

26 March 2025



Reading
Borough Council
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Title	DELEGATED APPLICATION REPORT
Ward	Tilehurst
Planning Application Reference:	PL-24-1727 NMA
Site Address:	Park Lane Primary School (Infants), School Road, Tilehurst
Requested Change	Non-Material Amendments to conditions 2 (approved plans) 5 (parking provision) and 13 (biodiversity plan) for planning permission reference PL/23/1644
Report author	Julie Williams – Planning Manager
Applicant	Reading Borough Council - Education
Deadline:	Extended to 31 March 2025
Recommendations	Agree changes

1. Introduction and site description

This application has been submitted under s96A of the Town and Country Planning Act 1990 (as amended), for a non-material change to the development approved under planning permission. Section 96a allows amendments to planning conditions – as follows:

Section 96A Power to make non-material changes to planning permission:

- (1) A local planning authority in England may make a change to any planning permission relating to land in their area if they are satisfied that the change is not material.
- (2) 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.
- (3) The power conferred by subsection (1) includes power-
 - (a) to impose new conditions;
 - (b) to remove or alter existing conditions.
- (4) The power conferred by subsection (1) may be exercised only on an application made by or on behalf of a person with an interest in the land to which the planning permission relates.

Permission was granted on 2 February 2024 for the demolition of an existing modular building and installation of a double stack modular building (GIFA approx. 360sqm). Further modifications to external areas, including new play areas, replacement boundary and internal fencing and a new pedestrian access off School Road, to segregate vehicles and pedestrians entering the site, with new staff car parking.

2. The proposal

Condition 2 - The applicant found once works commenced that changes to plans were needed to enable the parking area, SUDs provision and landscaping works to proceed without conflicting with the aims of the relevant conditions. It was agreed with officers that the best way to resolve the problem was to redraft the relevant plans (condition 2).

Condition 5 currently states:

5. Before the modular building hereby approved is occupied the vehicle parking space(s) and EV charging points shall be provided in accordance with the plans hereby approved. The spaces shall be maintained for vehicle parking and charging in accordance with the approved Scheme at all times thereafter.

Following a shallow cable being found in the proposed car park area it has been requested that the implementation of the parking and pedestrian access be changed to allow a staged completion with the parking area to be completed later. This would allow for the statutory authority to resolve the cable problem to be obtained.

Condition 13 – again the change seeks some flexibility in the implementation of the Biodiversity plan. Currently the condition says:

13. The modular unit hereby approved shall not be occupied until all measures shown on the Biodiversity Plan E05323-HCC-DR-L-7005_P4 have been implemented. Thereafter, the enhancements shall be managed in accordance with the agreed programme.

It was also found the condition 15 needed to change for similar reasons to condition 5;

Condition 15 currently starts with: “Prior to first occupation of the development hereby permitted”. Officers recommend this be changed to “Prior to the staff and pupils relocating from the Junior school to the modular unit hereby permitted”.

The consideration of the NMA application has delayed the determination of an application to discharge planning conditions as relevant approved plans would be changed if this NMA application was agreed.

3. Consultations

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

Natural Environment Landscape officer commented:

Proposal: Non-Material Amendments to conditions 2 (approved plans) 5 (parking provision) and 13 (biodiversity plan) for planning permission reference PL/23/1644

Following a meeting with HCC, Ryan Stevens provided a comparison document on 14/2/25. E05323-HCC-02-00-DR-L-7001-P3-Infant School Site Strategy Plan superseded by E05323-HCC-DR-L-7001-C4-Site Strategy Plan. Rev C4 has also been submitted under 24/0936. This raises no concerns - consistency between this and other plans should be checked (note comments under 240936/APC).

E05323-HCC-02-00-DR-L-7002-P5-Proposed General Arrangement Plan superseded by E05323-HCC-DR-L-7002-C4-Proposed General Arrangement Plan. Rev C4 has also been submitted under 24/0936. Changes noted on the plan are the same as shown on the Site Strategy plan. Same comment as above.

E05323-HCC-DR-L-7005_P4 Biodiversity Plan superseded by E05323-HCC-DR-L-7005-C5 Biodiversity Plan. Three changes are described, one of which (irrigation amount) was included on the Rev P2 version (Ryan has provided as an original under 24/0936) and C4 version which I previously accepted under 24/0936. Anyway, current revised plan is fine.

