

DELEGATED APPLICATION REPORT

Address: 146 Friar Street, Reading, RG1 1EX

Application No: PL/25/0935 - VARIAT

Proposal: Variation of condition 3 (time period for restoration and scheme of works) of planning permission PL/23/0702 (granted on 04/10/2023 for temporary dropped kerb/ vehicle crossing) to extend the time period from 30th January 2026 to 31st December 2026.

Applicant: Thackeray Estates Reading Investments Ltd

Date received (valid from): 01/07/2025

Target Decision date: 26/08/2025

Case officer: Jonathan Markwell

1. Site Description and Surrounding Area

1.1 The application site comprises the footway in front of the now former 146 Friar Street (which was demolished earlier in 2025), which was previously constructed of block paving with granite kerb stones (the footpath was raised approximately 6 inches higher than the carriageway), but a dropped kerb / vehicle crossing has temporarily been installed at the site following permission in 2023 (see relevant history section below). The site is on the south side of Friar Street, between the junctions with Fife Court (to the west) and Queen Victoria Street / Station Road (to the east). 146 Friar Street was demolished earlier in 2025 as part of the on-going redevelopment of a wider site at 1-15 (odd) Queen Victoria Street and 145-148 Friar Street. No's 1-15 (odd) Queen Victoria Street and 148 Friar Street are all grade II listed buildings, as part of a wider designation which includes further buildings on Friar Street (No's 149 & 150), Queen Victoria Street (No's 17-31 & 2-32) and Broad Street (No's 24-28 & 35-38). No. 147 is subject to a standalone Grade II listing.

1.2 The following designations and information in relation to the application site is noted:

- The site is not specifically allocated for development within the local plan;
- The site is within the boundary of the Reading Central Area (Policies CR1-10);
- The site is within the Primary Shopping Area, Central Core and Office Core (Policy CR1);
- The Friar St street frontage is a designated primary frontage in Central Reading as existing (Policy CR7);
- The site is within an Air Quality Management Area (Policy EN15);
- The site is located within a low tree canopy cover ward (Reading Tree Strategy)
- The site is within an area of Archaeological potential (Policy EN2);
- The site is within the 'Station Hill and around' town centre district heating cluster (paragraphs 8.7 – 8.10 of the Sustainable Design and Construction SPD);
- The site is in a Smoke Control Zone;
- Friar Street is part of the classified highway network (Policies TR1-3) and identified for the proposed Mass Rapid Transit route (Policy TR2);
- Friar Street is a specified cycle route (Policy TR4);
- Friar Street is used by buses and has access restrictions in place during certain times of the day. There is a 24 hour restriction in place for Friar Street westbound (except for buses and taxis) and time restricted access Friar Street eastbound between 7am – 11am and 4pm – 7pm and restricted access to Market Place. A section of a 'no stopping' red route has been introduced east along Friar Street. This restriction means vehicles will not be allowed to stop unless they are within a dedicated loading bay;
- The site is located within Zone 1 of the adopted Parking Standards and Design SPD, which is an area at the very heart of Reading Borough. This area is well served by rail and bus links and also contains the largest proportion of public car parking spaces;
- The site is outside one of the three major opportunity areas within Central Reading, with the Station/River MOA (Policy CR11) being to the north of the site. In figure 5.3, which accompanies Policy CR11, the site (together with the site to the east) is identified as being a nearby sensitive location – heritage assets;
- Friar Street is also identified for the proposed Mass Rapid Transit route.

- The site is not within a conservation area.

2. The Proposal & procedural background

- The applicant is seeking to vary condition 3 (time period for restoration and scheme of works) of planning permission PL/23/0702 (granted on 04/10/2023 for temporary dropped kerb/ vehicle crossing) to extend the time period from 30th January 2026 to 31st December 2026.
- The rationale for the application is explained in the supporting statement submitted by the applicant, as follows:

Reasoning

When the permission was issued, there was a significant delay in commencing the development, which has had a knock-on effect on the date of the scheduled works and completion date.

The dropped kerb consent requires reinstate by 30th January 2026, however, this will be premature and therefore the Applicant is seeking to extend this deadline until December 2026 to provide sufficient time and contingency to complete the works.

the Applicant is seeking to complete quicker, but the contingency is built in.

- From a procedural perspective, relevant guidance from PPG is reproduced below:

Paragraph: 015 Reference ID: 17a-015-20140306

What is the effect of a grant of permission under section 73?

