

DELEGATED APPLICATION REPORT

Address: Land at Kenavon Drive, Reading

Application No: 200980/NMA

Proposal: 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).

Applicant: Berkeley Homes (Oxford and Chiltern) Ltd

Date received (valid from): 10/07/2020

Target Decision date: 07/08/2020

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 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.

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, at the outset these sought to alter the wording of condition 38 seek to allow the condition to be discharged on a phase by phase basis (also incorporating wording amendments already agreed by 191237 on 22/08/2019).

From:

1) No development (barring demolition and piling) shall take place until the following hard and soft landscaping details have been submitted to and been approved in writing by the local planning authority:

(a) proposed and existing functional services above and below ground (e.g. drainage, SUDS, power, communications cables, pipelines etc. indicating lines, manholes etc);

2) No development (barring demolition and works associated with the construction of the superstructure) shall take place until the following hard and soft landscaping details have been submitted to and been approved in writing by the local planning authority:

(b) hard surfacing materials; and

(c) planting plans; written specifications (including cultivation and other operations associated with plant and grass establishment); schedules of plants, noting species, plant sizes and proposed numbers/planting densities where appropriate in line with the principles shown on Tree Strategy drawing AL6086-2002 Rev B, as received 27/07/17; and

(d) Tree pit specifications.

Reason: in the interest of ensuring that the landscaping of the development enhances the visual local environment and in accordance with Policy CS7 of the Reading Borough LDF Core Strategy 2008 (Altered 2015) and Policies RC5 and RC14 of the Reading Central Area Action Plan (2009) and Policy DM18 of the Reading Borough LDF Sites and Detailed Policies Document 2012 (Altered 2015).

To:

No development (barring demolition and piling) shall take place within the relevant phase of development (a) phase 1, b) phase 2, c) phase 3, as per Site Phasing Plan F367AA5990C-SW-00-A-5039 Rev P 02, as received 09/05/2019 until the following hard and soft landscaping details have been submitted to and been approved in writing by the local planning authority:

(a) proposed and existing functional services above and below ground (e.g. drainage, SUDS, power, communications cables, pipelines etc. indicating lines, manholes etc);

2) No development (barring demolition and works associated with the construction of the superstructure) shall take place within the relevant phase of development (a) phase 1, b) phase 2, c) phase 3, as per Site Phasing Plan F367AA5990C-SW-00-A-5039 Rev P 02, as received 09/05/2019 until the following hard and soft landscaping details have been submitted to and been approved in writing by the local planning authority:

- (b) hard surfacing materials; and
- (c) planting plans; written specifications (including cultivation and other operations associated with plant and grass establishment); schedules of plants, noting species, plant sizes and proposed numbers/planting densities where appropriate in line with the principles shown on Tree Strategy drawing AL6086-2002 Rev B, as received 27/07/17; and
- (d) Tree pit specifications.

The applicant has explained that the reason for the proposed change is to enable a phased approach to the submission of the contents of the condition to avoid any delay to the development and delivery of the scheme.

- ii. During the course of the application changes to the originally proposed re-wording were sought and agreed with the applicant, following officer feedback. More specifically, it considered that the services part of the condition (38 1)(a)) should not be altered, for the reasons explained at pages 6 & 13-14 of officer report for application 191237 and based on observations from the Natural Environment officer (i.e. services should be determined before any building is erected, as these are essentially site wide strategies and not an 'easy fit' in terms of providing details on a phase by phase basis and owing to the nature and extent of information required to be submitted to enable that condition to be satisfied -and the inherent difficulties this would create if it were not secured prior to construction - which in-turn could undermine the reason/purpose of the condition). As such, officers did not agree to the suggested changes to part 1 of the condition.

There are no principle issues with part 2 of the condition being altered in the manner the applicant was seeking. Although the Natural Environment officer had some concerns regarding tree pits, planning officers consider that ultimately these can be agreed on a phase by phase basis. Therefore, the applicant confirmed (via email on 4/8/20) that the following wording was acceptable to them: (notes **highlighted** referenced for clarity)

1) No development (barring demolition and piling) shall take place until the following hard and soft landscaping details have been submitted to and been approved in writing by the local planning authority:

(a) proposed and existing functional services above and below ground (e.g. drainage, SUDS, power, communications cables, pipelines etc. indicating lines, manholes etc); **(NO CHANGE FROM 191237)**

2) No development (barring demolition and works associated with the construction of the superstructure) shall take place **within the relevant phase of development (a) phase 1, b) phase 2, c) phase 3, as per Site Phasing Plan F367AA5990C-SW-00-A-5030 Rev P 02, as received 09/05/2019** until the following hard and soft landscaping details have been submitted to and been approved in writing by the local planning authority:

- (b) hard surfacing materials; and
- (c) planting plans; written specifications (including cultivation and other operations associated with plant and grass establishment); schedules of plants, noting species, plant sizes and proposed numbers/planting densities where appropriate in line with the principles shown on Tree Strategy drawing AL6086-2002 Rev B, as received 27/07/17; and

(d) Tree pit specifications.

