

**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: Hussain Architectural Design Ltd
44 Standish Street
Burnley
BB11 1AP

Application No: 181585
Application type: Full Planning Approval

Applicant: Chillim Ltd

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

Proposal: New structure to the front of property, shisha use, bifolding doors to the existing frontage.

At: 598-600 Oxford Road Reading RG30 1EG

For the attached reasons

PLEASE READ THE NOTES ISSUED WITH THIS DECISION NOTICE

Date: 28 January 2019



Head of Planning, Development
& Regulatory Services

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REASONS FOR REFUSAL

1. The siting, form and appearance of the proposed structure would result in an incongruous, unsympathetic and visually obtrusive addition to the front of the building, set within the context of the otherwise uniform front building line of the terrace. The visual harm would be worsened by the temporary appearance of the timber supports and corrugated sheet roof proposed. This arrangement would result in harm to the character of the area and the appearance of the streetscene and would fail to preserve the setting of the Grade II listed Brock Barracks. The proposal is contrary to Policies CS7, CS33 and DM23 on this basis.

2. The proposed structure, in facilitating the use of the outdoor area by patrons of the café and including shisha use, would result in disturbance and nuisance to adjoining neighbouring dwellings due to associated noise, smoke and odours, with consequent harm to the residential amenity of those dwellings. As such the proposed development would be harmful to the amenity of neighbouring dwellings and contrary to Policies DM4 and CS34.

INFORMATIVES

1. The local planning authority has worked positively and proactively with the applicant in identifying and explaining the concerns and providing an opportunity to withdraw the application.

2. This decision relates to the following drawings:

Proposed Front Structure Elevation Proposed Section A-A Ref.A1 dated 10 August 2018

Existing and Proposed Plans and Elevations dated 10 August 2018

Proposed Block Plan dated 10 August 2018

Open Air Plans and Calculations dated 10 August 2018

Location Plan

Date: 28 January 2019



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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.