



WILKINSON  
PLANNING

## Planning, Design and Access Statement

SITE

59c Nine Mile Ride, Finchampstead,  
Wokingham, RG40 4ND

PROPOSAL FOR

Erection of carport

PROPOSAL BY

Rob Lewis

May 2026

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## 1.0 Introduction

- 1.1 This statement is prepared for and on behalf of Rob Lewis ('Applicant') in respect of an application for; Erection of carport ('Proposal') at 59c Nine Mile Ride, Finchampstead, Wokingham, RG40 4ND ('Site').
- 1.2 It will consider the local and national planning policy position and provide an overview of the relevant material considerations relating to the proposed development.
- 1.3 The extract below shows the location of the site relative to its surroundings and other nearby development:



**Figure 1.3.1** Aerial View [site starred in red]

## 2.0 Site and Surrounding Area

- 2.1 The site is located to the rear of 59 Nine Mile Ride, Finchampstead. The site consists of the northern-most plot ('Unit 4') following the grant of planning permission 223084 for the erection of 4 no. dwellings with associated works.
- 2.2 The surrounding areas comprise of linear form of residential development along Nine Mile Ride to the east and west, woodlands and California Country Park to the north and north-east, and an industrial estate to the south of the site, beyond which lies open countryside with sporadic development.
- 2.3 The site is not within a conservation area and there are no heritage assets within or close to the site. The site is in Flood Zone 1 (very low risk of fluvial flooding) and is also at a low risk of pluvial flooding. There are no known ecological or land contamination issues at the site.

## 3.0 Proposal

- 3.1 The proposal is for; Erection of carport. The Proposed Site Plan provides context:

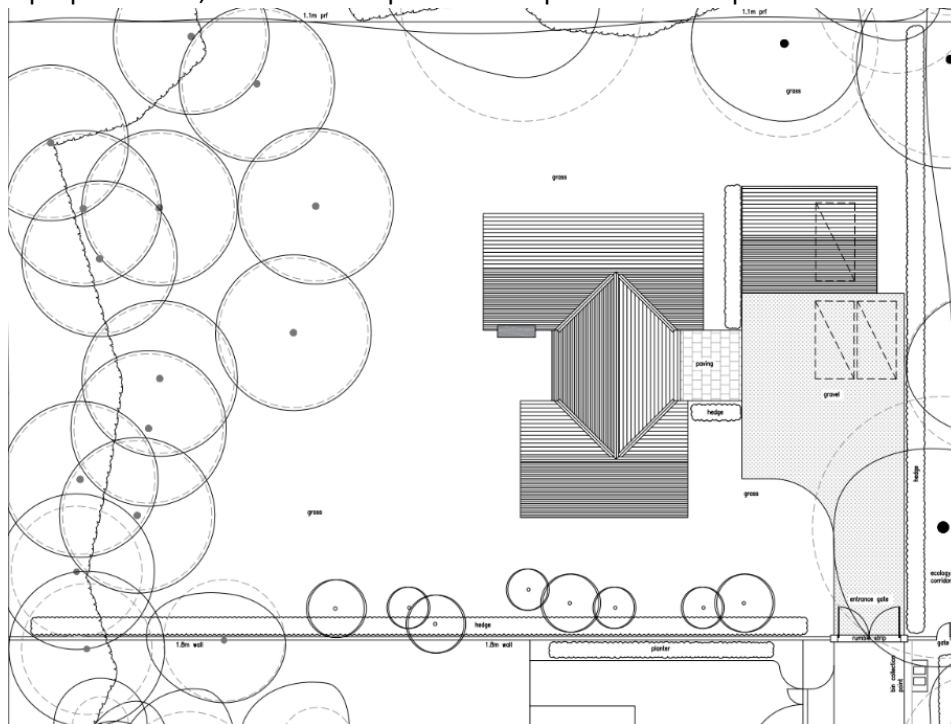


**Figure 3.1.1** Proposed Site Plan [drawing no. 738-025-PR02]

3.2 The application is supported by a suite of plans and documents including:

- Application Form
- Planning Drawings
- Planning, Design and Access Statement

#### **4.0 Planning Policy**

4.1 The National Planning Policy Framework 2024 (NPPF) contains the Government's planning policies for England and sets out how these are expected to be applied. Planning law continues to require that applications for planning permission are determined in accordance with the Development Plan unless material considerations indicate otherwise. The policies contained within the NPPF are a material consideration and should be taken into account for decision-making purposes.

4.2 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that if regard is to be had to the Development Plan for the purpose of any determination to be made under the Planning Acts, then that determination must be made in accordance with 'the Plan' unless material considerations indicate otherwise.

