

DELEGATED APPLICATION REPORT

Address: 8a Prospect Street, Reading, RG1 7YG

Application No: 200786/NMA

Proposal: Non-material amendment to planning application 200165 for relocating front door and changing location of windows

Agent: Colony Architects

Agreed Target Decision date: 13/11/20

Case officer: Connie Davis

1. Site Description and Surrounding Area

The development site relates to a former workshop located to the rear of Tesco Express, Oxford Road. The site is set back from the main street has a prior approval decision granting its conversion to residential flats.

The surrounding area is residential.

2. The Proposal

Application 200165 permitted an extension to the building to increase the internal floor area of one of the approved flats (unit 1) originally granted via a Prior Approval application.

Non-material amendments to planning permission 200165 (granted on 07/05/2019) are sought for the relocation of the front door (northern facing side elevation) and front facing windows (eastern elevation) on this enlarged flat.

The applicant stated they wish to relocate the front door to allow more defensible space for unit 2 and the windows to allow a new floor plan.

3. Internal Consultations

No internal consultees were consulted on this application.

4. Neighbour/ Public Consultation

None required for this type of application.

Site Notice

Not required for this type of application.

5. Plans / Documents Considered

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

Approved plans at time of original application

Drawing No. 400-03-50 Floor Plans As Proposed
Drawing No. 400-05-50 Proposed Elevations (Front)
Drawing No. 400-05-51 Proposed Elevations (Side)

As received on 11 February 2020

Drawing No. 400-02-11 Proposed Landscaping Plan (Landscaping/Roof)
Drawing No. 400a-05-55 Proposed Window Details

As received on 6 May 2020

Proposed plans submitted as part of this application

Drawing No. 400 05-52 Rev A - Proposed Elevation (Side)
Drawing No. 400 02-50 Rev A - Block & Roof Plan As Proposed
Drawing No. 400 02-00 Rev A - Site Location Plan As Existing
Drawing No. 400 05-51 Rev A - Proposed Elevation (Side)
Drawing No. 400 03-50 - Proposed Roof Plan

Received 29th June 2020

400 03-11 Rev A - Proposed Ground Floor Plan
400 05-10 Rev A - Proposed Elevations (Front)

Received 10th November 2020

6. Relevant Planning History

200165/FUL - Ground floor extension of Unit 1 based on application number 191782
- Application Permitted

191782/PNN - Notification of Prior Approval for a Change Of Use from Premises in Light Industrial Use (Class B1(c) and any land within its curtilage to Dwelling houses (Class C3). The proposed development comprises the change of use from Light Industrial (B1(c) to Residential (C3), converting part of building into 5 dwellings. Prior Notification under Class PA, Part 3 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 2015 - Prior Approval Notification Approval

190782-PNN - Notification of Prior Approval for a Change Of Use from Premises in Light Industrial Use (Class B1(c) and any land within its curtilage to Dwelling houses (Class C3). The proposed development comprises the change of use from Light Industrial (B1(c) to Residential (C3), converting 160sqm of building into 5 dwellings. Prior Notification under Class PA, Part 3 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 2015 - Prior Notification Approval

182058/OPA - Change of use of building from Class B1(c)(light industrial) to C3 (dwellinghouses) to comprise of 3 x 1 bed flats & 1 x 2 bed flats. Prior notification under Class PA, Part 3 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 2015 - Prior Notification Approval

171894/OPA - Change of use of building from Class B1(c)(light industrial) to C3 (dwellinghouses) to comprise of 3 x 1 bed flats & 1 x 2 bed flats. Prior notification under Class PA, Part 3 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 2015 - Prior Notification Approval

162176/OPA - Change of use of building from Class B1(a)(Offices) to C3(dwelling houses) to comprise of 3 x 1bed flats and 1 x 2bed flats. Prior notification under Class), Part 3 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 2015 - Prior Notification Refused

7. 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.

8. 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."*

9. Relevant Policies

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

10. Appraisal

In the context of the permitted scheme it is not considered that the amendments, either individually or cumulatively, will 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 changes being of a relatively minor scale and nature in this context. It is not considered that the proposed re-located fenestration would harm future occupiers of the dwellings, neighbouring amenity or the street scene generally.

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.

It is assumed that the original permission has been part implemented, given it was originally approved in May 2020 with a condition allowing 3 years for works to commence.

11. Conclusion

Overall, the proposed amendments are not considered to significantly harm the future occupiers of the dwellings, neighbouring properties or the overall street scene.

As a result, 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 & Reasons:

1. The drawings hereby approved as a Non-material Amendment to original planning permission 200165 are as follows:

Drawing No.

Drawing No. 400 05-52 Rev A - Proposed Elevation (Side)

Drawing No. 400 02-50 Rev A - Block & Roof Plan As Proposed

Drawing No. 400 02-00 Rev A - Site Location Plan As Existing

Drawing No. 400 05-51 Rev A - Proposed Elevation (Side)

Drawing No. 400 03-50 - Proposed Roof Plan

Received 29th June 2020

400 03-11 Rev A - Proposed Ground Floor Plan

400 05-10 Rev A - Proposed Elevations (Front)

Received 10th November 2020

Reason: To clarify which plans are approved.

Informatives:

1. This permission relates only to the non-material amendment sought and described above. Furthermore, it shall only be read in the context of the substantive planning permission granted on 07/05/19 under reference number 200165 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 an agreed timeframe.