

DELEGATED APPLICATION REPORT

Address: Former Woodley Arms Public House, Waldeck Street, Reading, RG1 2RF

Application No: PL/24/0993

Proposal: Non-material amendments to permission 171893 (erection of two buildings to accommodate 38 student units, as allowed on appeal on 10/10/2018) to alter the wording of condition 2 (approved plans) to provide various changes to Block 1 (all sought retrospectively), including replacing render with composite cladding, window alterations and inclusion of guttering, downpipes & vents on all elevations, an altered roof form on the north elevation, an altered entrance and replacement of brickwork with cladding on the south elevation, together with various other associated alterations (amended description).

Applicant: Lainston Woodley Arms LLP

Agent: RS Studio

Date received (valid from): 02/08/2024

Target Decision date: Originally 30/08/2024, but an extension of time was subsequently agreed for the application to be determined within 5 working days of satisfactory revised information being submitted. Revised plans were received on 21/10/2024, resulting in the extension of time being agreed until 28/10/2024

Case officer: Jonathan Markwell

1. Site Description and Surrounding Area

- 1.1 The application site is, as described by the Inspector in allowing the appeal on 10/10/2018:
- 1.2 *A vacant two storey public house with large single storey extension and its associated car parking area. It is bounded by Charndon Close to the west, an access road serving a row of garages to the east and by a garage court to the south. The site frontage is to Waldeck Street which is primarily made up of modest, two storey Victorian terrace dwellings set out along consistent building lines close to the back of the footway. Although a number of the terrace dwellings have been altered, in overall terms there is a high degree of consistency to their architectural features.*
- 1.3 *To the east of the pub there is a pair of two storey semi-detached houses but these are set back from the road frontage behind a high brick wall with the main front elevation facing in the opposite direction. The two storey flats beyond at Jack Price Court, are largely seen in the context of Southampton Street. Consequently, these latter elements have a limited influence on the overall character of Waldeck Street, which is largely defined by the terrace housing.*
- 1.4 *To the west of the site along Elizabeth Walk are newer, shorter rows of terraces and their associated garage blocks. To the south and east of the site there are blocks of flats, varying in scale between three and four storeys. From Waldeck Street views of the flats are largely restricted to the area around the appeal site but because of their setback they are not key features in that context.*
- 1.5 At the time of the unaccompanied officer site visit on 28/08/2024 both allowed on appeal buildings were under construction and appeared to be nearing completion, as shown on the site photographs below:



South (Waldeck Street) front elevation and east side elevation, as on 28/08/2024



West side elevation of Block 1 building



South rear elevation of Block 1 building



East side elevation of Block 1 building

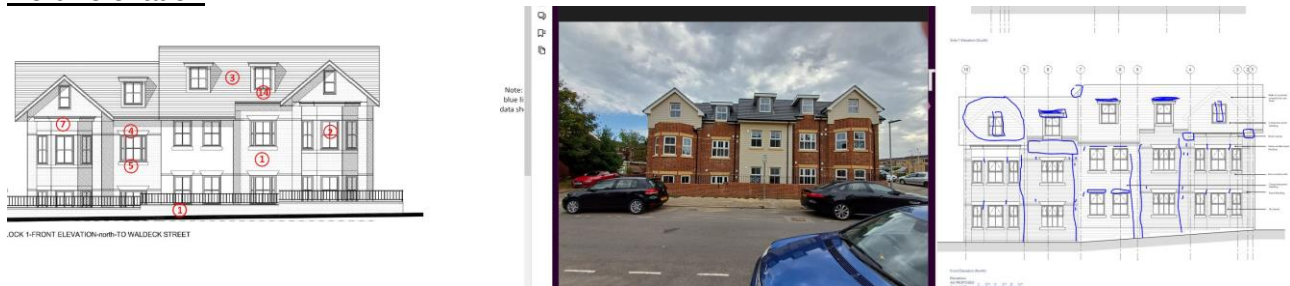


South (Waldeck Street) front elevation and east (Charndon Close) side elevation

2. The Proposals

- i. At the outset of the application the proposals sought non-material amendments to planning permission 171893 (as allowed on appeal). More specifically, it was sought to alter the wording of condition 2 (approved plans) to provide composite cladding in lieu of render on Block 1. This change was sought retrospectively. During the course of the application, following the unaccompanied officer site visit, it was established that the appearance of the building differed in a number of other ways when compared with the plans approved when discharging the materials condition under application 221305 on 20/10/2022, as summarised below in feedback provided by the case officer to the agent on 28/08/2024:

