

DELEGATED APPLICATION REPORT

Address: Land at Kenavon Drive, Reading

Application No: 200228/NMA

Proposal: 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.

Applicant: Berkeley Homes (Oxford and Chiltern) Ltd

Date received (valid from): 26/03/2020

Target Decision date: Originally 23/04/2020, but an extension of time has been agreed until 17/06/2020 (flexible extension of time whereby the application would be determined within ten working days of acceptable additional 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. 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.
- 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 to alter the stair and lift core configurations slightly, in order to comply with fire regulations. This has had knock on implications in terms of the layout of some of the residential units, although the applicant has been clear in detailing that there is no change to the overall number of units, or the mix of unit sizes either (i.e. the number of 1/2/3-bed units is unchanged in overall terms, although there are some limited instances where there are changes between studio, 1 and 2-bed units). There have also been some knock on impacts in terms of entrances, windows, the internal layout of the non-residential units (e.g. block E1), refuse storage, parking and landscaping changes (e.g. realignment to be consistent with the internal layout of units and entrance positions). To assist in the consideration of this application, at the outset of the application the applicant has helpfully submitted a full schedule of the proposed changes, which are labelled to enable comparison within a separate booklet which shows each 'as approved' plan and the accompanying 'as now proposed' plans. The full list of changes, as detailed by the applicant are specified below for completeness:

1. East Block

1.1. Undercroft

1.1.1. Refuse stores amended slightly in order to deliver the revised stair and lift core strategy outlined below. Overall refuse strategy remains as approved.

1.1.2. Cycle storage has been updated to align with the planning approved Transport Assessment as the PRP planning drawings were not displaying the correct cycle quantum as approved.

1.2. Core E1 (south west corner)

1.2.1. All floors - Core moves centrally to reduce corridor distances in line with Building Regulations Approved Document B (ADB).

1.2.2. Ground floor - Entrance and adjacent dwelling have been handed in order to create a more direct and safe route out of the building. The landscaping outside has handed also to suit this.

1.2.3. First Floor to Tenth Floor (top) - The 2 bedroom apartments on the Eastern face altered to suit the changes to the core.

1.2.4. Access to the podium from the communal corridor changes location to suit the core relocation and the landscaping surrounding on the podium updates to suit this.

1.2.5. Second to Sixth floor on E1 north window has been widened to allow more light into this dwelling within the inner street location and the apartment adjacent redesigned to provide an apartment type with a more generous living space.

1.2.5.1. Western Elevation - E1 South Entrance bay and adjacent bay are handed, and the fenestration to the first floor is amended to suit the updated internal layouts.

1.2.5.2. Western Elevation - E1 North single window widened to allow more light into dwelling.

1.3. Core E2 (north west corner) and Core E3 (north east corner)

1.3.1. All floors - Core rotates to reduce corridor distances in line with ADB.

1.3.2. Externally, no change from planning approval.

1.4. Core E5 (south east corner)

1.4.1. All floors - Core moves inbound and centrally to reduce corridor distances in line with ADB.

1.4.2. All floors - number of lifts reduced to 1 due to the height of the building.

1.4.3. Ground Floor to Fourth Floor - Apartment in north-east corner of block amended to suit the core location. Apartment that has been swapped with the entrance reception internals updated to suit the location. The landscaping outside has handed also to suit this.

1.4.4. First Floor only - Apartment to the middle of block on the southern side updated to include an extra bedroom (Block E5 1st floor level 1-bed unit becomes a 2-bed unit).

1.4.5. First Floor to Fourth Floor - Apartment to middle of block on the northern side updated to include an extra bedroom. (As noted within the cover note the overall mix remains the same and these extra bedrooms are balanced elsewhere) (Block E5 4x1-bed units become 4x2-bed units)

1.4.6. Fifth to Sixth Floor - Duplex designs amended to comply with ADB protected means of escape internally within dwelling.

1.4.7. Southern Elevation - Entrance bay and adjacent bay are handed, the ground floor fenestration sees the addition of a single full height window to suit the updated internal layout and a canopy over the main block entrance window, and the fenestration to the first floor is amended to suit the updated internal layouts.

