

**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: Arcitek Building Design Ltd
3 Melford Close
South Wootton
PE30 3XH

Application No: 191506
Application type: Outline Planning Approval

Applicant: C/O Arcitek Building Design Ltd

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

Proposal: Proposed development of 7 mixed 1 bed flats and 1 bed studio apartments

At: 28 Southampton Street Reading RG1 2QL

For the attached reasons

PLEASE READ THE NOTES ISSUED WITH THIS DECISION NOTICE

Date: 4 July 2023



Assistant Director of Planning, Transport and
Public Protection Services

Application At: 28 Southampton Street Reading RG1 2QL

Application No: 191506

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REASONS FOR REFUSAL

1. The outline application proposal, in terms of its Appearance, Layout and Scale would be harmful to the more modest in scale adjacent Listed Building. By its overbearing nature the proposed building would be visually detracting from and dominating of the setting of the Listed Building failing to provide a suitable transition in size and spacing. Furthermore, by virtue of its close proximity to the flank wall and gable of the Listed Building, the application has failed to demonstrate that there would not be harm to the fabric of the Listed Building via fire transfer, direct effects on footings/foundations of the Listed Building or that any suitable allowance can be given for maintenance access. The Heritage Assessment failed to consider these aspects and for the above reasons, the application is considered to be harmful to both the setting and fabric of the Designated Heritage Asset contrary to paragraph 194 of the National Planning Policy Framework 2021 and Policy EN1 (Protection and Enhancement of the Historic Environment) of the Reading Borough Local Plan (2019).
2. The outline application, in terms of its Appearance, Layout and Scale is considered to be an inappropriate design for the site for reasons of inappropriate spacing to neighbouring buildings. Due to the almost total site coverage and development density, the development would not provide suitable breathing space and a layout without opportunities for active or other meaningful amenity space/greening of the site, landscaping/trees (to be achieved as a Reserved Matter), or suitable servicing. As such, the proposal is considered to be an overdevelopment of the site and would fail to maintain the character and appearance of this part of Reading, to the detriment of the streetscene, neighbouring properties and future occupiers, contrary to policies CC5 (Waste Minimisation and Storage), CC7 (Design and the Public Realm), CC8 (Safeguarding Amenity) CR2 (Design in Central Reading) H10 (Private and Communal Outdoor Space) and EN14 (Trees, Hedges and Woodland) of the Reading Borough Local Plan (2019).
3. The proposed internal floor layout indicates that only small (under 50sq.m) one-bedroom flats would be provided. This is as a result of the overdevelopment of the site and the failure to provide a suitable mix in order to meet the housing needs of central Reading is contrary to Policy H2 (Density and Mix) of the Reading Borough Local Plan (2019).

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4. The proposal would provide sub-standard internal amenity to the dwellings through poor access to natural light/sunlight; overbearing of windows serving habitable rooms, poor outlooks, lack of privacy/suitable overlooking towards adjacent dwellings; unacceptable disturbance through access to cycle and bin areas; and inappropriate location of a large bin storage area next to and partly obscuring a habitable room window. The majority of the flats will be affected by poor noise levels and no mitigation controls are proposed to show suitability in this regard. The development will therefore provide unacceptable living conditions for these residential properties and cause a detrimental impact on existing (and planned/under construction) neighbouring residential properties, contrary to policies EN16 (Pollution and Water Resources), CC5 (Waste Minimisation and Storage) CC8 (Safeguarding Amenity) of the Reading Borough Local Plan (2019).
5. Given the overdevelopment of the site and lack of suitable 'breathing space' around the building, the outline application is unacceptable in terms of Layout in that it fails to indicate that a suitable area for a cycle store can be provided in a convenient, secure, safe and efficient location. The proposal does not provide a suitable level of cycle parking provision in accordance with the Council's adopted standards, and will therefore fail to provide a choice of means of transport contrary to policies CC7 (Design and the Public Realm), TR5 (Car and Cycle Parking and Electric Vehicle Charging) of the Reading Borough Local Plan (2019) and the Council's supplementary planning document, 'Revised Parking Standards and Design' (2011).
6. The proposal would fail to provide a suitable financial contribution via a s106 agreement towards the provision of affordable housing in the Borough. The development would therefore fail to offset harm to the social and economic infrastructure of the borough in terms of housing needs, contrary to policies CC9 (Securing Infrastructure) and H3 (Affordable Housing) of the Reading Borough Local Plan (2019) and the Council's adopted supplementary planning documents, 'Affordable Housing' (2021) and 'Planning Obligations under Section 106' (2015).

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INFORMATIVES

1. This application for outline planning permission has been considered and refused on the basis of the following plans:

17063 - 001 Rev. F Elevations, Location & Site Plans (Pr) dated 29.07.21

17063 - 002 Rev. F Floor & Roof plans (Pr) dated 29.07.21

17063 - 003 Rev. F 3D and Street Views Rev. F dated 29.07.21

The plans above all include the following notes:

‘Do not scale from Drawings’;

‘Levels and dimensions of existing structure/site may be from various sources and may be inaccurate’;

‘Unless stated otherwise this drawing is for design intent purposes only and should not be used for any other purpose. The drawing is indicative of designers visual requirements’ [sic.];

‘CDM: This drawing represents design intent only and should not be used for construction purposes without written notification from Principle Designer’ [sic.]

The Local Planning Authority considers that the plans submitted are therefore unreliable/potentially inaccurate and this is a factor to be considered in the above reasons for refusal.

2. The Local Planning Authority has been positive and proactive in giving numerous opportunities for the applicant to withdraw this planning application, but the applicant has chosen not to, hence the issuing of this decision to refuse Outline Planning Permission.
3. Refusals of planning permission can often be avoided by making use of the Council's pre-application advice service, which is strongly recommended before submitting any further planning applications at this site.
4. Reason for refusal 6 above could be potentially overcome with a suitable s106 agreement or unilateral undertaking.
5. If otherwise acceptable, the lamp post would require re-siting, at the developer's expense.
6. This would also otherwise be a CIL-Liable development, with the approximate liability currently being £55,130.

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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.