

DELEGATED APPLICATION REPORTS

Address: Land at Kenavon Drive, Reading

Application No's: a) 191233 b) 191234 c) 191235 d) 191237 e) 191238 f) 191253 (all /NMA)

Proposals:

- a) 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.
- b) 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.
- c) 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.
- d) 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).
- e) 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.
- f) 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)

Applicant: Berkeley Homes (Oxford and Chiltern) Ltd

Date received (valid from): a) to e) 29/07/19; f) 31/07/19

Target Decision date: a) to e) 26/08/19; f) 28/08/19

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. The applicant informed the RBC s106 monitoring officer on 02/08/19 that it intended to commence the construction phase of works on 05/08/19. 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 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 RC3) and forms the southern half of the Forbury Retail Park sub-area (Policy RC3c). 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. A series of non-material amendments to planning permission 170509 granted on 10/10/2018 are proposed, and have been submitted in six separate applications - all seeking to alter the wording of a single condition. More specifically, these seek to change the wording of conditions 4 (materials), 7 (security strategy), 27 (contaminated land validation report), 29 (land gas scheme), 38 (landscaping) and 44 (glint and glare study) to essentially delay the trigger point for the submission of details to a later time in the development process. More specifically, the proposals seek to alter the conditions as follows:
- 191233 - Condition 4 (materials) - from pre-commencement (barring demolition) to prior to the commencement of the relevant part of the works.
 - 191234 - Condition 7 (security strategy) - from prior to commencement - barring demolition, to the same as before but also allowing superstructure works to take place.
 - 191235 - Condition 27 (contaminated land validation report) - from prior to construction to pre-occupation of the relevant phase.
 - 191253 - Condition 29 (land gas strategy) - from pre-commencement to prior to the completion of building foundations and ground floor slabs within the relevant phase (sought retrospectively)
 - 191237 - Condition 38 (landscaping) - from pre-commencement to: 1) pre-commencement barring demolition & piling for services and 2) pre-commencement barring demolition and the construction of superstructures (all other details).
 - 191238 - Condition 44 (glint and glare study) - from pre-commencement (barring demolition) to the same as before but also allowing superstructure works to take place.
- ii. The applicant considers that in all cases the reason for including the condition in the first instance is not being diluted by changing the trigger point for submission, and moreover, is sought in order to prevent a significant delay to the commencement of development (beyond the demolition works already undertaken) and delivery of the scheme.
- iii. Shortly after the registration and validation of the application the applicant was contacted in order to provide some further details and points of clarification on a number of points made within the submissions. Further discussions were also undertaken with the applicant shortly prior to the determination of the applications.
- iv. In all instances, the proposals solely relate to changes to the wording of the conditions. No other changes (e.g. approved plans) are proposed.

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

The above councillors were notified via email of the above applications on 02/08/19, seeking any comments and agreement by 14/08/19, unless stated otherwise, to the applications being determined by officers under delegated powers by 14/08/19 (i.e. should councillors wish for the applications to be considered at the Planning Applications Committee, they would need to advise officers by 14/08/19).

No responses have been received, and accordingly by default members are content for the applications to be determined under delegated powers.

4. Internal / External Consultations

i. Internal

191235 - Environmental Protection - no objections.

191237 - Natural Environment - Summary of initial observations:

- clarity regarding definition of superstructure is required;
- part b (services) would have to be determined before any building was erected.
- Part d (tree pits) may also need to be determined if 'superstructure' includes construction of the podiums / internal amenity spaces as I would take 'tree pits' to include details of soil depths and areas for these amenity spaces.
- Whilst detailed soft and hard landscaping could perhaps be agreed at a later stage on the basis of the masterplan already agreed, I don't consider it appropriate for all elements of condition 38.

Further comments after the submission of more information on 21/08/19:

- service details would be and should be determined prior to the construction of anything hence the condition needs to be re-worded such that part b (services) is submitted prior to commencement (barring demolition).
- It is unclear whether the 'superstructure' (defined as the frame of the building) would include any framework for the top of the car park / base of the podium level but in any case, it would not include construction of the raised planting areas, hence 'tree pits' (part d) could be agreed at a later stage, i.e. post superstructure but pre-any further works, along with parts a (hard surfacing) and c (soft landscaping).

