

Hurst Neighbourhood Plan Working Group response to the WBC Local Plan Update Regulation 19 Consultation (submitted electronically 13 November, 2024)

The Hurst Neighbourhood Plan Working Group (HNPWG) have considered the WBC Regulation 19, 2023-2040 Proposed Submission Plan¹ in line with WBC Guidance notes for making representations². Whilst the HNPWG believe the LPU is overall legally compliant, we are not fully convinced the plan is sound in some areas and there are a few issues requiring clarification/modifications which we wish to be taken into account.

Appearing at Examination request:

Should the Planning Inspector identify that the representations made by the HNPWG are to be discussed at the examination hearing, representatives from the HNPWG and HPC wish to attend the appropriate hearing sessions at examination.

Context

It has always been the intention of the Hurst Neighbourhood Plan (HNP) to run parallel to or at an appropriate time, immediately after adoption of the WBC LPU. This is to ensure that the emerging HNP meets the Basic Conditions as set out by the Town and Country Planning Act 1990 which states it must have regard to national policies and that there is general conformity with the strategic policies contained in the development plan for the area. Of late, the ageing current development plan (2010-2026) has been challenged in part, as being either 'out of date' or not aligned with the national framework and for this reason, the HNPWG have waited until a more robust and up to date local plan is adopted believing this is a more stable basis on which to form the HNP.

HNPWG Response and representations to WBC Regulation 19, 2023-2040 Proposed Submission Plan:

HNPWG have discussed fully the Proposed Submission Plan and supporting documentation and having been ratified by the Hurst Parish Council respond as follows:

1) Conflict with the proposed settlement boundary expansion

HNPWG does not agree that Hurst Village Hall area (HST4) should be brought within the settlement boundary as part of the settlement boundaries review.

REASON for withdrawal of HST4: HNPWG have considered the Settlement Hierarchy Assessment (2024)³ and agree that Hurst should be defined as a Minor Settlement within the Settlement Hierarchy. As the determination of the boundary of the Minor Settlement is to help determine future planning policy, allocation of sites, proposed development within and adjacent to Minor Settlements, it is important that this proposal is acceptable to the relevant community.

HNPWG have also reviewed the Topic Paper Settlement Boundaries⁴ Review (no date but presumed to be September 2024) which sets out that it is a key paper supporting the LPU plan publication; Section 2 states that settlement boundaries identify the mainly built up area of a settlement within which development is considered in principle and to protect the

¹ [Wokingham Borough Local Plan Update 2023-2040 Proposed Submission Plan](#)

² [Guidance notes for making representations to the Wokingham Borough Local Plan Update 2023-2040 Proposed Submission Plan September 2024](#)

³ [Settlement Hierarchy Assessment September 2024 \(wokingham.gov.uk\)](#)

⁴ [Settlement boundaries review topic paper September 2024 \(wokingham.gov.uk\)](#)

character of a settlement and prevent unrestricted growth of development in the countryside; That settlement boundaries are intended to help guide decision on development proposals, including by providing consistency and direction as part of a planned approach development. In addition they may also be relevant to the production of neighbourhood development plans.

The NPPF contains no specific guidance on settlement boundaries.

Since its designation HNPWG have been in regular discussions with WBC and whilst the settlement boundary has been discussed, at no time have any discussions been held as to whether or not the proposal of expanding settlement boundaries in the LPU would be acceptable as proposed within the WBC Topic Paper⁵.

As Hurst is a Minor Settlement, HNPWG have particular concerns around Proposed Policy SS4 Paragraphs 1 and 2, specifically the lack of consideration and policy regarding cumulative development proposals adjacent to the settlement boundaries of minor settlements.

HNPWG accept the proposed LPU adjustments HST1 (Broadwater Lane), HST2, Valley Nurseries (now known as Nursery Gardens) and Walnut Tree Cottage and the expansion of the HST3 Land at Sawpit Road and School Road to contain the new development of 'Little Acre'.

As no discussion or consultation has been held between WBC and HNPWG regarding HST4 to expand the settlement boundary to include the existing built community facilities, HNPWG wish proposed HST4 expansion to be withdrawn. These buildings have been designated for decades as being outside the development/settlement limit and we do not consider it necessary to include them now. Furthermore it extends the settlement boundary and in doing so, extends the 'adjacent to settlement' development possibilities within proposed Policy SS4. Taken with the recently permitted (outside of development limit), 'windfall' development for 23 dwellings along Orchard Road, the settlement boundary will be considerably expanded unnecessarily. We do not consider the proposal to include HST4 is a 'locally supported approach'.

