

DELEGATED APPLICATION REPORT

Application No: 220990/VAR

Address: 4 Cherwell Road, Reading, RG4 8QH

Proposal: Double storey front extension, single storey rear/side extension. Alteration to roof at rear. (Variation to Condition 3 of permitted application 160735 - revised drawings, which indicate new location of first floor rear wall to the side extension).

Case Officer: David Brett

Applicant: Mr & Mrs Bacon

Received on (valid from): 06/07/2022

Target Date: 31/08/2022

Site Description and Surrounding Area

The proposal site is a two storey detached dwelling along Cherwell Road, Caversham Heights. The surrounding area is considered predominantly residential with mix of two storey detached dwellings with varying designs. The proposal site backs on to Furze Plat a priority habitat and protected woodland. Highdown School is also 250m south of the proposal site.

The proposal site is not within a Conservation Area or Listed.

Proposal

The applicant is seeking to vary condition 3 (approved plans) of planning permission 160735, which granted for a "Double storey front extension, single storey rear/side extension. Alteration to roof at rear". The development approved under application 160735 commenced on 04/02/2019, according to the application form.

More specifically, the variation seeks to extend out the first-floor rear elevation by 1m.

From a procedural perspective, relevant guidance from the NPPG is reproduced below:

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

What is the effect of a grant of permission?

Where an application under section 73 is granted, the effect is the issue of a new planning permission, sitting alongside the original permission, which remains intact and unamended.

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.

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 describing the whole development and listing all conditions.
Refuse: decision notice listing reasons for refusal. Original permission with existing conditions remains in place.

Plans/Documents Considered

The following plans and documents have been supplied for this application:

- Location Plan
- Proposed Elevations - 1688-200
- Proposed Plans - 1688-201

Received on 06/07/2022

- Materials List

Received on 01/09/2022

- Proposed Ground Floor Plan - 1688-202
- Proposed Roof Plan - 1688-203

Received on 02/09/2022

Relevant Planning History

021052/FUL - Proposed chimney - Application Permitted on 20/01/2003

160735/HOU - Double storey front extension, single storey rear/side extension. Alteration to roof at rear. - Application Permitted on 15/07/2016

211944/FUL - Erection of two storey detached dwelling, following demolition of existing - Application Permitted on 06/05/2022

External Consultees

1 Cherwell Road, Emmer Green, Reading, RG4 8QH - No response received.
2 Cherwell Road, Emmer Green, Reading, RG4 8QH - No response received.
6 Cherwell Road, Emmer Green, Reading, RG4 8QH - No response received.
12 Tredegar Road, Emmer Green, Reading, RG4 8QF - No response received.

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

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 Borough Local Plan (adopted November 2019).

The 'National Planning Policy Framework' ('NPPF') 2021 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).

Relevant Policies

The application has been assessed against the following policies:

National

National Planning Policy Framework 2021;
National Planning Policy Guidance 2014 onwards;

Reading Borough Local Plan (November 2019)

- CC7: Design and the Public Realm
- CC8: Safeguarding Amenity
- H9: House Extensions and Ancillary Accommodation
- H10: Private and Communal Outdoor Space

Other documents

Design Guide to House Extensions SPD (March 2021)
Revised Parking Standards and Design SPD (2011)

Appraisal

The main issues considered for this application are as follows:

- a) Design and Access
- b) Safeguarding Amenity

- a) Design & Access

No significant changes are proposed to the layout of the proposal site. Both proposed dwellings are located in the same locations, the access road is largely as approved under application 160735.

The alteration proposed consists of extending the depth of the proposed two storey extension by 1m. This would result in only a slight alteration to the pitch of the roof to the rear. The change is considered minor and does not drastically alter the external appearance of the previously approved development. Other changes include the removal

of rooflights and minor alterations to the fenestration and the addition of an external door to the side (south facing) elevation.

Details of materials have also been provided. The materials proposed are considered of high quality and in accordance with Policies CC7 and H9 of the Reading Borough Local Plan.

b) Safeguarding Amenity

The alterations proposed to the plans approved under application 160735 are not considered to significantly alter the size, scale or layout of the previously approved development. The plots remain in the same location, whilst the proposed access road is unaltered.

The development is considered to provide a suitable standard of family accommodation for future occupants, whilst having an acceptable impact on the living conditions of neighbouring residents. Therefore, the alterations proposed are considered in accordance with Policy CC8 of the Reading Borough Local Plan.

Conclusion

The development has been assessed and the works are considered to be in accordance with the above relevant policies and planning permission can be granted.

Recommendation

Grant variation of condition 2.

