land between School Road and Orchard Road, Hurst, Reading, RG10 0SD

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant outline planning permission.
 - The appeal is made by Ms Penelope Clayden and Helmsley Land Ltd against the decision of Wokingham Borough Council.
 - The application Ref is 230074.
 - The development proposed is the erection of 23 dwellings with associated access and 15 carparking spaces for the local primary school.
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Decision

1. The appeal is allowed and outline planning permission is granted for the erection of 23 dwellings with associated access and 15 car parking spaces for the local primary school at land between School Road and Orchard Road, Hurst, Reading, RG10 0SD in accordance with the terms of the application, Ref 230074, subject to the conditions in the attached schedule.

Preliminary Matters

2. This is an outline application with all matters other than access reserved for later consideration. Moreover, the only elements of access being considered are the entry/exit points onto School Road from the proposed housing estate and the car park. As a result, I am treating all details on the various submissions relating to matters other than those points of access as being illustrative but nonetheless informative, indicating one possible way the scheme could be implemented.
3. As originally proposed a further access was shown to Orchard Road, but that is now no longer intended. Although the site's red line on the location plan is drawn to allow for such an access, no access to that road forms part of this scheme now. Moreover, the proposal originally sought planning permission for 24 dwellings, but the scheme was amended to 23 during its consideration and I am assessing it on that basis.
4. There is an emerging Local Plan which has reached Regulation 19 stage. My attention has been drawn to no policies from that and no significant changes to the proposal's development plan context. Consequently, it has not had a bearing on my decision other than in relation to the necessary housing land supply (discussed below).

Main Issues

5. The main issues in this case are

- a) the principle of the development and its effect on the character and appearance of the area;
- b) whether this is a sustainable location for such a development;
- c) the effect on highway safety and
- d) if harm would be caused by any of the above whether a decision contrary to the development plan would be justified by other material considerations.

Reasons

The principle and the effect on the character and appearance

The principle and the effect on the wider landscape

6. In the *Wokingham Borough Core Strategy* (the Core Strategy) the defined Development Limits around Hurst take an irregular form reflecting what the *Borough Design Guide* (the Design Guide) notes is the loose nature of the village. Core Strategy Policy CP11 says development outside Development Limits will only be normally accepted in certain circumstances. This is supported by Core Strategy Policies CP1 and CP3, and by Policy TB21 in the *Wokingham Borough Managing Development Delivery Local Plan* (the MDD) as they seek to maintain the quality of the environment in the Borough, and retain or enhance the condition, character and features that contribute to the landscape. Reference was also made to Core Strategy Policy CP9, which says development proposals within Development Limits will be accepted. However, I consider it inappropriate to infer it finds proposals outside of those limits to be unacceptable, as such schemes are considered under Core Strategy Policy CP11. In any event, Core Strategy Policy CP9 appears to concern issues of sustainability rather than character and appearance. As such, I find it is not directly relevant to this issue.
7. The appeal site has the appearance of a single field that was, until recently, used for grazing but is now overgrown. It runs from School Road to the north through to Orchard Road on the south. On its east is the village primary school and the large plot occupied by Vine Cottage, while to the west is the village hall and a house called Willowmead. The site has trees along its School Road frontage but is otherwise generally bounded by hedging. Along with the school on one side and the group of buildings around the village hall on the other, the site lies outside of but immediately adjacent to the development limits for Hurst, which at this point run along School Road itself. Much of the boundary planting and trees on the south, east and north sides is the subject of a tree preservation order.
8. As none of the certain circumstances given in Core Strategy Policy CP11 apply to this proposal, they are not a basis to support the scheme.
9. However, that policy says that '*in order to protect the separate identity of settlements and maintain the quality of the environment*' development outside Development Limits will not normally be permitted. Whilst there appears to be an assumption that a proposal outside of the Development Limits would contravene one or both of those aims, if the specific issues around a case meant it did not, then the policy would not be contravened and there would be no need to comply with any of the certain circumstances given.

10. Although it was suggested that the first of these 2 aims sought to protect the identity of the settlement next to which the development was occurring, I have difficulty reading the policy in that way. Rather, it seems to be directed towards avoiding the coalescence of neighbouring settlements, so undermining their respective identities as distinct and separate villages or hamlets. The development would not offend this aim, as my attention was drawn to no village to the south or south-east of Hurst where the sense of separateness would be threatened. In any event, the site has some built development to its east and west, while further properties and commercial operations are on the southern side of Orchard Road. As a result, even if there was another settlement in that direction, I consider that, when seen on the ground, the proposal would not be bringing Hurst any closer and so would not be diminishing any separation.
11. Turning to the second aim, although quite clearly appreciated by local residents, the site does not form or abut part of a valued landscape under the *National Planning Policy Framework* (the Framework) and is not allocated as a Local Green Space.
12. It was not explained why the current Development Limits for the village follow the lines they do. I accept though that by building a housing estate on this field outside those limits, in what is treated as the countryside in the development plan, the scheme would not maintain the quality of the rural environment in which Hurst sits and would not retain a feature that contributes to the landscape.
13. However, on the ground what is perceived as countryside when assessing character and appearance does not necessarily reflect what is defined as such by the adopted Development Limits. Here, the nature of the topography in the area, the planting around and the presence of the village, mean that any appreciation of the site is very much confined to its immediate surroundings, even in winter with fewer leaves on the trees. From where it could be seen to the south, the proposal would be viewed in the context of the buildings adjacent, and would not be projecting out of the existing settlement fabric. Furthermore, the row of hedging on each side of Orchard Road means more expansive views southwards over and from the appeal site are now greatly restricted, and so in this regard the scheme would not impede any wider vistas that may be present.
14. In the *Wokingham Borough Landscape Character Assessment* (the LCA) the appeal site lies in Character Area C2, called Hurst River Terrace. This area can be summarised as being a tranquil rural lowland landscape of large flat arable fields, crossed by a network of rural roads and with small settlements. However the boundary to that LCA area runs along the south side of the site, and beyond is Character Area I4 (Hurst Farmed Clay Lowland), which the site is outside of but immediately adjacent to. This Character Area can be seen as being a relatively flat lowland agricultural area with pockets of equestrian grazing, crossed by a network of rural roads and small settlements.
15. The limited size of the site, its location with buildings around and my findings on its effect on the looseness of the village (discussed below) would mean the scheme would not cause material harm to LCA Character Area C2. I see no conflict with the key issues the LCA identifies as facing this area. In particular, in my opinion the scheme's constrained nature means it would not increase

linear development along country lanes. Furthermore, noting the strong hedges on Orchard Road that provide a clear and distinct physical and visual separation from the landscape to the south, and again taking account of its location between other buildings, the scheme would not adversely affect LCA Character Area I4 either.

Effect on the character and appearance within the village

16. The carriageway of Orchard Road has an informal, rural feel, being relatively narrow with no pavements, kerbs or lighting, but with extensive planting to either side. Having said that, although much of the road lies outside of the Development Limits, with the exception of the appeal site and the land opposite that are found near the middle, it tends to be lined by dwellings and properties in large curtilages. As such, there is an awareness of buildings along its length, albeit heavily screened by boundary planting or relatively striking fencing.
17. The illustrative plan shows a row of dwellings broadly facing Orchard Road, behind the boundary planting that would be maintained in its current continuous state. Furthermore, the appellants have confirmed that no part of any dwelling or flat would be within 20m of the carriageway. To my mind this arrangement would not appear discordant in the streetscape or out of keeping with the general pattern of buildings along this road. Concern was expressed about the possible loss of the hedging and trees to this frontage in due course. I have no grounds to consider this would occur, and with the tree preservation order and the imposition of conditions at the reserved matters stage, some control over such operations would remain in place.
18. Turning to the effect on School Road, when entering the village from the south the road coming down the hill from the church has a rural, enclosed character due to its informality and the trees to either side. However, this changes at the junction with Orchard Road where the large new houses accessed off Sawpit Road (the Sawpit Road scheme) are visible on the left and the Air Scout Hut, village hall and associated parking are apparent on the right. Although screened to an extent by planting along the boundaries and roadside, these nonetheless introduce built form into the streetscape that dilute appreciably any rural character the road may have had further south.
19. As one moves past the junction with Sawpit Road, the more formal nature of School Road becomes apparent, with its pavement and maintained verge down one side. Moreover, the complex around the village hall opens up, while there is an awareness of housing on Martineau Lane. Then, beyond the appeal site there is the primary school, the flats opposite, and housing on either side of the road thereafter. Within the street scene there is a diversity, with an appreciable variety of built form, layouts and densities found along its length. Whilst the appeal site acts as some relief in this, to my mind when reaching this point the road has changed from having a distinctly rural character. Rather, with its mix of buildings and the presence of planting, it has acquired a character more expected within a village in the countryside that has experienced organic incremental growth over the years.
20. Clearly there would be a change in the appearance of School Road, as the field would be lost, and some harm would result as a consequence. However, such an effect invariably occurs when fields are redeveloped. Furthermore, what would be created would be a line of houses/flats set back a minimum of 10m

