

DELEGATED APPLICATION REPORT

Ward: Abbey Ward

App Ref: PL/25/0382 Non-Material Amendment

Address: Riverside Car Park, The Oracle, Reading, RG1 2AG

Proposal: Application for a Non-Material Amendment to application PL/24/0461 condition 2 to substitute revised plans (fencing)

Applicant: Oracle Limited Partnership

Received date: 11/03/2025

Target Decision date: 08/04/2025

Case Officer: Nathalie Weekes

1. Site description

The proposal relates to the Riverside 24 hour car park, located at The Oracle shopping centre. As a whole, the Oracle opened in September 1999 and comprises a two level shopping centre, either side of the River Kennet riverside. The Oracle consists predominantly of national retailers providing a variety of retail, restaurant and leisure uses. The Riverside car park provides 1611 car parking spaces, including 100 disabled spaces, 50 family spaces, EV charging and car washing facilities.

The application site is subject to the following site constraints / designations:

- Part of the site is allocated for development under Policy CR14g – The Oracle Extension, Bridge Street and Letcombe Street, which specifies development of the area between the River Kennet and Mill Lane for retail, with use of the site at Letcombe Street for a public car park.
- With the boundary of Reading Central Area (Policies CR1-10)
- Inside the primary shopping area (Policy CR1)
- Inside the central core (Policy CR1)
- Inside the office core (Policy CR1)
- The Riverside frontages are designated primary frontages in Central Reading (Policy CR7)
- The site is partly within two separate conservation areas (Policies EN1 & EN3), namely Market Place / London Street to the east and St Mary's Butts / Castle Street to the west.
- On site Grade II listed buildings, namely 2&4 London Street, Seven Bridges House (19 Bridge Street) and the Telephone Exchange at 41- 47 Minster Street
- On site Grade II* structure, namely the culvert on the Holy Brook to the rear of Gun Street / Castle Street
- High Bridge (Duke Street) is a scheduled ancient monument (Policy EN1)
- Within the viewing corridor of view 2 within Policy EN5 (Protection of Significant Views with Heritage Interest) – the view northwards down Southampton Street from Whitley Street towards St Giles Church, St Mary's Church and Greyfriars Church.
- Includes parts of the classified highway network and a series of cycle routes (e.g. Mill Lane is an orbital route, Bridge Street, Broad Street, Minster Street and Duke Street are local routes, the southern Riverside is a leisure route, all as per the Local Cycling and Walking Infrastructure Plan)
- The River Kennet is an area of identified biodiversity interest (Policy EN12) and waterspace (Policy EN11)
- A number of parts of the site are subject to potential contaminated land (Policy EN16)
- Within areas of Flood Zone 1, 2 and 3 (Policy EN18)
- Within an area with archaeological potential (Policy EN2)
- Within an air quality management area (Policy EN15)
- Within a British Waterways consultation area
- Within a smoke control area

- Within a licensing cumulative impact area

2. Proposal And Supporting Information

The proposal is for a non material amendment to planning permission PL/24/0461 granted on 11/07/2024. More specifically, the proposal is for amended plans to demonstrate a change to previous condition 2 to substitute revised plans for fencing. A replacement condition is proposed with altered wording. No other changes are proposed to The Riverside car park or its original footprint.

The proposed revised materials will result in the same colour appearance as the original proposal, with the mesh to have a 'polyester powder coat' applied to match the colour of the existing fencing.

A revised Fire Engineering report has been submitted to evidence that there would be no detrimental impact to a fire risk and would comply with required fire safety guidance.

3. Public Consultation

i. Neighbour Consultation

No statutory requirement for any for this type of application.

ii. Chair & Vice Chair of the Planning Application Committee and Abbey Ward Councillors

Not required following changes to the scheme of delegation in April 2020.

4. Internal / External Consultations

Internal consultations were made to the RBC Transport and RBC Building Control. Following consultation, there are no objections from the RBC Transport team. No response has been received from RBC Building Control at the time of writing this report. An informative has been added to advise that the works would be subject to Building Control regulations.

