

22 October 2024

Delivered via the Planning Portal

Planning Department
Reading Borough Council
Civic Offices
Bridge Street
Reading
RG1 2LU

Ref: HAMS3032

For the attention of Nathalie Weekes

Dear Nathalie

**NON-MATERIAL AMENDMENT SUBMISSION IN RESPECT OF CONDITION 2 – APPLICATION REF. 240520
AT THE ORACLE, BRIDGE STREET, READING.**

On behalf of our client, Oracle Limited Partnership (hereafter referred to as “the Applicant”), we are instructed to submit an application for a Non-Material Amendment (NMA) under section 96A of the Town and Country Planning Act 1990. This application relates to condition 2 (Approved Plans) of application ref. 240520, granted on 24th July 2024 for the following development:

“Demolition of the glass atrium at rooftop level of Holybrook carpark and infilling of opening and minor external alterations to former House of Fraser unit”.

CONDITION 2

Condition 2 as listed on the Decision Notice (ref. 240520) is as follows:

The development hereby permitted shall ONLY be carried out in accordance with the following approved plans:

*2216-URB-LR-37-DR-A-208900 Rev P00 Site Location Plan
2216-URB-LR-XX-DR-A-208350 Rev C00 General Sections as Proposed
2216-URB-LR-27-DR-A-208150 Rev P00 General Arrangement Riverside Level As Proposed
As received 23/04/2024
2216-URB-LR-XX-DR-A-208250 Rev P01 Elevations as Proposed
As received 05/06/2024
216-URB-ZZ-58-DR-A-420150 Rev P01 General Arrangement Car Park Level 2 As Proposed
As received 10/07/2024
Q00293-01-CMS Construction Method Statement – The Oracle HoF
As received 10/07/2024*

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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.

Planning application ref. 240520 sought the removal of the existing glass atrium located on the rooftop level of Holybrook Car Park. As part of the sub-division of the House of Fraser department store approved through application ref. 230682, the escalator core will be removed in order to create three no. standalone units, one each across each Riverside, Lower Mall and Upper Mall levels. The escalator opening will then be filled in at each level to create ceiling / floors for each unit, including at Upper Mall level where the escalator reaches the car park. As such, it was considered necessary to remove the glass atrium, rather than leave an enclosed void space at rooftop level.

Internal works to the former House of Unit have been underway, including the removal of the central escalator core that was presented within the House of Fraser Store. These works also necessitate the removal of the redundant glass atrium at roof level, that provided shelter and cover for the escalator core for pedestrians entering the House of Fraser department store (and subsequently the Oracle Shopping Centre) from the car park at roof level, and infilling of the void created following the removal of the escalator core. The Applicant is now seeking to make efficient use of the infilled space to provide additional car parking spaces within the rooftop car park area, replacing the former glass atrium space. This is discussed in detail below.

PROPOSED CHANGES

Following constructive discussions with Officers, this application seeks a non-material amendment to one of the approved plans as listed in the Decision Notice of 240520.

The change proposed will demarcate 10 additional parking spaces within the rooftop car park area, replacing the void created from the demolition of the former glass atrium space. This is shown on proposed drawing ref. 2216-URB-LR-58-DR-A-208150 Rev P02. For ease, the table below shows plans to be superseded by this NMA and the plan reference to replace it.

The design of the new parking spaces ensures consistency with the existing car park layout, utilising a grey surface with dark grey bays and blue pedestrian walkways to clearly differentiate the spaces. This approach maintains the existing material palette of the rooftop car park and ensures the new parking spaces seamlessly integrate into the current arrangement. The demarcation of spaces is considered an appropriate means to avoid hazardous or inappropriate use of hardstanding within the Oracle Car Park at busy periods. The parking spaces will be marked using white lining paint. It will not comprise any engineering operations.

Importantly, the demarcation of 10 parking spaces represent a minimal increase of only 1.7% to the car park's total capacity, which currently comprises 595 spaces at the Holybrook Car Park. The proposal will have no material impact on the existing circulation or car park layout and will not result in a significant increase in vehicle movements, thus preserving the functionality of the car park and ensuring no adverse impact on local traffic flows or highways safety.

Existing Drawing Ref.	Updated Drawing Ref.
2216-URB-LR-58-DR-A-208150 Rev P01 Car Park Level 2	2216-URB-LR-58-DR-A-208150 Rev P02 Car Park Level 2

COMMENTARY ON NMA CHANGES

Section 96A of the Town and Country Planning Act provides that a local planning authority in England may make a change to any planning permission relating to land in their area if they are satisfied that the change is not material. No definition of what constitutes a non-material change is provided in the legislation nor in the National Planning Practice Guidance which states:

“There is no statutory definition of ‘non-material’. This is because it will be dependent on the context of the overall scheme – an amendment that is non-material in one context may be material in another.”

Paragraph: 002 Reference ID: 17a-002-20140306z

The Planning Practice Guidance makes it clear that the Section 96A procedure is appropriate for dealing with non-material amendments to planning conditions. In this respect the amendments requested are not material and can be appropriately dealt with via this process.

The introduction of 10 additional car parking spaces, representing a de-minimis increase of 1.7% to the car park’s total capacity is considered insignificant and does not materially change or alter the scheme from what is approved. The proposed alterations to the car park would have no impact on economic performance of the centre, nor impact the wider accessibility of the Oracle Shopping Centre. It is considered that the demarcation of spaces will avoid hazardous or inappropriate use of hardstanding during busy periods.

It is considered the proposed change to the approved plans represents an appropriate use of the regulations enabling non-material amendments, in accordance with Section 96A of the Act.

INFORMATION SUBMITTED

This NMA application has been submitted via the Planning Portal under reference PP- 13421986. To enable the Council to determine the application the submission comprises the following plans and documents:

- Completed Application Forms;
- Supporting Covering Letter (this letter);
- Accompanying Plans
 - (i) 2216-URB-LR-58-DR-A-208150 Rev P02 Car Park Level 2

We trust that there is sufficient information for both the validation and determination of this application within the 4-week determination period. Should you require any further information or clarification please do not hesitate to contact me.

Yours sincerely,

Peter Davis
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