

**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: 191097
Application type: Full Planning Approval

Applicant: Fitzwilliam Trustees No. 1 Ltd

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

Proposal: Erection of a 3 storey building to provide 6 (6x2-bed) residential units (Class C3), parking, landscaping and associated works

At: 173-177 Kings Road Reading RG1 4EX

For the attached reasons

PLEASE READ THE NOTES ISSUED WITH THIS DECISION NOTICE

Date: 16 March 2020



Head of Planning, Development
& Regulatory Services

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Application At: 173-177 Kings Road Reading RG1 4EX

Application No: 191097

Application type: Full Planning Approval

REASONS FOR REFUSAL

1. The proposed development, by reason of its mass, height and location, would be detrimental to the setting of nearby listed buildings and the character and appearance of the wider Eldon Square Conservation Area, contrary to Policies CC7, EN1, EN3, EN6, and CR2 of the Reading Borough Local Plan (2019).
2. The proposed development, by reason of its detailed design, would not be of a sufficient high quality design that maintains and enhances the character and appearance of the area, nor sufficiently respect the form and quality of the detailing and materials in the area, including the wider Eldon Square Conservation Area, contrary to Policies CC7, EN1, EN3, EN6, and CR2 of the Reading Borough Local Plan (2019).
3. The proposed development, by reason of its mass, height and location (in proximity to No. 177 Kings Road), would be visually dominating and overbearing equating to a lack of outlook for the lower ground floor flat at the rear (north end) of No. 177 Kings Road, resulting in sub-standard accommodation to the detriment of the living environment and amenity of occupiers of this flat, contrary to Policy CC8 of the Reading Borough Local Plan (2019).
4. The proposed development, by reason of its proposed internal layout would fail to provide an appropriate level of amenity for future residents of the proposed dwelling. The resultant shortfalls in standard of accommodation, and failure to meet the Council's standards would be contrary to Policy H5, and CC8 of the Reading Borough Local Plan (2019).
5. The proposed development, by reason of a failure to demonstrate that adequate vehicular parking facilities, cycle parking and waste storage facilities have been provided and acceptably managed, to meet the needs of future occupiers as well as retaining a sufficient level of parking/waste storage for the recently approved/implemented developments at 173-175 & 177 Kings Road, would potentially result in highway safety concerns, impact on the functioning of the transport network and not provide sufficient alternatives to the use of cars, contrary to policies CC5, TR1, and TR3 of the Reading Borough Local Plan (2019).

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6. The proposed development, by reason of its lack of an acceptable contribution towards the provision of Affordable Housing, and in the subsequent absence of a completed legal agreement to secure an acceptable contribution towards the provision of Affordable Housing, including an obligation for Affordable Housing to be applied on a cumulative basis should the building subsequently be extended / altered (to create further units) or units sub-divided, the proposal would fail to contribute adequately to the housing needs of Reading Borough, contrary to policy CC9 and H3 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:

Plans:

17.35-100 Rev B Location Plan
17.35-101 Rev B Proposed block plan
17.35-102 Rev C Proposed site plan
17.35-103 Rev D Proposed floor plans
17.35-104 Rev E Proposed front elevation & Building section
17.35-105 Rev C Proposed rear and side elevations
17.35-106 Rev B Proposed and existing site section/front elevation
17.35-107 Rev A Proposed & existing site section/side elevation
17.35-108 Rev A Proposed & existing site section/ rear elevation
17.35-109 Rev A Proposed & existing site section/ side elevation
17.35-110 Rev A Proposed & existing site section/rear elevation
17.35-111 Rev A Proposed cycle & bin store details
17.35-112 Rev A Proposed CIL Plans
17.35-113 Rev A Existing site plan
17.35-114 Rev A Proposed site levels plan
17.35-115 Rev A Existing site levels plan
17.35-116 Rev A Details of materials
17.35-117 Rev A Kings Road glimpse views
9531-KC-XX-YTREE-TCP01Rev0 - Tree constraints plan
9531-KC-XX-YTREE-TPP01Rev0 - Tree protection plan

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Other documents submitted:

Planning and Affordable Housing Statement Prepared by Davis Planning Ltd

Heritage statement, prepared by Heritage collective reference 4827

Design & Access Statement (& Sustainability statement) prepared by Spires Architects

Financial viability appraisal, prepared by s106 management

Air quality assessment for the proposed development at Kings Road, Reading, prepared by Aether Ltd

Daylight and sunlight report, prepared by Schroeders Begg (UK) LLP

Information submitted on a private and confidential basis:

Financial viability appraisal, prepared by s106 management

2. 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.

3. Without prejudice to any future application or appeal, the applicant is advised that part of reason for refusal 6 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.

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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.