191253 - Environmental Protection - No objections in principle, but request for the condition to be altered to include (as the original permission does) reference to the condition requiring a scheme showing how the development is to be protected against the possibility of land gas

In addition, it is questioned whether the term 'prior to the commencement of works related to land gas protection measures' is specific enough (meeting the tests of precision and enforcement in terms of a condition). Suggestion that it would be better to state 'prior to the completion of building foundations and ground floor slabs' which is the wording used in the letter from Omnio.

- ##### **ii. External - no statutory requirement, but the following were nevertheless consulted (owing to the subject matter of the condition sought to be altered):**

191234 - Crime Prevention Design Advisor at Thames Valley Police - no objections.

191238 - Network Rail - no response received.

5. Plans Considered

- i. In each instance the applicant has submitted a supporting letter alongside the site location plan. For conditions 27 and 29 the applicant has also included a further report/letter from a consultant. Moreover, the applicant also provided email responses on 02/08/19, 21/08/19 and 22/08/19 to queries raised.

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 - Discharge of conditions 8 (Demolition and Construction Method Statement) and 36 (Arboricultural Method Statement and Tree Protection Plan) of planning permission 170509, as granted 10/10/18. Current application under consideration.
- 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. Current application under consideration.
- 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.

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. Each application is assessed separately below.
- ii. a) 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.
- iii. The applicant is seeking to alter the wording of condition 4 from:

4. No development (barring demolition) within the relevant phase of development (a) phase 1, b) phase 2, c) phase 3, as per Indicative Phasing Plan AA5990-2010 Rev A, as received 03/10/2017) shall take place until details of the materials to be used in the construction of the external surfaces of the development and street furniture, including all external materials such as brickwork, cladding, balustrades, fixtures, fittings, window frames and mortar and details of window and doorway reveals, have been submitted to and been approved in writing by the local planning authority. Details shall include manufacturers specification details of all external facing materials (to be submitted to the Local Planning Authority) and samples of those materials (to be provided on site - 2 metres by 2 metres in size - approved details to then be retained on site throughout the duration of the construction of the development). The development shall be carried out using only the approved materials.

Reason: In the interests of safeguarding the character and appearance of the building and the wider immediate area and for the purpose of ensuring that work is appropriate to the setting of the special architectural and historic interest of the nearby listed buildings, in accordance with Policies CS7 and CS33 of the Reading Borough LDF Core Strategy 2008 (Altered 2015) and Policy RC5 of the Reading Central Area Action Plan 2009.

iv. To the following wording:

Within the relevant phase of development (as per Site Phasing Plan F367AA5990C-SW-00-A-5030 Rev P 02, as received 09/05/2019) details of the materials to be used in the construction of the external surfaces of the development and street furniture, including all external materials such as brickwork, cladding, balustrades, fixtures, fittings, window frames and mortar and details of window and doorway reveals, shall be submitted to and been approved in writing by the local planning authority. Details shall include manufacturers specification details of all external facing materials (to be submitted to the Local Planning Authority) and samples of those materials (to be provided on site - 2 metres by 2 metres in size - approved details to then be retained on site throughout the duration of the construction of the development). The development shall be carried out using only the approved materials. You must not start any work on these parts of the development until we have approved what you have sent us.

v. The applicant, in seeking to justify to proposals, has stated the following:

- Different elements of the construction phase are carried out by separate contractors and separate packages of work are tendered. The procured packages of work relating the external materials are not normally fixed at the point where piling (for example) commences and come later in the procurement and build phase.
- As such, the variation as proposed is sought in order to prevent a significant delay to the commencement of development and delivery of the scheme.
- The altered wording continues to fulfil the intended reason and purpose for the condition.

vi. Hence, based on the proposed revised wording the applicant would not be able to start works on the relevant material part of the development until the relevant material has been approved, instead of a pre-commencement (barring demolition) phase by phase approach as approved (which officers consider would still consider to meet the tests of a condition and was agreed by the applicant at the time of 170509).