1.4.8. Northern elevation (inner courtyard facing) - the first floor to fourth floor gains a full height window into the stair, a full height window moves across into an apartment to serve a bedroom, a balcony and door set swap position with an adjacent full height window and the bay pushes out on the fifth and sixth floor to enable to relocated stair core position to be delivered.

2. Middle Block

2.1. Undercroft

2.1.1. Cycle storage has been updated to align with the planning approved Transport Assessment as the PRP planning drawings were not displaying the correct cycle quantum as approved.

2.2. Core M1 (south west corner)

2.2.1. All floors - Core rotates to reduce corridor distances in line with ADB. This changes the access door to the podium on the first floor from the stair core slightly and the landscape around has been amended to suit. In addition, this has resulted in the non-residential unit at this part of the block having a small increase in internal floor space.

2.2.2. No change externally from planning approval.

2.3. Core M2 (north west corner)

2.3.1. All floors - Core moves inbound and centrally to reduce corridor distances in line with ADB. The ground floor level energy centre decreases slightly in floorspace as a result.

2.3.2. First Floor 1 bedroom apartment adjacent to the void over the entrance has been extended as this was a very small and undesirable studio and it is now a nicer 1 bed apartment matching the apartment type above. (Block M2 1 studio becomes a 1-bed unit)

2.3.3. First to Sixth Floor - The apartment to the south of stair core reduces in size from 2 bedrooms to 1 bedroom to make space for the relocated stair core. The apartment to the north of the core increases in size and gains a study room. The externally located flues change in position as a result (Block M2 6x2-bed units become 6x1-bed units).

2.3.4. Seventh Floor to Tenth Floor - Internal layouts to apartments updated to suit the relocated core. This involves the reconfiguration/orientation of all 4 units, with one unit now having two external amenity areas, whereas one unit would be largely north facing and without an external amenity space.

2.3.5. Second to Sixth Floor - apartments to the western side of M2 south have had to be handed to ensure the apartments accesses fall within a corridor lobby and not within the stairs of which is not allowable under ADB. All of the apartments have been handed for consistency on the elevation. Also widened 1 window on each floor to this block to get some extra light into this dwelling within this inner street location.

2.3.6. Externally on the eastern (inner courtyard facing) elevation the far left hand bay and the adjacent chimney (external flues) bay swap locations and the third bay from the left increases from a single full height glazed window to a door set and recessed balcony.

2.3.7. Externally on the northern elevation the top floor single glazed screen centres on the bay to assist in the internal reconfigurations.

2.3.8. Externally on the southern recessed terraces the door location moves to assist in the internal reconfigurations.

2.4. Core M3 (northern block)

2.4.1. All floors - Core rotates to reduce corridor distances in line with ADB. This changes the access door to the podium on the first floor from the stair core slightly and the landscape around has been amended to suit.

2.4.2. All floors - Door position to apartment moves to reduce corridor distances in line with ADB.

2.4.3. No change externally from planning approval.

2.5. Core M4 (north east corner)

2.5.1. All floors - Core rotates to reduce corridor distances in line with ADB.

2.5.2. No change externally from planning approval.

2.6. Core M5 (south east corner)

2.6.1. All floors - Core rotates to reduce corridor distances in line with ADB. This changes the access door to the podium on the first floor from the stair core slightly and the landscape around has been amended to suit.

2.6.2. No change externally from planning approval.

3. West Block

3.1. Undercroft

3.1.1. Cycle storage has been updated to align with the planning approved Transport Assessment as the PRP planning drawings were not displaying the correct cycle quantum as approved.

3.2. Core W1 (south west corner)

3.2.1. All floors - Core rotates and lobby doors added to reduce corridor distances in line with ADB.

3.2.2. First floor - The second apartment from the left to the south of the stair core is updated to include an extra bedroom of which replaces those lost in core M2. (Block W1 1x1-bed unit becomes 1x2-bed unit)

3.2.3. Second Floor to Fifth Floor - The second, third and fourth apartment from the left to the south of the stair core hand in their location to reduce corridor lengths and comply with ADB and the fenestration hands also for continuity.