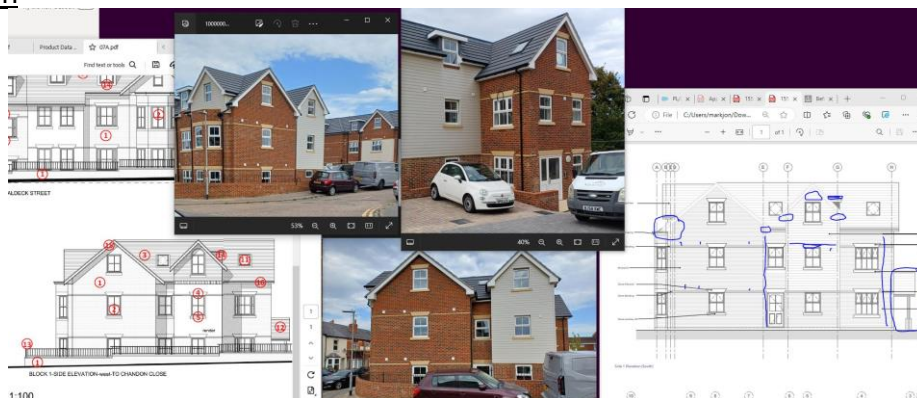
ii. North elevation



Left: plan as per 221305 confirming the materials. Centre: site photo. Right: Elevation submitted at the outset of the application (marked up by the case officer to identify differences)

- The windows on the gabled elevations are wider and aligned slightly differently to those shown at the time of 221305/APPCON
- The gables in the context of the roofscape are drawn differently on the two sets of plans - the size/extent of them at these points appears to be another change.
- The extent of cladding at the bottom-most tips of the gables are not shown accurately on the plans.
- The finish on top of the dormer windows are significantly 'chunkier' when viewed on site in comparison to how they appear on the plans submitted.
- The transition in the roof ridge is different when comparing the two sets of plans (straight line versus 45 degree line. This is a further change proposed to be incorporated as part of this application.
- The guttering/downpipes and the various unsightly vents (as seen on site) have not been specified on the plans – they should be added onto the plans.
- Where the cladding is now provided, this results in the windows no longer including the window heads above them, as shown on the previously approved plans.
- On the second bay the extent of brickwork above the first floor window appears greater in height in the proposal / on-site, in comparison with that shown at the time of 221305/APPCON.

