

St Nicholas Hurst Parish Council

Planning Application Consultee Report

Planning Application 230074 - Land adjacent to School Road and Orchard Road
Hurst Reading (also known as Willowmead and/or the Ex-Hurst Show Field)

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Introduction

Hurst Parish Council (“**HPC**”) **objects** to this application on the following ten main grounds, the detail of which is set out in this report alongside additional background and contextual information on the site’s planning history, collected village data and residents’ lived experience, as well as HPC’s considered opinion:

1. General Principle
2. Historical Character of Hurst
3. Landscape Character of Hurst
4. Historical Trees and Hedgerows
5. Agricultural land (Best and Most Versatile)
6. Biodiversity
7. Conflict with the pattern of development and setting
8. Drainage and Flood Risk
9. Sustainability
10. Transport and Highway Safety

HPC is generally supportive of the integrated strategic planning approach adopted by Wokingham Borough Council (“**WBC**”) to date and recognises the strong track record of strategic and sustainable development across the Borough and the need to prioritise sustainable development. HPC does not believe the current proposed development is in any way consistent with WBC’s stated planning objectives, is expressly contrary to parts of the NPPF and fundamentally fails when measured against national and local sustainability criteria.

HPC has also been monitoring sentiment in the Village and the responses to the WBC planning portal for this application and notes the exceptional strength of opposition within the Village to the proposal to develop this green field site. HPC endorses all those points raised by Village residents in their submitted objections, many of which are consistent with HPC’s grounds for objection set out below and are widely considered to be the majority view within Hurst.

General Principle

The proposed development site lies outside the WBC Limited Development Location settlement boundary for Hurst and represents an inappropriate and unsustainable form of development in the countryside with a loss of rural small scale pastureland characteristic of the area resulting in severe harm to the quality and character of the environment, contrary to (but not limited to) the following: **CP1, CP3, CP7, CP9, CP11, TB21, TB23.**

In addition this application is in conflict **MDD Local Plan Policy CC02** - Development Limits:

This is a major development in the countryside which does not respect the transition between the built-up area and the open countryside as it does not take into account the character of the adjacent countryside and landscape. It will not recede and soften in relation to adjoining open countryside, but will be a highly visible, physically intrusive urban development in designated countryside.

This proposal is contrary to **MDD CC03** in that it does not provide accessibility, linkage and permeability between and within existing green corridors. It does not create new bridle paths, safe pedestrian or cycle routes and the development only leads to busy roads without safe, designated cycle ways or footpaths in the immediate vicinity (e.g. Orchard Road) and wider area. During the recent appeal inquiry for (Application 200458¹) Land East of Lodge Road, Hurst

¹ [Wokingham Borough Council Online Planning - Details](#) Application 220458 Outline application for the proposed development of approx. 200 homes, open space, pedestrian and cycle links, recreational facilities (Use Class E) and other

(APP/X0360/W/22/3309202 – dismissed 9th March, 2023) it was evidenced by WBC that there is a lack of opportunities for safe walking and cycling in the area of Hurst, with rural roads and often changing speed limits there are safety issues.

The proposed development does not protect and retain the existing trees, hedges (all protected by Tree Preservation Orders (TPO ref 1784/2021) and other sylvan landscape features. To accommodate the new entrance in Orchard Road, a not insubstantial length of protected hedgerow and 3 trees will be removed and the weeping willow trees will have to be crowned; The grass verges will be compromised by vehicle movements and the Root Protection Areas (RPAs) of the trees and hedgerows on the opposite side of the road will also be compromised. One tree will have to be removed to accommodate the 2 entrances at School Road and the verges and greenery will be vigorously cut back to accommodate visibility for the ingressing and egressing vehicles, which will detrimentally affect the rural street scene.

The proposal would result in the loss, fragmentation of an area of green infrastructure which is an important component of the landscape and character of this area of Hurst.

This proposal is in conflict with **MDD Policy TB24** (Heritage) and **TB26** (Buildings of Traditional Local Character and Areas of Special Character (ASC)). The proposed new development does not make a positive contribution to the local character and distinctiveness and does not draw on the contribution made by the historical environment or the character of the historic settlement of Hurst.

Development, such as this proposal, is not sympathetic to the heritage character of the village and would create significant harm to the heritage character of Hurst. The site is partially within and adjacent to and thus will be highly visible from the Old School Area of Special Character. The overall character and landscape setting of the ASC will be compromised as the historical context, scale, form and massing against the rural backdrop of the green gap will be harmed.

This proposal is contrary to the Borough Design Guide Supplementary Planning Document (2012) which states that *'maintaining and enhancing the quality of environment includes not only the landscape, ecology and heritage but also the positive character and quality of existing places, both by maintaining so far as possible the existing pattern of development, and features that contribute to the attractiveness of the environment and help create a sense of place'*.

It is not credible that this development would be able to create and deliver against suitable design codes on cost viability grounds.

This proposal conflicts with the many of the aims and objectives of Hurst Design Guide (dated 2005 and updated 2009) **APPENDIX 1** for example:

- Maintenance of the rural and 'green' aspects of Hurst are essential both for the inhabitants and for the local population in general. The preservation of an open, agricultural landscape is vital to the setting of Hurst as a village within a rural Parish. It is important that the rural aspects of the area are preserved. At night external lighting on buildings and street lighting detracts from this rural aspect and is often inappropriate.
- The green gaps and rural vistas between buildings and settlements need to be preserved.
- The open views and vistas need to be retained as far as possible.
- Consideration should be given to existing wildlife corridors, and where appropriate create new ones.
- The rural appearance of roads needs to be retained. The system of lanes, footpaths and bridle ways, and the character of the old country lanes, need to be preserved and enhanced

associated infrastructure and primary vehicular access via the exiting Lodger Road gated access with required improvements (all matters reserved except for access). Refused by WBC 22/06/22.

by discouraging through traffic, thus enabling their safe use by pedestrians and non-motorised transport.

- As a small, rural settlement Hurst lacks the facilities to make it sustainable for large-scale development. Therefore any new development needs to be designed to meet the sustainability and limitations of the Parish
- Retention of open landscapes within built areas, development along only one side of the road and gaps between houses can help to maintain the open aspect of the Parish.
- New development, including all re-development of old agricultural buildings as well as new agricultural buildings need to be appropriate to the physical and visual character and structure of the settlement area.
- Soft, green boundaries and trees are characteristic of the Parish; any new development needs to respect this characteristic. The rural tradition of cultivated front gardens also needs to be respected wherever possible by appropriate building lines on developments.

The Applicant's Planning Statement asserts that this is a *"logical development opportunity in the context of its location adjoining one of Wokingham Borough's Limited Development Location settlements (the village of Hurst)"* which has been confirmed as a sustainable location for growth through decisions on planning applications on adjoining land. The application is submitted at a time of a significant housing land supply shortfall and no strategy in the short to medium term to address it."

The reference by the applicant to decisions on planning permissions on adjoining land² being confirmation that this site is de facto "sustainable" are strongly refuted. Each planning application must be considered on its own merits and as decided in the Lodge Road Appeal, development density and scale is a distinguishing factor which ought to be taken into consideration

HPC and WBC are well aware of the current extremely high level of applications by landowners and developers in relation to sites in Hurst, as developers seek to take opportunistic commercially lucrative advantage of WBC's interim short-term lack of 5 year land supply to argue their cases on a *tilted balance* basis. This situation lends itself to poor, short-termist planning decision-making and risks WBC and any appeal inspectors failing to apply appropriate weight to locally-determined policies and assessments, which have been carefully prepared in recent years and reflect sound town and country planning practice. This is essentially more a question of critical timing than the application of the principles of good town and country planning.

HPC is firmly of the view that WBC's core strategy, LDP, core planning policies and Limited Development Location settlement boundaries are still strategically appropriate from a planning perspective and necessary both to deliver on sustainable development goals and to protect the historical and rural character of Hurst.

It should also be noted that, notwithstanding this being the case, Hurst has already seen a considerable amount of infill development in recent years (Martineau Lane, Barber Close and Valley Nurseries – **all within the settlement limit**), so has already been forced to accept, in the face of majority opposition, a fair proportion of new development. Rather than this setting a damaging precedent, this should be treated as a rebuttal of any assertion of the need – in Hurst – for further development of this large-scale nature and should strengthen the argument that development should be considered on an aggregated basis.

² which we take to mean the appeal decision for land at junction of Sawpit Road and School Road, Hurst allowed on 4th August 2022 (LPA ref and PINS ref APP/X0360/W/21/3280255) and appeal decision for land at Valley Nurseries, Whistley Green, Hurst allowed on 30th August 2017 (LPA ref 162219 and PINS ref APP/X0360/W/17/3171-83)

Relevant Planning History

Other planning application and appeal decisions are a material consideration when considering planning applications. HPC agree with the applicant that no proposals have been submitted on the site since 1998. The applicants planning statement history only identifies two relevant planning applications which they consider relevant to the planning application (Sawpit Road and Valley Nurseries). However, HPC cite the following appeals which we believe to be of relevance and cite a number of paragraphs in relation to sustainability, landscape and other matters:

[Land East of Lodge Road, Hurst: Application 220458³ - Appeal APP/0360/W/22/3309202 \(dismissed 9 March, 2023\)⁴](#)

This appeal was for approximately 200 homes, open space, pedestrian and cycle links, recreational facilities (Class E) and other associated infrastructure including the formation of a new highway access road from Lodge Road located adjacent to the existing field access to be closed. The site was 118 metres NW from this application.

The Inspector, David Wildsmith, stated the following:

In terms of WBC planning policies being out of date:

27. The most important policies in this case are agreed to be those referred to in the reasons for refusal, but being considered out-of-date does not mean that these policies can carry no weight in the determination of this appeal. The Framework itself clarifies this point in its paragraph 219, where it explains that due weight should be given to development plan policies according to their degree of consistency with the Framework. The closer such policies are to the policies in the Framework, the greater the weight that may be given to them.

28. There is no dispute between the parties that the housing requirement set out in the CS is out-of-date, and that the policies and settlement boundaries detailed in the CS and the MDDLDP to achieve delivery of this quantum of housing, discussed above, must similarly be regarded as being out-of-date. But it does not automatically follow that the development plan is failing to accord with the requirement in paragraph 60 of the Framework to significantly boost the supply of homes; nor does it mean that the spatial vision set out in the CS should not still carry weight.

In terms of delivered and current housing land supply:

29. On the first of these points, I have been mindful of the Council's evidence which shows that over the 16-year period from 2006/07 to 2021/22 it has achieved a total of 12,465 housing completions compared to a CS Policy CP17 cumulative requirement of 10,738 new dwellings – an excess or 'over-supply' of some 1,727 dwellings. This is a factual position, and I see no reason to dispute the Council's interpretation that it demonstrates a clear boosting of housing delivery to date, in line with Framework requirements.

30. I acknowledge that within this 16-year period there were more years when the actual completions fell behind the policy requirement than exceeded it. But as the appellant accepted in its closing submissions, such a delivery profile is not unexpected where the bulk of housing delivery relies on a small number of very large sites – the SDLs in this case – which can be slow to start delivering houses, and where housing delivery may be unreliable and 'lumpy'.

³ Planning application 220458 [Wokingham Borough Council Online Planning - Details](#)

⁴ Land East of Lodge Road Appeal Decision, APP/X0360/W/22/3309202) [Heading 9 \(wokingham.gov.uk\)](#)

31. On this point I have noted the Council's assertion that further housing delivery from the SDLs is very likely to add to the housing supply over the next 5-year period, but whilst this may prove to be the case I can place no weight on this matter as things currently stand, as such sites clearly do not fall within the Framework's definition of deliverable. However, I do not consider it unreasonable to have regard to the Council's assertion that if projected completions over the remainder of the CS plan period to 2026 were to be taken into account, then total completions would be 15,448 compared to the CS requirement of 13,230 dwellings, resulting in an excess of some 2,218 dwellings and representing a 16.2% oversupply. In this case the dwellings concerned clearly are considered deliverable and there is no good reason to doubt that they will be completed and add to the housing supply within the overall CS period.

32. In view of these points, and even though the Council is currently unable to demonstrate a deliverable 5-year HLS, falling short by some 863 dwellings, I do not consider it reasonable to ignore the bigger picture, which is that there is a very strong likelihood that the Council will achieve a significant oversupply of dwelling completions over the whole CS period. **To my mind this does not signify a Council that is failing in terms of housing provision, but rather one which is performing well and managing to boost the supply of housing over that which it planned for.** (HPC emphasis)

33. Reinforcing this view, I note that since the standard method of calculating Local Housing Need (LHN) was introduced in 2018, evidence from the Council shows that housing completions have consistently and significantly exceeded the LHN figure for each of the 4 years in question, providing some 5,391 new dwellings compared to a LHN requirement of 2,166 dwellings.

34. Turning to consider the CS's spatial vision, I see nothing in the evidence placed before me to indicate that the Council's chosen method of distributing new housing throughout the Borough has prevented it from achieving satisfactory housing delivery to date. Whilst the Council's inability to demonstrate a deliverable 5-year HLS is clearly a matter of concern, no persuasive evidence has been placed before me to indicate that the most sensible or appropriate way to address this issue is to grant planning permission for a significantly-sized development which would run counter to this spatial vision, as would be the case with this appeal proposal.

35. Having regard to all the points set out above, I consider that CS Policies CP9 and CP11, and MDDL Policy CC02 should still carry significant weight in this appeal.

In terms of landscape:

46. In order to maintain the landscape character of the C2 LCA, the stated landscape strategy is "to conserve and enhance the quiet, rural and agricultural landscape with its scattered rural farmsteads and small red brick villages connected by narrow rural lanes". The strategy goes on to say that "there are opportunities to enhance the landscape through restoration and management of the hedgerows", and that "**in terms of development, the aim is to conserve the low-density pattern of settlement centred around Hurst and Whistley Green**". (HPC emphasis).

