



Planning, Design and Access Statement

Wyse Hill Lodge, Finchampstead, RG40 4JR

Creation of new access and associated landscaping

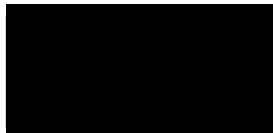
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1 Introduction and Purpose

1.1 Introduction

- 1.1.1 This statement represents a Planning, Design and Access Statement submitted in support of the planning application for the creation of new access and associated landscaping (the 'proposed development') at Wyse Hill Lodge, Finchampstead, RG40 4JR (the 'site').
- 1.1.2 The application represents the resubmission of a previous application (Ref: 222908) which was refused in November 2022 for the following two reasons:

1. The proposed development would result in an unacceptable incursion into the root protection area and buffer zone of the protected Veteran Oak Tree (T1), which would result in potential for harm to the health of the tree, thereby impacting on the wider landscape character of the area. There is no overriding justification for construction within the root protection area and buffer zone, and the proposal is contrary to BS5837:2012, section 15 of the NPPF, and policies CC03 and TB21 of the MDD Local Plan.

2. The proposal does not make sufficient provision for on-site turning, and there is insufficient information to determine whether unimpeded and safe access is afforded to vehicles exiting the site onto Fleet Hill/B3348. The proposal would result in an unacceptable impact upon highway safety, contrary to section 9 of the NPPF and policies CP1, CP3 and CP6 of the Core Strategy.

- 1.1.3 The proposal seeks to overcome the previous objections, and this is discussed in detail below.

1.2 Purpose

- 1.2.1 Planning law¹ requires that applications for planning permission must be determined in accordance with the Development Plan unless material considerations indicate otherwise.
- 1.2.2 The Courts² have determined that it is enough that a proposal accords with the development plan when considered as a whole. It is not necessary to accord with each and every policy contained within the development plan. Indeed, it is not at all unusual for development plan policies to pull in different directions.

¹ Section 38(6) of the Planning and Compulsory Purchase Act 2004 and section 70(2) of the Town and Country Planning Act 1990

² See for example *BDW Trading Ltd. v Secretary of State for Communities and Local Government* [2016] EWCA Civ 493; [2017] P.T.S.R. 1337, at paragraphs 18 to 23; *Gladman Developments Ltd. v Canterbury City Council* [2019] EWCA Civ 669; [2019] P.T.S.R. 1714, at paragraphs 21 and 22; and *Chichester District Council v Secretary of State for Housing, Communities and Local Government* [2019] EWCA Civ 1640; [2020] 1 P. & C.R. 9, at paragraphs 31 and 32).

- 1.2.3 The position was also clarified by Patterson J in *Tiviot Way Investments Ltd v Secretary of State for Communities and Local Government and Stockton-on-Tees BC [2015] EWHC 2489 Admin*) at paragraph 31:

I do not accept, lest it be thought to establish the proposition, that the case of Hampton Bishop (supra) establishes that a breach of one key policy was sufficient to find conflict with the development plan as a whole.

- 1.2.4 The Planning & Compulsory Purchase Act 2004 defines the Development Plan for the purposes of this assessment process as the strategy for the region in which the site is located and development plan documents, taken as a whole, which have been approved or adopted for the area.
- 1.2.5 The purpose of this statement is therefore to identify Development Plan policies that are relevant in the assessment of the development proposals. Then to determine if the proposals conflict with their provisions and if they do, to determine whether there are material considerations which outweigh such conflict.

1.3 Proposed Development

- 1.3.1 The proposed development seeks a new vehicular access to the application site at Wyse Hill Lodge and associated landscaping to be used as a parking area.
- 1.3.2 The proposed access will originate from Fleet Hill and will be situated approximately 50m to the west of the existing access point to the dwellinghouse.
- 1.3.3 The proposed access would be approximately 3.5m wide and extend from the highway 3.4m into the site before reaching a parking area.
- 1.3.4 The access and parking area will be constructed of cellweb placed on top of the existing surface.
- 1.3.5 This is discussed in more detail below.