from the carriageway but this would not be a lengthy run and, even accounting for its density, would not be appreciably at odds with the general diversity on the road at present. A car park would also be formed, but this would not be a novel or new feature, with car parks already found at the village hall, the school and the Dorndon House flats. Similarly the accesses to the new estate and the car park reflect a number of accesses already in the area. The scheme would result in the loss of some trees on this road frontage and again this would be harmful to a degree, but replanting would occur that would, in time, compensate for this. Overall, I therefore consider the harmful effect on the development when seen from School Road would be limited.

21. In assessing this element of the scheme, I have no reason to assume the car park would become a focus for fly-tipping or any other sort of nuisance, especially as I saw no evidence of such anti-social behaviour elsewhere in the village. There would need to be a management responsibility established, and if such occurrences did in fact happen there would then be a channel for them to be addressed and resolved.
22. Again, in relation to the second aim of Core Strategy Policy CP11, the Design Guide states that loose villages such as Hurst are generally more spacious and less enclosed, with landscape and the rural hinterland penetrating into the settlement. The field subject of this appeal contributes to the sense of looseness in this part of the village, by the way it fragments the built form with open green space. The openness it provides will be clearly lost by the scheme, but, as stated above, that often occurs with developments in and around villages, and, once more, such change is not necessarily harmful. Furthermore, I consider that, when taking the village as a whole, its fragmented and irregular form means the surrounding landscape and rural hinterland would continue to penetrate into the settlement even if this scheme were to be built. As such, it would still be a loose village.
23. There would also be opportunity for compliance with many of the common characteristics of such villages that are identified by the Design Guide, namely a varied development character, a loose arrangement of buildings, a set back from the road, and planting dominating front gardens. The maintenance of hedging around much of the site would enable a mature landscaped context for the development to be provided from the outset, and this could be supplemented by the planting that would occur between the housing and the roads, and also along the footpath on the eastern side. The layout on the illustrative plans shows one of the 2 trees in the centre being removed, but that layout is not fixed, and opportunity to revisit that would exist at reserved matters stage.
24. Accordingly I find that the loss of the field would cause some limited harm to the character and appearance of School Road, but would otherwise not result in unacceptable harm to the village or its loose character.

Effect on the footpath

25. A public footpath links School Road and Orchard Road, which initially runs between the school playing field and a tall hedge but then crosses the eastern side of the appeal site. Based on my observations, it appeared to be well used. It is reasonable to assume its walkers would not just be those wishing to get from one road to the other, but also people who are wanting to enjoy the countryside and are using it as part of a longer route.

26. The tall hedge would restrict inter-visibility to a great extent between the northern half of the path and the appeal site. However noise associated with the development could still be heard, and there would be an awareness of any house placed in or around the position of Plot 12 on the layout. Moreover, although a relatively wide strip could remain for the route of the path between the rear boundary fences of the new houses and the side fence of Vine Cottage, the current views over the field would be lost and replaced by an awareness of the development. Therefore, given the recreational nature of this path, I consider the impact of the scheme would mean some harm would be caused to the local environment.

Effect on heritage assets

27. MDD Policy TB24 says the Council will conserve and seek the enhancement of designated heritage assets in the Borough and their settings. MDD Policy TB26 adds that planning permission will only be granted for proposals affecting an Area of Special Character (ASC) where they demonstrate that they retain and enhance the traditional, historical, local and special character of the area and its setting.
28. To the east sits the Grade II listed Vine Cottage. This seems to have originally been a timber-framed dwelling from the 15th Century that reflected the vernacular style of the time, though appears to have been extended appreciably in the 17th Century and later. To my mind, and in so far as this appeal is concerned, its significance is partly architectural and partly historic, as it demonstrates construction practices of rural dwellings from that period.
29. Vine Cottage though stands in a large plot, and is separated from the appeal site by what appear to be more recent extensions, additions and outbuildings, as well as by a sizeable paddock and the established boundary hedge. The appellants find the scheme would cause a low level of less than substantial harm to the significance of this building. However, given the scale of the separation, I consider a development along the lines of that on the illustrative plans would not have an adverse effect on the setting of that designated heritage asset, and so would not harm its significance.
30. To the west is what the Council has defined in the development plan as an ASC. I have no specific assessment from the Council to explain clearly what comprises the traditional, historical, local and special character of this area or what adds to its significance, beyond being told it is a non-designated heritage asset. Three of the oldest buildings in the ASC, namely Willowmead, the village hall and the building now used by the pre-school, appear to date from the late 19th or early 20th Centuries and form a pleasing and attractive ensemble, displaying, to a greater or lesser extent, detailing from that period. Otherwise, apart from the Lodge and the Old School House that stand away to the south, the Air Scout Hut is a modern functional building of little design merit, and the houses in the Sawpit Road scheme, which I was told were larger in size than considered by the Planning Inspector when determining the outline proposal for that site, are also particularly dominant.
31. The field subject of this appeal allows the eastern side of the ASC to be readily apparent. Willowmead is notable at the southern end of this boundary, as is the relatively blank, plain roof of the village hall behind, with the taller pre-school building being nothing more than glimpsed in between. Little of the ASC can therefore be appreciated from here. Therefore, taking a balanced

judgement on this matter, and mindful that a sliver of the ASC encroaches into the south-west corner of the appeal site, the effect of the proposal on that non-designated heritage asset and its setting would not harm its significance, and so would retain any traditional, historical, local and special character the area may possess.

Conclusions on this issue

32. Accordingly I conclude the proposal would not harm the significance of the listed building or the ASC, and so would not conflict with MDD Policies TB24 or TB26. I also consider the character of Hurst as a loose village, as described in the Design Guide, would not be compromised.
33. However, I further conclude that some limited harm to the quality of the environment and the character and appearance of the area would be caused by building on this field outside the settlement boundary, as well as to School Road and to the footpath, in conflict with Core Strategy Policies CP1, CP3 and CP11, and Policy TB21 in the MDD.

Sustainability

34. The Framework says that proposals should ensure appropriate opportunities to promote sustainable transport modes can be taken up, given the type of proposal and its location. It adds development should be focussed on locations that give priority first to pedestrian and cycle movements and second – so far as possible – to facilitating access to high quality public transport. Overall, when applying this Government guidance, to my mind it does not mean new houses should be limited to places where all the needs of their residents could be met entirely by a choice of transport modes other than by private motorised vehicles, as there would be few if any undeveloped sites with such a level of accessibility in the Borough. Rather, the guidance is qualified to a certain degree, and there is an acceptance of sites being developed even though future occupiers would be reliant, to some extent, on the private car. This is acknowledged by the Framework recognising that opportunities to maximise sustainable transport solutions will vary between rural and urban areas.
35. The approach in the Framework underlies the spatial strategy found in the development plan. Core Strategy Policy CP9 requires the scale of new schemes to reflect the proposed or existing level of services at or in a location. To this end, Hurst is identified as one of 9 Limited Development Locations. This is illustrative of the services it offers, and places it in the third tier of settlements in the Borough, beneath major and modest development locations, where services are more extensive. This position is supported by Core Strategy Policy CP17, which concerns housing delivery. It states that over the plan period there should be 100 houses delivered within the Limited Development Locations, with sites generally not exceeding 25 units. To my mind the thrust of this policy is to ensure new housing is in some way proportionate to the services a settlement offers, thereby stimulating the survival of those services but not overwhelming them or meaning they were inadequate. This policy context expressly concerns proposals within Development Limits, and so is not strictly applicable to the development before me. Despite that, it was agreed by the parties that as an illustration of the service provision and the status of Hurst in this regard, it could be used to guide consideration of this proposal.