In terms of sustainability:

74. The Council is clearly going to have to give serious thought to where it wishes to see future development taking place in the Borough as it progresses its new Local Plan to adoption. But I consider that the locational principles guiding the existing CS spatial vision broadly accord with the guidelines and requirements of the Framework, detailed below, and

notwithstanding the current shortfall in the 5-year HLS appear to have served the Council well over the CS period to date.

79. In CS terms the status of Hurst as a Limited Development Location carries with it the implicit assumption that it contains what the CS refers to as a “basic range of services and facilities”. Both the Council and the SNHPC maintained that this is a fair descriptor of what is available within Hurst, whereas the appellant considers that the village has a good range of facilities, echoing the view of the Inspector who determined the Sawbridge⁵ Road appeal by the written representations method.

80. That said, any such assessment has to be subjective, at least to some degree, and be based on the facts and evidence available at that time. I do not know the detail of the evidence placed before my colleague Inspector who determined this Sawbridge Road appeal, but I see from his decision that he listed Hurst as having a Post Office and village store, primary school, pre-school, public house, church and village hall, with secondary schools and medical surgeries located further afield.

81. These points led that Inspector to conclude that Hurst offers a “good range of local facilities to address many everyday needs which are available by walking and cycling”, but that it would be “inevitable that there will be demands for travel outside of the village, to higher order settlements in the local area, or to alternative service centres that can offer facilities that Hurst does not”. He commented that these essential services and facilities, including railway stations, local and supermarket shopping, a General Practitioners (GP) surgery, and employment were provided in Twyford, Reading, Winnersh and Wokingham, which were accessible from the bus stops in the proximity of the site under consideration in that appeal.

82. However, dealing first with the facilities available within the village, I accept that those listed by my colleague Inspector are all within a reasonable walking or cycling distance from the currently proposed development. **However, it is not just distance which has to be considered, but also the standard of the network available to pedestrians. Put simply, the existing network of footways within this settlement is not good. As I saw at my site visit, and as is clearly demonstrated in the evidence of Cllr Smith, many lengths of road within the village either have no footways at all, or only on one side of the road, with these footways being of varying standard and width, with most being well less than 2.0m wide.** (HPC emphasis)

84. Furthermore, with regards to the facilities themselves, I consider that not all of them could be said, realistically, to cater for everyday needs. Whilst the Post Office, village store and the Elephant and Castle Public House may well fall into that category, it seems to me that many of the other facilities referred to would only cater for a limited number of the village residents, and only on a limited number of occasions. On this point I note that the Bakery is only open infrequently – as was confirmed at my site visit; and that of the 2 additional public houses referred to, the Castle Inn lies somewhat outside the main village and is only accessible from the village by means of roads with no footways and no street lighting; whilst the Green Man, at the north-eastern extremity of the village, is currently closed.

85. Although reference was made to the village also having a Gospel Hall, cricket, football and bowling clubs, with tennis courts available at the Dolphin School some 1.8km away, these would only be of use to a limited number of people and, again, could not be said to

⁵ The Inspector has incorrectly identified ‘Sawpit’ as ‘Sawbridge’ throughout the Appeal Decision.

satisfy everyday needs. In light of these points **I consider that the range of facilities and services within Hurst has to be categorised as basic rather than good, especially when seen in the context of the size of the village, put at some 439 dwellings in the Council's evidence.** (HPC emphasis).

90. Mr Whittingham, for the appellant, did show how it would be possible to catch the bus to and from Twyford Station to suit traditional working hours, but the fact remains that there is still only one weekday morning bus service to Twyford Station likely to be suitable for most commuters. Furthermore, there have been reliability issues with the 128/129 services in recent years, as was made clear in the letter from Thames Valley Buses, submitted to the Inquiry in response to a specific query from a local resident. My reading of this bus company response is that reliability is an ongoing issue with this service. I acknowledge that live tracking of buses can be undertaken using the internet or an app on a mobile phone – but not all travellers have access to such facilities, which could well be of limited benefit anyway, if the bus element was part of an overall time-critical journey.

91. Mr Whittingham also maintained that the 128/129 bus services pass relatively close to the secondary schools both north and south of Hurst, and set out in some detail how children's journeys to these schools would feasibly work. **However, the Piggott School and Waingels College are more than a 20 minute walk from the nearest bus stop, and to reach the nearest bus stop for the return journey back from Emmbrook School and the Holt School would require walks of 20 minutes and 30 minutes respectively. I share the Council's view that the bus timetable does not align well with most of the schools' finishing times, meaning that there is the potential for children to have to endure a long and inconvenient wait at the bus stop.** (HPC emphasis).

92. A final point raised by Cllr Smith and others is that there is only one bus service a day to the GP Surgery in Twyford, at 15.46, with no return journey. Using public transport in such circumstances would clearly be problematic, and like the Council I consider that the limited timetable and the consequent long intervals between services has the potential to cause significant inconvenience and long waits for travellers. A bus service contribution is included within the UU, but as the Council's Mr Adam confirmed, this contribution would not make the service financially self-sustaining, but would simply serve to reduce the funding gap.

93. Having regard to all the above points, I share the view of both the Council and the SNHPC that the 128/129 bus service is unlikely to be seen as an attractive alternative to the private car, and therefore would not offer residents a genuine choice of transport modes. (HPC emphasis).

95. With these points in mind I share the Council's view that the arrival of the Elizabeth Line does not appear to have overly benefitted Twyford commuters, and that it has not made any dramatic difference to the sustainability of Hurst because of the difficulties of reaching the station by means of transport other than the private car, as detailed above.

[Land at Ashingdon, Tumbleweeds, Rosevale and Mufulira, School Road, Hurst: Application F/2002/6072 \(non-determined\) - Appeal APP/X0360/A/02/1103198 \(dismissed 16/05/2003\).](#) (APPENDIX 2)

This application was for 25 dwellings which included 6 flats as a 2 storey block and 4 dwellings fronting School Road within the development limit. The site was 150 metres (North) from this application. This would replace 4 dwellings on substantial plots which would be demolished (all 4 of these dwelling still exist). Although 20 years ago, HPC believe this appeal is still relevant as the character of School Road has changed little since.

The Inspector, Stephen Job, stated the following:

Paragraph 15: *In my view, the number of dwellings proposed, and the hard surfacing that would go with them, would introduce an urban element into the centre of Hurst starkly contrasting with the low density housing which surrounds the site on all sides. I consider that the proposal has little regard for its context and would as a consequence have an unacceptably incongruous appearance. I also consider that the massing and prominence of the houses and flats which would front School Lane – particularly the four houses, which would be of fairly uniform design and close together – would have an adverse effect on the rural character of the lane. The proposal would entail the loss of a considerable number of trees. I accept that, individually, many of these trees are not of great amenity value. They do, however, collectively make some contribution to the character and appearance of the area. Bearing all these factors in mind, I consider that the proposal would be detrimental to the character and appearance of this semirural settlement.*

Paragraph 18: *I note that Hurst's retail provision is limited to 3 shops. It has a primary school, although this is site-bound and oversubscribed. It has some community facilities and also some facilities for outdoor recreation. The settlement does not have any health services nor does it offer significant opportunities for employment. It has an hourly bus service on weekdays, although the service does not run beyond early evening and its future is uncertain. The nearest public transport from the bus service, is the railway station at Twyford, which appears to me to be significantly over 2 km away from the site. The nearest retail centre is Twyford centre which is still further away. **There is no doubt in my mind that the occupiers of the proposed development would be heavily dependent on the private car for access to shops, services and employment. In my view the proposal is for a significant number of dwellings in an unsustainable location** (HPC emphasis).*

Paragraph 19: *I therefore conclude that the proposed development would have an adverse effect on the character and appearance of the area, that this harm would outweigh any advantage that might accrue from using land more efficiently and that the development would be unsustainable.*

The Inspector concluded in Paragraph 37: *"I have indicated that 3 of the 4 issues identified could be resolved by the completion of an appropriate planning obligation. However, even if they were so resolved, **my concerns about the impact of the proposed development on the character and appearance of the area and the unsustainable nature of the development would remain.** For the reasons given above, and having regard to all other matters raised, I conclude that the appeal should not succeed". (HPC emphasis).*

[Land at Lodge Road: Application 172894⁶ - Appeal APP/X0360/W/18/3194044⁷](#)
(dismissed January 2020)

This was for 5 dwellings on a site approx. 275 metres West from this proposed development site. Philip Major, the Inspector concluded the following:

"It is my judgement that the location of the appeal site would not follow sustainable principles. Residents of the site would not be likely to take advantage of walking, cycling or public transport to any significant degree. In my judgement this is not an accessible location as required by Policy CP9...The likely reliance on private vehicles would not be in tune with

⁶ Land at Lodge Road Planning Application 172894 [Wokingham Borough Council Online Planning - Details](#)

⁷ Appeal Decision Land at Lodge Road [Heading 9 \(wokingham.gov.uk\)](#)

the NPPF objectives and would be in conflict with most important policy CP9 and Core Strategy Policies CP1 and CP6 which, taken together, seek to ensure that development provides for sustainable forms of transport to allow choice (amongst other things). In this instance I do not accept that there would be a realistic and viable choice for the majority of people”.

Old Rose Garden, Orchard Road: Application 183093⁸ - Appeal APP/X0360/W/19/3226711 (dismissed 18/09/2019)

This was for 1 dwelling on Orchard Road. This site is 65 metres to the South of the proposed development. Inspector A Spencer-Peet concluded:

Paragraph 20: *“In my view, it is therefore likely that future occupants of the proposed dwelling would be reliant on private motor vehicles in order to access basic services, such as shops, medical facilities or wider transport links such as a train station. Whilst dependence on private vehicles may be expected in countryside locations, the proposal would only exacerbate this level of reliance. It would contribute to a pattern of development that would be likely to cause environmental harm as a result of increased car journeys and hence carbon emissions”.*

Sawpit Road: Application 211532⁹ - Appeal APP/360/W/21/3280255 (Allowed 04/08/2022)¹⁰

The Sawpit Road Appeal was for 4 dwellings on a much smaller site approximately 70 metres to the Southwest of the proposed development. HPC consider that the Inspector did not properly consider other relevant appeals. During the recent inquiry **Appeal for Land at Lodge Road**¹¹ WBC in their Proof of Evidence (Paragraph 6.30¹²) disagreed with the conclusion by the Inspector when he stated that the site *“would be adequately accessible to local facilities by means of walking and cycling”*. HPC as a Rule 6 Party also concluded in their Proof of Evidence that the inspector’s decision failed to consider how realistic and safe the proposed routes would actually be, focusing entirely on distances rather than the routes pedestrians and cyclists would need to take. The Sawpit Road Inspector made no reference to the frequency of local bus services;

Sawpit Road was smaller and had 85% lower housing density than this development. Overall the sustainability analysis in the Sawpit Road decision is far less detailed and should accordingly be given less weight than the analysis in the appeal decisions for Land East of Lodge Road, Land at Lodge Road, Land at the Old Rose Garden and Land at Ashingdon, Tumbleweeds, Rosevale and Mufulira all of which concluded an opposing opinion to the Sawpit Road Inspector by agreeing that the bus routes are limited and the main roads with high vehicle speeds would make travelling by bicycle or on foot unattractive to most users.

Valley Nurseries, Whistley Green: Application 162219¹³ - Appeal APP/X0360/W/3171083¹⁴ (Allowed 30/08/2017 but did not go to inquiry as WBC rescinded their objection).

This site is 560 metres NW of the proposed development. Originally refused by WBC, who then capitulated during the Appeal process due to the lack of housing numbers and resolved to release

⁸ Land at the Old Rose Garden Planning Application 183093 [Wokingham Borough Council Online Planning - Details](#)

⁹ Sawpit Road Planning Application 211532 [Wokingham Borough Council Online Planning - Details](#)

¹⁰ Appeal Decision Sawpit Road [Heading 9 \(wokingham.gov.uk\)](#)

¹¹ Land East of Lodge Road Appeal Decision, APP/X0360/W/22/3309202 [Heading 9 \(wokingham.gov.uk\)](#)

¹² WBC Main P of E Paragraph 6.30 [ViewDocument \(wokingham.gov.uk\)](#)

¹³ Valley Nurseries Application 162219 [Wokingham Borough Council Online Planning - Details](#)

¹⁴ Valley Nurseries Appeal Decision [Heading 9 \(wokingham.gov.uk\)](#)

the land early for development. This site was within the settlement limit, was an allocated reserve site for housing in the local plan and a brownfield site with decrepit greenhouses on it. As a result there were no main issues in the appeal and the decision was given without a hearing or inquiry and there was no live evidence. It is not clear that the Inspector had the benefit of the detailed evidence of resident or bus timetabling information when making his comments.

Post-development feedback from new residents in Valley Nurseries suggest that the assumptions on sustainability in connection with public transport made by the Inspector at the appeal were – as residents and HPC warned – later found to be ill-judged in reality, with most residents finding it hard to rely on the scant bus service and still relying on a high number of personal car journeys (creating greater expense for affordable homes residents in particular).

The Inspector for the recently dismissed Land East of Lodge Road Appeal has disregarded this appeal in his decision.

Historical And Heritage Context of the Site

It is difficult to assess the archaeological evidence on this site as it has never been developed, neither, in all probability, has it ever had any archaeological excavations carried out on it. According to Berkshire Archaeology Historic Environment Records¹⁵ the earliest prehistoric find was a Mesolithic flint scatter at Whistley Court Farm, which was more than 500m away, followed by Roman finds and confirmation of a Medieval settlement; The *Book of Hurst*¹⁶ states that in 968 AD King Edgar established a manor at Whistley when he made a grant of land out of his royal forest and it was given to Wulfstan, the Abbot of Abingdon Abbey. Whistley Court Mansion (no longer there) was built after the manor was created and the surrounding land to the manor became known as Hurst Park. Therefore, it would not be unreasonable to assume that this land was originally part of the Hurst Park Manor as it is within 500m of this.

