

# ET Planning

## Planning, Design and Access Statement

Client:

John Jones

## Land Adjacent to the Coach House,

**North Court, The Ridges, Finchampstead, RG40 3SH**

*Erection of 1 no. dwelling and associated access.*

Gareth Jones **BSc (Hons) MSc MRTPI**

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## 1. Introduction

- 1.1 This statement is produced to support a planning application for the erection of 1 no. dwelling and associated access.
- 1.2 This planning statement will cover the background to the application and provide the necessary information to enable its determination by officers at the Council. It will consider the proposal in light of relevant planning policies and other material considerations. The conclusion reached is that key material considerations and the wider objectives of National and Local planning policy support the grant of permission.
- 1.3 In addition to this planning statement, the application is accompanied by the appropriate planning application forms and ownership certificate, duly signed and completed, and the following documents prepared by TCB Architecture, Landarb, Luscinia Ecology and Geosmart:
  - Site Location Plan
  - Site Plan
  - Proposed Ground Floor Plan
  - Proposed First Floor Plan
  - Proposed Roof Plan
  - Proposed Elevations
  - Tree Survey/Arboricultural Impact Assessment
  - Preliminary Ecological Appraisal
  - Drainage Strategy

- 1.4 The relevant application fee will be submitted by the applicant separately.

## 2. Site Location and Description

- 2.1 The site is located within the residential compound of North Court which contains a number of established residential properties.
- 2.2 The site is located outside of the defined settlement boundary and within the designated countryside.
- 2.3 More widely, the settlement of Crowthorne is located to the east, Wokingham to the north, California Country Park to west and defined settlement of Finchampstead to the south.

## 3. Planning History

- 3.1 No relevant planning history.

## 4. Development Proposals

- 4.1 The National Design Guide (2019) identifies that “well-designed homes and buildings are functional, accessible and sustainable. They provide internal environments and associated external spaces that support the health and well-being of their users and all who experience them. They meet the needs of a diverse range of users, taking into account factors such as the ageing population and cultural differences. They are adequate in size, fit for purpose and are adaptable to the changing needs of their occupants over time” (para 120-121).

- 4.2 Regarding the requirements of NPPG Paragraph: 029 Reference ID: 14-029-20140306 in respect of Design and Access Statements, the proposal is described as follows:
- 4.3 **Use and Amount:** The proposed use is for a residential dwelling.
- 4.4 **Layout and Scale:** The proposed dwelling will be two storey in scale and utilises a modern, contemporary design.
- 4.5 **Landscaping:** The proposal will utilise existing landscaping measures on site. Further landscaping can be controlled via condition in the event of a grant of planning permission.
- 4.6 **Appearance:** The proposed property will be modern and contemporary in design.
- 4.7 Indicative materials are shown on the supporting plans. The exact specifications can be controlled by condition in the event of a grant of planning permission.
- 4.8 **Access & Parking:** Access and parking is provided by a dedicated access off the internal access track within the residential compound of North Court.
- 4.9 Parking will then be provided by a hardstanding area to the front of the property.

## 5. Policy Assessment

- 5.1 **National Guidance:** The National Planning Policy Framework (NPPF) is a relevant material consideration to the application.
- 5.2 The purpose of the planning system is to contribute to the achievement of sustainable development. So that sustainable development is pursued in a positive way, at the heart of the Framework is a presumption in favour of sustainable development. Paragraph 39 of the NPPF states that "Local planning authorities should approach decision on proposed development in a positive and creative way" and "at every level should seek to approve applications for sustainable development where possible". Paragraph 124 of the NPPF comments that planning should "promote an effective use of land" in "meeting the need for homes and other uses, whilst safeguarding and improving the environment and ensuring safe and healthy living conditions".
- 5.3 Paragraph 61 confirms the Government's objective to boost the supply of housing, and paragraph 8 identifies the three objectives of sustainable development, as economic, environmental and social.
- 5.4 Paragraph 131 identifies 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", whilst paragraph 139 states that significant weight should be given to "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."
- 5.5 The National Design Guide builds on the above, and clarifies that "well-designed neighbourhoods need to include an integrated mix of tenures and housing types that reflect local housing need and market

demand. They are designed to be inclusive and to meet the changing needs of people of different ages and abilities. New development reinforces existing places by enhancing local transport, facilities and community services, and maximising their potential use" (para 109).