2 Site Location, Description and History

2.1 Site Location and Description

- 2.1.1 The application site comprises a single storey dwelling situated on the southern side of Fleet Hill Road in The Village, Finchampstead.



Property as viewed from Street

- 2.1.2 Fleet Hill is mainly characterised by a linear pattern of development, with detached and semi-detached housing set on medium sized but deep plots and considerably set back from the street frontage.
- 2.1.3 To the west of the application site is countryside and farmland, with some isolated dwellings further west.
- 2.1.4 Properties boundaries specially towards the west of The Village are characterised by mature trees and hedges. There is a well-maintained ditch to the north of the site hedge and a narrow verge between the ditch and the road itself.
- 2.1.5 The northern part of the site is bounded by protected trees (TPO-1691-2019 and TPO-1910-2022) including a veteran/TPO protected Oak on the north-west corner of the site.
- 2.1.6 The site is not within a Conservation Area and there are no nearby listed buildings.
- 2.1.7 The site falls partly within designated countryside and is directly adjacent to the settlement boundary.

2.2 Planning History

- 2.2.1 The planning history of Wyse Hill Lodge is summarised below:

- 080957 for the proposed erection of single storey side extension to provide garage and provision of pitched roof to replace existing flat roof to utility room. Approved 24/11/2008.
- 060284 outline application for the erection of one detached dwelling (means of access and siting to be considered). Withdrawn 09/11/2006.
- 020981 for the proposed erection of single storey rear extension to dwelling. Approved 11/06/2002.
- 011537 for the proposed single storey rear extension. Approved 10/01/2002.
- 960938 for the proposed single storey side extension to dwelling. Approved 04/07/1996.

2.2.2 In addition is the 2022 refusal for the creation of a new access and associated hardstanding, including installation of a crossing point over an existing roadside ditch.

3 Development Plan Context, Designations and Material Considerations

3.1 Development Plan Context and Designations

- 3.1.1 Section 38 (6) of the Planning and Compulsory Purchase Act 2004 requires that planning applications should be determined in accordance with the provisions of the Development Plan unless material considerations indicate otherwise. This represents the starting point for assessing the development prospects for a particular site or property.
- 3.1.2 The Development Plan context in Finchampstead is provided by the **Wokingham Core Strategy DPD** (2010) and the **Managing Development Delivery Local Plan** (2014).
- 3.1.3 The Proposals Map confirms that the site falls partly within designated countryside and is directly adjacent to the settlement boundary.

3.2 Relevant Development Plan Policies

- 3.2.1 The following policies of the Core Strategy have been identified as relevant:
- CP1 – Sustainable Development
 - CP3 – General Principles for Development
 - CP4 – Infrastructure Requirements
 - CP6 – Managing Travel Demand
 - CP7 – Biodiversity
 - CP9 – Scale and Location of Development Proposals
 - CP11 – Proposals outside Development Limits (including countryside)
- 3.2.2 The following policies of the Managing Development Delivery Local Plan have been identified as relevant:
- CC01 – Presumption in Favour of Sustainable Development
 - CC02 – Development Limits
 - CC03 – Green Infrastructure, Trees and Landscaping
 - CC04 – Sustainable Design and Construction
 - CC06 – Noise
 - CC07 – Parking
 - CC09 – Development and Flood Risk
 - CC10 – Sustainable Drainage
 - TB06 – Development of Private Residential Gardens
 - TB21 – Landscape Character
 - TB23 – Biodiversity and Development
- 3.2.3 These are discussed below, where relevant.