Permission granted under section 73 takes effect as a new, independent permission to carry out the same development as previously permitted subject to new or amended conditions. The new permission sits alongside the original permission, which remains intact and unamended. It is open to the applicant to decide whether to implement the new permission or the one originally granted.

A decision notice describing the new permission should be issued, setting out all of the conditions related to it. To assist with clarity decision notices for the grant of planning permission under section 73 should also repeat the relevant conditions from the original planning permission, unless they have already been discharged. Further information about conditions can be found in the [guidance for use of planning conditions](#).

As a section 73 application cannot be used to vary the time limit for implementation, this condition must remain unchanged from the original permission. If the original permission was subject to a planning obligation then this may need to be the subject of a deed of variation.

Paragraph: 017 Reference ID: 17a-017-20140306

Is there a definition of 'minor material amendment'?

There is no statutory definition of a 'minor material amendment' but it is likely to include any amendment where its scale and/or nature results in a development which is not substantially different from the one which has been approved.

Pre-application discussions will be useful to judge the appropriateness of this route in advance of an application being submitted.

Annex A: summary comparison table Paragraph: 019 Reference ID: 17a-019-20140306

What is the application considered against?

Development plan and material considerations, under section 38(6) of the 2004 Act, and conditions attached to the existing permission. Local planning authorities should, in making their decisions, focus their attention on national and development plan policies, and other material considerations which may have changed significantly since the original grant of permission.

In what form must the decision be issued?

Grant: new decision notice referring to the permission as being granted under s73, the conditions attached to the new permission and restating the conditions imposed on earlier permissions that continue to have effect.

3. Public Consultation

i. Neighbour Consultation

A site notice was erected on 10/07/2025, expiring on 31/07/2025. A press notice was published on 17/07/2025, expiring on 07/08/2025. No responses have been received.

4. Consultations

RBC Transport Development Control advise that this application relates to the development currently under construction at 1-15 Queen Victoria Street / 145-148 Friar Street to facilitate works in connection with planning permission ref: 221232.

An application was approved under planning permission ref: PL/23/0702 for a temporary dropped kerb / vehicle crossing to allow vehicles to access the land in association with the development for the demolition of the central part of the site and ground works. Condition (3) states that the temporary dropped kerb needs to be reinstated by 30 January 2026.

This application proposes to extend the period until 31st December 2026 due to delays commencing the development.

From a transport perspective, there are no objections to the variation of condition 3 to allow the extension of the time period until 31st December 2026. However, the applicant should be advised that the TTRO for the suspension of the loading bay (to allow the construction access into the site) expires on 29th November 2025. Therefore, the applicant will need to liaise with the Council's Streetworks team to determine whether a new TTRO can be applied for to cover the period up until 31st December 2026. Given Traffic Regulations Orders are under separate legislation to the Planning Act, there can be no guarantee that an extension or new TTRO will be approved.

There are no transport planning objections to this application.

Informative

The granting of this planning consent does not automatically guarantee that an extension to/or new Temporary Traffic Regulation Order will be approved. The Council's Streetworks team should be contacted to agree the implementation of a Temporary Traffic Regulation Order prior to the expiration date of the current order.

5. Information Considered

- i.** Information submitted at the time of the original permission.
- ii.** Application form and supporting letter 'Planning Statement' from Town Planning Bureau Ref URB-482b-ST12, dated 27/06/2025, as received 01/07/2025.

6. Relevant Planning History

Application site

230702 - Temporary dropped kerb/ vehicle crossing. Granted 04/10/2023.

Wider Application site - 1-15 Queen Victoria Street and 145-148 Friar Street

221232/FUL - Demolition of No. 146 Friar St and structures to rear and partial demolition of No. 145 Friar St and various external works to other existing buildings, as part of redevelopment to provide: reconfigured basement and ground floor uses (Class E(a) or (b)) on Friar St and Queen Victoria St frontages and proposed apart-hotel (Class C1) at part-basement, part-ground and on all upper floors; part-two, part-three storey rear extension to No's 5-15 (odd) Queen Victoria St; replacement basement and five storey building at No. 145 Friar St and two-storey roof extension to No. 146 Friar St; proposed public courtyard accessed via Queen Victoria St walkway; roof level plant; and various other associated works. Granted following completion of s106 legal agreement 24/05/2023.

