

**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
The Courtyard
Lockington
Derby
DE74 2SL

Application No: PL/23/0745
Application type: Full planning permission

Applicant: Kings Oak Miami LLP

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

Proposal: Construction of a two-storey roof (third and fourth floor) extension to accommodate 100 apart-hotel rooms (Use Class C1) with associated parking, cycle stores and bin stores.

At: Great Brighams Mead Vastern Road Reading RG1 8DJ

For the attached reasons

PLEASE READ THE NOTES ISSUED WITH THIS DECISION NOTICE

Date: 13th August 2024



Assistant Director of Planning, Transport and
Public Protection Services
R/E

Application At: Great Brighams Mead Vastern Road Reading RG1 8DJ

Application No: PL/23/0745

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REASONS FOR REFUSAL

1. The proposals would result in a visually dominant development; the scale and appearance of which would be out of keeping with, and harmful to, the character of the existing building and surrounding area and would fail to respond positively to its local context. Both the internal and external layout of the proposals fail to demonstrate how both C1 and C3 (the latter of which was consented under prior approval 210567), uses of the site could operate in tandem in a clear, legible, safe and secure manner, whilst the excessive hardstanding and lack of soft landscaping would result in poor quality external areas within the site. Therefore, the proposed development would fail to maintain and enhance the character of the area contrary to Policy CC7 (Design and the Public Realm) of the Reading Borough Local Plan 2019 and paragraph 135 of the NPPF (December 2023) and in accordance with paragraph 139 of the NPPF (December 2023).
2. The proposal fails to demonstrate that that the two-storey upward extension of the building would not result in detrimental impacts in terms of loss of daylight and sunlight to surrounding residential occupiers, in particular to the occupiers of adjacent dwellings and rear garden areas on De Montfort Road and Vastern Road, as well as to the consented C3 use flats granted under prior approval consent ref. 210567 at ground, first and second floor level within the existing building. The proposal would therefore result in unacceptable living conditions for existing and consented residential properties contrary to Policy CC8 (Safeguarding Amenity) of the Reading Borough Local Plan 2019 and paragraph 135 of the NPPF (December 2023).
3. The proposal fails to demonstrate that as a result of apart-hotel guests arriving, leaving, parking their cars, being dropped off and present within the site and building generally, where there would be a 24-hour reception, the proposed C1 apart hotel use of the site would result in noise and disturbance to the consented C3 use flats granted under prior approval consent ref. 210567 at ground, first and second floor level within the existing building, detrimental to the residential amenity of the future occupiers of those residential dwellings contrary to Policy CC8 (Safeguarding

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Amenity) of the Reading Borough Local Plan 2019 paragraph 135 of the NPPF (December 2023).

4. The proposal fails to demonstrate that the development would provide wider sustainability benefits to the local community that would outweigh the development being located within an area of flood risk (Flood Zone 3). Therefore, the proposals do not pass part a) of the flood risk Exception Test, contrary to paragraph 170 of the NPPF (December 2023) and Policy EN18 (Flooding and Sustainable Drainage Systems) of the Reading Borough Local Plan 2019.
5. In the absence of a completed legal agreement to secure provision of a construction phase employment skills and training plan or equivalent financial contribution and to restrict occupancy of the apart-hotel rooms to a short stay basis only, the proposed development fails to adequately contribute to local labour and training needs and adequately control that the hotel rooms are not used as residential units, contrary to policies CC9 (Securing Infrastructure) and CR6 (Living in Central Reading) of the Reading Borough Local Plan 2019, the adopted Employment Skills and Training Supplementary Planning Document 2019 and the Planning Obligations Under Section 106 Supplementary Planning Document 2015.

INFORMATIVES

1. This decision relates to the following plans and documents submitted with the application:

- Site Location Plan P1048-EX112

Existing plans:

- P1048-PL111 Existing block plan
- P1048-EX001 Existing Ground Floor Plan
- P1048-EX002 Existing First Floor Plan
- P1048-EX003 Existing Second Floor Plan
- P1048-EX005 Existing Roof Plan
- P1048-EX006-A- Existing South Elevation
- P1048-EX007-C- Existing North Elevation
- P1048-EX008-B- Existing West Elevation
- P1048-EX009 Existing East Elevation

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- P1048-EX013-C- Existing Inner east Elevation
- P1048-EX015-A- Existing Street Scene – Vastern Rd
- P1048-EX016-A- Existing Street Scene -Caversham Rd into Brigham Rd

Proposed plans:

- P1048-GA1100Y – Proposed Ground Floor
 - GBM-PD101 Proposed First Floor
 - GBM-PD102 Proposed Second Floor
 - P1048-PL503J – Proposed Third Floor
 - P1048-PL504H – Proposed Fourth Floor
 - P1048-PL505A – Proposed Roof Plan
 - P1048-PL107F Proposed North Elevation
 - P1048-PL508E Proposed South Elevation
 - P1048-PL509E Proposed East Elevation
 - P1048-PL510E Proposed West Elevation
 - P1048-PL513-B- Proposed Inner East Elevation
 - P1048-PL514-B- Proposed Inner West Elevation
 - P1048-PL515-A- Proposed Street Scene -Vastern Rd
 - P1048-PL516-A- Proposed Street Scene – Caversham Rd Caversham Rd into Brigham Rd
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- Design and Access Statement (by PEEK)
 - Transport Statement (by Stantec)
 - Flood Risk Assessment inc. Exceptions Test (by Stantec)
 - Daylight Sunlight Assessment (by FPD) (May 2023)
 - Daylight Sunlight Assessment (by FPD) (October 2023)
 - Energy and Sustainability Report (by FPD)
 - Sequential Assessment (flood) (by FPD)
 - Sequential Assessment (town centre) (by FPD)
 - Landscaping Principles Statement (by FPD)
 - Utilities Statement (by FPD)
 - Preliminary Ecology Appraisal and Roost Assessment (by Arbtech)
 - Biodiversity Net Gain Report (by Arbtech)
 - Tree Survey (by Arbtech)
 - AIA and Method Statement (by Arbtech)
 - Contaminated Land Assessment (by Stantec)
 - Ecological Mitigation, Enhancement and Management Plan (Arbtech) Issue 2
 - Bat Emergence and Re-entry Surveys Issue 2
 - Response to RBC Highways Comments (by Stantec)

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2. The local planning authority has worked with the applicant in a positive and proactive by advising of the concerns with proposal and providing for the opportunity for the application to be withdrawn. The applicant chose not to withdraw the application, hence the issuing this refusal notice
3. Without prejudice to any future application or appeal, the applicant is advised that reason for refusal 5 could be overcome by entering into a Section 106 Legal Agreement.
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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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.

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