

DELEGATED APPLICATION REPORT

Address: Land at Kenavon Drive, Reading

Application No: 200888/NMA

Proposal: Non-material amendments to permission 170509 (granted on 10/10/2018) to alter landscaping, access design and associated alterations

Applicant: Berkeley Homes (Oxford and Chiltern) Ltd

Date received (valid from): 20/07/2020

Target Decision date: Originally 17/08/2020, but extensions of time have been agreed until 19/02/2021 (flexible EOT of the decision to be issued within 10 working days of satisfactory information being submitted)

Case officer: Jonathan Markwell

1. Site Description and Surrounding Area

- 1.1 The application site comprises the former Homebase and former Toys R Us retail warehouses and associated car parking areas. These buildings have been demolished (demolition works commenced in December 2018), having been built in the late 1980s. Construction works begun on site in 2019. To clarify the stage of site works, the applicant confirmed on 04/07/2020 (this application was originally received on 25/06/2020) that the superstructure for both East and Mid block is under construction with East block being well progressed but no further than this at this time. Previously the land was part of the former Huntley and Palmers Biscuit Factory site. The site is to the south of Kenavon Drive at the junction with Forbury Road and is 2.8 hectares in size. To the north of the site are further retail warehouses / parking within Forbury Retail Park, beyond which is the main rail line between Reading and London. Meanwhile to the east is the Meridian residential development, which comprises three linked blocks around a courtyard area, rising to seven storeys at the highest point. The building is built in a buff brick with rendered exterior.



North and West elevations of the under construction Block M2 from the nearby retail park car park (photograph taken on 03/02/2021)



Kenavon Drive frontage under construction 03/02/2021.

Above: east / mid blocks. Below: mid block with Block M2 on the right.



- 1.2 To the south is the River Kennet and Chocolate Island, beyond which is the Prudential office building and former Gas Works Social Club/ governor house buildings. To the west is the dual carriageway Forbury Road, Blakes Bridge, Blakes Cottages residential terrace, the tree lined Chestnut Walk leading towards the town centre and Grade II listed Reading Prison. There are changing land levels in the north-west corner of the site and at the existing riverside tow path, with an overall dip in the land to the south east of 3.71

metres. However, within the majority of the site the fall in land levels to the south east is generally under 1 metre.

1.3 The application site is located within the Reading Central Area Action Plan area. The site is also wholly within the East Side Major Opportunity Area (Policy CR13) and forms the southern half of the Forbury Retail Park sub-area (Policy CR13B). These allocations follow on from the Kenavon Drive Urban Design Concept Statement SPG (2004). The site has a number of other designations, including:

- Area of Archaeological Importance
- Air Quality Management Area
- Potential contaminated land (owing to former Biscuit Factory use, including extensive sidings)
- Flood Zone 2
- Smoke Control Zone
- Within Abbey ward

1.4 From a transport perspective, Kenavon Drive is an adopted 30mph single carriageway cul-de-sac which was traditionally linked to supporting bulk industrial and retail units. However, the area is becoming increasingly residential in recent years. Kenavon Drive links onto the highway network at the roundabout junction with Forbury Road, which forms part of the towns Inner Distribution Road (IDR). To the west of the site lies Reading Station, while to the south is the Watlington Street gyratory and the A4. The IDR in this location is an urban 30mph dual carriageway which has a mixture of 2m footpaths and 3-4 m shared cycle ways. The section between Kenavon Drive and the station accommodates two signalised toucan crossings for pedestrians and cyclists. The section towards the A4, only has crossing facilities at the Watlington Street Gyratory.

1.5 Kenavon Drive is served, as defined above, by footpaths and shared cycle ways linked to the highway. The site is located under 10 minutes walking distance to the east of Reading town centre and Reading Rail Station. Given the situation of the proposed development, which is very close to Reading town centre, the site is provided with all the type of local facilities within walking distance. A Public Right of Way (PROW) also runs along the northern side of the River Kennet. Furthermore, the site is supported by the canal towpath system to the south which is connected to the National Cycle Route 4 (NCN4). The NCN4 route, is a long distance route (432 miles) between London and Fishguard via Reading. On the northern side of the site, within close proximity to the site National Cycle Route 5 (NCN5) commences, this provides a link between Reading and Oxford. Between NCR4 and NCR5 the application site is provided with sufficient cycle links to connect the site by cycle in all directions:

- East Reading & Wokingham: Royal Berkshire Hospital, University of Reading, Early and Winnersh;
- West Reading: Coley Park and Southcote.

1.6 Public transport is important in providing sustainable means of travel to local leisure retail, education and employment opportunities. Reading benefits from an excellent bus and rail network. The site is located within 800m of Reading Railway Station and is also in an easy walking distance (within 400m) of Kings Road, which is one of Reading's premier routes supported by multiple local and regional bus routes. In addition, bus route 42 has a dedicated bus stop in Kenavon Drive. This route departs from Kenavon Drive every 20-30 minutes, connecting the site to Central Reading and the Rivermead Leisure Complex.

- 1.7 From a heritage perspective, the main heritage designations in the vicinity of the site include:
- Reading Abbey Ruins (Grade I) (Scheduled Monument);
 - HMP Reading Gaol (Grade II Listed);
 - Listed Buildings in Forbury Gardens including the Archway connecting Forbury Gardens to Abbey Ruins (Grade II*), The Plummery Wall (Grade II), Wall between Forbury Road and Abbots Walk to West of St James’;
 - Church (Grade II), Anglian Cross (Grade II), Maiwand Memorial (Grade II) and Shelter at North East corner of Forbury Gardens (Grade II) and the Forbury Gardens Grade II Registered Historic Park and Garden as a whole;
 - Listed Buildings to the east of Forbury Gardens including Church of St James (Grade II), St James Roman Catholic School (Grade II) and St James’s Presbytery (Grade II);
 - Listed Buildings on Abbot’s Walk including 10, Abbot’s Walk (Grade II), 11 and 12 Abbots Walk (Grade II), Tracery Fragments to the south of No. 10 (Grade II), Abbey Gate (Grade I), Shire Hall (Grade II) and Assizes Courts (Grade II);
 - Listed Buildings on Gas Works Road including the Engine House (Grade II), the Screens House (Grade II), the Pump and Turbine House (Grade II) and 47 - 48 Kenavon Drive (Grade II); and
 - King’s Meadow Swimming Pool (Grade II).
- 1.8 More specifically in terms of the setting of these heritage assets, HMP Reading Gaol is located to the west of the proposed site on land once occupied by the precinct of Reading Abbey (and which therefore is also designated as a Scheduled Ancient Monument). The main prison building on the site is the Victorian red brick building with a radial plan, which is listed Grade II and is a landmark building due to its distinctive height, plan form and surrounding walls. The site also includes large blocks, car parking, hard-standing and green sports pitches and surrounding high walls which make the site enclosed and inward facing. The prison is currently closed and potentially seeking a new use. The Reading Prison is an attractive Victorian building which is prominent in the townscape along the busy Forbury Road (A329), with medium to longer distance views available from the western end of Kenavon Drive, revealing the upper levels of the prison building. The historic prison enhances the character of the historic environment around the Reading Abbey ruins Scheduled Monument, and its significance as an historic site.
- 1.9 Forbury Gardens, which are located to the immediate west of Reading Gaol, is an area of high quality townscape, with the gardens containing a number of Listed Buildings. The area outside of the gardens is occupied by a number of Listed Buildings and also the surviving ruins of Reading Abbey. The gardens are significant as the largest area of open space in central Reading and have a high degree of permeability for pedestrians moving through the area, with a number of entrances around the perimeter.
- 1.10 The buildings located around the east end of Abbot’s Walk vary in period and style from the eleventh century Abbey ruins, to early nineteenth residential buildings, mid-nineteenth century St James’s Church and presbytery, through to the early twentieth century Abbot’s House. The Assizes Courts and early twentieth century Shire Hall also both contribute positively, for their varied but complementary architectural styles and building materials. At the western end of the townscape character area is Davidson House, one of three five storey glass fronted building arranged around a central grassed square, known as Forbury Square.

