

**From:** [Conlon, Brian](#)  
**To:** [Marie Jasper](#)  
**Cc:** [Eatough, Richard](#)  
**Subject:** RE: 200328 - Vastern Court, Caversham Road, Reading (Extension of time)  
**Date:** 03 December 2021 15:10:00  
**Attachments:** [image005.jpg](#)  
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Dear Marie,

Many thanks for clarifying the fact that your client does not agree to the extension of time request made on the 1<sup>st</sup> December 2021 and that you intend to respond separately in relation to the independent financial viability appraisal and daylight/sunlight reviews.

In light of the above and the fact the Council are currently in the process of considering and consulting upon a significant amount of revised information submitted to the us on 8<sup>th</sup> October 2021 at your request, we would be grateful if you are able to set out to us your client's specific reasons for serving a Notice of appeal against non-determination.

It should be noted that on the 29<sup>th</sup> April 2021 you requested the LPA extend the determination date of this application to July 31<sup>st</sup> 2021 as a consequence of ongoing discussions in order to allow the submission of revised plans. The Council duly agreed on 30<sup>th</sup> April 2021.

On the 9<sup>th</sup> June 2021 (approx. 7½ weeks prior to the expiration of the above agreed EoT) you confirmed in writing that you were in the process of making revisions to planning application, including an addendum to the Environmental Statement (ES). A request was also made to the LPA to confirm the latest position in relation to cumulative schemes and advise whether there are any additional schemes we need consider in the revised ES. The LPA responded on the 15<sup>th</sup> June 2021, acknowledging the fact revision to the planning application were being made, and provided observations regarding additional schemes to consider in the revised ES.

On the 11<sup>th</sup> June 2021, a revised Certificate of Ownership Certificate B was submitted to the LPA and attached on file in anticipation of re-consultation and re-publicity that would occur when revised information as submitted.

On the 16<sup>th</sup> September 2021 (approx. 6½ weeks after the expiration of the agreed EoT), you confirmed that your team were finalising the last few reports that would accompany the revised submission. You confirmed that this has taken your team longer than anticipated due to workload and summer holidays etc. You also confirmed that the scheme revisions remained as per earlier discussions held. On the same day, the LPA responded and acknowledged this update, also taking the opportunity request a timescale for submission. The answer given was the end of September 2021.

Following the submission of revised material on the 8<sup>th</sup> October 2021, the LPA proceeded to register, upload and reconsult the information submitted. On the 11<sup>th</sup> October 2021 the LPA acknowledged receipt and out of courtesy would notify you when all documents had been uploaded and relevant consultation actioned. A progress update occurred on the 14<sup>th</sup> October

2021.

At the time this Notice of Appeal against non-determination was lodged (30 November 2021), your client was fully aware that LPA were working on this revised submission submitted only 7 ½ weeks earlier.

The Council considers this response wholly unreasonable. Firstly due to the fact that any delay was caused on the part of the applicant, and secondly the timescales involved in serving the notice are entirely unrealistic for an LPA to consider, let alone determine such a significant amount of information pertaining to a complex major planning application.

As you will be aware, a Notice of appeal for non-determination should be lodged when there is no prospect of the LPA determining the application. In this instance, your client has instructed the submission of a large amount of revised information, which would imply the expectation that the LPA is permitted sufficiently reasonable time in order to process, consider and respond to this request as such. Furthermore, only last week were we provided with verbal confirmation that your client agrees to pay our appointed daylight sunlight/microclimate consultants and valuers to consider the FVA only now submitted with this revised information.

Whilst it is clear to us that the applicant has caused these delays, the LPA are happy to continue with the determination of this application and provide a target date for its determination on the proviso that no new information is submitted, and the application is determined solely on the basis of the revised information submitted in October 2021. It would then be LPA's intention, should the consideration of this application proceed, to advise of a planning committee date at our earliest opportunity.

Kind regards,

Brian

**Brian Conlon** BA Hons MSC MRTPI  
Principal Planner  
Planning Section | Directorate for Economic Growth and Neighbourhood Services

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**From:** Marie Jasper <marie.jasper@bartonwillmore.co.uk>  
**Sent:** 02 December 2021 09:21  
**To:** Conlon, Brian <Brian.Conlon@reading.gov.uk>  
**Cc:** Eatough, Richard <Richard.Eatough@reading.gov.uk>  
**Subject:** RE: 200328 - Vastern Court, Caversham Road, Reading (Extension of time)

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Dear Brian,

In response to your email below, I write to advise that my client does not agree to the extension of time request.

The application was submitted in February 2020, and amended details submitted on 8<sup>th</sup> October 2021 (c.8 weeks ago).

We will respond separately in relation to the independent financial viability appraisal and daylight/sunlight reviews.

Kind regards  
Marie

**Marie Jasper**  
Planning Director



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**From:** Conlon, Brian <[Brian.Conlon@reading.gov.uk](mailto:Brian.Conlon@reading.gov.uk)>  
**Sent:** 01 December 2021 10:06  
**To:** Marie Jasper <[marie.jasper@bartonwillmore.co.uk](mailto:marie.jasper@bartonwillmore.co.uk)>

**Cc:** Eatough, Richard <[Richard.Eatough@reading.gov.uk](mailto:Richard.Eatough@reading.gov.uk)>

**Subject:** RE: 200328 - Vastern Court, Caversham Road, Reading (Extension of time)

Dear Marie,

**RE: 200328 - Vastern Court, Caversham Road, Reading**

Further to the Pre-Notification of Intention to Appeal received from CMS law, it is noted that the agreed determination date for this application expired on the 31st July 2021.

In light of the recently submitted changes to the application submitted to the Council in October 2021, the Council considers it reasonable to request an extension of time to the determination deadline in order to allow time to consider the impacts of these significant amendments. In particular this extension would allow the Council time to complete the independent testing of the Financial Viability Appraisal submitted with these amendments, obtain daylight/sunlight and microclimate reviews, and allow the application to be scheduled for determination at the earliest planning committee in the new year following the conclusion of the above.

The Council thereby request an extension of time in accordance with Section 34 (2)(c) of the Town and Country Planning (Development Management Procedure) (England) Order 2015 until 2<sup>nd</sup> March 2022. I would be grateful if you could confirm in writing your agreement to this request.

We look forward to hearing from you.

Best regards,

Brian

**Brian Conlon** BA Hons MSC MRTPI  
Principal Planner  
Planning Section | Directorate of Environment and Neighbourhood Services

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