

**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: STL Architecture

Application No: PL/23/1270

Application type: Full planning permission

Applicant: Mr R. Arnold

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

Proposal: Demolition of existing dwelling and outbuildings and the erection of a 4-bed detached dwelling with garage.

At: Warren Creek
The Warren
Caversham
Reading
RG4 7TQ

For the attached reasons

PLEASE READ THE NOTES ISSUED WITH THIS DECISION NOTICE

Date: 13 September 2024



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

Application At: Warren Creek

The Warren
Caversham
Reading
RG4 7TQ

Application No: PL/23/1270

Application type: Full planning permission

REASONS FOR REFUSAL

1. The proposed development has failed to provide a suitable Sequential Test Assessment to justify that there are no reasonable, available and suitable alternative sites at a lower risk of flooding from any source, thereby failing to address flood risk, contrary to Policy EN18 of the Reading Borough Local Plan 2019 and paragraphs 165-168 of the National Planning Policy Framework 2023.
2. The proposed development has failed to adequately assess the flood risks posed, with the submitted Flood Risk Assessment not demonstrating compliance with the requirements for site specific flood risk assessments by failing to: use the most up to date available information to assess flood risk; demonstrate the development will not increase flood risk elsewhere; consider how people will be kept safe from the identified flood hazards; demonstrate that finished floor levels will be set above the 1% annual exceedance probability (AEP) flood level with an appropriate allowance climate change, leading to an unacceptable risk to the health and safety of the occupants in a flood event, all contrary to Policy EN18 of the Reading Borough Local Plan 2019 and paragraphs 165 and 173 of the National Planning Policy Framework 2023.
3. The proposed development has failed to demonstrate that it does not result in a net loss of biodiversity, thereby failing to protect the existing biodiversity value of the site, contrary to Policies EN12 and H11 of the Reading Borough Local Plan 2019.

INFORMATIVES

1. The decision relates to the following drawings and documents (only the most recent and relevant drawings and documents are referenced):

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3863/101 – Existing Dwelling

3863/102 – Existing Outbuildings

As received 06/09/2023

3863/221 Rev B – Proposed Ground Floor Plan

3863/222 Rev B – Proposed First Floor Plan

3863/223 Rev B – Proposed Roof Plan

3863/231 – Existing and Proposed Entrance Gates (Please note that the proposed gates / front boundary wall were omitted from the proposals on 25/04/2024 – as per the email and block plan submitted by the applicant, so this plan only considers the existing arrangements)

3863/234 – Profile Comparison Drawing

As received 13/10/2023

3863/230 Rev A – CIL Calculations

As received 24/10/2023

3863/232 Rev A – Proposed Air Source Heat Pump Details

As received 20/11/2023

3863/220 Rev D – Block and Location Plan

3863/224 Rev F – Proposed Elevations

3863/225 Rev F – Proposed Elevations

3863/228 Rev B – Proposed Garage / Car Port

3863/229 Rev B – Sections – Existing and Proposed

3863/235 – Permeability Plan

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As all received on 17/05/2024

3863/51 Rev B – Proposed Areas

3863/226 Rev D – Walls above extg grnd supporting raised ground floor slab

3863/227 Rev F – Proposed Landscape and Biodiversity Site Plan

3863/233 Rev D – Boundary Treatment Plan

As all received on 12/06/2024

3863/50 - Existing Areas

As received 20/06/2024

Preliminary Ecological Appraisal and Preliminary Roost Assessment Issue 2 by
Arbtech Consulting Ltd

Energy Statement by Melin Ref 304315 dated 08/08/2023

Application form

CIL form

As received 06/09/2023

Sustainability Statement Ref 3863

As received 13/10/2023

Telford Clivet Air Source Heat Pump Technical Details

As received 07/11/2023

MCS Heat Pump Calculations by Earth Save Products Ref KM783216/2

As received on 23/11/2023

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Email from Shaun Tanner Architecture & Planning 'RE: Ref - Warren Creek, Caversham (231270)', dated 25/04/2024

As received on 25/04/2024

Planning, Design & Access Statement by STL Architecture and Planning

MCS Planning Standard for Air Source Heat Pumps

Existing and Proposed River Viewpoints (9 pages)

BNG Figures (excel spreadsheet)

Email from Shaun Tanner Architecture & Planning 'Ref - Warren Creek, Caversham (231270)', dated 17/05/2024

As all received on 17/05/2024

Updated (2024) Nocturnal Bat Survey Report for Warren Creek, The Warren, Caversham, Reading, Berkshire, RG4 7TQ by NKM Associates Ref 36323-02 NKM Assoc, dated 31/05/2024

As received 03/06/2024

Email from applicant 'Urgently seeking clarity to ensure final detail is provided appropriately' dated and received 07/06/2024

Flood Risk Assessment and SuDS Report By Nimbus Ref C3007-R1-REV-D dated June 2024

BS:5837 Arboricultural Report – Arboricultural Survey, Impact Assessment & Method Statement by Duckworths Arboriculture Ltd Ref AIA/AMS 06062 / 2023 0.3 dated 09/06/2023

BS:5837 Tree Protection Plan – Phase 1

BS:5837 Tree Protection Plan – Phase 2

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Email from Shaun Tanner Architecture & Planning 'RE: Ref - Warren Creek, Caversham (231270)', dated 12/06/2024

As all received on 12/06/2024

Email from Shaun Tanner Architecture & Planning 'RE: Ref - Warren Creek, Caversham (231270)', dated and received 20/06/2024

Email from Shaun Tanner Architecture & Planning 'RE: Ref - Warren Creek, Caversham (231270)', dated and received 12/07/2024

Statutory Biodiversity Metric Calculation Tool, Warren Creek, The Warren, Caversham, as received 19/07/2024

Email from Shaun Tanner Architecture & Planning 'RE: Ref - Warren Creek, Caversham (231270)', dated and received 24/07/2024

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.
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. Environment Agency Informative - Environmental Permitting - The applicant will require a Flood Risk Activity Permit (FRAP) to undertake the proposed works as the River Thames (Main river) runs adjacent to the site. As submitted, the Environment Agency advise that it is unlikely that a permit would be granted. The applicant would need to demonstrate that the proposed works will not adversely impact on flood risk or the watercourse.

The Environmental Permitting (England and Wales) Regulations 2016 require a permit or exemption to be obtained for any activities which will take place:

- on or within 8 metres of a main river (16 metres if tidal)

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- on or within 8 metres of a flood defence structure or culverted main river (16 metres if tidal)
- on or within 16 metres of a sea defence
- involving quarrying or excavation within 16 metres of any main river, flood defence (including a remote defence) or culvert
- in a floodplain more than 8 metres from the riverbank, culvert or flood defence structure (16 metres if it's a tidal main river) and you don't already have planning permission

The applicant should not assume that a permit will automatically be forthcoming once planning permission has been granted (if applicable), and the Environment Agency advise the applicant to consult with the EA at the earliest opportunity.

For further guidance please visit <https://www.gov.uk/guidance/flood-risk-activities-environmental-permits> or contact our National Customer Contact Centre on 03708 506 506 (Monday to Friday, 8am to 6pm) or by emailing enquiries@environment-agency.gov.uk.

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

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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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