221233/LBC – Various internal and external works associated with No's 147 and 148 Friar St and No's 1 – 15 (odd) Queen Victoria St, including part-two, part-three storey rear extension to No's 5-15 (odd) Queen Victoria St, as part of redevelopment to provide reconfigured basement and ground floor uses (Class E(a) or (b)) on Friar St and Queen Victoria St frontages and proposed apart-hotel (Class C1) and on all upper floors. Granted 24/05/2023.

PL/24/0404/LBC - Various internal and external works associated with Nos 147 and 148 Friar St and Nos 1 and 15 (odd) Queen Victoria St, including part-two, part-three storey rear extension to 5-15 (odd) Queen Victoria St, as part of redevelopment to provide reconfigured basement and ground floor uses on Friar St and Queen Victoria St frontages and proposed apart-hotel (Class C1) and on all upper floors. Granted 25/07/2024.

PL/24/0422/VARIAT - Variation of conditions 2, 3, 4, 7, 21, 23, 25, 26, 27, 28, 31, 32, 33, 34, 38, 39, 40, 41, 42, 43, 44 & 48 and removal of conditions 29 & 30 of permission 221232 (dated 24/05/23 for various demolition works and redevelopment for reconfigured basement/ground floor uses, apart-hotel, various extensions and new-build elements, public courtyard and associated works), including reconfiguration of 5-15 (Odd) Queen Victoria St from 6 to 3 units at basement /ground floor level and rear dormer alterations at 3rd floor level, increase in rooms and provision of apart-hotel entrance on Queen Victoria St, remodelling of the extent of new-build elements at 145-146 Friar St, together with dormer and roof level changes, and various other associated works. Granted 25/07/2024.

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

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that proposals be determined in accordance with the development plan unless material considerations indicate otherwise. The Development Plan for Reading relevant to the application site comprises the Reading Local Plan 2019.

As per the PPG, the local planning authority should, in making their decisions, focus their attention on national and development plan policies, and other material considerations which may have changed significantly since the original grant of permission.

The 'National Planning Policy framework' ("NPPF") December 2024 states clearly that its content is to be a material consideration in the determination of applications. The 'NPPF' states that due

weight should be given to the adopted policies of the Local Plan according to their degree of consistency with the 'NPPF' (the closer the policies in the plan to the policies in the 'NPPF', the greater the weight that may be given). Accordingly, the 'NPPF' and the following development plan policies and supplementary planning guidance are relevant:

9. Relevant Policies

The application has been assessed against the following policies:

National

National Planning Policy Framework December 2024 (as amended February 2025)
National Planning Practice Guidance

Reading Borough Local Plan 2019

CC1 Presumption In Favour Of Sustainable Development
CC7 Design and the Public Realm
CC8 Safeguarding Amenity
EN1 Protection and enhancement of the Historic Environment
TR3 Access, Traffic and Highway-Related Matters
CR2 Design in Central Reading

Local Plan Update

The current version of the Local Plan (adopted in November 2019) turned five years old on Tuesday 5th November 2024. The Local Plan was reviewed in March 2023 and around half of the policies in the plan are considered still up to date. However, the rest need to be considered for updating to reflect changing circumstances and national policy. A consultation version of the draft updated version of the Local Plan was published on 6th November 2024. Subsequent to this consultation a submission draft was sent to the Secretary of State on 9th May 2025. At the time of writing, the examination-in-public of the partial update to the local plan is scheduled to take place in late 2025.

Although there is a five-year period for carrying out a review of a plan after it is adopted, nothing in the NPPF or elsewhere says that policies automatically become "out of date" when they are five years old. It is a matter of planning judgement rather than legal fact whether a plan or policies within it are out-of-date. This will depend on whether they have been overtaken by things that have happened since the plan was adopted, either on the ground or through changes in national policy, for example.

Officer advice in respect of the Local Plan policies pertinent to this application is that they remain in accordance with national policy and that the objectives of those policies remains very similar in the submission draft updated Local Plan. Therefore, they can continue to be afforded weight in the determination of this planning application and are not considered to be 'out of date'.

10. Appraisal

The reasoning for the change in wording of the condition, in allowing the applicant a further 11 months to reinstate the temporarily removed pavement, is accepted from a planning perspective. By allowing the applicant further time before needing to reinstate the pavement, it will enable the wider redevelopment works to take place, with project delays acknowledged to sometimes occur on projects such as these (as demonstrated by a s73 permission at the wider site in the intervening time period too – see history section above). The proposal is merely seeking to extend the time for which the dropped kerb can be in place; it is not proposed (or suggested in the submission) that there is any intention not to adhere to the condition in time. Therefore, it is not considered to undermine or dilute the original condition in any way. RBC Transport raise no concerns and therefore, in overall terms, it is considered that the condition can be varied as sought.

