

**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: Archytas Ltd
Rowan Lodge
Southend Road
Bradfield Southend
Reading
RG7 6ES

Application No: 201271
Application type: Full Planning Approval

Applicant: Mr J. Kaushall

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

Proposal: Erection of new 2 bedroom dwelling adjacent to existing dwelling

At: 9 Linden Road, Reading, RG2 7EG

For the attached reasons

PLEASE READ THE NOTES ISSUED WITH THIS DECISION NOTICE

Date: 5 March 2021



Head of Planning, Development
& Regulatory Services

Application At: 9 Linden Road, Reading, RG2 7EG

Application No: 201271

Application type: Full Planning Approval

REASONS FOR REFUSAL

1. The proposed dwelling fails to make a positive contribution to the character of the area in terms of the pattern of development within the area and the relationship of the existing built form. The proposal is therefore contrary to Policies CC7, H2 and H11 of the Local Plan 2019.
2. By reason of its proximity to the first floor side bedroom window of 11 Linden Road, the proposed dwelling introduces a built form that is considered visually dominant and overbearing to both the residents of this room (at No.11) and the occupants of bedroom 2 (at the proposed dwelling). In addition to this, there would result in a loss of direct light to this room which is significantly worse than other examples in the street due to No.11s bedroom window being north facing. Furthermore, a tunnelling effect will occur to the outlook of No.11s dining room, and this habitable room will also experience an unacceptable loss of natural light. The proposal is therefore contrary to Policy CC8 of the Local Plan (2019).
3. In the absence of a completed legal agreement to secure an acceptable Affordable Housing contribution the proposal fails to contribute adequately to the housing needs of Reading Borough and the need to provide sustainable and inclusive mixed and balanced communities. As such the proposal is contrary to Policy H3 of the Reading Borough Local Plan 2019, the Council's Affordable Housing Supplementary Planning Document 2013 and Section 106 Planning Obligations (2015).

Date: 5 March 2021



Head of Planning, Development
& Regulatory Services

INFORMATIVES

1.

Plans considered	Description	Drawing Number	Date Received
Location Plan	Existing	01	9 Sept-20
Block Plan	Proposed	02	9 Sept-20
Site Plan	Existing	03	9 Sept-20
Elevations	Existing	04	9 Sept-20
Site Plan	Proposed	05	9 Sept-20
Elevations	Proposed	06	9 Sept-20
Visibility Splays	Proposed	07	9 Sept-20

2. Refusal reason 3 (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 to see if relevant concerns could be resolved to allow permission to be granted. However, that has not been possible within the prescribed target or agreed extended timescale and therefore the decision to refuse planning permission has been taken.

Date: 5 March 2021



Head of Planning, Development
& Regulatory Services

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.