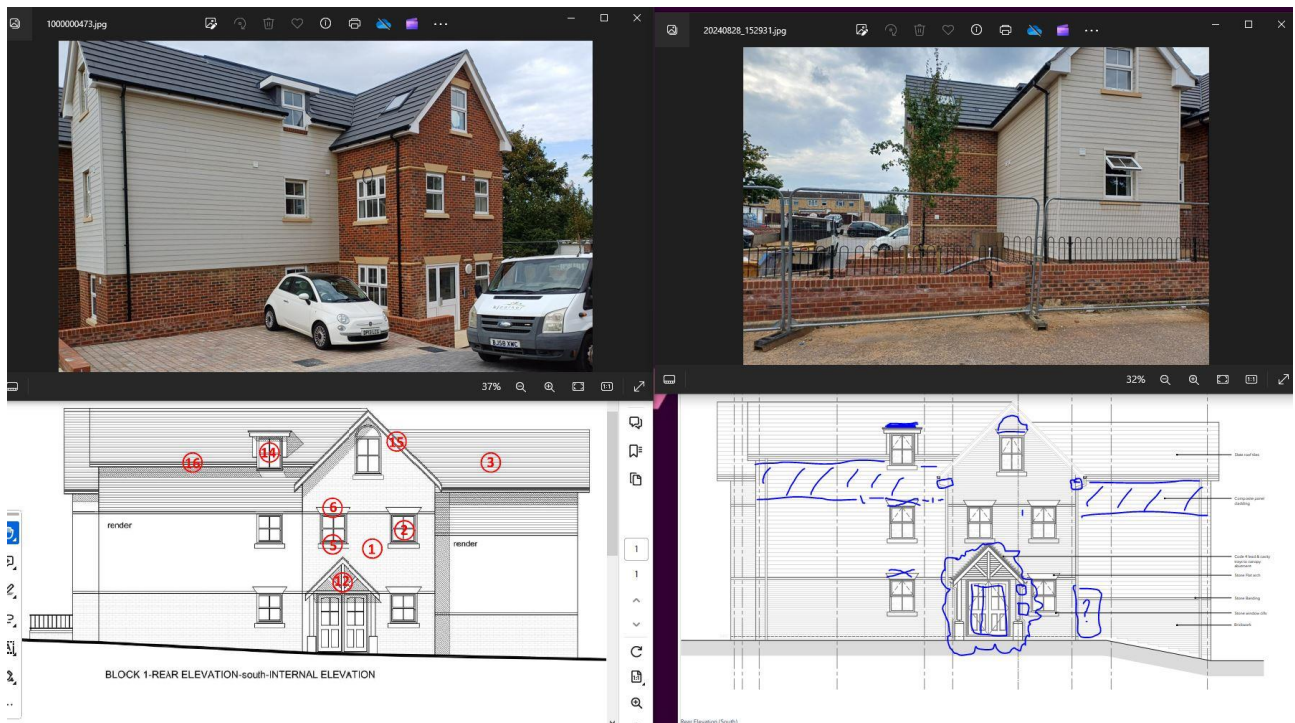
iii. West elevation



Left: plan as per 221305 confirming the materials. Centre: site photo. Right: Elevation submitted at the outset of the application (marked up by the case officer to identify differences)

- The relationship on the bottom corner of the gable on the north-western edge of the site is not shown accurately on the plan submitted, with the cladding evident in part (although partly hidden by guttering and the roof).
- The design of the 2nd floor window on the part of the elevation where cladding is now provided has changed, with the omission of the curved feature and inclusion of a window which matches others on the building being built instead.
- The guttering/downpipes and the various unsightly vents (as seen on site) have not been specified on the plans – they should be added onto the plans.
- The extent of the fascia and soffits at the base of the gables appear greater in extent than shown on either the approved or now proposed plans.
- The entrance canopy on the southern elevation has not been included. It is unclear whether this is no longer proposed, or still to be built.

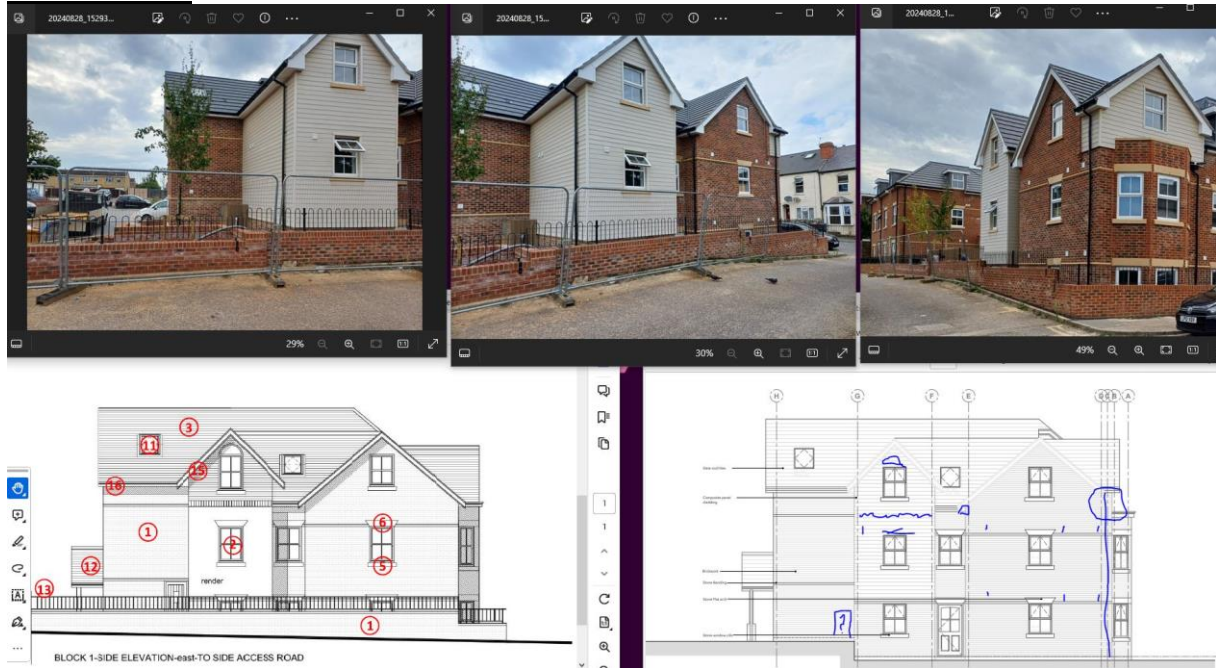
iv. South elevation



Bottom left: plan as per 221305 confirming the materials. Top: site photos. Bottom right: Elevation submitted at the outset of the application (marked up by the case officer to identify differences)