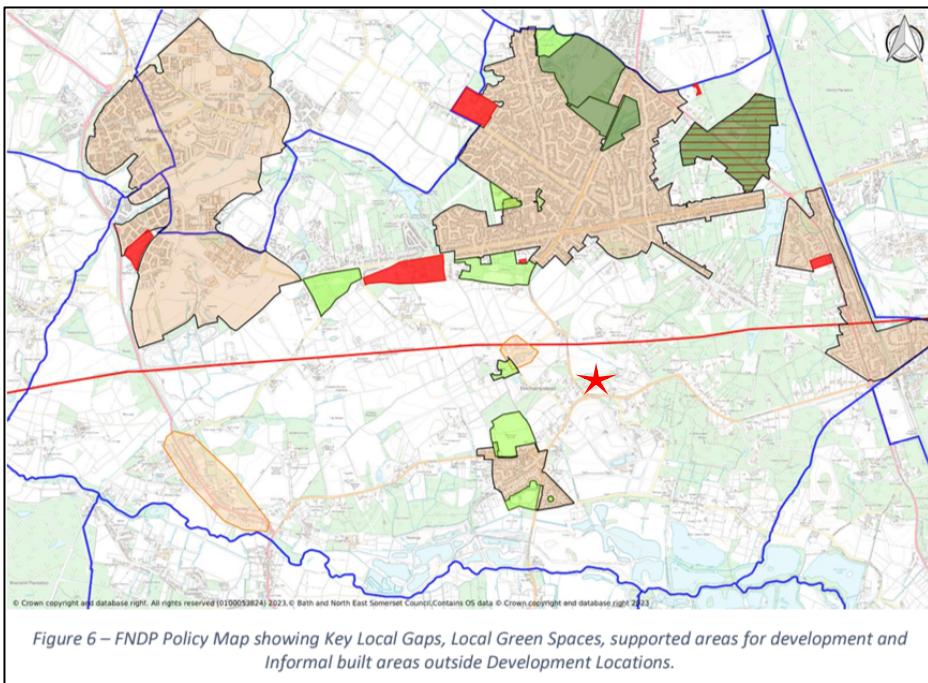
- 5.6 **Principle of Development:** Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that planning applications be determined in accordance with the Development Plan, unless material considerations indicate otherwise. The National Planning Policy Framework (NPPF) is material consideration in all planning applications.
- 5.7 In this instance, the relevant development plan documents includes:
  - Adopted Managing Development Delivery Local Plan (2014) (**MDD**)
  - Adopted Core Strategy (2010) (**CS**)
  - Finchampstead Neighbourhood Plan (2023) (**FNP**)
- 5.8 The site's countryside location is a key consideration when looking at the pre-application. CS Policy CP11 is the relevant policy in this regard. This states that in order to protect the separate identity of settlements and maintain the quality of the environment, proposals outside of the development limits will not normally be permitted except where they accord with a number of exceptions.
- 5.9 Of relevance to this application is Point 2 which states that proposals will be permitted where it does not lead to excessive encroachment away or expansion of development away from the original buildings.
- 5.10 It is considered that given then the wider residential nature of the North Court, the proposal accord is not located excessively away from

the wider built form with the site forming an infill development amongst the other properties on site.

5.11 FNP Policy GS1 is also of relevance when considering the principle of development. This identifies key local gaps and green wedges. The aim of this policy is to prevent coalescence, mirroring that of CS Policy CP11.

5.12 As can be seen from the map below, the application site is not within one of these identified locations and as such, can be considered to not contribute to the coalescence of settlements. As such, the relevant test is whether it detracts from the quality of the environment. As will be discussed elsewhere in this statement – the proposed development is considered to be a sensitive residential development that assimilate well with the design language of the surrounding area.