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 Natural Environment
- ii. The application seeks to amend the wording of condition 38 of 170509 to allow a Phase by Phase submission of details.
- iii. Condition 38 states requires submission of (briefly):
- iv. a) Hard landscaping
- v. b) Services (existing and proposed)
- vi. c) Soft landscaping
- vii. d) Tree pits
- viii. The condition was amended by 191237/NMA to allow demolition and piling prior to submission.

- ix. Amongst the many plans approved under 170509 was Illustrative Masterplan AL6086-2010 Rev B and some basic landscape principles were included in 200210/APC.
- x. I am satisfied that the planting principles (hard & and soft) have been established and that details can be agreed on a phase by phase basis. The applicant will, however, surely have to devise an overall planting scheme and tree pit specifications for different locations (soft, hard & planters), prior to the submission of details for the first phase so I am not convinced that that details of other phases will not be known before submission of details for the first phase.
- xi. In relation to part b (services) I do not believe a phase by phase approach is appropriate for services. The applicant will know where existing services are and must know where they are going throughout the whole site prior to commencing on phase 1. The location of services should be identified at an early stage in order that they do not conflict with the indicative planting already approved hence, again, their location must be established alongside the landscaping and prior to commencement. It is important to avoid installation of services that subsequently result in issues for soft landscaping.
- xii. Services and landscaping are inextricably linked.

5. Plans Considered

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

Supporting letter from Berkeley Homes Ref L.446.010.ADB, dated 01/07/20, received 10/07/20

Application form

Email from Berkeley Homes, dated and received 04/08/2020

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 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. 200888/NMA - Non-material amendments to permission 170509 (granted on 10/10/2018) to alter landscaping, access design and associated alterations. 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. Concerns were raised with the originally proposed changes to the wording of the condition, as detailed in the Natural Environment officer comments above. Therefore, during the application, the changes to the wording have been negotiated in a manner which is acceptable to officers.

More specifically, the trigger for the submission of services details will not change and will not be able to be submitted on a phase by phase basis. As works beyond the trigger point in terms of the east and mid blocks have already commenced, there is already a technical breach in place. The applicant has indicated that these details will be sought retrospectively in the very near future, thereby preventing planning enforcement investigating this further at this time (this will however change should the application not be forthcoming shortly). In respect of the other elements of the landscaping conditions, whilst the Natural Environment officer has some concerns regarding tree pit details, planning officers ultimately consider these details can be provided on a phase by phase basis if required. The proposed changes to the wording of the condition, set within the context of the extent of the original permission (and also reflecting changes previously made to the condition in 2019), are considered to be relatively minor in nature. They do not dilute the requirements, but add extra flexibility for the applicant to spread the submissions on a phase by phase basis if required.

- 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 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.
- 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 10 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. 9 NMAs were not particularly relevant to those being considered under this amendment application, with the other 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.

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:

REPLACEMENT CONDITION 38

1) No development (barring demolition and piling) shall take place until the following hard and soft landscaping details have been submitted to and been approved in writing by the local planning authority:

(a) proposed and existing functional services above and below ground (e.g. drainage, SUDS, power, communications cables, pipelines etc. indicating lines, manholes etc);

2) No development (barring demolition and works associated with the construction of the superstructure) shall take place within the relevant phase of development (a) phase 1, b) phase 2, c) phase 3, as per Site Phasing Plan F367AA5990C-SW-00-A-5030 Rev P 02, as received 09/05/2019 until the following hard and soft landscaping details have been submitted to and been approved in writing by the local planning authority:

(b) hard surfacing materials; and

(c) planting plans; written specifications (including cultivation and other operations associated with plant and grass establishment); schedules of plants, noting species, plant sizes and proposed numbers/planting densities where appropriate in line with the principles shown on Tree Strategy drawing AL6086-2002 Rev B, as received 27/07/17; and

(d) Tree pit specifications.

Reason: in the interest of ensuring that the landscaping of the development enhances the visual local environment and in accordance with Policies CC7, EN14, CR2 and CR3 of the Reading Borough Local Plan 2019.

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) 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 statutory timeframes.
4. It is noted that the under-construction development has already proceeding beyond the demolition and piling stages in respect of the east and mid blocks. As such, condition details relating to 38 1) (a) (unaltered as part of this application) should have already been satisfied to comply with the terms of the condition. You have indicated via email correspondence that details will be submitted shortly, seeking for these details to be

satisfied retrospectively. You are hereby advised to submit these details shortly, or otherwise this matter will need to be passed to the Planning Enforcement team to investigate.