- vii. Officers advised the applicant that some flexibility could be applied in the context of the justification provided, but the wording as proposed by the applicant was respectfully considered to lack precision / formality and is potentially unreasonable in theoretically enabling a plethora of discharge of condition applications per phase - in a manner which will be difficult to manage from a practical perspective - without clarity in the wording... e.g. the proposed removal of a), b), c) from the wording).
- viii. Accordingly, officers suggested the following further altered wording (which is based on that from 170509, but also incorporates elements of NMA 190764 agreed on 31/05/19 too) as follows - changes shown in bold, omissions shown by a strikethrough):

Prior to the commencement of the relevant part of the works ~~No development (barring demolition)~~ within the relevant phase of development (a) phase 1, b) phase 2, c) phase 3, as per Site Phasing Plan F367-AA5990C-SW -00-A-5030 Rev P 02, as received 09/05/2019) ~~shall take place until~~ details of the materials to be used in the construction of the **(1)** external surfaces of the development and **(2)** street furniture, including all external materials such as **(i)** brickwork, **(ii)** cladding, **(iii)** balustrades, **(iv)** fixtures, **(v)** fittings, **(vi)** window frames and **(vii)** mortar and details of **(viii)** window and doorway reveals, ~~have been~~ **shall be** submitted to and ~~been~~ approved in writing by the local planning authority. Details shall include manufacturers specification details of all external facing materials (to be submitted to the Local Planning Authority) and samples of those materials (to be provided on site - 2 metres by 2 metres in size - approved details to then be retained on site throughout the duration of the construction of the development). The development shall be carried out using only the approved materials.

- ix. It is considered that this wording meets the requirements of what the applicant was seeking, but more closely follows the original wording and is more clearly worded to assist the practicalities of your future submissions. For example, the applicant could submit an application seeking to discharge condition 4(a) as a whole, or split this up into numerous separate submissions should the applicant wish to - e.g. condition 4(a)(1)(i) to seek to discharge the brickwork on phase 1 / condition 4(a)(1)(ii) to seek to discharge cladding on phase 1 etc.
- x. The applicant was asked to provide comments on the further altered wording, as suggested by officers. On 02/08/19 the applicant confirmed agreement to the wording of this condition.
- xi. Officers are content with the suggested change, noting that this does not significantly dilute the meaning of the original condition, as the same level of information will be required to be submitted but this will be at a slightly later time in the construction programme (as appropriate).
- xii. Therefore in summary, in the context of the permitted scheme it is not considered that the amendment in the wording of condition 4, will have any material (or adverse material) impact on the overall design idiom, neighbour amenities, transport & highway safety, landscaping or any other intentions. It is also considered within the context of the overall approved scheme and the nature of the surrounding context, the proposed changes are of a relatively minor scale and nature in this overall context (thereby appropriately being a NMA application).
- xiii. b) 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.
- xiv. The applicant is seeking to alter the wording of condition 7 from:

7. No development (barring demolition) shall take place within the relevant phase of development (a) phase 1, b) phase 2, c) phase 3, as per Indicative Phasing Plan AA5990-2010 Rev A, as received 03/10/2017) prior to a security strategy being submitted to and approved in writing by the Local Planning Authority. The strategy shall ensure that the development shall achieve at least the minimum 'Security By Design' Award. The development shall thereafter be carried out in accordance with the approved security strategy, with measures in the approved scheme in place before the first occupation of the relevant phase of development (in line with the approved phasing plan: Indicative Phasing Plan AA5990-2010 Rev A, as received 03/10/2017) and permanently retained and maintained thereafter.

Reason: To protect the amenity of future occupants of the proposed development and in the interests of safeguarding the character and appearance of the buildings and the wider immediate area, in accordance with Policy CS7 of the Reading Borough LDF Core Strategy 2008 (Altered 2015), Policy RC5 of the Reading Central Area Action Plan (2009), Policy DM4 of the Sites and Detailed Policies Document 2012 (Altered 2015) and Section 7 of the NPPF.

xv. To the following wording:

No development (barring demolition and 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 prior to a security strategy being submitted to and approved in writing by the Local Planning Authority. The strategy shall ensure that the development shall achieve at least the minimum 'Security By Design' Award. The development shall thereafter be carried out in accordance with the approved security strategy, with measures in the approved scheme in place before the first occupation of the relevant phase of development (in line with the approved phasing plan: Indicative Phasing Plan AA5990-2010 Rev A, as received 03/10/2017) and permanently retained and maintained thereafter.