3.2.4. Southern Elevation - fenestration on the second floor to the fifth floor hands to suit the updating of the internal arrangements. One window is increased in size to give coherence to the elevation.

3.3. Core W2 (north west corner)

3.3.1. All floors - Core rotates to reduce corridor distances in line with ADB.

3.3.2. No change externally from planning approval.

3.4. Core W3 (north east corner)

3.4.1. All floors - Core rotates to reduce corridor distances in line with ADB.

3.4.2. No change externally from planning approval.

3.5. Core W4 (south east corner)

3.5.1. All floors - Core rotates to reduce corridor distances in line with ADB. Apartment directly south of this slightly reconfigures to suit the core movement. The internal layout of the non-residential unit also alters slightly at this point as a result. His infom

3.5.2. No change externally from planning approval.

- ii. During the course of the application (prior to the validation of the application) further plans were submitted, as at the outset of the application not all relevant plans referenced in condition 2 of permission 170509 were submitted for consideration.
- iii. Furthermore, during the application (on 4/5/20), some further points of clarification were sought by officers, owing to inconsistencies in the plans submitted, summarised as:
 - The submission states there would be no overall change to the overall number or mix of residential units; however, the officer assessment suggested that there would be one fewer studio unit and one additional 1-bed unit:
 - Inconsistencies between the west block south elevation fenestration on the elevation and first floor plan? The fenestration at first floor level did not appear to have changed on the floor plan, but on the elevation (above the entrance to the block) it appeared to look more like cladding than a window.
 - East block new cycle store not having sufficient aisle width and a revised layout being required and various other matters of detail raised by the transport officer.
 - Queries from the waste officer regarding bin storage capacity
- iv. These matters were resolved with the submission of revised plans during the application. Originally not all of the required plans were updated, so a further later submission included further plans.
- v. The applicant outlines that the proposed change is a result of design development. More specifically, the application applies to change to stair and lift core configurations with associated amendments to dwellings, as necessary to allow compliance with the relevant fire regulations.
- vi. As referenced in the commentary of changes submitted by the applicant, there are some instances where 1-bed units change into 2-bed units and vice-versa, with no overall alteration in the approved mix of dwellings. For completeness, the areas where there are changes in the unit sizes (number of bedrooms) is detailed below:

Code by applicant	Block code	Floor	Change	'Loss' of units	'Gain' of units
1.4.4	E5	1 st	1B - 2B	1x1B	+ 1x2B
1.4.5	E5	1 st , 2 nd , 3 rd , 4 th	1B - 2B	4x1B	+ 4x2B
2.3.2	M2	1 st	Studio - 1B	1xStudio	+ 1x1B
n/a (later addition by the applicant)	M2	1 st	1B - Studio	1x1B	+ 1xStudio
2.3.3	M2	1 st , 2 nd , 3 rd , 4 th , 5 th , 6 th	2B - 1B	6x2B	+ 6x1B
3.2.2	W1	1 st	1B - 2B	1x1B	+ 1x2B
				1xStudio, 7x1 & 6x2B	1xStudio, 7x1B, 6x2B

3. Public Consultation

i. Neighbour Consultation

No statutory requirement for any for this type of application.

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 notified via email of non-material amendment applications.

4. Internal / External Consultations

i. RBC Waste Services - Initial response raised a number of queries in relation to changes in amounts of bins (and subsequent capacity issues). The applicant subsequently clarified and demonstrated this, resulting in a final response stating that if there have been no capacity changes, which was the original concern, then no further comments are raised.

ii. RBC Transport - Initial response was largely content with the proposals, but raised some points of detail: East block - new cycle store in the south east corner not being provided with an adequate aisle width. Middle Block - waste collection distances specified to the collection point do not actually relate to what is achievable on site. General Points regarding visitor / commercial car parking and commercial cycle parking. Following the submission of further information the transport officer confirmed contention with the information submitted from a transport perspective.

iii. RBC Building Control: See the RBF&RS response below for details.

