



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: Montagu Evans
70 St Mary Axe
London
EC3A 8BE

Application No: 210639
Application type: Full Planning Approval

Applicant: Venta Propco 1 Limited

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

Proposal: Demolition and residential redevelopment to provide three buildings comprising 120 residential units (Use Class C3), along with car parking, cycle parking, servicing bay and associated landscaping, amenity space, plant and refuse areas, and access arrangements.

At: Eaton Court 112 Oxford Road Reading Berkshire RG1 7LL

For the attached reasons

PLEASE READ THE NOTES ISSUED WITH THIS DECISION NOTICE

Date: 3 July 2024

Assistant Director of Planning, Transport and
Public Protection Services *DE*

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REASONS FOR REFUSAL

1. The proposed development, by reason of the insufficient privacy distances between habitable room windows and balconies, would result in significant overlooking within the scheme causing an unacceptable loss of privacy for future occupiers, harmful to their amenity. For these reasons, the development would provide unacceptable living conditions for the new residential properties, contrary to policies CC8 (Safeguarding Amenity) and H10 (Private and Communal Outdoor Space) of the Reading Borough Local Plan (2019); and paragraph 135 of the National Planning Policy Framework (December 2023).
2. The proposed development, by reason of its excessive scale as well as its siting and layout, would result in harm to the setting of the adjacent listed building at 104 Oxford Road, and the setting/views into and out of the Castle Hill/ Russell Street/Oxford Road Conservation Area and would represent an excessive scale of building at the fringes of the CR12c site. As such the proposals are contrary to policies EN1 (Protection and Enhancement of the Historic Environment), EN3 (Enhancement of Conservation Areas), EN6 (New Development in a Historic Context) and CR12 (West Side Major Opportunity Area) of the Reading Borough Local Plan (2019) and paragraphs 139, 205, 206, 208, 209 and 214 of the National Planning Policy Framework (December 2023).
3. The proposed development, by reason of its design and siting in close proximity to noise sources at the Face Bar club and The Butler public house would result in inadequate standards of amenity for future occupiers and represent an agent of change which would adversely affect these existing uses and would fail to achieve a comprehensive approach to the development of the sub-area. The proposal would therefore be contrary to policies CC8 (Safeguarding Amenity), CR6 (Living in Central Reading), CR12 (West Side Major Opportunity Area) and EN16 (Pollution and Water Resources) of the Reading Borough Local Plan (2019) and paragraph 193 of the National Planning Policy Framework (December 2023).
4. The proposed development fails to provide an adequate mix of dwelling sizes and as such would fail to meet the priority housing needs of Reading Borough and the need to ensure sustainable, mixed and balanced communities. This is contrary to policies H2 (Density and Mix) and CR6 (Living in Central Reading) of the Reading Borough Local Plan (2019) and paragraphs 60 - 63 of the National Planning Policy Framework (December 2023).
5. In the absence of a completed legal agreement, the proposed development fails to secure an appropriate amount of Affordable Housing, resulting in harm to the identified housing needs of Reading Borough and the need to ensure sustainable, mixed and balanced communities, contrary to policies H3 (Affordable Housing) and CC9 (Securing Infrastructure) of the Reading

Date: 3 July 2024



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Borough Local Plan (2019), the Council's SPD, "Affordable Housing" (2021) and paragraphs 63, 65 and 66 of the National Planning Policy Framework (December 2023).

6. In the absence of a completed legal agreement to secure provision of a construction phase and end user phase employment skills and training plan (or equivalent financial contribution), a carbon off-setting contribution, an off-site public realm contribution and relevant highways works and contributions, the proposed development fails to adequately contribute to local labour and training needs, achieving zero carbon homes standards, public realm enhancements or highways improvements, contrary to policies CC9 (Securing Infrastructure), H3 (Affordable Housing), H5 (Standards for New Housing, EN14 (Trees, Hedges and Woodland), CC7 (Design and the Public Realm) TR1 (Achieving the Transport Strategy) and TR3 (Access, Traffic and Highway-Related Matters) of the Reading Borough Local Plan 2019, the Council's adopted SPDs, Employment Skills and Training (2019), Sustainable Design and Construction (2019), Planning Obligations Under Section 106 (2015) and paragraphs 7, 8, 55-58, 108, 114, 115, 116, 135, 136, 157, 159, 162 and 164 of the National Planning Policy Framework (December 2023).

INFORMATIVES

1. 1. This decision relates to the following plans received on 26/04/22021:

- 17110_JA12_E_E_001
- 17110_JA12_E_N_001
- 17110_JA12_E_S_001
- 17110_JA12_E_W_001
- 17110_JA12_P_00_001
- 17110_JA12_P_01_001
- 17110_JA12_P_02_001
- 17110_JA12_P_00_001 1st Floor Demolition
- 17110_JA12_P_00_001 2nd Floor Demolition

And the following plans received on 07/05/2024:

- PL050-3 - Proposed Site Location Plan
- PL051-3 - Proposed Site Plan
- PL001-6 - Proposed Ground Floor Plan
- PL002-6 - Proposed First Floor Plan
- PL003-6 - Proposed Second Floor Plan
- PL004-6 - Proposed Third Floor Plan
- PL005-6 - Proposed Fourth Floor Plan
- PL006-6 - Proposed Fifth Floor Plan
- PL007-6 - Proposed Sixth Floor Plan
- PL008-6 - Proposed Roof Plan
- PL010-3 - Proposed North Elevation
- PL011-3 - Proposed South Elevation
- PL012-3 - Proposed East Elevation

Date: 3 July 2024



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- PL013-3 - Proposed West Elevation
- PL014-3 - Proposed Building 1 Façade Bay Study
- PL015-3 - Proposed Building 2 Façade Bay Study
- PL016-3 - Proposed Building 3 Façade Bay Study
- PL020-6 - Proposed Section AA East West
- PL021-6 - Proposed Section BB North South
- PL022-6 - Proposed Section CC
- PL052-3 - Proposed Long South Elevation

2. 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: <https://www.reading.gov.uk/planning-and-building-control/planning-applications/before-making-a-planning-application/pre-application-planning-advice/>

3. 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.

4. Reasons for refusal 5 and 6 above could be overcome by the completion of a suitable s106 agreement or Unilateral Obligation.

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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.