1.11 The modern Abbot's House to the north of the gardens and detracts from their setting due to its height, massing and dominant presence. It has inter-visibility with the Abbey ruins at the eastern end of Abbot's Walk and affecting key views across the site. Other buildings including Forbury Place to the north along Forbury Road are visually prominent from within the character area. The skyline is also dominated by views of The Blade office building on Abbey Street. There are two conservation areas within the vicinity of the site:

- Market Square/London Road Conservation Area; (375m to the west at its closest point) and
- Eldon Square Conservation Area (200m to the south east at its closest point)

2. The Proposals

i. Non-material amendments to permission 170509 (granted on 10/10/2018) are sought. More specifically, these seek various matters including:

- Alterations to the landscaping and access at the arrival square (north-west corner of site);



Approved Arrival Square Detail Plan



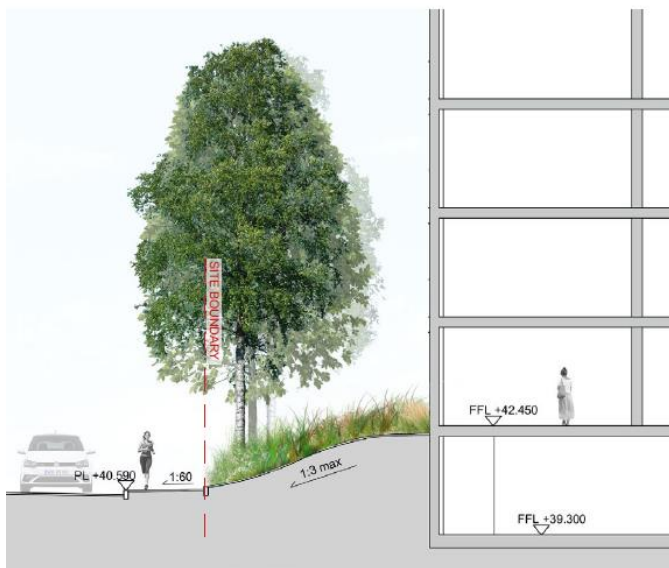
Proposed Arrival Square Detail Plan

Key changes:

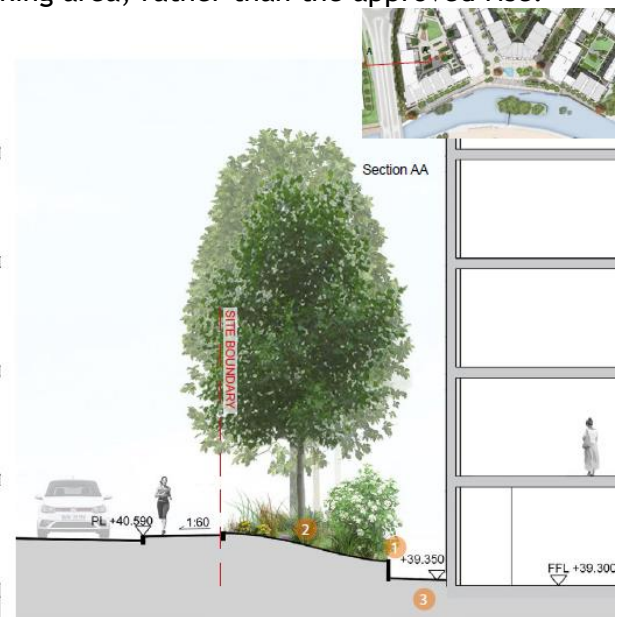
This area remains largely the same. The boundary tree planting include liquidamber trees and a landmark feature oak tree. This provides distinction to the arrival area, but still ensures good visibility from the street into the square.

- 1 Raised Edge
- 2 Landmark feature tree
- 3 Liquid amber street trees
- 4 Pedestrian Crossing

- Additional planting along the Forbury Road edge and there being a drop in level down to the undercroft parking area, rather than the approved rise.



Approved Forbury Road Edge Section



Proposed Forbury Road Edge Section

- 1 Low Retaining Wall
- 2 Enhanced Planting with Additional Trees
- 3 French drain

- Huntley St trees realigned



Approved Huntley Street detail plan

Key changes:

Huntley Street remains similar to planning. Planting beds between parking bays has been extended and trees has been realigned slightly towards the centre of the street.



Proposed Huntley Street detail plan

- 1 Extended Planting Bed
- 2 Planted Frontage
- 3 Integrated Street with Wide Footway

- Mid block and east block Kenavon Drive entrance - reduced number of paths equates to increased lawn areas.



Approved Mid Block Entrance Detail Plan

Key changes:

The number of entrances to the properties from Kenavon Drive has been reviewed and reduced. This reduces the impact on existing tree roots to be retained along the boundary and enlarges the area of lawn and planting. This creates a more usable amenity space that has seating and doorstep play features.



Proposed Mid Block Entrance Detail Plan

- 1 Reduced Number of Pedestrian Entrances
- 2 Lawn with Planting and Seating
- 3 Less Paving in Root Protection Area



Approved East Block Entrance Detail Plan

Key changes:

The same approach is continued along the frontage of Kenavon Drive, creating a greener, more usable space for residents.