iv. External - Royal Berkshire Fire & Rescue Service and RBC Building Control have been formally consulted on the application, in light of the reasons why the applicant stated the application has been submitted (to adhere with fire regulations). RBF&RS state that their policy is to respond to Planning consultations by addressing only fire-fighting access (ADB5), rather than the elements

which are typically considered/approved at building regulations stage - e.g. fire resisting compartmentation, a fire warning system, or the cladding type (with the plans submitted obviously not including that level of detail of information). As such, they are unable to provide any substantive comments at this time, also bearing in mind that at planning application stage the internal flat layout cannot typically be used as a reason for refusing an application. As such, the RBFRS response to the consultation is to simply advise that in the future you will be required to comply with Building Regulations. Similar advice is provided by RBC Building Control.

- v. Planning officer note on RBF&RS response: Set within the above context officers are content to allow the application to proceed without further submission of information in this regard, but the applicant has been made aware through correspondence during the application to naturally be aware of the future Building Regulations requirements; if this then necessitates changes which require further alterations facilitating a further planning application (e.g. s96a application), then this may be so.

5. Plans Considered

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

Review of Fire Strategy NMA Proposals Comparison Pack - Rev A by Berkeley Homes (Oxford & Chilterns) Ltd, dated March 2020, as received 26/03/2020
L.446.008.ADB - Former Toys R Us and Homebase, Kenavon Drive - Application ref: 190617 - Supporting notes to be read in conjunction with Planning Proposed comparison pack rev A dated March 2020 showing core changes & associated amendments caused by review of fire strategy for the site, as received 26/03/2020
Kenavon Drive, Reading Waste and Cycle Parking Statement Update, March 2020, as received 26/03/2020
Existing Site Plan Location AA5990-2000 Rev A, as received 26/03/2020
Site Plan Proposed Ground Level AA5990-2005 Rev C, as received 26/03/2020
Site Plan Proposed First Floor AA5990-2006 Rev C, as received 26/03/2020
Site Plan Proposed Roof Plan AA5990-2007 Rev C, as received 26/03/2020
Site Plan Ground Floor GA AA5990-2010 Rev E, as received 26/03/2020
Site Plan Level 1 AA5990-2011 Rev D, as received 26/03/2020
Site Plan Level 2 AA5990-2012 Rev D, as received 26/03/2020
Site Plan Level 3 AA5990-2013 Rev D, as received 26/03/2020
Site Plan Level 4 AA5990-2014 Rev D, as received 26/03/2020
Site Plan Level 5 AA5990-2015 Rev D, as received 26/03/2020
Site Plan Level 6 AA5990-2016 Rev D, as received 26/03/2020
Site Plan Level 7 AA5990-2017 Rev D, as received 26/03/2020
Site Plan Level 8 AA5990-2018 Rev C, as received 26/03/2020
Site Plan Level 9 AA5990-2019 Rev C, as received 26/03/2020
Site Plan Level 10 AA5990-2020 Rev C, as received 26/03/2020
Site Plan Level 11 AA5990-2021 Rev C, as received 26/03/2020
Site Sections East / West AA5990-2061 Rev B, as received 26/03/2020
Site Context Elevation South AA5990-2062 Rev C, as received 26/03/2020
Site Context Elevation North AA5990-2063 Rev B, as received 26/03/2020
Site Context Elevation Palmer Street AA5990-2065 Rev B, as received 26/03/2020
Site Context Elevation Huntley Street AA5990-2066 Rev C, as received 26/03/2020