3.3 Material Consideration - National Planning Policy Framework

- 3.3.1 The Government's National Planning Policy Framework (2024) (the 'NPPF') is a material consideration in the assessment of development proposals. The Framework confirms that the purpose of the planning system is to contribute to the achievement of sustainable development.
- 3.3.2 The Framework confirms that achieving sustainable development means that the planning system has three overarching objectives, which are interdependent and need to be pursued in mutually supportive ways:
- *an economic objective – to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure;*
 - *a social objective – to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering a well-designed and safe built environment, with accessible services and open spaces that reflect current and future needs and support communities' health, social and cultural well-being; and*
 - *an environmental objective – to contribute to protecting and enhancing our natural, built and historic environment; including making effective use of land, helping to improve biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.*
- 3.3.3 The Framework emphasises that these objectives should be delivered through the preparation and implementation of plans and the application of the policies in this Framework; they are not criteria against which every decision can or should be judged.
- 3.3.4 The Framework confirms that at its heart is a presumption in favour of sustainable development and that for decision taking this means approving development proposals that accord with an up-to-date development plan without delay.
- 3.3.5 This is discussed in more detail below, where relevant.

3.4 Material Consideration - Supplementary Planning Guidance

- 3.4.1 The supplementary planning guidance of relevance includes the **Borough Design Guide** (2012).

4 Planning Assessment

4.1 Introduction

- 4.1.1 The following assessment considers the relevant Development Plan policies and material considerations identified in the preceding section and the degree to which the proposed development complies with their provisions or not as the case may be.
- 4.1.2 The principal considerations in the assessment of the development proposals are considered to be as follows:
- Principle of development
 - Design and impact on the character of the area
 - Impact on neighbouring amenity
 - Transport and parking
 - Trees, ecology and biodiversity
- 4.1.3 These considerations are summarised in turn below along with any other matters.

4.2 Principle of development

- 4.2.1 Core Strategy Policy CP1 seeks sustainable development and the Managing Development Policy CC01 introduces a presumption in favour of sustainable development.
- 4.2.2 The site is not allocated with any site-specific land use designation and the development proposed through this application makes better use of an existing developed site, improves its appearance and extends its life. As such the development supports the objectives of the National Planning Policy Framework (NPPF) and contributes to the creation of a safe, good quality and sustainable community.
- 4.2.3 It is therefore noted that the site is an existing dwelling and subject to meeting planning policy in all other respects, the site is therefore deemed to be an appropriate location for efficient residential development by way of alterations within the curtilage of an existing dwelling. Alterations to dwellings is not prohibited by Policy CC02 or CP9.
- 4.2.4 Policy CP11 requires that residential extensions do not result in inappropriate increases in the scale, form or footprint of the original building.
- 4.2.5 the overarching objective of Policy CP11 is to protect the separate identities of the settlement limits and maintain the quality of the environment of the countryside.
- 4.2.6 The proposed development is not considered to be disproportionate to the existing curtilage.
- 4.2.7 In the determination of the previous planning application the Planning Officer's Delegated Report considered that:

In this regard, it is considered that the proposed formation of a new access and parking area to serve the existing dwelling would not result in a coalescence of different settlement boundaries. It would also not result in excessive expansion nor significant encroachment onto the countryside given it would be confined within the existing residential curtilage of the dwellinghouse. It is on this basis that the proposal would be considered acceptable in principle.

4.2.8 In addition, it is also noted that although the access to the highway requires planning permission the parking area would fall within the provisions of permitted development.

4.2.9 Schedule 2 of the General Permitted Development Order 2015 (as amended) confirms at Part 1, Part F that permitted development includes:

Development consisting of—

(a) the provision within the curtilage of a dwellinghouse of a hard surface for any purpose incidental to the enjoyment of the dwellinghouse as such; or

(b) the replacement in whole or in part of such a surface.

