



Reading
Borough Council
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**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: M D Howlett Associates Ltd
11 Prospect Street
Caversham
Reading
RG4 8JB

Application No: 231491
Application type: Full Planning Approval

Applicant: Infill Land Consultants Ltd

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

Proposal: Proposed construction of three town houses

At: 21 Western Elms Avenue Reading

For the attached reasons

PLEASE READ THE NOTES ISSUED WITH THIS DECISION NOTICE

Date: 3 April 2024

SDV

Assistant Director of Planning, Transport and
Public Protection Services

Application At: 21 Western Elms Avenue Reading

Application No: 231491

Application type: Full Planning Approval

REASONS FOR REFUSAL

1. The proposal has failed to demonstrate the impact on the ecological value of the site, and that there would be no net loss in biodiversity. The application has failed to correctly establish the baseline ecological value of the site prior to pre-clearing and has failed to demonstrate that there would not be detrimental impact to the ecological value of the site nor the Green Network. The proposal has also failed to demonstrate whether the biodiversity harm could be avoided or mitigated. The proposal is therefore contrary to Policies H11, EN12 and EN14 of the Reading Borough Local Plan 2019.
2. 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. The proposal is therefore contrary to Policies H3 and CC9 of the Reading Borough Local Plan 2019 and the Council's Adopted Affordable Housing Supplementary Planning Document 2021.

INFORMATIVES

1. The decision relates to the following submitted drawings and documents:
Design and Access Statement, dated October 2023
Ecological Assessment, dated October 2023
Report of UK Habitat Baseline Survey, Arbtech, dated 11/07/23
1314/1/a Location Plans, dated May 2021
1314/20 Proposed Site Plan, dated July 2023
1314/21 Block Plan, dated October 2023
1314/3/c Plots 1-3: Plans and Elevations, received May 2021

Received by the LPA on 16/10/2023

PB/AIA-23/12.21, Arboricultural Impact Assessment, Urban Tree Experts, dated 12/01/24

Date: 3 April 2024



SDV

Assistant Director of Planning, Transport and
Public Protection Services

Received by the LPA on 15/01/24

1314/22 Proposed Landscaping, dated January 2024

Received by the LPA on 02/02/24

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. 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 2 (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: 3 April 2024



SDV

Assistant Director of Planning, Transport and
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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.

Appeals can be made online at: <https://www.gov.uk/appeal-planning-decision>

If you are unable to access the online appeal form, please contact the Planning Inspectorate to obtain a paper copy of the appeal form on tel: 0303 444 5000.

The Secretary of State can allow a longer period for giving notice of an appeal but 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 the Secretary of State 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.

If you intend to submit an appeal that you would like examined by inquiry then you must notify the Local Planning Authority and Planning Inspectorate (inquiryappeals@planninginspectorate.gov.uk) at least 10 days before submitting the appeal. Further details are on 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.