xvi. The applicant, in seeking to justify to proposals, has stated the following:

- Gaining SBD accreditation is an ongoing process throughout the build phase and involves a series of sign offs by the Association of Chief Police Officers (ACPO) throughout and resulting in certification at the end of the process.
- Hence not wholly necessary for this information to be submitted and approved pre commencement of all/ any development (barring demolition) in order for the condition to be effective and enforceable.
- As such, the variation as proposed is sought in order to prevent a significant delay to the commencement of development and delivery of the scheme.
- The altered wording continues to fulfil the intended reason and purpose for the condition.

xvii. As per section 4ii above, the CPDA at Thames Valley Police has no objections to the proposals. The proposed reworded condition takes into account the NMA change to the phasing plan (see relevant history section above). During the course of the application the applicant has clarified the definition of superstructure as "the structural frame of the building above ground, and excluding any final finishes or external facing materials"; this is considered to be sufficiently

clear (to enable the condition to be enforced, if necessary, in the future). The applicant also clarified that the trigger point for submission/approval was post-demolition and construction of the superstructure, given some ambiguity in the supporting letter as to whether it was prior to or after the superstructure.

- xviii. Officers are content with the suggested change, noting that this does not significantly dilute the meaning of the original condition, as the same level of information will be required to be submitted but this will be at a slightly later time in the construction programme (as appropriate).
- xix. Therefore in summary, in the context of the permitted scheme it is not considered that the amendment in the wording of condition 7, will have any material (or adverse material) impact on the overall design idiom, neighbour amenities, transport & highway safety, landscaping or any other intentions. It is also considered within the context of the overall approved scheme and the nature of the surrounding context, the proposed changes are of a relatively minor scale and nature in this overall context (thereby appropriately being a NMA application).
- xx. c) 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.
- xxi. The applicant is seeking to alter the wording of condition 27 from:

27. The approved remediation scheme shall be implemented in accordance with the approved timetable of works. A validation report (that demonstrates the effectiveness of the remediation carried out) must be submitted to and approved by the Local Planning Authority prior to construction of the development.

Reason: To ensure the development is suitable for its end use and the wider environment and does not create undue risks to occupiers of the site or surrounding areas in accordance with Policy CS34 of the Reading Borough LDF Core Strategy 2008 (Altered 2015).

- xxii. To the following wording:

The approved remediation scheme shall be implemented in accordance with the approved timetable of works. A validation report (that demonstrates the effectiveness of the remediation carried out) must be submitted to and approved by the Local Planning Authority prior to first occupation of each phase (as per Site Phasing Plan F367AA5990C-SW-00-A-5030 Rev P 02, as received 09/05/2019) of the development.

- xxiii. The applicant, in seeking to justify to proposals, has stated the following:
- Whilst the need for the condition is fully acknowledge and understood, the trigger for the submission of details does not align with industry standard approach for such information to be prepared.
 - A clean cover system is a requirement for part of the validation report. This is required for the landscaping, which takes place / is completed at the end of the development process.
 - As such, the variation as proposed is sought in order to prevent a significant delay to the commencement of development and delivery of the scheme.

- The altered wording continues to fulfil the intended reason and purpose for the condition.

- xxiv. The specialist Environmental Protection officer is satisfied that the wording of the condition can be altered on this occasion and it is appropriate to do so. Officers did however suggest some tweaks to the precise wording of the condition to allow the possibility of separate submissions prior to the occupation of each phase to be more precisely referenced (additions in bold and underlined, omissions marked by a strikethrough):
- xxv. The approved remediation scheme shall be implemented in accordance with the approved timetable of works. A validation report (that demonstrates the effectiveness of the remediation carried out) must be submitted to and approved by the Local Planning Authority prior to the first occupation of the relevant each phase **(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) of the development.
- xxvi. The applicant agreed to this wording via email on 21/08/19.
- xxvii. Officers are content with the suggested change, noting that this does not significantly dilute the meaning of the original condition, as the same level of information will be required to be submitted but this will be at a slightly later time in the construction programme (as appropriate).
- xxviii. Therefore in summary, in the context of the permitted scheme it is not considered that the amendment in the wording of condition 27, will have any material (or adverse material) impact on the overall design idiom, neighbour amenities, transport & highway safety, landscaping or any other intentions. It is also considered within the context of the overall approved scheme and the nature of the surrounding context, the proposed changes are of a relatively minor scale and nature in this overall context (thereby appropriately being a NMA application).
- xxix. **d) 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).
- xxx. The applicant is seeking to alter the wording of condition 38 from:

