

## **DELEGATED APPLICATION REPORT**

**Address:** 'Seafield Court', Russell Street, Reading

**Application No:** 181043/NMA

**Proposal:** Non-material amendments to planning permission 171221 (Conversion of a disused basement storage area in to two new residential units), namely internal alterations to facilitate the approved 1-bed unit becoming a 2-bed unit.

**Applicant:** Seafield Court Developments Limited

**Date received (valid from):** 20/06/18

**Target Decision date:** 18/07/18

**Case officer:** Jonathan Markwell

### **1. Site Description and Surrounding Area**

The site comprises a detached three storey building serving flats located on the eastern side of Russell Street. The rear of the property is covered with hardstanding and used for parking accessed from Baker Street. The surrounding area is characterised as predominantly residential, consisting of two and three-storey terraced properties. The building to the south of the site is listed, as are the buildings immediately opposite on the eastern side of this part of Russell Street. It is in the Russell Street/Castle Hill Conservation Area and an air quality management area.

### **2. The Proposal**

Non-material amendments to planning permission 171221 granted on 12/10/2017 are proposed. More specifically, these seek to make internal alterations to facilitate the approved 1-bed unit becoming a 2-bed unit. More specifically, an internal wall is proposed between the two windows serving the approved sole bedroom. A new internal door is also proposed to access the newly created second bedroom.

### **3. Public Consultation**

- i. Neighbour Consultation  
No statutory requirement for any for this type of application.

### **4. Consultations**

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

### **5. Plans Considered**

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

Approved plans at time of application 171221

Floor Plans and Sections 17006/002/PL Rev A  
Received 5th October 2017

## Proposed plans as part of this application

Floor Plans and Sections 17006/002/PL Rev B  
Received 13<sup>th</sup> June 2018

### **6. Relevant Planning History**

171221 - Conversion of a disused basement storage area in to two new residential units. Granted 12/10/17.

### **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 amendment, will have any material impact on the overall design idiom, neighbour amenities or quality of accommodation for future occupiers intentions. This is primarily owing to the context of the overall approved scheme and the nature of the surrounding context, with the proposed change being of a relatively minor scale and nature in this context. Although the division of a larger bedroom into two smaller bedrooms will decrease the amount of light into the rooms (in comparison with the approved position), this is not considered to be at a level which is materially harmful. In addition, it is noted that the overall size of the unit, at 47.6sqm, is slightly below the national standard of 50sqm (for a 2 person, 2 bedroom unit). This is a relatively small shortfall and is not considered to unduly compromise the overall quality of accommodation created. In addition, this standard is not yet adopted by the local planning authority. As such, it is not considered possible to resist this proposal on this basis. Similarly, the size of the bedrooms (at 8.26sqm and 6.68sqm) are slightly above / below the minimum 7.5sqm area of a bedroom detailed in

the standards. The undersized bedroom is not considered to be so undersized to significantly compromise the quality of accommodation possible within this room. Moreover, as internal alterations to an unlisted building, such works fall outside of the definition of development (section 55 (2) (a) of the Town and Country Planning Act 1990 - as amended) and therefore do not in themselves require planning permission. Consequently, in overall terms, the changes can therefore be considered as a non-material amendment.

- ii. 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 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

1. The drawing hereby approved as a Non-material Amendment to original planning permission 171221 is as follows:

Floor Plans and Sections 17006/002/PL Rev B  
Received 13th June 2018

Reason: To clarify which plan is 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 12/10/2017 under reference number 171221, 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.