5.13 FNP Policy GS1 Proposals Map showing key local gaps and green wedges (red star showing approximate location of site):



5.14 Whilst it does introduce new built form, the scheme is within the wider residential envelope of the North Court Estate which is very much residential in nature. In this regard it is important to consider appeal ref. APP/X0360/W/20/3252216 (**Appendix 1**).

5.15 The Inspector notes at Paragraph 10 when discussing the wider site that '*whilst being located within the countryside, the area surrounding the appeal site is very much a 'man' made landscape, containing a number of strong and prominent urban features, including railings which line the access road, lamp posts, and managed and maintained landscaped areas. From passing through the entrance gate to the Estate, the presence of these features gives a sense of leaving the countryside and entering a more semi-rural, developed area.*

*The presence of these features means that the appeal site does not display typical characteristics of the surrounding countryside. Instead, it is more related to and reflects the character of the North Court Estate.*

*The visual prominence of the dwelling and associated residential activities directly adjacent to the Estate entrance, further reinforces this. The presence of a driveway, parked vehicles and a more controlled and manicured landscape would therefore not be out of keeping with the character and appearance of the surrounding area of the appeal site.'*

5.16 Due to this, direct relevance is also drawn between the proposed development site and appeal scheme in application ref. APP/X0360/W/20/3251601 (**Appendix 2**). This details the conclusions of an allowed appeal for the creation of 1 no. new dwelling in nearby Finchampstead.

5.17 The Inspector notes at Paragraph 3 that '*the site is located within the countryside. Despite this, and as a previous Inspector found, the situation on the ground does not fully reflect this designation. Instead, the site is located between development and is physically separated from the open countryside.*'

5.18 The applicant intends to build the dwelling to meet the relevant Self Build Criteria.

5.19 NPPF Paragraph 70 states that small and medium sized sites can make an important contribution to meeting the housing requirement of an area and are often built out relatively quickly. To promote the development of a good mix of sites, local planning authorities should consider a number of points. Of most relevance to this application is NPPF Paragraph 73.b).

5.20 This states that the Council should seek opportunities, through policies and decisions, to support small sites to come forward for community led development for housing and **self-build and custom build housing** [emphasis added]. The applicant is willing to control this by legal agreement in the event the Council are minded to approve the application.

5.21 **Housing Supply and Mix:** On 31 March 2024 the Council published its latest 5 Year Housing Land Supply. The statement concludes that the Councils can demonstrate a deliverable supply of 2,321 dwellings over the next 5 years, which equates to a housing land supply of 1.7 years.

5.22 Paragraph 11.d) of the NPPF sets out that where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, then permission shall be granted unless either:

- i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or
- ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.

5.23 This is colloquially known as the 'tilted balance'. As the tilted balance has been engaged, the judgement of the Court of Appeal in *Gladman Developments Ltd v Secretary of State for Housing, Communities and Local Government [2021] EWCA Civ 104* (03 February 2021) is highly relevant. The judgement sets out that in the exercise of planning judgement, the Council is under a duty to carry out a complete assessment, in which adverse impacts and benefits are to be fully weighted and considered, taking account of the Framework as a whole in addition to the relevant policies of the Development Plan.

5.24 Planning case law, such as *Hallam Land Management Ltd v Secretary of State for Communities and Local Government [2018] EWCA Civ 1808* (para. 47) ('Hallam') (CD5.16), has established that the extent of the housing shortfall has direct relevance to the degree of weight to be given within the tilted balance to the lack of housing supply in favour of granting permission. In this case, the shortfall is 1,403 dwellings.

5.25 Footnote 8 of the NPPF clarifies that the definition of out-of-date policies include those for applications involving the provision of housing where the Council cannot demonstrate a five year housing supply.

5.26 As a consequence of the Council failing to demonstrate a 5 years' supply of housing, the tilted balance is triggered within the assessment of this application.

5.27 Whilst it is considered as per the remainder of this Statement that the development is acceptable under an 'orthodox' planning balance, under the tilted balance it is therefore considered that inevitably the proposal gains further support.

5.28 It is therefore also pertinent to note the recent Planning outcomes for residential development outside of defined settlement within the Borough.