- The proposals appear to not only provide cladding instead of render, but replace areas of approved brickwork (above the first floor windows) with cladding too.
- The entrance canopy on the southern elevation has not been included. It is unclear whether this is no longer proposed, or still to be built.
- A light and intercom system has been installed adjacent to the proposed entrance, but are not shown on the plans.
- The door design for the entrance differs from that shown on the previously approved / now proposed plan (only a single opening door has been installed).
- The various unsightly vents (as seen on site) have not been specified on the plans – they should be added onto the plans.
- The design of the centrally positioned 2nd floor window has changed, with the omission of the curved feature and inclusion of a window which matches others on the building being built instead.
- The extent of the fascia and soffits at the base of the gables appear greater in extent than shown on either the approved or now proposed plans.
- The inclusion of cladding results in the approved window heads and banding no longer being proposed.
- The finish on top of the dormer window is significantly 'chunkier' when viewed on site in comparison to how they appear on the plans submitted.
- Some form of structure appears to have been added to the east of the entrance.

v. **East elevation**



Bottom left: plan as per 221305 confirming the materials. Top: site photos. Bottom right: Elevation submitted at the outset of the application (marked up by the case officer to identify differences)

- The relationship on the bottom corner of the gable on the north-eastern edge of the site is not shown accurately on the plan submitted, with the cladding evident in part (although partly hidden by guttering and the roof).
- The guttering/downpipes and the various unsightly vents (as seen on site) have not been specified on the plans – they should be added onto the plans.
- The inclusion of cladding results in the approved window heads and banding no longer being proposed.
- The extent of the fascia and soffits at the base of the gables appear greater in extent than shown on either the approved or now proposed plans.
- The design of one of the 2nd floor windows has changed, with the omission of the curved feature and inclusion of a window which matches others on the building being built instead.
- Some form of structure appears to have been added, which fronts onto the north (rear) elevation.

vi. The agent subsequently replied advising that further measurements would be undertaken on site, in order to update the plans accordingly. These revised elevation plans were submitted on 21/10/2024 and showed all of the changes referenced in feedback summarised above being incorporated into the proposals.

vii. As such, the extent of the non-material changes, as sought retrospectively, are more extensive than originally specified by the applicant's original submission. The proposals also include the following summarised retrospective works too:

- Alterations to windows on all elevations
- Altered roof forms on the north elevation
- Inclusion of guttering, downpipes and vents on all elevations
- Omission of the approved entrance canopy on the south elevation and altered entrance door
- Replacement of approved brickwork with cladding on the south elevation at upper first floor level
- Various other associated alterations.

3. Internal Consultations

None are considered to be required.

4. Councillor / Public Consultation

i. Councillor Consultation

Since April 2020 the Chair & Vice Chair of the Planning Application Committee and Katesgrove Ward Councillors are no longer required to be notified on NMA or MMA applications which were originally determined by the Planning Applications Committee. This follows a change in the scheme of delegation, as agreed by Policy Committee. Accordingly, members were not formally notified on these applications.

Neighbour Consultation

None required for this type of application. No responses received.

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 information contained within the application form, together with the following revised plans received via email on 21/10/2024:

1559-GA-107 Rev D Elevations 1 Block A AS PROPOSED

1559-GA-108 Rev D Elevations 2 Block A AS PROPOSED

As received 21/10/2024

6. Relevant Planning History

171893 – Erection of two buildings to accommodate a total of 38 student units of accommodation, including parking, amenity space and landscaping, following demolition of existing former public house. Refused 12/01/2020; Allowed on Appeal on 10/10/2018.

190063 - Application for approval of details reserved by condition 11 of permission 171893 as allowed on appeal ref. APP/E0345/W/18/3199152. Discharged 5/12/2019.

191176 - Outline application considering access, appearance, layout and scale involving demolition of former public house (Class A4) and erection of 2 x 3-storey buildings to provide in total 38 purpose-built co-living units (Sui Generis), 10 vehicle spaces, shared external communal space and associated works. Withdrawn 6/12/2019.

