

**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: Mr M Clayton MC Designs Rowan House New Lane Hill Tilehurst Reading RG30 4JJ	Application No: 200427 Application type: Full Planning Approval
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Applicant: Mr Johal

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

Proposal: Erection of two storey detached dwelling

At: Land At 79 Oak Tree Road Tilehurst Reading RG31 6LA

For the attached reasons

PLEASE READ THE NOTES ISSUED WITH THIS DECISION NOTICE

Date: 28 September 2020



Head of Planning, Development
& Regulatory Services

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Application At: Land At 79 Oak Tree Road Tilehurst Reading RG31 6LA

Application No: 200427

Application type: Full Planning Approval

REASONS FOR REFUSAL

1. The applicant has failed to demonstrate that the proposed development could successfully retain the protected trees on the site which are considered of high amenity value. The proposal is therefore contrary to EN14 (Trees, Hedges and Woodland) of the Reading Borough Local Plan (2019).
2. By reason of its bulk and poor design including fenestration details and roof design the proposed development fails to make a positive contribution to the character of the area. As such the proposal is contrary to policies CC7 (Design and the Public Realm) and H11 (Development of Private Residential Gardens) as it is not considered to maintain and enhance the character and appearance of the area.
3. The applicant has failed to demonstrate that the proposed dwelling would not cause unacceptable living conditions for the occupiers of the proposed dwelling in terms of outlook, access to sunlight and daylight or an adequate level of functional outdoor private space due to the location of the proposed dwelling with the TPO trees. The proposal is therefore contrary to policies H5 (Standards for New Housing) and H10 (Private and Communal Outdoor Space).
4. The applicant has failed to demonstrate that the proposal would not cause a detrimental impact on the living environment of existing residential properties in terms of privacy and overlooking, access to daylight and sunlight, visual dominance and overbearing effects and harm to outlook. The proposal is therefore contrary to policies CC8 (Safeguarding Amenity) and H11 (Development of Private Residential Gardens).
5. The applicant has failed to demonstrate that the proposed gates at the access do not obstruct the public highway. The proposal is therefore contrary to policies TR3 (Access, Traffic and Highway-Related Matters) and TR5 (Car and Cycle Parking and Electric Vehicle Charging) of the Reading Borough Local Plan.
6. In the absence of a completed legal agreement to secure an acceptable contribution towards provision of Affordable Housing elsewhere in the Borough, the proposal fails to contribute adequately to the housing needs of Reading Borough and the need to provide sustainable, inclusive mixed and balanced communities. As such the proposal is

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contrary to Policy H3 of the Reading Borough Local Plan (2019) and Affordable Housing Supplementary Planning Document 2013.

INFORMATIVES

1. This decision relates to the following plans and drawings:
Drawing No: MC/79/01 - Proposed House, received on 18th March 2020
Block Plan Rev B, received on 23rd June 2020
2. Refusal reason 6 (Affordable Housing) can be overcome through securing an appropriate contribution towards the off-site provision of Affordable Housing by Section 106 legal agreement as part of a future application.
3. The local planning authority has worked positively and proactively with the applicant but it has not been possible to overcome the concerns raised.

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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.