5.29 A significant number of dwellings have been allowed at appeal within designated countryside. This is not presented as any criticism of the Local Planning Authority, but simply an observation that the Housing Supply shortfall of the Council is a major factor in the determination of applications, as is the approach to CS Policy CP11.

5.30 Neither is it the purpose of this Statement to list every relevant decision in detail, but rather to highlight key findings of relevance to this particular application.

5.31 Appeal decision APP/X0360/X/24/3342812 (**Appendix 3**), permitting 23 dwellings et al. in a countryside location, concluded similar findings to the application of Policy CP11 as stated in paragraph 5.15 above. The appeal decision at paragraph 8 onwards that despite none of the circumstances of Policy CP11 applying to the appeal proposal, the overarching aim of the Policy was nonetheless fulfilled by the proposal. It is presented that the same applies to this application site – the proposal would not in any material way affect the separate identify of settlements nor diminish the quality of the environment.

5.32 **Appendix 3** also went on to note that consideration and assessment of individual sites are required to be undertaken beyond a rigid adherence to what can sometimes be arbitrarily-drawn boundaries for what defines a settlement (see **Appendix 3** paragraphs 12 & 13).

5.33 Appeal decision APP/X0360/W/24/3350170 (**Appendix 4**), whilst relating to 240 dwellings and being outline, is of relevance in terms of overarching approach to the suitability for locating new residential development. It is noted that a key matter of consideration and of common ground was not so much the overall principle of development being in countryside, but of the more nuanced considerations of whether the site was in a sustainable location and whether it preserved the separation between settlements. This aligns with the matters and approach presented throughout this submission.

5.34 Paragraphs 61 and 62 of **Appendix 4** also reinforce the fact that, whilst previous oversupply of housing is a material consideration, it is reasonable and appropriate to give this consideration lesser weight compared to the immediate housing needs established in the formal Housing Supply position.

5.35 It is also important to consider the findings of appeal ref. APP/H1705/W/25/3365525 (**Appendix 5**) which related to 1 no. house in Basingstoke. There are a number of similarities between the two sites. Firstly, both sites are located within the countryside and both Council's are unable to demonstrate a 5 Year Housing Land Supply.

5.36 Paragraph's 11 and 12 are of direct relevance to this application. They state:

*The Council is unable to demonstrate a 5-year supply of deliverable housing sites in accordance with Paragraph 72 of the Framework. **The Council is only able to demonstrate a 4.2-year supply which represents a significant undersupply.***

*Paragraph 11 d) of the Framework indicates that, in such circumstances where the requisite housing land supply cannot be*

shown, the Policies which are important for determining the application should be deemed out-of-date and permission should be granted unless any adverse impacts would significantly and demonstrably outweigh the benefits, when assessed against the Policies in the Framework taken as a whole.

***The proposed development would contribute to the supply of new homes in a situation where there is a shortfall. This attracts significant weight in favour of the proposed development.*** The proposal would also support the creation of jobs directly and indirectly during construction and result in future occupiers spending in the locality. [ET Planning Emphasis added].

As such, whilst the proposal is only for 1 no. house, the weight attributed to the proposed development in light of the shortfall should not be tempered.

- 5.37 Housing mix was discussed as part of the Council's pre-application response. It is noted that the Council's greatest need is for 2/3 bedroom dwellings. However, the identified need still includes 4-bedroom housing with nearly 25% of demand coming for these properties.
- 5.38 Alongside this, it is important to reflect on the Council's housing land supply position again. There is a general need for housing within Wokingham Borough – the proposed development will therefore accord with a wider Government objective to deliver more homes. In short, it would add further mix and choice to the overall housing market of the area.
- 5.39 To conclude, the Council's Housing Supply shortfall is a significant factor in the approach to countryside residential development, noting also the provisions of the tilted balance.

5.40 For the reasons detailed above, the proposed development is considered acceptable in principle.

5.41 **Sustainable Development:** NPPF Paragraph 8 outlines the three interdependent aims of the planning system. NPPF Paragraph 8.a) outlines the economic aims of the planning system. The applicant intends to use local construction firms to bring forward the proposal. Given the importance of construction to the economic output of the UK, the contribution of this should not be understated.

