

DELEGATED APPLICATION REPORT

Ward: Abbey

App Ref: PL/24/1530 Non-Material Amendment

Address: 2 Mason Street, Reading, RG1 7PD

Proposal: Application for Non-Material Amendment, minor amendment to of planning permission PL/23/0988 for removal of condition 4 (solar panels).

Applicant: Ms Riaz

Received date: 18/11/2024

Target Decision date: 24/12/2024

Case Officer: Marcelina Rejwerska

1. SITE DESCRIPTION

The application site comprises a two-storey end-terrace dwelling on the north side of Mason Street. The dwelling has a distinct appearance relative to other properties on Mason Street, as its original use is not residential. At the rear of the site there are single and two-storey extensions partially implemented under previous planning permissions.

2. PROPOSAL AND SUPPORTING INFORMATION

The proposed amendments comprise removal of condition 4 from planning permission ref. PL/23/0988 which is a pre-commencement condition requiring submission of details of the proposed solar panels. The approved plans show the indicative location, layout and number of panels on the front roof slope.

Condition 4 reads as follows:

Prior to commencement of development, full details of the proposed roof mounted Photovoltaics shall be submitted to and approved in writing by the Local Planning Authority. These details shall include a roof plan showing the location and position of the Photovoltaics, their dimensions, manufactures specification, and ongoing maintenance arrangements. The approved Photovoltaics shall thereafter be installed in accordance with these approved details and maintained in good working order to the satisfaction of the Local Planning Authority.

2.1. Information submitted:

13823-01 Location and Proposed Block Plan, dated July 2023, received 18 November 2024

3. RELEVANT PLANNING HISTORY

PL/24/1358 - Application to discharge Condition 5 and Condition 8 of Application PL/23/0988 (230988)
– Not yet determined.

PL/23/0988 - Proposed roof alterations, part two part single storey extensions and conversion of the existing building to 3 x flats. Resubmission of Planning Permission 190533. Application permitted

PL/19/0533 – Proposed roof alterations, part two part single storey extensions and conversion of the existing building to 3 x flats – Permitted on 04/10/2019

PL/19/1940 – Part one part two storey extension (part-retrospective) – Refused on 02/07/2020

PL/19/1927 – Various works including roof alteration, part one part two storey rear extension (part-retrospective) and conversion to 3 flats – Refused on 06/05/2022

PL/20/1318 – Proposed part two part single storey rear extension (part retrospective) –Permitted on 20/11/2020

4. CONSULTATIONS

No statutory requirement for any for this type of application.

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."*

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

6. APPRAISAL

In the context of the permitted scheme, it is not considered that the amendment would have any material impact on the overall design or neighbour amenities. The proposed solar panels are not a requirement under national or adopted local policy and would not affect the granted permission.

An informative is recommended which states that this permission relates only to condition 4, and that all other conditions still apply. Furthermore, it shall only be read in the context of the substantive permission and is bound by all conditions attached to that permission.

7. CONCLUSION

Overall, the proposed amendment is not considered to bear any significant impact or harm on the application site nor the adjoining properties.

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.

8. RECOMMENDATION

GRANT NMA

Conditions:

1. Condition 4 of planning permission PL/23/0988 as follows, is deleted:

4. Prior to commencement of development, full details of the proposed roof mounted Photovoltaics shall be submitted to and approved in writing by the Local Planning Authority. These details shall include a roof plan showing the location and position of the Photovoltaics, their dimensions, manufactures specification, and ongoing maintenance arrangements. The approved Photovoltaics shall thereafter be installed in accordance with these approved details and maintained in good working order to the satisfaction of the Local Planning Authority.

Reason: The applicant no longer wishes to install solar panels and there is no policy requirement for the installation of solar panels that would contradict the granted permission.

Informatives:

1. This notice relates only to the removal of condition 4 of the substantive planning permission (Reference: PL/23/0988) and is bound by all the other 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.
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.