

DELEGATED APPLICATION REPORT

Ward: Battle

App Ref: PL/26/0145 Non-Material Amendment

Address: 640 OXFORD ROAD, READING, RG30 1EH

Proposal: Minor amendment of planning permission PL/22/0780 to amend the wording of conditions 20 (Design stage BREEAM) and 21 (Final BREEAM) (Amended)

Applicant: VX KVA DEV LIMITED

Received date: 03/02/2026

Target Decision date: 14/05/2026 (Ext)

Case Officer: Alison Amoah

Proposal: The amended proposal is to amend condition 20 related to the submission and approval of an interim design stage BREEAM certificate and condition 21 related to the final BREEAM. The amendments sought are as follows:

Existing condition 20:

20. **[Pre-commencement]** No development shall commence on site until a copy of an Interim BREEAM Certificate in accordance with the BREEAM Sustainability Standard demonstrating that the commercial units hereby approved comply with a minimum standard of BREEAM Very Good rating has been submitted to and approved in writing by the Local Planning Authority.

REASON: These details are required due to insufficient information being contained within this submission and in order to ensure that the development is carried out in accordance with sustainable building standards in accordance with Policy CC2 of the Reading Borough Local Plan 2019.

Proposed condition 20:

20. The development shall be undertaken in accordance with the approved BREEAM Pre-Assessment Report, Ref: J04012 Rev 0, dated 5th May 2026, received 8th May 2026, which demonstrates that the commercial unit hereby approved complies with a BREEAM Very Good rating.

REASON: To ensure that the development is carried out in accordance with sustainable building standards in accordance with Policy CC2 of the Reading Borough Local Plan 2019.

Existing condition 21:

21. Prior to first use of the commercial units hereby approved, a copy of a Final BREEAM Certificate in accordance with the BREEAM Sustainability Standard following a post-construction stage review carried out by a licensed assessor has been submitted to and approved in writing by the Local Planning Authority, demonstrating that the commercial units have attained as a minimum the standard set out in the Interim BREEAM Certificate referred to in condition 20.

REASON: To ensure that the development is carried out in accordance with sustainable building standards in accordance with Policy CC2 and H5 of the Reading Borough Local Plan 2019.

Proposed condition 21:

21. **Within 6 months of the first occupation** ~~Prior to first occupation~~ of the commercial units hereby approved, a copy of a Final BREEAM Certificate in accordance with the BREEAM Sustainability Standard following a post-construction stage review carried out by a licensed assessor has been submitted to and approved in writing by the Local Planning Authority, demonstrating that the commercial units ~~have~~ attained as a minimum the standard **of Very Good** set out in the ~~Interim BREEAM Certificate~~ **BREEAM Pre-Assessment Report** referred to in condition 20.

REASON: To ensure that the development is carried out in accordance with sustainable building standards in accordance with Policy CC2 and H5 of the Reading Borough Local Plan 2019.

The original submission under this application sought to delete condition 21 and have a compliance condition only for condition 20 to be in accordance with a submitted Sustainability Assessment Report prepared by Energy Report Limited. The applicant considered that this would be a suitable alternative sustainability assessment to a full BREEAM assessment. However, officers advised that a BREEAM assessment is a key policy requirement, therefore, it was agreed that a BREEAM Pre-Assessment Report could be submitted as an alternative for the Design stage (condition 20), but that a final BREEAM assessment would still be required under condition 21, but that an amended trigger for submission and approval would be acceptable.

Objections Received (Summary):

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

Relevant Planning History:

PL/22/0780/FUL - Provision of a mixed-use development comprising 3 x separate commercial units (one at basement level and two at ground floor level) and 2 additional self-contained dwellings (two at first floor and two at second floor) with associated extensions and alterations – Approved Subject to S106 7th June 2023.

Appraisal:

The proposed changes, detailed above, would not materially alter the function of the conditions. With regard to the amendment of condition 20, this would become a compliance condition, to accord with the submitted BREEAM Pre-Assessment Report. This provides the relevant information for BREEAM and still meets relevant policy requirements.

With regard to condition 21 and the amended trigger this would still require the necessary detail to be submitted, but post rather than pre-occupation. The Design Stage BREEAM Pre-Assessment Report shows that the scheme would achieve the target minimum of Very Good. However, it should be noted that the Final rating is determined on the basis of verified as-built evidence, and where design commitments are not fully implemented, this may affect the final score, however an extended submission period does not change this risk.

Within the context of the overall scheme the proposed changes are considered non-material and would have no material impact on the overall approved scheme nor the remaining conditions. The amendment to condition 21 to submit the Final BREEAM Certificate within six months of first occupation reflects the practical requirements of the BREEAM process with the availability of as-built evidence and the BRE's certification timescales.

Conclusion:

The changes as proposed are considered to be acceptable non-material alterations to the approved scheme.

Recommendation:

Approve non-material amendment subject to conditions. Although Section 96(A) of the Act does not allow for the original decision to be re-issued, it does allow the modification of, or imposition of, conditions. In this respect it is considered appropriate to impose an additional condition:

Conditions

Amended Condition 20

20. The development shall be undertaken in accordance with the approved BREEAM Pre-Assessment Report, Ref: J04012 Rev 0, dated 5th May 2026, received 8th May 2026, which demonstrates that the commercial unit hereby approved complies with a BREEAM Very Good rating.

REASON: To ensure that the development is carried out in accordance with sustainable building standards in accordance with Policy CC2 of the Reading Borough Local Plan 2019.

Amended condition 21

21. Within 6 months of the first occupation of the commercial unit hereby approved, a copy of a Final BREEAM Certificate in accordance with the BREEAM Sustainability Standard following a post-construction stage review carried out by a licensed assessor has been submitted to and approved in writing by the Local Planning Authority, demonstrating that the commercial unit has attained as a minimum the standard of Very Good set out in the BREEAM Pre-Assessment Report referred to in condition 20.

REASON: To ensure that the development is carried out in accordance with sustainable building standards in accordance with Policy CC2 and H5 of the Reading Borough Local Plan 2019.

Informatives

1. This notice relates only to the changes to conditions 20 and 21 of the substantive planning permission (Ref: PL/22/0780). It shall be read in the context of the substantive planning permission 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 a material change to the approved planning permission.