The proposals are still considered to accord with the development plan and all other material considerations, which enables this variation of condition application to be supported.

Recommendation

Grant variation of condition 3.

In line with the PPG, all of the original conditions (as part of PL/23/0702) are reproduced below in blue, with the altered worded conditions (bearing in mind the PPG) in red. Officer notes explaining the changes are also detailed in green.

1. The development hereby permitted shall begin no later than three years from the date of this planning permission.

Reason: to prevent an accumulation of unimplemented planning permissions, and in accordance with Section 91 of the Town & Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.

Condition 1 of the original planning permission (3 years for implementation - Ref PL/23/0702) is no longer relevant, as the permission has already begun.

Officer note: The altered condition is self-explanatory.

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

Drawing No: UK Planning Maps – 1-3, Queen Victoria Street, Reading, RG1 1SY-Site Location Plan

Drawing No: J32-7403-PS001-Proposed Dropped Kerb and Temporary Suspension of Loading Bay-dated May 23

Drawing No: J32-7403-AT-A02-Swept Path Analysis-Large Tipper-dated April 23

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.

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

Drawing No: UK Planning Maps – 1-3, Queen Victoria Street, Reading, RG1 1SY-Site Location Plan

Drawing No: J32-7403-PS001-Proposed Dropped Kerb and Temporary Suspension of Loading Bay-dated May 23

Drawing No: J32-7403-AT-A02-Swept Path Analysis-Large Tipper-dated April 23

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.

Officer note: No change to the original condition is necessary.

3. The site shall be restored to its former condition on or before 30 January 2026 in accordance with a scheme of works which shall first have been submitted to and approved in writing by the Local Planning Authority.

REASON: The type of structure is not one that the Local Planning Authority is prepared to approve in this location other than for a limited period, having regard to the materials and type of structure proposed.

3. The site shall be restored to its former condition on or before **31st December 2026** in accordance with a scheme of works which shall first have been submitted to and approved in writing by the Local Planning Authority.

REASON: The type of structure is not one that the Local Planning Authority is prepared to approve in this location other than for a limited period, having regard to the materials and type of structure proposed.

Officer note: Wording updated to reflect the proposed date change from January to December 2026.

Informatives

1. The Local Planning Authority has worked positively and proactively with the applicant to resolve relevant matters to allow permission to be granted within the statutory time for the decision to be issued.
2. Your attention is drawn to the terms and conditions of this permission. Any development which is carried out but which differs materially from the approved plans and details, or does not comply with any condition(s) or planning obligation(s) attached to the permission may result in the Council taking action to remedy the breach of planning control. If you are in any doubt please contact the Council.
3. Complaints are commonly received about noise and dust caused by construction and demolition works, particularly working outside reasonable hours and smoke from bonfires associated with the burning of waste on site. The developer is reminded that construction and demolition associated with the approved development will be subject to environmental health law.
4. i) The attention of the applicant is drawn to Section 59 of the Highways Act 1980, which enables the Highway Authority to recover expenses due to damage caused by extraordinary traffic. ii) Any works affecting the Highway shall be in accordance with Reading Borough's Council's document "Guidance Notes for Activities on the Public Highway within the Borough of Reading". The applicant should note that compliance with this document is mandatory and licences to work on the Highway will only be issued if the requirements contained within it are met. A copy can be obtained from the Council's website.
5. In reaching this decision, the Local Planning Authority has taken into account the following information:
 - Application form
 - Supporting letter 'Planning Statement' from Town Planning Bureau Ref URB-482b-ST12, dated 27/06/2025, as received 01/07/2025.
6. RBC Transport Planning advises that the granting of this variation of condition to a planning permission does not automatically guarantee that an extension to/or new Temporary Traffic Regulation Order (TTRO) will be approved. Traffic Regulation Orders are under separate legislation to the Planning Act, meaning there can be no guarantee that an extension or

new TTRO will be approved. The Council's Streetworks team should be contacted to agree the implementation of a TTRO prior to the expiration date of the current order, which allows for the suspension of the loading bay (to allow the construction access into the site) until 29th November 2025.