36. Moreover, I agree with the parties' shared view at the Hearing that the sustainability of a location was not defined by the site's position relative to Development Limits. This is because, potentially, sites outside of such limits could have equal if not better access to services than those within, especially in a settlement such as this with irregularly shaped Development Limits. This though conflicted, in part, with the Council's second reason for refusal, where the sustainability of the location appeared to hinge to a degree on its countryside location outside the settlement limits, rather than the development's direct relationship to whatever services were available.
37. Putting aside the fact that the scheme is outside the Development Limits, it is for less than 25 units as required by Core Strategy Policy CS17. However, I was told that during the Plan period 38 houses have been built in Hurst, which means that, cumulatively, the village accounts for a significant proportion of the 100 houses this policy says should be built in all 9 such locations.
38. The site has good access to the school, pre-school, village hall and Air Scout hut, all of which are immediately adjacent. Moreover, play areas and allotments are within an easy walking distance. I also consider that, although too far for some, the distances involved and the connecting pavements mean the Green Man Public House and the village shop/post office are readily walkable for most residents. Moreover, some of the pavements may be narrower than normally desirable, and while this may be less than ideal for those with mobility issues or prams, it has not been said this would render them impassible. Therefore, I have no basis to find the pavements would be inappropriate for those living at this scheme to use. To get to the shop/post office requires crossing the A321 twice in each direction. However, crossing even a main road does not render a facility inaccessible on foot. In any event that is something virtually all the village residents have to do now, as there is no pavement on the side of the main road past the shop/post office. While the absence of any specific crossings at that point may also create difficulties for certain residents, again it does not mean access on foot would be impractical for all living here.
39. To the south is the church, the bowls club and another public house. The route to these is along a winding road that, for some of its length, is subject to the national speed limit, yet has no pavements or pedestrian refuges. Therefore, although the distance is not far, it is unlikely residents would walk to any of these places.
40. In the light of the above, I consider that Hurst offers a basic range of services, many of which are reasonably accessible from the appeal site by a variety of modes other than motorised transport. However, I recognise that some of these (such as the school or play area) would not be used by the households that did not have responsibility for children of a certain age or, in the case of the school, did not include adults who worked there. Furthermore, the services available are not extensive. My attention was drawn to no health provision in Hurst, education above primary school level is not available, the shop, although maybe offering day-to-day top-up goods, does not cater for more extensive retail needs, the faith options are limited and there are few opportunities for employment or entertainment.
41. Inevitably for these residents would need to travel further afield to Twyford, Winnersh, Wokingham or Reading. Given the distances involved, the nature of

the roads and the limited pavements, many residents would be unable to cycle or walk to them. For others it may be possible, but the speed of traffic, the limited lighting and the scarce pavements would make them reluctant to embark on such journeys. Indeed, even if they did so on pleasant days or when their journey was not demanding, it is unlikely they would cycle or walk those routes in inclement weather, when dark, when having a tight timescale to meet or, for example, when wanting to do a large shopping trip. Overall, few if any would regularly make these trips on foot or on a bicycle.

42. To overcome this issue, reference is often made to the residents using home deliveries. However, this only concerns one element of the services the village does not provide. Furthermore, there is no guarantee residents would make use of this service, or that it would not generate multiple trips as a variety of delivery agencies were used. Often too shopping trips are linked with those to work or school, and so a home delivery service would not prevent a trip from taking place. I therefore afford this possibility little weight.
43. The village is on a bus route between Wokingham/Winnersh and Twyford/Reading, and the bus stops, which the appellants are proposing to upgrade and so make more attractive, are immediately by the site. The timetable I was provided with, which the parties agreed was the currently operative one, showed buses each way roughly every 65 minutes through the working day.
44. This timetable falls short of the definition of a 'good' public transport service found in the supporting text to Core Strategy Policy CP6 as it does not have the requisite service frequency. However, this is a definition that is applied Borough-wide, to town centres, suburbs and rural areas alike, and I would anticipate that few places outside the main built up areas would comply. It was also said this service was unreliable, but over the lengthy periods I was undertaking my visits I noted buses came more or less when they were due.
45. I accept though that relying on the bus will reduce a person's flexibility, especially at the beginning and end of the working day. In particular, using it to access work or schooling in nearby towns, although not impossible, is nonetheless difficult. Moreover, the service does not provide opportunity to go out for the evening during the week, is reduced on a Saturday, and does not run on a Sunday. I was also told it was of little value accessing health services. Taking these points together, while the bus service would be of some value it is most unlikely to fulfil the needs of individual households. At best I would expect future residents to use it in conjunction with car travel.
46. In assessing this matter I am aware the appellants are proposing a Sustainable Transport Strategy, Travel Vouchers to the first occupiers of each house, and funding to the Council under its established scheme to encourage residents to consider and make use of the various transport options available to them for local journeys. Although it may be said the value of some of these measures is far from certain, they are nonetheless likely to be of some benefit and so would encourage, to a greater or lesser extent, the use of alternative transport modes.
47. Overall, I therefore find that the site has a reasonable accessibility to what services the village offers, but these services are basic. Whilst there is the possibility of using the bus to access neighbouring towns for what is not within Hurst, that opportunity is limited by timetabling, and so to access wider service needs will result in some reliance on the car.

48. This reliance on the car though is one that existing residents in the village have to cope with, and indeed some houses within the Development Limits probably have an inferior access to the services available in Hurst. In this regard I am mindful of the advice in the Framework concerning the differing opportunities that exist between urban and rural areas for maximising alternative modes of transport. Despite this inevitable reliance, to some degree, on private motorised vehicles, the development plan did not deem the village unsuitable for new housing but rather identified it in Core Strategy Policies CP9 and CP17 as one where some limited development could take place, notwithstanding the failings in the services available. I am aware too that, while accepting it is outside of the Development Limits, this scheme does not exceed the figure of 25 units found in Core Strategy Policy CP17, that that policy contains no reference to a cumulative effect, beyond the total figure of 100 houses, and that no harm to the village's services that are the subject of Core Strategy Policy CP9 have been highlighted in a decisive manner.
49. In assessing this issue, the appeal decision concerning the Sawpit Lane scheme found that whilst it was likely there would be some car use to access facilities further afield, there was no basis to support the assertion that the future occupants of those proposed dwellings would be overly reliant on private motor vehicles. This though seemed to be based on the suitability of the bus to access services in neighbouring towns, and for the reasons given above, I have come to different findings on that point in relation to the timetable now before me. I have also explained why I have described the range of services available in the village as 'basic' rather than 'good'.
50. I have noted as well the decision concerning Land East of Lodge Road from 2023 (the Lodge Road decision), which was a scheme for 200 homes attached to the western side of Hurst that was refused on appeal. In that, the quality of the access to services within the village was questioned, with the frequent lack of pavements along roads being noted. Concerning the narrow pavements in Hurst, it says

'[t]his is not untypical of rural settlements, but whilst it is clearly an accepted fact of life for existing residents, I am not persuaded that it is the sort of network which should simply be expected to absorb and accommodate the additional usage likely to arise from a further 200 dwellings.'

To walk to the services though that scheme might have relied more on Tape Lane which is narrow with limited pavements. However, I am satisfied that, to access the main services available in the village from the site before me, the pavement network is suitable. This current scheme is not for the further 200 houses being considered in the Lodge Road decision, but rather for only about a ninth of that, and so the pressures that would arise on these pavements would be appreciably less.
51. I was also mindful of the various other appeal decisions submitted concerning this matter, but consider none lead me to different findings.
52. Drawing all the above together, I find that Hurst offers a basic range of facilities and services that would, to a greater or lesser extent, partially meet the day-to-day needs of some of the future residents, and would be reasonably considered as walkable from the scheme, both in terms of distance and the quality of the connections. Furthermore, I accept that limited

development is accepted in this village, and I have no substantive evidence to show that this proposal would overwhelm its existing services.

53. However, despite this, the basic facilities and services in the village and the nature of the bus service, mean the scheme would result in a reliance on private motorised transport to a degree as residents travelled further afield to access what was not provided locally. In this regard I find it contrary to Core Strategy Policies CP1, CP2, CP3 and CP6, which together seek to direct development to sustainable locations where there is transport choice.

