

DELEGATED APPLICATION REPORT

Address: Land west of Lowfield Road, Reading

Application No: 172193/NMA

Proposal: Non material amendments to planning permission 160762 (temporary permission for 28 temporary accommodation units and associated works) to vary the wording of conditions 3 (approved plans), 17 (landscaping and play) and 18 (landscape maintenance) to reflect updated documents approved as part of discharge of condition application 170689.

Applicant: RBC

Date received (valid from): 12/12/17

Target Decision date: 09/01/18

Case officer: Jonathan Markwell

1. Site Description and Surrounding Area

- 1.1 The application site (approx. 0.6 hectare in area) is situated on the west side of Lowfield Road adjacent to the Reading Crematorium and Henley Road Cemetery and part of Caversham Park, a Registered Park and Garden including open land to the north and a meadow to the west. There is also an unmanaged strip of vegetation adjacent to the NE boundary.
- 1.2 The site comprises of vacant uneven ground with grass and scrub vegetation which slopes marginally downwards to the south. There is a central surfaced road and the remnants of concrete pads on either side where mobile homes were positioned until 2006. The site boundaries are lined with a belt of trees and vegetation along all perimeters. The only trees within the site are those to the south boundary and in the SW corner. There is a vehicle access entrance from Lowfield Road at the mid-point of the eastern boundary.

2. The Proposal

- i. Non-material amendments to planning permission 160762 granted on 31/08/2016 are proposed. More specifically, these seek to vary the wording of conditions 3 (approved plans), 17 (landscaping and play) and 18 (landscape maintenance) to reflect updated documents approved as part of discharge of condition application 170689.

3. Public Consultation

- i. Neighbour Consultation
No statutory requirement for any for this type of application.
- ii. Chair and Vice Chair of the Planning Application Committee and Peppard Ward Councillors

The above councillors were notified via email of the above application on 21/12/17, seeking any comments and agreement to the application being determined by officers under delegated powers by 05/01/18.

No responses were received.

4. Consultations

- i. No statutory requirement for this type of application.

5. Documents Considered

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

Documents to be superseded:

BRS6499_01 Rev C Landscape Masterplan

BRS6499_05 Rev A Play Space Detailed Design

Detailed Landscape Proposals Plan BRS6499_03 Rev C

Landscape Management Plan (BRS6499 dated June 2016)

Documents as now proposed:

BRS6499_01 Rev G - Landscape Masterplan, as received 07/12/17

BRS6499_02 Rev G - Detailed Landscape Proposals Plan, as received 07/12/17

BRS6499 - Landscape Management Plan dated November 2017, as received 07/12/17

BRS6499_05 Rev E - Play Space Detailed Design, as received 07/12/17

6. Relevant Planning History

- i. 160762 - Temporary permission (5 years) for 28 no. (2 bedroom) temporary accommodation units with vehicular access, car parking, communal amenity space, refuse and bicycle storage, a play area, and landscaping. Granted 31/08/16.
- ii. 170689 - Discharge of conditions 5 (site contamination assessment), 10 (construction noise & dust control), 13 (tree & vegetation protection), 15 (hard landscaping & boundary treatment) and 22 (sustainable drainage scheme) of planning permission 160762. Conditions discharged 4/12/17.

Informative included on decision notice: You are advised that as a result of the details hereby approved as part of condition 15, the wording of conditions 3 (plans), 17 (soft landscaping and play equipment) and 18 (landscape maintenance and aftercare) are now out of date. To regularise this situation, you are advised and encouraged to submit a s96a non-material amendment application to the local planning authority seeking to vary the wording of these conditions to reflect the now intended landscaping proposals and details.

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

- i. 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

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

10. Appraisal

- i. 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, neighbour amenities, transport & highway safety or landscaping 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 overall context. The documents approved at application stage, as referenced in conditions 3, 17 and 18, have been superseded following the submission and approval of details at the discharge of condition stage. This application merely updates the document references on these conditions for consistency, clarity and completeness.
- ii. An informative is recommended which states that this permission relates only to the changes highlighted on the documents. Furthermore, they shall only be read in the context of the substantive full permission, and are bound by all the 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

- i. 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

12. Condition:

REPLACEMENT CONDITION 3

3. The development hereby permitted shall be carried out in accordance with the following approved plans: 16/007/01A General Arrangement received on 25th April 2016; 16/007/02C Block, Site and Location Plans received on 15th June 2016; BRS6499_01 Rev G Landscape Masterplan, BRS6499 Landscape Management Plan dated November 2017, BRS6499_02 Rev G Detailed Landscape Proposals Plan and BRS6499_05 Rev E Play Space Detailed Design received on 7th December 2017.

Reason: Because permission is only granted in respect of the development detailed in the approved plans.

REPLACEMENT CONDITION 17

17. The approved soft landscaping works and play equipment, as shown on Detailed Landscape Proposals Plan BRS6499_02 Rev G as received 07/12/17 shall be carried out in accordance with the approved details before any of the development is occupied or otherwise, in accordance with a timescale for which the prior written approval of the local planning authority has been obtained.

Reason: To ensure that the works are carried out as approved in the interests of the visual amenities of the area in accordance with Policy DM18 of the Reading Borough LDF Sites and Detailed Policies Document 2012 (Altered 2015).

REPLACEMENT CONDITION 18

18. All landscape maintenance and aftercare shall be carried out in accordance with the Landscape Management Plan (BRS6499 dated November 2017) received from Pegasus Design on 07/12/17.

Reason: To ensure that the works are carried out as approved in the interests of the visual amenities of the area in accordance with Policy DM18 of the Reading Borough LDF Sites and Detailed Policies Document 2012 (Altered 2015).

Informatives:

1. This permission relates only to the non-material amendments sought and described above and highlighted in the documents. Furthermore, it shall only be read in the context of the substantive planning permission granted on 31/08/2016 under reference number 160762, 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.