**38. No development shall take place until full details of both hard and soft landscaping have been submitted to and been approved in writing by the local planning authority.
The submitted details shall include:**

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

xxxi. To the following wording (as originally submitted):

No development shall take place (barring demolition and erection superstructure) until full details of both hard and soft landscaping have been submitted to and been approved in writing by the local planning authority. The submitted details shall include:

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

xxxii. The applicant, in seeking to justify to proposals, has stated the following:

- development should be allowed to commence to allow demolition of the existing buildings and construction of the main superstructure as the commencement of these works will not impact on the delivery of any hard and soft landscaping scheme and likewise does not prejudice the scope of any hard and soft landscaping (development shall already be carried out in accordance with the approved plans via condition 2).
- As such, the variation as proposed is sought in order to prevent a significant delay to the commencement of development and delivery of the scheme.
- The altered wording continues to fulfil the intended reason and purpose for the condition.

xxxiii. Condition 38 includes four elements: a) hard surfacing, b) services, c) soft landscaping and d) tree pits. The Natural Environment Officer, as detailed at section 4i above, suggested that at the very least that part b (services) would have to be determined before any building was erected, 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. It was also advised that tree pits may also need to be determined if 'superstructure' includes construction of the podiums / internal amenity spaces as 'tree pits' would include details of soil depths and areas for these amenity spaces. Following this feedback the applicant agreed for the services element of the condition to be submitted prior to demolition commencing, barring demolition and piling works (piling works were not initially referenced as being included by officers, but were instead suggested by the applicant; although not ideal from a Natural Environment perspective, in light of piling and foundation designs having already been approved at the site - reference 190836, as discharged on 17/07/19, it is not considered reasonable to resist this element being included - hence in overall terms officers are content that this is satisfactory.

xxxiv. In terms of tree pits within the podiums, the applicant confirmed that any trees within the podium would be contained within raised beds rather than tree pits. The Natural Environment

officer considers that the superstructure would not include construction of the raised planting areas, hence 'tree pits' (part d) could be agreed at a later stage (barring demolition and superstructure works). It is also considered that the detailed soft and hard landscaping could be agreed at a later stage (after demolition and superstructure works).

- xxxv. Accordingly, the applicant was advised of the alternative wording officers were willing to accept for this condition; the applicant agreed to such wording on 22/08/19. Given that there is now two separate trigger points for different elements of the details to be submitted, this has been worded in a clear manner to assist all parties when the applicant seeks to submit details at the relevant times.
- xxxvi. In overall terms officers are content with the suggested change, noting that this does not significantly dilute the meaning of the original condition, as the same level of information will be required to be submitted but this will be at a slightly later time in the construction programme (as appropriate).
- xxxvii. It is also noted that the condition is sought to be changed retrospectively, as in line with the existing wording this condition should have been submitted/approved prior to December 2018 when demolition works at the site began. Accordingly, reference to this application being sought retrospectively is referenced in the description of development. It is disappointing that this change to the wording of the condition is sought in subsequent to demolition works commencing in December 2018.
- xxxviii. Therefore in summary, in the context of the permitted scheme it is not considered that the amendment in the wording of condition 38, will have any material (or adverse material) impact on the overall design idiom, neighbour amenities, transport & highway safety, landscaping or any other intentions. It is also considered within the context of the overall approved scheme and the nature of the surrounding context, the proposed changes are of a relatively minor scale and nature in this overall context (thereby appropriately being a NMA application).
- xxxix. e) 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.
- xl. The applicant is seeking to alter the wording of condition 44 from:
44. No development (barring demolition) shall take place within the relevant phase of development (a) phase 1, b) phase 2, c) phase 3, as per Indicative Phasing Plan AA5990-2010 Rev A, as received 03/10/2017) prior to a glint and glare study being submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved glint and glare study, with measures in the approved scheme in place before the first occupation of the relevant phase of development (in line with the approved phasing plan: Indicative Phasing Plan AA5990-2010 Rev A, as received 03/10/2017) and permanently retained and maintained thereafter.
- xli. To the following wording (as originally submitted):

