

DELEGATED APPLICATION REPORT

Ward: Emmer Green

App Ref: PL/25/0947 Removal/variation of conditions

Address: 7 HAWTHORNE ROAD, CAVERSHAM, READING

Proposal: Proposed replacement dwellings comprising a pair of semi-detached 2 storey 3 bedroom houses with rooms in loft space without complying with Condition 2 (Variation) of planning application PL/23/1733 to correct site plan and omit one ground floor side elevation window (amended description).

Applicant: Mr Harnam Juttla

Received date: 03/07/2025

Target Decision date: 28/11/2025 (EOT)

Case Officer: Marcelina Rejwerska

1. SITE DESCRIPTION

The application site is located on the north-eastern side of Hawthorne Road, adjacent to a public footpath connecting Hawthorne Road and Lowfield Green. The site at present is under construction and nearing completion following the grant of planning permission for the erection of 2x dwellings in December 2024. The surrounding area is residential, characterised by detached dwellings of various design.

2. PROPOSAL AND SUPPORTING INFORMATION

The application seeks to vary condition 2 of planning permission ref: PL/23/1733 to correct the approved plans which contain errors, and to incorporate minor changes to the fenestration on the side elevation.

2.1. Information submitted:

Planning Statement, received 25 September 2025

HRC07-001 Rev P1 Block and Location Plan, received 26 November 2025

HRC07-003 Rev P5 Proposed Site Plan, received 3 July 2025

HRC07-006 Rev P3 Proposed Floor Plans, received 3 July 2025

HRC07-007 Rev P6 Proposed Elevations, received 3 July 2025

3. RELEVANT PLANNING HISTORY

- PL/08/0151 - Demolition of an existing dwelling and the construction of a pair of two-storey semi-detached dwellings with associated car parking and amenity spaces. – Outline Application Permitted on 07/10/2008
- PL/15/1114 - Replace existing residential dwelling with new build residential home – Application permitted on 25/08/2016
- PL/16/1484 - Discharge of condition nos 3 (Materials), 6 (CMS), 7 (Noise and Dust) and 10 (Landscaping) of planning permission ref. 151114 – Conditions Discharged
- PL/21/1923 - Erection of a pair of semi detached houses and a detached garage – Application refused
- PL/23/1733 - Proposed replacement dwellings comprising a pair of semi-detached 2-storey 3-bedroom houses with rooms in loft space – Application permitted
- PL/25/0056 - Application for Approval of Details Reserved by Conditions 3 - (Materials), 4 & 5 - (19% improvement in emissions rate), 6 - (Update for habitat enhancements), 7, 8 - (Tree protection plan), and 14 (Construction method statement) of application PL/23/1733 – Not yet determined

4. CONSULTATIONS

A site notice was displayed at the front of the site. Additionally, no. 9 Hawthorne Road was consulted directly. No letters of representation were received.

5. LEGAL AND PLANNING POLICY CONTEXT

S73 of the Town and Country Planning Act 1990 provides the ability to vary a condition on a planning permission. The Town and Country Planning (Development Management Procedure) (England) Order 2010 streamlined the procedure to enable local planning authorities to use its discretion on which statutory consultees should be consulted when such an application is submitted in order to speed up the system by being more flexible. This Statutory Instrument was accompanied by 'Greater flexibility for planning permissions' which contained relevant guidance. This states that a minor material amendment is 'one whose scale and nature results in a development which is not substantially different from the one which has been approved'. This is not a statutory definition and the decision on what constitutes a minor material amendment is at the discretion of the local planning authority but is considered to include, "any amendment where its scale and/or nature results in a development which is not substantially different from the one which has been approved".

Section 73 of the Act instructs the Local Planning Authority to consider the variation to, or relief of conditions that are applied for, stating that "if they [the LPA] decide that planning permission should be granted subject to conditions differing from those subject to which the previous permission was granted....they shall grant permission accordingly" (s.73(1)(a)). As such, the Local Planning Authority can grant permission unconditionally or subject to different conditions or alternatively refuse the application if it is deemed that the original condition(s) should remain in place.

The grant of a planning permission under Section 73 essentially provides a new planning permission. It is therefore necessary to reconsider the overall development proposal against the development plan. The key issues for consideration comprise the principle of the development whilst having regard to the impact upon the character and appearance of the area, the effects on traffic generation and highway safety, amenity and the natural environment.

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that proposals be determined in accordance with the development plan unless material considerations indicate otherwise. Material considerations include relevant policies in the National Planning Policy framework (NPPF) - among them the 'presumption in favour of sustainable development'. The following local and national planning policy and guidance is relevant to this application:

National Policy

National Planning Policy Framework
National Planning Practice Guidance

Reading Borough Local Plan (Adopted November 2019)

CC7 Design and the Public Realm
CC8 Safeguarding Amenity

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.

6. APPRAISAL

Policy CC7 requires all development to be of high design quality that maintains and enhances the character and appearance of the area in which it is located. Policy CC8 requires all development to not cause detrimental impact on the living environment of existing residential properties and future occupants.

The proposed variations include a revised site plan which corrects the previously issued list of approved planning plans and documents. The original decision notice incorrectly listed a superseded site plan which shows the incorrect positioning of the development within the site. The submitted site plan is the correct revision. The plans have also been further amended after discussions between the applicant and neighbouring resident regarding privacy and overlooking concerns. Although there are no concerns identified by the case officer, the proposed removal of a side elevation ground floor window is considered acceptable. The window is a secondary window to the living room, and its removal will not affect the outlook nor the access to natural sunlight/daylight within the living room.

Overall, the amended plans are considered acceptable.

7. CONCLUSION

The proposed variations to the approved scheme are considered acceptable in the context of the national and locally adopted policies.

8. RECOMMENDATION

GRANT VARIATION

Recommended conditions:

1. Time limit (variation)
2. **[VARIED]** Approved plans
3. Materials to be approved
4. SAP assessment to be approved (design stage)
5. SAP assessment to be approved (as built)
6. Habitat enhancement scheme to be approved
7. Landscaping to be submitted
8. Arb method statement and TPP to be approved
9. No dwelling to be occupied until the vehicle access has been constructed
10. Parking as specified
11. Bicycle parking as specified
12. EV charging details to be submitted
13. Refuse storage as specified
14. Construction method statement to be submitted
15. Construction hours
16. No bonfires