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Planning Statement

Wyse Hill Lodge, Finchampstead, RG40 4JR

Extension of Residential Curtilage

Introduction

1. This statement represents a Planning Statement submitted in support of the planning application for the extension of the residential curtilage (the 'proposed development') at Wyse Hill Lodge, Finchampstead, RG40 4JR (the 'site').

Purpose

2. Planning law¹ requires that applications for planning permission must be determined in accordance with the Development Plan unless material considerations indicate otherwise.
3. 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.
4. 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.

5. 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.
6. 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

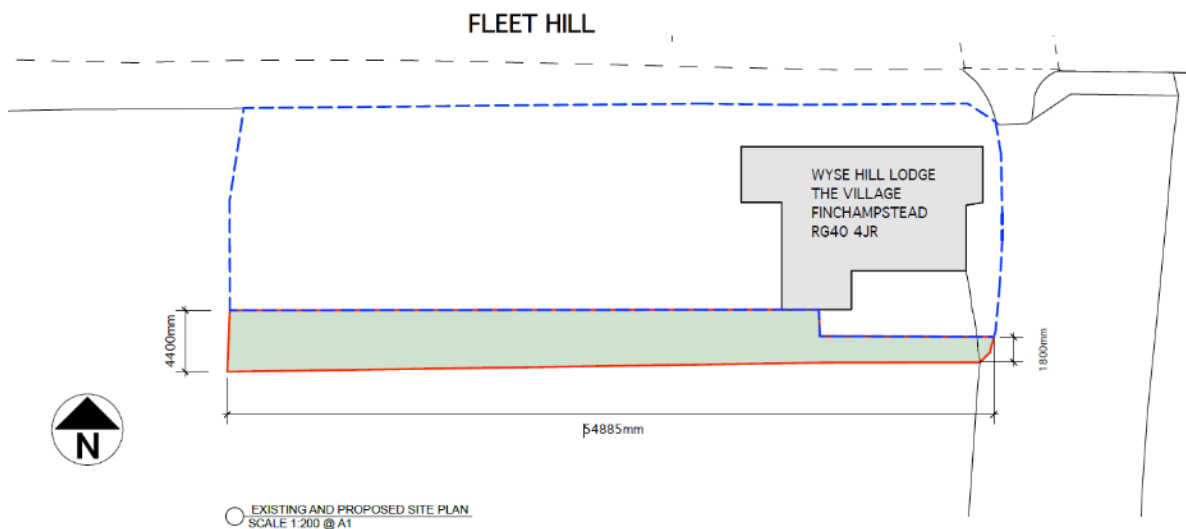
¹ Section 38(6) of the Planning and Compulsory Purchase Act 2004 and section 70(2) of the Town and Country Planning Act 1990

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).

their provisions and if they do, to determine whether there are material considerations which outweigh such conflict.

Proposed Development

7. The proposed development seeks to extend the residential curtilage of the dwelling by including a strip of land to the south.
8. This additional section of land is approximately 55m in depth and between 1.8 and 4.4m in width. The additional land will increase the size of the garden.



9. The application is submitted retrospectively.
10. The extended garden will be fully landscaped to complement the existing garden.

Site Location and Description

11. The application site comprises a single storey dwelling situated on the southern side of Fleet Hill Road in The Village, Finchampstead.
12. 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.
13. To the west of the application site is countryside and farmland, with some isolated dwellings further west.
14. 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.

15. 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.



Property as viewed from Street

16. The site is not within a Conservation Area and there are no nearby listed buildings.
17. The site falls partly within designated countryside and is directly adjacent to the settlement boundary.
18. The additional part of the garden, along with the wider field is described as 'open paddock' within the March 2000 appeal decision (as discussed below).

Planning History

19. 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.

20. A 2022 application was refused for the creation of a new access and associated hardstanding, including installation of a crossing point over an existing roadside ditch (Ref: 222908).

21. A subsequent resubmission (Ref: 250414) was allowed on appeal (Ref: APP/X0360/D/25/3366977). This is yet to be implemented.
22. Part of the application site (the new part of the curtilage) was subject to a 1999 refusal for 'Proposed Erection of One 3 Bedroom Detached Dwelling' (Ref: 991071). This was also dismissed on appeal in March 2020 (Ref: APP/X0360/A/99/1033354/P2).

Community Involvement Statement

23. The application has been submitted following discussions with Planning and Enforcement Officers who advised that a planning application was required.
24. The adjacent landowner sold the land to the Applicant and is therefore entirely supportive of the application.

