

**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: Colony Architects Ltd
250 South Oak Way
Green Park
Reading
RG2 6UG

Application No: 190759
Application type: Full Planning Approval

Applicant: Mrs Eileen Chapman

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

Proposal: Demolition of existing 3 bed detached dwelling and replacement with 2 x semi-detached houses, with off street parking, front and rear landscaping.

At: 38 Matlock Road Caversham Reading RG4 7BS

For the attached reasons

PLEASE READ THE NOTES ISSUED WITH THIS DECISION NOTICE

Date: 7 August 2019



Head of Planning, Development & Regulatory Services *RE*

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REASONS FOR REFUSAL

1. Due to the size of the plots, the proposal would have an uncharacteristic relationship with existing built form and spaces and would not respond positively to local character, rhythm of plot frontages and gaps between dwellings along this part of Matlock Road, or respect the size and character of similar spaces in the vicinity, including garden areas. Furthermore, due to their detailed design and overall scale, bulk and massing and inadequate space for frontal soft landscaping, the proposed houses would appear cramped within their plots and incongruous within the streetscene. For these reasons, the proposal would represent an overdevelopment of the site and would be harmful to and out of keeping with the prevailing character and pattern of residential development of the surrounding area. The proposal is therefore contrary to Policy CS7 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 dwellings, due to their scale and proximity to side boundaries, would be detrimental to the amenity of neighbouring properties, particularly through appearing overbearing to ground floor windows. On this basis the proposal is contrary to policies DM4 and DM11 of the Reading Borough LDF Core Strategy 2008 (altered 2015).
3. The proposed 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 Matlock Road, adversely affecting road safety and the flow of traffic, and in conflict with Policy CS24 of the Reading Borough LDF Core Strategy 2008 (altered 2015) and Policy DM12 of the Sites and Detailed Policies Document 2012 (altered 2015) and the Council's SPD, Revised Parking Standards and Design (2011).
4. Insufficient information has been submitted with the application for the Local Planning Authority to determine whether or not bats, a protected species) would be adversely affected by the proposed development. As such this proposal is considered to be contrary to Policy CS36 (Biodiversity and Geology) of the Reading Borough LDF Core Strategy 2008 (amended 2015) and the National Planning Policy Framework 2019 (paragraphs 170 and 174-175).

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5. In the absence of a completed Section 106 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 DM6 (Affordable Housing) of the Sites and Detailed Policies Document 2012 (altered 2015) and the Council's adopted Affordable Housing Supplementary Planning Document (2013).

INFORMATIVES

1. This decision relates to the following drawings:

Drawing No: Site Location Plan as Existing

Drawing No: Proposed Site Layout Plan 473 02-10

Drawing No: Block and Roof Plan as Proposed 473-02-02

Drawing No: First Floor Plan as Proposed 473-01-01

Drawing No: Proposed Ground Floor Plan 473-03-00

Drawing No: Proposed Plans First and Second Floors 473-03-01

Drawing No: Proposed Front and Side Elevation 473-04-01

Drawing No: Proposed Rear and Side Elevation 473-04-02

Received 8th May 2019

Drawing No: Proposed Section A-A 473-04-10

All drawings received 12th June 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.

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 5 (affordable housing) could be overcome by entering into a Section

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106 Legal Agreement or unilateral undertaking for a scheme that was in all other respects acceptable.

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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.