

DELEGATED PLANNING APPLICATION REPORT

Ward: Caversham

App Ref: 221887/NMA

Address: St Martins Precinct, Church Street, Caversham, Reading, Berkshire

Proposals: Non-material amendment to planning permission 140997 (amended by 161775) involving changes to shopfront design.

Case Officer: Ryan Allen

Date received (valid from): 16 December 2022 Target Decision date: 13 January 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. B-P1 Rev. P2 Proposed Ground Floor Plan

Drawing No. B-P5 Rev. P2 Proposed Elevations E&W

Plans received with this application

Non-Material Amendment Document

Drawing No. 8407-111 rev. A - Block B - Prop. East & West Ground Floor

Drawing No. 18407-112 rev. A - Block B - Prop. East & West Elevations

3. Relevant Planning History

20/08/14 - 140997/FUL - Erection of new and extended retail (use class A1) floorspace, new restaurant (use class A3), new leisure (use class D2) floorspace, residential apartments (use class C3), car park works (including erection of a single storey deck and reconfiguration at ground level) and associated landscaping, surfacing, public realm and shopfront improvement works. - Permitted subject to legal agreement

20/09/16 - 161775/NMA - Non-material amendment to planning permission 140997 involving changes to shopfront design. - Agreed

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

The proposed amendments to previously granted planning permission 140997 are considered minor in context and not to have any material impact on the overall design or amenities at the application site. The proposal seeks to alter the shopfront design to a retain unit located in the identified ‘Block B’ provided plans within the local Caversham centre by amending the main entrance door position at the unit and replacing approved window/door positioning to concertina openings. The changes themselves are not considered to harm the vitality or the amenity of the local centre. With the changes, the materials seek to match existing by maintaining existing approved ironmongery and colour scheme.

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 residential 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:**Alternative Condition 2**

1. The drawing hereby approved as a Non-Material Amendment to original planning permission 140997 are as follows:

Drawing No. 18407-112 rev. A - Block B - Prop. East & West Elevations - dated 16/12/22

Reason: to clarify which plans are approved

Informatives:

1. This notice relates only to the changes to condition no. 2. It shall only be read in the context of the substantive planning permission granted under reference number (140997) and is bound by all the conditions and obligations 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 (140997).