

DELEGATED APPLICATION REPORT

Ward: Whitley

App Ref: 230298/NMA

Address: Unit 4/5 Brunel Retail Park, Rose Kiln Lane, Reading

Proposals: Introduction of louvres; Confirmation of aluminium framed curtain glazing colour (RAL 7022); Relocation of shop front access doors to the front of the canopy; and Reconfiguration of shop front window panel size. Non-Material Amendment to Permitted Application 220018

Case Officer: Gary Miles

Date received (valid from): 9 March 2023 Target Decision date: 19 April 2023

1. Public Consultation

i. Neighbour Consultation

No statutory requirement for any for this type of application.

Internal Consultations

No requirement for this application.

2. Plans Considered

- i. The Council, in reaching its recommendation, has taken into consideration the following documents:

Approved plans at time of application

Drawing No: 19032_PL066 - Site Location

Drawing No: 19032_PL071 Rev. C - Existing Roof Plan

Drawing No: 19032_PL071 Rev. B - Existing Elevations

Drawing No: 19032_PL072 Rev. D - Existing External Areas

Drawing No: 19032_PL076 Rev. C - Proposed First Floor Plan

Drawing No: 19032_PL-77 Rev. C - Proposed Roof Plan

Drawing No: 19032_PL081 Rev. C - Proposed Trolley Bay

Drawing No: 19032_PL082 Rev. A - Proposed Sprinkler Tanks

Received 07/01/2022

Drawing No: 19032_PL067 Rev. D - Existing Site Plan

Drawing No: 19032_PL069 Rev. E - Existing Ground Floor Plan

Drawing No: 19032_PL070 Rev. E - Existing First Floor Plan

As received 28/01/2022

Drawing No: 19032_PL078 Rev. E - Proposed Elevations

Drawing No: 19032_PL080 Rev. D - Proposed Front External Area

Received 02/03/2022

Drawing No: 19032_PL074 Rev. G - Proposed Site Plan

Drawing No: 19032_PL075 Rev. G - Proposed Ground Floor Plan

Drawing No: 19032_PL079 Rev. F - Proposed Garden Centre Plan

Drawing No: 19032_PL083 Rev. A - Proposed Elevations (Garden Centre)

Drawing No: 19032_PL084 Rev. A - Proposed Rear External Area

Received 04/03/22

Plans to be considered as part of this application

Drawing No: 19032_PL074 Rev. I - Proposed Unit 4 Site Plan
Drawing No: 19032_PL075 Rev. I - Proposed Unit 4 GF Building Plan
Drawing No: 19032_PL078 Rev. G - Proposed Unit 4 Elevations
Drawing No: 19032_PL079 Rev. H - Proposed Unit 4 Garden Centre Compound Plan
Drawing No: 19032_PL080 Rev. F - Proposed Unit 4 Front External Area
Drawing No: 19032_PL081 Rev. D - Unit 4 Proposed Trolley Bay Details
Drawing No: 19032_PL082 Rev. B - Proposed Sprinkler Tank
Drawing No: 19032_PL083 Rev. C - Proposed Unit 4 Garden Centre Compound Elevations
Drawing No: 19032_PL084 Rev. C - Proposed Unit 4 Rear External Area
Received 13/03/2023

3. Relevant Planning History

950257/FUL - Installation of external air conditioning condensing units - Permitted 06/12/1995
090181/FUL - Replacement of external air handling unit and installation of three external condensers in enclosure - Withdrawn 20/08/2009
170215/FUL - Various works including reconfiguration of mezzanine floorspace and insertion of additional mezzanine floorspace of 1,053sqm, creation of external display area of 465sqm and associated works including new fire doors - Permitted 29/06/2017
171657/FUL - External alterations and installation of plant - Permitted 23/11/2017
220018/FUL - External works including the creation of a new shop front and trolley bay, the erection of a fenced enclosure to create an external display area and plant enclosure within the rear service yard, reconfiguration of car park, erection of sprinkler tank and pump house, and associated works - Permitted 29/03/2022

4. Equality Act 2010:

In determining this application the Council is required to have regard to its obligations under the Equality Act 2010. However, there is no indication or evidence (including from consultation on the application) that the protected groups identified by the Act have or will have different needs, experiences, issues and priorities in relation to this particular planning application. Therefore in terms of the key equalities protected characteristics it is considered there would be no significant adverse impacts as a result of the development.

5. Relevant Planning Guidance

- i. Whilst there is no statutory definition of what constitutes a 'non-material' amendment, Section 96A, part 2 of the Town and Country Planning Act 1990 (as amended) states that, *"In deciding whether a change is material, a local planning authority must have regard to the effect of the change, together with any previous changes made under this section, on the planning permission as originally granted."*

6. Relevant Policies

- i. The proposed amendments are assessed for materiality - not on the basis of their planning merits. Planning policies therefore do not apply.

7. Appraisal

In the context of the permitted scheme it is not considered that the amendments will have any material impact on the overall design or neighbouring amenities. This is primarily owing to the appearance of the application site and the surrounding area made up of industrial and commercial units of similar style and proportions. It is not considered that this application will have an overbearing impact on property adjacent of the application site or the wider vicinity further afield.

An informative is recommended which states that this permission relates only to the changes highlighted on the plans. Furthermore, it shall only be read in the context of the substantive permission and is bound by all conditions attached to that permission. A further informative is recommended which states: In reaching this decision, the local planning authority is satisfied that the changes proposed by this application do not constitute material changes to the approved planning permission.

8. Conclusion

Overall, the proposed amendments are not considered to significantly harm the application site nor the neighbouring commercial and industrial properties.

As a result, the local planning authority is satisfied that the changes proposed by this application do not constitute material changes to the approved planning permission.

Recommendation

Grant Non-material amendment

Conditions & Reasons:

1. The drawings hereby approved as a Non-Material Amendment to original planning permission 220018 are as follows:

Drawing No: 19032_PL074 Rev. I - Proposed Unit 4 Site Plan
Drawing No: 19032_PL075 Rev. I - Proposed Unit 4 GF Building Plan
Drawing No: 19032_PL078 Rev. G - Proposed Unit 4 Elevations
Drawing No: 19032_PL079 Rev. H - Proposed Unit 4 Garden Centre Compound Plan
Drawing No: 19032_PL080 Rev. F - Proposed Unit 4 Front External Area
Drawing No: 19032_PL081 Rev. D - Unit 4 Proposed Trolley Bay Details
Drawing No: 19032_PL082 Rev. B - Proposed Sprinkler Tank
Drawing No: 19032_PL083 Rev. C - Proposed Unit 4 Garden Centre Compound Elevations
Drawing No: 19032_PL084 Rev. C - Proposed Unit 4 Rear External Area

Received 13/03/2023. Reason: to clarify which plans are approved.

Informatives:

1. This permission relates only to the non-material amendment sought and described above. Furthermore, it shall only be read in the context of the substantive planning permission granted on 29/03/2022 under reference number 220018 and is bound by all the conditions attached to that permission. That permission still stands and this notice (and any other notices issued under section 96a for this development) should be read together.

2. In reaching this decision, the local planning authority is satisfied that the changes proposed by this application do not constitute material changes to the approved planning permission.