The Applicant's Heritage Report 4.5 is of the opinion that *"Consequently, it can be concluded that the Site is unlikely to include any archaeological features that would constrain development"*. On this basis though, given the background, HPC believe a condition should be in place to ensure a thorough Archaeological assessment should be carried out prior to any development starting, should this application be permitted.

Figure 1 is a copy of the Enclosures Map dated 1818¹⁷. This shows the proposed development site in the ownership of the 'Trustees of the Late Richard Palmer' which was part of the Hurst Lodge Estate; Frances Fairfax, the wife of the 22nd Earl of Buchan Frances, died in 1719 and eventually sold in the 1740s to Robert Palmer (Richard Palmer's father), an attorney from Great Russell Street in Bloomsbury. In 1796, this family's main residence became Holme Park in Sonning, but they still retained Hurst Lodge until around 1919 when it was sold to Sir Philip Martineau¹⁸ lawyer, philanthropist and benefactor to Hurst Parish.

¹⁵ <https://www.heritagegateway.org.uk/Gateway/Results.aspx>

¹⁶ <https://history.woodedhill.org/Hurst/Whistle.htm>

¹⁷ http://ww2.berkshireenclosure.org.uk/CalmView/getimage.ashx?app=Archive&db=Catalog&fname=Q_R_D_C_61B\Map.i

¹⁸ https://en.wikipedia.org/wiki/Philip_Martineau



Figure 1: 1818 Enclosure Map from the Berkshire Records Office

Sir Philip Martineau¹⁹ (1862 – 1944) as the Philip Martineau Charity²⁰ donated the land and the money for the small village hall and house (built circa 1899), granting the freehold in 1923²¹ and also the large village hall (built circa 1924). Architecturally, Willowmead house was probably built around the same time as the village halls and it may be that the remaining land was sold to this property at that time. Around 1971 the school acquired part of the land as playing fields, and a further two small parcels of land were sold by the current owner to the neighbouring properties Willowmead (October 2014) and Grade II listed Vine Cottage (May 2017). The remaining land, the site proposed for development remains as permanent pasture, which until very recently was grazed by one or two ponies.

As can be seen from the 1872 Ordnance Survey Map (Figure 2) this area constituted one field; The footpath can be seen running between Orchard Road and School Road which is the same path running through the proposed development site today. Comparing the visual landscape between now and the 1872 Ordnance Survey map, it can be seen that much of the hedgerows on the northern boundary (School Road) have disappeared, as these have been replaced by post and rail fencing, opening up the views across the field and beyond, however the hedgerow on the southern boundary (Orchard Road) is still there and there are hedgerows on the eastern boundary between the school and the field and a new indigenous hedge planted on the boundary between the heritage asset Grade II listed Vine Cottage and the field.

In all probability, for centuries, the proposed development site has always been permanent pasture, which resembles a meadow. It provides an important green space which creates a visible and important transition between the built-up area of the village and that of the open countryside and maintains the traditional pattern of scattered residences throughout the parish. On the south side, across Orchard Road are paddocks and good quality farmed agricultural land and on the north side the village green at Martineau Lane with the allotments are in close proximity, leading to further paddocks, countryside and country parks beyond. To the west is Hurst House (originally known as Hurst Park) which is a private house with extensive grounds which are in part formal and part pasture and orchard. The proposed development site represents an important part in the value of

¹⁹ https://en.wikipedia.org/wiki/Philip_Martineau

²⁰ <https://beta.charitycommission.gov.uk/charity-details/?regid=240169&subid=0>

²¹ History of Hurst Village Halls. The original land grant was dated 13 April 1888. Leased for 99 years to Hurst Working Men's Club for 10/- annually.

By 1919 the site included the current Cottage and the Small Hall (billiards room). Philip Martineau granted the freehold in 1923 and the land was vested in the Charity Commission. Large Hall constructed circa 1924. It was brick built and tiled, lighted by petrol lamps and heated by two slow combustion stoves.

the intrinsic character of the countryside, which although does not have any special designation is recognised by the village community to be of significant historical importance and highly valued.

The applicants Heritage Report 4.22 concludes that Vine Cottage is a heritage asset of high significance, however, HPC disagrees with the Report's assessment of the wider setting, HPC believe the wider setting to be a significant element of the heritage assets setting, which will be compromised by the development of the Site.

The Heritage Report at 4.41 states that the site only holds intervisibility with the eastern side of the Village Hall and with Willowmead and its grounds. It then states: The Site is wholly screened from most of the Area. HPC refute this. The ASC is not wholly screened and is highly visible from the Site and the Site will be wholly visible from the ASC which will be directly and significantly harmed by the introduction of this urban development.

As the proposal is for Outline only, there is no guarantee that the proposed development will retain the traditional, historical, local and special character of the Area, especially in view of the density, scale and mass proposed. The resulting development will result in a highly significant level of harm to both the heritage asset and the ASC and the historical character of the village.



Figure 2: 1872 Map of Hurst showing how little this site has changed since that time.

Contrary to Landscape Character of Hurst and Detrimental Impact on Landscape

The site is identified in Wokingham District Landscape Character Assessment (2004) Area C²² 'Hurst River Terrace' but also is adjacent to Area I4 'Hurst Farmed Clay Lowland' (Figure 3) and therefore both LCAs are relevant as the character traits merge and complement one another.

²² <https://www.wokingham.gov.uk/planning-policy/planning-policy-information/environment-evidence/>

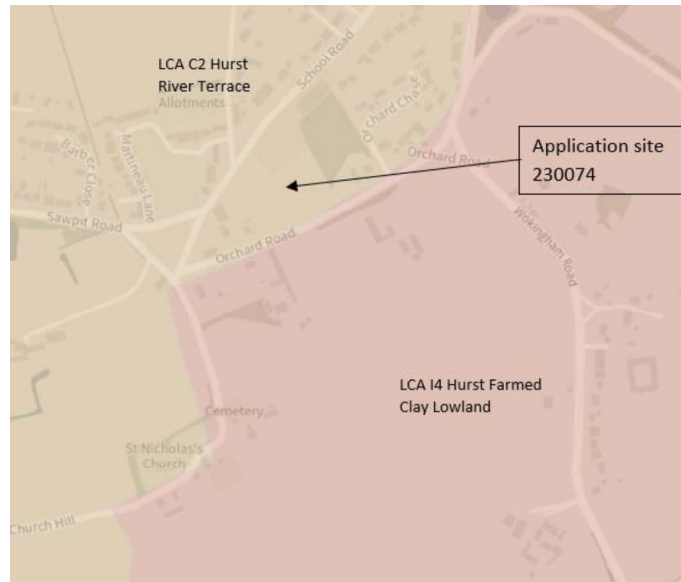


Figure 3: identifying WBC LCA Areas C2 and I4.

The development site clearly demonstrates some of the key characteristics for C2 Hurst River Terrace which is representative of the local area and should be and is valued for this reason:

- Simple and open agricultural landscape comprising a regular mixture of arable farmland and pasture dominated by sheep, enclosed in relatively large straight-sided fields with some smaller horse and pony paddocks.
- Wooded horizons created by small deciduous woodlands and scattered remnant hedgerow trees.
- Localised wet influences due to presence of minor drainage channels radiating into the Loddon Valley, deep drainage ditches around fields and scattered farm ponds with willows associated with settled areas.
- Villages of Hurst and Whistley Green located around older cores with interspersed newer scattered linear development along the network of rural lanes.

The WBC Landscape Strategy for **C2 is to conserve the quiet, rural, agricultural landscape, with its scattered rural settlement, small red-brick villages and rural lanes.**

The WBC Landscape sensitivity for C2 is moderate sensitivity with the openness of the landscape means that **any change has the potential to be highly visible.**

The development site also clearly demonstrates some of the key characteristics for I4 Hurst Farmed Clay Lowland which is representative of the local area and should be and is valued for this reason:

- A pastoral landscape defined by a small-scale regular and irregular shaped fields divided by post and wire fencing and overgrown hedgerows.
- Horse and pony keeping evident through the large number of grazing and exercising paddocks with associated features. This is a particularly prominent land use east of the A321.
- A landscape with peaceful qualities and intimate character.

The Landscape strategy for **I4 is to conserve and enhance the rural pastoral intimate character.** The objective is to conserve and actively manage those elements of the landscape that are creating a

positive sense of place, i.e. the small watercourse and drainage ditches, small scale pastoral fields, ponds and winding rural lanes and the low key settlement patterns.

The Landscape Sensitivity for The Hurst Farmed Clay Lowland (14) is judged to have a **moderate sensitivity to change**: *The most significant elements (which would be most difficult to restore/recreate if lost) are the peaceful, rural quality, the low-density pattern of settlement and the distinctive land use pattern of small-scale pastoral field units, drainage ditches and hedges. Whilst these elements are of largely local importance, they are sensitive to change and, some, such as the peaceful, rural qualities are increasingly valued at the regional scale*.

Overall, the WBC LCA states that Areas I4 and C2 should seek to retain the low-density of settlement within their respective character areas and **avoid unplanned expansion of Hurst across the area of C2**. Maintain the historic leafy lanes with their ancient oaks and unimproved roadside verges. Resist road improvements or widening that would threaten their rural character.

The proposed development would undoubtedly have a severely detrimental effect on the rural landscape character of the local area as defined in the Wokingham Borough Landscape Character Assessment (2004/2019) ("**LCA**") in that it results in the loss of two adjoining small scale pasture fields. HPC's view is that the detrimental effect would be severe and that it is the role of the WBC Local Planning Authority and National Planning Policy to **protect, enhance and maintain** these spaces, not suffer the destruction of them. The LCA "*seeks to conserve and enhance the rural pastoral intimate character*". HPC believes that this proposed development would be expressly contrary to this strategic aim.

The Applicant claims in its Planning Statement that "*There are no robust reasons to suggest that allowing the additional homes proposed would be so significant as to undermine the spatial distribution of housing in the Borough or lead to an unsustainable level of growth*". HPC disputes this and believes the additional homes would permanently undermine the spatial distribution of housing in Hurst.

The Applicant notes in its Planning Statement that the site is "*located within the established area of lower density development associated with the village of Hurst and is contained by Orchard Road to the south*". The Applicant is correct that Hurst is characterised by low density housing generally and in this area in particular. This is a strong reason why this application is not logical, as the Applicant suggests. This low density is directly attributable to Hurst's small-scale pastures, being a feature that most particularly creates the Hurst landscape characteristics protected by the LCA. Approval of this application would be expressly contrary to WBC's strategic policy, which was established to protect the rural landscape character of villages like Hurst and is still valid, alongside the wider sustainability considerations, even in a temporary tilted balance situation.

The Applicant also seeks to persuade WBC that this site has no value as a landscape in its Planning Statement – following various general criteria, the Applicant asserts this is not a 'Designated landscape' and therefore not a "*valued landscape*".

The fact that an area of landscape is not designated either nationally or locally does not mean that it has no value. The European Landscape Convention²³ promotes the need to take into account all landscapes with less emphasis on the special and the recognition that ordinary landscapes also have their value; The approach is supported by the WBC Landscape Character Assessment and reflects the consensus that circumstances vary from place to place.

²³ <https://www.gov.uk/government/publications/european-landscape-convention-guidelines-for-managing-landscapes>

The Applicant is wrong to assume that because it is not ‘Designated landscape’ that it is not valued. As per the ***Stroud District Council v Secretary of State for Communities and Local Government***²⁴ as cited by HPC as the Rule 6 Party in the recent Land East of Lodge Road, Hurst (APP/X0360/W/22/3309202 – dismissed 09 March, 2023) Appeal Inquiry: The allegation in this case was that an Inspector had incorrectly taken “valued landscape” to mean “designated landscape”. In finding that he had not, the Judge did not object to the Inspector’s approach that a valued landscape needed some special physical characteristic. But the Judge did not purport to set out any guidelines on whether this was the sole permissible approach Inspectors could take: **nor did he suggest that community value can never be relevant to the assessment or could not be a basis for finding a landscape is valued.** (HPC emphasis).

HPC believe this site should be considered a valued landscape. The site plays an important role in contributing to the rural character of the historical and traditional village of Hurst. The proposed development site has been put forward by residents in the WBC’s LPU to be a Local Green Space (**APPENDIX 3**) as it is recognised as being demonstrably special to the local residents; The community are very attached to this site and WBC will note the extremely high number of residents who vehemently disagree with the proposal put forward by the applicant. This field has long been seen by Hurst residents as a defining characteristic of this historical village, many calling it the “Green Heart of Hurst”. It provides an attractive historical and rural backdrop to the village and is an important transitional rural gap where the village changes from countryside to the built up area. The public right of way (PROW FP 20) that runs through the land provides a quintessential view (Figure 4) of a tranquil English meadow within the countryside and WBC should assess this development site as a valued landscape to the community.



Figure 4: View from PROW FP20 of meadow land and Willowmead House.

The Applicant asserts that *“the scheme will not result in any significant landscape or visual effects as they are visually well contained. The loss of part of the well contained field of limited intrinsic quality in itself would result in some loss of environmental value but owing to its enclosed characteristics and limited public realm aspect this loss is of limited significance”*.

²⁴ ***Stroud DC v SOS and Gladman CO/4082/2014 HPC CD 77*** [ViewDocument \(wokingham.gov.uk\)](https://www.wokingham.gov.uk/viewdocument.aspx?docid=1274)

The sheer number of Hurst residents that have disputed this assertion in response to this application should be noted. This site is not regarded in reality as limited public realm space, but as an important and sweeping rural aspect fundamental to the rural landscape character of Hurst.