Proposed East Block Entrance Detail Plan

- 1 Fewer Pedestrian Entrances
- 2 Less Paving in Root Protection Area
- 3 Low Planting with doorstep play

- Minor layout and level changes to Palmers Street



Approved Palmers Street Detail Plan

Key changes:

This green street is virtually unchanged, with only minor alterations to the layout and levels to ensure that it is buildable.



Proposed Palmers Street Detail Plan

1 Level Change Amended

18

- Additional trees are introduced to the eastern (Jopling Mews) boundary



Approved Jopling Mews

Key changes:

The layout of this street is largely unchanged with the proposal to enhance the boundary through the inclusion of additional trees. The addition of trees next to the boundary helps visually soften this edge and reinforces the public realm character of the route encouraging slow movement of vehicles.



Proposed Jopling Mews

1 Reconsidered surface treatment

2 Trees introduced to boundary

- Extended planting area on the riverside (in front of the western block) and associated alterations to the area where the public right of way operates at this point



Approved West Block River Front Detail Plan



Proposed West Block River Front Detail Plan

- Increased width of public right of way on the riverside (in front of the eastern block), altering the line of planting slightly as a result



Approved East Block River Front Detail Plan



Proposed East Block River Front Detail Plan

- Riverside Square increases greenery towards the river (reduced stepped element on eastern side) Raised lawns are reconfigured slightly.



Approved Mid Block River Front Detail Plan



Proposed Mid Block River Front Detail Plan

Key changes:

The riverside square has largely as the approved scheme. There have been only minor changes to introduce more greenery to the river frontage. Planting has been introduced underneath the existing retained trees with new associated benches. Planting is also introduced at each end of the terrace and at the lower level along the base of the retaining wall. This provides a greener riverside appearance whilst retaining the amenity, function and geometry of the approved scheme.

- 1 Realigned tree planting
- 2 Terrace space
- 3 Planting encompasses existing trees with associated seating
- 4 Water feature
- 5 Planting introduced to Lower Tow Path Level
- 6 Raised lawns with seating edge

- Eastern and middle block podium landscaping courtyard areas reconfigured, due to structural reasons and to enable access to comply with fire regulations. This has increased the quantum of trees and lawn areas, reduced hard landscaping areas and altered the play space facilities.



Approved East Block Podium

Key changes:

The East Block Podium proposal remains similar to that approved with required rearrangements coming as an offset from adhering to structural requirements and movement routes to comply with fire regulations. Seating areas, a mixture of hard surfaces and soft surfaces spaces reoccur alongside the 2 areas of play and an overall increase in trees and lawn to allow for increased biodiversity and spaces for play and relaxation.



Proposed East Block Podium

- 1 2 areas of play with cushioned ground finish. The proposal uses artificial turf as finish to help blend in to its surroundings
- 2 Increased quantum of proposed trees from 3 to 9
- 3 Increased areas of lawn for play



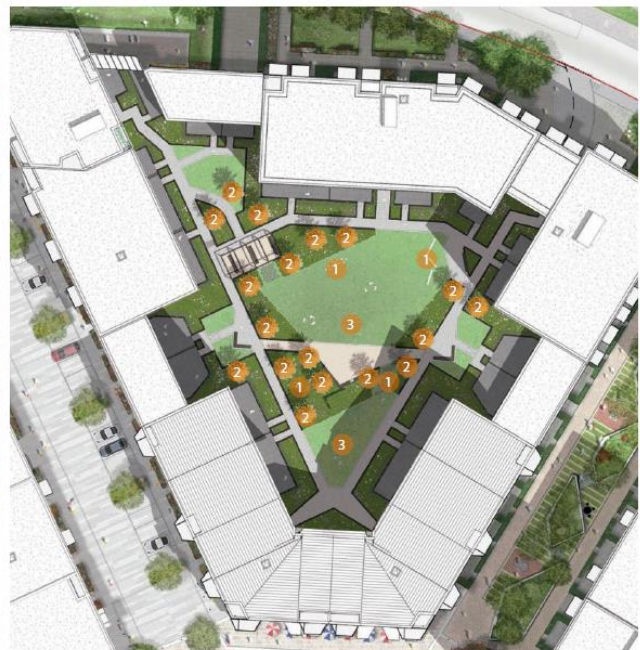
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Approved Mid Block Podium

Key changes:

The Mid Block Podium proposals have evolved in a similar way to East Block. Again seating areas, a mixture of hard surfaces and soft surfaces spaces reoccur alongside the 2 main areas of play and an overall increase in trees and lawn to allow for increased biodiversity and spaces for play and relaxation. There are also secondary play spaces created within the planting with natural play routes provided for the opportunity for different forms of play.



Proposed Mid Block Podium

- 1 2 areas of play with cushioned ground finish. The proposal uses artificial turf as finish to help blend in to its surroundings. Natural play routes created within increased planting beds
- 2 Increased quantum of proposed trees from 4 to 18
- 3 Increased areas of lawn for play



35

- ii. The applicant has explained that the reasons for the proposed changes are predominantly design development related, in order to seek to improve the spaces. In some instances (e.g. podium courtyards) structural capabilities and fire regulations have also been detailed.
- iii. During the course of the application changes to the originally proposed scheme were made, such as the omission of the originally proposed changes to the hard landscaping surface material (proposed as buff and grey tarmac, rather than the block paving indicated at the time of the

original permission) along the eastern boundary of the site (Jopling Mews) off Kenavon Drive. This reverted back to block paving followed officer feedback. The changes to the podium spaces were also introduced by the applicant, as an add-on to the original extent of the proposals submitted at the outset.

- iv. Prior to the submission of this application pre-application advice was sought and provided (Ref 200293/PREAPP).

3. Public Consultation

i. Neighbour Consultation

No statutory requirement for any for this type of application. No responses received.

ii. Chair & Vice Chair of the Planning Application Committee and Abbey Ward Councillors

Following changes to the scheme of delegation in April 2020 (partly as a response to the on-going coronavirus pandemic), councillors were no longer required to be notified via email of non-material amendment applications. No responses received.