5.42 NPPF Paragraph 8.b) outlines the social objectives of the planning system. Homes provide an important social springboard for individuals and provide them with space in order to form new social connections with friends and family.

5.43 NPPF Paragraph 8.c) outlines the environmental objectives of the planning system. The proposed development will utilise high quality, contemporary building materials and will be built to high environmental efficiency standards, according with this aim.

5.44 **Character and Appearance of Area:** APP/X0360/W/20/3252216 is again of relevance when considering the character of the area. The Inspector's statement that the site is different from the wider countryside and is clearly more residential is considered to lend significant weight that a new dwelling would be acceptable in character terms.

5.45 The proposed dwelling utilises a modern style design. It is noted that the properties in North Court itself are more traditional in style.

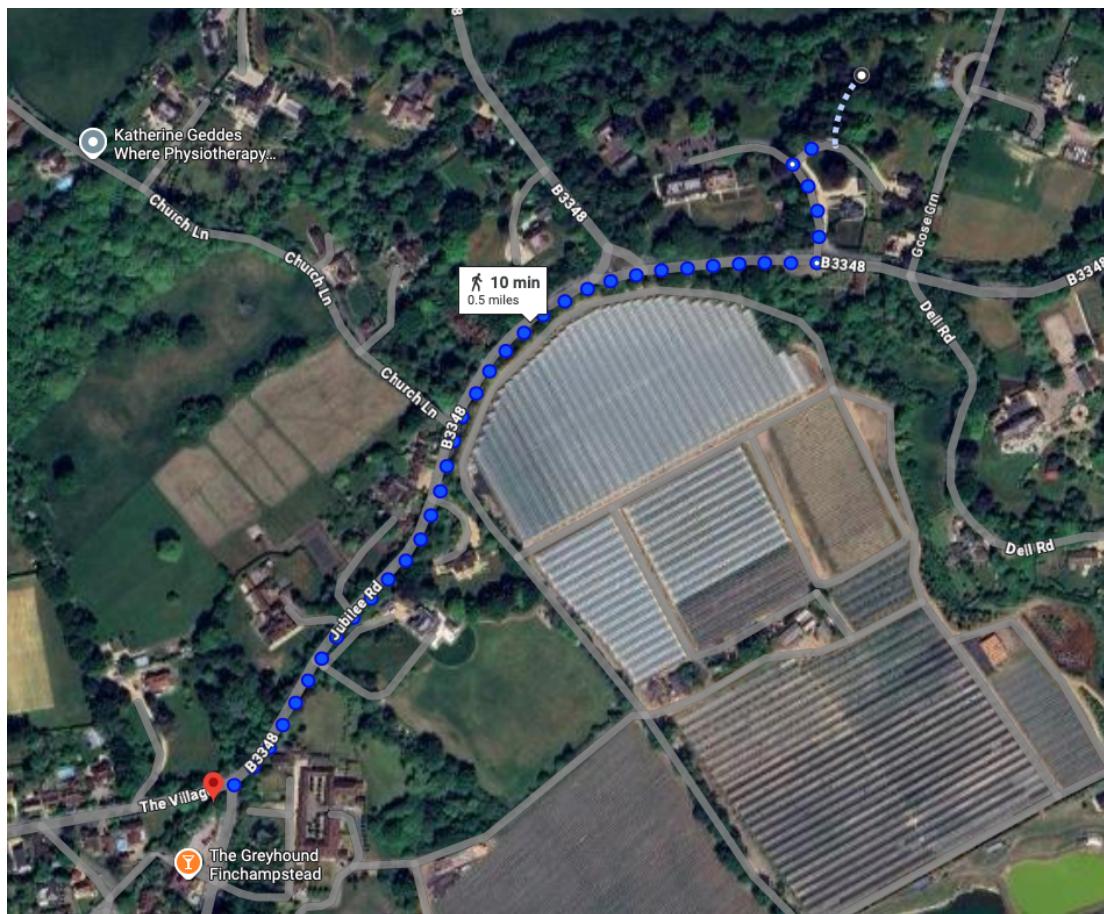
5.46 However, just because a design is the first instance of its type does not mean that it is automatically unacceptable. The relevant test is of design quality and whether it provides a positive contribution to the overall character of the area. Given the 'man-made landscape' of

the wider residential community that pre-exists, the development of 1 no. new house is considered acceptable in keeping with the wider design language of the surrounding area.

