

DELEGATED PLANNING APPLICATION REPORT

Ward: Caversham

App Ref: 231761/NMA

Address: 54a Kidmore Road, Caversham, Reading, RG4 7LX

Proposals: Non-Material Amendment to Permitted application 221709

Case Officer: Mr Anthony Scholes

Date received (valid from): 5 December 2023

Target Decision date: 15 March 2024

1. SITE DESCRIPTION

Site visit date: 15/12/2023

Site visit photos:



2. PROPOSAL AND SUPPORTING INFORMATION

Non-Material Amendment to Permitted application 221709 - Removal of rear all in one window and replacement of bank of rooflights for a single rooflight. Detachment of wall of the boundary line.

Plans considered

Proposed Elevations, Dated November 2023

Proposed Floor Plans, Dated November 2023

3. RELEVANT PLANNING HISTORY

221709/HOU - Demolition of existing single-storey rear extensions, and erection of a single-storey rear extension. Replacement of existing loft window for a new Juliette Balcony.

4. CONSULTATIONS

No statutory requirements for consultation on this application, however, the following addresses were consulted by letter.

54 Kidmore Road, Caversham, Reading, RG4 7LX

56 Kidmore Road, Caversham, Reading, RG4 7LX

Letters of representation have been received as follows:

A number of representations were received by one submitter, and can be summarised as follows:

- Issues with maintenance of gap between properties in terms of weeds, debris, vermin, maintenance of side walls, barge board, and eaves etc.
- Concerns over proposed planting along boundary line (bamboo as invasive species)
- Concern over water ingress between gap, and into property
- Concern over detachment and requirements of party wall act
- Length of proposed extension has changed
- Plan inaccuracies in overall height of proposal relative to ground level, and built up base
- Plan inaccuracies in overall height relative to boundary fence (and inaccurate display of boundary treatments)
- Height of finished roof is higher than roof of existing extension at no.54
- Rainwater pipes have moved to near no.54 Kidmore Road
- Proposal includes wrap around of timber cladding in lieu of brick on entire side elevation
- Block plan is inaccurate
- Development is overbearing, and sense of enclosure
- Development is out of scale with the existing building
- Impact of daylight and sunlight from proposal
- Overlooking and reduced privacy from rear decked area

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.

5. LEGAL AND PLANNING POLICY CONTEXT

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."*

6. Relevant Policies

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

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.

APPRAISAL

The proposal plans differ from the originally approved plans in a number of aspects. Specifically:

- Changes to the distance between the boundary from the originally approved to the current format;
- Changes to the rear facing windows/doors
- Changed roof light arrangements from a long run of rooflights to two 'lantern' style roof lights
- Reduced width to detach the proposal from the boundary wall
- Changes to the overall depth of the proposal (~40mm)
- Inclusion of a small portion of wrap around timber on side elevation
- Removal of side facing window to LHS (from street)
- A reduced depth of 'rear deck' compared to the original from ~2.25m to ~1.2m

In addition to the changes identified, the proposal has also been displayed relative to the actual ground level present on the site, giving the appearance that the height has changed. However, it is noted that the proposal is no higher than that originally approved. The proposal also correctly shows the adjoining extension as a mono-pitched roof in lieu of a flat roof shown on the originally proposed plans.

Other minor changes include increased details around aluminium capping and relocation of, and provision of a second downpipe on the side closest to no 54a.

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.

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.

Public Comments

- *Issues with maintenance of gap between properties in terms of weeds, debris, vermin, maintenance of side walls, barge board, and eaves etc.*

Though the proposal introduces a narrow gap between the extensions of both dwellings, property maintenance is not a material consideration for a planning application.

- *Concerns over proposed planting along boundary line (bamboo as invasive species)*

Any boundary planting, is not a condition of the approval, and is therefore optional, and by the preference of the landowner.

- *Concern over water ingress between gap, and into property*

Ensuring no pooling of water is considered property maintenance, property maintenance is not a material consideration for a planning application.

- *Concern over detachment and requirements of party wall act*

Boundary disputes are not considered a material planning consideration. Any breaches under the Party Wall Act would be a civil matter.

- *Length of proposed extension has changed*

As confirmed above, the length of the extension has changed by a small distance and is accepted as a NMA.

- *Plan inaccuracies in overall height of proposal relative to ground level, and built up base*

The ground level of the site was not included on original drawings, however the overall height of the proposal is unchanged.

- *Plan inaccuracies in overall height relative to boundary fence (and inaccurate display of boundary treatments)*

The ground level of the site was not included on original drawings, however the overall height of the proposal is unchanged.

- *Height of finished roof is higher than roof of existing extension at no.54*

Original drawings showed the adjoining extension as flat roof, whereas updated drawing show the mono-pitch roof. The height of the proposal is unchanged.

- *Rainwater pipes have moved to near no.54 Kidmore Road*

One additional rainwater pipe was included on the side of no.54 Kidmore Road. This is accepted as an NMA.

- *Proposal includes wrap around of timber cladding in lieu of brick on entire side elevation*

The wrap around timber element is accepted as an NMA.

- *Block plan is inaccurate*

No revised block plan was submitted as part of the NMA. The approved plans are accurate to the proposal as built, as confirmed on site.

- *Development is overbearing, and sense of enclosure*

No assessment of additional impacts has been undertaken as part of the NMA as it only would consider the materiality of the change. The original assessment addressed this.

- *Development is out of scale with the existing building*

No assessment of additional impacts has been undertaken as part of the NMA as it only would consider the materiality of the change. The original assessment addressed this.

- *Impact of daylight and sunlight from proposal*

No assessment of additional impacts has been undertaken as part of the NMA as it only would consider the materiality of the change. The original assessment addressed this.

- *Overlooking and reduced privacy from rear decked area*

No assessment of additional impacts has been undertaken as part of the NMA as it only would consider the materiality of the change. The original assessment addressed this. It is noted that the rear area shown on original plans was ~1.1 shorter than the revised version. As such, no additional impacts were considered and it was accepted as an NMA.

Conclusion

Overall, the proposed amendment is not considered to significantly harm impact the host dwelling, neighbouring properties or the overall street scene.

As a result, 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

Subject to the following conditions:

1. The drawings hereby approved as a Non-material Amendment to original planning permission are as follows:

Dwg No. MEE-NMA-05_revE - Proposed Floor Plans -
Dwg No. MEE-NMA-06_revE - Proposed Elevations
Received 5th December 2023

Reason: To clarify which plans are approved.