

**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 Ed Mather
The Wine Store
Brewery Court
Theale
RG7 5AJ

Application No: 200571
Application type: Full Planning Approval

Applicant: Finerain LTD

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

Proposal: Demolition of existing dwelling house and large detached garage and erection of new building comprising of 3 townhouses and 2 flats

At: 4 Downshire Square Reading RG1 6NJ

For the attached reasons

PLEASE READ THE NOTES ISSUED WITH THIS DECISION NOTICE

Date: 17 July 2020



JW

Head of Planning, Development
& Regulatory Services

Application At: 4 Downshire Square Reading RG1 6NJ

Application No: 200571

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REASONS FOR REFUSAL

1. The proposed development, due to its overall scale relative to plot size would be overly prominent within its context and would fail to preserve the spacious character of the site which currently contributes positively to the visual amenity of the street. For these reasons, the proposed development would result in an overdevelopment of the site that would not respect the prevailing pattern of development and would fail to preserve or enhance the character and appearance of the street scene and wider Downshire Square Conservation Area. The proposal is therefore contrary to Policy CC7, H11, EN1, EN3, and EN6 of the Reading Borough Local Plan 2019.
2. The proposed development, due to its detailed design and use of materials, combined with the overall scale, bulk and massing, would appear as an inappropriate and unsympathetic development that would not be of a sufficient high quality design that maintains and enhances the character and appearance of the area, nor the wider Downshire Square Conservation Area. This would therefore be contrary to Policies CC7, EN1, EN3, and EN6 of the Reading Borough Local Plan 2019.
3. The proposed vehicular parking layout fails to demonstrate that it complies with the Local Planning Authority's standards in respect of vehicle parking. This could result in on-street parking/reversing movements on Downshire Square, adversely affecting road safety and the flow of traffic, and in conflict with Policies TR3 and TR5 of the Reading Borough Local Plan 2019.
4. The application, by virtue of the proposed driveway access, fails to demonstrate that the proposal will not result in the permanent loss of space for a street tree on the frontage, thereby reducing the number of potentially large canopied trees in the area which contribute to the verdant character of the Downshire Square Conservation Area and canopy cover of the Borough, contrary to Policies C7, EN3 and EN14 of the Reading Borough Local Plan 2019.
5. In the absence of sufficient information being submitted at application stage and in the absence of a completed legal agreement to secure a resultant acceptable contribution towards the provision of Affordable Housing, the proposal fails to contribute adequately to the housing needs of Reading Borough, contrary to Policy H3

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and CC9 of the Reading Borough Local Plan 2019 and the Council's Adopted Affordable Housing Supplementary Planning Document 2013.

INFORMATIVES

1. The decision relates to the following drawings and documents:

Drawing No: Location Plan 430a 02-00
Drawing No: Existing Block Plan 430a 02-01
Drawing No: Existing Site Plan 430a 02-02
Drawing No: Existing Ground Floor Plan 430a 03-00
Drawing No: Existing First Floor Plan 430a 03-01
Drawing No: Existing Site Sections 430a 04-00
Drawing No: Existing Elevations 430a 05-00
Drawing No: Existing Elevations 430a 05-01
Drawing No: Existing Elevations 430a 05-02
Drawing No: Existing Elevations 430a 05-03
Drawing No: Proposed Block Plan 430a 02-10
Drawing No: Proposed Site Plan 430a 02-12
Drawing No: Proposed Ground Floor Plan 430a 03-10
Drawing No: Proposed First Floor Plans 430a 03-11
Drawing No: Second Floor Plan 430a 03-12
Drawing No: Proposed Site Sections 430a 04-10
Drawing No: Proposed Elevations 430a 05-10
Drawing No: Proposed Elevations 430a 05-11
Drawing No: Proposed Elevations 430a 05-12
Drawing No: Proposed Elevations 430a 05-13

Received 16th April 2020

Design and Access and Heritage Statement dated September 2019

Bat Roost Assessment Ref: DFA20002V2 dated January 2020

Affordable Housing Statement dated April 2020

Received 16th April 2020

2. In relation to reason for refusal 4, the proposed driveway access results in the removal of a currently vacant tree pit in which replacement planting would be accommodated in accordance with the Council tree planting procedures. As such, the proposal will result in the inability to plant that replacement tree hence would be

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contrary to Policy EN14, our adopted Tree Strategy and the Sustainable Design and Construction SPD.

3. Without prejudice to any future application or appeal, the applicant is advised that reason for refusal 5 (affordable housing) could be overcome by entering into a Section 106 Legal Agreement or unilateral undertaking for a scheme that was in all other respects acceptable.

4. The applicant is advised that the refused scheme, had it been able to be approved, would have been a CIL (Community Infrastructure Levy) liable development.

5. The local planning authority has worked with the applicant in a positive and proactive way by clearly setting out concerns relating to the proposal and providing an opportunity for the applicant to withdraw the application. However, the applicant chose not to withdraw the application, hence the issuing of this refusal notice within the agreed time period to determine the application by.

6. Prior to the submission of any future application at the site, the applicant is advised to enter into further pre-application discussions with the local planning authority.

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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.