Development is permitted by Class F subject to the condition that where—

(a) the hard surface would be situated on land between a wall forming the principal elevation of the

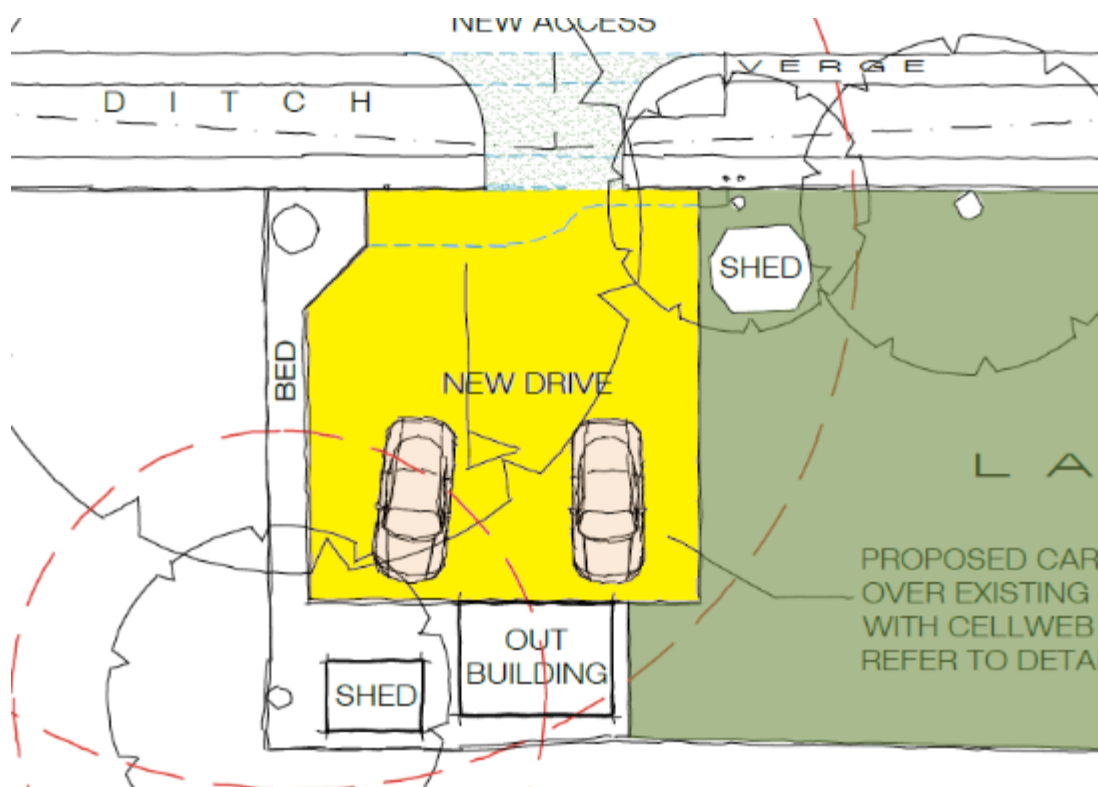
dwellinghouse and a highway, and

(b) the area of ground covered by the hard surface, or the area of hard surface replaced, would exceed

5 square metres,

either the hard surface is made of porous materials, or provision is made to direct run-off water from the hard surface to a permeable or porous area or surface within the curtilage of the dwellinghouse.

4.2.10 In this regard, the porous cell web as proposed would be permitted development and none of the part of the development shown in yellow below actually requires planning permission.



4.3 Design and impact on the character of the area

- 4.3.1 In respect of design considerations Paragraph 131 of the NPPF confirms that good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.
- 4.3.2 Paragraph 135 states that planning decisions should aim to ensure that developments function well and add to the overall quality of the area; establish a strong sense of place; optimise the potential of the site to accommodate development; are sympathetic to local character and history and are visually attractive as a result of good architecture, layout and appropriate and effective landscaping.
- 4.3.3 Paragraph 139 advises that development that is not well designed should be refused, especially where it fails to reflect local design policies and government guidance on design⁵², taking into account any local design guidance and supplementary planning documents such as design guides and codes.
- 4.3.4 Significant weight should be given to:
- a) development which reflects local design policies and government guidance on design, taking into account any local design guidance and supplementary planning documents such as design guides and codes; and/or
 - b) outstanding or innovative designs which promote high levels of sustainability, or help raise the standard of design more generally in an area, so long as they fit in with the overall form and layout of their surroundings.