The development site is neither 'contained' by or 'surrounded by buildings' but is very much part of the countryside and the introduction of this urban densely built form will have a significant negative impact upon the surrounding countryside and rural street scene.

The extent of the enclosure of the site is exaggerated by the applicant in that it is adjacent to the primary school playing fields, not the actual school buildings, which are 90 metres away from the frontage of the site; immediately adjacent to the West is 'Willowmead' house which is situated in its own large plot and to the East is the designated heritage asset of Vine Cottage, which also sits within a substantial plot. Both are very visible from the PROW and have very little natural screening. The proposed site is only adjacent by a small length of the boundary to the village hall, which as a community facility lies in a substantial plot. The aerial photo in 2.2 of the applicants planning statement clearly demonstrates that this is a rural field with a distinct lack of properties on all sides. The introduction of an access, together with the crowning of the Weeping Willows and required cut back of the hedging to allow visibility splays on Orchard Road, will open the site physically and visually to those traversing along Orchard Road, introducing an urban element into this rural lane.

The site is immediately adjacent to and partially lies within The Old School House, Area of Special Character and will inflict significant harm both in massing and character, it therefore conflicts with WBC Policy TB26. It also provides a setting for Vine Cottage (East) which is a Grade II Listed 16th Century timber framed and brick hall house with later additions.

TB26 states that planning permission will only be granted for proposals to or affecting ASCs where they demonstrate that they retain and enhance the traditional, historical, local and special character of the building or area and its setting. Note 3.128 accompanying TB26 states: *Where development affecting an ASC is proposed, this should protect the architectural integrity of the building and its setting or the special character of the area. Special regard should be given to the historical context, outbuildings, scale form, massing and materials together with retaining key architectural features or details which contribute to the character of the area.*

This proposal does not demonstrate any of the requirements of WBC Policy TB26. By introducing 24 dwellings 3 new accesses and roads, together with garages, hardscape parking, sheds and paraphernalia conflicts with the scale, form and massing of the ASC and does not protect the integrity of the ASC; The site will be highly visible from the ASC and also the PROW FP 20 which traverses the site. The visual susceptibility to change will be HIGH for those walking across the PROW. Currently the field makes an important contribution to the landscape setting and the community enjoys the rural view primarily focussed on the immediate landscape but also across to the countryside beyond.

The development will result in a large and immediately apparent change in the views and tranquility experienced by the community as the development will be dominant and a new incongruous feature in the rural landscape.

The site is not fully enclosed, it is very open to School Road (Figures 5 & 6) and the built form will be highly visible. The development will also be visible from the rural lane of Orchard Road (Figures 7 & 8)



Figures 5 & 6: View of fields a different times of the year, protected wooded horizon and countryside beyond from School Road towards Orchard Road and LCA I4.



Figures 5 & 6: View of fields a different times of the year, protected wooded horizon and countryside beyond from School Road towards Orchard Road and LCA I4.



Figure 7. View from Orchard Road (Summer) weeping willow trees to School Road/Martineau. To accommodate the visibility plays, the Weeping Willow trees will be substantially 'crowned' making the view of the proposed development more visible from the rural lane.



Figure 8. View of the site (Winter) from Orchard Road towards Martineau Lane.

The impact will not be limited and there will be a major alteration to key characteristics/features with the introduction of new elements totally uncharacteristic to the receiving landscape. Overall landscape receptor will be fundamentally changed and in the HPCs opinion the magnitude of change will be unacceptably High as opposed to the applicants statement that the significance of magnitude of change to the site will be Moderate-Major. The proposed 'illustrative' planting scheme will be ineffective and will be compromised over time as the root protection areas will be limited due to the high density of development on the site.

The Applicant implies that the additional 'illustrative' planting, including suggested hedgerow curtilages for the dwellings, will reduce the impact to Moderate-Minor over time. HPC refute this as even if the 'illustrative' planting were implemented, this is not futureproof; there is no evidence to suggest that the new residents will want to keep the proposed 'illustrative' native hedging on their boundaries or to grow (even if they keep them) to a height to such an extent that it mitigates the harm of the urban impact; Maintenance of hedging is challenging once the height requires either

professionals or standing on a ladder. The additional planting is proposed to be native species, which are deciduous and therefore during the autumn, winter and spring months, the urban site will be highly visible from the rural surrounding areas.

In visual terms, there will be a permanent and long-lasting harm to visual amenity as a result of the proposal. The 9 dwellings fronting School Road will be highly visible, as will the overbearing large houses, in small plots along Orchard Road. The high density smaller dwellings will be highly visible from the PROW (FP 20), the heritage asset and Willowmead house. There will be loss of verdancy on Orchard Road and the rural character of this country lane will be significantly impacted (Figure 9). The development will be a dominant feature even after 15 years on both Orchard Road and School Road.

Detrimental effect on trees and historic hedgerows

The loss of one tree along School Road to facilitate the development access, (a tree which might be regarded by the Applicant as disposable), nonetheless contributes to the visual amenity of the landscape. Furthermore, the development will prohibit the residents from enjoying the visual amenity of views of the wider countryside, the protected wooded horizon and historic hedgerow from to School Road, towards Orchard Road. It is evident from the RSA that any existing vegetative planting will have to be severely curtailed at the frontage of School Road as they are already concerned about the highway safety concerns and the lack of visibility when exiting the site and the proposed car park.

HPC are concerned that the RPA for the Common Oak Tree (T1) adjacent to the proposed School Road car park will be harmed by the hardscaping of the proposed car park. The RPA for this tree has been indicated as a circle, a large percentage of which includes ground under the adopted highway. BS: 5837 advises that *'the RPA for each tree should initially be plotted as a circle centred on the base of the stem. Where pre-existing site conditions or other factors indicate that rooting may have occurred asymmetrically, a polygon of equivalent area should be produced. Modifications to the shape of the RPA should reflect a soundly based arboricultural assessment of likely root distribution'*.

Tree roots do not root under the adopted highway where the compacted and anaerobic conditions are not conducive to healthy tree root growth. Tree roots tend to therefore be deflected by the ground under the roadway and run parallel to it, often extending beyond the generic radius calculated for the tree. Therefore it is expected that the roots from T1 to extend further within the proposed car park than indicated on the RPA plan and there is potential for harm to this tree.

The applicants illustrative Site Layout (Appendix A) does not reflect the harm to the existing trees and hedgerows, that the development will inflict. Three trees will be lost to facilitate the Orchard Road access, and 108 metres of hedgerow will either have to be cut back and/or removed to allow the new access, the iconic Weeping Willows will have to be crowned and the ditches for the access and beyond will be culverted. All of this will have a significantly adverse impact on the existing verdancy, visual amenity and rural landscape of Orchard Road and the surrounding area. (Figure 9).



Figure 9: Orchard Road viewed towards Church Hill (proposed site access is the right hand side of image) and much of this verdancy will be vigorously cutback or removed to facilitate the proposed access. The green verges will also have to be removed to accommodate visibility splays and some of the ditch will have to be culverted.

Best and Most Versatile Agricultural Land

The agricultural classification for this site is Grade 3. The applicant has not identified whether or not this is Grade 3a (Best and Most Versatile) or Grade 3b. Due to the close proximity of Grade 2 classified land on the agricultural land to the South of the site, it is possible that the site is Grade 3a and if this is the case, WBC CS Policy CP1 specifically requires new development to avoid BMV land. The NPPF requires that development proposals recognise the economic and other benefits of such land. Given that this land is in close proximity to what was a thriving horticultural nursery (Orchard Nursery) in living memory, producing famous roses, there could well be economic benefits of retaining such land, including the production of food.

Biodiversity

The Preliminary Ecological Appraisal Report (January 2023) (PEA) confirms that this is mainly a desk based exercise with the ecological appraisal of the site undertaken on one day, on the 23rd August, 2022; this was during one of the longest, hottest and driest summers for decades and the recorded temperature for Hurst that day was between 26 and 28 degrees Celsius far hotter than the 20 degrees as stated in the report. The photographic evidence in the PEA Table 3.1 PRA Summary is evidence of how dry the field was at that time. However, HPC Figures 5 & 6 (Page 19) demonstrate how much the grass and flora grow in these fields.

The applicants botanical survey does not constitute a full botanical survey and it has been confirmed in PEA 2.6.2 that plant species may have been under-recorded, unidentifiable or not visible due to a number of factors including the time of year the survey was carried out and any direct evidence within the survey area and therefore the statement in 3.4.1 '*...that it is anticipated that the habitat is unlikely to support any notable plant species*', should not be taken at full value.

The protected species assessment only provides a preliminary view of the likelihood of protected species occurring on the site, based on the suitability of the habitat and known distribution of the species. Figure 3.1 of the PEA has not recorded that the site is adjacent to a Biodiversity Opportunity Area at Vine Cottage, although it does acknowledge the proposed Local Wildlife Site (LWS) at Vine Cottage. It inaccurately states that there are no statutory sites located within 5 km from the site boundary. As can be seen in Figure 10 the statutory site of Lavells Lake Local Nature Reserve is well within 5 km of the site, as is the SSSI Lodge Wood and Sandford Mill. Whilst not statutory, the large areas of LWS at Dinton Pastures and Lea Farm cannot be ignored as they provide a substantial corridor and haven for the protected species in and around the area, some of which use the Site for habitat and foraging.

There is no mention in the PEA that the DEFRA Nature Recovery Network identifies this site as a being in Network Enhancement Zone 1 – this is land identified as connecting existing patches of primary and associated habitats which is likely to be suitable for creation of the primary habitat. Action in this targeted Zone is required to expand and join up existing habitat patches and improve the connections between them. This site is adjacent to a BOA and sits centrally between two extensive BOA's and acts as part of a wildlife corridor between them. In the absence of a Local Network Nature Recovery Strategy the National Nature Recovery Network designation should at least be considered in the assessment of the site.

PEA 3.4.5 states that although records were found in abundance for the Great Crested Newt (GCN) in the area, they stated that from aerial photography (although they do not provide evidence of this) that the ponds are no longer present. Ponds in the area often dry up during the summer months, (especially during long, hot, record breaking summers such as 2022) and the recently dismissed Land East of Lodge Road Appeal²⁵ the initial Ecology Report by AA Environmental confirmed that GCN DNA is very much present in the locality. Contrary to PEA 3.4.7, there are ponds (Hurst House designated by DEFRA as a Woodpasture and Parkland BAP Priority Habitat) within 250 metres of the site boundary, together with Hatchgate Ditch (classified by EA as a main river). It cannot therefore be presumed that this site does not have GCN on the site or within close proximity. The drainage ditch that runs along Orchard Road, on the boundary of the site, is damp and overgrown providing good habitat for amphibians and reptiles.

There is no mention of stag beetles which are known to be in the area which are a protected priority species.

PEA 3.4.28 Discounts a number of species (including the Water Vole, which is known to be in the area) and states that the 'closest aquatic habitat is located approximately 250m west of the site boundary relating to Oak Brook'. HPC refute this statement as the nearest aquatic habitat to the development site is a pond at 'Corner House', Orchard Road which is approx. 100m away. There is no 'Oak Brook' in Hurst which brings into question the validity of this section of the PEA.

²⁵ Land East of Lodge Road Appeal Decision, APP/X0360/W/22/3309202) [Heading 9 \(wokingham.gov.uk\)](https://www.wokingham.gov.uk)

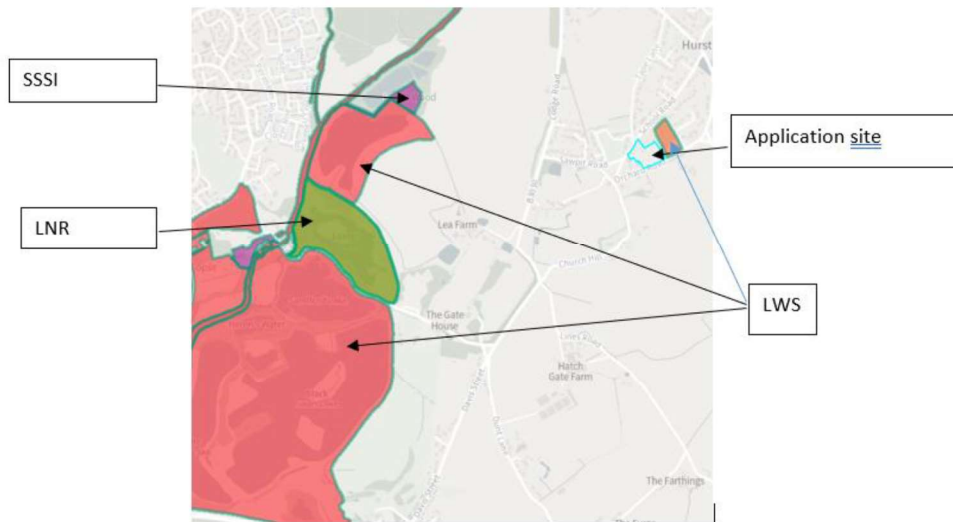


Figure 10: Proximity of LNR, LWS and SSSI to proposed Site

None of the calculations consider the off-site harm to biodiversity, for example the culverting of a ditch (a wildlife corridor) to accommodate the entrance on Orchard Road and the vigorous cutting back of the historic hedgerow to facilitate the visibility splays along Orchard Road and the cutting back of verges and greenery for School Road as recommended by the Road Safety Audit. In addition, the 'illustrative' landscape plan, states that the dwellings will 'preferably' have hedgerows, but this arrangement is highly unlikely to be future proof or resilient.

This application is contrary to Biodiversity and Habitat NPPF Section 15 in which it states that planning decisions should contribute and enhance the natural and local environment by protecting and enhancing valued landscapes, sites of biodiversity value and minimise impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures. HPC considers the development of this field cannot achieve any of this.