Site Context Internal Elevation AA5990-2068 Rev A, as received 26/03/2020
 West Block Ground Floor AA5990-2100 Rev D, as received 12/02/2020
 West Block First Floor AA5990-2101 Rev B, as received 12/02/2020
 West Block Second Floor AA5990-2102 Rev B, as received 12/02/2020
 West Block Third Floor AA5990-2103 Rev B, as received 26/03/2020
 West Block Fourth Floor AA5990-2104 Rev A, as received 26/03/2020
 West Block Fifth Floor AA5990-2105 Rev C, as received 26/03/2020
 West Block Sixth Floor AA5990-2106 Rev C, as received 12/02/2020
 West Block Seventh Floor AA5990-2107 Rev B, as received 12/02/2020
 West Block Eighth Floor AA5990-2108 Rev B, as received 12/02/2020
 West Block Ninth Floor AA5990-2109 Rev A, as received 12/02/2020
 West Block Tenth Floor AA5990-2110 Rev A, as received 12/02/2020
 West Block Roof Plan AA5990-2111 Rev A, as received 12/02/2020
 Middle Block Ground Floor AA5990-2140 Rev C, as received 12/02/2020
 Middle Block First Floor AA5990-2141 Rev C, as received 12/02/2020
 Middle Block Second Floor AA5990-2142 Rev C, as received 12/02/2020
 Middle Block Third Floor AA5990-2143 Rev B, as received 12/02/2020
 Middle Block Fourth Floor AA5990-2144 Rev C, as received 12/02/2020
 Middle Block Fifth Floor AA5990-2145 Rev B, as received 12/02/2020
 Middle Block Sixth Floor AA5990-2146 Rev B, as received 12/02/2020
 Middle Block Seventh Floor AA5990-2147 Rev C, as received 12/02/2020
 Middle Block Eighth Floor AA5990-2148 Rev B, as received 12/02/2020
 Middle Block Ninth Floor AA5990-2149 Rev B, as received 12/02/2020
 Middle Block Tenth Floor AA5990-2150 Rev B, as received 12/02/2020
 Middle Block Roof AA5990-2151 Rev B, as received 12/02/2020
 East Block Ground Floor and First Floor AA5990-2180 Rev D, as received 12/02/2020
 East Block Second and Third AA5990-2181 Rev C, as received 12/02/2020
 East Block Fourth and Fifth AA5990-2182 Rev C, as received 12/02/2020
 East Block Six and Seventh AA5990-2183 Rev C, as received 12/02/2020
 East Block Eighth and Ninth Floor AA5990-2184 Rev C, as received 12/02/2020
 East Block Tenth and Eleventh Floor AA5990-2185 Rev C, as received 12/02/2020
 West Block South Elevation 1 AA5990-2201 Rev B, as received 12/02/2020
 Arrival Space Block North Elevation AA5990-2230 Rev C, as received 12/02/2020
 Arrival Space Block South Elevation AA5990-2231 Rev C, as received 12/02/2020
 Arrival Space Block East Elevation AA5990-2232 Rev C, as received 12/02/2020
 Arrival Space Block West Elevation AA5990-2233 Rev C, as received 12/02/2020
 East Block South Elevation AA5990-2241 Rev B, as received 12/02/2020
 East Block West Elevation 1 AA5990-2244 Rev C, as received 12/02/2020
 East Block Courtyard North Elevation 2 AA5990-2247 Rev B, as received 12/02/2020
 West Block Sections AA5990-2300 Rev B, as received 26/03/2020
 Middle Block Sections AA5990-2320 Rev B, as received 26/03/2020
 Middle Block Sections AA5990-2321 Rev B, as received 26/03/2020
 East Block Sections AA5990-2340 Rev B, as received 26/03/2020
 Bay Study 2 - Block E1 AA5990-2501 Rev B, as received 26/03/2020
 Bay Study 9 - Block M2 AA5990-2522 Rev B, as received 26/03/2020
 Bay Study 10 - Block M2 AA5990-2523 Rev B, as received 26/03/2020