- 4.3.5 In this respect the NPPF offers support to the proposed development which will be of a high quality and not have any impact on the character of the area, as discussed below.
- 4.3.6 Policy CP1 seeks to provide attractive, functional, accessible, safe, secure and adaptable schemes.
- 4.3.7 In addition, Policy CP3 states that planning permission will be granted for proposals that (i) are of an appropriate scale of activity, mass, layout, built form, height, materials and character to the area together with a high quality of design without detriment to the amenities of adjoining land users including open spaces or occupiers and their quality of life.
- 4.3.8 In addition, the policy states that proposals should have no detrimental impact upon important ecological, heritage, landscape (including river valleys) or geological features or water courses.
- 4.3.9 Policy TB21 states that proposals must demonstrate how they have addressed the requirements of the Council's Landscape Character Assessment, including the landscape quality; landscape strategy; landscape sensitivity and key issues.
- 4.3.10 The policy states that proposals shall retain or enhance the condition, character and features that contribute to the landscape.
- 4.3.11 In this respect, the proposed development will have minimal impact on the appearance of the site and no impact on the wider landscape.
- 4.3.12 In addition, Policies R1, RD1-RD5 and R11 of the Borough Design Guide SPD also require compatibility with the historic character of the local area, a coherent street character and retention of the character, setting and views of the village.
- 4.3.13 In the determination of the previous application in 2022 the Planning Officer's Delegated Report stated:

In this respect, the site visit confirmed that there are several residential properties along Fleet Hill that also benefit from existing vehicular accesses off this road, so that in this regard, the proposed access would be in keeping with the character and appearance of the area. Moreover, given the nature of development, the proposal would not result in an increase in built form on the site, as the access and parking surface would be levelled with the existing grounds levels, and would be mainly confined within the existing residential curtilage of the dwellinghouse on site. As such, in this case it is not considered the proposal would result in significant detrimental impact to the character and appearance of the surrounding area.

- 4.3.14 In the refused scheme, the proposed materials were stated to be hardstanding. In this regard, the current proposal seeks cell web construction which will retain the appearance of lawn.
- 4.3.15 In this regard, there were no previous objections in relation to design and this must also be the case from the current design which will have less impact on the character of the garden.

4.3.16 Therefore, there are no conflicts identified with any of the Council's design policies.

4.4 Impact on neighbouring amenity

4.4.1 Policy CP3 confirms that planning permission will be granted for proposals that are of an appropriate scale of activity, mass, layout, built form, height, materials and character to the area together with a high quality of design without detriment to the amenities of adjoining land users including open spaces or occupiers and their quality of life.

4.4.2 In this regard the Planning Officer's Report for the previous scheme confirmed that:

The nearest neighbouring properties to the proposal site are those located opposite Fleet Hill road over 10m away, and the property to the west which is circa 25m away from the proposed location of development. Given the nature and scale of the proposal, along with adequate separation distances, it is not considered there would be any adverse impact upon neighbouring amenities in terms of loss of light, loss of privacy or overbearing.

4.4.3 Therefore, the same conclusion must again be reached as the site circumstances have not changed.

4.5 Highway safety and parking

4.5.1 In relation to parking Local Plan Policy CC07 confirms that planning permission will only be granted where the proposal demonstrates the following:

- a) How the proposed parking provision meets the standards set out in Appendix 2 of the MDD
- b) That the new scheme retains an appropriate overall level of off-street parking

4.5.2 In this regard, the proposed Site Plan shows provision for 2no car parking spaces proposed within the new driveway. This parking provision is considered acceptable in accordance with the Council's Parking Standards and this was confirmed as acceptable within the Planning Officer's Report for the previous application.