5. Plans Considered

i. The Council, in reaching its recommendation has taken into consideration the supporting letter and application form submitted by the applicant, together with the following plans:

Plans considered - Condition 2

HAMS3038 Application letter, Turley, 6 March 2025

JL9404/ba/06jll oracle riverside – proposed security fencing works Fire engineering review, Jensen Hughes, 11 February 2025

RSCP.SF.PRO.E.ELE.B Safety fencing proposed east elevations Riverside car park

RSCP.SF.PRO.N.2.ELE.B Safety fencing proposed north elevation central section Riverside car park

RSCP.SF.PRO.N.1.ELE.B Safety fencing proposed north elevation east end Riverside car park

RSCP.SF.PRO.N.3.ELE.B Safety fencing proposed north elevation west end Riverside car park

RSCP.SF.PRO.S.2.ELE.B Safety fencing proposed south elevation central section Riverside car park

RSCP.SF.PRO.S.3.ELE.B Safety fencing proposed south elevation east end Riverside car park

RSCP.SF.PRO.S.1.ELE.B Safety fencing proposed south elevation west end Riverside car park

RSCP.SF.PRO.W.ELE.B Safety fencing proposed west elevations Riverside car park

As received on 11 March 2025

6. Relevant Planning History

There have been numerous planning applications at the wider Oracle site and the Riverside car park to which this application relates. Those which are specifically relevant and impact this proposal are:

970419	Demolition of existing buildings, redevelopment and change of use to provide: shopping centre (Class A1, A2 & A3), 41 residential units, leisure facilities including multi screen cinema (Class D2), car parking (2390 spaces) and community uses together with associated landscaping etc. Granted following the completion of a s106 legal agreement 04/04/1997.
230682	Application under Section 73 of Town and Country Planning Act (1990) to remove condition no. 62 of planning permission ref. 970419 (Demolition of existing buildings, redevelopment and change of use to provide: shopping centre (Class A1, A2 & A3), 41 residential units, leisure facilities including multi screen cinema (Class D2), car parking (2390 spaces) and community uses together with associated landscaping etc)to allow the sub-division of 'department store' floorspace. Imposition of new planning condition(s) to restrict use of 'department store' floorspace within Use Class E(a)(b)(d)(e), with a minimum unit size of 1,000 sqm (GIA). Permitted 22/11/2023
240461	Installation of security fencing at Riverside car park, The Oracle.

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 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

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

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 change to be considered:

a) Alter the wording of condition 2 (approved plans in relation to fencing)

The change to the proposed materials is a relatively minor change which does not compromise the design idiom of the scheme and or change in footprint of the proposed development. The amendment is considered to simply represent design development, as can be expected on any scheme of this nature. It is considered to be a non-material change and appropriate plans have been submitted to show the proposed change in full.

The proposed change is to vary the product specification to include a mixture of 'Jakob Webnet and 358 Welded mesh fencing' to be coated in a grey colour to match the existing car park structure. There is not considered to be a material difference in the appearance of the car park from the proposed changes to the fencing.

In practice, the wording of the condition will be altered as follows (elements omitted marked by a strikethrough; additions in **bold**):

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

Previously approved plans under 240461

~~THE ORACLE SC.SITE.01 Site Plan~~

~~JL9404/ap/01jll Fire Engineering Review, Jensen Hughes, 25 March 2024~~

~~As received 15/04/2024~~

~~RSCP.SF.PRO.W.ELE.A Safety Fencing Proposed West Elevations Riverside Car Park~~

~~RSCP.SF.PRO.S.1.ELE.A Safety Fencing Proposed South Elevation West End Riverside Car Park~~

~~RSCP.SF.PRO.S.3.ELE.A Safety Fencing Proposed South Elevation East End Riverside Car Park~~

~~RSCP.SF.PRO.S.2.ELE.A Safety Fencing Proposed South Elevation Central Section Riverside Car~~

~~Park RSCP.SF.PRO.02.A Safety Fencing Proposed Riverside Car Park Levels 4,5,6,7~~