Highway safety

54. Although not a concern raised by the Council, this was a matter brought up by third parties.
55. For much of the time that I was visiting the site, School Road was lightly trafficked, carrying agricultural vehicles as well as cars, vans and buses. It offered good visibility, and although some cars (presumably belonging to teachers or school visitors) were parked at the kerbside by the school playing field, these did not cause an appreciable disruption to the free flow of traffic. I recognise that my observations were just snapshots of time but, given the submissions I have received, I have no grounds to assume they are not broadly representative of the character of this road during much of the day.
56. Given this, I consider the use of neither the access to the car park nor the access to the housing would compromise highway safety unacceptably. Vehicles are not travelling fast, and the numerous drives, junctions and accesses on School Road mean drivers are mindful of emerging traffic. Moreover, both access points would have good visibility, and although they are close to the junction with Tape Lane opposite, the number of vehicular movements each would generate would not lead to any undue conflict.
57. However, twice and maybe 3 times a day for about 20-30 minutes, the character of the road changes, as parents/carers arrive by car to drop off and collect children who attend the school. I watched this situation on the morning of 5 September and also in the afternoon of 9 September. On these occasions, I saw over 40 cars parked along the south-east side of the road, from close to the village pond down to the village hall car park entrance, albeit not within the restricted parking area in front of the school. I also saw it at mid-day on 5 September when, I believe, one year group was being collected, and even then I observed over 25 cars parked up on the road. This reduced the carriageway, in effect, to a single track, albeit with occasional passing places where there were drives or similar. Again, although my observations were restricted to isolated days, and I appreciate too that 5 September was the first day of the new school year and also had poor weather, once more I had no reason to consider that what I saw was not broadly representative of the situation at these times each day.
58. It is not uncommon outside primary schools across the country for there to be extensive on-street parking for a time as children are dropped off or collected, and so it is not necessarily adverse or unsafe. Furthermore, pedestrians were crossing the road and parents/carers were getting their children in or out of cars, and while these inevitably involved some element of risk and hazard, they did not appear to create an unacceptable danger. Rather, the speed restrictions, the awareness of the school, the narrowed carriageway and the

general activity all meant I observed drivers proceeding with caution past the parked vehicles. Although there were some times when a car travelling in one direction had to manoeuvre to let a vehicle going the opposite way pass, the good forward visibility and the presence of gaps in the kerbside parking meant these occurrences were readily and safely resolved.

59. In such a context, and given that double yellow lines are to be formed to either side of the proposed junctions to allow clear visibility between cars leaving the development and other highway users, I consider that any additional traffic introduced into the road network by the development would not have an unacceptable effect on highway safety at these times.
60. Concern was expressed about the potential conflicts that may occur between cars entering/leaving the new accesses and parents/carers and children walking to and from school. I saw many walking past the appeal site, whether having parked at the village hall or come from the housing beyond. They would have to cross these access points, and indeed any new junction introduces a further possible place of conflict. However, the proximity to School Road means parents/carers are already paying close attention to the safety of their children, and with the provision of adequate sight lines I see no reason why either new access should cause unacceptable danger.
61. The need for the car park would result from the reduction in kerbside parking arising because of the proposed parking controls around the new access to the estate. Its precise layout is yet to be established, and how it is to be used is still unclear. Whilst in the description of development it is said to be for the local Primary school, and presumably its staff as well as parents/carers, the appellants are willing for it to be used by the general public. Although within the parking area some cars would be manoeuvring whilst children are walking to or from others, if suitably arranged then to my mind it need not be any more unsafe than the kerbside parking now practiced.
62. Accordingly, I conclude the proposal would not have an unacceptable impact on highway safety and the residual cumulative impacts on the road network would not be severe. As such, it would not conflict with Core Strategy Policy CP6, which seeks to maintain highway safety or the Framework.

Other Matters

Flooding

63. Much information was submitted by third parties saying there was flooding, not just on the site but also in the wider environs of Hurst. On site, even if the flooding could be addressed, it was contended that water would be displaced onto neighbouring properties. Concerning flooding elsewhere, this it was said was a result of many things, but maybe especially a failure of owners to maintain their ditches and drainage channels. They did not deem infiltration to be an option here, as evidenced by the Sawpit Road scheme, so water would need to be discharged into these ditches, exacerbating their failings and the failings elsewhere downstream in the drainage system.
64. I do not doubt that drainage and flooding are real and genuine concerns of those who live locally. Furthermore, I have noted the *Wokingham Section 19 Flood Investigation Draft Report* (dated March 2024), and the concerns it expresses about flooding around this area of the Borough. I was told though

that the site is in Flood Zone 1. I am aware too that a drainage scheme could be agreed at the same time as reserved matters to ensure discharge from the site was carefully controlled. Mindful of this, the technical evidence before me does not show that, if discharged in a controlled manner, water from this site would have a material effect on flooding elsewhere. Consequently, whilst I note the concerns on this matter, it is not something on which the appeal can be dismissed.

Living conditions

65. Willowmead has a number of windows looking onto the site, including a large one at first floor level in a detached annexe close to the boundary. Inevitably the outlook from these windows, and also from the property's garden, will be changed, and the residents there will experience more noise and disturbance. However, that of itself does not mean the resultant situation would be unreasonable, and the precise relationships could be taken into account when the reserved matters applications are determined.
66. I have no reason to consider the scheme would have a harmful effect on other residents in the vicinity.

Best and most versatile farmland

67. The Framework states that decision-makers should recognise the wider benefits from natural capital, including the economic and other benefits of the best and most versatile agricultural land. It defines this as land falling in Agricultural Land Classifications 1, 2 or 3a. Clearly safeguarding good-quality farmland has benefits not only for the nation's food security but also with regard to sustainability. However, if the appeal site falls within Classification 3a, I consider that its size and its isolated nature, divorced from other fields and accessible only from School Road, mean its economic benefits are limited and so any loss in this regard would not be unacceptable.

Ecology

68. Given the nature of the site and the fact that it has not been grazed for 2 years, it is to be expected that wildlife might use it for foraging or even as habitat. However, as most of the boundary planting on site is to remain, there is no technical evidence to demonstrate clearly that the scheme would cause unacceptable ecological harm. Whilst the site being unused for so long might have changed the findings of the Preliminary Ecological Appraisal, I have no reason to consider this would be to a material degree. As part of the scheme a Biodiversity Net Gain Plan is proposed, which I consider would ensure benefits accrued through the development.
69. Accordingly, I have no grounds to find the effect on ecology and biodiversity would be unacceptable.

Infrastructure contributions

70. A signed and dated Unilateral Undertaking under section 106 of the Act (the Undertaking) has been submitted making commitments in a number of areas.
71. Firstly, 9 of the homes would be affordable. Moreover, there is also a further commitment to a financial contribution in lieu of the 0.2 of an affordable home that would not be provided on site, to be used towards the off-site provision or

regeneration of affordable housing within the Borough. Taking the on-site and off-site requirements together, I consider this to be in accordance with the policy requirement for 40% affordable homes, and satisfies the requirements of Regulation 122 in the *Community Infrastructure Levy Regulations 2010* (the Regulations).

72. Turning to transportation matters, the Undertaking includes commitments to ensure the bus stops can be up-graded, parking restrictions can be secured on School Road, a Travel Voucher is provided to the first occupiers, and the Council can encourage residents to consider and make use of the various transport options available to them for local journeys. Moreover, there are also commitments about the maintenance of estate roads, and the use, delivery and management of the car park. The relevance and applicability of these in relation to the scheme have been discussed above, and again I am satisfied they accord with the Regulations.
73. Thirdly contributions are also proposed to be used for enhancing parks and gardens, amenity green space, sports facilities, play facilities and allotments, in the first instance in the Parishes of Hurst, Charvil, Ruscombe or Twyford. Mindful of MDD Policy TB08, and noting that such contributions are intended to be spent in the area around the site, I consider there is, again compliance with the Regulations.
74. Fourthly, a Biodiversity Net Gain Plan and a Sustainable Drainage Scheme are to be submitted and implemented, which, as stated above, are relevant to the scheme and in accord with the Regulations.
75. Finally, a commitment is made to an Employment Skills Contribution or Plan, which again I understand to be policy compliant.
76. Overall, I therefore find the terms of the Undertaking are not incompatible with the Regulations, and are material in respect of the determination of the appeal. I therefore attach weight to them in coming to my decision.
77. No education contributions are given in the Undertaking, and none were requested by the Council. I have no reason to consider differently.

