

**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: Davis Planning Ltd
19 Woodlands Avenue
Winnersh
Wokingham
RG41 3HL

Application No: 191915
Application type: Full Planning Approval

Applicant: Mr Eric Benjamin

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

Proposal: 2-storey side and 3-storey rear extension and conversion of dwelling to contain 8 flats (6 x 1-bed, 2 x 2-bed) parking, demolition of existing garage and associated works.

At: 39 Brunswick Hill Reading RG1 7YU

For the attached reasons

PLEASE READ THE NOTES ISSUED WITH THIS DECISION NOTICE

Date: 5 June 2020



Head of Planning, Development
& Regulatory Services

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REASONS FOR REFUSAL

1. The proposed development, by virtue of its bulk, mass and scale and detailed design in relation to the host dwelling, a non-designated heritage asset, would harm the overall character and appearance of the area, including the setting of the non-designated heritage asset. The proposal is considered to not respond positively to the local context or sufficiently respect the character and appearance of the host dwelling contrary to Policies CC7 (Design and the Public Realm), EN1 (Protection and Enhancement of the Historic Environment), H9 (House Extensions and Ancillary Accommodation, and TR3 (Access, Traffic and Highway Related Matters) of the Reading Borough Local Plan (2019).

2. In the absence of a completed S106 Legal Agreement the proposal fails to secure an acceptable Affordable Housing contribution towards meeting housing needs in the Borough and fails to provide for a Traffic Regulation Order (TRO) to amend parking restrictions in the Controlled Parking Zone on Brunswick Hill to allow the creation of a vehicular access. Therefore the proposal is contrary to policies CC9 (Securing Infrastructure), and H3 (Affordable Housing) of the Reading Borough Local Plan (2019).

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 agreed extended timescale and therefore the decision to refuse planning permission has been taken.

2. The application was considered in relation to the following plans:

Drawing No: 18-J2690-102 Rev C - Proposed Site Plan

Drawing No: 18-J2690-103 Rev C - Proposed Refurb Floor Plan

Drawing No: 18-J2690-104 Rev C - Proposed Elevations

Drawing No: 18-J2690-105 Rev C - Proposed Street Scene

As Received 22 May 2020

3. Notwithstanding reason for refusal 2, the applicant and the Council had agreed a scheme to allow an affordable housing contribution to be secured by a s106 agreement. As such, a completed s106/Unilateral Undertaking could overcome this reason for refusal.

Date: 5 June 2020



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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.