4. Internal / External Consultations

i. RBC Natural Environment

Initial observations 8/9/20:

- Arrival Sq - the change is from 3 individual Liquidambar trees to a stilted/raised canopy Hornbeam hedge. Our revised tree strategy emphasises the need to provide large canopy trees where feasible for the multiple benefits they provide; benefits not obtained from a raised hedge. I am not clear on the reason for the change? It would seem to be for aesthetic reasons only, creating a more formal, ornamental planting to the arrival square and will be a stark contrast to the tree planting that continues in either direction around the perimeter - the north elevation Rev C drawing illustrates this point well I think. I don't see this as a positive change.
- Forbury Rd frontage - it appears that additional trees and planting has been included and the ground level changes from sloping up towards the building to downward to a maintenance path (to aid air circulation into car park I believe). It could arguably make the landscaping at ground level less prominent by sloping away from the street, hence reduce the impact of this landscape strip - however, it is likely to be possible to mitigate this with use of larger shrubs to give more height. I note that the 'Forbury Road edge section' drawing shows the now proposed section with a more fastigate tree - why is this? No fastigate species is proposed in the tree strategy. See comments on tree strategy changes below.
- Huntley St - it is stated that the planting beds between parking spaces have been extended, which is positive, and trees moved closer to the centre of the street. Moving the trees will allow more canopy space towards the building but will bring the canopy over the road hence we need to consider whether there will be a conflict with vehicles. Is there sufficient space for higher vehicles to pass outside the canopies - whilst trees can be provided with clear stem height on planting sufficient for pedestrians and cars, a 5.5m clear stem is not going to be achieved for a number of years.
- Kenavon Drive frontages (mid and east block entrance) - I note the increased size of the green areas due to reduced number of individual entrances which also reduces the

amount of hard construction within the RPA of retained trees. This is a positive change. See comments on tree strategy below.

- Palmer St - there appears to be minimal change to soft landscaping but not when you assess the tree strategy (see below). The substitution of the crab apple (currently proposed) for an edible apple could be considered for use by the community
- Joplin Mews - additional trees (2) included on Meridian boundary, albeit one of these was previously on the west side, so one additional tree overall. No objections to change in soft landscaping.
- River frontage (west) - I understand that the green space/planting has been increased within wider beds, albeit this will affect width of adjacent paths which I assume you will consider. There appears to be one less tree than approved, but marginal in the overall scheme.
- River frontage (east) - no change to soft landscaping so acceptable.
- Riverside Square - the changes introduce more planting and further trees so are positive. However, see comment on tree strategy below.

Acer campestre or a fastigate variety? Acer campestre is stated but pictures provided only show an upright variety.

Carpinus betulus or fastigate (Joplin mews)? - Carpinus betulus is stated but pictures provided only show an upright variety

With reference to Tree Strategy drawing AL6086-2002 Rev D, this includes some negative changes to that on approved Rev B. Having regard to our revised Tree Strategy:

- The inclusion of Prunus avium (Wild cherry) in the Riverside Square is not acceptable. Prunus are overrepresented in our Borough and should be avoided. Their shallow/surface rooting nature also makes them unsuitable for the grass areas.
- The tree planting down Palmer St has changed from 5 Sorbus (Rowan) & 6 Malus (crab apple) to 13 Sorbus (Rowan) and 3 Malus (crab apple). Whilst an increase in tree number is positive, a greater diversity of species should be included.
- Forbury Road frontage - this has changed from alternating Birch and Hornbeam to all Hornbeam - why?
- The plan still lists Liquidambar as a feature tree but none are shown - their omission is acceptable as a non-native with no wildlife value. They are still noted in the Landscape comparison document.
- Quercus rubra along the Kenavon Drive frontage - I realise these have been included from the start to compliment the retained trees of this species, however they are non-native and need a lot of space so it may be best to re-think
- Joplin Mews - tree strategy layout is not consistent with the revised tree planting shown in the Landscape comparison document

As this NMA is seeking to change landscaping, it is an opportunity to bring it in-line with the Council's revised Tree Strategy and aims of our revised BAP. Reference should be made to the advice given on (tree) species choice in the pre-app response for 200293.

Planting Strategy plan AL6086-2003 Rev C has been submitted which refers to various 'mixes' but I don't know what these are.

I note the inclusion of the Council planter in the south-west corner (riverside) in the planting and tree plans and assume progress has been made on the S142.

I note the River edge planting details Rev A and assume GS Ecology will be commenting on this.

In conclusion, further consideration is required as detailed above to clarify changes, avoid conflict within and between plans/document and to reconsider in view of the Council's revised Tree Strategy and BAP. I would not be comfortable with agreeing the soft landscape principles as now shown.

Responses were received from the applicant, which facilitated a further response from the Natural Environment officer, fed into the applicant on 2nd October.

The applicant responded to these comments on 12th October, which facilitated the following update from the Natural Environment officer, as fed into the agent on 16th October:

All suggested changes/reversions sound fine in principle.

For the avoidance of doubt (given the number of rounds of correspondence) the following clarifications are also noted:

- Kenavon Drive frontage - it is proposed to change the Quercus rubra to Tilia cordata Greenspire. This is less spreading so would address potential conflict issues and is suitable for the urban setting so is acceptable. It is unfortunate that Tilia is second only to Prunus in being dominating in the Borough but it is difficult to find a tree that ticks all the boxes.
- Palmer St - I think the changes take this to 8 Sorbus (Rowan), 5 Amelanchier and 3 Malus (crab apple). Having an edible apple (for humans) would have made more sense when originally 6 Malus were proposed but now it is only 3, it's reasonable to stick with crab apple.
- Huntley St - moving the trees back 0.5m is fine as long as the pits are still a reasonable distance from the services

The applicant also mooted making changes to the podium courtyard landscaping in October 2020, which officers advised on 2nd November could be incorporated as part of this NMA application. The applicant submitted further revised / additional information on 20th November, resulting in the following comments from the Natural Environment officer (as fed into the applicant on 1st December):

In relation to the podium (west block) I note that the number of Birch trees proposed remains the same as previously. Comparing previous Rev E Illustrative Masterplan (below left) with the revised Rev F (below right) I'm not clear what the changes are (if any) but the landscaping remains the same, as it also seems to do when comparing Planting Strategy plan Rev C with Rev D, so I have no objections:



In relation to the mid block, comparing Rev E Illustrative Masterplan (below left) with the revised Rev F (below right), the quantity of landscaping has increased, therefore I have no objections:



In relation to the east block, comparing Rev E Illustrative Masterplan (below left) with the revised Rev F (below right), this shows an overall increase in soft landscaping hence I have no objections.



Further comments are below under Tree Strategy

Tree Strategy plan AL6086-2002 Rev E - this is mostly as discussed previously, but with two points of clarification required:

- 1) I understood *Tilia cordata* Greenspire were intended for the Kenavon Drive frontage - *Tilia cordata* are shown on the plan
- 2) It was agreed in May 2019 that the Riverside planter (RBC planter) would have 3 Downy birch (*Betula pubescens*). I note that 3 Silver birch are included. Given the significant number of Silver birch elsewhere on the site, a different Birch species, as agreed, should be retained in the planter.