Bay Study 5 - Block W1 AA5990-2540 Rev C, as received 26/03/2020
 Area Proof West Block AA5990-2600 Rev A, as received 26/03/2020
 Area Proof West Block AA5990-2601 Rev A, as received 26/03/2020
 Area Proof Middle Block AA5990-2630 Rev A, as received 26/03/2020
 Area Proof Middle Block AA5990-2631 Rev A, as received 26/03/2020
 Area Proof GEA East Block AA5990-2660 Rev A, as received 26/03/2020
 Area Proof GEA East Block AA5990-2661 Rev A, as received 26/03/2020
 GIA Schedule and Area Proof AA5990-2975 Rev B, as received 26/03/2020
 GIA Schedule and Area Proof AA5990-2980 Rev B, as received 26/03/2020
 GIA Schedule and Area Proof AA5990-2990 Rev B, as received 26/03/2020
 Levels Strategy Ground Floor (1 of 4) AL6086-2004 Rev B, as received 26/03/2020
 Levels Strategy Ground Floor (2 of 4) AL6086-2005 Rev B, as received 26/03/2020
 Levels Strategy Ground Floor (3 of 4) AL6086-2006 Rev B, as received 26/03/2020
 Levels Strategy Ground Floor (4 of 4) AL6086-2007 Rev B, as received 26/03/2020
 Kenavon Drive Landscape Illustrative Landscape Masterplan AL6086-2010 Rev C, as received 26/03/2020
 General arrangement plan Sheet 1 of 4 AL6086-2103 Rev C, as received 26/03/2020
 General arrangement plan Sheet 2 of 4 AL6086-2104 Rev C, as received 26/03/2020
 General arrangement plan Sheet 3 of 4 AL6086-2105 Rev D, as received 26/03/2020
 General arrangement plan Sheet 4 of 4 AL6086-2106 Rev C, as received 26/03/2020

Revised/additional information submitted on 14/05/2020

Kenavon Drive Waste and Cycle Parking Statement Update, May 2020, as received 14/05/2020
 West Block First Floor AA5990-2101 Rev C, as received 14/05/2020
 Middle Block First Floor AA5990-2141 Rev D, as received 14/05/2020
 East Block Ground Floor and First Floor AA5990-2180 Rev E, as received 14/05/2020
 West Block South Elevation 1 AA5990-2201 Rev C, as received 14/05/2020

Revised/additional information submitted on 03/06/2020:

Site Plan Proposed Ground Level AA5990-2005 Rev D, as received 03/06/2020
 Site Plan Proposed First Floor AA5990-2006 Rev D, as received 03/06/2020
 Site Plan Ground Floor GA AA5990-2010 Rev F, as received 03/06/2020
 Site Plan Level 1 AA5990-2011 Rev E, as received 03/06/2020
 Site Context Elevation South AA5990-2062 Rev D, as received 03/06/2020
 General arrangement plan Sheet 4 of 4 AL6086-2106 Rev D, as received 03/06/2020
 Levels Strategy Ground Floor (4 of 4) AL6086-2007 Rev C, as received 03/06/2020

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 BREAAAM 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. Current application under consideration.
- 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. Current application under consideration.

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 proposed changes, set within the context of the extent of the original permission, are considered to be relatively minor in nature. Most importantly, there are no changes to the mix of units (had this been changing there would have been difficulties in accepting the changes owing to the November 2019 Finney ruling) and the various window/door/balcony changes are not considered to either worsen the quality of accommodation for occupiers (it is considered to be the opposite in most cases), nor impinge on existing nearby occupiers either. This is in relation to amenity based considerations such as outlook, sense of enclosure, overlooking and day/sunlight matters. The changes are also not considered to alter the overall architectural

approach or ‘feel’ of the scheme. Furthermore, following revisions/further clarifications, the transport and waste teams are also content with the proposed changes from these perspectives. It is also pertinent to note that, strictly speaking, internal alterations do not require planning permission, but given condition 2 states that the development shall be carried out in accordance with the approved plans, the applicant has accordingly submitted the changes through the non-material amendment route. These changes have however facilitated a number of external changes too (e.g. window positions to align with the altered internal layouts), which again are confirmed to raise no issues with officers.

- ii. Officers therefore consider that these changes can be made through the non-material amendment procedure. More specifically, it is not considered that the various amendments, either individually or cumulatively, will have any material impact on the overall design idiom, neighbour amenities, transport and highway safety 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 context. Furthermore, they mark an improvement in meeting fire regulations and therefore would improve the quality of accommodation for future occupiers.
- 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 9 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. The previous 8 NMAs were not particularly relevant to those being considered under this amendment application.
- iv. As a result of the proposed changes it is noted that the applicant has submitted altered ‘area proof’ plans, which detail the floorspace involved in each block/building. These contrast to those submitted/approved at the time of the original permission and hence there may be implications in terms of the CIL contribution (e.g. slight changes in the internal layout of the non-residential units, meaning there is a difference in the residential/non-residential floorspace breakdown). Accordingly, an informative is recommended to be added to the decision notice to clarify that the proposals may result in a change to the floorspace / CIL liability and therefore the Council will separately contact the applicant to pursue this further.
- v. 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.

