

**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: Mr Bjorn Mordt
Maxika Homes Ottershaw Ltd
Regency House
33 Wood Street
Barnet

Application No: PL/24/1500
Application type: Full planning permission

Applicant: Mr Bjorn Mordt

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

Proposal: Planning application for the development of 32 dwellings, including 10 affordable housing units with associated parking and landscaping following the demolition of the existing buildings.

At: MARSHALLS GARAGE, OXFORD ROAD, TILEHURST, READING, RG31 6TQ

For the attached reasons

PLEASE READ THE NOTES ISSUED WITH THIS DECISION NOTICE

Date: 18 February 2025



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Acting Assistant Director of Planning,
Transport and Public Protection Services

Application At: MARSHALLS GARAGE, OXFORD ROAD, TILEHURST, READING, RG31 6TQ

Application No: PL/24/1500

Application type: Full planning permission

REASONS FOR REFUSAL

1. The proposed development, due to the excessive scale and bulky form of buildings and associated development together with their site coverage, would represent a cramped, unattractive and visually stark overdevelopment of the site which fails to accommodate buildings (including outbuildings), parking areas, access ramps and steps, bin stores, tree planting and other soft landscaping in a manner that enhances the character and appearance of the area. This harmful arrangement together with the visual prominence of the site would result in harm to the street scene and character of the area. Contrary to Policies CC7 (Design and the Public Realm) and EN14 (Trees, Hedges and Woodland) of the Reading Borough Local Plan 2019 and paragraphs 96, 129, 131, 135 and 136 of the NPPF 2024.
2. The proposed development would provide insufficient dwellings of 3 bedrooms or more and as such would fail to adequately contribute towards meeting the identified housing needs of Reading Borough. Contrary to Policy H2 (Density and Mix) of the Reading Borough Local Plan 2019 and paragraphs 61 and 129 of the NPPF 2024.
3. The proposed development, due to its single-aspect room layout, combined with enclosure from trees and acoustic fencing, would result in a poor quality of accommodation in terms of outlook, daylight and sunlight. This would result in a detrimental impact on the living environment of future occupiers. Contrary to Policies CC8 (Safeguarding Amenity) and H5 (Standards for New Housing) of the Reading Borough Council Local Plan 2019 and paragraphs 96, 135 and 198 of the NPPF 2024.
4. The proposed development due to its design, layout and proximity to Oxford Road and the railway line has failed to demonstrate that a suitable quality of accommodation would be provided for future occupiers in respect of noise and disturbance, with consequent harm to the amenity of future occupiers. Contrary to Policies CC8 (Safeguarding Amenity) and EN16 (Pollution and Water Resources) of the Reading Borough Local Plan 2019 and paragraphs 96, 135, 187 and 198 of the NPPF 2024.

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5. The proposed development, due to the cramped size of the gardens combined with the noisy environment, overshadowing from trees, and together with the overbearing nature of the acoustic fencing, the main building and other enclosures, would fail to provide an adequate quality of outdoor garden space for future occupiers, harmful to their amenity. Contrary to Policies CC7 (Design and the Public Realm), EN9 (Provision of Open Space), Policy H10 (Private and Communal Outdoor Space) of the Reading Borough Council Local Plan 2019 and paragraphs 96, 135 and 187 of the NPPF 2024.
6. The proposed development fails to demonstrate that trees of amenity value would be protected from harm during the construction of the development and in terms of future pressure to prune or fell, with consequent harm to the visual amenity, character, biodiversity and environmental quality of the area. Contrary to Policies CC7 (Design and the Public Realm), EN12 (Biodiversity and the Green Network), and EN14 (Trees, Hedges and Woodland) of the Reading Borough Local Plan 2019 and the Reading Borough Council Tree Strategy 2021 and paragraphs 135, 136 and 187 of the NPPF 2024.
7. The proposed development fails to demonstrate that works required for the decontamination of the land would be acceptable in terms of the impact on protected trees, drainage, and the stability of the railway embankment. Contrary to Policy EN16 (Pollution of Water Resources) of the Reading Borough Local Plan 2019 and paragraphs 135, 187 and 198 NPPF 2024
8. The proposed layout fails to make adequate provision for the parking and manoeuvring of vehicles within the site resulting in an increased risk of on-street parking and/or vehicle manoeuvring with consequent harm to road safety and the flow of traffic. Contrary to Policies TR1 (Achieving the Transport Strategy) and TR3 (Access, Traffic and Highway Related Matters) of the Reading Local Plan 2019 and paragraphs 109, 115 and 117 of the NPPF 2024.
9. The proposed development fails to demonstrate that adequate visibility splays would be provided for vehicles at the site entrance resulting in a hazard to road users. Contrary to Policies TR1 (Achieving the Transport Strategy) and TR3 (Access, Traffic and Highway Related Matters) of the Reading Borough Local Plan 2019 and paragraphs 109, 115 and 117 of the NPPF 2024.