Development Plan Context

25. 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.
26. The Development Plan context in Finchampstead is provided by the **Wokingham Core Strategy DPD** (2010) and the **Managing Development Delivery Local Plan** (2014).
27. The Proposals Map confirms that the site falls partly within designated countryside and is directly adjacent to the settlement boundary. The site is also within the Thames Basin Heaths 5km Linear Mitigation Zone
28. The following policies of the Core Strategy have been identified as relevant:
 - CP1 – Sustainable Development
 - CP3 – General Principles for Development
 - CP4 – Infrastructure Requirements
 - CP7 – Biodiversity
 - CP8 – Thames Basin Heaths Special Protection Area
 - CP9 – Scale and Location of Development Proposals
 - CP11 – Proposals outside Development Limits (including countryside)
29. 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

- CC07 – Parking
- CC09 – Development and Flood Risk
- CC10 – Sustainable Drainage
- TB06 – Development of Private Residential Gardens
- TB21 – Landscape Character
- TB23 – Biodiversity and Development

30. These are discussed below, where relevant.

Material Considerations

31. 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.
32. 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:
33. The Framework emphasises that economic, social and environment 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.
34. 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.
35. The supplementary planning guidance of relevance includes the **Borough Design Guide** (2012).

Planning Assessment

Introduction

36. 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.
37. 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
38. These considerations are summarised in turn below along with any other matters.

Principle of development

39. Core Strategy Policy CP1 seeks sustainable development and the Managing Development Policy CC01 introduces a presumption in favour of sustainable development.
40. 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.
41. 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 of the size of the curtilage of an existing dwelling. Alterations to dwellings is not prohibited by Policy CC02 or CP9.
42. Policy CP11 requires that residential extensions do not result in inappropriate increases in the scale, form or footprint of the original building.
43. 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.
44. The proposed development is not considered to be disproportionate to the existing curtilage, being only a 23% increase in size of the curtilage (as discussed below).
45. In addition, there is no specific Development Plan policy which prohibits the extension of residential curtilage. Furthermore, the extended area of garden was formerly used as non-commercial paddock. There is also no policy relating to the loss of such uses.
46. However, the proposed additional land intake (approx. 200sqm) is modest in relation to the paddock size and would not result in an over-domestication of the countryside and would relate well to the existing house.
47. In this regard, the principle of the development should be acceptable.

Design and impact on the character of the area

48. 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.
49. 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.

50. 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 design, taking into account any local design guidance and supplementary planning documents such as design guides and codes.
51. 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.
52. Policy CP1 seeks to provide attractive, functional, accessible, safe, secure and adaptable schemes.
53. 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.
54. 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.
55. 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.
56. The policy states that proposals shall retain or enhance the condition, character and features that contribute to the landscape.
57. In this respect, the proposed development will have minimal impact on the appearance of the site and no impact on the wider landscape.
58. 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.
59. In this regard, Fleet Hill and the surrounding area is characterised by detached dwellings within large plots, as shown below:



60. The proposed development will extend a garden of approximately 55m in depth and approximately 15m in width and extends the area of the curtilage from approximately 825sqm to approximately 1,020sqm and increase of approximately 23%.
61. Other dwellings have similarly sized or larger curtilages. In addition, the increased garden size and boundary will largely be hidden from any public views.
62. Therefore, there are no conflicts identified with any of the Council's design policies and any appropriate landscaping could be controlled by condition, if necessary.

Impact on neighbouring amenity

63. 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.
64. In this regard. The nearest neighbouring properties to the proposal site are those located opposite on Fleet Hill over 10m away, and the property to the west which is circa 25m away from the closest location of the development. To the south is the remainder of the adjoining paddock.
65. 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.

Transport and parking

66. 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

67. The Design Guide SPD states that where properties are extended then the extended property will be required to comply with the Borough parking standards. This may mean that an additional parking space is required.
68. However, the proposed development does not result in any amendments to either the existing parking arrangements or those approved in 2025 (Ref: 250414 and allowed on appeal Ref: APP/X0360/D/25/3366977).
69. 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.
70. In this regard, there are no amendments to the access or parking arrangements and therefore, there would be no sustainable objection in relation to highways and parking.

Trees, ecology and biodiversity

71. 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.’
72. 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.
73. As shown in the below photograph, the proposed development involves only the relocation of a fence (which has already occurred) and has no impact on any trees.



- 74. Although some vegetation has previously been removed to facilitate the new fence this generally consisted of shrubbery and no trees in this area are protected by TPOs.
- 75. Although TPO trees are located close to the area they are not affected by the proposed development.
- 76. The replacement fence to the rear boundary has no impact on any tree roots.
- 77. 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.
- 78. 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.
- 79. The works will have no impact on any Great Crested Newts.
- 80. The proposed development consists of an application relating to a residential property. In this regard, the proposed development is exempt from the requirements of Biodiversity Net Gain.

Other Matters

- 81. The Environment Agency Flood Map confirms that the site is within Flood Zone 1 and is therefore at the lowest risk of flooding.

82. In addition, the site is not at risk from surface water flooding and there are no ground water source protection zones in the locality.
83. In this respect, there is no need for a Flood Risk Assessment and the proposed development has no impact on drainage.
84. The proposed development would have no impact on the depth of the which would remain of a depth well in excess the Borough Design Guide recommendations. The proposed development increases the size of the garden.

Summary and Conclusion

85. 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.
86. 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.
87. 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.
88. There are no policies which prevent the proposed development and therefore the principle should be acceptable.
89. In addition, there are no design, amenity, highway, tree or ecological issued which would prevent the granting of planning permission.
90. 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.
91. 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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October 2025