Within the relevant phase of development (as per Site Phasing Plan F367AA5990C-SW-00-A-5030 Rev P 02, as received 09/05/2019) details of a glint and glare study shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved glint and glare study, with measures in the approved scheme in place before the first occupation of the relevant phase of development (in line with the approved phasing plan: Indicative Phasing Plan AA5990-2010 Rev A, as received 03/10/2017) and permanently retained and maintained thereafter. You must not start any work on external facade of the development until we have approved what you have sent us.

- xl.ii. The applicant, in seeking to justify to proposals, has stated the following:
- The suggested wording still ensures that the relevant details are submitted to and approved by the local planning authority prior to implementation of aspects of the development where glint and glare would be a factor.
 - Procured packages of work relating the external materials are not normally fixed at the point where piling (for example) commences and come later in the procurement and build phase.
 - As such, the variation as proposed is sought in order to prevent a significant delay to the commencement of development and delivery of the scheme.
 - The altered wording continues to fulfil the intended reason and purpose for the condition.
- xl.iii. No response has been received from Network Rail to the consultation request; given the timeframes to determine NMA applications and the nature of the proposal, it is considered suitable to proceed without receiving a response from Network Rail. During the course of the application officers questioned whether the proposed 'prior to starting work on the external façade of the development' trigger point could/should be altered to 'prior to works associated with the construction of the superstructure', as per the trigger point on other applications; the applicant agreed to this suggested approach on 21/08/19.
- xl.iv. Officers are content with the suggested change, noting that this does not significantly dilute the meaning of the original condition, as the same level of information will be required to be submitted but this will be at a slightly later time in the construction programme (as appropriate).
- xl.v. Therefore in summary, in the context of the permitted scheme it is not considered that the amendment in the wording of condition 44, will have any material (or adverse material) impact on the overall design idiom, neighbour amenities, transport & highway safety, landscaping or any other intentions. It is also considered within the context of the overall approved scheme and the nature of the surrounding context, the proposed changes are of a relatively minor scale and nature in this overall context (thereby appropriately being a NMA application).
- xl.vi. f) 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)
- xl.vii. The applicant is seeking to alter the wording of condition 29 from:

29. No development (including demolition) shall take place until a scheme showing how the development is to be protected against the possibility of land gas has been submitted to and approved in writing by the Local Planning Authority. The scheme as approved shall be fully implemented and completed before the development is first

occupied and those measures incorporated into the development shall thereafter be retained unless the Local Planning Authority agrees otherwise in writing.

xlvi. To the following wording (as originally submitted):

Prior to the commencement of works related to land gas protection measures, details shall be submitted to and approved in writing by the Local Planning Authority. The scheme as approved shall be fully completed before the development is first occupied and those measures incorporated into the development shall thereafter be retained unless the Local Planning Authority agrees otherwise in writing.

xli. The applicant, in seeking to justify the proposals, has stated the following:

- We feel that the timing and trigger for the Condition may not best serve its need and may not best reflect current circumstances.
- A letter from Omnia Consulting confirms that any required gas protection measures would not need to be installed until nearing completion of building foundations and ground floor slabs, which will be early 2020.
- As such, the applicant considers that it is important that they use the intervening period between now and early 2020 to ensure they have the right land gas protection strategy and measures in place.
- The letter sets out a significant anomaly between the gas assessment data collected back in 2016 and that collected by Omnia in January 2019. Given that the applicant now have a period of time, the applicant considers it prudent to undertake further testing between 29 July and w/c 9 September so that the applicant can be assured that the correct gas protection measures are deployed at the appropriate stage in early 2020 and reflect the true conditions of the site as they exist currently.
- As such, the variation as proposed is sought in order to prevent a significant delay to the commencement of development and delivery of the scheme.
- The altered wording continues to fulfil the intended reason and purpose for the condition.

