

DELEGATED APPLICATION REPORT

Ward: Thames Ward

App Ref: PL/26/0445 Removal/variation of conditions

Address: Beta Building, 121 , Kings Road, Reading , RG1 3ES

Proposal: Application for Variation of Condition 2 (Approved Plans) to Planning Permission PL/25/1572 to incorporate Juliet balconies at ground floor, replace existing full height windows at ground floor and replace the revolving front entrance door with double door.

Applicant: Mr Dlamini Pines

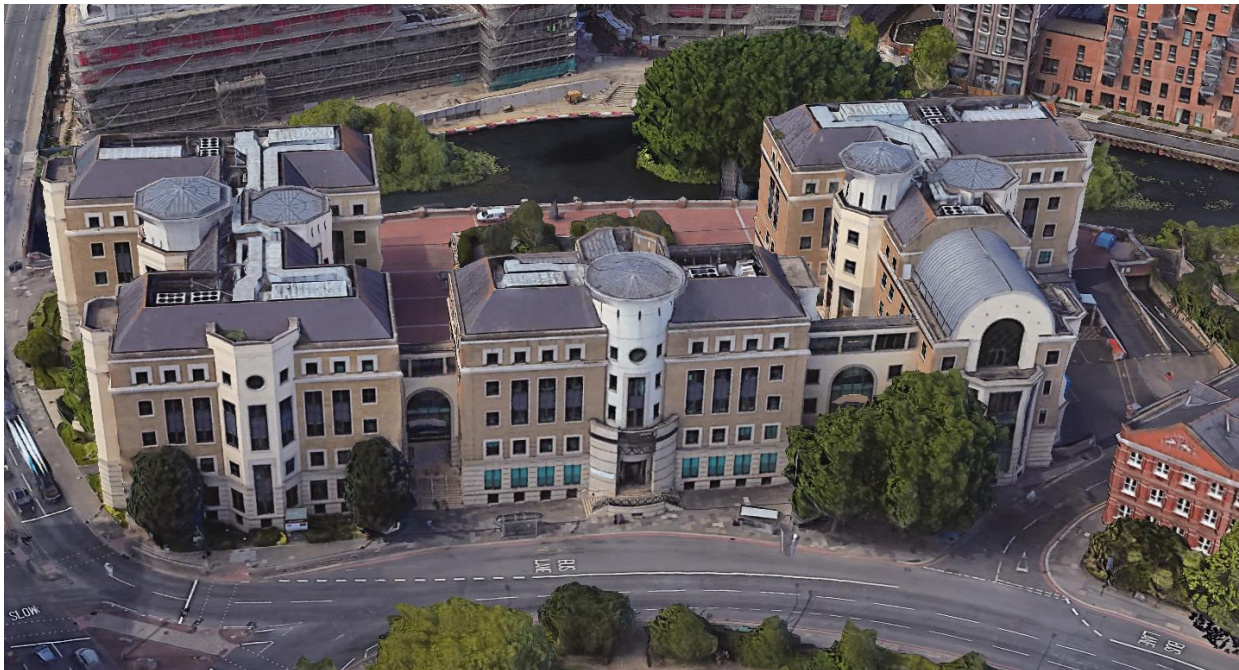
Received date: 01/04/2026

Target Decision date: 28/05/2026

Case Officer: Marcelina Rejwerska

1. SITE DESCRIPTION

The application site comprises a basement (car park) and five storey (and rooftop plant) building, known as the Beta Building, on the north side of Kings Road, between the junctions of Forbury Road (to the west) and Gas Works Road (to the east). The red line boundary also includes some external space to the north of the building, with a blue line on the location plan (see below) indicating that the applicant has an interest in linked blocks Kennet Place to the west and The Delta Building to the east. All three buildings were originally constructed following planning permission in 1989 (see relevant history below & later occupied by Prudential), but this proposal solely relates to the Beta Building. The building was recently given prior approval for conversion to residential use and granted planning permission for external alterations to facilitate the change of use.



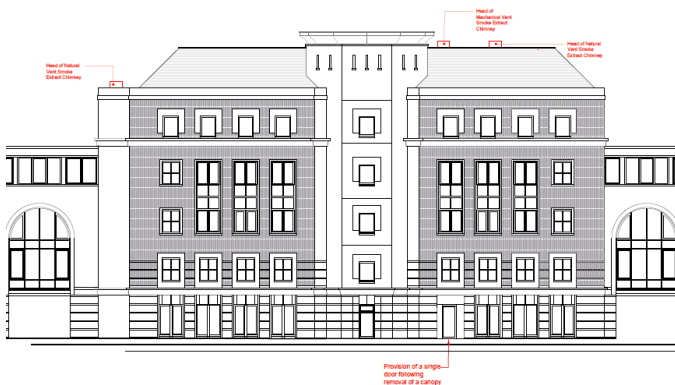
Aerial view of the site.

2. PROPOSAL AND SUPPORTING INFORMATION

Permission is sought for variation of Condition 2 (Approved Plans) to planning permission PL/25/1572 for the replacement of all fenestrations at ground floor/lower ground floor level and replacement of the existing revolving front entrance door with double doors.



Left: Approved Front Elevation. Right: Proposed Front Elevation.



Left: Approved Rear Elevation. Right: Proposed Rear Elevation.