The Preliminary Ecological Report 3.2.1 states that the site is assessed as being in a location that is 'ecologically desirable but not in local strategy. The site is well connected to the local landscape by way of hedgerows and treelines'. The site is a tranquil site, with only one public footpath (FP20) access across the southern most field. Until recently it has been grazed by one pony, and the wildflowers and wildlife have proliferated as very little disturbance and no over-grazing occurred as the pony was on restricted to strip grazing due to suffering from laminitis²⁶. The Site is located within the countryside and acts as a wildlife corridor between the adjacent Biodiversity Opportunity Area and proposed Local Wildlife Site at Vine Cottage, Orchard Road and the surrounding countryside. By developing the site, it does not protect or minimise the impact on the BOA/LWS instead it will fragment a coherent ecological network and harm the habitat due to the high density of dwellings, the domestic paraphernalia, pets, vehicles and human interaction.

The BNG Metric 3.1 shows albeit a very minor 'illustrative' net gain, for habitat units. However, as this is outline permission and the finished land use by the developer and the use by the future plot owners cannot possibly be properly assessed at this time and with an estimate of 0.472ha to be sealed surfaces consisting of buildings and roads which of course does not take into account future patios, shed foundations etc, HPC request that WBC will look at this calculation with a considerable

²⁶ Restrict grass intake by using electric tape to strip graze. Ponies can survive on very little. Grass is very high in soluble carbohydrates (fructans), which can lead to laminitis if ingested in large amounts, especially in spring and autumn. [Laminitis in Horses | Symptoms and Treatment | Blue Cross](#)

degree of scepticism as they should for ALL outline applications as the amount of hardscaping, landscaping, drainage are all to be reviewed under reserved matters.

Whilst the Applicant claims the development would result in a net biodiversity gain, HPC remains sceptical of such claims and the potential for a failure to deliver on the part of developers and objects on the ground of harm to the existing biodiversity on the site. HPC would ask the WBC to include such provision as a condition to any approval.

Conflict with Pattern of Development and Setting

This proposal does not relate well to the exiting pattern of development. The indicative net density is substantially in excess of surrounding development and this conflict was highlighted by the Inspector at the Land at Ashingdon, Tumbleweeds, Rosevale and Mufulira, School Road, Hurst Appeal APP/X0360/A/02/1103198 (dismissed 16/05/2003). **(APPENDIX 2)**.

Hurst has grown organically over time. It contains a variety of buildings, from old, listed cottages to 21st century houses and everything in between. It is the variety of building types that tells the story of the settlement's slow and steady development. The proposed 'illustrative' larger houses facing Orchard Road are not reflective of the density of the 6 existing dwellings in Orchard Road - all of which range in age from the 16th Century Vine Cottage to the 1950s White House, sit in large or substantial plots of land and are screened by the verdant hedging.

On School Road, the properties in Martineau Lane all face on to a substantial village green, are set well back from the Sawpit Road; Unlike this proposal, it is the back gardens of the few properties of Martineau Lane that can be glimpsed through the mature hedges along School road (Figures 11 & 12); the setting and density of Martineau Lane cannot be compared to the proposed development which has no village green and to accommodate the road access and high density of this urban estate it will be necessary to build very close to the roadside and therefore will be high density buildings, in small plots will be very visible, which does not conform with the pattern and setting of this area of Hurst. Dorndon House opposite, which is set back from the road is within grounds of 0.39ha (apprx. 1 acre).



Figure 11: School Road, with development site on the left and the less visible Martineau Lane back gardens on the right.



Figure 12: The view opposite the proposed development on School Road/Tape Lane junction facing on to the Garden of 1 Martineau Lane (corner plot)

Drainage and Flood Risk

Whilst HPC acknowledge that future drainage will be dealt with under 'reserved matters', there are concerns that HPC believe should be highlighted at this point in time in response to the Flood Risk Assessment (FRA) and Drainage Strategy Reports.

It is proposed and 'assumed' by the applicant that the surface water is to be dealt with by a SUDS via infiltration soakaway, however, the FRA confirms at **5.5.6 that further ground investigations and winter monitoring would be required to confirm the geological and groundwater regime beneath the site**. If the subsequent investigations reveal infiltration is not viable, then the fall back solution for surface water is to drain into the existing combined foul/water drainage. In terms of hierarchy for the discharge of surface water, this is the least environmental and efficient method of discharge as after the preferred method of infiltration, it falls below a) a surface water body and b) to a surface water sewer, highway drain or another drainage option.

It is confirmed in the WBC SFRA (2020) that Hurst has experienced historical surface water flood events, particularly in the winter of 2013/2014 and this is covered in the WBC Flood Investigation Reports. However, these reports are not up to date and Hurst (and this Site) has continued to suffer from surface water flooding since then and as recently as 2023. This is evident on the WBC SFRA Appendix A.12 Flood History Flood Map 2018 which identifies that most of the area including and surrounding the proposed development has a flooding history (Figure 11 in S9 of this document). The FRA also confirms 5.5.7 that the risk of groundwater flooding is considered to be Medium and 5.6.4 the risk of sewer flooding is considered to be Medium.

Currently, the foul water system in Hurst is up to 85% capacity and when it heavily rains a number of properties in the vicinity (Sawpit Road) already suffer with sewage overflow/backup problems. The most recent event being earlier this year. HPC are concerned that if the SUDS is not viable, that the already stressed foul sewage system will not cope with the additional surface water/sewage

produced not only by the proposed 24 dwellings, but also the allowed Sawpit Road 4 dwellings ultimately leading to further resident problems in terms of flooding and sewage overflow. This would be directly in conflict with WBC CS Policy CP1 as it would not limit any adverse effects on the water quality (including groundwater) and it does not avoid increased risks of or from all forms of flooding.

Site Sustainability – Transport, Access and Services

Hurst is considered a **Limited** Development Location for very strong and compelling planning reasons. Notwithstanding the current position with the WBC 5-year land supply, which HPC regards as an interim situation associated with the recent 2022 political change of control at WBC, and as stated by the Inspector at the recently dismissed Land East of Lodge Road Appeal²⁷ Paragraph 32 *“To my mind this does not signify a Council that is failing in terms of housing provision, but rather one which is performing well and managing to boost the supply of housing over that which it planned for”*. This is a major development proposal and HPC does not regard this site as sustainable.

Statements in the Applicant’s Transport Statement refer to the Sawpit and Valley Nurseries Appeal Decisions, to support the notion that this is a sustainable site, are **not accepted** by HPC as this does not reflect the lived experience of current Hurst residents, neither does it reflect the WBC’s own arguments in the recent Appeal inquiry for development of the Land East of Lodge Road nor the Inspectors recent decision of that Appeal or the other Inspectors decisions all of which is detailed under our heading in Section 1: Relevant Planning History.

Our local schools and the Twyford medical services are already all over-subscribed and struggling with capacity – an issue which is likely to be compounded if these repeat speculative development applications continue to appear and in the event any of them succeed, as well as the extra pressure that will apply following the approval of the major Bridge Farm development for 200 dwellings in Twyford. There are no medical or dental services available in Hurst.

Education: Pre-School

There is only one pre-school provider in Hurst and that is St Nicholas Pre-School situated in the small Village Hall in School Road. It has been confirmed to the HPC by the Manager of the Pre-School (2 January, 2023) that this is up to capacity and has a waiting list beyond September 2023 (**APPENDIX 4**). Therefore as there are at least 18 family homes proposed for this development, there is a high likelihood that these will be requiring a place at a pre-school and a large proportion will have to travel further afield to access an alternative due to the limited capacity of St Nicholas Pre-School. As the bus service is poor and there is no other pre-school in acceptable safe walking distance or safe cycling distance, the parents will have to resort to the motor car to travel to another pre-school provider.

Education: Primary School

The applicant is focused on the proximity of the local primary school, St Nicholas C of E Primary School on School Road, however, there is only an intake of 20 children per year and is already consistently turning prospective pupils away for lack of capacity; Further the church school may not be attractive to a number of future residents (due to different or no faiths). As confirmed in the recently dismissed Land East of Lodge Road, Hurst (APP/X0360/W/22/3309202) in the WBC Proof of

²⁷ Land East of Lodge Road Appeal Decision, APP/X0360/W/22/3309202) [Heading 9 \(wokingham.gov.uk\)](#)

Evidence²⁸ (Paragraph 6.27 – 6.28) WBC’s School Place Planning Manager, Piers Brunning confirmed that the net capacity for the school is 140. The Roll in May 2022 (October 2022 census data has not yet been released) is as follows and shows space for only 4 additional children.

(DfE No.)	PRIMARY, FREE SCHOOLS & ALL THROUGH SCHOOLS	Planning Area	R	Y1	Y2	Y3	Y4	Y5	Y6	Total
			3037	St Nicholas Primary	North	18	19	20	20	19

In terms of pupil yields, the figures for pupils yielded by new housing in Wokingham are derived from a Pupil Yield Survey carried out on behalf of Wokingham and other Berkshire Unitary Authorities in 2010. The yields are as follows:

Primary Education (4 – 10):

- 0.26 pupils per 2 bedroom dwelling
- 0.49 pupils per 3 bedroomed dwelling
- 0.38 pupils per dwelling with 4 or more bedrooms

Secondary Education (11-16):

- 0.17 pupils per 3 bedroom dwelling
- 0.27 pupils per dwelling with 4 or more bedrooms

Post-16 Education:

- 0.17 pupils per 3 bedroomed dwelling
- 0.27 pupils per dwelling with 4 or more bedrooms

The proposed development is indicating the following unit type of dwellings:

Unit Type	Number of houses proposed	Child yield for primary education	Child yield for secondary education	Child yield for Post 16 education
1 bed dwelling	2	0	0	0
2 bed dwelling	4	1.04	0	0
3 bed dwelling	11	5.39	1.87	1.87
4 bed dwelling	4	1.52	1.08	1.08
5 bed dwelling	3	1.14	0.81	0.81
Total	24	9.09	3.76 (rounded up to 4)	3.76 (rounded up to 4)

The proposed development would be likely to result in a child yield of 9 primary aged children, 4 secondary aged children and 4 Post-16 young adults.

However, these figures have not taken into account the additional children from the yet to be built 4 x Sawpit Road dwellings which are 2 x 4 bedroom and 2 x 3 bedroom yielding 2 x primary school children and also those children from the recently developed Valley Nursery of 16 dwellings (Nursery Gardens).

HPC have confirmation (28 December, 2022) from the Vice-Chairman of the Governors of St Nicholas Primary School, that currently there are 5 spaces (**APPENDIX 5**).

²⁸ Paragraph 6.28-6.29 WBC P of E [ViewDocument \(wokingham.gov.uk\)](http://ViewDocument(wokingham.gov.uk))

The primary school will be unable to accommodate all of the children from the proposed development thus requiring children to seek alternative education and having to travel further afield. Should the children wish to attend a similar faith school, either in Woodley or Twyford, all of these are currently over-subscribed. Other primary schools within the catchment area for Hurst are not within acceptable safe walking distance or within safe cycling distance. The limited bus service is inadequate to realistically travel to and from the alternative primary schools, and as is currently the practice with Hurst residents, the new residents will be wholly reliant on the motor car to take their children further afield to an alternative school.

Education: Secondary Education

There are no secondary schools in Hurst, thus all secondary school pupils must travel further afield. Hurst is in the catchment area of 5 schools, none of which are within acceptable safe walking distance and there are a lack of continuous pavements and street lighting. There are no designated safe cycle routes to any of the secondary schools within the area. The nearest secondary school is the Forest School at Winnersh which is a Boys only school. The bus service to all of the secondary schools is inadequate as it requires pupils to wait around for nearly an hour after school to return home, or to walk an unacceptable distance from the nearest bus stop to and from the school, or there is no bus which allows for the pupil to participate in after school activities.

The Inspector for the dismissed appeal for Land East of Lodge Road²⁹ stated:

Paragraph 86. Turning to consider how easy and convenient it would be for future residents of the proposed development to travel to more distant facilities and services I note, firstly, that the Colleton Primary School in Twyford, Twyford Rail Station, secondary schools, supermarkets and GP surgeries could not reasonably be reached on foot. This is because they lie outside the preferred maximum distance of 1.2km applicable in this case, and also outside the preferred maximum distance of 2.0km considered appropriate for commuting and school trips. Furthermore, whilst several of the facilities referred to, such as Twyford Station and the various secondary schools do lie within acceptable cycling distances, no specific evidence was placed before me to show that cycling to such facilities could reasonably be seen as attractive and viable options.

*Paragraph 91. Mr Whittingham also maintained that the 128/129 bus services pass relatively close to the secondary schools both north and south of Hurst, and set out in some detail how children's journeys to these schools would feasibly work. However, the Piggott School and Waingels College are more than a 20 minute walk from the nearest bus stop, and to reach the nearest bus stop for the return journey back from Emmbrook School and the Holt School would require walks of 20 minutes and 30 minutes respectively. **I share the Council's view that the bus timetable does not align well with most of the schools' finishing times, meaning that there is the potential for children to have to endure a long and inconvenient wait at the bus stop.** (HPC emphasis)*

All of the above is relevant to this application; Ultimately, as most parents of secondary school pupils in Hurst will and have testified, they will drive their children all or part of the way to school and back.

Facilities within the village

Hurst is defined as a Limited Development Location for a reason – it only has very basic facilities within the village. It has a small convenience store, which only carries a limited amount of stock and is used as a 'Top-up' shop by the residents; It is inadequate to service the weekly shop for the

²⁹ Land East of Lodge Road Appeal Decision, APP/X0360/W/22/3309202) [Heading 9 \(wokingham.gov.uk\)](https://www.wokingham.gov.uk)

residents of the village and this would also include the additional 24 dwellings proposed. Any weekly shop will have to be by car, as the bus is too infrequent, and it would be difficult to carry a weekly food shop for a family without a car. There is a tiny sub-post office adjacent to the convenience store, which has limited services.

