

## DELEGATED APPLICATION REPORT

**Address:** The Oracle Riverside, The Oracle Shopping Centre, Bridge Street, Reading

**Application No:** 170110/NMA

**Proposal:** Non-material amendments to planning permission 151537 for detailed design changes to the approved single storey restaurant unit

**Agent:** Simply Planning Ltd

**Date received (valid from):** 26/01/17

**Target Decision date:** 23/02/17

**Case officer:** Jonathan Markwell

### 1. Site Description and Surrounding Area

- i.* The application site comprises the Riverside area at the Oracle, bounded by Yield Hall Place to the north-east and Bridge Street to the south-west. The River Kennet runs through the site, either side of the public realm space associated with the Oracle, with a variety of largely restaurants, retail shops, a cinema and entrances (some to the Oracle, others to the associated multi-storey car parks) beyond this.
- ii.* The site is subject to the following site constraints / designations:
  - The site is designated as an important area of open space (Policy RC14j)
  - Inside the primary shopping area (RC6)
  - Adjacent to active frontages (RC10)
  - Inside the central core (RC6)
  - Within an area with archaeological potential (DM19)
  - Within an Air Quality Management Area (DM19)
  - Within a green network (DM17)
  - Within a British waterways consultation area (CS8)
  - Eastern tip of the application site is within the Market Place / London Street Conservation Area (CS33) the Yield Hall Place bridge is identified as having an important view to the south-west (towards the site) and the Duke Street High Bridge (just outside the red-line boundary) is identified as having important views in both eastern and western direction, as well as itself being Grade II listed.
  - 2&4 London St (Brasserie) is Grade II listed (just outside the red line application site)
  - Flood Zone 2&3a/b (CS35)
  - Potential contaminated land (CS34)
  - South side of the River Kennet through the Oracle is part of the designated National Cycle Route 4
  - To the south-east of the site, the land is designated under policy RC4i as 'the Oracle Extension, Bridge St & Letcombe St' for 'development of the area between the River Kennet and Mill Lane for retail, with use of site at Letcombe Street for public car park'.

### 2. The Proposal

- i. Non-material amendments to planning permission 151537 are proposed. More specifically, these seek:
- Omission of bi-folding and sliding panels of south and west elevations and replacement with fixed panel glazing.
  - Replacement of single leaf doors on north and west elevations with doors that open in and outwards.
  - Addition of mullions to glazing in north-west corner of building.
  - Addition of mansafe system to roof and relocation of ventilation cowls.
  - Reduction in width of mullions to 50mm.
  - Amendments to detail of parapet (including addition of powder coat finish).
  - Relocation of signage zones

**3. Internal Consultations**

None required for this application.

**4. Public Consultation**

- i. Neighbour Consultation  
None required for this type of application.
- ii. Site Notice  
Not required for this type of application.

**5. Plans / Documents Considered**

- i. The Council, in reaching its recommendation, has taken into consideration the following documents:

200 Rev L - Proposed GA Plan  
201 Rev F - Proposed Roof Plan  
300 Rev H - Proposed Section AA  
301 Rev H - Proposed South Elevation  
302 Rev H - Proposed West Elevation  
303 Rev G - Proposed North Elevation  
304 Rev E - Proposed East Elevation  
305 Rev G - Proposed Section BB

All received on 25/01/17

**6. Relevant Planning History**

- i. 151537 - Erection of a single storey restaurant unit (Class A3), Kiosk (Class A1) and public realm improvements to The Oracle Riverside. Granted 17/08/2016.

## **7. Equality Act 2010:**

In determining this application the Council is required to have regard to its obligations under the Equality Act 2010. However, there is no indication or evidence (including from consultation on the application) that the protected groups identified by the Act have or will have different needs, experiences, issues and priorities in relation to this particular planning application. Therefore in terms of the key equalities protected characteristics it is considered there would be no significant adverse impacts as a result of the development.

## **8. Relevant Planning Guidance**

- i. Whilst there is no statutory definition of what constitutes a ‘non-material’ amendment, Section 96A, part 2 of the Town and Country Planning Act 1990 (as amended) states that, *"In deciding whether a change is material, a local planning authority must have regard to the effect of the change, together with any previous changes made under this section, on the planning permission as originally granted."*

## **9. Relevant Policies**

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

## **10. Appraisal**

- i. The proposed amendments are considered to be appropriate. Officers are content 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, nearby amenities, transport & highway safety, landscaping intentions or any other matter considered as part of the original permission. 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.
- ii. An informative is recommended which states that this permission relates only to the changes highlighted on the plans. Furthermore it shall only be read in the context of the substantive planning permission granted on 17/08/2016 under reference number 151537, and is bound by all the conditions and obligations attached to that 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 by this application do not constitute material changes to the approved planning permission.

### **Recommendation**

Grant Non-material amendment

## **12. Conditions:**

1. The drawings hereby approved as non-material amendments to original permission 151537 are as follows:

200 Rev L - Proposed GA Plan  
201 Rev F - Proposed Roof Plan  
300 Rev H - Proposed Section AA  
301 Rev H - Proposed South Elevation  
302 Rev H - Proposed West Elevation  
303 Rev G - Proposed North Elevation  
304 Rev E - Proposed East Elevation  
305 Rev G - Proposed Section BB

All received on 25/01/17

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

### **Informatives:**

1. This permission relates only to the changes highlighted on the plans. Furthermore it shall only be read in the context of the substantive planning permission granted on 17/08/2016 under reference number 151537, and is bound by all the conditions and obligations attached to that permission. That permission still stands and this notice 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 recommended timeframes.