i. As per section 4i above, the EP officer consultation response details no objections in principle, but requests for the condition to be altered to include (as the original permission does) reference to the condition requiring a scheme showing how the development is to be protected against the possibility of land gas. Similar to concerns raised by officers at the outset of the application, it was also questioned whether the term 'prior to the commencement of works related to land gas protection measures' is specific enough (meeting the tests of precision and enforcement in terms of a condition). Officers suggested that it would be better to state 'prior to the completion of building foundations and ground floor slabs' which is the wording used in the letter from Omnia. The applicant agreed to the altered wording of the condition, as suggested by officers, via return email on 21/08/19.

ii. Officers are content with the suggested change, noting that this does not significantly dilute the meaning of the original condition, as the same level of information will be required to be

submitted but this will be at a slightly later time in the construction programme (as appropriate). Although the trigger point of prior to the completion of building foundations and ground floor slabs is less precise than the originally worded condition, it is still considered that the condition passes the precision and enforceability tests of a condition.

- lii. It is also noted that the condition is sought to be changed retrospectively, as in line with the existing wording this condition should have been submitted/approved prior to December 2018 when demolition works at the site begun. Accordingly, reference to this application being sought retrospectively is referenced in the description of development. It is disappointing that this change to the wording of the condition is sought in subsequent to demolition works commencing in December 2018.
- liii. Therefore in summary, in the context of the permitted scheme it is not considered that the amendment in the wording of condition 29, will have any material (or adverse material) impact on the overall design idiom, neighbour amenities, transport & highway safety, landscaping or any other intentions. It is also considered within the context of the overall approved scheme and the nature of the surrounding context, the proposed changes are of a relatively minor scale and nature in this overall context (thereby appropriately being a NMA application).
- liv. Equally applicable to all applications - In each instance an informative is recommended which states that this permission relates only to the changes of the wording of the relevant conditions. 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.
- lv. Finally, it is noted that there has already been a s96a NMA application at the site. Ref 190764 as agreed on 31/05/19 relating to changing the phasing sequence of the scheme. This is not considered to impact on any of the conditions sought to be changed in these applications. Similarly, each of the conditions sought to be varied by these s96a applications are self-contained in nature and are not considered to overlap / overlap / impact on one another.

11. Conclusion

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

Recommendations

a), b), c), d), e) & f) - Grant Non-material amendment

12. Conditions:

- a) 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.

REPLACEMENT CONDITION 4

Prior to the commencement of the relevant part of the works within the relevant phase of development (a) phase 1, b) phase 2, c) phase 3, as per Site Phasing Plan F367-AA5990C-SW -00-A-5030 Rev P 02, as received 09/05/2019) details of the materials to be used in the construction of the (1) external surfaces of the development and (2) street furniture, including all external materials such as (i) brickwork, (ii) cladding, (iii) balustrades, (iv) fixtures, (v) fittings, (vi) window frames and (vii) mortar and details of (viii) window and doorway reveals, shall be submitted to and be approved in writing by the local planning authority. Details shall include manufacturers specification details of all external facing materials (to be submitted to the Local Planning Authority) and samples of those materials (to be provided on site - 2 metres by 2 metres in size - approved details to then be retained on site throughout the duration of the construction of the development). The development shall be carried out using only the approved materials.

Reason: In the interests of safeguarding the character and appearance of the building and the wider immediate area and for the purpose of ensuring that work is appropriate to the setting of the special architectural and historic interest of the nearby listed buildings, in accordance with Policies CS7 and CS33 of the Reading Borough LDF Core Strategy 2008 (Altered 2015) and Policy RC5 of the Reading Central Area Action Plan 2009.

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, and 191234, 191235, 191237, 191238 & 191253 as all agreed on 22/08/19) 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.
 - b) 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.