4.3 The NPPF is supported by the Planning Practice Guidance (PPG), which assists applicants and decision makers in interpretation the NPPF.

4.4 The Development Plan for Wokingham Borough Council consists of:

##### Core Strategy (2010)

- CP1 – Sustainable Development
- CP3 – General Principles for Development
- CP6 – Managing Travel Demand
- CP9 – Scale and Location of Development Proposals
- CP11 – Proposals Outside Development Limit

#### Managing Development Delivery Local Plan (2014)

- CC01 – Presumption in Favour of Sustainable Development
- CC02 – Development Limits
- CC07 – Parking

#### Supplementary Planning Documents

- Finchampstead Neighbourhood Development Plan (2023)
- Borough Design Guide (2012)

#### National Planning Policy Framework (2024)

- Para 7: Achieving sustainable development
- Para 8: Three dimensions to sustainable development
- Para 10: Presumption in favour of sustainable development
- Para 11 – 14: The presumption in favour of sustainable development
- Para 39: Decision making
- Para 48 – 51: Determination of planning applications
- Para 131 – 141: Achieving well designed places
- Para 187 – 201: Conserving and enhancing the natural environment

4.5 The NPPF sets out the Government’s planning policies for England and how these should be applied. Paragraph 7 of the NPPF confirms that the purpose of the planning system is to contribute to the achievement of sustainable development. Paragraph 8 of the NPPF identifies three overarching objectives in order to achieve sustainable development. The NPPF goes on to state, however, that *“they are not criteria against which every decision can or should be judged”* (para. 9). The policy paragraphs, footnotes, and annexes to the NPPF should be considered as a whole. Nevertheless, the key considerations that apply to this application are dealt with below.

4.6 Paragraph 11 of the NPPF confirms that there is a presumption in favour of sustainable development.

4.7 It will be shown that the application accords with the development plan as a whole because of its compliance with the important policies for its determination. Thus, in accordance with NPPF para. 11(c) planning permission should be granted.

4.8 An assessment of the proposal under the above policy context is detailed below and in consideration of the planning matters material to this application. It will be demonstrated that the proposed development not only adheres to the development plan as a whole first and foremost, but also adheres to the policies of the NPPF. Planning permission should be granted where there are overriding benefits in allowing development to proceed.

## **5.0 Planning History**

5.1 The site has been subject to the following previous planning applications:

- **223084** | Full application for the proposed erection of 4 no. detached residential dwellings with associated parking and landscaping following demolition of existing buildings. | Approve: 03/11/2023
- **233133** | Application to vary condition 15 of planning consent 223084 for the proposed erection of 4 no. detached residential dwellings with associated parking and landscaping following demolition of existing buildings. Condition 15 relates to details of external lighting. | Approve: 26/02/2024

## **6.0 Material Planning Considerations**

### **6.1 Principle of Development**

6.2 At a local level, it is noted that the development plan prescribes a 'presumption in favour' of sustainable development. The preamble of the Local Plan seeks to replicate the terms of the presumption as found within paragraph 11 of the NPPF. It is clear, therefore, that the presumption is set out within the development plan and, as such, the application of the presumption is not simply weighed as a material consideration within the NPPF but is a consideration against which all proposals must be determined. The development plan has

primacy, and the Council would be incorrect in law if they chose not to apply it.

6.3 Managing Development Delivery Local Plan Policy CC01 states that planning applications that accord with the policies in the Development Plan for Wokingham Borough will be approved without delay, unless material considerations indicate otherwise.

6.4 Policy CP1 of the local plan seeks to support sustainable development, ensuring proposals are compliant with relevant policies of the Development Plan. Policy CP3 provides general principles for development, stating:

*“Planning permission will be granted for proposals that:*

- a) 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;*
- b) Provide a functional, accessible, safe, secure and adaptable scheme;*
- c) Have no detrimental impact upon important ecological, heritage, landscape (including river valleys) or geological features or water courses.”*

6.5 The site lies outside the defined settlement boundaries and must therefore be assessed against Policy CP11 of the adopted Core Strategy, which restricts development in the countryside. Under CP11, proposals beyond development limits are only acceptable where they meet specific exemption criteria, including that they do not result in excessive encroachment or expansion away from the original buildings.

6.6 The proposed carport has been designed such that it remains clearly subordinate to the main dwelling in both scale and massing. It is positioned in close proximity to the main dwelling such that it is clearly read in conjunction. Its position within the site does not amount to an inappropriate or excessive encroachment into open countryside, it remains wholly within the established domestic curtilage - which is to be enclosed with established boundary treatments. Wider views of the development would be extremely limited such that it would not be read as an excessive encroachment or expansion away from the main dwelling.

