

**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: Kevin Scott Consultancy Ltd
Sentinel House
Ancells Business Park
Harvest Crescent, Fleet
GU51 2UZ

Application No: 181860
Application type: Outline Planning Approval

Applicant: Sorbon Estates Ltd

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

Proposal: Outline application for a drive-thru coffee shop of 189sqm and a new access.
Resubmission of 181169

At: Reading Link Retail Park Rose Kiln Lane Reading

For the attached reasons

PLEASE READ THE NOTES ISSUED WITH THIS DECISION NOTICE

Date: 15 March 2019



Head of Planning, Development
& Regulatory Services

Application At: Reading Link Retail Park Rose Kiln Lane Reading

Application No: 181860

Application type: Outline Planning Approval

REASONS FOR REFUSAL

1. The applicant has failed to demonstrate that there are no sequentially preferable sites available within the town centre, edge of centre or locations close to the town centre that would protect the vitality and viability of the town centre. The proposal is therefore contrary to Policies CS25 (Scale and Location of Retail, Leisure and Culture Development) and CS26 (Network and Hierarchy of Centres) of the Reading Borough LDF Core Strategy and the National Planning Policy Framework 2018.
2. Insufficient information has been submitted with the planning application to enable the highways, traffic and transportation implications of the proposed development to be fully assessed. From the information submitted, it is considered that the additional traffic likely to be generated by the proposal would adversely affect the safety and flow of users of the existing road network within Reading, contrary to Policies CS4, CS20 and CS22 of the Reading Borough LDF Core Strategy 2008 (altered 2015) and Policy DM12 of the Sites and Detailed Policies Document 2012 (altered 2015).
3. The proposed junction and access road is unsuitable, due to its substandard design, to accommodate the traffic which would be generated by the proposed development and wider application site. This would have an adverse effect on road safety and the flow of traffic, in conflict with Policy CS20 of the Reading Borough LDF Core Strategy and Policy DM12 of the Sites and Detailed Policies Document 2012 (altered 2015).
4. The applicant has not included adequate provision for waste collection facilities within the site in accordance with the requirements of Department for Transport / DCLG Document "The Manual for Streets". The development would therefore be likely to lead to the stationing of waste collection vehicles on the access way causing an obstruction, the collection of waste on verges and carriageway and waste collection vehicles reversing onto or off of the highway to the detriment of public and highway safety contrary to Policy CS20 of the Reading Borough LDF Core Strategy and Policy DM12 of the Sites and Detailed Policies Document 2012 (altered 2015).
5. The layout does not comply with the Local Planning Authority's standards in respect of vehicle parking. This could result in on- street parking/reversing movements on A33 Rose Kiln Lane and the surrounding network, adversely affecting road safety and the flow of traffic, and in conflict with Core Strategy Policy CS24 of the Reading Borough

Date: 15 March 2019



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LDF Core Strategy 2012 (altered 2015) and Policy DM12 of the Sites and Detailed Policies Document 2012 (altered 2015)

6. The proposed development does not comply with the Local Planning Authority's standards in respect of footpath width, which would have an adverse effect on pedestrian safety and, as a result, is in conflict with Policy DM12 of the Sites and Detailed Policies Document 2012 (altered 2015).

7. The applicant has failed to submit sufficient information for the Council to determine whether or not bats (a protected species and therefore a material planning consideration), priority habitats and the adjacent Holy Brook Wildlife Site will be adversely affected by the proposed development. As such this proposal is considered to be contrary to Policy CS36 (Biodiversity and Geology) and CS38 (Trees, Hedges and Woodlands) of the Core Strategy 2008 (amended 2015) and the National Planning Policy Framework 2018 (paragraphs 170, 174 and 180).

INFORMATIVES

1. The decision relates to the following drawings and documents:

Drawing No: Location Plan RLRPRKL_PLN_001 Rev C

Drawing No: Proposed Site Plan RLRPRKL_pLN_003 Rev E

Drawing No: Proposed Block Plan RLRPRL_PLN-002 Rev E

Received 25th October 2018

Supporting Letter P18-1172 / AM dated 17th October 2018

Design, Access and Planning Statement dated October 2018

Sequential and Exceptions Test dated October 2018

Flood Risk Assessment and Drainage Strategy Report 27205 V3

Tree Protection Plan, Implications Assessment and Method Statement dated 02 October 2018

Transport Statement dated 03 October 2018

Archaeological Desk Based Impact Assessment 7439 date June 2018 Received 25th October 2018

Technical Note 1: Response to RBC Comments dated 4th January 2019 Intelligent Data - Automatic Traffic Count Output

Received 9th January 2019

Memorandum dated 11th March

Received 11th March 2019

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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.
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.

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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.