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:

Site Plan Proposed Ground Level AA5990-2005 Rev D, as received 03/06/2020
Site Plan Proposed First Floor AA5990-2006 Rev D, as received 03/06/2020
Site Plan Proposed Roof Plan AA5990-2007 Rev C, as received 26/03/2020
Site Plan Ground Floor GA AA5990-2010 Rev F, as received 03/06/2020
Site Plan Level 1 AA5990-2011 Rev E, as received 03/06/2020
Site Plan Level 2 AA5990-2012 Rev D, as received 26/03/2020
Site Plan Level 3 AA5990-2013 Rev D, as received 26/03/2020
Site Plan Level 4 AA5990-2014 Rev D, as received 26/03/2020
Site Plan Level 5 AA5990-2015 Rev D, as received 26/03/2020
Site Plan Level 6 AA5990-2016 Rev D, as received 26/03/2020
Site Plan Level 7 AA5990-2017 Rev D, as received 26/03/2020
Site Plan Level 8 AA5990-2018 Rev C, as received 26/03/2020
Site Plan Level 9 AA5990-2019 Rev C, as received 26/03/2020
Site Plan Level 10 AA5990-2020 Rev C, as received 26/03/2020
Site Plan Level 11 AA5990-2021 Rev C, as received 26/03/2020
Site Sections East / West AA5990-2061 Rev B, as received 26/03/2020
Site Context Elevation South AA5990-2062 Rev D, as received 03/06/2020
Site Context Elevation North AA5990-2063 Rev B, as received 26/03/2020
Site Context Elevation Palmer Street AA5990-2065 Rev B, as received 26/03/2020
Site Context Elevation Huntley Street AA5990-2066 Rev C, as received 26/03/2020
Site Context Internal Elevation AA5990-2068 Rev A, as received 26/03/2020
West Block Ground Floor AA5990-2100 Rev D, as received 12/02/2020
West Block First Floor AA5990-2101 Rev C, as received 14/05/2020
West Block Second Floor AA5990-2102 Rev B, as received 12/02/2020
West Block Third Floor AA5990-2103 Rev B, as received 26/03/2020
West Block Fourth Floor AA5990-2104 Rev A, as received 26/03/2020
West Block Fifth Floor AA5990-2105 Rev C, as received 26/03/2020
West Block Sixth Floor AA5990-2106 Rev C, as received 12/02/2020
West Block Seventh Floor AA5990-2107 Rev B, as received 12/02/2020
West Block Eighth Floor AA5990-2108 Rev B, as received 12/02/2020
West Block Ninth Floor AA5990-2109 Rev A, as received 12/02/2020
West Block Tenth Floor AA5990-2110 Rev A, as received 12/02/2020
West Block Roof Plan AA5990-2111 Rev A, as received 12/02/2020
Middle Block Ground Floor AA5990-2140 Rev C, as received 12/02/2020
Middle Block First Floor AA5990-2141 Rev D, as received 14/05/2020
Middle Block Second Floor AA5990-2142 Rev C, as received 12/02/2020
Middle Block Third Floor AA5990-2143 Rev B, as received 12/02/2020
Middle Block Fourth Floor AA5990-2144 Rev C, as received 12/02/2020
Middle Block Fifth Floor AA5990-2145 Rev B, as received 12/02/2020
Middle Block Sixth Floor AA5990-2146 Rev B, as received 12/02/2020
Middle Block Seventh Floor AA5990-2147 Rev C, as received 12/02/2020
Middle Block Eighth Floor AA5990-2148 Rev B, as received 12/02/2020
Middle Block Ninth Floor AA5990-2149 Rev B, as received 12/02/2020