E05323-HCC-02-00-DR-L-7010-S2-Combined Services Diagram superseded by E05323-HCC-DR-L-7010-C5-Combined Underground Services. Rev C5 also submitted under 24/0936 which is not acceptable in tree terms - see comments under 24/0936.

The comparison document goes on to mention ‘*Landscape drawings outside of NMA that still require approval*’ - I have commented on these under latest 24/0936 memo (my responses to applicant responses).

Transport officer commented:

There were no objections to the car park provision changes but it was noted that the latest information does not include an exceedance route or a management/maintenance plan which must be provided. As it was then agreed that as the NMA will not change anything else on the original application, as long as the new condition links to the exceedance route or a management/maintenance plan as previously submitted as part of the original application we could proceed on that basis.

4. Outcome

The case officer, landscaping and transport officers met with applicant to discuss the reasons for the changes and were able to agree on the final list of approved plans and sensible changes to the requested planning conditions. However, the discussion also highlighted that with the approved plans changing some other conditions that directly referenced some of the approved plans also needed to be changed.

The full suite of amended conditions is shown below.

New Condition 2: The development hereby permitted shall ONLY be carried out in accordance with the following approved plans:

E05323-HCC-02-00-DR-L-7000-Infant School Landscape GA
E05323-HCC-DR-L-7001-C4- Site Strategy Plan
E05323-HCC-DR-L-7002-C4-Proposed General Arrangement Plan
E05323-HCC-02-ZZ-DR-A-2000-Proposed Infant Site, Ground & First Floor Plan
E05323-HCC-02-XX-DR-A-3001-GA Infant Proposed Site Elevations
E05323-HCC-02-XX-DR-A-3010-GA Infant Proposed Elevations AA BB
E05323-HCC-02-XX-DR-A-3011-GA Infant Proposed Elevations CC DD

Drainage Statement:

E05323-Hydraulic Calcs- C03
E05323- Park Lane Primary – Drawing Issue Sheet
E05323-HEH-XX-XX-DR-C-7501 -C05 - DRAINAGE LAYOUT
E05323-HEH-XX-XX-DR-C-0901-P01.1 - EXCEEDANCE PLAN
E05323-HEH-XX-XX-RP-C-7001-P01.1_FRA-DS
APP_B-E05323-SITE PLAN
APP_C-E05323-TOPO SURVEY
APP_F-E05323-MANAGEMENT PLAN P01.1

Ecology & trees:

E05323-HCC-DR-L-7005_C5 Biodiversity Plan
E05323-HCC-02-XX-DR-A-1601-C3 Construction Logistic & Tree Protection Plan
E05323-HCC-DR-L-7009-C5 Surfaces and Edges Plan
E05323-HCC-DR-L-7010-C5-Combined Underground Services

New Condition 5

The vehicle parking space(s) and EV charging points shall be provided in accordance with the approved timetable for the works to be implemented and in accordance with the plans hereby approved. Once installed the parking spaces shall be maintained for vehicle parking and charging in accordance with the approved Scheme at all times thereafter.

New Condition 13

The modular unit hereby approved shall be occupied in accordance with the approved timetable for measures shown on the Biodiversity Plan E05323-HCC-DR-L-7005_P4 to have been implemented. Thereafter, the enhancements shall be managed in accordance with the agreed programme.

New condition 15

15. Prior to the staff and pupils relocating from the Junior school to the modular unit hereby permitted, the sustainable drainage scheme for the site shall be completed in accordance with the submitted and approved exceedance plan and management plan (E05323-HEH-XX-XX-DR-C-0901-P01.1 -EXCEEDANCE PLAN & APP_F-E05323-MANAGEMENT PLAN) P01.1 The sustainable drainage scheme shall be managed and maintained thereafter in accordance with the agreed management and maintenance plan.

5. Conclusion

Officers are satisfied that the matters requested to be changed are non-material in their nature and can agree to these changes to the original planning approval.

An informative will be used on the decision to remind the developer that the NMA only changes those matters specified and should be kept with the original permission.