I note that this plan doesn't include the mid and east block podiums, with indicative planting for these being shown on East Block LS GA plan Rev B and Mid Block LS GA plan (new submission) - these two plans also confirm the increase in tree planting (compared to that shown on previous Tree Strategy Plan Rev C) so are positive and acceptable.

Indicative Phasing plan Rev C, whilst presented differently, appears no different in terms of the extent of the phases than that shown on Rev B.

Site Context elevation North Kenavon Drive AA5990-2063 Rev D has been updated in relation to the tree planting at the arrival square, i.e. pleached trees omitted (replaced with larger canopy trees).

Comparative Cross Section Sheet 1 of 2 AL6086-2100 B - as with the above elevation plan, it has been updated in relation to the tree planting at the arrival square, i.e. pleached trees omitted

Further revised plans and an accompanying supporting document were submitted on 8th December by the applicant. Responses via the Natural Environment officer were fed into the applicant on 8th January:

With reference to the attached Rev B Landscape Comparison booklet, to Tree Strategy plan AL6086-2002 Rev F, MID BLOCK LANDSCAPE GENERAL ARRANGEMENT BMD.20.036.DR.P102 and EAST BLOCK GENERAL ARRANGEMENT PLAN BMD.20.036.DR.P101 Rev B:

The Landscape Comparison Document has not been updated in view of recent discussions following November submissions, specifically:

- P17 (Kenavon Drive frontage) still refers to *Tilia cordata*, instead of *Tilia cordata* 'Greenspire', however the Tree Strategy plan is correct in referring to 'Greenspire'.
- P20 Palmers Street - specifies *Sorbus aucuparia* and *Malus domestica*. It should include *Amelanchier*. Also, I thought there was going to be a reversion back to crab apple given that the limited number of trees didn't really constitute a community orchard, however an edible apple is specified here and on the Tree Strategy. I don't mind either way - I request clarification though.
- P21 Jopling Mews - tree layout is not consistent with that shown on the Tree Strategy - I suspect it is the latter that needs amending though.
- P32 Riverside Square still refers to Alder when these are no longer proposed (the Tree Strategy has been updated in this respect). I'm not sure why the pages would only refer to some of the species proposed and not all?
- P35 & P36 East and mid block podiums - these show the increase in tree planting proposed. There is no plan for the west podium, which the applicant has confirmed is unchanged. Planting as shown on the Podium GA plans is acceptable.

In relation to the Tree Strategy, I note the amended Birch species in the RBC riverside planter, as required. The only change is for Jopling Mews (as above).

All of the details, once finally approved, will obviously form the basis for the discharge of condition 38 when submitted.

The applicant updated the document to align with these comments on 4th February, resulting in the following final comments being received from the Natural Environment officer on the same day, 4th February:

My previous comment were as follows, with new comments in red:

With reference to the attached Rev B Landscape Comparison booklet, to Tree Strategy plan AL6086-2002 Rev F, MID BLOCK LANDSCAPE GENERAL ARRANGEMENT BMD.20.036.DR.P102 and EAST BLOCK GENERAL ARRANGEMENT PLAN BMD.20.036.DR.P101 Rev B:

The Landscape Comparison Document has not been updated in view of recent discussions following November submissions, specifically:

- *P17 (Kenavon Drive frontage) still refers to Tilia cordata, instead of Tilia cordata 'Greenspire', however the Tree Strategy plan is correct in referring to 'Greenspire'. Requested change done*
- *P20 Palmers Street - specifies Sorbus aucuparia and Malus domestica. It should include Amelanchier. Also, I thought there was going to be a reversion back to crab apple given that the limited number of trees didn't really constitute a community orchard, however an edible apple is specified here and on the Tree Strategy. I don't mind either way - I request clarification though. Requested amendment done to include Amelanchier; I note the retained Malus domestica*
- *P21 Jopling Mews - tree layout is not consistent with that shown on the Tree Strategy - I suspect it is the latter that needs amending though. Not addressed. As suggested I think it is the Tree Strategy drawing that requires updating to be consistent with the more up-to-date tree layout as shown in the booklet.*
- *P32 Riverside Square still refers to Alder when these are no longer proposed (the Tree Strategy has been updated in this respect). I'm not sure why the pages would only refer to some of the species proposed and not all? Changes made. The booklet appears to show Carpinus betulus Fastigiata, whereas the Tree Strategy shows Carpinus betulus - clarity should be provided.*
- *P35 & P36 East and mid block podiums - these show the increase in tree planting proposed. There is no plan for the west podium, which the applicant has confirmed is unchanged. Planting as shown on the Podium GA plans is acceptable.*

In relation to the Tree Strategy, I note the amended Birch species in the RBC riverside planter, as required. The only change is for Jopling Mews (as above).

In conclusion, two points need addressing relating to Jopling Mews and Riverside Sq, as detailed above.

Further revised documents were submitted on 5th February, which the Natural Environment officer confirmed were appropriate.

ii. RBC Transport

Original comments on 29/9/20:

Access to the site is to remain as per the previous design however the drawings now include a road marking scheme that states that it is left out only, this is not acceptable and no justification has been provided to include this. The development includes the provision of retail

and nursery uses and it is possible that linked trips could occur from the residential units located further east along Kenvon Drive or in fact linked trips to Forbury Retail Park located opposite. The right turn arrow must therefore be removed.

Although not previously identified I must stress that a cobbled access entrance to the site would not be acceptable given that it will cause difficulty to pedestrians crossing the road, in particular those with mobility difficulties. The cobbles should therefore be removed from the crossing as well as on the footways.

The central access point has been revised and is to encourage right turns into the site and left turns out and this is accepted as this car park will be utilised by residents only and there would be no need to drive further east as this is a dead end with no means of entry or exit. Tracking diagrams have been provided that confirm that two vehicles would be able to access and egress simultaneously without conflict.

West Block River Front

- It would need to be confirmed whether there will be any change to the ramp leading to the riverside, any change must be an improvement of the approved layout.
- The footpath at the higher and lower level are included within the Public Right of Way and it must be ensure that the current width is not reduced. The proposed changes appear to show and narrowing from that approved and as such cannot be accepted if this narrows the Public Right of Way. Revised drawings should be provided that identify the specified widths within the Public Right of Way Order against the proposed changes.

East Block River Front

- The proposal looks to widen the footpath fronting the river to retain the existing width of the Public Right of Way along the frontage of the eastern block, however revised drawings should be submitted that illustrate the width of the path and how this corresponds to the Public Right of Way Order.

