

**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: Nova Planning
Suite 51 Pure Offices
One Port Way
Portsmouth
PO6 4TY

Application No: 220258
Application type: Full Planning Approval

Applicant: Maxika Homes

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

Proposal: Residential redevelopment comprising demolition of existing single storey building and erection of 16 dwellings together with associated works (re-submission of application 210526)

At: 220 Elgar Road South Reading RG2 0BW

For the attached reasons

PLEASE READ THE NOTES ISSUED WITH THIS DECISION NOTICE

Date: 12 December 2022



SDV

Assistant Director of Planning, Transport and
Public Protection Services

Application At: 220 Elgar Road South Reading RG2 0BW

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REASONS FOR REFUSAL

1. The proposed mix of units only includes one 3-bedroom dwelling of the total of 16 no. units, equating to 6%, which is significantly below the policy requirement of 50%. Therefore, the proposal fails to contribute adequately to the need for family sized accommodation and specifically of 3 bedrooms and over, which is contrary to Policy H2 (Density and Mix) of the Reading Borough Local Plan 2019.
2. The proposal includes insufficient outdoor amenity space to serve the number of flats and is not reflective of the context of development in the vicinity, which would detrimentally affect the overall amenity and living conditions for future residents contrary to Policy CC7 (Design and the Public Realm), Policy CC8 (Safeguarding Amenity) and Policy H10 (Private and Communal Outdoor Space) EN9 (Provision of Open Space) and EN14 (Trees, Hedges and Woodlands) of the Reading Borough Local Plan (2019).
3. In the absence of a completed legal agreement to secure:
 - (i) An acceptable mitigation plan or equivalent contribution towards the provision of Employment, Skills and Training for the construction phase of the development;
 - (ii) Obligations to secure the provision of Affordable Housing within the Borough;
 - (iii) An obligation for carbon offsetting to address the shortfall between the proposed carbon reduction of 35% and achieving zero carbon homes; and
 - (iv) A suitable contribution towards provision of open spacethe proposal fails to contribute adequately to the employment, skills or training needs of local people with associated socio-economic harm, contrary to Policy CC9 (Securing Infrastructure) of the Reading Borough Local Plan (2019) and the Employment Skills and Training SPD (2013), fails to adequately contribute to the Affordable Housing needs within the Borough contrary to policies CC9 (Securing Infrastructure) and H3 (Affordable Housing) of the Reading Borough Local Plan (2019), Affordable Housing SPD (2021) and Planning Obligations under S106 SPD (2015), fails to provide suitable mitigation for its impacts on energy use/climate change contrary to Policy H5 (Standards for New Housing) and CC9 (Securing Infrastructure) of the Reading Borough Local Plan (2019) and the Council's adopted Sustainable Design and Construction SPD (2019) and Planning Obligations under Section 106 SPD (2015) and fails to make adequate provision for open space

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contrary to Policy EN9 (Provision of Open Space) of the Reading Borough Local Plan (2019).

INFORMATIVES

1. The development hereby refused was assessed on the basis of the submitted drawings and other information as follows:

Received 23rd February 2022:

- Drawing No: 0001 Rev P1 - Block and Location Plan
- Drawing No: 1000 Rev P1 - Existing Site Plan
- Drawing No: 1001 Rev P1 - Existing Roof Plan
- Drawing No: 1200 Rev P1 - Existing Elevations
- Drawing No: 2000 Rev P6 - Proposed Site Plan
- Drawing No: 2100 Rev P6 - Proposed GF Plan
- Drawing No: 2101 Rev P6 - Proposed FF Plan
- Drawing No: 2102 Rev P5 - Proposed SF Plan
- Drawing No: 2104 Rev P5 - Proposed Roof Plan
- Drawing No: 2200 Rev P5 - Proposed Street Elevation
- Drawing No: 2201 Rev P6 - Proposed East-West Elevation
- Drawing No: 2202 Rev P6 - Proposed North-South Elevation
- Planning Statement
- Sustainability Statement
- Preliminary Ecological Appraisal
- Biodiversity Report
- Daylight and Sunlight Report
- Daylight and Sunlight Addendum
- Financial Viability Assessment - Addendum Update

The following amended plans were submitted on 27th April 2022:

- Drawing No: 2000 Rev P7 - Proposed Site Plan
- Drawing No: 2100 Rev P7 - Proposed GF Plan
- Drawing No: 2101 Rev P7 - Proposed FF Plan
- Drawing No: 2102 Rev P6 - Proposed SF Plan
- Drawing No: 2202 Rev P7 - Proposed North-South Elevation

The following amended plans and information were submitted on 23rd May 2022:

- Drawing No: 2000 Rev P8 - Proposed Site Plan
- Drawing No: 2100 Rev P8 - Proposed GF Plan

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- Drawing No: 2102 Rev P7 - Proposed SF Plan
- Drawing No: 2103 Rev P1 - Proposed SF Mezzanine Plan
- Drawing No: 2104 Rev P6 - Proposed Roof Plan
- Drawing No: 2200 Rev P6 - Proposed Street Elevation
- Drawing No: 2201 Rev P7 - Proposed East-West Elevation
- Drawing No: 2202 Rev P8 - Proposed North-South Elevation
- Proposed Scheme Accommodation Schedule

The following amended plans were submitted on 16th June 2022:

- Drawing No: 2000 Rev P9 - Proposed Site Plan
- Drawing No: 2200 Rev P7 - Proposed Street Elevation
- Drawing No: 2201 Rev P8 - Proposed East-West Elevation
- Drawing No: SK10 - Proposed Sketch Section

The following information was submitted on 20th July 2022:

- Financial Viability Assessment and appendices

The following information was submitted on 21st August 2022:

- Surface Water Drainage Strategy

The following information was submitted on 7th September 2022:

- Surface Water Drainage Strategy (Status: 2nd Issue - Sept 22)

The following further plan was submitted on 16th November 2022:

- Drawing No: 2001 Rev P1 - Proposed Site Levels Plan

The following further plans were submitted on 25th November 2022:

- Drawing No: NJC-001 Rev 1 - Delivery Van Swept Path Tracking
- Drawing No: NJC-002 Rev 1 - Refuse Vehicle Swept Path Tracking

2. Reason for refusal No. 3 above could be overcome with the completion of a satisfactory s106 agreement or unilateral undertaking.

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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/planning-inspectorate>.

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.