

Delegated NMA Application Report

Ward: Kentwood

Application No: 190851/NMA

Address: 112 Oak Tree Road, Reading

Proposal: Non-material Amendment to permitted application 182032 - Roof form to be hipped.

Case Officer: Mr James Overall

Applicant: Mr & Mrs Nick Blaxhall and Deborah Howard

Date Received (valid from): 23 May 2019

Target Date: 20 June 2019

Extended Target Date: 26 September 2019

1. Introduction

This application has been submitted under s96A of the Town and Country Planning Act 1990 (as amended), for a non-material change to the development approved under planning permission. Section 96a allows amendments to planning conditions - as follows:

(1) A local planning authority in England may make a change to any planning permission relating to land in their area if they are satisfied that the change is not material.

(2) 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.

(3) The power conferred by subsection (1) includes power-

(a) to impose new conditions;

(b) to remove or alter existing conditions.

(4) The power conferred by subsection (1) may be exercised only on an application made by or on behalf of a person with an interest in the land to which the planning permission relates.

2. Proposal and Supporting Information

Non-Material Amendment to planning consent 182032 to change condition 2 of the planning permission to allow the corner of the rear extension to have a hipped roof, rather than continuous mono-pitch.

3. Relevant Planning History

910583	Erection of one detached dwelling.	Application permitted on 6 Feb-92
920198	New four bedroom detached house, two storey with integral garage.	Application permitted on 30 Jul-92

011377	Demolish existing garage, rebuild and extend garage with room over.	Application permitted on 9 Oct-01
182032	Single storey side and rear extension, garage conversion and internal alterations. Replacement of existing windows.	Application permitted on 7 Jan-19

4. Consultations

- 4.1 Applications under S96A are not applications for planning permission, so are not covered by the publicity requirements as set out in the DMPO.
- 4.2 In accordance with procedure, NMAs relating to applications previously decided by Committee; the ward councillors and Chair of PAC should be consulted. In this case, the previous application was not decided by Committee and therefore there was no need to consult.

5. Legal and Planning Policy Context

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. Material considerations include relevant policies in the National Planning Policy framework (NPPF) - among them the 'presumption in favour of sustainable development'.

The following local and national planning policy and guidance is relevant to this application:

National Policy

National Planning Policy Framework
National Planning Practice Guidance

Reading Borough Local Development Framework Core Strategy (2008)

CS7 (Design and the Public Realm)
CS36 (Biodiversity and Geology)

Sites and Detailed Policies Document (Oct 2012)

DM4: Safeguarding Amenity
DM9: House Extensions and Ancillary Accommodation

Supplementary Planning Guidance
A Design Guide to House Extensions (2003)

6. Appraisal

The proposal is to change the roof of the single storey rear extension from a continuous mono-pitch, to hip the corner inwards. This will have less impact upon neighbouring amenity, the host dwelling and the character of the area. The proposal is considered to be acceptable.

7. 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. In addition to this the proposed changes would not be harmful to the character or appearance of the site or its surroundings and would not have a detrimental impact on neighbouring properties or amenity. Therefore the proposed changes are considered to be in accordance with the relevant policy highlighted within Section 5 of this report, and as such this Non-Material Amendment can be agreed.

8. Officer's Recommendation

Grant Non-Material Amendment