4.5.3 In relation to access and highway safety, Policies CP1 and CP3 of the Core Strategy state that planning permission will be granted for development proposals that provide attractive, functional, accessible, safe, secure and adaptable schemes.

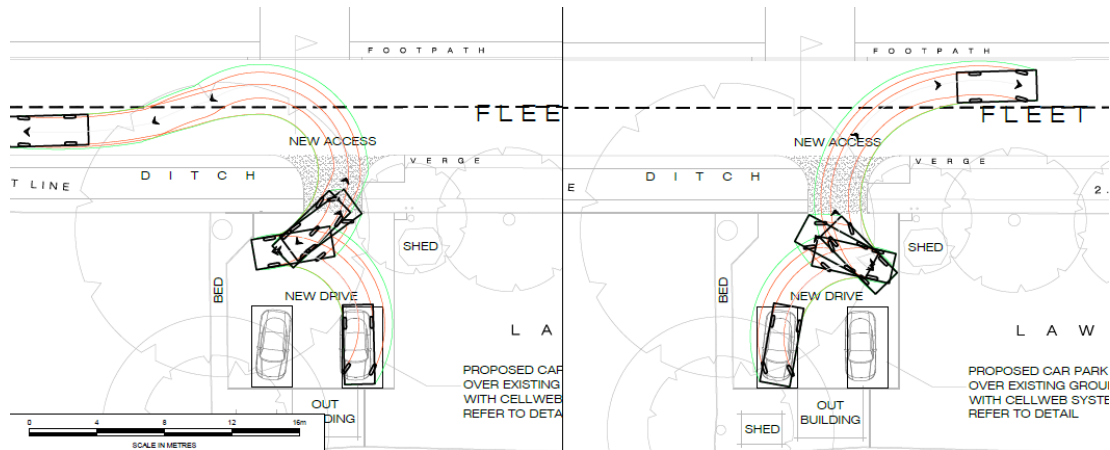
4.5.4 Policy CP6 of the Core Strategy states development proposals will be acceptable where they, inter alia, provide appropriate vehicular parking, having regard to car ownership (d); mitigate any adverse effects upon the local and strategic transport network (e); enhance road safety (f); and do not cause highway problems or lead to traffic related environmental problems (g).

4.5.5 In this regard, a new access is proposed off Fleet Hill to serve the existing dwellinghouse on site. The new access will allow for 2 parking spaces measuring within a driveway measuring 10m x 10m to the south of the proposed access.

- 4.5.6 The access to Wyse Hill Lodge is currently via a shared drive which is not owned by the Applicant and within the land ownership of nearby Wyse Hill House.
- 4.5.7 The existing driveway / parking area for Wyse Hill Lodge is not large enough as two cars can only be parked in tandem.
- 4.5.8 In addition, the current parking arrangement means that vehicles can only exit the site in reserve gear (or reverse into the site). On the narrow lane this causes problems with safety.
- 4.5.9 Furthermore, under the terms of the existing access arrangement, the occupiers cannot go past their property boundary in order to turn cars around.
- 4.5.10 Therefore, the current arrangements mean that vehicles are required to reverse out of the property onto the access way and then continue to reverse onto Fleet Hill.
- 4.5.11 This has serious highways implications.
- 4.5.12 In this regard, the proposed development will provide a better parking arrangement for the dwelling as well as safer access by allowing the occupiers to leave the site in forward gear.
- 4.5.13 In the determination of the previous application the Planning Officer's Delegated Report confirmed that:

The WBC Highways Officer has evaluated the proposal and indicates that with the proposed scheme, there is not enough space for turning within the proposal site so cars would not be able to enter and leave the site in forward gear. Fleet Hill is a classified road, therefore the proposal would result in adverse impact upon highway safety