Other uses for the site and other concerns

78. The site might have been used for events in the past, and some may want it to be used for the expansion of the school, but those are not matters on which I can resist this development.
79. I have noted the numerous other concerns raised by local residents but consider none offer me a basis to find harm with the scheme.

Other material considerations and the planning balance

80. I have therefore found policy conflict would be caused by the scheme's harm to elements of the character and appearance of the area, as well as to the aims of sustainability. The Council's Statement of Case concluded that it considered there was no foreseeable scenario that would lead a decision maker to determine as acceptable this unsustainable form of development, which was in conflict with the development plan and basic planning principles. However, section 38(6) of the *Planning and Compulsory Purchase Act 2004* refers to a balance, saying development should be in accordance with the

development plan unless material considerations indicate otherwise (my emphasis). Therefore, whilst the primacy of the development plan remains and its status is unaffected, clearly there is the possibility of instances arising where a scheme is allowed despite development plan conflict. To assess that requires a judgement by the decision-maker based on the relative weights they afford relevant considerations.

81. The appellants have offered a number of material considerations that they considered weighed in favour of their scheme. First and foremost is the fact that the Council cannot demonstrate a required housing land supply. As a result, paragraph 11d) of the Framework is engaged. In relation to this scheme, this states that where the policies which are most important for determining the proposal are out-of-date (including situations where the local planning authority cannot demonstrate a necessary housing land supply) permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits (paragraph 11d)(ii)).
82. Given the stage the emerging Local Plan has reached, the Council needs to demonstrate only that it has a 4-year supply. However, it was agreed by the parties that the current supply was below that, being 3.2 years.
83. The Council said the reason for this shortfall was because it had substantially exceeded its delivery targets over the last few years, and as a result its supply of deliverable sites had been drained. It therefore contended that the shortfall in supply was not a failure of its policies but rather a demonstration of their success. Furthermore, it was on course to deliver more than the number of houses anticipated in the Core Strategy when the plan period ended in a few years. These circumstances, to my mind, do not prevent the application of Framework paragraph 11d)(ii), as that makes it clear it applies when there is a housing land supply shortfall, irrespective of the reasons for that. Indeed any housing land supply figure is not a ceiling that should not be exceeded, and the oversupply of housing is not, of itself, a justification for resisting a development. Notwithstanding that, I consider it reasonable to assume the high delivery over recent years should temper the benefit of housing to some extent.
84. It also contended the shortfall was to be addressed through allocations in the emerging Local Plan. However, those sites do not fall now within the Framework's definition of deliverable. Furthermore, from the timescales I was given that still means the shortfall is to remain for a number of years whilst the plan is examined and adopted and its effects become apparent. As such, this does not lead me to assess the shortfall differently.
85. In the light of the above, I consider the shortfall is appreciable. Moreover, I afford the supply of additional housing substantial weight in favour of the scheme, and, despite the tempering effect, I afford the over-supply limited weight. These weightings are in line with those agreed by the Council and the appellants in the Statement of Common Ground.
86. Turning to whether the most important policies are out of date, as I read it I consider Core Strategy Policy CP11 does not appear to offer a basis to resist development in the countryside that would neither fail to protect the separate identity of settlements nor maintain the quality of the environment, as any such development would not conflict with its purpose. Although that brings some flexibility, it is nonetheless more proscriptive than the Framework in

regard to proposals outside of settlements, and so the weight I attach to the development plan conflict is reduced somewhat. MDD Policy TB21 though seems less flexible, especially in relation to its second point, and to my mind goes beyond the more nuanced position in the Framework concerning development in the countryside. However, Core Strategy Policies CP1, CP2, CP3 and CP6 are a local reflection of the thrust for sustainability found in the Framework.

87. A further aspect of support for the scheme was the delivery of affordable housing. Again in the Statement of Common Ground it was agreed there was a persistent unmet need for this in the Borough, and substantial weight should be given to its delivery. I accept that the nature of house prices in Wokingham Borough means there will be an on-going demand for affordable housing, but on the evidence before me I have no basis to differ from the parties' agreed position.
88. Beyond these, I accept there would be economic benefits during the construction phase and afterwards. There would also be biodiversity net gain with the scheme. Such benefits though could come with any new housing, and so I afford them moderate weight. I recognise that upgrading bus stops and various open space facilities around would benefit not just the scheme's residents but also the wider public, and so afford these moderate weight too.
89. The delivery of the car park has been offered as a safety benefit and also a benefit to the environment by reducing kerbside parking. However, I have not been persuaded that any danger to pedestrians or the free-flow of traffic resulting from the current reliance of parents/carers on parking at the side of the road is sufficient to mean the weight to be afforded to this is significant. I therefore afford this limited weight.
90. Moreover, when I consider the development plan conflict in the light of the shortfall in housing land supply, it is likely that, to redress this situation, at least some housing is to be required outside Development Limits on greenfield sites that are deemed to be countryside. It is also reasonable to assume that such sites may well be in less sustainable locations or locations where there is, relatively speaking, a greater reliance on private motorised transport than those identified through the local plan process.
91. Accordingly, I acknowledge the scheme would give rise to some harm and development plan conflict, but I conclude that its adverse impacts, even if taken together, do not significantly and demonstrably outweigh the benefits that would arise. Therefore, planning permission should be granted.
92. In making this judgement, I accept that the Lodge Road decision reached a different view. However, that was for an appreciably larger development, that had a different relationship to the settlement's services and its built form. As such the relative weights attributed to the scheme's benefits and adverse impacts would not have been the same.

Other decisions

93. I have received numerous decisions from over the last 20 years concerning appeals elsewhere. In my reasoning I have made explicit reference to the decision allowing the Sawpit Road scheme as well as to the Lodge Road decision due to their recentness and their proximity to the site. Otherwise,

these decisions concern different developments in different places, often assessed under a different version of the Framework, and such factors could account for the conflicting findings they sometimes appear to reach. Ultimately, the judgement each Inspector makes is driven very much by the circumstances of the case before them, and by the relative weightings they attach to the various considerations. Consequently, while I have noted these decisions, having regard to the submissions presented to me I see nothing to lead me to change my findings.

Conditions

94. Conditions relating to the submission of reserved matters and the commencement of development, along with a condition confirming the approved plans, are justified for the avoidance of doubt.
95. In the interests of highway safety, the outstanding details of the accesses, along with the construction details of the roads, should be agreed. They should then be laid out prior to occupation and retained with suitable sightlines secured at the junction. For the same reason there should be agreed a parking strategy for the car park, though the Undertaking provides specific commitments concerning when the car park will be provided.
96. Having regard to the character and appearance of the area, any external lighting should be agreed. Moreover, the new dwellings and flats (as opposed to any outbuildings or boundary treatments they may have) should be set back at least 20m from Orchard Road's carriageway and 10m from the carriageway on School Road.
97. In the interests of adequate drainage, a drainage scheme should be submitted with or before the reserved matters. I consider it unnecessary for the drainage condition to list the various modelling, guidance and standards with which it should comply, as that could be a requirement of the Council's when it considers those details. Mindful of the possible presence of archaeology, a scheme of archaeological works should be approved. In the interests of public health, a condition should also be imposed addressing any unexpected contamination.
98. In the light of sustainability, a Sustainable Transport Strategy should be secured in line with the commitment in the Highways Statement of Common Ground, and details of sustainability measures for the dwellings should accompany the reserved matters submissions.
99. Finally, the hours of working should be controlled so as to avoid undue harm to adjacent living conditions. To protect the wildlife around the site, and also to respect highway safety, a method statement and ecological management plan for the construction phase should also be agreed. Ecological impact would also justify the approval of a Landscape and Ecological Management Plan.
100. Conditions were suggested relating to the agreement of landscaping, tree protection and the long-term design objectives, management responsibilities, timescales and maintenance schedules for all landscape areas. However, insofar as these lie outside of the Landscape and Ecological Management Plan they can be addressed under reserved matters. A condition restricting the development to no more than 23 dwellings is unnecessary as that is all for

which permission is granted, whilst electric charging points are subject of other legislation.

