

**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: MC Designs
Rowan House
New Lane Hill
Tilehurst
Reading
RG30 4JJ

Application No: 191817
Application type: Householder

Applicant: Mr Iftikar

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

Proposal: Retrospective application for single storey detached annexe, single storey BBQ shed outbuilding, and new boundary fence

At: 9 Shaw Road Reading RG1 6JX

For the attached reasons

PLEASE READ THE NOTES ISSUED WITH THIS DECISION NOTICE

Date: 6 March 2020



Head of Planning, Development
& Regulatory Services

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REASONS FOR REFUSAL

1. The Local Planning Authority has found that the outbuilding does not form ancillary accommodation to the main dwelling as it is capable of operating as a separate dwelling and has been let as a separate unit to the main dwelling. Accordingly, this structure has been assessed and considered to be harmful overdevelopment by reducing the available amenity space for the dwelling at 9 Shaw Road and intensification of use of the site contrary to Policy CC7 Design and Public Realm, CC8 Safeguarding Amenity and H9 House Extensions and Ancillary Accommodation of the Reading Local Plan 2019.
2. The combination of the 'granny annex' and the BBQ hut/storage room is considered overdevelopment of the plot and as a consequence the pattern of development within the local vicinity has been detrimentally impacted. This is in direct conflict with Policies CC1, CC7 and H11 of the Local Plan (2019).
3. The 2.4 metre fencing adjacent to the highway is considered to conflict with Policy CC7 as it is out of keeping with the character of the area and the street scene. The other highway boundaries in the area are low walls and fencing with vegetation above.
4. The outlook of the neighbouring property (11 Shaw Road) is detrimentally impacted as a result of the extensive development along the curtilage boundary. This conflicts with Policy CC8 of the Local Plan (2019).
5. The gross internal area of the 'granny annex' falls significantly short of the Nationally Described Space Standards, and as such it is considered that any occupiers would be detrimentally impacted to such an extent that their wellbeing would be harmed. The 'granny annex' therefore fails to comply with Policy CC8 of the Local Plan (2019).
6. The private amenity space available for both 9 Shaw Road and the 'granny annex' is unacceptably small. The scheme conflicts with Policy H10 of the Local Plan (2019) which specifies that the usable private outdoor space should be no less than the gross floor area of the dwelling to which it relates.
7. The private amenity space of the 'granny annex' (which is functional as an independent dwelling) is overlooked by 9 Shaw Road. This is in direct conflict with Policy CC8 of the Local Plan (2019).
8. The layout does not comply with the Local Planning Authority's standards in respect of vehicle parking. This could result in on- street parking/reversing movements on Shaw Road and

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Boston Avenue, adversely affecting road safety and the flow of traffic, and in conflict with Policies TR3 and TR5 of the 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 2019, Affordable Housing Supplementary Planning Document (2013) and para. 50 of the NPPF.

INFORMATIVES

1. 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.
2. Reasons for refusal 5 -9 relate to the unauthorised use of the outbuilding as a self-contained dwelling.
3. While this householder application is for retrospective use of the outbuilding in its current form the Council's assessment has found that the use of the outbuilding forms a self-contained dwelling. It should be noted that this application has been handled as a Householder Planning Application in good faith, but should any other application be submitted in the future for a scheme, which poses a new dwelling as a 'granny annex', this should be submitted as a FULL Planning Application.

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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.