In line with the PPG, all of the original conditions (as part of 160735) are reproduced below in blue, with the altered worded conditions (bearing in mind the PPG) in red (changed areas highlighted in yellow). Officer notes explaining the changes are also detailed in green.

Conditions

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

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 Section 51 of the Planning and Compulsory Purchase Act 2004.

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

~~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 Section 51 of the Planning and Compulsory Purchase Act 2004.~~

Officer note: Condition is no longer required as development has already commenced on site.

2. No development shall take place until details of the materials to be used in the construction of the external surfaces of the development including all external fixtures, fittings, window and door frames have been submitted to and approved in writing by the

local planning authority. The development shall thereafter be carried out in accordance with the approved details.

Reason: In the interests of the visual appearance of the building and the area. Core Strategy Document (Adopted 2008 & Revised 2015) Policy CS7 (Design and the Public Realm)

~~2. No development shall take place until details of the materials to be used in the construction of the external surfaces of the development including all external fixtures, fittings, window and door frames have been submitted to and approved in writing by the local planning authority. The development shall thereafter be carried out in accordance with the approved details.~~

~~Reason: In the interests of the visual appearance of the building and the area. Core Strategy Document (Adopted 2008 & Revised 2015) Policy CS7 (Design and the Public Realm)~~

1. The materials to be used in the construction of the external surfaces of this development shall be as specified on the plans unless otherwise agreed in writing with the Local Planning Authority.

REASON: In the interests of visual amenity and ensuring the new development responds positively to the local context and character in accordance with Policy CC7 and H9 of the Reading Borough Local Plan 2019.

Officer note: Condition changed to a compliance condition to ensure that the external surfaces consist of the materials hereby submitted within this application.

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

- Drawing No: 01 - Existing Plans and Elevations
- Drawing No: 03 - Site Location Plan

Received 20th April 2016, and the following:

- Drawing No: 04 rev. A - Proposed block plan and roof plan

Received 20th June 2016, and the following:

- Drawing No: 02 rev. C - Proposed Plans and Elevations

Received 27th June 2016

Reason: because permission is only granted in respect of the development detailed in the approved plans.

~~3. The development hereby permitted shall be carried out in accordance with the following approved plans:~~

- ~~• Drawing No: 01 - Existing Plans and Elevations~~
- ~~• Drawing No: 03 - Site Location Plan~~

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- Location Plan
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Received on 06/07/2022

- Materials List

Received on 01/09/2022

- Proposed Ground Floor Plan - 1688-202
- Proposed Roof Plan - 1688-203

Received on 02/09/2022

Reason: because permission is only granted in respect of the development detailed in the approved plans.

Officer note: Condition changed include the plans approved within this application and to replace the ones from approval 160735.

4. The bathroom window to the south facing first floor side elevation hereby permitted, shall be obscure glazed and non-opening up to 1.7m in height above the internal floor level and thereafter maintained as such.

Reason: in the interests of privacy Sites and Detailed Policies Documents (2012, revised 2015). Policy DM4 Safeguarding Amenity

~~4. The bathroom window to the south facing first floor side elevation hereby permitted, shall be obscure glazed and non-opening up to 1.7m in height above the internal floor level and thereafter maintained as such.~~

~~Reason: in the interests of privacy Sites and Detailed Policies Documents (2012, revised 2015). Policy DM4 Safeguarding Amenity~~

3. The two windows to the south facing first floor side elevation hereby permitted, shall be obscure glazed and non-opening up to 1.7m in height above the internal floor level and thereafter maintained as such.

Reason: To safeguard the amenities of the adjoining premises from overlooking and loss of privacy in accordance with Policy CC8 of the Reading Borough Local Plan 2019.

Officer note: Reason for condition updated to reference the latest development plan. Also updated to reflect that two windows are now proposed to the first floor south elevation rather than one.

Informatives

1. The applicant's attention is drawn to the requirement for submission of a Building Regulations application for the proposed development. Please contact RBC Building Control on 0118 937 2449 for advice.

2. The construction (and demolition) of the development will be subject to environmental health law and the applicant is referred to: <http://beta.reading.gov.uk/environmentalprotection>

3. During the course of construction, the developer should take care to ensure that no part of this development (foundations, eaves, guttering, etc.) would encroach on, under

or across the boundary line with the adjoining property, as the requisite Notice has not been served on the owner of that property. This permission does not confer any right of access onto land that is not under the developer's control. The developer should also be mindful of the obligations and requirements of the Party Wall Act (1996) details of which can be found at:

<http://www.communities.gov.uk/publications/planningandbuilding/partywall>

4. The decision to grant planning permission follows the positive and proactive consideration of the issues raised by this planning application and issuing the decision within the agreed time period.