Conclusion

101. Accordingly, for the reasons given I conclude the appeal is allowed.

Mr JP Sargent

INSPECTOR

Conditions Schedule

- 1) Details of the appearance, landscaping, layout, and scale (the reserved matters), shall be submitted to and approved in writing by the local planning authority before any development takes place and the development shall be carried out as approved.
- 2) Application for approval of the reserved matters shall be made to the local planning authority not later than 3 years from the date of this permission.
- 3) The development hereby permitted shall take place not later than 2 years from the date of approval of the last of the reserved matters to be approved.
- 4) Unless otherwise agreed under conditions elsewhere on this decision the development shall be carried out in accordance with the following plans: Location Plan 235.113, Parameter Plan 235.115 Rev C, and Site Access Plan ITB18301-GA-0011 Rev C.
- 5) Prior to the submission of any reserved matters applications an archaeological Written Scheme of Investigation (WSI) together with a timetable for its implementation, shall be submitted to and approved in writing by the local planning authority. The development shall then be carried out in accordance with the approved details and timetables within the WSI.
- 6) With or before the submission of reserved matters, outstanding details of the proposed vehicular accesses on to School Road (including any associated pedestrian crossing facilities) shall be submitted to the local planning authority for approval in writing. Prior to first occupation the accesses shall be formed in accordance with the approved details and shall be thereafter retained.
- 7) With or before the submission of reserved matters, details of the construction and levels of roads and footpaths shall be submitted to the local planning authority for approval in writing. Prior to the first occupation of the development the roads and footways shall then be constructed in accordance with the approved details to road base level, with the final wearing course being provided within 3 months of first occupation.
- 8) With or before the submission of reserved matters, a layout for the car park and a Parking Management Strategy for its management shall be submitted to the local planning authority for approval in writing. The submitted Parking Management Strategy shall include details of the management of all parking spaces and traffic regulation orders. The approved layout and Parking Management Strategy shall be implemented prior to the first occupation of the development and shall be thereafter retained.
- 9) With or before the submission of reserved matters, a detailed drainage strategy shall be submitted to the local planning authority for approval in writing. Where surface water cannot be infiltrated but requires disposal off site, evidence of consent to discharge/connect through third party land or to their network/system/watercourse must be provided. Prior to the first occupation of the development the drainage scheme shall be

carried out in accordance with the approved detailed drainage strategy and shall be thereafter retained.

- 10) With or before the submission of reserved matters, a baseline for the level of carbon reduction shall be agreed in writing with the local planning authority, and details of sustainability measures to show that the development will result in carbon reductions equal to or below that baseline shall then be submitted to the local planning authority for approval in writing. No building shall be occupied until the sustainability measures associated with that property are installed in full working order in accordance with the approved details, and they shall thereafter be retained unless they are replaced by more efficient and sustainable technology.
- 11) With or before the submission of reserved matters, a Landscape and Ecological Management Plan (LEMP) shall be submitted to the local planning authority for its approval in writing. The LEMP shall comprise
 - a) a description and evaluation of features to be managed;
 - b) ecological trends and constraints on site that might influence management;
 - c) aims and objectives of management, to include management of habitats for biodiversity net gain;
 - d) appropriate management options for achieving aims and objectives;
 - e) prescriptions for management actions;
 - f) preparation of a work schedule (including an annual work plan capable of being rolled forward over a 5-year period)
 - g) details of the body or organization responsible for implementation of the plan; and
 - h) ongoing monitoring and remedial measures.

The plan shall set out (where the results from monitoring show that conservation aims and objectives of the LEMP are not being met) how contingencies and/or remedial action will be identified, agreed with the local planning authority, and implemented so that the development still delivers the fully functioning biodiversity objectives of the originally approved scheme. The development will be implemented in accordance with the approved LEMP.

- 12) No development shall take place until a Construction Method Statement, including a Construction Ecological Management Plan, has been submitted to, and approved in writing by, the local planning authority. The statement shall provide for the following:
 - (a) the location and means of construction of suitable works access;
 - (b) the location of parking of vehicles of site operatives and visitors;
 - (c) the location for the loading and unloading of plant and materials;
 - (d) the location and means of storing plant and materials used in constructing the development;
 - (e) the erection and maintenance of security hoarding;

- (f) wheel washing facilities;
- (g) measures to control the emission of dust and dirt during construction;
- (h) a scheme for recycling/disposing of waste resulting from works;
- (i) hours of delivery; and
- (j) mitigation and avoidance measures for ecology, biodiversity and tree protection at the construction stage.

The details and measures in the approved Statement shall be adhered to throughout the construction period.

- 13) No work relating to the development hereby approved, including works of preparation prior to building operations, shall take place other than between the hours of 0800h and 1800h Mondays to Fridays, 0800h to 1300h on Saturdays and at no time on Sundays or Bank or National Holidays.
- 14) If land contamination is found at any time during site clearance, groundwork and construction, the discovery shall be reported immediately to the local planning authority. A full contamination risk assessment shall be carried out and, if found to be necessary, a remediation method statement shall be submitted to and approved in writing by the local planning authority. The development shall thereafter be carried out in accordance with the approved remediation method statement.
- 15) Prior to its first operation, each access onto School Road shall be provided with visibility splays of 2.4m x 57m to the south and 2.4m x 45m to the north, and these shall contain no obstruction greater than 0.6m in height when measured above the adjacent carriageway. These visibility splays shall be thereafter retained and kept clear of any obstruction greater than 0.6m in height when measured above the adjacent carriageway.
- 16) Prior to the first occupation of the development, a Sustainable Transport Strategy that accords with the terms of the *Land adjacent to School Road, Hurst: Transport SoCG* (dated 3 September 2024), together with a timetable for its implementation, shall be submitted to and approved in writing by the local planning authority. The approved Sustainable Transport Strategy shall then be put into practice in accordance with the approved timetable,
- 17) No external lighting shall be installed other than in accordance with details that have first been submitted to and approved in writing by the local planning authority.
- 18) No part of the main building of any dwelling or flat (but for the avoidance of doubt, not including any detached outbuildings or any boundary treatments) shall extend to within 20m of the carriageway of Orchard Road, or to within 10m of the carriageway of School Road.

APPEARANCES

FOR THE APPELLANT:

C Brockhurst	Landscape consultant
T Rumble	Planning consultant
T Wall	Highways consultant

FOR THE LOCAL PLANNING AUTHORITY:

G Adam	Development Control, Highways
I Church	Planning Policy, Housing
B Crafer	Landscape Architect
H Maynard	Team Leader Planning Department

INTERESTED PARTIES:

D Boyd	Vice Chair, St Nicholas Hurst Parish Council
Mr Butler	Local resident
Cllr S Conway	Leader of the Council & Councillor for Twyford, Ruscombe and Hurst Ward
P Curry	Chair, St Nicholas Hurst Parish Council
I Fiennes	Local resident
G Manning	Local resident
Mr Norris	Local resident
J Osborne	Local resident
C Woodward	Local resident

DOCUMENTS SUBMITTED AT OR AFTER THE HEARING

FROM THE APPELLANT

APP1: *Land adjacent to School Road, Hurst Transport SoCG* (dated 3 September 2024)

APP2: Signed and dated Unilateral Undertaking with explanatory email (dated 13 September 2024)

APP3: Response to Document LR1 with Conditions Note (dated 26 September 2024)

FROM THE COUNCIL

LPA1: Appendix 3 from *Wokingham Borough Core Strategy*

LPA2: Document concerning open space provision (received 13 September 2024)

LPA3: *Local Plan Update 2023-40 Proposed Submission Plan*

LPA4: Response to Document APP3 (dated 4 October 2024)

FROM LOCAL RESIDENTS

LR1: Statement from D Birtles (received 17 September 2024)

Appendix H

Appeal Decision APP/X0360/W/19/3240676 – Land adjacent to
Whistley Green Cottage

Decision Dated: 21ST July 2020

Appeal Decision

Site visit made on 8 July 2020

by R J Jackson BA MPhil DMS MRTPI MCMI

an Inspector appointed by the Secretary of State

Decision date: 21st July 2020

Appeal Ref: APP/X0360/W/19/3240676

Land adjacent to Whistley Green Cottage, Broadwater Lane, Hurst RG10 0BQ

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr McCarthy and Ms Pleace against the decision of Wokingham Borough Council.
 - The application Ref 190862, dated 26 March 2019, was refused by notice dated 21 May 2019.
 - The development proposed is erection of detached dwelling with associated access and landscaping.
-

Decision

1. The appeal is dismissed.

Procedural matters

2. The site address on the application form used the spelling "Wistley" for the application site, but the remainder of the documentation uses the spelling "Whistley". Given the latter is used on Ordnance Survey documentation, I have used this spelling throughout this decision other than in this paragraph.
3. The Council refused the application for five reasons. Two of these related to the insufficient information relating to the potential effects on ecology and on the living conditions of the occupiers of adjoining properties. Following information submitted at the appeal stage, the Council withdrew these reasons for refusal although the occupiers of adjoining properties continued to object. In light of the additional information on ecology, and subject to the imposition of appropriate conditions, I can see no reason to disagree with the Council's conclusion on the first of these two matters.
4. The fifth reason related to the lack of a contribution towards the provision of affordable housing. The appellants maintain that such a contribution is not necessary, but in the event that I conclude otherwise has submitted a planning obligation under section 106 of the Town and Country Planning Act 1990 (as amended) dated 6 November 2019 to deal with this matter. I will discuss this below.

