

DELEGATED APPLICATION REPORT

Address: Mayer House

Application No: 211844/NMA

Proposal: Non-Material Amendment to amend condition 2 (approved plans/ details) of planning permission 210935 to allow the change of proposed materials from Hardie Plank VL, chestnut brown to Hardie Plank Lap, chestnut brown

Target Decision Date: 20/12/21

Case officer: Connie Davis

1. Site Description and Surrounding Area

The site is a residential block comprising of 6 floors. It lies centrally between Chatham Street (A329) and Oxford Road to the northeast of Reading Town Centre. The Site fronts Chatham Place, which forms a pedestrian-only forecourt between Mayer House to the south and Chatham Place to the north. Pedestrian and vehicle access is provided via Eaton Place to the east and Alfred Street to the west of the Site.

The surrounding area is a mix of residential and commercial. It is not Listed, nor in a Conservation Area.

2. Proposal

Planning permission was approved for replacement cladding following safety concerns over that installed on the building following the Grenfell disaster.

The original materials approved were:

- Proposed Hardie VL Plank cladding (Chestnut colour)
- SPS Envirowall Render (WH89 White and BL37 - Blue)

Under this application, the cladding is proposed to be changed to Hardie Plank Lap (chestnut colour).



Chestnut colour with the proposed Hardie Plank (left) and the originally approved Hardie VL Plank (right)

Public Consultation

i. Neighbour Consultation

No statutory requirement for any for this type of application.

3. Consultations

None required for this application type.

4. Plans Considered

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

Approved plans at time of application

Planning Statement V2 prepared by Newsteer dated September 2021
Construction Management Statement V2 prepared by Higgins Partnerships
Received 13th September 2021

Emails from agent dated 27th August 2021 and 6th September 2021 to the case officer clarifying colours of proposed render
Received 27th August 2021 and 6th September 2021

FAT-377 SK-C08 Rev 00 - Sketch 08
MAY-FAT-ZZ-SKE-015_P3_Preliminary_Detail 015 Cladding - Sketch 15
MAY-FAT-ZZ-SKE-036_P5_Preliminary_Detail 036 Cladding - Sketch 36
Received 23rd August 2021

FAT-377 PE-001 rev 04 - North Elevation Key Materiality
FAT-377 PE-002 rev 04 - South Elevation Key Materiality
FAT-377 PE-003 Rev 04 - East and West Elevations Key Materiality
Received 30th June 2021

Proposed plans/ documents as part of this application

Planning Statement V3 dated November 2021 prepared by Newsteer

Received 22nd November 2021

Supporting Letter dated 9th November 2021 Ref: 2021-179

Received 15th November 2021

5. Relevant Planning History

210935/FUL - Removal of combustible material on the façade, designing and installing new materials that are fit for purpose and make watertight the existing structure - Application Permitted

6. 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.

7. 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."*

8. Relevant Policies

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

9. Appraisal

Under the originally approved application, Hardie VL Plank cladding was proposed in a smooth finish in chestnut brown. Due to this type and colour of cladding not being available by the supplier, the applicant now wishes to use Hardie Plank Lap cladding in the same colour.

Whilst there would be some contrast to the original proposal, overall it is not considered that replacing smooth with lapped cladding would result in a material change to the original approval or result in a material change to the appearance of the building. This is largely due to the colour of the cladding remaining the same, with the overlapping only being at the edges of the cladding. As such, the amendment will not be considered to harmfully affect the appearance of the surrounding area also.

The proposed cladding is not considered to cause harm to the residents of the blocks in terms of loss of light and privacy, as per the original scheme. Officers also reiterate that this application has not assessed the proposal's acceptability from a fire safety perspective as this is beyond the remit of the planning process. Separate Building Control Approval should be sought to confirm the proposal's acceptability in this regard before installing the cladding. This was mentioned via an informative on the original permission, and the applicant should note this still applies.

An informative will be included as part of this NMA application which states that this permission relates only to the changes highlighted. 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.

As a result of the amendment, conditions 2 (plans/ documents) will be reworded to reflect the new plans/ documents only.

10. Conclusion

Overall, the proposed amendments are not considered to significantly harm impact the host building or surrounding area.

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. Replacement condition 2:

The development hereby permitted shall ONLY be carried out in accordance with the following approved plans and documents:

Planning Statement V3 dated November 2021 prepared by Newsteer
Received 22nd November 2021

Construction Management Statement V2 prepared by Higgins Partnerships
Received 13th September 2021

Emails from agent dated 27th August 2021 and 6th September 2021 to the case officer clarifying colours of proposed render
Received 27th August 2021 and 6th September 2021

FAT-377 SK-C08 Rev 00 - Sketch 08
MAY-FAT-ZZ-SKE-015_P3_Preliminary_Detail 015 Cladding - Sketch 15
MAY-FAT-ZZ-SKE-036_P5_Preliminary_Detail 036 Cladding - Sketch 36
Received 23rd August 2021

FAT-377 PE-001 rev 04 - North Elevation Key Materiality
FAT-377 PE-002 rev 04 - South Elevation Key Materiality
FAT-377 PE-003 Rev 04 - East and West Elevations Key Materiality
Received 30th June 2021

REASON: For the avoidance of doubt and to ensure that the development is carried out and adhered to in accordance with the application form and associated details hereby 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 21/09/21 under reference number 210935 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.