1a) Additional settlement expansion in response to recently allowed development in Hurst but has not been included in the Topic paper or LPU strategy:

Land adjacent to School Road: The Topic Paper has not included the recently allowed 'windfall' development⁶ of 23 dwellings at land adjacent to School Road/Orchard Road and HNPWG accept that this will ultimately be included within the LPU as being within the settlement limit of Hurst. We wish the settlement boundary to exclude Orchard Road.

Land adjacent to Amen Corner, Hurst⁷: HNPWG have had ongoing discussions with WBC regarding the allocated site (5HU051)⁸ and the subsequently recommended permitted development of 45 dwellings in Hurst (14 August, 2024 by Committee), although no formal officers report or decision is accessible on the portal. We understand that this somewhat anomalous (to Hurst) development site, although will remain within Hurst Parish will become a separate settlement adjacent to the Bracknell Forest development of 380 dwellings.

⁵ WBC Topic Paper Appendix D Page 59 (Hurst)

⁶ Land adjacent to School Road APP/X0360/W/24/3342812

⁷ Land adjacent to Amen Corner, Hurst Application 232026 [Wokingham Borough Council Online Planning - Details](#)

⁸ 5HU051 Land North of London Road and East of A329M

2) Proposed Policy SS2⁹ Spatial Strategy and Settlement Hierarchy

SS2 Paragraph 10 should be modified to: The countryside is defined as the area beyond the settlements defined in the settlement hierarchy. Except for specific allocations identified in this plan, the countryside is not a location where additional development is planned **or permitted**, although limited types of development **that** support local needs and the rural economy **will could** be supported in accordance with Policy H4, Policy H5 **and SS5**.

REASON: HNPWG do not consider the current wording is robust enough to protect the designated countryside from inappropriate development which in turn does not reduce the loss of greenfield land as specified in the principles guiding the spatial strategy.

3) Proposed Policy SS4¹⁰ Development within and adjacent to minor settlements

a) **SS4 Paragraph 1 should be modified to:** Within minor settlements, residential development proposals of up to 9 dwellings in addition to those specifically identified in this plan, will **only be supported providing the cumulative effect of multiple, small development proposals, do not unacceptably harm the character and appearance of the rural setting of the village or is in conflict with the amenities of the existing residents taken as a whole as set out in the strategic and non-strategic policies**.

REASON: HNPWG note the NPPF (2023) supports small sites within the strategic plan. However, the NPPF does not mention how the cumulative effect of multiple small development sites within a settlement should be limited or dealt with. Neither do the WBC strategic policies identify or respond to this issue in any great detail, although Policy DH2 (Safeguarding amenity) Paragraph 1 does go part of the way, but much of it is subjective (e.g. What is an unacceptable quality of environment?) and does not include cumulative impact for example from flooding and poor drainage. The current wording in SS4 Paragraph 1 does not offer any protection from cumulative, and multiple applications of up to 9 dwellings within a minor settlement within the plan period – it could and will be open to abuse. Policy SS4 needs to be far more specific in relation to limiting development to prevent harm to the character, existing services including, but not restricted to FD1, NE1, DH1, DH2 and DH5. In its current format Paragraph 1 would appear to conflict with the principles guiding the spatial strategy.

b) **SS4 Paragraph 2 should be modified to:** Proposals for limited residential development adjacent to minor settlements will only be supported **only be supported providing the cumulative effect of multiple, small development proposals, do not unacceptably harm the character and appearance of the rural setting of the village or is in conflict with the amenities of the existing residents taken as a whole as set out in the strategic and non-strategic policies and paragraphs a) AND b) of the following circumstances are met:**

a) The proposal involves the partial or full redevelopment of previously developed land which would not unacceptably harm the character and appearance of the surrounding countryside or the rural setting of the village, **compromise the existing infrastructure, services, flooding, drainage, facilities and amenities, including but not restricted to Policies FD1, NE1, DH1, DH2 and DH5; and**

⁹ Strategic Policy

¹⁰ Strategic Policy

- b) The proposal represents limited infilling of an otherwise built up frontage and where the site is compatible with the core shape, form and size of the settlement; or
- c) The proposal constitutes exceptions housing in accordance with Policy H4

