

DELEGATED APPLICATION REPORT

Ward: Kentwood

App Ref: 240146/NMA

Address: The Atrium Health Club, Scours Lane, Tilehurst, Reading, RG30 6AY

Proposals: Non-Material Amendment to application 220805 - Installation of 4 padel courts, 4 canopies, and a single storey office building (Amended Description)

Case Officer: Mr Gary Miles

Applicant: Pure Padel Clubs Limited

Date received (valid from): 21 February 2024 Target Decision date: 20 March 2024

1. Public Consultation

i. Neighbour Consultation

No statutory requirement for this type of application.

Internal Consultations

No requirement for this application.

2. Plans Considered

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

Approved plans at time of application

Drawing no: PL-03C - Proposed Site Plan

Drawing no: PL-04A - Proposed Canopy Elevations - superseded

Drawing no: PL-05A - Proposed Block Plan

Received by the Local Planning Authority on 5th February 2024

Drawing no: PL04B - Proposed Canopy Elevations

Received by the Local Planning Authority on 21st February 2024

3. Relevant Planning History

220805/FUL - Installation of 4 padel courts, 4 canopies, and a single storey office building (Amended Description) - Permitted August 2022

4. Proposed Amendments

The proposed amendments are to facilitate the build-out of the proposed padel facility, and comprise the following:

- Southern most courts have been moved closer to northern courts;
- Canopy cover introduced to all courts; and
- Kiosk has been relocated to the east of the site to improve and create efficiencies of site layout.

The canopy structures are essentially the same with 2 separate barrel vaults, with the same overall height. Whilst the approved canopies had only top-level covers, the proposed amendments include sides to the structures down to 3m.

The kiosk relocation will serve to improve the overall legibility and appearance of the site and should be considered as a marked improvement compared to the original approved layout.

5. 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.

6. 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."

7. Relevant Policies

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

8. Appraisal

One part of the proposed non-material amendment included installing sides to the already approved canopy structures over the padel courts (Drawing no: PL-04A - Proposed Canopy Elevations, now superseded). Officers advised the agent that this would effectively change the overall design from a court with a canopy to a fully covered structure and as such it would not be possible to change the form and increase the size of the already approved canopies. The proposed 3m sides are quite different in character and appearance and therefore the proposal would be beyond the scope of an NMA application.

The agent supplied revised plans to show the removal of the proposed side extensions (Drawing no: PL04B - Proposed Canopy Elevations).

The Non-Material Amendment to application 220805 has been amended to include moving the southern-most courts closer to northern courts and the Kiosk to be relocated to the east of the site to improve and create efficiencies of site layout.

In the context of the permitted scheme it is not considered that the amendments (moving the southern-most courts closer to northern courts and the Kiosk to be relocated to the east of the site to improve and create efficiencies of site layout) would have any material impact on the overall design or neighbour amenities. This is primarily owing to the appearance of the existing application site and how the planning application number 220805 and the proposed changes within this application will fit in with the character of its surroundings and wider streetscene.

An informative is recommended which states that this permission relates only to the changes highlighted on the *quoted* plans. Furthermore, it shall only be read in the context of the

substantive permission and is bound by all conditions 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.

9. Conclusion

Overall, the proposed amendments are not considered to significantly harm the application site nor the neighbouring properties.

As a result, the local planning authority is satisfied that the changes proposed by this application do not constitute material changes to the approved planning permission.

10. Recommendation

Grant Non-material amendment

Conditions & Reasons:

1. The drawings hereby approved as a Non-Material Amendment to original planning permission 230805 are as follows:

Drawing no: PL-03C - Proposed Site Plan

Drawing no: PL-05A - Proposed Block Plan

Received by the Local Planning Authority on 5th February 2024

Drawing no: PL04B - Proposed Canopy Elevations

Received by the Local Planning Authority on 21st February 2024

REASON: To clarify which plans are approved.

Informatives:

1. This permission relates only to the non-material amendment sought and described above. Furthermore, it shall only be read in the context of the substantive planning permission granted on 16th August 2022 under reference number 220805 and is bound by all the conditions attached to that permission. That permission still stands and this notice (and any other notices issued under section 96a for this development) 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.