

**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 David Crowdy
48a Vale Crescent
Tilehurst
Reading
RG30 6ED

Application No: 181573
Application type: Full Planning Approval

Applicant: Mr John Brown

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

Proposal: Erect 1 pair of semi-detached & 1 no detached dwelling at rear of 4a and 5 Woods Road. Demolish No 5 Woods Road & replace with new detached dwelling. Provision of new access.

At: 4 Woods Road Caversham Reading RG4 6NA

For the attached reasons

PLEASE READ THE NOTES ISSUED WITH THIS DECISION NOTICE

Date: 6 March 2019



Head of Planning, Development & Regulatory Services *RE*

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REASONS FOR REFUSAL

1. The proposed layout dominated by the creation of the new vehicular access results in a dominance of hardstanding and would not allow for the inclusion of meaningful soft landscaping within the site to allow for a mitigation of the dwellings. The hardstanding area also minimises the size of the proposed residential plots in particular the garden areas of No 4a and proposed Plot 5 and is considered to result in a cramped form of development within the site which is not in keeping with the existing built form and spaces that characterise the surrounding area. The incongruous dwelling design Plot 4 is not in keeping with existing development to the rear of the site and is symptomatic of overdevelopment. Furthermore, the proposal has failed to demonstrate that this layout would not prejudice satisfactory development of the wider area. The proposal is therefore contrary to Policy CS7 (Design and the Public Realm) of the Reading Borough LDF Core Strategy 2008 (as amended 2015) and Policy DM11 (Development of Private Residential Gardens) of the Reading Borough LDF Sites and Detailed Policies Document 2012 (as amended, 2015).
2. The proposed new dwelling within Plot 5 due to its height, bulk and siting in close proximity to the shared boundary with No 5a Woods Road, is considered to have a significantly detrimental impact in relation to visual dominance and overbearing effects on No 5a Woods Road. The proposal therefore fails to provide/maintain a suitable level of amenity to this existing property commensurate with the prevailing residential character of the area, contrary to Policies DM4 (Safeguarding Amenity) and DM11 (Development of Private Residential Gardens) of the Reading Borough LDF Sites and Detailed Policies Document 2012 (as amended, 2015).
3. The proposal fails to provide a suitable level of amenity to proposed Plot 4 due to the proximity to the mature protected Oak Tree (TPO 13/18) which creates shade to the entirety of the proposed rear garden, significant overshadowing would also be caused to the proposed rear windows of Plot 4 by the protected Oak tree and the adjacent bulk of the proposed dwelling within Plot 3. The proposal is therefore contrary to Policies DM4 (Safeguarding Amenity), DM10 (Private and communal outdoor space) and DM11 (Development of Private Residential Gardens) of the Reading Borough LDF Sites and Detailed Policies Document 2012 (as amended 2015).

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4. The proposal fails to demonstrate that Plot 4 could be erected without causing significant harm to the health of the protected Oak tree (protected under TPO 13/18) due to the construction of proposed Plot 4 and likely future pressure to significantly cut back or fell this tree due to unacceptable nuisance to future occupants of Proposed Plot 4. As such this application is contrary to the following policies: Core Strategy Policy CS7 (Design and the Public Realm) and Policy CS38 (Trees, Hedges and Woodlands) of the Reading Borough LDF Core Strategy (2008 as amended 2015) and Policy DM11 (Development of Private Residential Gardens) of the Reading Borough LDF: Sites and Detailed Policies Document (2012, as amended 2015).

5. The proposed layout fails to demonstrate that it complies with the Local Planning Authority's standards in respect of access and servicing due to failure to show suitable space for turning of service vehicles on site or the ability to achieve the required visibility splays, in accordance with the Council's adopted standards. The application is therefore considered to be harmful in respect of highway and pedestrian safety, contrary to Policy CS20 (Implementation of the Reading Transport Strategy) of the Reading Borough LDF Core Strategy 2008 (amended 2015) and Policy DM12 (Access, Traffic and Highways Related Matters) of the Reading Borough LDF Sites and Detailed Policies Document 2012 (as amended).

6. The application has failed to demonstrate that the development would protect and maintain existing wildlife habitats for bats and as such the full impact of the proposals on protected species cannot be established. The proposal has not therefore demonstrated that no harm would be caused to protected species and is therefore considered to be contrary to the NPPF and Policies DM11 (development of Private Residential Gardens) of the Sites and Detailed Policies Document (2012, as amended 2012) and Policy CS36 (Biodiversity and Geology) of the Reading Borough LDF Core Strategy (2008 as amended 2015).

7. In the absence of a completed legal agreement to secure an acceptable contribution towards the provision of Affordable Housing, either on- site, off-site elsewhere within the borough or a suitable financial contribution, as appropriate, 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.

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INFORMATIVES

1. The application has been considered the following plans and documents all received by the Local Planning Authority on 5th September 2018

SP John Site Location Plan

BP John Proposed Block Plan

4_01 2 bed detached dwelling Proposed roof plan and elevations 4_02 2 bed detached dwelling Proposed ground and first floor plan

5_01 4 bed detached dwelling Proposed elevations

5_02 4 bed detached dwelling Proposed ground and first floor plan

5_03 4 bed detached dwelling Proposed second floor and roof plan

2/3_01 pair of 4 bed semis Proposed elevations

2/3_02 Pair of 4 bed semis Proposed Ground floor

2/3_03 Pair of 4 bed semis First floor plan

2/3_04 Pair of 4 bed semis second floor plan

2/3_05 Pair of 4 bed semis Proposed roof plan

CP_01 Car port Proposed plans and elevations
Design and Access statement.

2. 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 prescribed target and therefore the decision to refuse planning permission has been taken.

3. Without prejudice to any future application or appeal, the applicant is advised that the reason for refusal no.7 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.

The Secretary of State can allow a longer period for giving notice of an appeal, but he 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 him 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. In practice, the Secretary of State does not refuse to consider appeals solely because the Local Planning Authority based their decision on a direction given by him.

Appeals must be made using a form which you can get from the Planning Inspectorate at Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 6PN, tel. 0303 444 5000, or online at <https://acp.planninginspectorate.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.