2.1. Information submitted:

- 1364.6 - Accompanying Statement - External Changes, received 2 April 2026
- 1364.6 - 050 - Proposed Block Plan, received 1 April 2026
- 1364.6 - 001 - Site Location Plan, received 1 April 2026
- 1364.6 - 200 - A - Proposed Front Elevation (South), received 1 April 2026
- 1364.6 - 201 - A - Proposed West Elevation, received 1 April 2026
- 1364.6 - 202 - A - Proposed East Elevation, received 1 April 2026
- 1364.6 - 203 - A - Proposed North Elevation, received 1 April 2026
- 1364.6 - 101 - A - Proposed Ground and First Floor, received 1 April 2026

3. **RELEVANT PLANNING HISTORY**

The application site

- PL/25/1572 - Installation of two windows at first floor level on the south elevation, provision of a single door following removal of a canopy and associated revolving door at ground floor level on the north elevation and installation of one projecting smokeshaft and two automatic opening vents at roof level. Application permitted.
- PL/25/1573 - Change of use of ground to fourth floors from Class E (offices) to Class C3 (dwelling houses) to form 44 self-contained residential units. Prior Notification under Class MA, Part 3 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 2015 (as amended). Prior notification granted.

The wider site

- 89/1390 - Office development of 180,000sq ft gross: car parking for 250 cars and riverside walk. Granted 14/12/1989.

The neighbouring site - Kennet Place, 121 Kings Road

- PL/24/0997 Change the use of the building at ground to fourth floors from office (E Class) to residential (C3), to accommodate 93 self-contained flats. Prior Notification Granted 02/10/2024.
- PL/24/0973 – Application for new window openings to the east elevation to match the existing windows in opening sizes and appearance and addition of rooftop smoke shafts and AOVs. Granted 25/09/2024.
- PL/25/0067 - Discharge of conditions 3 (contaminated land assessment), 4 (remediation scheme), 5 (validation report), 8 (foul water network details) & 9 (surface water network details) for prior approval application PL/24/0997, as given on 27/09/2024. Granted 07/03/2025.
- PL/25/1023 - Replacement of windows/doors on all elevations at ground floor level; installation of balconies on east, south and west elevations at ground floor, north elevation at 1st to 3rd floors and west elevation at 2nd floor level; installation of projecting smokeshafts and automatic opening vents at roof level; and, various associated alterations. Granted 02/09/2025.

The neighbouring site - The Delta Building, 121 Kings Road

- PL/25/0466 - Application for external works including new windows to match the existing; new AOV and smoke shaft roof openings; demolition of existing canopy; changes to the existing atrium; and new and replacement metal railings and balconies. Granted 20/05/2025.
- PL/25/0470 - Change of use of Ground to 4th Floors from Class E (offices) to C3 (dwelling houses) to comprise 77 self-contained flats. Prior Notification under Class MA, Part 3 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 2015. Prior Notification Granted 20/05/2025.

4. CONSULTATIONS

No internal / external consultees were considered to be necessary for this application, however, site notices were erected on Kings Road and Forbury Road (to the west of the application site) in the public interest. No letters of representation were received.

5. LEGAL AND PLANNING POLICY CONTEXT

S73 of the Town and Country Planning Act 1990 provides the ability to vary a condition on a planning permission. The Town and Country Planning (Development Management Procedure) (England) Order 2010 streamlined the procedure to enable local planning authorities to use its discretion on which statutory consultees should be consulted when such an application is submitted in order to speed up the system by being more flexible. This Statutory Instrument was accompanied by 'Greater flexibility for planning permissions' which contained relevant guidance. This states that a minor material amendment is 'one whose scale and nature results in a development which is not substantially different from the one which has been approved'. This is not a statutory definition and the decision on what constitutes a minor material amendment is at the discretion of the local planning authority but is considered 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".

Section 73 of the Act instructs the Local Planning Authority to consider the variation to, or relief of conditions that are applied for, stating that "if they [the LPA] decide that planning permission should be granted subject to conditions differing from those subject to which the previous permission was granted....they shall grant permission accordingly" (s.73(1)(a)). As such, the Local Planning Authority can grant permission unconditionally or subject to different conditions or alternatively refuse the application if it is deemed that the original condition(s) should remain in place.

The grant of a planning permission under Section 73 essentially provides a new planning permission. It is therefore necessary to reconsider the overall development proposal against the development plan. The key issues for consideration comprise the principle of the development whilst having regard to the impact upon the character and appearance of the area, the effects on traffic generation and highway safety, amenity and the natural environment.

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. Material considerations include relevant policies in the National Planning Policy framework (NPPF) - among them the 'presumption in favour of sustainable development'. The following local and national planning policy and guidance is relevant to this application:

National Policy and Guidance

National Planning Policy Framework 2024 (as amended Feb 2025)

National Planning Practice Guidance 2014 onwards

Reading Borough Local Plan (2019)

CC1 Presumption in Favour of Sustainable Development

CC7 Design and the Public Realm

CC8 Safeguarding Amenity

CR1 Definition of Central Reading

CR2 Design in Central Reading

CR3 Public Realm 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 was recently completed.

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'.

6. APPRAISAL

Policy CC7 requires all development to be of high design quality that maintains and enhances the character and appearance of the area in which it is located. Policy CC8 requires all development to not cause detrimental impact on the living environment of existing residential properties and future occupants.

The proposed works are considered minimal within the wider context of the original planning permission and do not raise any concerns with regards to the design or appearance of the property. Similarly, there is little impact on the character of the wider street scene. There are also no identified risks in relation to the amenity to the surrounding residents nor the future occupants of the site.

7. CONCLUSION

The proposed variations to the approved scheme are considered acceptable in the context of the national and locally adopted policies.

8. RECOMMENDATION

GRANT VARIATION

Conditions as per PL/25/1572:

1. Time limit
2. [VARIED] Approved plans
3. Materials as specified

Informatives:

1. Terms
2. Building control
3. Highways
4. Complaints about construction
5. Positive and proactive