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10. The proposed development fails to demonstrate acceptable, well designed and integrated secure cycle storage provision. Contrary to Policies TR1 (Achieving the Transport Strategy), TR3 (Access, Traffic and Highway Related Matters) and TR5 (Car and Cycle Parking and Electric Vehicle Charging) of the Reading Borough Local Plan 2019 and paragraphs 109, 115 and 117 of the NPPF 2024.
11. The proposed development fails to demonstrate that the vehicle access ramp would be acceptable in terms of its gradient and provision for the manoeuvring of vehicles, with consequent harm to highway safety. Contrary to Policies TR1 (Achieving the Transport Strategy) and TR3 (Access, Traffic and Highway Related Matters) of the Reading Borough Local Plan 2019 and paragraphs 109, 115 and 117 of the NPPF 2024.
12. The proposed development, in the absence of an acceptable landscaping-led Sustainable Drainage Strategy, fails to provide for sustainable drainage, with consequent harm in respect of attenuating localised flooding, achieving ecological benefits, securing linkages to the existing Green Network and integration with tree planting and landscaping. Contrary to Policies EN12 (Biodiversity and the Green Network), EN14 (Trees, Hedges and Woodland), EN18 (Flooding and Sustainable Drainage Systems) of the Reading Borough Local Plan (2019) and the Sustainable Design and Construction SPD (2019) and paragraph 182 of the NPPF 2024.
13. In the absence of a completed legal agreement to secure the provision of an acceptable amount, mix and tenure of Affordable Housing, the proposal fails to contribute adequately to the housing needs of Reading Borough and the need to provide sustainable mixed and balanced communities. The proposal is therefore contrary to Policies H3 (Affordable Housing) and CC9 (Securing Infrastructure) of the Reading Borough Local Plan 2019 and the Council's Adopted Affordable Housing Supplementary Planning Document 2021 and paragraph 64 of the NPPF 2024.
14. In the absence of a completed legal agreement to secure an appropriate financial contribution towards carbon off-setting in the Reading Borough, the proposal would not acceptably adapt to climate change, achieve zero carbon homes standards and not provide appropriately towards energy infrastructure. Contrary to Policies CC3 (Adaptation to Climate Change), CC9 (Securing Infrastructure) and H5 (Standards for New Housing) of the Reading Borough Local Plan (2019) and the Sustainable Design and Construction SPD (2019) and Planning Obligations under S106 SPD (2015).

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15. In the absence of a completed legal agreement to secure an acceptable Employment and Skills Plan (construction phase only; employment and skills plan, or financial contribution), the proposal fails to contribute adequately to the employment, skills or training needs of local people with associated socio-economic harm. Contrary to Policy CC9 (Securing Infrastructure) of the Reading Borough Local Plan (2019) and the Employment Skills and Training SPD (2013) and Planning Obligations under Section 106 (2015).
16. In the absence of a completed legal agreement to secure the means of access to the site from the public highway at the eastern end of the site, the proposal fails to make appropriate provision for access to the site. Contrary to Policies TR1 (Achieving the Transport Strategy) and TR3 (Access, Traffic and Highway Related Matters) of the Reading Borough Local Plan 2019 and paragraphs 109, 115 and 117 of the NPPF 2024.