Mid Block River Front

- The proposals will not have significant detrimental impacts to the Public Right of Way from that previously permitted however changes will still need to be agreed through a modification order to the Public Right of Way.

I note the changes to the Forbury Road elevation may have implications for retaining the Highway. This would not have any implications from a planning point of view but will need to be reviewed by the Highway Authority, this can however be dealt with by way of a condition / informative.

Please ask the applicant to submit suitably amended plans / information to address the above prior to determining the application.

The applicant responded on 6th October, facilitating a further response from the Transport officer on 18th October. The applicant submitted more information on 20th November, resulting in the following feedback from the Transport Officer on 26th November:

West Block River Front

- It has previously been confirmed that there will be no change to the ramp leading to the riverside and this is accepted. However, I previously failed to notice that a new ramp is proposed on the higher section of the Public Right of Way and therefore it would need to be confirmed on the drawing what the gradient will be.

- As previously stated the proposal will result in a reduction to the width of the overall Public Right of Way at the western end. It is noted that the higher level width is to be approximately 3.6m, which is likely to be comparable if not wider than the existing width of this higher section of the footpath however as previously stated the overall reduction cannot be supported and the existing width must be retained. If the applicant feels that this width is maintained when compared to the current modification order then detailed plans must be provided that indicate the proposed widths in comparison to the existing.

Please ask the applicant to submit suitably amended plans to address the above prior to determining the application.

The applicant submitted further revised plans on 27th November (repeated in the 8th December submission), which the Transport officer confirmed were acceptable on 12th January:

I have reviewed the submitted drawings and I note that all my previous points have been addressed. I therefore have no objection to the proposal.

- iii. GS Ecology - content with the proposals from this perspective, with the exception of one query in respect of the 3 relevant water edge pages submitted (in comparison with those submitted on 29/9/17 during the original application 170509). The now (originally) proposed plan appears to have removed the greening on the river at annotation point 3 (a maintained willow). This was rectified through the submission of a revised plan, so that it aligned with the original permission.

5. Plans Considered

- i. The applicant has submitted the following for consideration:

AL6086-2010 Rev F Illustrative Landscape Masterplan PROW indicative overlay
As received 27/11/2020

O446-AA5990C-SW-00-A-5030 Rev.P03 Site Phasing Plan Preliminary - P
AA5990-2005 Rev G Site plan Proposed Ground Level
AA5990-2006 Rev G Site Plan Proposed First Floor
AA5990-2007 Rev F Site Plan Proposed Roof
AA5990-2010 Rev H Site Plan Ground Floor
AA5990-2011-Site Rev F Site Plan Level 1
AA5990-2061 Rev D Site Sections East-West
AA5990-2062 Rev E Site Context Elevation South River Side
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AA5990-2064 Rev E Site Context Forbury Road and Jopling Mews
AA5990-2065 Rev C Site Context Elevation Palmer Street
AA5990-2066 Rev E Site Context Elevation Huntley Street
AA5990-2067 Rev B Site Context East and West Internal Elevations
AA5990-2141 Rev E Middle Block First Floor
AA5990-2180 Rev F East Block Ground Floor and First Floor
AA5990-2205 Rev B West Block North West Elevation
AA5990-2206 Rev B West Block South West Elevation
AL6086-2003 Rev D Planting Strategy
AL6086-2004 Rev D Levels strategy Ground Floor (1 of 4)

AL6086-2005 Rev D Levels strategy Ground Floor (2 of 4)
 AL6086-2006 Rev F Levels strategy Ground Floor (3 of 4)
 AL6086-2007 Rev E Levels strategy Ground Floor (4 of 4)
 AL6086-2010 Rev F Illustrative Landscape Masterplan
 AL6086-2100 Rev B Comparative Cross Sections Sheet 1 of 2
 AL6086-2101 Rev A Comparative Cross Sections Sheet 2 of 2
 AL6086-2102 Rev B Street Frontages Kenavon Drive Edge
 AL6086-2103 Rev E General arrangement plan Sheet 1 of 4
 AL6086-2103 Rev B Street Frontages Palmers Street & Jopling Mews
 AL6086-2104 Rev E General arrangement plan Sheet 2 of 4
 AL6086-2105 Rev H General arrangement plan Sheet 3 of 4
 AL6086-2106 Rev F General arrangement plan Sheet 4 of 4
 Kenavon Drive River Edge Planting masterplan, detail, section a-a & species (3 pages),
 Rev B
 BMD.20.036.DR.P101 Rev B East Block Landscape General Arrangement
 BMD.20.036.DR.P102 Mid Block Landscape General Arrangement Plan
 As received 08/12/2020

AL6086-2002 Rev G Kenavon Drive Landscape Tree strategy
 Landscape Comparison Booklet Rev D dated February 2021
 As received 05/02/2021

6. Relevant Planning History

- i. 170509 - Demolition of the two existing retail (Homebase and former Toys R Us) structures and the erection of new buildings ranging between 2 and 11 storeys in height, providing 765 (18 x studio, 302x1, 409x2 and 36x3- bed) residential units (Class C3), 5 commercial units (1x flexible Class A1-A4, B1 or D1-D2, 1x flexible D1 or D2, 1x flexible Class A1- A5, 1x flexible Class A3 or A4, 1x flexible A1-A5 or D1-D2 uses), various works to the public realm, including a new riverside square, landscaping, accesses, parking and associated works. This application is accompanied by an Environmental Statement. (amended description). Granted following completion of s106 legal agreement 10/10/18.
- ii. 182204 - Partial discharge of condition 8 (Construction Method Statement) (parts a) and b) only) and full discharge of condition 36 (Arboricultural Method Statement and Tree Protection Plan) of planning permission 170509, as granted 10/10/18. Discharged 18/12/19.
- iii. 190034 - Discharge of condition 6 (Written Archaeological Statement) of planning permission 170509, as granted 10/10/18. Discharged 24/04/19.
- iv. 190585 - Discharge of condition 25 (Contamination assessment) of planning permission 170509. Condition not discharged 8/5/19 (procedurally, as submission was made subsequent to the commencement of development at the site in December 2018), but also noted that there are considered to be no outstanding planning matters in relation to this condition, nor matters of enforcement.
- v. 190617 - Variation of condition 2 (approved plans) of planning permission 170509 [Demolition of two retail structures & the erection of new buildings ranging between 2 & 11 storeys in height, providing 765 residential units (Class C3), 5 commercial units, various works to the public realm, including a new riverside square, landscaping, accesses, parking & associated works. This application is accompanied by an

Environmental Statement.(amended description)], namely for various minor material amendments including providing 30 additional residential units and various other external alterations, including to balconies, windows & doors to Blocks W1, M1, M2, E1, E4 & E5. Withdrawn 10/12/19.

