

DELEGATED APPLICATION REPORT

App Ref: 211546/NMA

Address: 171 Basingstoke Road, Reading

Proposals: Non-Material Amendment to approved Proposed Site Plan (to reflect replacing approved gate with droppable bollards) for application 210997

Case Officer: Nathalie Weekes

Extended Target Decision date: 02 November 2021

1. Site Description and Surrounding Area

The application site is located on the eastern side of Basingstoke Road close to the junction with Longbarn Lane and Canterbury Road. The site currently comprises a former car dealership with hardstanding to the front. Vehicular access is provided from the Basingstoke Road. Application 210997 was granted to demolish the existing building and to replace it with an Enterprise Rent-A-Car office and car rental.

It is in an AQMA area, with contaminated land polygon

2. The Proposal

A non-material amendment is proposed to the approved Proposed Site Plan (to reflect replacing approved gate with droppable bollards) to amend condition 2 (plans) for application 210997. Works propose an alternative to the approved swing gate proposed to restrict access into the wider rental site while retaining 24/7 access into the Car Club bays. In place of the swing gate, 5 additional dropped bollards are proposed to improve operational efficiency. This arrangement will still allow vehicles to enter the site and leave the public highway fully (i.e. with no overhang on the public highway) when opening and closing the site at the beginning and end of each working day.

3. Consultations

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

Transport - There are no transport objections to this amendment.

Planning Permission was granted by Reading Borough Council (under reference 210997) for the development of 171 Basingstoke Road (Part), Reading, RG2 0HF described as; "Change of use to vehicle rental premises (sui generis) to include part demolition of existing building and erection of modular building and rental vehicle wash bay, parking and associated works".

The purpose of this application is to amend Condition 2 attached to planning permission 210997. In place of the swing gate Enterprise now propose 5 additional dropped bollards to improve operational efficiency. This arrangement will still allow vehicles to enter the site and leave the public highway fully (i.e. with no overhang on the public highway) when opening and closing the site at the beginning and end of each working day.

The proposed amendment is shown on a new Proposed Site Plan (version 3) which is submitted herein to replace the approved Proposed Site Plan (version 2). There are no transport objections to this amendment.

4. Plans Considered

The Council, in reaching its recommendation, has taken into consideration the following documents:

Approved plans at time of application 210997

Site Location Plan (ref. ERAC001)

Demolition Plan (ref. ERAC004)

Lighting Plan (ref. ERAC007)

Sign Location Plan (ref. ERAC010)

Modular Building Floor Plan and Elevations (ref. 19666masterA)

Wash Bay General Arrangement (ref. ECR-WB-SK01 rev 4)

Wash Bay General Arrangement - Elevations and Sections (ref. ECR-WB- SK02 rev 4)

Drainage Connection Specification (ref. 800341-6)

05612 Transport Statement, PJA, June 2021

J10-12388A-10 A/1/F1 Air quality Assessment, June 2021

As received 18 June 2021

21-8158 Noise impact assessment, Syntegra consulting, June 2021

As received on 6 July 2021

ERAC003 Proposed site Plan V2- *this plan will now be superseded, all others will remain as approved plans.*

As received 31/08/2021

Revised plans submitted for application 211546

Drawing No: ERAC003 v3 Proposed site plan

16 September 2021 Planning application letter Planning Prospects

As received 17/09/2021

5. Relevant Planning History

141311 Change of use from a storage and distribution centre to a car show room, including internal alterations, new cladding to all elevations, windows and some minor external works. Permitted 12 December 2014

162189 Sign A 4.5m high internally illuminated double sided pylon, Sign B internally illuminated wall mounted brand and dealer name clip, Sign C wall mounted internally illuminated, free flying oval, Sign D double sided internally illuminated dealer name and services sign, Sign E internally illuminated arched entrance feature. Permitted 20 January 2017

162294 Non-Material Amendment to permitted application 141311 Permitted 27 January 2017

210997 Change of use to vehicle rental premises (sui generis) to include part demolition of existing building and erection of modular building and rental vehicle wash bay, parking and associated works. Permitted 8 September 2021

210998 One T-shaped pylon sign (comprising two signs), one free-standing sign, three fascia signs and one moveable trolley sign. Permitted 8 September 2021

6. 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.

7. Relevant Policies

The proposed amendments are assessed for materiality - not on the basis of their planning merits. Planning policies therefore do not apply.

8. Appraisal

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 judgement as to whether something is 'material' has to be made on a case-by-case basis, i.e. what is non-material in one case may be material in another.

According to the Councils procedures, applications for minor amendments will only be accepted if:

- The request for an amendment relates to a permission that is still capable of implementation.
- The change does not alter the description of the proposal.
- The 'red line' identifying the application site has not increased
- The change is not contrary to a condition attached to the planning permission.

When judging whether the change is 'minor', the following criteria will be used:

- There is no material increase in any overall dimension of the building/structure.
- There is no harm caused through the reduction in any dimension of the building/structure.
- The adjustment of the access to the site in the amended Proposed Site plan will not give rise to any planning consequences.
- Replacement of a gate with 5 bollards would not result in any change in use of the site as previously granted.
- Additional windows may be subject to conditions in order to preserve neighbour privacy.

The description of the proposal would not be changed, nor would the red line denoting the application site boundary. The works would not be contrary to a planning condition.

In the context of the permitted scheme it is not considered that the amendment would have any material impact on the overall design idiom or neighbour amenities. This is primarily owing to the context of the overall approved scheme and the nature of the surrounding context, with the proposed change being of a relatively minor scale and nature in this context.

An informative is recommended which states that this permission relates only to the change highlighted on the plans. Furthermore it shall only be read in the context of the substantive full permission, and is bound by all the conditions and obligations 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.

9. Conclusion

The local planning authority is satisfied that the change proposed by this application does not constitute a material change to the approved planning permission. The revision to the approved Proposed Site Plan V3 (to reflect replacing approved gate with droppable bollards) to amend condition 2 (plans) for application 210997 is in this instance considered a minor amendment which is not considered to materially increase the overall dimension of the building structure.

Recommendation

Grant Non-material amendment

1. Condition:

The proposal hereby approved as a Non-Material Amendment to original planning permission 210997 to the approved Proposed Site Plan (to reflect replacing approved gate with droppable bollards) granted on 08/09/2021, is as follows:

Drawing No: ERAC003 v3 Proposed site plan
As received 17/09/2021

Reason: To clarify which plans and materials are approved.

Informatives:

1. This permission relates only to the non-material amendments sought and described above and highlighted on the plans. Furthermore it shall only be read in the context of the substantive planning permission granted on 08/09/2021 under reference number 210997, 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 material changes to the approved planning permission.
3. The Local Planning Authority has worked positively and proactively with the applicant to determine under the non-material amendment procedure within the agreed timeframes.