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INFORMATIVES

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

Air Quality Assessment prepared by Redmore environmental Ref: 8470r1 dated 18 October 2024

Arboricultural Impact Assessment prepared by PCA Landscape Ref: P.2103.24 dated October 2024

Character Study prepared by sawkings architects dated October 2024

Design and Access Statement prepared by sawkings architects dated October 2024

Ecological Impact Assessment and Biodiversity Net Gain prepared by windrush ecology date September 2024

Geo-Environmental Assessment prepared by WDE consulting Ref: 21283R1 (Issue A) dated May 2024

Flood Risk Assessment and SuDs report document number C3411-R1-Rev B dated November 2024

Noise Impact Assessment prepared by accon uk dated 08.11.2024

Planning Statement prepared by Nova Planning dated 24 October 2024

Sustainability and Energy Statement prepared by bluesky dated 21 October 2024

Transport Statement prepared by i-Transport Ref: ITB200269-001B TS dated 23 October 2024

OS Map and Location DWG 0001 Rev P1

Existing Site Plan DWG 1000 Rev P1

Topographical Survey 21202/P/01 dated 12/12/23

Topographical Survey 21202/P/02 dated 12/12/23

Proposed OS Map and Location DWG 0002 Rev P1

Proposed Site Plan Ground Floor Plan DWN 3001 Rev P1

Proposed Site Layout Roof Plan DWG 3000 Rev P1

Proposed Basement Level Blocks 1 and 2 DWG 3100 Rev P1

Proposed Ground Floor Plan Blocks 1 and 2 DWG 3101 Rev P1

Proposed First Floor Plan Blocks 1 and 2 DWG 3102 Rev P1

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Proposed Second Floor Plan Blocks 1 and 2 DWG 3103 P1

Proposed Roof Plan Blocks 1 and 2 DWG 3104 Rev P1

Proposed Elevations (North and East) Blocks 1 and 2 DWG 3201 Rev P1

Proposed Elevations (South and West) Blocks 1 and 2 DWG 3200 Rev P1

Proposed Ground Floor Plan Block 3 DWG 3105 Rev P1

Proposed First Floor Plan Block 3 DWG 3106 Rev P1

Proposed Second Floor Plan Block 3 DWG 3107 Rev P1

Proposed Roof Plan Block 3 DWG 3108 P1

Proposed Elevations (South and West) Block 3 DWG 3202 P1

Proposed Elevations (North and East) Block 3 DWG 3203 Rev P1

Proposed Ground Floor Plan Block 4 DWG 3109 P1

Proposed First Floor Plan Block 4 DWG 3110 Rev P1

Proposed Second Floor Plan Block 4 DWG 3111 Rev P1

Proposed Roof Plan Block 4 DWG 3112 Rev P1

Proposed Elevations (East and South) Block 4 DWG 3204 P1

Proposed Elevations (North and West) Block 4 DWG 3205 Rev P1

Proposed GA Sections Block 1 DWG 3301 Rev P1

Proposed GA Sections Block 2 DWG 3302 Rev P1

Proposed GA Sections Block 3 DWG 3303 Rev P1

Proposed GA Sections Block 4 DWG 3304 Rev P1

Proposed Landscape Layout P 210324LD1

Proposed Bin Storage DWG 3400 Rev P1

Proposed Cycle Storage DWG 3401 Rev P1

Proposed Site street Elevation – Oxford Road DWG 3206 Rev P1

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Proposed Site Street Elevation – Oxford Road DWG 3207 Rev P1

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 reasons for refusal 13, 14, 15 and 16 be overcome with the completion of a satisfactory s106 legal agreement for a scheme that was in all other respects acceptable.
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.

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:

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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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