- vi. 190764 - Non-material amendments to permission 170509 (granted on 10/10/2018) to change the wording of Conditions 2, 3, 4, 7, 9, 10, 11, 12, 13, 14, 17, 18, 19, 20, 22, 39, 42, 43, 44, 46, 49, 52 & 53 to alter the phasing plan (enabling the development to be implemented from east to west, rather than west to east as originally approved). Agreed 31/05/19.
- vii. 190836 - Discharge of condition 47 (Piling / foundation designs) of planning permission 170509, as granted 10/10/18. Discharged 17/07/19.
- viii. 190888 - Discharge of condition 26 (remediation scheme) of planning permission 170509. Condition not discharged 25/6/19 (procedurally, as submission was made subsequent to the commencement of development at the site in December 2018), but also noted that there are considered to be no outstanding planning matters in relation to this condition, nor matters of enforcement.
- ix. 191233 - Non-material amendments to permission 170509 (granted on 10/10/2018) to alter the wording of Condition 4 (materials) by changing the trigger point for submission/approval from pre-commencement (barring demolition) to prior to the commencement of the relevant part of the works. Agreed 22/08/19.
- x. 191234 - Non-material amendments to permission 170509 (granted on 10/10/2018) to alter the wording of Condition 7 (security strategy) by changing the trigger point for submission/approval from prior to commencement barring demolition to the same as approved but also allowing superstructure works to take place. Agreed 22/08/19.
- xi. 191235 - Non-material amendments to permission 170509 (granted on 10/10/2018) to alter the wording of Condition 27 (contaminated land validation report) by changing the trigger point for submission/approval from prior to construction to pre-occupation of the relevant phase. Agreed 22/08/19.
- xii. 191237 - Non-material amendments to permission 170509 (granted on 10/10/2018) to alter the wording of Condition 38 (landscaping) by changing the trigger point for submission/approval from pre-commencement to 1) pre-commencement barring demolition and piling (services) and 2) pre-commencement barring demolition and the construction of superstructures (all other details) (sought retrospectively). Agreed 22/08/19.
- xiii. 191238 - Non-material amendments to permission 170509 (granted on 10/10/2018) to alter the wording of Condition 44 (glint and glare study) by changing the trigger point for submission/approval from prior to commencement barring demolition to the same as approved but also allowing superstructure works to take place. Agreed 22/08/19.
- xiv. 191253 - Non-material amendments to permission 170509 (granted on 10/10/2018) to alter the wording of Condition 29 (land gas strategy) by changing the trigger point for submission/approval from pre-commencement to prior to the completion of building foundations and ground floor slabs within the relevant phase (sought retrospectively) Agreed 22/08/19.

- xv. 191497 - Non-material amendments to permission 170509 (granted on 10/10/2018) to alter the wording of Condition 50 (development to be carried out in accordance with energy measures) to alter the energy measures within an updated energy strategy. Withdrawn 14/10/19.
- xvi. 191594 - Discharge of conditions 29 and 30 (land gas) of planning permission 170509. Discharged 19/11/19.
- xvii. 191788 - Non-material amendments to permission 170509 (granted on 10/10/2018) to alter the wording of Condition 8 (Construction Method Statement) by changing the trigger point for submission/approval from pre- commencement to pre-commencement of the relevant phase and not require approval for demolition works already undertaken (partly sought retrospectively). Agreed 16/12/19.
- xviii. 191898 - Display of: non-illuminated hoarding sign on north, east, south and west site boundaries; 1x sign above hoarding and 9x flag pole signs on west boundary (all non-illuminated); 1x sign above hoarding and 3x flag pole signs on north-west boundary (all non-illuminated); 6x non- illuminated flag pole signs on south elevation (revised description) (part retrospective). Granted 02/03/2020.
- xix. 200071 - Non-material amendments to permission 170509 (granted on 10/10/2018), to change recessed balconies to projecting balconies on 9 apartments located to the west of East Block. Agreed 04/02/2020.
- xx. 200208 - Partial discharge of condition 51 (BREEAM) of planning permission 170509, relating to part (i) a), b) & c) for final design stage BREEAM assessments. Withdrawn 03/04/2020.
- xxi. 200209 - Discharge of condition 7 (Security Strategy) of planning permission 170509 (wording of condition amended by 191234 on 22/08/2019). Discharged 15/04/2020.
- xxii. 200210 - Discharge of condition 4 (materials) of planning permission 170509. Discharged 25/06/2020.
- xxiii. 200503 - Discharge of condition 5 (super graphic) of planning permission 170509. Discharged 13/05/2020.
- xxiv. 200504 - Discharge of condition 44 (glint & glare study) of planning permission 170509 (wording of condition 44 altered by 191238/NMA). Discharged 21/05/2020.
- xxv. 200700 - Display of non-illuminated 12m x 12m sign onto monarflex scaffold sheeting, to the northern elevation of the eastern block at 4th to 7th floor level. Granted 14/07/2020.
- xxvi. 200228/NMA - Non-material amendments to permission 170509 (granted on 10/10/2018), to change internal stair/lift core configurations and associated changes to dwellings, including various external window / door alterations to Blocks W1, M2, E1 & E5. Agreed 3/6/2020.
- xxvii. 200980/NMA - Non-material amendments to permission 170509 (granted on 10/10/2018) to alter the wording of Condition 38 (landscaping) to allow flexibility for separate

submissions on a phase-by-phase basis (also incorporating wording amendments already agreed by 191237 on 22/08/2019). Agreed 04/08/2020.

- xxviii. 201148/APPCON - Partial discharge of condition 38 (landscaping) of planning permission
- xxix. 170509, for part 1) (a) services (wording already altered by agreed non-material amendments 191237 & 200980) (sought retrospectively). The details were deemed to be acceptable, but confirmation couldn't be taken that this part of the condition was discharged, as the development had already commenced. However, it was confirmed that on the basis of the information provided there were considered to be no outstanding planning matters in relation to this part of the condition, nor matters of enforcement.
- xxx. 201215/APPCON - Discharge of conditions 14a (phase 1 postal addresses), 14b (phase 2 postal addresses) and 42 (biodiversity enhancements) of planning permission 170509 (also incorporating changes previously agreed by 190764). Current application under consideration.
- xxxi. 201871/ADV - Display of 2 non-illuminated signs on monarflex scaffold sheeting to Mid Block M2 at 8th to 11th floor levels, one 24.5m x 12m in size on the western elevation and one 22.5m x 12m in size on the northern elevation. Granted 8/2/2021.