192053/NMA - Non-material amendments to permission 171893 (erection of two buildings to accommodate 38 student units, as allowed on appeal on 10/10/2018) to increase the size of Block 2 on the south elevation and various associated works. Agreed 20/03/2020.

200461/APPCON - Discharge of condition 17 (archaeology) of permission 171893, as allowed on appeal ref. APP/E0345/W/18/3199152 on 10/10/18. Discharged 14/04/2020.

200967/NMA - Non-material amendment to permission 171893 (erection of two buildings to accommodate 38 student units, as allowed on appeal on 10/10/2018) to alter the trigger point for submission of condition 13 (contaminated land) from pre-commencement to pre-commencement barring demolition. Agreed 03/08/2020.

200968/NMA - Non-material amendment to permission 171893 (erection of two buildings to accommodate 38 student units, as allowed on appeal on 10/10/2018) to alter the trigger point for submission of condition 14 (contaminated land remediation scheme and verification report) from pre-commencement to pre-commencement barring demolition. Agreed 03/08/2020.

221305/APPCON - Discharge of condition 5 (Materials) of permission 171893, as allowed on appeal ref. APP/E0345/W/18/3199152 on 10/10/18. Discharged 20/10/2022.

221388/APPCON - Application for approval of details reserved by condition 13 (Environmental Report Phase I Site Investigation) and 14 (Environmental Report Phase IIA Contaminated Land Investigation) of application 171893 allowed on appeal ref APP/E0345/W/18/3199152. Discharged 09/12/2022.

221496/APPCON - Discharge of condition 6 (Hard and Soft Landscaping) of planning permission 171893, as allowed on appeal (Ref: APP/E0345/W/18/3199152) on 10/10/2018. Discharged 06/12/2022.

230048/APPCON - Discharge of condition 9 (postal addresses) and retrospective discharge of condition 16 (surface water and foul water drainage detailed scheme) of permission 171893, as allowed on appeal ref. APP/E0345/W/18/3199152 on 10/10/18. Condition 9 discharged. Condition 16 not discharged, as sought retrospectively, but on the basis of the information provided there are considered to be no outstanding planning matters in relation to this condition, nor matters of enforcement, as the details submitted are considered acceptable, providing that the approved scheme is fully implemented prior to the occupation of the development, as per the wording of condition 16. Accordingly, the condition was effectively discharged but retrospectively so on 28/05/2024.

231783/APPCON - Discharge of conditions 3 (Student Management Plan), 4 (Air Source Heat Pumps details), 8 (car parking allocation details and Arrivals and Departure Management Plan) and 10 (cycle storage) of permission 171893, as allowed on appeal ref. APP/E0345/W/18/3199152 on 10/10/18. Discharged 27/08/2024

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. Given that a number of separate changes are proposed as part of this application, each in the context of amending the approved plans condition, it is most appropriate to consider each change in turn:
- ii. Replacing render with composite cladding on all elevations

- iii. The allowed on appeal scheme and subsequent approval of details applications approved a combination of brickwork and render as the primary facing materials as part of the development. However, the developer has not implemented the approved render and instead installed a composite cladding / weatherboarding in long horizontal strips. This provides a contrasting finish to that originally anticipated at appeal and approval of details stage. It is acknowledged that the implemented material is not commonplace in the local area and therefore is arguably not in keeping with the local vernacular when viewed in close proximity to the site. However, when viewed in streetscene terms, as per the two photographs below, the cream colour and overall finished appearance (when viewed from a distance) is considered to satisfactorily align with the mixed character of materials visible along the north and south sides of Waldeck Street at this point. In terms of the side and rear elevations of Block 1, the cladding continues at intervals to contrast with the brickwork. In overall terms, whilst considered a backward step in comparison with the approved material, the implemented material is considered to be adequate.