- 4.5.14 In this regard, the Council's only objection was that the driveway did not allow space for turning to allow the cars to enter and leave in forward gear.
- 4.5.15 As a result, the proposed development has been amended to address this concern.
- 4.5.16 The size of the driveway has been increased by over 50% from the original size of approximately 8m x 8m (~64sqm) to approximately 10m x 10m (~100sqm).
- 4.5.17 As shown in the accompanying Swept Path Analysis drawings this allows the vehicles within both parking spaces to enter and exit the area in forward gear, as also shown below:



- 4.5.18 In addition, the Visibility Splay drawing also confirms that the vehicles will have suitable visibility when waiting to exit the site.
- 4.5.19 The site lies within an area punctuated by a number of residential accesses including several on the opposite side of the road. As such, any drivers using Fleet Hill would be aware of the potential for other residents to enter onto the highway.
- 4.5.20 In addition, the site is located within a 30-mph zone in both directions. Given this background and the fact that visibility splays would be acceptable there are no highway safety implications. In addition, there would be a net safety benefit to the public highway as the existing access which requires reversal onto the highway will no longer be required.
- 4.5.21 Paragraph 115 of the NPPF requires that safe and suitable access to the site can be achieved for all users.
- 4.5.22 In addition, paragraph 116 of the NPPF states that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.
- 4.5.23 As demonstrated within the application submission, no such impacts exist and therefore, there would be no sustainable objection in relation to highways and parking and the previous objections have been overcome.

4.6 Trees and landscaping

- 4.6.1 Paragraph 187(b) of the NPPF requires that planning applications enhance the natural and local environment by 'recognising the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services – including the economic and other benefits of the best and most versatile agricultural land, and of trees and woodland.'
- 4.6.2 Paragraph 193(c) of the NPPF states that when determining planning applications, local planning authorities should apply the following principles:

- c) development resulting in the loss or deterioration of irreplaceable habitats (such as ancient woodland and ancient or veteran trees) should be refused, unless there are wholly exceptional reasons and a suitable compensation strategy exists.
- 4.6.3 The footnote clarifies that exceptional reasons relate to for example, infrastructure projects (including nationally significant infrastructure projects, orders under the Transport and Works Act and hybrid bills), where the public benefit would clearly outweigh the loss or deterioration of habitat.
- 4.6.4 Policy CC03 of the MDD Local Plan aims to protect green infrastructure networks, promote linkages between public open space and the countryside, retain existing trees and establish appropriate landscaping and Policy TB21 requires consideration of the landscape character.
- 4.6.5 In this regard, the Council's previous reason for refusal stated that the proposed development would result in an unacceptable incursion into the root protection area and buffer zone of the protected Veteran Oak Tree (T1), which would result in potential for harm to the health of the tree, thereby impacting on the wider landscape character of the area. There is no overriding justification for construction within the root protection area and buffer zone.
- 4.6.6 However, it is noted that the driveway part of the proposed development doesn't require planning permission and therefore can be constructed independently from the proposed development.
- 4.6.7 The proposed no dig construction will sit on top of the existing ground level and have no impact on the root system within the root protection area.
- 4.6.8 The Greenfix Geoweb will be 100mm in depth, and installed above the existing ground level. This will reduce the likelihood of ground compaction and ensure good infiltration to the ground for rainwater run-off within the RPA.
- 4.6.9 The Arboricultural Impact Assessment confirms that to implement the Proposed Development, there will be a requirement to culvert the ditch on the northern boundary of the site. The ditch appears to have been regularly maintained and therefore root growth is likely to have been historically severed on a cycle. However, to minimise any damage associated with the culverting of the ditch, all excavation will be minimised in accordance with structural requirements.
- 4.6.10 Further details can be secured by conditions but it is clear that the proposed development will have no material impact on the trees.

4.7 Other Matters

Flood Risk and Drainage

- 4.7.1 The NPPF paragraph 170 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.