Main Issues

5. The main issues are:

- the effect on the character and appearance of the area;
- the effect on heritage assets and their settings; and
- whether the proposal makes appropriate provision for affordable housing.

Reasons

Character and appearance

6. The appeal site consists of an approximately rectangular area of land to the northeast of Broadwater Lane, the A321, although the road is on a slight curve. It is essentially flat, although with small undulations within the site. There is intermittent vegetation, including a fruit tree, on the northern boundary, and in the southeastern corner is a clump of brambles and blackberries. There is also vegetation along the road boundary.
7. To the north is Whistley Green Cottage which is located towards the rear of its site. To the southeast is a small enclave of five dwellings; four are in closer proximity to the highway and one is set behind. The property at the front closest to the appeal site, Huntsman's Cottage, is Grade II listed. On the opposite side of Broadwater Lane is the main village of Whistley Green, most properties of which back onto Broadwater Lane, although a gospel hall and industrial building face the A321 directly opposite the appeal site and there is linear development along the opposite side of the A321 to the east.
8. The Council's 'Wokingham District Landscape Character Assessment' places the appeal site within Character Area C2: Hurst River Terrace. The key characteristics of that include a flat to gently shelving lowland landscape, simple and open agricultural landscape, few hedgerows, wooded horizons, and the village of Whistley Green is located around an older core with interspersed new scattered linear development along the network of rural lanes. Settlements in this area are dominated by detached linear settlement located along the rural roads and including clusters of houses associated with the edge of the floodplain. It indicates that although there is no apparent strong rural vernacular in this area it does have a sense of unity, albeit somewhat suburbanised, with warm red brick being characteristic throughout all ages of property and the hedges, brick walls and fences of front gardens creating a continuous frontage to the roads.
9. The appeal site lies in the countryside for the purposes of the development plan. The development limit of Whistley Green includes the area of the enclave of the five dwellings and the area opposite and along Broadwater Lane but does not include Whistley Green Cottage or its garden.
10. Policy CP3 of the Wokingham Borough Core Strategy Development Plan Document (the CS) requires that development should be of appropriate built form, height, materials and character to the area, have no detrimental impact upon important landscape features, contribute to a sense of place in the buildings and spaces themselves in the way they integrate with their surroundings (especially existing dwellings).
11. Policy CP11 of the CS deals with proposals outside development limits. It states that in order to protect the separate identity of settlements and maintain the quality of the environment, proposals outside development limits will not normally be permitted except where it falls within a list of exceptions. Because

there is some dispute about the interpretation of this policy, I will go through this in detail.

12. Firstly, it seems to me that the policy is essentially binary in application; either the site falls within or outside a development limit. Here it falls outside, so the policy is material. Secondly, the first three points are conjunctive. These deal with rural enterprises or countryside recreation development, and their effects. However, as this proposal is not for these types of development these do not apply. Thirdly, points 4) and 5) deal with residential extensions and replacement dwellings, with specific criteria relating to replacement dwellings; these are not applicable. Fourthly, point 6) allows for essential community facilities and point 7) deals with affordable housing. Point 6) is not applicable to this proposal and I find below that the proposal would not represent affordable housing. All this means that the proposal does not comply with Policy CP11 of the CS.
13. Policy CC02 of the Wokingham Borough Managing Development Delivery Local Plan (the MDD) indicates that proposals for development at the edge of settlements will only be granted where they can demonstrate that the development, including boundary treatments, is within the development limits and respect the transition between the built up area and the open countryside by taking account of the character of the adjacent countryside and landscape. Again, this policy is binary in application, permitting development within the development limits, but not outside. Consequently, the proposal is contrary to this policy.
14. However, this does not mean that material considerations do not indicate a decision otherwise to that of the development plan in this regard. In particular paragraph 79 of the National Planning Policy Framework (the Framework) indicates that planning decisions should avoid the development of isolated homes in the countryside unless it meets various criteria. In this respect the main parties agree that the site is not isolated and I concur due to its proximity to built development on three sides.
15. The CS was adopted prior to the publication of the 2012 version of the Framework. This made significant changes as to how residential development in the countryside should be considered. I have been referred to various appeal decisions where Inspectors have looked at whether Policy CP11 should be considered consistent with the Framework, particularly in the context of whether the development limits are consistent with the level of housing considered appropriate for the area. Policy CC02 of the MDD is parasitic on Policy CP9 of the CS which requires the MDD to set the development limits for each of the borough's specified settlements.
16. In the context of this appeal it seems to be that although Whistley Green Cottage is also not in the development limit, it appears as part of the settlement of Whistley Green, as does the appeal site. The rear boundary, along with those on either side, marks a consistent line and delineation from the open countryside beyond.
17. The Council has referred me to two other areas further to the east a short distance along the A321, but it seems to me that these are of a different character due to their sizes and being part of the adjoining fields rather than a separate, discrete, area of land.

18. The aim of Policy CP11 of the CS is to protect the identity of settlements and maintain the quality of the environment, and this is in accordance with national policy set out in paragraph 170 of the Framework that planning decisions should contribute to and enhance the natural and local environment recognising the intrinsic character and beauty of the countryside. I find that this policy is generally consistent with the Framework. However, the Policies CS9 of the CS and Policy CC02 of the MDD do not reflect national policy in paragraph 78 of the Framework which allows villages to grow and thrive and are thus out-of-date.
19. It is next necessary to look at the effects of the particular proposal because whether the site is suitable or not for residential development the proposal itself has to be appropriate. The proposed dwelling would be located towards the rear of the site, but it is not designed in a conventional style. The ground floor of the dwelling would be constructed approximately 1 m below existing ground level. There would not be a southern elevation as such in that the ground would be re-formed into a mound to the equivalent of all but two storeys in height which would be grassed. This would then link to the green sedum roof of the main house, which would have two storeys facing out over the fields to the north. Access would be via a driveway, apparently into the mound.
20. The northern elevation would have two terraces joined by steps. This, particularly at first floor, would be extensively glazed, with render and timber cladding noted on the application form for the proposed materials, although the illustrative drawings clearly show stone or reconstituted stone for the lower storey walls facing.
21. Although the main rear elevation, which would be set at an angle to the rear boundary of the appeal site, would be approximately two-thirds of the width of the site, the earthworks would extend the overall mound across effectively the whole width. A second, smaller, mound is shown to be constructed towards the southeastern corner of the site.
22. Policy TB21 of the MDD states that proposals must demonstrate how they have addressed the requirements of the Council's Landscape Character Assessment, and should retain or enhance the condition, character or features that contribute to the landscape. There is no dispute that this policy is consistent with the Framework and is thus up-to-date.
23. As noted above, the landscape in the area is effectively flat to gently shelving. In this regard the two apparent mounds with their relatively steep banks would be significantly and demonstrably harmful to the character of this landscape. 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 this level of harm.
24. To the north of the appeal site lies a reasonably sized open field. To the north of this are a series of smaller fields with a footpath (STNH 5) on the northern edge separate from Hogmoor Lane, which is a byway open to all traffic, slightly further to the north. I walked along both as part of my site visit.
25. From the footpath, the appeal site can be clearly seen between Whistley Green Cottage and the enclave of dwellings, although at a medium distance. In this

regard, I have considered the Landscape and Visual Appraisal submitted with the application and consider that this underestimates the visibility of the appeal site from the footpath, as the hedgerow on the south side of that field is intermittent, and the view depends on the extent of any intervening vegetation. I saw it in summer foliage which would maximise the effects of such vegetation. Furthermore, while there is an intermittent hedge on the northern boundary of the appeal site, this is not structured, and requiring an occupier to maintain it would not be proportionate. My comments about landscaping along the southern boundary of the appeal site equally apply in relation to that to the north.