REASON: In its current format Paragraph 2 does not limit the amount of development adjacent to minor settlements, in the way that Paragraph 1 does (i.e. ‘up to 9 dwellings’) and to some extent, proposed Policy H4(1b)¹¹ does, although H4(1b) does not limit or rule out larger development. By combining SS4 sub-paragraphs a) and b) affords further protection to minor settlements from multiple, cumulative applications, small or otherwise (including those within the settlement limit) within the plan period. Paragraph 2 needs to be far more specific in limiting development to ensure that the limited services and amenities enjoyed by the existing residents are not overwhelmed or harmed by the proposed development(s). Although Policy DH2 (Safeguarding amenity) Paragraph 1 does go part of the way, much of it is subjective and open to interpretation (e.g. What defines ‘unacceptable quality of environment for those living or working nearby?’) and does not include, for example, the cumulative impact of flooding and drainage. In its current format FD1 Paragraph 2 would appear to conflict with the principles guiding the spatial strategy.

Whilst paragraph 5.22 states: ‘Through neighbourhood development plans, communities can seek to further grow or develop minor settlements if this is a sustainable and locally supported approach’. **SS4** Paragraph 2 in its current format is seeking to ignore important sustainable and local infrastructure aspects in the absence of a Neighbourhood Plan and is not a locally supported approach.

- 4) **Proposed Policy SS5¹² Development in the Countryside** supersedes **CP11** Proposals outside development limits (including countryside).

Paragraph 2(g) should be modified to: Redevelopment or infilling of previously developed land that does not unacceptably harm the character and appearance of the surrounding countryside or the rural setting of the village **and compromise the existing infrastructure, services, flooding, drainage, facilities and amenities, including but not restricted to Policies FD1, NE1, DH1, DH2 and DH5;**

REASON: Policy SS5 and specifically Paragraph 2(g) raises the same concerns as mentioned for Policy SS4 Paragraph 2 in that it does not go far enough to ‘limit’ the amount of cumulative or major development allowed in the countryside and although Paragraph 5.25 does go some way in stating that SS5 should prevent the proliferation of development in areas away from defined settlements, or unplanned growth of minor settlements, there is no ‘certainty’ of how multiple, cumulative applications or larger developments for development in the countryside will be limited. SS5 Paragraph 3 does mention that developments must not lead to physical, visual or perceived coalescence of existing settlements either individually or cumulatively but SS5 overall in its current form is not robust enough to uphold the desired consistency and certainty that are important principles of the plan-led system and therefore would appear to conflict with principles guiding the spatial strategy.

¹¹ Proposed Policy H4 Rural Exception Sites 1b: The number, size, type and tenure of dwellings proposed are suitable to meet the identified need and will usually be limited to small scale sites of up to 9 dwellings unless it can be demonstrated that a larger development will not have an adverse impact on the other criteria;

¹² Strategic Policy

For example Policy SS5 would appear to be in conflict with SS2 (which HNPWG have commented and suggested modifications on in S2 of this representation), specifically paragraph 10: whereby it states: “*Except for specific allocations identified in this plan, the countryside is not a location where additional development is planned although limited types of development support local needs and the rural economy will be supported in accordance with Policy H4, Policy H5.*”

4) Proposed Policy SS10¹³ Meeting Our Housing Needs

Paragraph 5.96 should be modified: Neighbourhood development plans: The Local Plan Update is not reliant on additional land for housing being identified in neighbourhood development plans to meet the housing requirement. All neighbourhood development plans made to date have not included allocations for housing. **No emerging neighbourhood development plan seeks to allocate land for housing.** The council will supply a housing requirement for designated neighbourhood areas which reflects the spatial strategy set out in the Local Plan Update taking account of completions, permissions, allocations and a proportional contribution to windfall development. Where this is not possible, the council will provide an indicative figure if requested to do so by the qualifying body.

REASON: Although HNPWG welcomes the statement that the LPU is not reliant on additional land for housing being identified in NDP’s to meet the housing requirement, the sentence ‘*No emerging neighbourhood development plan seeks to allocate land for housing*’, should be removed as this is not factually correct. With the forthcoming revision in the NPPF, including relevant Paragraphs 12 to 14, emerging Neighbourhood Plans may well be seeking to allocate land for housing.