The applicant suggests in their Planning Statement that Hurst has a range of facilities, but these are not facilities that everyone will use, such as the pubs, the cricket and football club, the church and the gospel hall as confirmed by the Inspector of the Land East of Lodge Road Appeal³⁰ Paragraph 85. *“Although reference was made to the village also having a Gospel Hall, cricket, football and bowling clubs, with tennis courts available at the Dolphin School some 1.8km away, these would only be of use to a limited number of people and, again, could not be said to satisfy everyday needs. In light of these points I consider that the range of facilities and services within Hurst has to be categorised as basic rather than good, especially when seen in the context of the size of the village, put at some 439 dwellings in the Council’s evidence”.*

It must be noted that Hurst does not have a large supermarket, service station/garage, a chemist, a GP surgery, veterinary practice, dentist or clothing shops. These are all located further afield and none are within acceptable walking distances as confirmed by a number of Inspectors as detailed in the **Relevant Planning History** section above in this objection document.

Bus service

The applicant has stated that the proposed development adjoins existing bus stops. HPC do not refute that bus stops are nearby to the proposed site, however, the bus service at those stops is poor and unreliable. During the recent Land East of Lodge Road Appeal Inquiry, WBC and HPC both argued in their evidence that this is a poor service. The Inspector in his decision concluded the following:

93. Having regard to all the above points, I share the view of both the Council and the SNHPC that the 128/129 bus service is unlikely to be seen as an attractive alternative to the private car, and therefore would not offer residents a genuine choice of transport modes.

However, this has also been confirmed by the Inspector in the dismissed **Land at Lodge Road Appeal**³¹:

Paragraph 38: In any event what is a reasonable alternative is not necessarily the same as a practical alternative for many eventualities. For example, a bus service to Twyford railway station might well encourage commuters to use that facility. But I question whether an hourly service would offer sufficient certainty and flexibility to be attractive. A late running bus and missed connection, with no replacement service for an hour, would not be likely to encourage reliance on the service for many people. Indeed, the putative decision of the previous Inspector in this appeal noted the inflexibility of the proposition and, although I have made my own assessment, I cannot disagree with that finding. Taken with the relatively early times at which the service ceases in the afternoon/evening the limited timetable suggests to me that it would not be an attractive option for anyone who required a bus connection for commuting. Rather it seems to me that the service is adequate for daytime trips to local destinations for leisure or other non-critical visits.

Paragraph 39: It is right to say that bus services in rural areas cannot be expected to be the equivalent of those in urban locations, and the reliance on the ‘good’ definition of the Council

³⁰ Land East of Lodge Road Appeal Decision, APP/X0360/W/22/3309202) [Heading 9 \(wokingham.gov.uk\)](https://www.wokingham.gov.uk)

³¹ Land at Lodge Road Planning Application 172894 [Wokingham Borough Council Online Planning - Details](https://www.wokingham.gov.uk)

may be unrealistic in some cases, including village locations. Each proposal needs to be assessed individually. In this case I do not consider that the service through Hurst in either direction would encourage the potential occupants of the appeal site to use it other than for occasional non-essential purposes even with the provision of subsidised travel for an initial period. It is simply not convenient enough to be able to replace the reliance on private vehicles.

The bus timetable (**APPENDIX 6**) confirms that there are no early morning buses, there is no bus from Hurst to Twyford/Reading between 07.23 and 09.21 and then the service runs only once an hour, with the last bus finishing early evening. The bus service starts much later on a Saturday morning and runs every two hours, with no evening service and there is no bus service on a Sunday. The only bus service direct to the GP surgery in Twyford is at 15.46 with no return bus journey available. The hourly buses can be up to 20 minutes late or cancelled at short notice.

At the recent Appeal Inquiry for Land East of Lodge Road³², evidence dated 30th January, 2023 was shared from Thames Valley Buses confirming (**APPENDIX 7**) for the bus services 128/129 *“unpredictable traffic conditions along the A329, and more particularly in Reading and Sonning, does make this route susceptible to being less reliable than many others which we operate, and perhaps more noticeable given it operates broadly hourly.”* The infrequency of service makes it inadequate for school students or commuters.

In a recent announcement by WBC (17th February, 2023)³³ regarding funding for bus routes, WBC confirmed funding was an issue for all bus routes and priority is to ensure bus routes continue for the strategic development locations (SDLs) in the borough; Neither the 128 or 129 were included to receive additional funding and therefore the route will not improve and could be suspended in the future.

The Wokingham Bus Service Improvement Plan 2 (2023 – 2040)³⁴ confirms a number of statistics:

- Less than 3% of residents in the rural areas, [including Hurst] use a bus. In rural areas, the high levels of car ownership make providing and sustaining local bus services challenging.
- The borough sits in the top 10% of areas in the UK and car ownership trends have exceeded the national average since 2011³⁵.
- The lack of competition for bus services means there is a lack of competitive responses to tenders.
- The lowest satisfaction levels for reliability and punctuality was in the north [including Hurst] and the south of the borough.
- Only 6% of rail passengers at Winnersh Station used the bus.

For access to everyday facilities and services, the residents of Hurst are overly reliant on the motor car as there isn't a realistic alternative method of transport for the residents and in particular those who are commuting, families with teenagers and/or young children, vulnerable people and those with mobility issues. As stated by the Inspector for the Appeal Land East of Lodge Road, the 128/129 bus service would not offer residents an alternative to the car and does not offer residents a genuine choice of transport modes.

³² Land East of Lodge Road Appeal Decision, APP/X0360/W/22/3309202) [Heading 9 \(wokingham.gov.uk\)](https://www.wokingham.gov.uk)

³³ [Borough's buses get another funding lifeline from council - Wokingham Borough News Centre](https://www.wokingham.gov.uk/news/boroughs-buses-get-another-funding-lifeline-from-council)

³⁴ [Wokingham Bus Service Improvement Plan 2 2023-2040 \(myjourneywokingham.com\)](https://www.wokingham.gov.uk/news/wokingham-bus-service-improvement-plan-2-2023-2040)

³⁵ Infact the recent ONS states that between 95% and 100% of households in Hurst have one or more vehicles. [Number of cars or vans - Census Maps, ONS](https://www.ons.gov.uk/peoplepopulationandcommunity/transportandtravel/carsandvans)

Walking and cycling as an alternative mode of transport

As confirmed by previous dismissed appeals, WBC and HPC in their proofs of evidence at the recent Land East of Lodge Road, Hurst (APP/X0360/W/22/3309202) Appeal inquiry, Hurst is not a safe area to walk or cycle to access services and facilities further afield. The CIHT guidelines are not met for secondary schools, surgeries, or train stations which means this site is likely to be heavily reliant on private car movements.

Cycling

This proposal is not providing any new provision for cyclists on the nearby roads.

Cycling is not for everyone. Not every resident has access to bikes, can ride a bike, wants to ride a bike and many are not confident on bikes on narrow lanes or busy, unlit roads, with no designated cycle lanes. The A321 and B3030 are arterial, busy roads, with approx. 4000 traffic (**APPENDIX 8**) movements a day on each of these roads. In Hurst, they are unlit, there are no designated cycle lanes and a lack of continuous pavements.

As an alternative to the car, you cannot reasonably do a weekly shop for a family on a bike, numerous journeys would have to take place to replace using the car which would be inconvenient, time consuming and unsafe.

The entire area is prone to regular flooding with areas such as Sandford Lane, Broadwater Lane (A321), Church Hill, Sandford Lane, Hogmoor Lane, Islandstone Lane, Orchard Road, Whistley Mill Lane and at times School Road, this has a huge negative impact on the use of bikes. The WBC SFRA Appendix A.12 Flood History Flood Map 2018 identifies that most of the area including and surrounding the proposed development has a flooding history (Figure 13). The most recent flooding event being January 2023.

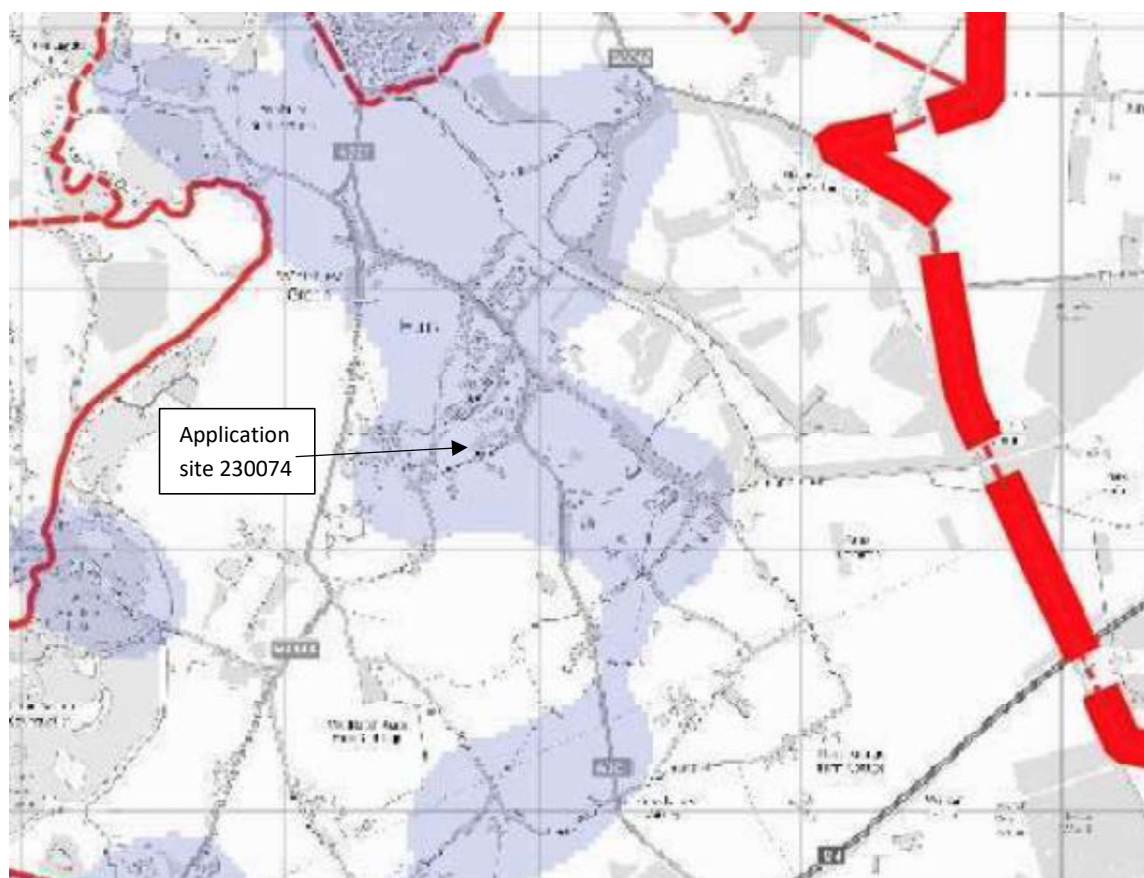


Figure 13: WBC SFRA Appendix A.12 Flood History Flood Map 2018 identifies that most of the area including and surrounding the proposed development has a flooding history.

Twyford Station is notorious for bike theft of all types of bikes, with very few lockers available; Local residents are very aware that expensive electric bikes are constantly targeted by thieves and this is a disincentive to use this type of bike for commuting. Winnersh Station is not fully manned and only has limited number of Sheffield hoops in a very public and vulnerable to theft area.

Walking

This proposal does not improve the walking network to the local facilities.

Once beyond the proposed development, the residents will have to use the local network of footpaths and pavements, or as indicated in **APPENDIX 9** the lack of footpaths and pavements.

Both School Road and Orchard Road have very limited width, highway furniture and in the case of Orchard Road no safe pedestrian routes. These rural roads have no street lighting, in keeping with the rural, dark skies nature of the Village.

The lived experience for all Hurst residents is that safety is a real issue; this includes children, those with mobility issues, wheelchair users, mobility scooter users and those with pushchairs and young families. There is a lack of continuous pavements and those pavements that do exist are contiguous with narrow pavements, forcing pedestrians and users to share the roads in an environment where there are volumes of traffic travelling at speed not only along the main routes, but also cutting through the unpaved narrow lanes.

Although the distances suggested by the CIHT are the 'suggested' acceptable 'average' walking distances, this does not take into account the distances that a small child, elderly person, mobility impaired person could walk, neither does it consider encumbrances, journey purpose, the weather, terrain and general deterrents to walking such as feeling vulnerable at dusk as a lone walker in an unlit environment; waiting for traffic to pass or to cross over busy roads; and staying on grass verges for traffic to pass. This is very relevant to Hurst and Whistley Green and all adds to the distance and time it takes to travel on foot within the local area.

For example, to access the village convenience store or sub-post office, the residents of the proposed development would either walk along Tape Lane, which has no footpaths along a single track, unlit lane for approximately 400 metres. Whilst an 'Access only' route and designated a 'Quiet Way' (although WBC have not defined exactly the methodology of defining a 'Quiet Way'), in reality the pedestrians have to share the surface with all vehicles, many using the road as a cut through between School Road and the A321. Once at the junction of the A321 the pedestrians will need to cross the A321 twice to access the shop/post-office. If you are a wheelchair user, mobility scooter user or have a wide buggy, you have no choice but to partially travel along the A321 as the pavement is not wide enough.