REPLACEMENT CONDITION 7

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 F367-AA5990C-SW -00-A-5030 Rev P 02, as received 09/05/2019) prior to a security strategy being submitted to and approved in writing by the Local Planning Authority. The strategy shall ensure that the development shall achieve at least the minimum 'Security By Design' Award. The development shall thereafter be carried out in accordance with the approved security strategy, with measures in the approved scheme in place before the first occupation of the relevant phase of development (in line with the approved

phasing plan: Site Phasing Plan F367-AA5990C-SW -00-A-5030 Rev P 02, as received 09/05/2019 and permanently retained and maintained thereafter.

Reason: To protect the amenity of future occupants of the proposed development and in the interests of safeguarding the character and appearance of the buildings and the wider immediate area, in accordance with Policy CS7 of the Reading Borough LDF Core Strategy 2008 (Altered 2015), Policy RC5 of the Reading Central Area Action Plan (2009), Policy DM4 of the Sites and Detailed Policies Document 2012 (Altered 2015) and Section 7 of the NPPF.

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, and 191233, 191235, 191237, 191238 & 191253 as all agreed on 22/08/19) 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. For the avoidance of doubt, the definition of superstructure is “the structural frame of the building above ground, and excluding any final finishes or external facing materials”, as confirmed by the applicant via email on 02/08/19.
 - c) 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.

REPLACEMENT CONDITION 27

The approved remediation scheme shall be implemented in accordance with the approved timetable of works. A validation report (that demonstrates the effectiveness of the remediation carried out) must be submitted to and approved by the Local Planning Authority prior to the first occupation of the relevant phase (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) of the development.

Reason: To ensure the development is suitable for its end use and the wider environment and does not create undue risks to occupiers of the site or surrounding areas in accordance with Policy CS34 of the Reading Borough LDF Core Strategy 2008 (Altered 2015).

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, and 191233, 191234, 191237, 191238 & 191253 as all agreed on 22/08/19) 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.
 - d) 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).

REPLACEMENT CONDITION 38

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 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).

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, and 191233, 191234, 191235, 191238 & 191253 as all agreed on 22/08/19) 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. For the avoidance of doubt, the definition of superstructure is “the structural frame of the building above ground, and excluding any final finishes or external facing materials”, as confirmed by the applicant via email on 02/08/19

- e) 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.

REPLACEMENT CONDITION 44

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 F367-AA5990C-SW -00-A-5030 Rev P 02, as received 09/05/2019) prior to a glint and glare study being submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved glint and glare study, with measures in the approved scheme in place before the first occupation of the relevant phase of development (in line with the approved phasing plan: Site Phasing Plan F367-AA5990C-SW -00-A-5030 Rev P 02, as received 09/05/2019) and permanently retained and maintained thereafter.

Reason: To protect the amenity of future occupants of the proposed development and existing/future nearby occupiers and users (e.g. the rail line), in accordance with Policy CS34 of the Reading Borough LDF Core Strategy 2008 (Altered 2015) and Policy DM4 of the Sites and Detailed Policies Document 2012 (Altered 2015).

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, and 191233, 191234, 191235, 191237 & 191253 as all agreed on 22/08/19) 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. For the avoidance of doubt, the definition of superstructure is “the structural frame of the building above ground, and excluding any final finishes or external facing materials”, as confirmed by the applicant via email on 02/08/19

- f) 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)

REPLACEMENT CONDITION 29

Prior to the completion of building foundations and ground floor slabs within the relevant phase of development (a) phase 1, b) phase 2, c) phase 3, as per Site Phasing Plan F367-AA5990C-SW - 00-A-5030 Rev P 02, as received 09/05/2019) a scheme showing how the development is to be protected against the possibility of land gas shall be submitted to and approved in writing by the Local Planning Authority. The scheme as approved shall be fully implemented and completed before the relevant phase of development (in line with the approved phasing plan: Site Phasing Plan F367-AA5990C-SW - 00-A-5030 Rev P 02, as received 09/05/2019) is first occupied and those measures incorporated into the development shall thereafter be retained unless the Local Planning Authority agrees otherwise in writing.

Reason: To ensure the development is suitable for its end use and the wider environment and does not create undue risks to occupiers of the site or surrounding areas due to the presence of land gas in accordance with Policy CS34 of the Reading Borough LDF Core Strategy 2008 (Altered 2015).

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, and 191233, 191234, 191235, 191237 & 191238 as all agreed on 22/08/19) 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.