5) Section 7: Connections

Title heading of ‘Connections’ should be modified: This should be ‘Transport and Connections’.

REASON: The word ‘Connections’ is misleading and does not reflect the overall strategy of the policies contained therein, neither does it align with the heading of Section 9 of the NPPF (Promoting Sustainable Transport) which most of the WBC S7 policies reflect, i.e. policies C1 to C6 are more about transport, travel options and sustainability; It is only Policy C7 where connectivity is relevant and the general perception is that Section 7 is about transport and travel options, not digital connectivity.

6) Proposed Policy C1¹⁴ Active and sustainable transport and accessibility

Paragraph 7.9 should be modified to: Developments where public transport services are infrequent are likely to struggle to meet sustainable mode shares, and development proposals should demonstrate a range of options have been to make these viable and attractive **in the long-term for a minimum of 20 years.** Enhancement of public transport provision could include increased frequencies and improved integration between bus and rail routes together with the provision of new stops or routes. The council expects proposals to contribute towards solutions which enhance the sustainability of the site together with the location generally.

¹³ Strategic Policy

¹⁴ Strategic Policy

REASON: Paragraph 7.9 wording ‘long term’ is subjective and open to interpretation and abuse, very often ‘long term’ is not ‘long term’ at all. If policy C1 is to be effective and deliverable over the plan period, and the development (and WBC strategy) is committed to being future proof sustainable, including providing choices for future sustainable travel, then the demonstrated range of options, must be more than just a subjective ‘long term’. The term for ‘a minimum of 20 years’ is not unreasonable, considering when in relation to SuDS (Policy FD2 (2a) and Policy DH1(1) ‘for the lifetime of the proposed development’ is used. To put ‘long term’ into context, Government documents¹⁵ confirm that residential development can be assumed to have a lifetime of at least 100 years.

Paragraph 7.11 should be modified to: People proposing development proposals are expected to consider the reliability of services and, where appropriate, provide infrastructure which will improve journey times and reliability. Mitigation through public transport should aim to be commercially viable ~~in the long term~~ **for a minimum of 20 years.**

REASON: Paragraph 7.11 wording ‘long term’ is subjective and open to interpretation and abuse, very often ‘long term’ is not ‘long term’ at all. If policy C1 is to be effective and deliverable over the plan period, and the development (and WBC strategy) is committed to being future proof sustainable, including providing choices for future sustainable travel, then the demonstrated range of options, must be more than just a subjective ‘long term’. The term for ‘a minimum of 20 years’ is not unreasonable, considering when in relation to SuDS (Policy FD2 (2a) and Policy DH1(1) ‘for the lifetime of the proposed development’ is used. To put ‘long term’ into context, Government documents¹⁶ confirm that residential development can be assumed to have a lifetime of at least 100 years.

Section 10 Flooding and Drainage

7) Proposed Policy FD1: Development and flood risk (from all sources)¹⁷

- a) FD1 Paragraph 1 should be modified to:** 1. Development proposals must take into account at all stages of development, and at the appropriate stage of the planning application process, all sources of flood risk, including historic flooding, current and future impacts of climate change, and cumulative impacts. Development proposals must be consistent with national policy and guidance and demonstrate how they have used, and where relevant comply with the site specific recommendations of the Strategic Flood Risk Assessment (SFRA) **and any other relevant evidence, including subsequent S19 Flood Investigation Reports published after the SFRA** to help determine the suitability of the proposal.
- b) FD1 Paragraph 2 should be modified to:** Development proposals in Flood Zones 2 and 3 must take into account the vulnerability of the proposed development **and should not, for its lifetime, increase flood risk beyond the development area and where possible will reduce flood risk overall.**

REASON: HNPWG have reviewed the WBC Evidence Base to support the Strategic Plan, including:

- The WBC Sequential and Exception Test report (September 2024)¹⁸

¹⁵ [Flood risk and coastal change - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/115444/flood_risk_and_coastal_change_-_gov_uk.pdf) Paragraph: 006 Reference ID: 7-006-20220825 (Aug 20222)

¹⁶ [Flood risk and coastal change - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/115444/flood_risk_and_coastal_change_-_gov_uk.pdf) Paragraph: 006 Reference ID: 7-006-20220825 (Aug 20222)

¹⁷ FD1 is a Strategic Policy

¹⁸ [Wokingham Local Plan Update Sequential and Exception Test](#)

