

**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: Ridge and Partners
Beaumont House
59 High Street
Theale
Reading
RG7 5AL

Application No: 181493
Application type: Full Planning Approval

Applicant: Mr Sunil Saxena

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

Proposal: Single Storey Granny Annex

At: Flat 1 46b Thirlmere Avenue Tilehurst Reading RG30 6XN

For the attached reasons

PLEASE READ THE NOTES ISSUED WITH THIS DECISION NOTICE

Date: 6 November 2018



Head of Planning, Development
& Regulatory Services

Application At: Flat 1 46b Thirlmere Avenue Tilehurst Reading RG30 6XN

Application No: 181493

Application type: Full Planning Approval

REASONS FOR REFUSAL

1. The proposal is described as an annexe but given its size and scale, facilities and significant distance from the host property it would be capable of operating as a separate dwelling, which could be let or sold separately, on a site unsuitable for a separate dwelling (for reasons explained in the following reasons for refusal). As such, it is contrary to Policies DM9 (House Extensions and Ancillary Accommodation) of the Sites and Detailed Policies Document 2012 (altered 2015) and the National Planning Policy Framework 2018. The reasons why the site
2. Due to the 'tandem' siting on this small site and the height and scale of the proposed building the proposal would result in a building of overly-dominant built form with a cramped and overdeveloped appearance that would be harmful to the character and the prevailing pattern of development in the area. The proposed dwelling represents an over intensive use of the site and does not maintain or enhance the character of the area, nor respect the character and pattern of neighbouring properties and street as a whole, contrary to Policy DM11 (Development of Private Residential Gardens) of the Sites and Detailed Policies Document 2012 (altered 2015) and Policy CS7 (Design and the Public Realm) of the Core Strategy 2008 (altered 2008) and the National Planning Policy Framework 2018.
3. The proposed private amenity space to the dwelling would not reflect the size or character of private residential gardens in the surrounding area and due to this space being mostly under tree canopies and heavily shaded by trees and being little more than boundary planting space this would mean that the useable amenity space would be unacceptable, failing to provide an appropriate quality of outdoor amenity space to serve future occupiers. This would be contrary to Policy DM10 (Private and Communal Outdoor Space) of the Sites and Detailed Policies Document 2012 (altered 2015) and the National Planning Policy Framework 2018 and Space around Buildings SPD 2003.
4. Due to its size, scale, height and close proximity to the common boundary, the proposed development would represent a visually intrusive and overbearing impact on the rear garden and outlook of No.s 46a and No.48 Thirlmere Avenue. This would be contrary to Policy DM4 (Safeguarding Amenity) of the Sites and Detailed Policies Document 2012 (altered 2015) and the National Planning Policy Framework 2018.

Date: 6 November 2018



Head of Planning, Development
& Regulatory Services

5. Trees to the rear of the property lie within McIlroy Park and form part of the West Reading Wooded Ridgeline which is a Major Landscape Feature as identified in the Borough's Core Strategy Document. Without supporting arboricultural information (BS:5837 Arboricultural Survey and Impact Assessment), the application fails to demonstrate that the construction of the proposed annex will not damage tree roots. The application also fails to demonstrate that the location and orientation of the annex in relation to the trees is sustainable and as such will not result in pressure for trees to be cut back or removed once the property is occupied. This would be contrary to Policy CS37: Major Landscape Features and Strategic Open Space, Policy CS38 (Trees, Hedges, Woodland) of the Reading Borough LDF Core Strategy 2008 (altered 2015) and the National Planning Policy Framework 2018.

6. The proposal fails to demonstrate that there would be a sufficient level of parking to serve the existing and proposed dwellings in accordance with the Local Planning Authority's parking standards. This could result in increased competition for on-street parking, adversely affecting road safety and the flow of traffic, contrary to Policy CS24 (Car/Cycle Parking) of the Reading Borough LDF Core Strategy 2008 (altered 2015) and Policy DM12 (Access, Traffic and Highway-Related Matters) of the Sites and Detailed Policies Document 2012 (altered 2015).

7. 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: Illustrative Site Plan, Site Section AA Plan and Elevations A 100
Drawing No: Existing Plans and Elevations A 200
Received 22nd August 2018

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.

Date: 6 November 2018



Head of Planning, Development
& Regulatory Services

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 7 (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.

Date: 6 November 2018



Head of Planning, Development
& Regulatory Services

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.