

**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: The Keen Partnership
The Courtyard
Edinburgh Road
Reading
RG30 2UA

Application No: 200532
Application type: Full Planning Approval

Applicant: Best Homes UK Ltd

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

Proposal: The erection of a two-storey side and rear extension to create 2 x no. 2-bedroom flats.

At: 3 Modbury Gardens Reading RG2 7PD

For the attached reasons

PLEASE READ THE NOTES ISSUED WITH THIS DECISION NOTICE

Date: 8 July 2020



Head of Planning, Development
& Regulatory Services

AA

Application At: 3 Modbury Gardens Reading RG2 7PD

Application No: 200532

Application type: Full Planning Approval

REASONS FOR REFUSAL

1. By reason of its size, appearance and design, particularly the overall depth, roof form, and arrangement of doors and windows, the proposal is considered to represent an overdevelopment and over-intensive use of the site. The proposal is considered out of keeping with the existing built form and spaces around dwellings within the surrounding area and the prevailing character, which mainly comprises single family dwellinghouses. It therefore, fails to make a positive contribution to the character of the area in terms of design and the pattern of development contrary to Policy H11 and CC7 of the Reading Borough Local Plan (2019).
2. The proposed development would result in a poor quality of accommodation by virtue of the substandard amount of internal space, and failure to demonstrate sufficient head heights within the loft accommodation. The flats would be overly cramped and unpleasant which would be harmful to the living environment of future occupiers of the flats and would be contrary to policy H5 and CC8 of the Reading Borough Local Plan (2019).
3. The proposed development would fail to provide sufficient on-site private or communal outdoor space for both flats, including not providing any on-site amenity space for the proposed first floor flat, which would have a detrimental effect on residents' amenity, this would be exacerbated by the lack of public open spaces close to the site. This would therefore, be contrary to Policy H10 of the Reading Borough Local Plan (2019).
4. 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 contrary to Policy H6 of Reading Borough Local Plan (2019) and Affordable Housing Supplementary Planning Document 2013.

Date: 8 July 2020



Head of Planning, Development
& Regulatory Services

AA



INFORMATIVES

1. This decision relates to the following plans and drawings:

- Drawing No: PL-01 - Location plan
- Drawing No: PL-07 - Proposed plans
- Drawing No: PL-03 - Existing and proposed block plan
- Drawing No: PL-04 - Proposed site plan
- Drawing No: PL-05 - Existing plans

2. Refusal reason 3 (Affordable Housing) could 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 within the prescribed target timescale and therefore the decision to refuse planning permission has been taken.

Date: 8 July 2020

Head of Planning, Development
& Regulatory Services

AA

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.