

DELEGATED APPLICATION REPORT

Address: 21 Oakley Road

Application No: 191773 / NMA

Proposal: Non-material amendment to planning permission 180498 to change finishing material of the extension's elevations from render to brickwork to match existing.

Applicant: Mr & Mrs Strugar

Date received (valid from): 05/11/2019

Target Decision date: 3/12/2019

Case officer: Tom French

1. Site Description and Surrounding Area

The application property is a two storey, pitched roof, brick property, with an attached pitched roof garage. The property also has a single storey, pitched roof projection to the rear with a small mono-pitched glazed store structure adjacent to it, a small dormer window to the front roof slope and a large double pitched roof extension to the rear roof slope. The property has off road parking to the front with two potential entrance points, although the dropped kerb located in front of the front door of the property has fallen into disuse. The surrounding area is characterised by mostly brick properties with a mix of detached and semi-detached two storey properties, some sharing a similar design with each other, and others, like the application property being of a similar different style. The neighbouring property at no.23 however, is different in style to the other properties in the area and is a bungalow.

Permission 180498 granted planning permission for single storey rear and side extensions, first floor extension over existing garage and internal alterations.

2. The Proposal

Non-material amendments to planning permission 180498 granted on 12/06/2018 are proposed. More specifically, these seek for the permitted extension to be finished with brickwork (to match the existing dwelling) rather than with render (as approved).

3. Public Consultation

Neighbour Consultation

No statutory requirement for any for this type of application. No representations have been received.

4. Consultations

No statutory requirement for this type of application.

5. Plans Considered

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

Approved plans at time of application 180498

Location Plan

Received 19th April 2018

Drawing No: 21712-1-01 rev.A - Existing and Proposed Plans, Elevations and Section A-A
Site Block Plan Rev.A

Received: 7th June 2018

Proposed plans as part of this application

Drawing Number:

01 rev. B - Existing and Proposed Plans, Elevations and Section A-A

As received: 05/11/2019

6. Relevant Planning History

010611 - FUL - First floor rear extension roof balcony and additional windows - Application Permitted

180498 - HOU - Proposed single storey rear and side extension, first floor extension over existing garage and internal alterations - Application Permitted

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 amendment 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.

Condition 3 of permission 180498 requires that the materials used in the construction of the external surfaces of the extension, apart from the walls of the single storey rear and side extensions, match those used on the existing building. In agreeing this non-material amendment the wording of this condition would be amended to require all materials used in the construction of the external surfaces to match those used on the existing building.

Condition 4 of permission 180498 requires a material sample and specification of the render to be submitted to and approved by the Local Planning Authority prior to the commencement of development. This condition would no longer be required and an informative will clarify this.

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.

11. 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

1. The drawing hereby approved as Non-material Amendments to original planning permission 180498 are as follows:

Drawing Number:

01 rev. B - Existing and Proposed Plans, Elevations and Section A-A As received:
05/11/2019

Reason: To clarify which plans are approved.

2. REPLACEMENT CONDITION 3

The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used on the existing building.

REASON: In the interests of visual amenity and ensuring the new development is sympathetic in accordance with Policies CC7 and H9 of the Reading Borough Local Plan 2019.

INFORMATIVES

1. It is advised that condition 4 of permission 180498 (granted 12/06/2018 - render sample details) would no longer be necessary or relevant should this non-material amendment be incorporated.
2. 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 12/06/2018 under reference number 180498, 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.
3. 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.
4. The local planning authority has worked positively and proactively with the applicant to resolve relevant matters to allow permission to be granted within the prescribed target timescale for the decision to be issued.