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**Applicant:**  
Michael Straw

## **PART I - DETAILS OF APPLICATION**

### **Date of Application**

13th February 2024

### **Application No.**

**24/00298/HOUSE**

### **THE PROPOSAL AND LOCATION OF THE DEVELOPMENT:**

Installation of air source heat pump

68 Windmill Road, Mortimer Common, Reading, RG7 3RL

## **PART II - DECISION**

**In pursuance of its powers under the Town and Country Planning Act 1990, West Berkshire District Council REFUSES planning permission for the development referred to in Part I in accordance with the submitted application form and plans, for the following reason(s):-**

1. The applicant's failure to provide a BS4142 Noise Assessment as requested by the Environmental Health Officer means that it is not possible to accurately judge the potential adverse noise impact to the surroundings. It is therefore also not possible to ensure that the quality of life of neighbouring occupiers would not be harmed, as is advised in the NPPF and required by Policy CS14 of the West Berkshire Core Strategy (2006-2026) and Policy OVS.6 of the West Berkshire Local Plan 2006-2027, Saved Policies 2007. Officers are satisfied that there is no permitted development fallback position under Schedule 2, Part 14, Class G of the Town and Country Planning (General Permitted Development) (England) Order 2015.

For these reasons it is considered that the proposal does not accord with the provisions of the National Planning Policy Framework, or Policy CS14 of the West Berkshire Core Strategy (2006-2026) or Policy OVS.6 of the West Berkshire Local Plan 2006-2027, Saved Policies 2007.

**If you require further information on this decision please contact the Council via the Customer Call Centre on 01635 519111.**

**INFORMATIVE:**

1 In attempting to determine the application in a way that can foster the delivery of sustainable development, the local planning authority has approached this decision in a positive way having regard to Development Plan policies and available guidance to try to secure high quality appropriate development. In this application the local planning authority has attempted to work proactively with the applicant to find a solution to the problems with the development, however; an acceptable solution to improve the economic, social and environmental conditions of the area could not be found.

Decision Date :- 25th July 2024

**Bob Dray**  
**Development Manager**

## **TOWN AND COUNTRY PLANNING ACT 1990**

### **Notification to be sent to an applicant when a local planning authority refuse planning permission or grant it subject to conditions**

#### **Appeals to the Secretary of State**

- If you are aggrieved by the decision of your local planning authority 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.
- As this is a decision on a householder planning application, if you want to appeal against the local planning authority's decision then you must do so within 12 weeks of the date of this notice.
- Appeals must be made using a form which you can get from the Planning Inspectorate at Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 6PN or online via <https://www.gov.uk/appeal-householder-planning-decision>.
- The Secretary of State can allow a longer period for giving notice of an appeal, but he 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 him 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.
- In practice, the Secretary of State does not refuse to consider appeals solely because the local planning authority based their decision on a direction given by him.

#### **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.