



**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: Pegasus Group
Abbey House
Grenville Place
Bracknell
RG12 1BP

Application No: 170691
Application type: Full Planning Approval

Applicant: Mr Niten Patel

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

Proposal: Part demolition of No 4 Copse Avenue and erection of 2 x 4 bedroom detached dwellings, access and parking

At: 4 Copse Avenue Caversham Reading RG4 6LX

For the attached reasons

PLEASE READ THE NOTES ISSUED WITH THIS DECISION NOTICE

Date: 19 October 2017

Head of Planning, Development
& Regulatory Services

LEB



Application At: 4 Copse Avenue Caversham Reading RG4 6LX

Application No: 170691

Application type: Full Planning Approval

REASONS FOR REFUSAL

1. The proposed dwellings by virtue of their design, height, bulk and roof form would appear incongruous and out of keeping with the character of the surrounding area which contains chalet bungalow style dwellings, and would result in a detrimental impact on the existing character of the area. The proposal is therefore contrary to Policy CS7 (Design and the Public Realm) of the Reading Borough LDF Core Strategy 2008 and Policy DM11 (Development of Private Residential Gardens) of the Reading Borough LDF Sites and Detailed Policies Document 2012.

2. The cumulative impact of the reduced plot size and garden area shown retained for No 4 Copse Avenue and the proximity of the new development in the form of hardstanding to this existing dwelling is considered to result in a cramped form of development within the site which is not in keeping with the pattern of existing built form and spaces that characterises the surrounding area. The proposal is therefore contrary to Policy CS7 (Design and the Public Realm) of the Reading Borough LDF Core Strategy 2008 and Policy DM11 (Development of Private Residential Gardens) of the Reading Borough LDF Sites and Detailed Policies Document 2012.

3. The proposed development does not comply with the Local Planning Authority's standards in respect of servicing and may result in a detrimental impact on highway safety and as a result is in conflict with Policy CS20 of the Reading Borough LDF Core Strategy 2008 and Policy DM12 (Access, Traffic and Highways Related Matters) of the Reading Borough LDF Sites and Detailed Policies Document 2012.

4. The applicant due to the lack of submission of a tree survey has failed to demonstrate that the development would be able to retain existing trees within and directly adjacent to the site without causing them undue harm, risking their loss. The proposal is therefore considered to be contrary to Policies CS7 (Design and the Public Realm) and CS38 (Trees, Hedges and Woodlands) of the Reading Borough LDF Core Strategy 2008 and Policy DM11 (Development of Private Residential Gardens) of the Reading Borough LDF Sites and Detailed Policies Document 2012.



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5. 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.

INFORMATIVES

1. The decision relates to the following drawings:

Location Plan P17-0206_02 Rev 1 received 2/05/2017

Site layout P17-0206_03 Rev D received 24/7/2017

Existing elevations of dwelling at No 4 P17-0206_06 received 4/05/2017

Proposed elevations of dwelling at No 4 P17.0206_06 received 4/05/2017

Existing and Proposed floor plans at No 4 P17.0206-05 received 4/05/2017

House type 1 (elevations and floor plans) P17.0204_4 Rev B received 24/07/2017

House type 2 (elevations and floor plans) P17.0206_04 Rev B received 24/07/2017

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 or agreed extended timescale 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.5 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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Classification: OFFICIAL

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 www.planningportal.gov.uk/pcs.

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.