26. The two storey elevation with its extensive glazing would extend across a considerable amount of the width of the site. The use of a different building aesthetic and palette of materials would be significantly and demonstrably out of keeping with the sense of unity in the area as identified in the Landscape Character Assessment. While the Framework in paragraph 131 does say that great weight should be given to outstanding or innovative designs, the proposal is not being promoted in those terms. In any event, the Framework continues that designs should fit in with the overall form of their surroundings and I conclude that this would not be the case.
27. I appreciate that Whistley Green Cottage is of similar overall width to the appeal proposal, but this building is broken into three elements. This has lesser mass than the proposal that would have an overall 'sweep'. I also note that the appellants have indicated that the materials could be amended, but I consider that it appears that the materials chosen are part of the overall design and this would fundamentally change the nature of the proposal. I therefore consider that this would not be appropriate to resolve by condition.
28. Therefore, the form, material and character of the development here proposed would be significantly and demonstrably harmfully out of keeping with the area and detrimental to the landscape. Consequently, it would be contrary to Policies CP3 and CP11 of the CS and CC02 and TB21 of the MDD as set out above.

Heritage

29. Huntsman's Cottage is a Grade II listed building and, as such, is a designated heritage asset. Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended) states that in considering whether to grant planning permission for development that affects the setting of a listed building special regard should be given to the desirability of preserving the building or its setting. Paragraph 193 of the Framework sets out that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation.
30. The Council has also designated part of Whistley Green, including the appeal site and areas on either side, as an Area of Special Character. It indicates that this is a non-designated heritage asset and the appellants do not demur from this analysis. Whistley Green Cottage has also been identified as a non-designated heritage asset in its own right. Paragraph 197 of the Framework indicates that the effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non-

designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.

31. Policy CP3 of the CS indicates that proposals should have no detrimental impact on heritage. Policy TB24 of the MDD states that designated heritage assets and their settings will be conserved and enhanced by requiring works to demonstrate they would at least conserve, and where possible enhance the character and special interest of the building. Policy TB26 of the MDD states that planning permission will only be granted in Areas of Special Character where they demonstrate that they retain and enhance the traditional, historic, local and special character of the area. All of these policies are consistent with the Framework and are thus up-to-date.
32. The Council considers that part of the significance of Huntsman's Cottage derives from the rural character of the area and the open space of the appeal site. Huntsman's Cottage dates, originally, from the seventeenth century, when it is clear that the area would have been more rural. However, the large area of brambles and blackberries, currently detracts from its setting. While the application drawings show this area is to be kept open, I consider that this is unlikely to remain the case as it is likely to have domestic paraphernalia on it. Consequently, there would be some harm to the setting of Huntsman's Cottage, although at the lower end of less than substantial harm.
33. Paragraph 196 of the Framework indicates that where there is less than substantial harm to a designated heritage asset this should be weighed against the public benefits of the proposal. I will do that below in the Planning Balance section of this decision.
34. Turning to the non-designated heritage assets, again there would be some harm to the Area of Special Character. This would be principally from the form of the development which I have discussed above. Given that substantial harm is a high test¹, I consider that this would result in less than substantial harm, in the middle of such harm, to the Area of Special Character as a whole. In relation to Whistley Green Cottage, I consider, due to the proximity and development form proposed, that this would also give rise to less than substantial harm to the setting of this heritage asset and would be at the upper end of this range.
35. Overall, the proposal would be harmful to the setting of Huntsman's Cottage as a designated heritage asset and would be harmful to the Area of Special Character and the setting of Whistley Green Cottage as non-designated heritage assets. It would therefore be contrary to Policy CP3 of the CS and Policies TB24 and TB26 of the MDD as set out above.

Affordable housing

36. Policy CP5 of the CS indicates that all residential proposals covering a net site area of at least 0.16 ha will provide up to 50% of the net additional units as affordable dwellings where viable. The site has an area of approximately 0.29 ha.
37. The appellants note that under footnote 26 to paragraph 61 of the Framework self-build properties can represent affordable housing. While the site is being

¹ See Reference ID: 18a-018-20190723 of the Planning Practice Guidance

promoted as a self-build project, footnote 26 makes it clear that self-build properties can provide market or affordable housing. Thus, just because a scheme is self-build does not, of itself, mean that the proposal represents affordable housing. To be affordable housing a scheme has to meet the definition set out in the Glossary to the Framework unless there was some other material definition set out in development plan policy, and I have not been directed to any such policy.

38. The proposal would not meet the definition for a rural exceptions scheme pursuant to Policy CP9 of the CS and there is no planning obligation to ensure that the property would remain affordable in perpetuity. Consequently, I can only conclude that the proposal would not represent affordable housing.
39. Although for fewer dwellings than the threshold for affordable housing set out in paragraph 63 of the Framework the Council has demonstrated that it has an exceptional need for affordable housing. This has been previously supported on appeal² and consequently in light of the evidence provided I conclude that the site should make such a contribution.
40. To that end the Planning Obligation makes provision for a contribution towards affordable housing. The Council has confirmed that it is content with this and consequently I am satisfied appropriate provision is made. Consequently, the proposal would comply with Policy CP5 of the CS as set out above.

Other matters

41. The appellants have emphasised the benefit of the provision of a self-build scheme where they consider that the Council is unable to demonstrate a 5 year supply of such sites. However, the national Planning Practice Guidance (the PPG) makes clear while it is the duty of the Council to maintain a self-build and custom housebuilding register³, at the end of each base period, relevant authorities have 3 years in which to permission an equivalent number of plots of land, which are suitable for self-build and custom housebuilding, as there are entries for that base period⁴. The Council has confirmed that it has met this requirement and consequently very little additional weight falls from these provisions. In any event, that the proposal is self-build would not alter my overall conclusion.
42. Although the Council has withdrawn its reason for refusal relating to the effect on the living conditions of the occupiers of adjoining dwellings these objections are maintained by the occupiers themselves. I am satisfied that subject to appropriate conditions there would not be any unacceptable noise or loss of privacy for the occupiers of those dwellings.
43. The appellants have pointed out that the Council has published a draft Local Plan for public consultation. This shows the appeal site as allocated for three dwellings. However, this draft Local Plan is at a very early stage towards adoption and consequently can only be given very little weight in line with paragraph 48 of the Framework. This does not alter my overall conclusion.

² APP/X0360/W/18/2193528

³ Reference ID: 57-001-20170728

⁴ Reference ID: 57-023-201760728

Planning Balance

44. For the reasons given above, the proposal is contrary to the terms of the development plan as a whole.
45. While I have concluded that Policy CS11 of the CS is not wholly consistent with the Framework the form of dwelling proposed would be significantly and demonstrably harmful to the character of the landscape of the area, and significantly and demonstrably out of keeping with the form of its surroundings. It would also be harmful to the setting of a designated heritage asset and to a non-designated heritage asset and the setting of another. The public benefits of a single dwelling are not sufficient to outweigh these harms.
46. The provision of a contribution to affordable housing is necessary to make the proposal compliant with development plan policies and this is thus neutral in the final balance.
47. Therefore, while concluding that some of the policies relating to the consideration of this appeal are out-of-date, the most important policies for determining the appeal, that is Policy CP3 of the CS and Policies TB21, TB24 and TB26 of the MDD are not. Consequently the 'tilted balance' set out in paragraph 11(d) of the Framework does not apply both in itself and through the application of footnote 6 because of the effect on a designated heritage asset. In any event, the adverse impacts identified would significantly and demonstrably outweigh the benefits when assessed against the policies of the Framework taken as a whole.
48. Consequently, material considerations do not indicate a decision contrary to the terms of the development plan.

Conclusion

49. For the reasons given above I conclude that the appeal should be dismissed.

RJ Jackson

INSPECTOR