- 6.7 The proposal would not harm rural visual amenity nor undermine the openness of the surrounding countryside. The principle of development is therefore acceptable in accordance with policies CP1, CP3 and CP11 of the Core Strategy.

*The Tilted Balance*

- 6.8 The “tilted balance” within paragraph 11(d)(ii) of the NPPF provides a mechanism to overcome conflict with development plans, where the policies in the plan are out-of-date. It is not uncommon though for development plans to contain a policy that reflects this either. At the local level, it is noted that the development plan prescribes a ‘presumption in favour’ of sustainable development. The preamble of the Local Plan seeks to replicate the terms of the presumption as found within paragraph 11 of the NPPF. It is clear, therefore, that the presumption is set out within the development plan and, as such, the application of the presumption is not simply weighed as a material consideration within the NPPF but is a consideration against which all proposals must be determined. The development plan has primacy, and the Council would be incorrect in law if they chose not to apply it.
- 6.9 In the recent *Basingstoke and Deane*<sup>1</sup> case, the importance of this point was discussed. Basingstoke and Deane Borough Council have the “tilted balance” within their development plan through policy SD1 – which is comparable to CC01 of the Managing Development Delivery Local Plan.
- 6.10 The Inspector determining the appeal found that, despite there being some conflict with some policies in the development plan, there was conformity with the plan overall, saying:

*“Looking at the development plan as a whole, the proposal would accord with those policies I have identified above together with Policy SD1. On the other hand, it would conflict with the spatial strategy (Policies SS1, SS6 and HO2) and the landscape policies (Policies EM1 and NE1). Given that the spatial strategy is out-of-date, and that the degree of landscape harm is only of moderate weight, my overall conclusion*

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<sup>1</sup> *Basingstoke and Deane Borough Council v Secretary of State for Levelling Up, Housing and Communities* [2024] EWHC 1916 (Admin)

*is that the proposal is in accordance with the development plan as a whole.”*

6.11 The Council sought to challenge this decision, arguing that the Inspector ought not to take account whether the spatial distribution policies were out-of-date in deciding whether there was conformity with the plan as a whole.

6.12 The Court dismissed the claim, saying:

*“96. In deciding whether the proposal accorded with the development plan as a whole, it was logical and consistent with the application of policy SD1 in this case for the Inspector to take into account the out-of-datedness of the spatial strategy (see last sentence of DL 145). Indeed, to have ignored that factor would have been internally inconsistent and would have failed to apply the development plan as a whole.”*

6.13 The Court found that the Inspector could have reached the same conclusion irrespective of policy SD1:

*“98. I do not consider that the dismissal of this claim depends upon the fact that the BDLP includes policy SD1. Some local plans do not contain a policy replicating the NPPF's presumption in favour of sustainable development. In the present case, even if policy SD1 is disregarded for the sake of argument, I see no error of law in DL 145. In my judgment, the Inspector would still have been entitled to take into account the out-of-datedness of the spatial strategy of the development plan when deciding whether the proposal was in accordance with that plan as a whole.”*

6.14 As such, the inclusion of the ‘presumption in favour’ of sustainable development prescribed within the Local Plan cannot be ignored. This is a useful judgement which is materially relevant in the consideration of; applying the presumption in favour and the “tilted balance”.

6.15 Design and Layout

- 6.16 Policy CP3 of the Core Strategy, paragraphs 131, 135 and 139 of the NPPF recognise that good design is a key aspect of sustainable development, seeking to ensure that developments are of a high standard of design that must reflect and respect the character, setting and local context.
- 6.17 The Finchampstead Neighbourhood Development Plan and Borough Design Guide SPDs provide further guidance with respect to promoting well designed developments.
- 6.18 The proposed carport, consisting of a car port, bike store and potting shed, has been designed to present a high-quality design and appearance, seamlessly integrating within the site and its surroundings.
- 6.19 The carport would have a volume of 73.3m<sup>3</sup>. This is not relatively substantial or disproportionate in size in relation to the existing building such that its scale, massing and form are entirely appropriate. It has been designed to minimise its visual impact utilising a low profile and roof pitch.