- 5.47 The Council raised no concerns around the design of the property as part of the pre-application. As such, the character impacts of the proposal are considered acceptable.
- 5.48 **Residential Amenity:** The property would be designed to accord with the internal space standards outlined in MDD Policy TB07 and would be able to provide the minimum 11 m of garden space required.
- 5.49 Given the considerable distance of the proposed development away from other residential dwellings, it is not considered that the proposed development will harmfully impact residential amenity.
- 5.50 The proposal would also accord with the other amenity considerations indicated in the Borough Design Guide in respect of separation distances to surrounding properties. For these reasons the proposed development is considered to accord with CS Policy CP3 and FNP Policy LPU/DH2.
- 5.51 **Transport and Parking:** When considering the site's location, it is noted that the site is located within the countryside. However, it is located within close proximity to the defined settlement of Finchampstead.
- 5.52 Within the Council's pre application response, the Council quote Section 4.4.1 of the Manual for Streets which states that '*walkable neighbourhoods are typically characterised by having a range of facilities within 10 minutes (up to about 800 m) walking distance of residential areas which residents may access comfortably on foot.*' *Using this statement, the development would not be considered*

*within walking distance from important services, as the nearest facilities at Finchampstead Retail Centre are nearly a mile from the proposed dwelling.'*

5.53 Google maps imagery shows the site is approximately a 10-minute walk to Finchampstead as seen below:



5.54 Furthermore, in their pre app response – the Council stated that '*the proposal fails to address fundamental concerns regarding the nature of pedestrian infrastructure. From the entrance of North Court to the nearby junction to the west, there are footpaths throughout, however, this would involve crossing the road twice, which is a 50mph speed limit. From this junction, there is then a significant extent of Jubilee Road towards the retail centre where there is no footway, and is coupled with a distinct lack of appropriate street lighting. As a result of all these factors, occupants of the proposed*

*application site may be discouraged from walking or cycling, particularly during darkness and poor weather, when the route would be less safe. Consequently, access to services and facilities is likely to rely more heavily on use of a private car than would be the case if Jubilee Road was lit and had a footway.'*

- 5.55 There are several points to unpack from this. Firstly, this does not acknowledge the site's close proximity to Finchampstead. CS Policy CP9 outlines Finchampstead as a '*limited development locations are those containing a basic range of services and facilities and are physically and socially cohesive.*'
- 5.56 Prospective occupants would only need to cross the road once at the access to the Ridges and then walk along continuous pavement to the settlement of Finchampstead. The settlement itself would provide prospective occupants with basic needs and services allowing occupants to fulfil their general day to day to day living, no different than other occupants of Finchampstead village and the surrounding area.
- 5.57 The site is also located in close proximity to 2 no. bus stops that are located on Jubilee Road. These bus stops are serviced by the 145 and the 406 which provide onwards connections to the surrounding area.
- 5.58 It is acknowledged that despite this, there would still be some reliance on the private car. However, NPPF Paragraph 110 directly acknowledges that opportunities to maximise sustainable transport solutions will vary between urban and rural areas, and this should be taken into account in both plan-making and decision-making.
- 5.59 Reflecting back on the Council's pre application response, the Council outline that they consider the proposal to not be in accordance with the settlement directive policies such as CP1 and CP9 and CC01.

However, the Council's lack of a 5 Year Housing Land Supply is again a relevant consideration.