7. 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.

8. 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."*

9. Relevant Policies

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

10. Appraisal

- i. The proposals are various in nature and extent, as summarised in section 2 above. Prior to the submission of the application a pre-application proposal was submitted, which enabled officers to comment at that juncture. The majority of the officer comments at pre-application stage were incorporated within the application proposal. Nevertheless, there have been elements of the proposals which have required several rounds of negotiations with Natural Environment, Transport and Planning officers. Several elements have either been omitted or revised to address officer concerns (e.g. the retention of the originally proposed paving along Jopling Mews). Ultimately officers are now satisfied that the proposals, as revised during the course of the application, are appropriate in all regards. This is summarised in respect of natural

environment and transport discussions in section 4 above. In particular, the Natural Environment officer is now content that the proposals represent positive changes in the main, with specific species and location of trees all confirmed to be suitable. The maintenance of the public right of way along the riverside is maintained, as clarified and confirmed during the application. Accordingly, officers are satisfied with the various changes proposed.



- ii. Officers therefore consider that these changes can be made through the non-material amendment procedure. More specifically, it is not considered that the amendments, either individually or cumulatively, will have any material impact on the overall design idiom, neighbour amenities, natural environment, transport and highway safety or ecology based intentions. This is primarily owing to the context of the overall approved scheme and the nature of the surrounding context, with the proposed changes being of a relatively minor scale and nature in this overall wider context.
- iii. Officers are also mindful that the Planning Practice Guidance outlines that cumulative impacts should be taken into account in s96a applications and, therefore, there would be a future tipping point in such regards. Accordingly, the proposals have also been considered within the context of the 11 previous non-material amendments approved at the site (see relevant history section above). The effect of the proposed changes and those previously approved are individually and cumulatively considered to be non-material amendments. 10 NMAs were not particularly relevant to those being considered under this amendment application, with the others considered within the context of the wording already altered.



- iv. An informative is recommended which states that this permission relates only to the changes of the wording of the relevant condition. Furthermore, each case shall only be read in the context of the substantive full permission, and is bound by all the conditions and obligations attached to the substantive 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. A final informative will outline that whilst this non-material amendment agrees a number of landscaping and play facility changes, this does not preclude the requirement for details relating to such matters being separately submitted and approved under approval of details applications associated with the original permission 170509 (e.g. conditions 38 and 52). These future approval of details applications will be assessed on their own merits in due course.

11. Conclusion

- i. The local planning authority is satisfied that the changes proposed do not constitute material changes to the approved planning permission.

Recommendations

Grant Non-material amendment

12. Conditions:

The drawings hereby approved as non-material amendments to 170509 are as follows:

AL6086-2010 Rev F Illustrative Landscape Masterplan PROW indicative overlay
As received 27/11/2020

O446-AA5990C-SW-00-A-5030 Rev.P03 Site Phasing Plan Preliminary - P
 AA5990-2005 Rev G Site plan Proposed Ground Level
 AA5990-2006 Rev G Site Plan Proposed First Floor
 AA5990-2007 Rev F Site Plan Proposed Roof
 AA5990-2010 Rev H Site Plan Ground Floor
 AA5990-2011-Site Rev F Site Plan Level 1
 AA5990-2061 Rev D Site Sections East-West
 AA5990-2062 Rev E Site Context Elevation South River Side
 AA5990-2063 Rev D Site Context Elevation North Kenavon Drive
 AA5990-2064 Rev E Site Context Forbury Road and Jopling Mews
 AA5990-2065 Rev C Site Context Elevation Palmer Street
 AA5990-2066 Rev E Site Context Elevation Huntley Street
 AA5990-2067 Rev B Site Context East and West Internal Elevations
 AA5990-2141 Rev E Middle Block First Floor
 AA5990-2180 Rev F East Block Ground Floor and First Floor
 AA5990-2205 Rev B West Block North West Elevation
 AA5990-2206 Rev B West Block South West Elevation
 AL6086-2003 Rev D Planting Strategy
 AL6086-2004 Rev D Levels strategy Ground Floor (1 of 4)
 AL6086-2005 Rev D Levels strategy Ground Floor (2 of 4)
 AL6086-2006 Rev F Levels strategy Ground Floor (3 of 4)
 AL6086-2007 Rev E Levels strategy Ground Floor (4 of 4)
 AL6086-2010 Rev F Illustrative Landscape Masterplan
 AL6086-2100 Rev B Comparative Cross Sections Sheet 1 of 2
 AL6086-2101 Rev A Comparative Cross Sections Sheet 2 of 2
 AL6086-2102 Rev B Street Frontages Kenavon Drive Edge
 AL6086-2103 Rev E General arrangement plan Sheet 1 of 4
 AL6086-2103 Rev B Street Frontages Palmers Street & Jopling Mews
 AL6086-2104 Rev E General arrangement plan Sheet 2 of 4
 AL6086-2105 Rev H General arrangement plan Sheet 3 of 4
 AL6086-2106 Rev F General arrangement plan Sheet 4 of 4
 Kenavon Drive River Edge Planting masterplan, detail, section a-a & species (3 pages),
 Rev B
 BMD.20.036.DR.P101 Rev B East Block Landscape General Arrangement
 BMD.20.036.DR.P102 Mid Block Landscape General Arrangement Plan
 As received 08/12/2020

AL6086-2002 Rev G Kenavon Drive Landscape Tree strategy
 Landscape Comparison Booklet Rev D dated February 2021
 As received 05/02/2021

Reason: To clarify which plans are approved and in the interests of proper planning.

Informatives:

1. This permission relates only to the non-material amendments sought and described above. Furthermore, it shall only be read in the context of the substantive planning permission granted on 10/10/2018 under reference number 170509, 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 - for example, 190764 as agreed on 31/05/19; 191233, 191234, 191235, 191237, 191238 &

191253 as all agreed on 22/08/19; 191788 as agreed on 16/12/19; 200071 as agreed on 04/02/2020); 200228 (Agreed on 03/06/2020); and, 200980 (Agreed on 04/08/2020) 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.
3. The Local Planning Authority has worked positively and proactively with the applicant to determine under the non-material amendment procedure within the agreed extended timeframes.
4. Whilst this non-material amendment agrees a number of landscaping and play facility changes, this does not preclude the requirement for details relating to such matters being separately submitted and approved under approval of details applications associated with the original permission 170509 (e.g. conditions 38 and 52). These future approval of details applications will be assessed on their own merits in due course.