

DELEGATED APPLICATION REPORT

Address: 73 Kiln Road, Emmer Green, Reading, RG4 8UF

Application No: 201225/NMA

Proposal: Non-material amendment to planning application 200145 for garage conversion with front window.

Applicant: Miss A Benson

Date received (valid from): 01/09/2020

Target Decision date: 29/09/2020

Case officer: David Brett

1. Site Description and Surrounding Area

The proposal site is a three-bedroom detached dwelling on Kiln Road in Emmer Green, north of Reading town centre, close to the borough boundary between Reading and South Oxfordshire. The housing stock on Kiln Road consists of a mix of detached and semi-detached dwellings. There is a large oak tree to the front of the property, which is protected under designation 18/11. The proposal site is situated opposite Clayfield Copse, a large woodland area. The area is less densely populated than most other parts of Reading and is less than 200m away from rural Oxfordshire.

2. The Proposal

Non-material amendment to planning application 200145 for garage conversion with front window.

3. Public Consultation & Neighbour Consultations

No statutory requirement for any for this type of application.

4. Plans Considered

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

Approved plans at time of application 200145

- Existing Plans & Elevations - P312-0619/PA/001
- Proposed Plans & Elevations - P312-0619/PA/002

Received on 30/01/2020

- Site Location & Block Plans - P312-0619/PA/003 REV A

Received on 04/03/2020

Proposed plans as part of this application

- Proposed Plans & Elevations - P312-0619/PA/002

Received on 17/09/2020

(It is noted at the outset of the application the proposed plan was not fully legible [it was partly blurred, meaning the annotations and drawing number could not be read]. Accordingly, the applicant was asked to provide a clear plan for assessment; this was duly submitted on 17/09/2020)

5. Relevant Planning History

200145 - Proposed part conversion of garage, raising of the flat roof, installation of a glazed lantern and replacement garage doors. - Application permitted on 23rd March 2020.

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 Planning Guidance

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."*

8. Relevant Policies

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

9. Appraisal

Alterations presented in this application represent a change to the exterior of the approved garage conversion. The proposed change as part of this non-material amendment application includes removing the existing garage door and replacing with a window. Overall the proposed change from garage door to window is not considered to materially alter application 200145, given the approved layout showed that the garage would not be able to function for the storage of motor vehicles (owing to the small size) and was for limited storage. The proposal amends this space to a window, to enable more useable internal space. In design terms, the provision of a window in place of a garage door is arguably an improvement in visual terms and no significant adverse amenity impacts to any neighbouring occupier are anticipated by the proposed change.

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

10. Conclusion

The local planning authority is satisfied that the changes proposed by this application do not constitute material changes to the approved planning permission.

Recommendation

Grant Non-material amendment

Conditions

1. The drawing hereby approved as a non-material amendment to original planning permission 200145 is as follows:

Proposed Plans & Elevations - P312-0619/PA/002
Received on 17/09/2020

Reason: To clarify which plan has been approved.

Informatives:

1. This permission relates only to the non-material amendments sought and described above. Furthermore, it shall only be read in the context of the substantive planning permission granted on 23/03/2020 under reference number 200145, and is bound by all the conditions 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 recommended timeframes.