

DELEGATED APPLICATION REPORT

Address: 2b Prospect Street, Caversham, Reading

Application No: 240180/NMA

Proposal: Non-Material Amendment to application 221651 (granted on 18/10/23 for change of use from offices to 1x studio apartment and 1x 1-bed flat) to include removal of second floor fixed access to 1st floor loft space, therefore removing marked storage area in original application.

Target Decision date: Extension of time agreed until 05/4/2024

Case officer: Ethne Humphreys

The Proposals

The application seeks an amendment to planning permission 221651, which granted permission for the change of use of offices to 2 x 1 bed flats. More specifically, the proposal seeks:

- To vary the approved plans to omit the area referenced as 'storage' on the approved second floor plan.

The agent has stated that the storage space is no longer required.

Internal Consultations

None.

Councillor / Public Consultation

Neighbour Consultation

None required for this type of application. None received.

Site Notice

Not required for this type of application.

Plans / Documents Considered

Proposed Second Floor Plan Amended dated February 2024 22075.S.PP-07.2-Rev 3

Received 12th February 2024

Relevant Planning History

221651/FUL Change of use from offices to 1x studio apartment and 1x 1-bed flat. Permitted.

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

Amend Condition 2 (approved plans)

The omission of the storage space is not considered to compromise the design idiom of the scheme, or the quality of accommodation.

Conclusion

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, landscaping proposals, transport, highway safety, sustainability or ecological intentions or any other consideration set within the context of the original permission. This is primarily owing to the context of the overall original scheme and the nature of the surrounding context, with the proposed changes being of a relatively minor scale and nature in this context.

The change proposed as part of this applications is therefore considered appropriate by officers and suitable to progress through the non-material amendment procedure.

An informative is recommended which states that this decision shall only be read in the context of planning permission 221651 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.

The local planning authority is satisfied that the changes proposed do not constitute material changes to the approved planning permission.

Recommendation

Grant Non-material amendment

Amended Condition 2

The plans hereby approved by this Non-Material Amendment (under Section 96A of the Town and Country Planning Act 1990) is as follows:

Proposed Second Floor Plan Amended dated February 2024 22075.S.PP-07.2-Rev 3

Received 12th February 2024

Reason: To clarify which plans are approved by this Non-Material Amendment.

Informatives:

This decision relates only to the non-material amendments sought and described above. Furthermore, it shall only be read in the context of planning permission 221651 granted 18/10/23 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.

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 timeframes.