- 5.60 Further to this it is important to consider APP/C1950/W/22/3307181 (**Appendix 6**) which related to the erection of 1 no. dwelling at a site in Hertfordshire.
- 5.61 Paragraph 39 of this appeal tempered the weight attributed to such policies in light of the Council's 5 Year Housing Land Supply. Whilst acknowledging that there would be some reliance on the private car, the level of harm would be slight and due to the Council's lack of a 5 Year Housing Land Supply '*the strategy within the DP of concentrating development in the main towns and settlements is not currently meeting housing needs.*' The weight afforded to these policies was therefore reduced. It is considered that this would also be the case here.
- 5.62 For the reasons detailed above, the proposed development is considered acceptable in highway and parking terms.
- 5.63 **Cycle Provision:** Cycle storage can be secured by condition in the event of a grant of planning permission.
- 5.64 **Refuse Provision:** Refuse storage can be secured by condition in the event of a grant of planning permission.
- 5.65 **Drainage and SuDS:** A Sustainable Drainage Report by Geosmart has been submitted in support of the application. The report outlines the drainage strategy for the proposed development including the use of permeable paving and rainwater harvesting butts. The measures outlined in the report can be secured by condition in the event of a grant of planning permission.
- 5.66 **Contamination:** The site is not known to be contaminated. If concerns are raised during the course of the application, these can

be controlled via condition in the event of a grant of planning permission.

5.67 **Sustainability and Energy:** Paragraph 8 of the NPPF supports the transition of development to a low carbon future. The national Code for Sustainable Homes has now been abolished, however it is proposed that the development would conform to Part L of the Building Regulations which as of 2022 requires a 30% reduction than current standards. By way of contributing to the reduction in carbon, the proposal would also achieve current building construction standards with added sustainability measures through;

- A. The limitation of the amount of inherent material, structure and embodied energy through the employment of good building standards to create an excellent SAP rating;
- B. Use of locally sourced, recycled materials and labour where practicable;
- C. Maximizing the use of natural light through floor-ceiling windows;
- D. Reduced internal water consumption of 110 litres per person per day through the incorporation of water efficient sanitary fittings, including low flow toilets and water efficient taps for wash basins;
- E. Refuse, recycling and composting facilities to be provided to work with the Council's existing waste and recycling collection service;
- F. Secure cycle provision to encourage sustainable modes of transport;
- G. 'A' rated electrical appliances and energy saving light fittings;

- H. 'A' rated double glazed windows with natural cross ventilation provision;
- I. Water butts fitted to the rainwater down pipes for watering the garden;
- J. Recycling of waste construction materials where practicable;
- K. Permeable driveway/parking spaces to avoid increase in surface water runoff;

5.68 The proposal is therefore considered to comply with sustainability objectives in this respect.

5.69 **Ecology, Trees and Landscaping:** A Preliminary Ecological Appraisal by Luscinia Ecology has been submitted in support of the application.

5.70 The report discusses the impact of the proposed development on protected species and acknowledges the loss of trees that has been required in order to facilitate the development. It is important to note that the trees within the applicant's ownership and they did not require permission in order to remove them.

5.71 The report details mitigation, enhancement and compensation measures that can be secured by condition in the event of a grant of planning permission.

5.72 A Tree Survey/AIA by LandARB are submitted in support of this application. The report discusses the impact of the proposed development on the retained trees, whether they are considered to have an overbearing impact on the proposed development and mitigation measures that could be secured by condition in the event of a grant of planning permission. The conclusion reached is that the proposed development is acceptable in arboricultural terms.

- 5.73 This allows the proposed development to accord with MDD Policies TB23 CC03 and CS Policy CP7.
- 5.74 **Special Protection Area:** The site lies within the 5 KM Buffer of the Thames Basin Heath Special Protection Area. As such a financial contribution for SANG and SAMM is required. The applicant will engage in discussions with the Council's legal team in the event Officers are minded to grant planning permission to secure this.
- 5.75 This will then allow the proposal to accord with Policy CP8.
- 5.76 **Community Infrastructure Levy:** The relevant forms have been submitted as part of this application.

## 6. Conclusion

- 6.1 This statement has demonstrated that the proposed development is acceptable in principle and makes an efficient use of land.
- 6.2 Material planning considerations have been carefully considered and analysed, as evidenced in section 5 of this statement and the supporting plans and documents. It is considered the proposed development would contribute an appropriate windfall site to the Borough's housing supply without adverse effect on the character of the area or the amenity of neighbouring residents.
- 6.3 It is considered that the proposed scheme complies with relevant Development Plan Policies and is further supported by National Guidance. Therefore, it is respectfully requested that planning permission is granted.

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