

**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: Robert Young Associates (Hungerford) Application No: 211932
Ltd Application type: Outline Planning Approval
4 Kennet House
19 High Street
Hungerford
RG17 0NL

Applicant: WhitleyWood Properties Ltd

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

Proposal: Outline application for the demolition of existing retail units and ancillary buildings and redevelopment to provide ground floor retail uses with ancillary office space, and 12 dwellings (Class C3) on the upper floors (Landscaping reserved for future consideration).

At: 142 Whitley Wood Lane Reading RG2 8PP

For the attached reasons

PLEASE READ THE NOTES ISSUED WITH THIS DECISION NOTICE

Date: 19 January 2022



RE
Head of Planning, Development
& Regulatory Services

Application At: 142 Whitley Wood Lane Reading RG2 8PP

Application No: 211932

Application type: Outline Planning Approval

REASONS FOR REFUSAL

1. The proposed building, by reason of its excessive height, massing and plot coverage, and inappropriate architectural detailing, would result in an overly bulky, incongruous and visually dominant structure which would harm the character and appearance of the surrounding area. As such the proposal would be contrary to Policies CC7 and H2 of the Reading Borough Local Plan 2019.
2. The proposed layout would not make suitable provision for tree planting and a net gain in biodiversity within the site with consequent harm to the character, appearance and ecological value of the site and surrounding area, contrary to Policies EN12 and EN14 of the Reading Borough Local Plan 2019.
3. The proposed building by reason of its bulk, height and massing, and the proposed second floor windows and balconies, would result in actual and perceived overlooking and an overbearing effect upon the private rear garden of the dwelling to the north at 136 Whitley Wood Lane, with consequent harm to the amenity of that dwelling. As such the proposal would be contrary to Policy CC8 and H2 of the Reading Borough Local Plan 2019.
4. The proposed layout would fail to provide sufficient outdoor amenity space for future occupiers of flat numbers 4, 6, 10, and 12 with consequent harm to the amenity of future occupiers of those dwellings and contrary to Policy H10 of the Reading Borough Local Plan 2019.
5. The proposed layout would result in a cramped relationship between Flats 3 and 5, and 9 and 11 with amenity areas directly adjacent to neighbouring bedroom windows, with consequent harm to the amenity of future occupiers due to disturbance and a lack of privacy. As such the proposals are contrary to Policies CC8, H2 and H10 of the Reading Borough Local Plan 2019.
6. The proposed flats, numbers 5, 6, 11 and 12, would fail to comply with the Nationally Described Space Standards with consequent harm to the amenity of future occupiers and contrary to Policy H5 of the Reading Borough Local Plan 2019.

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7. The proposed development fails to provide an appropriate mix of dwelling sizes and as such would fail to contribute adequately to the housing needs of Reading Borough and the objective of creating mixed and balanced communities. The proposal is therefore contrary to Policy H2 of the Reading Borough Local Plan 2019.

8. The proposed layout would not provide appropriate facilities for vehicle parking and deliveries. This would result in parking and servicing on the highway in close proximity to the roundabout junction, with consequent harm to road safety and the flow of traffic and contrary to Policies TR3 and TR5 of the Reading Borough Local Plan 2019.

9. 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 and the objective of creating mixed and balanced communities and as such is contrary to Policy H3 of the Reading Borough Local Plan and adopted Affordable Housing Supplementary Planning Document (2021).

10. In the absence of a completed legal agreement to secure an acceptable mitigation plan or equivalent contribution towards the provision of Employment, Skills and Training for the construction phase of the development, the proposal fails to contribute adequately to the employment, skills or training needs of local people with associated socioeconomic harm, contrary to Policy CC9 of the Reading Borough Local Plan 2019 and the Employment Skills and Training SPD (2013).

INFORMATIVES

1. The Local Planning Authority has worked positively and proactively advising the applicant of relevant concerns at an early stage in the process. No pre-application advice was sought and an approval would not be possible within the prescribed target timescale and therefore the decision to proceed to refuse planning permission has been taken.

2. This decision relates to the following drawings and documents:

2021/WWL 001 Location Plan - Block Plan dated 18 November 2021

2021/WWL 002 Existing Ground Floor dated 18 November 2021

2021/WWL 003 Existing First and Roof Plans dated 18 November 2021

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2021/WWL 004 Existing Elevations dated 18 November 2021
2021/WWL 005 Ground Floor dated 18 November 2021
2021/WWL 006 First Floor dated 18 November 2021
2021/WWL 007 Second Floor dated 18 November 2021
2021/WWL 008 Elevations dated 18 November 2021
2021/WWL 009 Elevations dated 18 November 2021
2021/WWL 0010 Perspective dated 10 November 2021
Planning, Design and Access Statement dated 29 November 2021
Email from Glanville (Highways) 12 January 2021

3. This planning application was submitted without the benefit of first seeking pre-application advice from the Local Planning Authority, which can help avoid a refusal of planning permission. Please refer to the Council's website for details.
4. The applicant is advised that reasons for refusal 9 and 10 (Affordable Housing and Employment, Skills and Training) may be able to be overcome through the securing of appropriate obligations within a S106 agreement.
5. The proposal extends beyond the application site boundary which raises issues relating to correct ownership certification etc.

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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.