

**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:** Tony Thorpe Associates  
The Studio  
1 Durant Way  
Tilehurst  
Reading  
RG31 6TR

Application No: 191157  
Application type: Full Planning Approval

**Applicant:** Kendrick Road Ltd & Kendrick Road (No 2) Ltd

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

**Proposal:** Erection of single storey flat roofed garden house comprising one 3- bed & one 4- bed flat. Revised parking layout and accommodation works.

**At:** Hazelwood 13 Kendrick Road Reading RG1 5DU

For the attached reasons

**PLEASE READ THE NOTES ISSUED WITH THIS DECISION NOTICE**

Date: 27 September 2019



Head of Planning, Development  
& Regulatory Services *JRM*

**Application At:** Hazelwood 13 Kendrick Road Reading

**Application No:** 191157

**Application type:** Full Planning Approval

### **REASONS FOR REFUSAL**

1. The proposed development, by reason of its overall scale relative to plot size, uncharacteristically small garden area and the relationship to existing properties, would be overly prominent within its context and result in a cramped arrangement of buildings and spaces and 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 Kendrick Conservation Area. The proposal is therefore contrary to Policies CS7 and CS33 of the Reading Borough LDF Core Strategy 2008 (altered 2015) and Policies DM10 and DM11 of the Reading Borough LDF Sites and Detailed Policies Document 2012 (altered 2015).
2. The proposed development, by reason of its detailed design and use of materials, 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 sufficiently respect the form and quality of the detailing and materials in the area, including the wider Kendrick Conservation Area, contrary to Policies CS7 and CS33 of the Reading Borough LDF Core Strategy 2008 (altered 2015) and Policy DM11 of the Reading Borough LDF Sites and Detailed Policies Document 2012 (altered 2015).
3. The proposed development, by reason of its scale, siting, and extent, number and close proximity of windows to No.15 Kendrick Road, would result in a loss of light, be overbearing and cause unacceptable perceived and actual loss of privacy to the occupiers of No.15 Kendrick Road, therefore causing an overall significant detrimental impact to these occupiers residential amenity, contrary to Policies DM4 and DM11 of the Reading Borough Sites and Detailed Policies Document 2012 (altered 2015).
4. The proposed development, by reason of its poor light levels, limited outlook (to the south) and inadequate provision of outdoor amenity space, will adversely impact upon the level of amenity and provide an unacceptable quality of living accommodation for future occupants, contrary to Policy DM4 of the Sites and Detailed Policies Document 2012 (altered 2015).
5. The application fails to demonstrate that the application would not cause considerable harm to significant trees both on and adjacent to 13 Kendrick Road and, if

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permitted would create an unsustainable relationship between the new residential properties and the mature trees on and adjacent to the site which would also put pressure for the trees to be cut back or removed in the long term. As such the proposal is contrary to Policy CS38 of the Reading Borough LDF Core Strategy 2008 (altered 2015).

6. 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, contrary to policy CS9 (Infrastructure, Services, Resources and Amenities) of the Reading Borough LDF Core Strategy 2008 (Altered 2015), policies DM3 (Infrastructure Planning) and DM6 (Affordable Housing) of the Reading Borough LDF Sites and Detailed Policies Document 2012 (Altered 2015), 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 and Site Plans 01

Drawing No: Site Plan as Proposed 02

Drawing No: Plans and Elevations 03B

Drawing No: Street Elevations 04

Drawing No: Side Elevation as Existing and Proposed 05

Design and Access Statement by Tony Thorpe Associates

Picus Sonic Tomographic Test Report

Arboricultural Impact Assessment/Statement and Tree Protection Plan (Drawing No: Site Plan 01)

Valuation by Hoopers Residential

Valuation by Martyn Russell

Received 16th July 2019

Heritage Statement by Tony Thorpe Associates

Received 2nd August 2019

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 within the statutory time period to determine the application by.

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3. 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.
4. Without prejudice to any future application or appeal, the applicant is advised that reason for refusal 6 (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.
5. Prior to the submission of any future application at the site, the applicant is advised to enter into 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](mailto: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.