- 4.7.2 In addition, Policy CC09 confirms that all sources of flood risk, including historic flooding, must be taken into account at all stages and to the appropriate degree at all levels in the planning application process to avoid inappropriate development in areas at risk of flooding.
- 4.7.3 Policy CC10 states that all development proposals must ensure surface water arising from the proposed development including taking into account climate change is managed in a sustainable manner.
- 4.7.4 The Environment Agency Flood Map confirms that the site is within Flood Zone 1 and is therefore at the lowest risk of flooding.
- 4.7.5 In addition, the site is not at risk from surface water flooding and there are no ground water source protection zones in the locality.
- 4.7.6 In this respect, there is no need for a Flood Risk Assessment.
- 4.7.7 In the determination of the previous application the Planning Officer's Delegated Report confirmed that:

There is an existing and well maintained ditch running north of the application site. The WBC Drainage Officer has raised no objections to the proposal but has indicated that there should not be any blockage on the existing ditch on the proposed crossing point. This can be secured via condition in the event of an approval recommendation.

- 4.7.8 In this regard, the same conclusion should again be reached, especially given the proposed materials which are more permeable than previously proposed.
- 4.7.9 The Applicant has no objection to the previously suggested condition.

Amenity Space

- 4.7.10 In the determination of the previous application the Planning Officer considered that the proposal would retain adequate levels of external amenity space, where the rear garden would remain of a depth of circa 30m, which is well in excess the Borough Design Guide recommendations.
- 4.7.11 No objections were therefore raised in this respect and the same conclusion should therefore be reached.

Biodiversity

- 4.7.12 Policy CP7 seeks to protect biodiversity. In addition, Policy TB23 states that development should provide opportunities, including through design, layout and landscaping to incorporate new biodiversity features or enhance existing.
- 4.7.13 Although the site is within a suitable bat roosting area as identified on the Constraints Map there are no works to a roof or demolition proposed.

- 4.7.14 The works to a residential garden (which do not require planning permission) will have no impact on any Great Crested Newts. The access will bridge the ditch and have no ecological impact. No objections were raised in this regard previously.
- 4.7.15 The proposed development consists of a householder application. In this regard, the proposed development is exempt from the requirements of Biodiversity Net Gain.

5 Summary and Conclusion

5.1 Summary

- 5.1.1 In summary, this statement represents a Planning, Design and Access Statement submitted in support of the planning application for the creation of new access and associated landscaping at Wyse Hill Lodge, Finchampstead, RG40 4JR.
- 5.1.2 The purpose of this statement is to identify Development Plan policies that maybe relevant in the assessment of the development proposal; and to consider whether the proposal conflicts with their provisions and, if so, whether there are material considerations that outweigh any conflict with the Development Plan.
- 5.1.3 An assessment of the relevant planning policies in the adopted Development Plans confirms that there is no significant conflict with their provisions and that the statutory test imposed by Section 70(2) of the Town and Country Planning Act and Section 38(6) of the Planning and Compulsory Purchase Act 2004 is met.
- 5.1.4 The National Planning Policy Framework is a material consideration in the assessment of the development proposal. An assessment of the Framework confirms that the proposed development is consistent with national planning policies and provides further support for the application.
- 5.1.5 The previous highways objection is overcome by the revised design of the parking area which allows vehicle to enter and exit in forward gear.
- 5.1.6 The parts of the proposal which lie within the garden do not need planning permission and therefore the small ditch culvert and the access to the highway is the only part of the development which requires consent.
- 5.1.7 Due to the ditch this element is unlikely to have any impact on trees. Nevertheless, a no dig solution will not cause any harm to any root protection zones.
- 5.1.8 There are no other impediments to the granting of planning permission.

5.2 Conclusion

- 5.2.1 In conclusion, the proposed development is considered compliant with the relevant provisions of the development plan. Planning law dictates that this justifies a grant of planning permission. Assessment against the policies contained within the Framework, which is a material consideration, further confirms that the development can be considered to be a form of sustainable development and therefore benefit from the presumption in favour of sustainable development which is a golden thread running through decision-taking.
- 5.2.2 The proposal is therefore promoted on this basis and that it can be supported and receive a grant of planning permission.

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