

DELEGATED APPLICATION REPORT

Address: Conwy Close, Tilehurst

Application No: 181454/NMA

Proposal: Non-material amendment following grant of planning permission 161390/FUL. Changes to include amendment to the colour and height of the garden/screen walls to the front of plots 49-57; increased parapet height and introduction of guard rails to Apartment Block 1 and amendment of door colour to internal bin and buggy stores.

Case officer: Ethne Humphreys

Site Description and Surrounding Area

This site is approximately over 1.0 ha in area and is located on Conwy Close being to the south of The Meadway. The irregular shape site that is long and thin along Conwy Close is currently partly being used as temporary parking.

The site borders the rear gardens of properties on The Meadway and Wye Close to the east with existing trees and vegetation screening the rear boundaries. To the west side across Conwy Close, the site fronts Thames Valley School, The Meadway Sports Centre and partly The Avenue School. To the south side is a car park and properties on Usk Road as well as Churchend Primary School.

To the south side beyond the existing access to the site, Conwy Close becomes private, as the road passes into The Avenue School and Churchend Primary School car parks. A pavement continues to run further south along the west edge of the site to eventually join with Usk Road.

The Proposal

Non-material amendments to planning permission 161390/FUL are proposed. More specifically, these seek:

- Amendment to the colour and height of the garden/screen walls to the front of plots 49-57
- Increased parapet height and introduction of guard rails to Apartment Block 1
- Amendment of door colour to internal bin and buggy stores.

Public Consultation

Neighbour Consultation

None required for this type of application.

Site Notice

Not required for this type of application.

Chair and Vice Chair of the Planning Application Committee and Tilehurst Ward Councillors

The above councillors were notified via email 10th September of the above application, seeking any comments and agreement to the application being determined by officers under delegated powers. This communication detailed that if no response was received by 24th September it would be assumed that no comment was wished to be made.

No responses were received.

Internal Consultations

None required for this application.

Plans Considered

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

Approved Plan

3198 102 Rev A

3198 105 Rev -

3198 210 Rev -

3198 211 Rev B

3198 220 Rev A

3198 221 Rev A

3198 1004 Rev P4

Substituted Plan

3198 102 Rev B

3198 104 Rev P7

3198 105 Rev A

3198 210 Rev P2

3198 211 Rev C

3198 220 Rev B

3198 221 Rev B

Received 17th August 2018

Relevant Planning History

171621 Discharge of conditions 22, 23 and 25 of planning permission 161390. Split decision 30/11/2017

171537 Minor alterations to appearance and layout of planning permission 161390. Agreed 06/12/2017

171515 Application for approval of details reserved by conditions 3, 9, 12, 13 and 17. (161390) Agreed 10/11/2017

161390 Residential development comprising 57 dwellings, vehicular, cycle and pedestrian access, parking, and hard and soft landscaping and open space at land off Conwy Close. Permitted 15/12/2016

060117 The site was previously the subject of an outline application for residential development of 58 dwellings which was approved in June 2006 as part of a comprehensive redevelopment of the site (application 060436), which included redevelopment of the Avenue School. The residential element of the development was never built out and the consent has since expired.

160705 Proposed extension to an existing car park at The Meadway Sports Centre in Conwy Close, Tilehurst. Granted 06/07/2016. This scheme is being implemented to accommodate the displaced temporary parking from the application site of the current proposal.

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.

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."*

Relevant Policies

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

Appraisal

These changes have been considered by officers, who are content that the proposed changes are acceptable. Officers also consider that these changes can be made through the non-material amendment procedure. More specifically, it is not considered that the amendments, either individually or cumulatively, will have any material impact on the overall design idiom, neighbour amenities, transport and highway safety intentions. 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.

The scale and layout of the building will remain as originally approved and whilst there would be some change to the overall appearance of the approved scheme it would be not be so discernible or of a scale/extent to result in a significantly different scheme to that already approved at the site. Whilst a number of changes are proposed, when considered within the overall context of the range of works originally proposed at the site, this is not considered to alter the overarching design idiom of the scheme.

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 planning permission granted on 15/12/2016 under reference number 161390/FUL 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.

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 amendments

Conditions:

1. The drawings hereby approved as a Non-Material amendment to original permission 161390/FUL are as follows:

3198 102 Rev B

3198 105 Rev A

3198 210 Rev P2

3198 211 Rev C

3198 220 Rev B

3198 221 Rev B

Received 17th August 2018

Reason: To clarify which plans are approved.

Informatives:

This permission relates only to the changes highlighted on the plans. Furthermore it shall only be read in the context of the substantive planning permission granted on 15/12/2016 under reference number 161390/FUL, 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.

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.

The Local Planning Authority has worked positively and proactively with the applicant to determine under the non-material amendment procedure within the agreed time period.