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23 September 2020

Your contact is: Ms Ethne Humphreys, Planning

Dear Mr Arun Berry,

TOWN AND COUNTRY PLANNING ACT 1990

Application Reference: 191092

Application type: Approval of Conditions

Address: 29 Manchester Road, Reading

Proposal: Application for approval of details reserved by condition 4 (Landscaping) of application 181451

I refer to your Approval of Conditions application as described above.

I hereby confirm that Condition 4 of Planning Permission 181451 is **NOT DISCHARGED** for the following reason:

1. The proposed information submitted is insufficiently detailed to discharge the condition and therefore the submission has failed to demonstrate that it shall ensure that the landscaping of the development enhances the visual local environment in accordance with Policy CC7 of the Reading Local Plan 2019.

Informatives:

1. In reaching this decision the local planning authority has taken into account the following information submitted:

Drawing No. Landscape Plan and Bin Storage A-1200

Drawing No: Proposed Elevations A-1020

Received 5th July 2019

2. The Local Planning Authority has worked positively and proactively with the applicant to see if relevant concerns could be resolved to allow the condition to be discharged. However, revised information to address matters raised have not been forthcoming and therefore the decision to refuse planning permission has been taken.

3. The details submitted were reviewed by the Council's Tree Officer who provided the following response:

The applicant has submitted a basic planting plan to discharge this condition. The three tree / large shrub species are acceptable; however, we will require information on the size of the new plants - a minimum 15lt container is advised.

Planting specification '4 - Plants' should be expanded upon with the species, sizes and planting densities. These unspecified plants appear to be in a container or trough? We would rather see plants being planted directly into the ground so that they can survive in the long term without requiring irrigation during dry spells.

Tree planting specifications are required - (pits and stakes if proposed) and post planting maintenance (- weeding and irrigation).

The soft landscaped areas are shown to be grass. There is likely to be some maintenance issues with turf in this location particularly as the properties do not have any external storage where a mower could be kept. As such, the area is likely to become overgrown and unkempt. It would be better to plant low level ground cover or small shrubs in this area with mulch to discourage weed growth. For info, I would prefer not to permit artificial turf in this location.

We would also want to agree information on the finished surface of the permeable hard surfacing.

The above was sent to the agent 30/09/2019 to address. The agent was reminded via email 08/1/2020 and 08/7/2020. It was also discussed verbally at a meeting 10/01/2020.

It was established during a conversation with the agent in January 2020 that the works had taken place. The agent was advised on 08/01/2020 and again on 08/07/2020 that as the works had taken place, that the condition could not be formally discharged.

However, the agent was advised that should satisfactory revised information be submitted, a 'letter of comfort' could be issued, confirming acceptability of details and that no enforcement action would be taken. It was suggested that it might be in the agent's best interests to seek to regulate the details rather than potentially have an unauthorised development which could raise questions at a later date.

The agent was given a final deadline of 17/07/2020 to provide the information and advised that a refusal notice in respect of this condition was forthcoming. The agent responded on 17/07/2020 requesting a further week. However, no further information

or correspondence has been received, two months beyond this further deadline. It is considered that the agent has had sufficient time and opportunity to respond, but no further information has been forthcoming; hence the issuing of this decision notice.

4. Given the agent indicated in January 2020 that works had taken place, this matter may now be passed to the Council's Planning Enforcement Team to formally investigate.

5. It is noted that original permission 181451 was determined under the RBC Local Development Framework Policies (Core Strategy 2008, Altered 2015 & Sites and Detailed Policies Document 2012, Altered 2015), with Policy CS7 referenced in the reason for condition 4. These local policies have been superseded by the new Local Plan 2019, and hence the corresponding Policy CC7 is referenced in the reason for refusal of the discharge of this condition.

Should you wish to discuss this matter further, please contact me via my email address or the direct line as above.

Yours sincerely

Ethne Humphreys

Ms Ethne Humphreys

J.P.M.

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/>