Alternatively, the new residents can cross over at the site access and walk along School Road. Again, the pavement is less than a metre in places necessitating wheelchair, mobility scooter users and wide buggy users to use the road surface; Having arrived at the A321, the pedestrians will have to cross over the A321 twice and Hinton Road junction to access the shop. The pavement adjacent to the Hinton Road crossing is less than 1 metre wide, so this will prohibit wheelchair users, mobility scooter users and wide buggy users from using this pavement, necessitating in using the A321 to access the shop.

To access the Church, Castle Inn Pub and Bowling Club the residents will turn left out of the proposed access/exit on School Road and just before the access to the Village Hall, the pavement stops. The rest of the journey to all 3 facilities is without pavements, narrow, unlit, with steep banks/hedging either side and there is no respite from busy oncoming traffic. This is a daunting prospect for most pedestrians, especially those with a family, wheelchair or mobility scooter user.

There is a narrow 'S' bend as you approach The Castle Inn. There is no escape from traffic once you have embarked on this part of the journey as there is no verge either side.

In the recently dismissed appeal for Land East of Lodge Road³⁶, the Inspector States within Paragraph 83: *"However, it is not just distance which has to be considered, but also the standard of the network available to pedestrians. **Put simply, the existing network of footways within this settlement is not good. As I saw at my site visit, and as is clearly demonstrated in the evidence of Cllr Smith, many lengths of road within the village either have no footways at all, or only on one side of the road, with these footways being of varying standard and width, with most being well less than 2.0m wide**".* (HPC emphasis)

The addition of approximately 50 vehicles associated with this new proposal, together with the increase in visiting vehicles that will service the development, such as deliveries and maintenance will further increase the amount of traffic and safety issues on these narrow lanes.

Paragraph 105 of the NPPF also requires that there should be a genuine choice of transport modes. As the evidence shows, in Hurst and Whistley Green, for many people the choice is theoretical rather than genuine. The only realistic option is the motor car (as recognised by the Inspector in his decision on the Lodge Road Appeal (para 93) referred to above).

Employment

Table 5.2 in the i-Transport Transport Statement implies that there are a number of business units within walking distance of the proposed site. The 'Business units' listed in the table do not indicate the type of business or how many employees they employ. In reality, these are small family run units with very limited employment opportunities for anyone. There are no business units in Broadwater Lane and Beech Court Business Centre, which is beyond acceptable, safe walking distance, is a very small courtyard of businesses, mostly occupied by small independent sole traders including an accountant, computer consultant and a property management company.

There is extremely limited employment land in Hurst, making this a less sustainable option for development than other options closer to existing employment opportunities and/or infrastructure. In the recent Appeal inquiry for Land East of Lodge Road, Hurst, it was confirmed by both HPC and WBC and accepted by the appellant that Hurst was not an employment centre and employment is very limited, that most employment is in the higher order settlements such as Reading, Winnersh or Woodley, all beyond safe walking and safe cycling distance and the bus service does not run at times which are convenient (no bus to Twyford/Reading between 7.23 and 9.31) neither is it flexible or reliable enough to ensure viable commuting.

Contrary to any suggestion that Twyford Rail Station offers attractive sustainable travel options for commuters, it is **not** within practical walking distance for commuters and car parking capacity issues (post-Covid) mean that it is impossible to park at the station after 7.30am on most weekdays, making it difficult to access train services any later for trips to Reading, Maidenhead, Slough, London or beyond. This capacity issue will be exacerbated if further planning approvals are granted for major developments.

The Applicant seeks to draw comparisons with the recently approved site at Bridge Farm in Twyford to boost its sustainability arguments. HPC's view is that this comparison is completely inappropriate. The Bridge Farm site sits alongside the major A4 Reading to Maidenhead trunk road next to Twyford.

³⁶ Land East of Lodge Road Appeal Decision, APP/X0360/W/22/3309202) [Heading 9 \(wokingham.gov.uk\)](https://www.wokingham.gov.uk)

Hurst does not have the same level of highway infrastructure and its rural roads are already the subject to serious highway safety concerns as a result of their narrow and constrained nature. Unlike in the case of the Bridge Farm development, Twyford is also regarded as a major development in contrast to Hurst, which is very specifically regarded by the WBC planning specialists as having extremely limited development potential due to its location and restrictive highway access configuration.

The illustrative proposed transport strategy is tokenistic and even if guaranteed, delivers very little and is unlikely to incentivise the new residents and future residents to reduce usage of the car and use alternative modes of transport. The installation of electric vehicle charging points, does not reduce the amount of cars on the roads and therefore the highway safety is not mitigated and not everyone can afford an electric car or wants an electric car.

HPC agrees with the Inspector's statement at the recent Appeal Decision for Land East at Lodge Road³⁷ (Paragraph 132): *"The appellant's intention for all new dwellings to have electric vehicle charging points is to be welcomed, but in the short to medium term, when petrol and diesel engine vehicles are still likely to predominate, I am not persuaded that this would offer an material environmental benefit"*.

Transport And Highway Safety

HPC believe there are a number of transport and safety issues associated with proposal:

The i-Transport Transport Statement implies that the majority of pavements in the area are 1.5 metres in width, however, this fails to address these are often reduced to a metre or less on the same walkway, necessitating pedestrians to walk on roads to pass each other, or wheelchair users, mobility scooters etc to use the road surface until a suitable drop down kerb will allow them back on to the walkway.

The i-Transport Walking Audit (Table 3.1) implies that Sawpit Road has a footway for the entire length of Sawpit Road, this is not true, it is only available until you reach Barber Close access. Beyond that pedestrians have to share the surface with all vehicles, this is hazardous as it is the route that large vehicles like the bus and lorries take to avoid Church Hill. The residents often park cars along this route and this was highlighted in the recent Land at Lodge Road Appeal³⁸ whereby the Inspector stated:

Paragraph 30: *In this case the walk would be along largely unlit roads, and along one stretch of unlit Sawpit Road the lack of a footpath would be a disincentive to walkers. I do not agree with the assessment of the Appellant that this is a road used, in effect, as a shared surface. It is not heavily trafficked, but is nonetheless an access route to the village hall, nursery, primary school, Barber Close and Martineau Lane among others. It is also the bus route. I walked the road on several occasions and did not consider it to be akin to a shared surface. It has not been designed as such, and traffic does not seem to behave as it would on a designed shared surface, by reducing speed and being aware that pedestrians may be present. Traffic behaves as one would expect on a 30mph village street with parked vehicles present – by taking avoiding action*

³⁷ Land East of Lodge Road Appeal Decision, APP/X0360/W/22/3309202) [Heading 9 \(wokingham.gov.uk\)](https://www.wokingham.gov.uk)

³⁸ Land at Lodge Road Planning Application 172894 [Wokingham Borough Council Online Planning - Details](https://www.wokingham.gov.uk/online-planning)

where necessary, but not seemingly being aware of any increased propensity for pedestrian activity.

Paragraph 31: *In any event it is not a pleasant pedestrian route. The presence of parked cars forces pedestrians towards the centre of the relatively narrow carriageway. It is for the most part impossible to use the verge on the northern side as it has been churned up by parked vehicles. In darkness this would be a further hazard. Further towards the village centre there is formal footpath, but this is variable in width and I am not satisfied that it would be wholly suitable for anyone with impaired mobility or with small children. In addition it is necessary to cross the road in order to continue on the footpath close to the school, and then cross back because of the discontinuous nature of the path.*

The Walking Audit table also fails to acknowledge that at the School Road (eastern side) the footways terminate on both sides of School Road once the pedestrians arrive at the access for the Village Hall car park.

The Walking Audit does not comment on the lack of pavement along Orchard Road, although Paragraph 3.3.5 mentions the benefit of the PROW (STNH FP 20), which leads directly on to this narrow, busy, unpaved, unlit country lane, which the i-Transport Statement acknowledges has a high percentage of vehicles that do not adhere to the speed limit.

The conditions relating to the approved Sawpit Road development (**Application 211532**³⁹), are minimal and have yet to be implemented. They do not mitigate the overall danger and hazards residents face as they traverse around the locality. There is no guarantee that the proposed cut back of vegetation along School Road, will be maintained and whilst a footway width of 1.0 metre might be acceptable to the applicant, this does not resolve the wider accessibility issues experienced by wheelchair, mobility scooter and wide buggy users.

I-Transport Personal Injury Accident Data only covers a 5 year period between 1st August, 2017 and 27 July, 2022, much of this time was during Covid lockdown (March 2020 – March 2021 and beyond) and therefore cannot be taken as representative. In addition, it should be noted that these are only the ‘reported’ accidents to the Police.

HPC provided their own accident data analysis supplied by the Police (**APPENDIX 10**) for the recent Appeal Inquiry for Land East of Lodge Road, Hurst (APP/X0360/W/22/3309202), over a period between 2001 and 2021 years (with an unaccounted for gap in the records between October 2014 and March 2020) which mapped (**APPENDIX 11**) the incidents and confirmed a number of accident blackspots including:

- Lodge Road/Broadwater Lane A321 Junction,
- Lodge Road/Church Hill/Davies Street/Lines Road Junction
- B3030 Davies Street with Sandford Lane Junction

These accidents blackspots are on roads that have no footpaths, no designated cycle lanes and are unlit.

The 20 year data shows that there are very few areas in Hurst that have not experienced some form of accident and because of this, in reality there is a perceived safety concern and the residents ‘lived experience’ is that there are many more unreported ‘near misses’ within the area and this is a deterrent to cycling and walking in the locality.

³⁹ Sawpit Road Planning Application 211532 [Wokingham Borough Council Online Planning - Details](#)

Traffic Volume and Speed Data

HPC analysed the speed and traffic data for School Road provided by Intelligent Data Collection Limited (IDCL) and HPC have provided their results in **(APPENDIX 12)** in table format. HPC believe the i-Transport traffic speed survey data is inaccurate for the following reasons:

School Road traffic speed and volume data:

The data provided by IDCL and analysed by HPC confirms that there is a substantial amount of speeding along School Road over 7 days ranging on average between 25.42% to 27.72% over 30 mph, however it can be as high as 39.42% (Site 3).

In calculating the percentage over the speed limit HPC did not take into account the reduction in the speed limit to 20 mph between the hours of 08.15 – 09.15 and 14.45-15.45 each weekday during St Nicholas School drop off and pick up and therefore the percentages above are underestimated and in reality the speeding traffic is much more.

Regardless of the under estimation, the amount of speeding is unacceptable and confirms the highway safety concerns raised by HPC on School Road near to and around the two proposed access and exit roads.

The average volume of traffic movements (combined) along School Road (Site 3) as calculated by IDCL is 35,536 over 7 days (with an average combined 5076 vehicle movements on average each day).

Orchard Road traffic speed and volume data:

Orchard Road has a 30 mph limit and the HPC analysis of the IDCL data confirms that overall in both directions nearly 40% of traffic is over the speed limit, with Site 1 recording an average of over 60% over the speed limit in one direction and 54% in the other direction.

Again, the amount of speeding is unacceptable and confirms the highway safety concerns in terms of speeding traffic and the volume of traffic along Orchard Road, which is a narrow, unpaved, with a camber that directs you towards the roadside verges and ditches, unlit country lane in both directions.

HPC are concerned about the introduction of a new access with restricted manoeuvrability, for vehicles from 15 dwellings that will lack of visibility of oncoming speeding vehicles as they exit out of the development; the additional access and traffic from the development will increase the danger to pedestrians walking along Orchard Road.

The average volume of traffic movements (combined) along Orchard Road (Site 2) as calculated by IDCL is 21, 625 over 7 days (with an average combined 3089 vehicle movements on average each day).

HPC summary: The HPC analysis of the IDCL data supplied by the applicant shows that the traffic on both roads does not adhere to speed limits by some considerable margin, including that during school pick up and drop off times.

School Road Parking Beat Survey

I-Traffic carried out a survey focused on the school drop-off and collection periods for only 2 days on the 13th and 14th December, 2022, which although during school term time, is based on a very limited amount of data.

The survey is also inaccurate as it has not taken into account the number of cars that park north of the school entrance, towards the Townsend Pond/A321 and also the number of cars that park in the

village hall car park during that time. The inaccurate analysis states that the average parking demand during school drop-off and pick up periods is 11-13 vehicles, but it is much higher than that, and considerably more so during winter months and inclement weather.

On the basis of their limited analysis, the applicant has concluded there is some existing demand for parking on School Road during the drop-off and pick-up times and has proposed that a 15-space car park should be included for the School which in their opinion will *'remove the need for people to access vehicles from the roadside as currently occurs on School Road providing a safety benefit'* .

The proposed introduction of an access (in addition to the main access to the development) to the proposed car park on School Road causes the following safety concerns:

- a) The proposed introduction of an access (in addition to the main access to the development) to the proposed car park; The 'illustrative' design has only one entrance, into and out of the car park, this will cause issues with parking manoeuvring and also for the vehicles, at the same time, wishing to egress as others wish to ingress the car park.
- b) The 'illustrative' design means that the passengers in the cars parked to the left of the car park entrance will have to share the exit and entrance road surface with moving vehicles, some of which will be manoeuvring in and out of the parking bays, which with small children and pushchairs is hazardous and unsafe.
- c) The 'illustrative' design does not allow an adequate safe space for a family, with small children to easily park and open the doors to access children in the back to safely disembark. This will lead to bay straddling, reducing the amount of actual parking space available.
- d) All parents will have to leave their cars, as they will not be able to meet their children in the car park; this will act as a disincentive as at the moment those parents who park in School Road park close to the school entrance, where they can stand by their cars and watch out for their children and leave infants safely in the car.
- e) The proposed car park access will conflict with the residential traffic from Dorndon House, the traffic from the proposed development on School Road and the traffic exiting and entering Tape Lane – this is a narrow lane and often vehicles have to swing out to access the lane from the North and to exit on to School Road heading North, due to the built-out kerb; this will conflict with the proposed crossing point on School Road just prior to the Tape Lane junction. All of this on a road that has speeding traffic is likely to increase the chance of accidents and compromise pedestrian safety.
- f) The swept analysis clearly shows that a car (or larger vehicle) exiting left at the proposed School Road car park access will sweep over the centre of the road at the Tape Lane junction. This is presuming there are no cars parked either side of the junction or alongside the dropped kerbs, which although illegal, does happen frequently. The swept analysis for turning right out of the car park, also presumes there are no cars parked to the right of the access, which again will force the vehicle into the middle of School Road within very close proximity to the Tape Lane junction, especially family vehicles and SUVs with larger turning circles.
- g) The number of cars in the School Parking Survey is inaccurate as it failed to take into account the cars parked North of the school entrance, including residents cars, which park on either side of the road (Figures 14, 15 & 16). Even if the car park is used to

capacity there will always be an excess number of vehicles parked on School Road which will block the visibility of those cars leaving the car park, combined with junction at Tape Lane and a crossover point for pedestrians within the vicinity, raises serious highway safety concerns.

