

**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: Greg Farrell Building and Design
43 Wendover Way
Tilehurst
Reading
RG30 4RU

Application No: 182117
Application type: Full Planning Approval

Applicant: Mr A Deacon

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

Proposal: Demolition of existing dwelling and erection of 2 x 3 bed houses and 1 x 2 bed house. Resubmission of 181553

At: 82 Chichester Road Tilehurst Reading RG30 4XD

For the attached reasons

PLEASE READ THE NOTES ISSUED WITH THIS DECISION NOTICE

Date: 4 February 2019



Head of Planning, Development
& Regulatory Services

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Application At: 82 Chichester Road Tilehurst Reading RG30 4XD

Application No: 182117

Application type: Full Planning Approval

REASONS FOR REFUSAL

1. The proposed development, due to the number of units relative to proposed plot sizes, uncharacteristically small garden areas and overly dominant parking area, would result in a cramped arrangement of buildings and spaces, representing an overdevelopment of the site. For these reasons the proposal would result in harm to the character and appearance of the street scene. The proposal is therefore contrary to Policy CS7 of the Reading Borough LDF Core Strategy 2008 (altered 2015) and Policies DM4, DM10 and DM11 of the Reading Borough LDF Sites and Detailed Policies Document 2012 (altered 2015).
2. The design of the proposed dwellings with respect to the roof form and inconsistent width and stagger is not considered to be of a high quality that maintains and enhances the character and appearance of the area. As such the proposal is contrary to Policy CS7 of the Reading Borough LDF Core Strategy 2008 (altered 2015).
3. The proposed dwelling No.82c, due to its height, massing and elevated position in close proximity to the common boundary would result in an overbearing to No.84 Chichester Road with consequent harm to the amenity of occupiers of that dwelling. As such the proposal is contrary to Policies DM4 (Safeguarding Amenity) and DM11 (Development of Private Residential Gardens) of the Sites and Detailed Policies Document 2012 (altered 2015).
4. The window arrangements of proposed dwelling No.82a combined with the significant increase in height and close proximity to the boundary would result in a harmful strong perception of overlooking of No.80 Chichester Road and its private garden area. This would be harmful to the amenity of occupiers of this property, contrary to Policies DM4 (Safeguarding Amenity) and DM11 (Development of Private Residential Gardens) of the Sites and Detailed Policies Document 2012 (altered 2015).
5. Due to the depth of the plots proposed, the proposed development would provide inadequate outdoor amenity space to serve future occupiers in terms of its amount and nor would it reflect the size or character of private residential gardens in the surrounding area contrary to Policy DM10 of the Sites and Detailed Policies Document 2012 (altered 2015).



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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 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. The decision relates to the following drawings and documents:

Drawing No: Topographical Survey S418/0400/P/0001

Drawing No: Plan Layout and Elevations 01 D

Received 3rd December 2018

2. The local planning authority has worked with the applicant in a positive and proactive way by 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 agreed 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.

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 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.

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.