

DELEGATED APPLICATION REPORT

Ward: Battle

App Ref: PL/25/0489 Non-Material Amendment

Address: 42 PORTMAN ROAD, READING

Proposal: Non-Material Amendment to Planning Permission PL/22/0299 (granted on 15/06/2022 for the erection of an additional storey to provide office accommodation (Class E) together with minor alterations to the existing building, and the provision of parking and other associated facilities) to change the trigger point in Condition 4 so that the rooftop plant room can be removed prior the submission of the soft landscaping details.

Applicant: Soni.me Ltd

Received date: 27/03/2025

Target Decision date: 24/04/2025

Case Officer: Sian Hickey

PROPOSAL AND SUPPORTING INFORMATION

Existing Wording of Condition 4:

4. No development shall commence on site until a comprehensive scheme of soft landscaping has been submitted to and approved in writing by the Local Planning Authority. These details shall include: a) Proposed finished ground and floor levels or contours, means of enclosure (including mammal gaps where appropriate), car parking layouts, other vehicle and pedestrian access and circulation areas; b) Details of the green roof, including a section drawing of the green roof, details of the proposed planting species, specifications and maintenance; c) Soft landscaping details shall include planting plan, specification (including cultivation and other operations associated with plant and grass establishment), tree pit specifications, schedules of plants, noting species, planting sizes and proposed numbers/densities where appropriate, and implementation timetable; d) A maintenance programme detailing all operations to be carried out in order to allow successful establishment of planting; The approved soft landscaping scheme shall be carried out in accordance with the approved details prior to the occupation of any part of the development or in accordance with a timetable approved in writing by the Local Planning Authority. Any trees or plants which, within a period of 5 years from the date of planting, die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, to be agreed in writing by the Local Planning Authority.

REASON: These details are required prior to commencement of development because of insufficient information contained within this submission and in the interest of ensuring that the landscaping of the development enhances the visual local environment and in accordance with Policy CC7 of the Reading Borough Local Plan 2019.

Proposed Wording of Condition 4:

4. No development shall commence on site, **except the removal of the rooftop plant room,** until a comprehensive scheme of soft landscaping has been submitted to and approved in writing by the Local Planning Authority. These details shall include: a) Proposed finished ground and floor levels or contours, means of enclosure (including mammal gaps where appropriate), car parking layouts, other vehicle and pedestrian access and circulation areas; b) Details of the green roof, including a section drawing of the green roof, details of the proposed planting species, specifications and maintenance; c) Soft landscaping details shall include planting plan, specification (including cultivation and other operations associated with plant and grass establishment), tree pit specifications, schedules of plants, noting species, planting sizes and proposed numbers/densities where appropriate, and implementation timetable; d) A maintenance programme detailing all operations to be carried out in order to allow successful

establishment of planting; The approved soft landscaping scheme shall be carried out in accordance with the approved details prior to the occupation of any part of the development or in accordance with a timetable approved in writing by the Local Planning Authority. Any trees or plants which, within a period of 5 years from the date of planting, die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, to be agreed in writing by the Local Planning Authority.

REASON: These details are required prior to commencement of development because of insufficient information contained within this submission and in the interest of ensuring that the landscaping of the development enhances the visual local environment and in accordance with Policy CC7 of the Reading Borough Local Plan 2019.

PLANNING HISTORY

23/1101/ADV - New pair of illuminated 48-sheet digital advertisement displays. Refused

220299/FUL Erection of an additional storey to provide office accommodation (Class E) together with minor alterations to the existing building, and the provision of parking and other associated facilities. Permitted.

200693/OPA - Change of use from office (B1a) to residential (C3) to provide 16 units. Prior Notification under Class O, Part 3 of Schedule 2 of the Town and Country Planning (Permitted Development) Order 2015. Granted Prior Approval

181934/FUL - Proposed Extension to Existing External Car Park Area (Renewal of original Planning Approval Ref: 150391 dated 8th June 2015). Permitted

150391/FUL - Proposed Car Park Extension. Permitted

CONSULTATIONS

Applications under S96A are not applications for planning permission, so are not covered by the publicity requirements as set out in the DMPO.

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.

RELEVANT PLANNING POLICY AND 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." The proposed amendments are assessed for materiality – not on the basis of their planning merits. Planning policies therefore do not apply.

ASSESSMENT

The proposed amendment to the wording of condition 4 would not materially change the development previously approved under application PL/22/0299. It would not undermine the reason for the council attaching the condition as it would continue to allow the approval of soft landscaping details at an early stage in the project and ensure the landscaping of the development enhances the visual and local environment.

Therefore, the amendment to the wording of condition 4 is agreed.

An informative is recommended which states that this permission relates only to the change to condition 4 (comprehensive scheme of soft landscaping) of the substantive planning permission ref PL/22/0299. 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.

CONCLUSION

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

RECOMMENDATION: Approve non-material amendment

Conditions and reasons

Condition 4 is amended as follows:

No development shall commence on site, except the removal of the rooftop plant room, until a comprehensive scheme of soft landscaping has been submitted to and approved in writing by the Local Planning Authority. These details shall include: a) Proposed finished ground and floor levels or contours, means of enclosure (including mammal gaps where appropriate), car parking layouts, other vehicle and pedestrian access and circulation areas; b) Details of the green roof, including a section drawing of the green roof, details of the proposed planting species, specifications and maintenance; c) Soft landscaping details shall include planting plan, specification (including cultivation and other operations associated with plant and grass establishment), tree pit specifications, schedules of plants, noting species, planting sizes and proposed numbers/densities where appropriate, and implementation timetable; d) A maintenance programme detailing all operations to be carried out in order to allow successful establishment of planting; The approved soft landscaping scheme shall be carried out in accordance with the approved details prior to the occupation of any part of the development or in accordance with a timetable approved in writing by the Local Planning Authority. Any trees or plants which, within a period of 5 years from the date of planting, die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, to be agreed in writing by the Local Planning Authority.

REASON: These details are required prior to commencement of development because of insufficient information contained within this submission and in the interest of ensuring that the landscaping of the development enhances the visual local environment and in accordance with Policy CC7 of the Reading Borough Local Plan 2019.

Informatives

1. This application relates only to the change to condition 4 (comprehensive scheme of soft landscaping) of the substantive planning permission ref PL/22/0299. Furthermore, it shall only be

read in the context of the substantive permission and is bound by all conditions attached to that permission.

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 the application under the non-material amendment procedure within the recommended timeframes.