Streetscene elevations from Waldeck Street looking east (above) and west (below)



- iv. Alterations to windows on all elevations
- v. As per section 2 above, the proposals involve alterations to the approved windows on all elevations. In particular, the windows on the gabled elevations of the north elevation are wider and aligned slightly differently to those shown at the time of 221305/APPCON. This will improve the quality of accommodation for future occupiers by increasing the levels of outlook and day/sunlight from within the rooms and will not have a significant impact on the overall design idiom, with this change being minor in the context of the build as a whole. Separately, on the east, south and west elevations at second floor level a single window on each elevation has changed, with the omission of the curved arch feature at the top of the window, with inclusion of a window which matches others on the building being built instead. This is considered a backward step in the context of the original permission, reducing the individual character of the development and making it a more homogeneous scheme. Whilst a regrettable change, it is not considered so harmful to resist this

application on this basis, given the resultant uniform appearance being considered satisfactory on its own merits.

vi. Altered roof forms on the north elevation

- vii. The gables on the north elevation have been built slightly bigger than on the approved plans / those at the time of the approval of details application, as shown below, with the gables built up so that the ridge line aligns with the main roof ridge point, rather than being set down as approved. The overall appearance is still of a symmetrical gable end, but ones that are more prominent than those originally permitted. In addition, a comparison of the elevation plans reveals that the position of two of the three dormers on this roofslope have been built at lower points of the roofslope than permitted, with the removal of a gap between the roof material and the brickwork of the main face of the building being particularly unfortunate. Whilst there are considered to be regrettable changes, they are not considered to be so harmful in themselves, either individually or cumulatively, to resist this application on this basis, with the appearance of the roofscape witnessed on site (see photograph below) being considered to be adequate in the context of the original permission.



North (Waldeck Street) elevation, as allowed on appeal (left), 221305/APP CON (middle) and as now proposed (right). Site photograph (below).



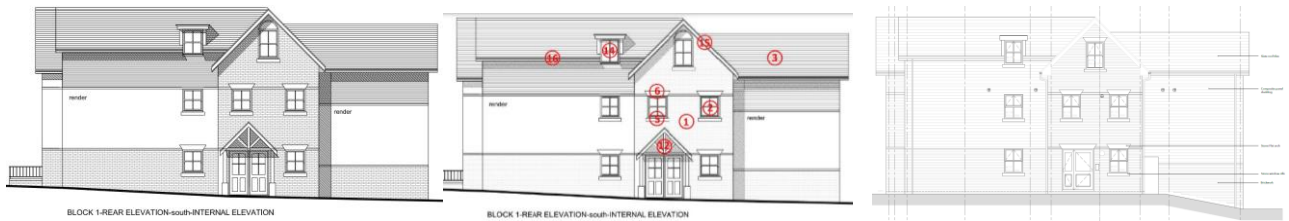
viii. Inclusion of guttering, downpipes and vents on all elevations

- ix. The approved plans did not specify any guttering, downpipes or vents, either at the time when the appeal was allowed or when material details were discharged. At the time of the officer unaccompanied site visit as part of this application it was seen that these elements had been included on the built scheme. It is considered that these are functional components of any development, with the guttering and downpipes considered to be satisfactory in design terms. Some concerns are raised in respect of the sheer number of vents included on each elevation (see the west elevation below as an example) and how the white finish of the vents make them conspicuous when viewing the facades of the building, in a negative manner. However, the inclusion of the vents in themselves are not considered so harmful to resist them, acknowledging that they are required in order for the proposed units to function, which ultimately is considered to outweigh the visual harm identified.



West (Charndon Close) elevation, as allowed on appeal (left), 221305/APP/CON (middle) and as now proposed (right)

- x. Omission of the approved entrance canopy on the south elevation and altered entrance door
- xi. On the south, inward facing, elevation an approved canopy entrance and access door arrangement has not been installed as per the approved plans (see below), with an alternative entrance door (without any canopy) instead being built and the proposed plans seeking to regularise this change. In addition, a light and intercom system has been installed adjacent to the entrance. Whilst the canopy would have been helpful to shelter future occupiers when entering and exiting the block, its omission is not considered to be critical to the overall function or use of the building, with a more simplistic arrangement, as seen as site, being considered suitable in design and amenity terms.



