

From: Markwell, Jonathan [mailto:Jonathan.Markwell@reading.gov.uk]
Sent: 20 January 2021 10:44
To: Michael Hall <Michael.Hall@quantuma.com>
Subject: RE: Former Gas Works, Gas Works Road Reading RG1 3EE. Planning approval 160378

Dear Mr Hall,

Thank you for your email. I did call you on Monday and left a voicemail message prior to your email.

In short, it would appear to me that permission 160378 has been partially implemented (with the demolition of a side wing to the building fronting the river) and therefore is valid and can be implemented in full at any point in the future. There is however one caveat that one of the pre-commencement conditions attached to 160378 has not yet been discharged (condition 10) and another has only been partially discharged (condition 6), so strictly speaking development has commenced prior to a pre-commencement condition being discharged (thereby putting into question its lawfulness and validity), but it could be that these conditions could be discharged retrospectively.

More specifically, whilst the three year time period for implementation (condition 1 of planning permission 160378, dated 28/10/2016) passed on 28/10/2019, it is clear to me that at least some of the initial demolition works (which would constitute the commencement of development and thereby allow the permitted development to take place at any time in the future) as part of the partial discharge of condition application 171160 have taken place at the site. Please see attached site photographs I took on 17th September 2015 showing the side wing building being present, and another without it as taken on 4th June 2019 (prior to the 3 year expiry deadline). This part of the building was specified as being part of the initial demolition works approved by application 171160 (full details are on the [Council's website](#)). Demolition at this part of the site is backed up with comparison aerial photographs at the time of the original permission (within the officer committee report) and those presently available on line.

Please see below a schedule of the conditions from permission 160378 which required details to be submitted/approved and the current status of each condition:

Pre-commencement conditions outstanding:

- Part of condition 6 (contaminated land remediation scheme)
- Condition 10 (land gas scheme)

The following pre-construction condition is outstanding:

- Condition 7 (contaminated land validation report)

The following pre-occupation conditions are outstanding:

- Condition 11 (land gas validation)
- Condition 14ii (BREEAM)
- Condition 20 (postal addresses)

Please see below a schedule of all conditions which require the submission of details to the local planning authority:

Condition	Status
3 – materials (pre-commencement)	Discharged 19/10/17 by application 171495
4 – construction method statement (pre-commencement)	Partially discharged 21/9/17 by application 171160. Discharged in full on 8/2/18 by application 172304
5 – contaminated land assessment (pre-commencement)	Discharged 8/2/18 by application 172304
6 - contaminated land remediation scheme (pre-commencement)	Partially discharged 9/4/18 by application 180362
7 – contaminated land (pre-construction)	Not yet submitted.
9 – land gas investigation (pre-commencement)	Discharged 8/2/18 by application 172304
10 – land gas scheme (pre-commencement)	Not yet submitted.
11 – land gas validation (pre-occupation)	Not yet submitted.
12 – noise (pre-commencement)	Discharged 1/12/17 by application 171767
13 – landscaping (pre-commencement)	Discharged 15/11/17 by application 171596
14i – BREEAM (pre-commencement)	Discharged 14/3/18 by application 180401
14ii – BREEAM (pre-occupation)	Not yet submitted.
15 – drainage (pre-commencement)	Discharged 16/01/18 by application 172174
20 – postal addresses (pre-occupation)	Not yet submitted.

More details on each application, including decision notices and the approved information, is available [via the website](#) using the above reference numbers.

In addition, a non-material amendments application (Ref 180730) was agreed on 29/05/18.

Should you wish to gain a formal decision of the local planning authority as to whether 160378 has been implemented, I would suggest that you explore submitted a certificate of lawfulness application to the local planning authority.

Please note that the advice contained within this email is that of an officer of the Borough Council and is provided without prejudice to the decision of the Borough Council, in the event of a formal application for planning permission. This advice is in good faith and will not over-ride the formal consideration of a planning application by the Council.

Yours sincerely,

Jonathan Markwell
Principal Planning Officer
Planning Section | Directorate for Economic Growth and Neighbourhood Services

Reading Borough Council
Civic Offices,
Bridge Street,
Reading,
RG1 2LU

07971 015 688

[Website](#) | [Facebook](#) | [Twitter](#) | [YouTube](#) | [Instagram](#) | [LinkedIn](#)



The information in this e-mail (and its attachments) may contain data which constitutes 'personal data' or 'sensitive personal data' and it is provided to you on the understanding that you are (a) entitled to receive such data (b) that you will store and safeguard this data and (c) that you will take all reasonable care not to distribute this data to other parties not entitled to receive it – either deliberately or inadvertently. Furthermore, the information is provided on the understanding that it will only be used for the purposes that it was disclosed to (or requested by) you and you will safely & securely destroy / delete this data once it has been used for that purpose/s or otherwise store it in accordance with the guidance set down by the Council from time to time. Failure to adhere to these requirements may lead to a breach of the Data Protection Act, data storage requirements set down by the Council and could result in significant fines and / or adverse publicity.

In addition, please note that the advice contained within this email (and attachments – if applicable) is that of an officer of the Borough Council and is provided without prejudice to the decision of the Borough Council.