

DELEGATED APPLICATION REPORT

Ward: Emmer Green Ward

App Ref: PL/24/1642 Non-Material Amendment

Address: 164 KIDMORE END ROAD, EMMER GREEN, READING, RG4 8SU

Proposal: Non-Material Amendment to application PL/24/1048 - Addition of 2 dormer windows and a Velux window to the front of the proposed garage and new side window.

Applicant: Mr Stephen Day

Received date: 09/12/2024

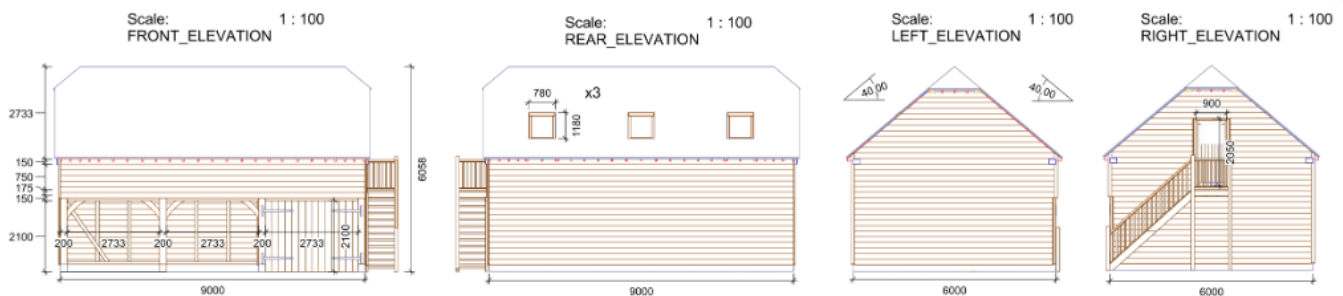
Target Decision date: 06/01/2025

Case Officer: Sian Hickey

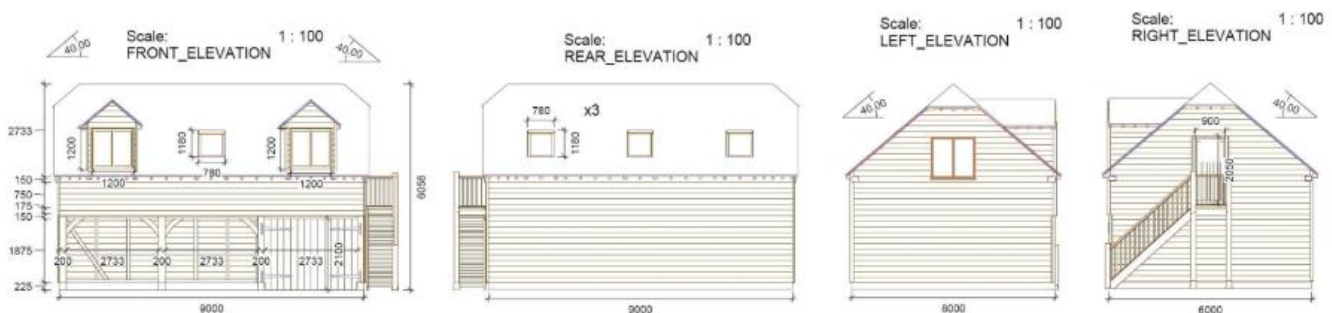
PROPOSAL AND SUPPORTING INFORMATION

A Non-Material Amendment is sought to the previously approved planning application PL/24/1048 for the addition of 2 dormer windows and a Velux window to the front of the garage.

Previously Approved Plans under application PL/24/1048:



Amended Plans Proposed under application PL/24/1642:



CONSULTATIONS

Applications under S96A are not applications for planning permission, so are not covered by the publicity requirements as set out in the DMPO.

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 POLICY AND 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.*"

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

ASSESSMENT

The proposed non-material amendment to application PL/24/1048 seeks to include two pitched-roofed dormer windows and one velux window into the front elevation roof slope of the proposed outbuilding, and also one additional window in the left side elevation.

The changes proposed are not deemed to represent a material change to the original permission as the changes would not have a material impact on the design and character of the proposed outbuilding or the main property. It is not considered that this specific proposal raises any additional design concerns, over and above what has been considered appropriate previously.

The proposed alterations are not considered to alter the approved plans under application PL/24/1048 to the point that there may be planning concerns, such as harm to neighbouring amenity. Due to the significant distance to the nearest neighbouring properties, there are no identified risks of the additional windows causing any overlooking.

It is considered necessary to include an additional condition which states the outbuilding permitted shall not be occupied at any time other than for purposes ancillary to the residential use of the main dwelling known as 164 Kidmore End Road. This is to accord with the terms of the application, and to ensure that separate occupation of outbuilding would not detract from the amenities or living conditions of neighbouring residential properties (or the character of the locality).

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 that 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.

CONCLUSION

The proposed amendments have been concluded to not be harmful to the character or appearance of the site or its surroundings and would not have a detrimental impact on the original building or neighbouring properties. As such the proposal is considered to be in accordance with CC7 and H9 of the Reading Borough Local Plan (2019) and the Councils Supplementary Planning Document "Design Guide to House Extensions" (2021).

RECOMMENDATION

Approve non-material amendment.