South elevation, as allowed on appeal (left), 221305/APP/CON (middle) & as now proposed (right)



- xii. Replacement of approved brickwork with cladding on the south elevation at upper first floor level
- xiii. Also on the south elevation, the allowed on appeal / approval of materials stages showed brickwork above the first floor windows and up to the roof level. However, as seen on site (see above), the aforementioned cladding has installed all the way from first floor up to roof level, thereby meaning the predominant material at this point has become the cladding rather than a mixture of brickwork and render (as approved), with brickwork having primacy. The resultant change, which is limited to just the south elevation and does not include the protruding gable (see above). does alter the finished appearance and character of this elevation, but not to such an extent to undermine the overall character of the block as a whole. Set within this context, whilst this

is considered to be another regrettable alteration, it is not considered to be so harmful to seek to resist the change based on what has been shown to be built on site.

xiv. Various other associated alterations

xv. A series of other minor associated works are also proposed, comprising:

- On the north elevation, the finish on top of the dormer windows are significantly 'chunkier' when viewed on site in comparison to how they appear on the plans submitted
- On the north elevation, where the cladding is now provided, this results in the windows no longer including the window heads above them
- On the west elevation, the relationship on the bottom corner of the gable on the north-western edge of the site is not shown accurately on the plan submitted, with the cladding evident in part (although partly hidden by guttering and the roof)
- On the west and south elevations, the extent of the fascia and soffits at the base of the gables appear greater in extent than shown on either the approved or originally proposed plans
- On the south elevation, a structure has been added to the east of the entrance.
- On the eastern elevation (as shown below), the relationship on the bottom corner of the gable on the north-eastern edge of the site is not shown accurately on the plan submitted, with the cladding evident in part (although partly hidden by guttering and the roof).



East elevation, as allowed on appeal (left), 221305/APPCON (middle) and as now proposed (right)

xvi. All of these changes, individually and collectively, are considered to be non-material alterations which do not material impact on the design idiom of the overall scheme and raise no issues for officers.

xvii. Overriding comments

xviii. These changes have been considered by officers, who are on balance content that the proposed changes, all of which are disappointingly sought retrospectively (with the proposals actually being more extensive than originally applied for, following the officer site visit establishing that a series of other changes are also proposed over and above the render to cladding change originally applied for by the applicant, are adequate and appropriate in overall terms. They will assist the development being occupied without significantly compromising or altering the original design intent of the proposal, as considered acceptable by the Planning Inspectorate in allowing the original appeal. Whilst a number of the changes are considered regrettable, in the context of them already been built (and the extent and nature of works which would be required to revert to the allowed permission), it would not be considered expedient to seek to remedy matters. In another sense, the proposals, as built, are not considered so wildly different to the overall original proposal, or harmful in themselves or collectively, to resist this proposal.

xix. Officers also 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 significant material or adverse impact on the overall design idiom, neighbour amenities, landscaping proposals, transport and highway safety intentions or any other consideration, set within the context of the allowed on appeal scheme. This is primarily owing to the context of the overall allowed on appeal scheme and the nature of the surrounding context,

with the proposed changes being of a relatively minor scale and nature in this specific context. It is recognised that NMA applications have previously been agreed at the site, but those applications related to Block 2 (not assessed as part of this application, as no works are proposed as part of this application) or altering the trigger point for the submission of details. As such, they are separate matters which are distinctly different to these proposals.

- xx. Ultimately, all changes proposed as part of this application is therefore considered appropriate by officers and suitable to progress through the non-material amendment procedure.
- xxi. An informative is recommended which states that this permission shall only be read in the context of the planning permission allowed on appeal under reference number 171893, 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 the application does not constitute material changes to the approved (allowed on appeal) planning permission.

Recommendation

Grant Non-material amendment

12. Conditions:

REPLACEMENT CONDITION 2:

The development hereby permitted shall be carried out in accordance with the following approved plans: 1:10,000 scale location plan; Sheet 01 (Location Plan); Sheet 02 (Site Plan); Sheet 03 (Existing Plans); Sheet 03 (Proposed Plans); Sheet 04 (Proposed Plans); Sheet 05 (Proposed Plans); Sheet 06 (Proposed Plans); Sheet 09 (Proposed Elevations); Sheet 10 (Proposed Elevations); Sheet 11 (Street Elevations), 2031/2A (Landscaping Proposals), **1559-GA-107 Rev D Elevations 1 Block A AS PROPOSED (as received 21/10/2024) and 1559-GA-108 Rev D Elevations 2 Block A AS PROPOSED (as received 21/10/2024).**

Reason: For the avoidance of doubt and to ensure that the development is carried out and adhered to in accordance with the application form and associated details hereby approved.

Informatives:

1. This permission shall only be read in the context of allowed on appeal planning permission 171893 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 – e.g. 192053 agreed on 20/03/2020, 200967 agreed on 03/08/2020 and 200968 agreed on 03/08/2020) 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 agreed extended timeframes.