- h) In addition, due to the inadequacy of visitor parking for the 9 dwellings proposed, fronting School Road, there is a high chance that residents and/or visitors/delivery vehicles to the development will be parking on School Road at all times of the day, which in turn will compromise visibility and safety as the vehicles exit both proposed access roads.
- i) The car park access introduces an additional road crossing which families and children walking to and from school from Martineau Lane, Tape Lane and Sawpit Road will have to negotiate, making a safe route to school, far less safe. This will be further exacerbated by the introduction of the additional new access into the proposed development for the 9 dwellings fronting School Road, which those families/children will also have to negotiate.
- j) It does not solve the parking issue on School Road as most parents will still choose to park on the road out of convenience and safety. A similar scenario is that of the car park for the village shop, which is used very rarely as it is difficult to drive in and out of due to lack of visibility as cars are parked on the road in front of the shop, combined with speeding traffic and thus the patrons prefer to leave their car on the road rather than use the car park.



Figure 14: School Road: Morning drop-off from Pond towards School entrance – February 2023



Figure 15: School Road: Afternoon Pick up North of School Entrance towards pond – February 2023



Figure 16: School Road: Afternoon Pick up North of entrance towards Pond – March 2023

HPC believe there are other issues regarding the introduction of the car park:

- The proposal is for the development management company to maintain and run the car park, although there are no clear details, it is expected that this service will be paid for by the maintenance charge paid by all the new residents. As with many of the mandatory communal charges imposed on residents of new developments, the residents will feel as they contribute, they have a right to use the facilities and it is obvious, that there will be a presumed entitlement for the residents of the development to use this as their 'overflow' or 'visitor' car park which will be difficult to monitor and enforce; HPC anticipates this will be particularly difficult to enforce when the car park is unused during the evenings, weekends and school holiday periods inevitably causing gradual encroachment and the taking over the car park by the new residents.

The car park is purely for the benefit of the school parents who drive their children to school, it is not for the enhancement of the community as a whole and therefore the proposed benefit is an ill-conceived, tokenistic gesture, which has not properly considered the 'lived' experience of parents or children and the associated pedestrian and highway safety issues when arriving or departing either by car or walking to St Nicholas School. The benefit does not mitigate the harm caused by developing a greenfield site and significantly changing the rural character of the village.

[Access to the development site](#)

The applicant has supplied a TRICS analysis to calculate the estimated number of vehicle movements from the development on both School Road and Orchard Road. The sites quoted in the TRICS are not comparable to Hurst and therefore do not show an accurate, realistic comparative vehicle movement as they are based on a very limited analysis of 6 other sites all of which are far more sustainable than Hurst: Three are on the edge of a town with a wide range of facilities and services, two in Creech St Michael where there is a range of shops and also a Doctors Surgery. The last site also has a GP surgery in the village and a frequent, sustainable bus service.

As Hurst is an unsustainable location, the number of vehicle movements will be far in excess of those relied upon in the applicant's TRICS. Surveys were only carried out Monday to Friday; Hurst has a very limited bus service on Saturdays and no bus service on a Sunday and car usage will be high to compensate for the lack of this service and yet this has been disregarded by the TRICS and therefore brings in to question to viability of this data.

The TRICS analysis has made the assumption that affordable housing and flats typically generate few trips during peak periods when compared to private houses, but this is based on Hurst being a sustainable location, which previous inspectors at appeals, including the most recent Appeal at the Land East of Lodge Road and HPC and WBC argue it is not. The AM Peak and PM Peak predicted vehicle movement numbers of 4 + 5 for School Road and 9 + 9 for Orchard Road is underestimated and unrealistic.

[Proposed School Road Access to development.](#)

To facilitate the access a protected tree will have to be removed and vegetation will be cutback to accommodate visibility splays, along the development boundary.

The Fenley Road Safety Audit (RSA) Report does not properly consider the safety impact that the proposed two access roads, one for 9 dwellings and the other for a 15-space car park will have on the pedestrians and other vehicles on School Road. The proposed access roads are in very close proximity to each other and conflict with the access to Dorndon House, the access and exit of vehicles to and from the narrow Tape Lane and to some degree the junction with Sawpit Road.

As mentioned above, regarding the proposed car park access, most vehicles from Tape Lane, have to swing out, across the middle of School Road, to exit the Lane towards the North because of the built-out kerb, conversely, they cannot enter the Lane if another vehicle is waiting to come out thus obstructing any traffic movement in School Road, especially if there is parking opposite. It has already been acknowledged by i-Transport statement, although the RSA does not refer to this in their document, that there is a speeding problem in School Road, although this was underestimated, as their speed analysis did not take into account the speed limit reduction to 20 mph during school drop-off and pick up times, it is evident that this is not always adhered to by some considerable margin.

Proposed Orchard Road Access to Development

To facilitate the access, 3 protected trees and a substantial amount of historic hedgerow will have to be removed. In addition the proposed 108 metres of visibility splay will require either additional removal and/or vigorous cut back of the existing protected hedgerow.

The RSA confirms that Orchard Road is a narrow, two-way single carriageway road that varies in width between 4.2 and 4.6 metres across the frontage of an open field and that the proposed access is to serve 15 dwellings. There is no reference in the RSA to the high percentage of speeding traffic or how much traffic is generated on this road and that there is no footway for pedestrians on either side for the full length of Orchard Road. Any local resident will also confirm that the camber of the road is uneven, sloping towards the ditches and grass verges on either side and most vehicles drive in the middle of the road (as there are no road markings) to avoid this, only pulling to one side to avoid oncoming traffic; none of these features have been observed by the RSA as it was not in their remit.

The RSA identified that large vehicles, such as a refuse collection vehicle (RCV) ingressing and egressing the proposed development would encroach outside the existing carriageway when exiting the site and it is suggested that a marginal exit taper is incorporated into the bell mouth to allow a RCV to exit within the confines of the carriageway. However, they will only consider the 'ability' to provide the compound curve at detailed design stage, which HPC consider is not acceptable, considering this outline application is for access. The RSA implies that RCVs will be the only large vehicles to use this access and the infrequency justifies the encroachment – however, there is no evidence to suggest that there won't be other large vehicles using the exit (e.g. large removal vehicles, delivery vehicles, maintenance vehicles).

The RSA raises concerns about the limited visibility caused by the Weeping Willow trees and vegetation near to the exit and have recommended the existing crowns are lifted and vegetation is cleared to ensure sufficient visibility is achievable. However, there is no proposed maintenance programme to ensure that future growth will be maintained.

To Summarise: HPC consider the introduction of 2 additional access roads in close proximity to the School entrance, Tape Lane, Dorndon House access and the introduction of an access on to the narrow, rural lane of Orchard Road raise significant highway safety concerns.

Community Involvement Statement

HPC consider there are a number of concerns relating to the community involvement statement:

Whilst not mandatory, it is standard practice and expected for a major development proposal such as this to hold a public exhibition. Ward, the promoting agent, did not hold one, although others had recently been held for development proposals at a similar time within the Parish.

The timing of the consultation focused on a holiday period, for instance the leaflet drop (and 'informal' conversations happened on 21 December, 2022 and doorstep canvassing on 3rd January, 2023. This is the holiday period and many people are busy with pre-Christmas/Christmas/New Year activities, away, visiting friends and family.

There are issues with the transparency of methodology undertaken and therefore difficult not to question the results. The report notes during leaflet delivery *"conversations took place with 20 local residents, all of whom were actively interested in the proposal. Each of them were asked their likely support for a proposal of this size, based on the information contained in the leaflet"*. It is not clear what structure/questions were asked during these 'conversations' – or whether the conversations differed depending on who was talking. There is a lack of transparency on this step.

The leaflet accompanying the conversations stated the following “*We see it as a way of helping to protect our village from overbearing and unnecessary developments elsewhere*”. Which suggests that by supporting this development, somehow, this will prevent other development in the village. This statement is misleading and misinforms the residents and could be construed as influencing residents to support the proposal.

The report is poorly written from the perspective of understanding key aspects of the community involvement, like response rates. The total response rates for the online feedback is not stated anywhere. This is highly unusual, raising concerns over who/how many people were consulted. Without knowing this, it is very difficult to interpret statements like “36% state ...”, as it is not clear if this is of 3 responses, 30 or 300. However, a bit later in the document it is possible to interpret those 2 responses = 18% of the total. So, this would mean that only **11 or 12 people responded to the online feedback**. This is a very small, insignificant response rate (of 351 people logged on, and the wider population who were informed of the consultation). Looking at the details and data that claims ‘significant cohort of support’ comes from such small numbers of responses.

The final part of the report states “a total of 61 households have directly engaged with us through the public consultation”. Because of the (intentional) vagueness of how the response rates are documented it is not clear who engaged with what. Furthermore, it is false to state that 61 households engaged – because how do they know that the those on the doorstep canvas were not the ones who also gave online feedback?

It appears to HPC that the Applicant’s Community Involvement questions lacked survey design impartiality resulting in clear imbalance or bias – intentional or not – in the questions and the way the results are presented. This is evident a few places in the report:

- One consultation question states “*Do you believe there is a need for new and affordable homes in Hurst?*” However, the prescribed answers jump to a tick box on the number of homes that should be built. Rather than yes/no/not sure answers. The prescriptive tick boxes lead respondents to ticking numbers for houses.
- With the question ‘*Do you support our proposal?*’ The figure implies that only 18% said no, whereas the text says 37% said no. It seems the incorrect figure has been used – so the results presented are not accurate.
- There is vagueness in the presentation of some results. With the first question the report states “37% not wishing to indicate their support” – whereas when you look at the data, there is a further 23% who state no. This adds up to 60%. However, the consultation still states: there is support for a development of this size in the village

For the reasons and concerns raised in the above HPC analysis of the community involvement statement, HPC request that WBC give little weight to the outcome of the Applicant’s statement, when making their decision.

NPPF and Tilted Balance

HPC accepts the Applicant is correct in saying that, in the absence of a 5 year land supply, the test WBC need to apply is whether the adverse impacts of allowing the application proposal would significantly and demonstrably outweigh the benefits on a tilted balance basis. However, HPC takes the view that where tilted balance considerations arise, WBC still have a duty to consider, across the Borough, the most sustainable locations for any such sub-optimal development in a situation where a 5-year land supply is not available for a short period of time.

Just because WBC needs to consider all aspects of the tilted balance question, does not mean WBC should stop guarding against opportunistic applications which would otherwise be determined in the normal course to be detrimental and harmful to an area like Hurst. WBC must not abdicate responsibility for identifying strategic development sites for housing, adjacent to existing infrastructure, employment land and community services, in favour of seeking to hit misaligned housing targets, that fail to account for over-supply in the immediately preceding years, with poorly conceived housing solutions.

HPC's position is that due to the adverse impact on Hurst and for clear sustainability reasons, coupled with the lack of proximity to employment land and well-serviced urban centres, this application should nevertheless still be refused. HPC's view is that artificial reliance on the "out of date" argument in relation to policies will result in poor planning outcomes for residents of the Borough. HPC further believes that WBC's core strategy and policies, particularly CP11, remain highly relevant to the NPPF's sustainability agenda and the LCA.

The HPC's argument is enforced by the Inspector of the dismissed Land at East of Lodge Road appeal who stated:

"137. In summarising the matters set out above, the starting point is the fact that the proposed development would be in conflict with key policies in the development plan. These policies have to be considered out-of-date, because the Council cannot demonstrate a deliverable 5-Year HLS and, as a result, the 'tilted balance' detailed in paragraph 11(d)(ii) of the Framework comes into play. However, notwithstanding this point, I have found that the policies which are most important for determining this proposal accord strongly with the requirements of the Framework, especially with regard to the need to promote and secure a sustainable pattern of development, and I have therefore concluded that these policies should still carry significant weight in this appeal"

Precedent Setting Risk

HPC is extremely concerned that if WBC were to approve this proposal, there would be a very damaging precedent to support the wholesale development of other small pasture and open countryside across Hurst, resulting in the irretrievable loss of the special and protected landscape character of Hurst's Farmed Clay Lowlands.

All large applications currently coming before HPC are being argued on a tilted balance basis, but fail to acknowledge the cumulative impact of many smaller scale developments like the one proposed here on an historical village like Hurst. Sawpit was in HPC's opinion poorly judged on Appeal and numerous developers have sought to rely on the Appeal Decision as justification for the urbanisation of Hurst. The indirect impact of any approval ought therefore to feature as a key consideration for WBC or at the very least, any approval ought to be subject to clear distinction from other potential applications to avoid this situation being perpetuated.

Conclusion

As asserted by the Inspector at the recently dismissed Land East of Lodge Road Appeal, and equally relevant to this application:

"134. The harm just described would also work against both the economic objective of sustainable development and the social objective, as the proposal would not represent land

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