

**TOWN AND COUNTRY PLANNING ACT 1990
PLANNING AND COMPENSATION ACT 1991
THE TOWN & COUNTRY PLANNING
(DEVELOPMENT MANAGEMENT PROCEDURE) (ENGLAND) ORDER 2015**

APPLICATION FOR FULL PLANNING PERMISSION

To: Philip Wadge Architecture
Unit 4b Kingfisher Court
Newbury
RG14 5SJ

Application No: 230987
Application type: Full Planning Approval

Applicant: Mr & Mrs Rickard

READING BOROUGH COUNCIL as Local Planning Authority **REFUSE** planning permission for the following development.

Proposal: Demolition of garage and construction of bungalow

At: 139 Chapel Hill Tilehurst Reading RG31 5DD

For the attached reasons

PLEASE READ THE NOTES ISSUED WITH THIS DECISION NOTICE

Date: 22 November 2023



SDV

Assistant Director of Planning, Transport and
Public Protection Services

Application At: 139 Chapel Hill Tilehurst Reading RG31 5DD

Application No: 230987

Application type: Full Planning Approval

REASONS FOR REFUSAL

1. The proposed development would fail to respond positively to the local context and would appear cramped, overdeveloped and dominated by vehicle parking and access routes, with consequent harm to the character and appearance of the area. The proposal results in an unacceptable form of tandem development which would be incongruous in its context. As such, the proposal is contrary to Policies CC7 and H11 of the Reading Borough Local Plan 2019.
2. The proposed dwelling on part of the garden serving 139 Chapel Hill would result in inadequate functional rear garden amenity space being retained for the existing dwelling and the proposed dwelling. This indicates that the proposed development would constitute overdevelopment of the site of detriment to the character of the area and appearance of the existing and proposed dwelling as well as being harmful to the amenities of the current and future occupiers of the existing and proposed dwelling contrary to Policies CC8, H10 and H11 of Reading Borough Local Plan 2019.
3. The proposed development would result in a loss of privacy to future occupants due to overlooking from 33 Childrey Way habitable rooms at the new dwelling. The presence of trees within the rear garden to 33 Childrey Way is not an acceptable solution for preserving the privacy for future occupants of the development. The development also provides poor outlook from habitable rooms at the new dwelling. The development is therefore not in accordance with Policy CC8 of the Reading Borough Local Plan 2019.
4. The development has failed to demonstrate a net gain for biodiversity within the site as measured using the DEFRA 4.0 Biodiversity Metric. Furthermore, in the absence of evidence to the contrary, because the proposals are likely to result in a net loss of a biodiversity within the site, and there are no exceptional circumstances where the need for development clearly outweighs the need to protect the value of the site, off site compensation for the loss of biodiversity would not comply with Policy EN12 of the Reading Borough Local Plan. The development is therefore contrary to Policies EN12 and H11 of the Reading Borough Local Plan (2019) and NPPF (2021) paragraphs 179, 180 and 182.

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5. Insufficient evidence had been provided to determine the likely impacts of the proposals on bats, which are a protected species and a material consideration in the planning process. The proposal is therefore contrary to policies H11 and EN12 and of the Reading Local Plan 2019, Paragraph 99 of the government Circular 06/05: Biodiversity and Geological Conservation - Statutory Obligations and Their Impact Within The Planning System and The Conservation of Habitats and Species Regulations 2017 (The Habitat Regulations).

6. The proposed development would result in a pressure to prune the trees within the rear garden to 33 Childrey Way to maintain the quality of the private garden to the new dwelling with consequent harm to the health and visual amenity of those trees. The development is therefore contrary to Policies CC7 and EN14 of the Reading Borough Local Plan 2019.

7. In the absence of a completed legal agreement to secure an acceptable contribution towards the provision of Affordable Housing, the proposal fails to contribute adequately to the housing needs of Reading Borough, contrary to Policy H3 of the Reading Borough Local Plan (2019) and the Council's adopted Affordable Housing Supplementary Planning Document 2021.

INFORMATIVES

1. The refusal relates only to the following plans and information as received by the local planning authority:

Location Plans - 22075/PL/01 Rev B

Existing Site Plan & Site Section/Elevation - 22075/PL/02 Rev B Proposed Site Plan & Site Section/Elevation - 22075/PL/03 Rev C Existing Floor Plans and Elevations - 22075/PL/04 Rev C

Proposed Floor Plans and Elevations - 22075/PL/05 Rev C

Planning Statement - 22075- 139 Chapel Hill

Predicted Energy Assessment

SAP Calculation: New Build (As Designed) prepare by Elmhurst Energy Received on 15/07/2023

Arboricultural Impact Assessment prepared by SJ Stephens Associates - 2149

Tree Protection Plan - 2149-01 Rev A

Affordable Housing Statement

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Received on 26/09/2023

2. This planning application was submitted without the benefit of first seeking pre-application advice from the Local Planning Authority, which can often result in the avoidance of refusal of planning permission. Please see the following link to the Council's pre-application service here: <https://www.reading.gov.uk/planning-and-building-control/planning-applications/before-making-a-planning-application/pre-application-planning-advice/>

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NOTES

APPEALS TO THE SECRETARY OF STATE

If you are aggrieved by the decision of the Council to refuse permission for the proposed development or to grant it subject to conditions, then you can appeal to the Secretary of State under section 78 of the Town and Country Planning Act 1990.

If this is a decision on a planning application relating to the same or substantially the same land and development as is already the subject of an enforcement notice, if you want to appeal against the Council's decision on the application you must do so within 28 days of the date of this notice.

If an enforcement notice is served relating to the same or substantially the same land and development as in your application and you want to appeal against the Council's decision on your application, you must do so within 28 days of the date of service of the enforcement notice, or within 6 months (or 12 weeks in the case of a householder appeal) of the date of this notice, whichever period expires earlier.

If the above circumstances do not apply, any appeal must be made within the following time limits:

If this is a householder application and you want to appeal against the Council's decision then you must do so within 12 weeks of the date of this notice. If this is an advertisement application and you want to appeal against your local planning authority's decision then you must do so within 8 weeks of the date of this notice. If you want to appeal against your local planning authority's decision for any other type of application (which is not a householder or advertisement application, or an application for a Certificate of Lawfulness) then you must do so within 6 months of the date of this notice.

Appeals can be made online at: <https://www.gov.uk/appeal-planning-decision>

If you are unable to access the online appeal form, please contact the Planning Inspectorate to obtain a paper copy of the appeal form on tel: 0303 444 5000.

The Secretary of State can allow a longer period for giving notice of an appeal but will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.

The Secretary of State need not consider an appeal if it seems to the Secretary of State that the local planning authority could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.

If you intend to submit an appeal that you would like examined by inquiry then you must notify the Local Planning Authority and Planning Inspectorate (inquiryappeals@planninginspectorate.gov.uk) at least 10 days before submitting the appeal. Further details are on GOV.UK.

Purchase Notices

If either the Local Planning Authority or the Secretary of State refuses permission to develop land or grants it subject to conditions, the owner may claim that he can neither put the land to a reasonably beneficial use in its existing state nor render the land capable of a reasonably beneficial use by the carrying out of any development which has been or would be permitted. In these circumstances, the owner may serve a purchase notice on the Council in whose area the land is situated. This notice will require the Council to purchase his interest in the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990.