- The WBC Level 1 Strategic Flood Risk Assessment Final Report (May 2023)

In particular, HNPWG have considered how the soundness of the LPU has demonstrated that wider sustainability benefits to the community outweigh flood risk¹⁹ as detailed in the Government Guidance Flood Risk and Coastal Change (August 2022), including if any future development will be safe for its lifetime taking account of the vulnerability of its users, without increasing flood risk elsewhere, and where possible, will reduce flood risk overall²⁰. This is particularly relevant to parts of Hurst Parish, which is subject to a 1 in 3 year extreme flooding event and very poor drainage assets.

WBC state that the SFRA forms an important part of the evidence base for the LPU; It should take into account all the potential sources of flood risk across the whole plan area and sources of flood risk outside the borough that may have implications within it. The impacts of climate change and cumulative impacts should also be considered²¹.

The NPPF (Para165) states that ‘Inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk (whether existing or future). Where development is necessary in such areas, the development should be made safe for its lifetime without increasing flood risk elsewhere’. This should be reiterated in FD1 Paragraph 2.

The most recent SFRA overall assessments of Hurst, in particular Hurst Village, North Hurst and Whistley Green has not considered the WBC Draft S19 Flood Investigation (March 2024)²². This omitted Report contains recent data and insights on flood risks specific to Hurst. This could lead to inappropriate development plans for areas that are actually at high flood risk. Furthermore without outdated flood risk information, the Sustainability Appraisal in 2021²³ might now inaccurately evaluate which areas are safe for development, potentially making some of its evidence unreliable. There are also a number of policies which maybe affected because of this i.e:

- Policy SS1 Sustainable development principles
- Policy H1 Housing mix
- Policy FD1 Development and Flood Risk (from all sources)
- Policy FD2 Sustainable Drainage;
- Policy FD3 River corridors and Watercourses and
- Policy DH1 Place-Making and Quality Design

c) Modification to Policy FD1. In relation to Paragraph 6 (additional new paragraph or supporting paragraph): All Flood Risk Assessments must include the cumulative impact of multiple development proposals within the settlement limit and/or adjacent to the settlement limit (minor development proposal or otherwise) of minor settlements **within the plan period**²⁴ which would have a significant effect on local flood storage capacity or flood flows.

REASON: FD1 does not take into account the negative impact of cumulative, multiple applications for minor developments within the minor settlement or development proposals adjacent to minor settlements limits within the plan period. Although the current SFRA

¹⁹ [Flood risk and coastal change - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/guidance/flood-risk-and-coastal-change)

²⁰ Paragraph 1.13 [Wokingham Local Plan Update Sequential and Exception Test](#)

²¹ Paragraph 1.15 [Wokingham Local Plan Update Sequential and Exception Test](#)

²² Copy attached. This has not been uploaded on to the WBC Flood Investigation page [Flood investigations \(wokingham.gov.uk\)](#)

²³ [Wokingham Local Plan SA Interim SA Report Non-Technical Summ \(1\).pdf](#)

²⁴ The plan period proposed is 2023 to 2040.

mentions ‘cumulative’ effects, it only states that these should be ‘considered’ but no further guidance is offered on how cumulative development proposals should be dealt with. FD1 Paragraph 10.13 states that the NPPG sets out that ‘*minor developments are unlikely to raise significant flood risk issues unless the cumulative impact of such developments would have significant effect on local flood storage capacity or flood flows*’, this is guidance only; Simultaneous and/or cumulative proposals within or adjacent to minor settlements is not covered by the NPPF or adequately covered by WBC in their principles guiding the spatial strategy. In settlements such as Hurst, where flooding is a regular event (1 in 3 years in places) and the current pumping facility is ‘woefully inadequate²⁵’, the LPU is not effective in providing protection from simultaneous and/or cumulative minor (or major) development proposals in or adjacent to these settlements, therefore HNPWG would like the additional paragraph added to FD1.

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Enc: WBC Draft S19 Flood Investigation Report (2024)

²⁵ S19 Flood Investigation Report (2024) Appendix A (Addressing Flooding in Hurst) Page 1, Paragraph 4:

Thames Water: It is widely recognised that Thames Water’s pumping station is **woefully inadequate** for the job, resulting in drains overflowing and adding to the flooding issues in Hurst.