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Your Ref: PP-07122193

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Date: 11 July 2018

Richard Eatough
Planning Team
Reading Borough Council
Floor 1, North Rear
Civic Offices, Bridge Street
Reading
RG1 2LU

Dear Mr Eatough

**SECTION 96A NON-MATERIAL AMENDMENT TO PLANNING PERMISSION 162087 (AS AMENDED) TO CONDITION 35 (BREEAM POST CONSTRUCTION REVIEW)
KINGS POINT, 120 KINGS ROAD, READING, RG1 3DA
PLANNING PORTAL REF: PP- 07122193**

On behalf of our client Carrigmay Developments (Jersey) Limited, an application has been submitted via the Planning Portal for a section 96A non-material amendment to the above planning permission, namely amendment to Condition 35 (BREEAM Post Construction Review) of planning permission ref: 162087 at the above site.

An application fee of £234 has been paid electronically on submission of the application via the Planning Portal.

A section 73 planning permission ref. 162087 was granted on 9 February 2017 for:

“Demolition of existing building and the erection of a part seven, part nine, part eleven, part twelve and part seventeen storey building comprising 103 residential units and 351.5 sqm GIA of commercial (A1/A3) floorspace at ground and mezzanine floor level together with parking and associated landscaping (without complying with conditions (2, 7, 8, 9, 18, 19, 28 of planning permission 150019) to allow the removal of sub-basement, enlargement of basement level and internal and external alterations at the basement, ground and mezzanine levels (amended description).”

The above permission was varied by a Section 96a application (ref: 171801) dated 27th April 2018. This approved a number of non-material changes to the external elevations, updated basement, ground, mezzanine and first floors plans to reflect the external elevation changes, and further clarification on external materials. This resulted in amendments to the approved plans as stated on Condition 2 of permission ref: 162087.

This application specifically relates to the following condition:

Condition 35 states that:

“No later than three months following first occupation of the residential element of the development hereby approved, a BREEAM Post Construction Review Certificate shall be submitted to and approved in writing by the Local Planning Authority, to demonstrate that the



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BREEAM Rating 62.5% for the commercial element of the development has been achieved. The development shall thereafter be operated so as maintain the quoted rating.

Reason: to ensure that the development is built out and operated to maintain the quoted BREEAM Level, to ensure a satisfactory standard of sustainable construction in accordance with the Council's policies. Policies: CS1, DM1, DM2."

Condition 35 requires the submission of a BREEAM Post Construction Review Certificate for commercial element of the development to demonstrate a 62.5% BREEAM Rating.

The Council's adopted Sustainable Design and Construction Supplementary Planning Document (SPD)(July 2011) states that for larger, non-residential developments of more than 1,000 sqm, a minimum of 50% BREEAM level 'Excellent' is required with the remainder meeting BREEAM level as 'Very Good'; or if the above split is not appropriate then the whole of the non-residential development should achieve a minimum of a BREEAM score of 62.5%.

The commercial element of the approved development measures 351 sqm and is therefore below the 1,000 sqm threshold set by the Sustainable Design and Construction SPD. The BREEAM target of 62.5% should only be applicable to schemes of over 1,000 sqm non-residential development and should not be applicable to the scheme at Kings Point (ref:162087).

The proposed amendment therefore seeks to amend the BREEAM rating for the commercial element of the development from 62.5% to 55%. The scheme would still achieve a BREEAM Very Good at a 55% rating.

The above approach has been discussed with yourself on 20th June 2018 and it was agreed that the above amendment can be considered under a Section 96a application.

Condition 35 – Proposed Amendment

*"No later than three months following first occupation of the residential element of the development hereby approved, a BREEAM Post Construction Review Certificate shall be submitted to an approved in writing by the Local Planning Authority, to demonstrate that the BREEAM Rating **55%** for the commercial element of the development has been achieved. The development shall thereafter be operated so as maintain the quoted rating.*

Reason: to ensure that the development is built out and operated to maintain the quoted BREEAM Level, to ensure a satisfactory standard of sustainable construction in accordance with the Council's policies. Policies CS1, DM1, DM2"

It is considered that the proposed non-material amendment will comply with Policy CS1, DM1 and DM2 which seeks developments to incorporate design measures which adapt and take account of the effects of climate change.

I look forward to receiving confirmation that the application has been validated. Should you require any further information please contact Summer Wong or Annie Reid at this office.

Yours Sincerely

RPS



RPS

Enc.