



Reading
Borough Council

Working better with you

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SL2 3RQ

Frances Martin
Executive Director for Economic Growth
and Neighbourhood Services

Civic Centre, Reading, RG1 7AE

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Our Ref: 201215

e-mail: Jonathan.Markwell@reading.gov.uk

20 July 2022

Your contact is: Mr Jonathan Markwell, Planning

Dear Berkeley Homes Oxford & Chiltern,

TOWN AND COUNTRY PLANNING ACT 1990

Application Reference: 201215

Application type: Approval of Conditions

Address: Toys R Us, Kenavon Drive, Reading

Proposal: Discharge of conditions 14a (phase 1 postal addresses), 14b (phase 2 postal addresses) and 42 (biodiversity enhancements) of planning permission 170509 (also incorporating changes previously agreed by 190764)

I refer to the above application to discharge planning permission conditions 14 a) (phase 1 postal addresses), 14 b) (phase 2 postal addresses) and 42 (biodiversity enhancements) of planning permission 170509 (also incorporating changes previously agreed by 190764) and respond as follows:

Condition 14 a) (phase 1 postal addresses)

The phase 1 postal addresses details, as shown on the following:

Street Naming and Numbering East Block Amended - Plot Alterations 2020 Plot to Postal List for: Former Homebase and Toys R Us Site, Kenavon Drive, Reading date 27/07/2020 by RBC, as received 27/07/2020

are considered to be acceptable.

However, as you are already aware, the confirmation in this letter cannot be taken that this part of the condition is discharged, as the first occupation of a residential unit within phase 1 (east block) of the development commenced prior to the issuing of this decision notice (first

occupation is understood to have first taken place in early 2022), whereas the wording of the condition required these details to be submitted to and approved by the Local Planning Authority prior to the first occupation of any residential unit within phase 1 of the development.

However, I can confirm that on the basis of the information provided there are considered to be no outstanding planning matters in relation to this part of the condition, nor matters of enforcement.

Condition 14 b) (phase 2 postal addresses)

The phase 2 postal addresses details, as shown on the following:

Street Naming and Numbering Middle Block Amended - Plot Alterations 2020 Plot to Postal List for: Former Homebase and Toys R Us Site, Kenavon Drive, Reading date 27/07/2020 by RBC, as received 27/07/2020

are approved pursuant to condition 14 b).

Informative: A future separate submission in relation to condition 14 c) will be required in order for condition 14 to be satisfied as a whole.

Condition 42 (biodiversity enhancements)

Condition 42 a) (phase 1 biodiversity enhancements) response:

The phase 1 biodiversity enhancements details, as shown on the following:

Kenavon Drive, Reading Bat & Bird Box Specification by The Ecology Consultancy Version 5.0 issued 20/07/2022, as received 20/07/2022

are considered to be acceptable.

However, as you are already aware, the confirmation in this letter cannot be taken that this part of the condition is discharged, as the first occupation of a residential unit within phase 1 (east block) of the development commenced prior to the issuing of this decision notice (first occupation is understood to have first taken place in early 2022), whereas the wording of the condition required these details to be submitted to and approved by the Local Planning Authority prior to the first occupation of any residential unit within phase 1 of the development.

However, I can confirm that on the basis of the information provided there are considered to be no outstanding planning matters in relation to this part of the condition, nor matters of enforcement, providing that the remainder of the development in relation to this phase of the development is undertaken in accordance with the above details.

Condition 42 b) & c) - phase 2 & 3 response:

The phases 2 and 3 biodiversity enhancements details, as shown on the following:

Kenavon Drive, Reading Bat & Bird Box Specification by The Ecology Consultancy Version 5.0
issued 20/07/2022, as received 20/07/2022

are approved pursuant to conditions 42 b) & c).

The above conditions, where a submission is required and has been provided, shall have been considered to have been discharged, providing that the development is undertaken in accordance with the approved details.

Please note that it is the responsibility of the developer to ensure that all relevant conditions are complied with during the construction and/or subsequent use of the development.

Should you wish to discuss this matter further, please contact me by email as above.

Yours sincerely

Jonathan Markwell

Mr Jonathan Markwell
Principal Planning Officer

NOTES

APPEALS TO THE SECRETARY OF STATE

If you are aggrieved by the decision of the Council to refuse to grant approval for details submitted pursuant to a condition, then you can appeal to the Secretary of State under section 78 of the Town and Country Planning Act 1990.

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 the condition(s) relate to 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 the condition(s) relate to 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 relating to 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.

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.

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, tel. 0303 444 5000, or online at <https://acp.planninginspectorate.gov.uk/>