~~RSCP.SF.PRO.N.3.ELE.A Safety Fencing Proposed North Elevation West End Riverside Car Park~~

~~RSCP.SF.PRO.N.1.ELE.A Safety Fencing Proposed North Elevation East End and Riverside Car~~

~~Park RSCP.SF.PRO.N.2.ELE.A Safety Fencing Proposed North Elevation Central Section Riverside~~

~~Car Park RSCP.SF.PRO.E.ELE.A Safety Fencing Proposed East Elevations Riverside Car Park~~

~~HAMS3032 Application letter Turley 9 May 2024~~

~~As received 16/05/2024~~

Revised plans 25/0382

HAMS3038 Application letter, Turley, 6 March 2025

JL9404/ba/06jll oracle riverside – proposed security fencing works Fire engineering review, Jensen Hughes, 11 February 2025

RSCP.SF.PRO.E.ELE.B Safety fencing proposed east elevations Riverside car park

RSCP.SF.PRO.N.2.ELE.B Safety fencing proposed north elevation central section Riverside car park

RSCP.SF.PRO.N.1.ELE.B Safety fencing proposed north elevation east end Riverside car park

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RSCP.SF.PRO.S.2.ELE.B Safety fencing proposed south elevation central section Riverside car park

RSCP.SF.PRO.S.3.ELE.B Safety fencing proposed south elevation east end Riverside car park

RSCP.SF.PRO.S.1.ELE.B Safety fencing proposed south elevation west end Riverside car park

RSCP.SF.PRO.W.ELE.B Safety fencing proposed west elevations Riverside car park

As received on 11 March 2025

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.

Overall comments

In overall terms, officers are content that the proposed changes are acceptable, in themselves and collectively as part of the original application. In light of this being the first s96a application associated with the original application, there are no cumulative impacts to consider in this instance. The proposed changes will practically assist the development being implemented in full, with these changes relating to relatively minor components in the context of the scheme as a whole.

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 material impact on the overall design idiom, neighbour amenities, landscaping proposals, transport, highway safety, sustainability or ecological intentions or any other consideration, set within the context of the original permission. This is primarily owing to the context of

the overall original scheme and the nature of the surrounding environment, with the proposed changes being of a relatively minor scale and nature in this specific context.

All changes proposed as part of these applications are therefore considered to be appropriate by officers and suitable to progress through the non-material amendment procedure.

An informative is recommended which states that this agreed NMA relates only to the changes highlighted. It will also be acknowledged that the agreed NMA shall only be read in the context of the substantive full permission, and is bound by all the conditions and obligations attached to the substantive 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.

The West Hub Fire Safety Office previously advised that the provision would have to 'satisfy Building Regulation requirement and that 'The weight limits for RBFRS fire appliances are 16 tonnes for fire engine and 26 tonnes for three axial aerial appliances. Access and hydrants requirements must meet or exceed Buildings Regulations Approved Document B Volume 02.' A Building Control informative has been added.

11. Conclusion

The local planning authority is satisfied that the changes proposed by this application do not constitute material changes to the approved original planning permission.

Recommendation

Grant Non-material amendments

REPLACEMENT CONDITION 2

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

Previously approved plans under 240461

THE ORACLE SC.SITE.01 Site Plan

As received 15/04/2024

Revised plans 25/0382

HAMS3038 Application letter, Turley, 6 March 2025

JL9404/ba/06jll oracle riverside – proposed security fencing works Fire engineering review, Jensen Hughes, 11 February 2025

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RSCP.SF.PRO.W.ELE.B Safety fencing proposed west elevations Riverside car park

Received on 11 March 2025

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 relates only to the non-material amendments sought and described above. Furthermore, it shall only be read in the context of the substantive planning permission granted on 11/07/2024 under reference number 240461, 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 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. Your attention is drawn to the requirement for submission of a Building Regulations application for the proposed development. Please contact Building Control on 0118 937 2449 for advice.
4. The Local Planning Authority has worked positively and proactively with the applicant to determine the application under the non-material amendment procedure.