Middle Block Tenth Floor AA5990-2150 Rev B, as received 12/02/2020
 Middle Block Roof AA5990-2151 Rev B, as received 12/02/2020
 East Block Ground Floor and First Floor AA5990-2180 Rev E, as received 14/05/2020
 East Block Second and Third AA5990-2181 Rev C, as received 12/02/2020
 East Block Fourth and Fifth AA5990-2182 Rev C, as received 12/02/2020
 East Block Six and Seventh AA5990-2183 Rev C, as received 12/02/2020
 East Block Eighth and Ninth Floor AA5990-2184 Rev C, as received 12/02/2020
 East Block Tenth and Eleventh Floor AA5990-2185 Rev C, as received 12/02/2020
 West Block South Elevation 1 AA5990-2201 Rev C, as received 14/05/2020
 Arrival Space Block North Elevation AA5990-2230 Rev C, as received 12/02/2020
 Arrival Space Block South Elevation AA5990-2231 Rev C, as received 12/02/2020
 Arrival Space Block East Elevation AA5990-2232 Rev C, as received 12/02/2020
 Arrival Space Block West Elevation AA5990-2233 Rev C, as received 12/02/2020
 East Block South Elevation AA5990-2241 Rev B, as received 12/02/2020
 East Block West Elevation 1 AA5990-2244 Rev C, as received 12/02/2020
 East Block Courtyard North Elevation 2 AA5990-2247 Rev B, as received 12/02/2020
 West Block Sections AA5990-2300 Rev B, as received 26/03/2020
 Middle Block Sections AA5990-2320 Rev B, as received 26/03/2020
 Middle Block Sections AA5990-2321 Rev B, as received 26/03/2020
 East Block Sections AA5990-2340 Rev B, as received 26/03/2020
 Bay Study 2 - Block E1 AA5990-2501 Rev B, as received 26/03/2020
 Bay Study 9 - Block M2 AA5990-2522 Rev B, as received 26/03/2020
 Bay Study 10 - Block M2 AA5990-2523 Rev B, as received 26/03/2020
 Bay Study 5 - Block W1 AA5990-2540 Rev C, as received 26/03/2020
 Area Proof West Block AA5990-2600 Rev A, as received 26/03/2020
 Area Proof West Block AA5990-2601 Rev A, as received 26/03/2020
 Area Proof Middle Block AA5990-2630 Rev A, as received 26/03/2020
 Area Proof Middle Block AA5990-2631 Rev A, as received 26/03/2020
 Area Proof GEA East Block AA5990-2660 Rev A, as received 26/03/2020
 Area Proof GEA East Block AA5990-2661 Rev A, as received 26/03/2020
 GIA Schedule and Area Proof AA5990-2975 Rev B, as received 26/03/2020
 GIA Schedule and Area Proof AA5990-2980 Rev B, as received 26/03/2020
 GIA Schedule and Area Proof AA5990-2990 Rev B, as received 26/03/2020
 Levels Strategy Ground Floor (1 of 4) AL6086-2004 Rev B, as received 26/03/2020
 Levels Strategy Ground Floor (2 of 4) AL6086-2005 Rev B, as received 26/03/2020
 Levels Strategy Ground Floor (3 of 4) AL6086-2006 Rev B, as received 26/03/2020
 Levels Strategy Ground Floor (4 of 4) AL6086-2007 Rev C, as received 03/06/2020
 Kenavon Drive Landscape Illustrative Landscape Masterplan AL6086-2010 Rev C, as received 26/03/2020
 General arrangement plan Sheet 1 of 4 AL6086-2103 Rev C, as received 26/03/2020
 General arrangement plan Sheet 2 of 4 AL6086-2104 Rev C, as received 26/03/2020
 General arrangement plan Sheet 3 of 4 AL6086-2105 Rev D, as received 26/03/2020

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) 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. As the proposal results in alterations to the gross internal floorspace, it is advised that the Community Infrastructure Levy (CIL) may change as a result.

For more information go to: http://www.reading.gov.uk/media/2791/Community-Infrastructure-Levy-Advice-to-Applicants/pdf/CIL_Advice_to_Applicants.pdf