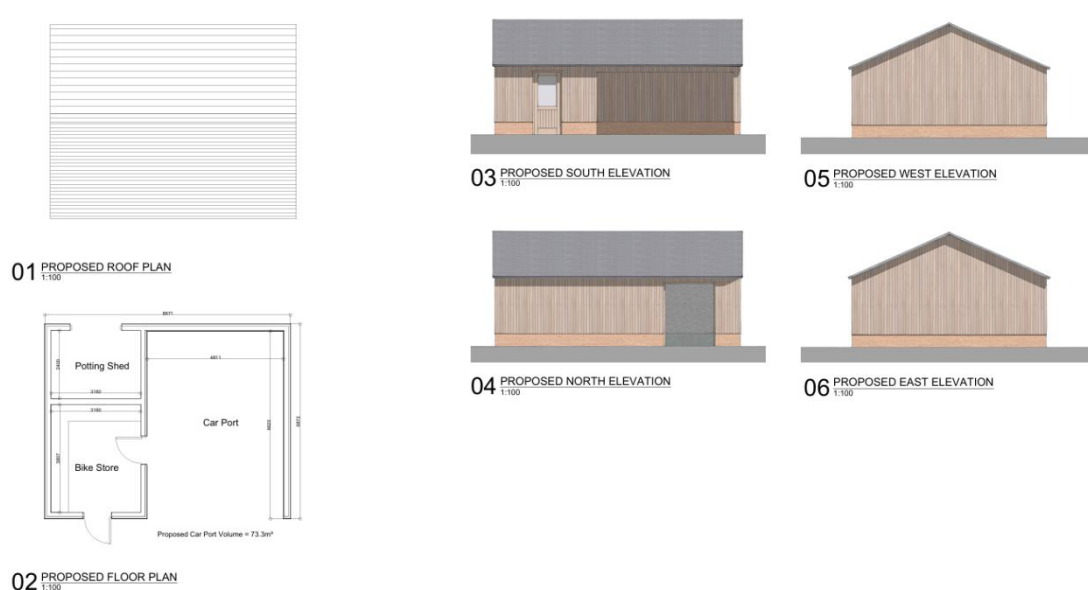


**Figure 6.18.1** Proposed Car Port Floor Plan & Elevations [drawing no. 738-026-PR02]

- 6.20 The carport would not be read as an excessive encroachment or expansion away from the main dwelling. Accordingly, the proposal is in compliance with the aforementioned policies and guidance and is therefore acceptable.

6.21 Residential Amenity

6.22 Paragraph 135 of the NPPF requires development to not result in detrimental impacts on residential amenity in order to achieve and maintain well designed places and support the health and wellbeing of communities.

6.23 By virtue of the scale, height, siting and construction of the carport, the proposal would not appear dominant or overbearing, nor result in a loss of light. The proposal would cause no significant impacts upon any neighbouring properties. The proposal therefore offers no detrimental impacts on residential amenity to warrant refusal.

6.24 Highways, Access, Parking and Safety

6.25 Policy CP6 of the Core Strategy, Policy CC07 of the Development Plan and paragraphs 110, 116 and 117 of the NPPF seek to ensure development promotes opportunities for sustainable transport methods, provide adequate parking provision and does not severely affect the highway network.

6.26 The proposal would not result in any detrimental impacts with respect to on-site parking provision or highway safety. Adequate parking provision and manoeuvring space remains available, with secure bicycle storage provided.

6.27 The courts have held that the principle should not be interpreted to mean anything other than a severe impact on highway safety to be acceptable as per *Mayowa-Emmanuel*<sup>2</sup>. This proposal does not create any such impact and is acceptable in accordance with the aforementioned policies.

6.28 Ecology and Biodiversity Net Gain ('BNG')

6.29 Under Regulation 9(3) of the Conservation of Habitats and Species Regulations 2017, the Wildlife and Countryside Act 1981 (as amended) and section 40 of the Natural Environment

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<sup>2</sup> *Mayowa-Emmanuel v Royal Borough of Greenwich* [2015] EWHC 4076 (Admin)

and Rural Communities Act 2006, the Council has a statutory duty to have regard to designated sites, protected and priority species and habitats in all decisions taken.

6.30 The proposal by virtue of the minor scale of development would result in no ecological impacts, ensuring it protects the natural environment. No trees will be affected by the development.

6.31 The Environment Act 2021 has made a 10% biodiversity net gain mandatory from 12<sup>th</sup> February 2024. In this case, as the proposal is for a 'Householder Development' it is de minimis such that it is exempt from BNG contribution.

## **7.0 Planning Balance**

7.1 The proposal seeks planning permission for; Erection of carport at 59c Nine Mile Ride, Finchampstead, Wokingham, RG40 4ND.

7.2 The development finds in-principle favour with the development plan and accords with it when viewed as a whole; it should be permitted without delay. Furthermore, the development would comply with the policies of the NPPF taken as a whole and this reinforces the direction of the development plan to grant planning permission.

7.3 The proposed carport does not result in excessive encroachment or expansion away from the main dwelling. It has been designed to a high quality reflective of the character, setting and local context. It causes no impacts upon visual amenity nor any adverse impacts on neighbouring properties; nor result in any detrimental impacts on highway safety.

7.4 In light of this and taking account of all the considerations set out above, it is hoped that the LPA will support this sustainable development by granting planning permission in the terms requested.