

**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: The Keen Partnership
The Courtyard Edinburgh Road
Reading
RG30 2UA

Application No: 161430
Application type: Full Planning Approval

Applicant: Mr & Mrs Tahir and Saddam Butt

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

Proposal: Rear extension to second floor to enlarge 2x1 bedroom flats on approved application ref: 11/01564/FUL into 2x2 bedroom flats.

At: 179 Oxford Road Reading

For the attached reasons

PLEASE READ THE NOTES ISSUED WITH THIS DECISION NOTICE

Date: 5 June 2017



Head of Planning, Development & Regulatory Services *RE*

Application At: 179 Oxford Road Reading

Application No: 161430

Application type: Full Planning Approval

REASONS FOR REFUSAL

1. Due to its height, width and forward projection in close proximity to the neighbouring building, the extension would be out of keeping with the prevalent form of extensions in the surrounding area and thus fail to preserve or enhance views within, and therefore the character or appearance of the Russell Street/Castle Hill Conservation Area. In addition, the height, width and forward projection would also dominate and therefore cause harm to the setting of the adjacent Listed Building. The proposal fails to demonstrate that the impacts on these designated heritage assets would not cause substantial harm and as such is contrary to Section 66(1) and 72(1) of the Planning (Listed Building and Conservation Areas) Act 1990 and policies CS7 (Design and the Public Realm) and CS33 (Protection and Enhancement of the Historic Environment) of the Reading Borough LDF Core Strategy (2008, altered 2015).

2. Due to the additional and unsympathetic harm to the existing ground floor flats on the same site through additional overbearing/visual dominance of habitable rooms and private gardens (and access to sunlight/daylight of habitable rooms), the proposal is considered to result in a significant detriment impact to the living environment of existing /new residential flats. Accordingly, the proposal is considered to be contrary to policies DM4 (Safeguarding Amenity) and DM10 (Private and Communal Outdoor Space) of the Reading Borough LDF Sites and Detailed Policies Document (2012, altered 2015).

INFORMATIVES

1. This application for planning permission has been refused on the basis of the following plans and information:

8652-01 Location Plan & Site Plan

8161-05 Rev. A Ground Floor Plan and First Floor Plan [existing]

Drawing 8652-06 Proposed Second Floor Plan REAR EXTENSION

Drawing 8652-PL-07 Rev. B Proposed Roof Plan [presume same as existing]



Date: 5 June 2017

Head of Planning, Development & Regulatory Services *RE*

Drawing 8652-09 Proposed North-Rear Elevation [for information only]
All plans received by the Local Planning Authority on 29th July 2016.

2. The Local Planning Authority has been positive and proactive in dealing with the planning application by advising on concerns with the application and dealing with the application in a timely manner. However, the application is not supportable by officers and no request to withdraw the application has been received, hence the issuing of this notice of refusal of planning permission.

3. This planning application was submitted without the benefit of first seeking pre-application advice from the Local Planning Authority, which can often result in the avoidance of refusal of planning permission. Please see the following link to the Council's pre-application service here:

http://www.reading.gov.uk/media/1190/Pre-Application-Enquiry-Form/pdf/Pre-app_1_Revised_Nov_2016.pdf

4. Regarding reason for refusal 1 above, it should be noted that the application was not provided with a Heritage Statement to correctly identify and describe the development and its impact on Heritage Assets, justification, mitigation, etc.

Date: 5 June 2017



Head of Planning, Development & Regulatory Services *RE*

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.