

DELEGATED APPLICATION REPORT

Ward: Emmer Green Ward

App Ref: PL/26/0410 Removal/variation of conditions

Address: 8 HAWTHORNE ROAD, CAVERSHAM, READING, RG4 6LY

Proposal: Erection of a two storey side extension, two storey rear extension, single storey side and rear extension without complying with conditions 2 and 7 of planning permission PL/25/1001 to reposition the garage 3 metres further back within the plot

Applicant: Mr Kannan Balasubramanian

Received date: 27/03/2026

Target Decision date: 12/06/2026 (agreed extension of time)

Case Officer: Marcelina Rejwerska

1. SITE DESCRIPTION

The site comprises a two-storey detached dwelling on the south-east side of Hawthorne Road. There is a wide green verge between the highway and the plot. The surrounding area is residential, composed of varied designs on spacious plots.

2. PROPOSAL AND SUPPORTING INFORMATION

Planning permission is sought to vary Condition 2 of planning decision reference PL/25/1001 for the relocation of the garage 3m deeper into the plot. It is noted that the approved block plan contained inaccuracies in the positioning of the dwelling in the plot, which are corrected in the submitted plans.



Left: Approved block plan. Right: Proposed block plan

2.1. Information submitted:

Project summary

Existing floor plan

Existing elevations

Proposed floor plans

Proposed front & rear elevations

Proposed left elevations

Received 27 March 2026

Site & block plans

Received 8 June 2026

3. RELEVANT PLANNING HISTORY

- PL/25/1001 - Erection of a two-storey side extension, two -storey rear extension, single storey side and rear extension (amended). Application permitted.
- PL/24/1538 - Erection of a two-storey front, side and rear extensions, and a single storey side and rear extension. Application withdrawn.

4. CONSULTATIONS

No internal / external consultees were considered to be necessary for this application, however, a site notice was erected at the front of the site in the public interest. One letter was received which did not object to the proposal but noted that the submitted plans were inaccurate. This was communicated to the applicant who subsequently submitted revised plans to resolve this issue.

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 and Guidance

National Planning Policy Framework 2024 (as amended Feb 2025)

National Planning Practice Guidance 2014 onwards

Reading Borough Local Plan (2019)

CC7 Design and the Public Realm

CC8 Safeguarding Amenity

H9 House Extensions and Ancillary Accommodation

SPD

Design Guide to House Extensions SPD 2021

Local Plan Update

The current version of the Local Plan (adopted in November 2019) turned five years old on Tuesday 5th November 2024. The Local Plan was reviewed in March 2023 and around half of the policies in the plan are considered still up to date. However, the rest need to be considered for updating to reflect changing circumstances and national policy. A consultation version of the draft updated version of the Local Plan was published on 6th November 2024. Subsequent to this consultation a submission draft was sent to the Secretary of State on 9th May 2025. At the time of writing, the examination-in-public of the partial update to the local plan was recently completed.

Although there is a five-year period for carrying out a review of a plan after it is adopted, nothing in the NPPF or elsewhere says that policies automatically become “out of date” when they are five years old. It is a matter of planning judgement rather than legal fact whether a plan or policies within it are out-of-date. This will depend on whether they have been overtaken by things that have happened since the plan was adopted, either on the ground or through changes in national policy, for example.

Officer advice in respect of the Local Plan policies pertinent to this application is that they remain in accordance with national policy and that the objectives of those policies remains very similar in the submission draft updated Local Plan. Therefore, they can continue to be afforded weight in the determination of this planning application and are not considered to be ‘out of date’.

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 works are considered minimal within the wider context of the original planning permission and do not raise any concerns with regards to the design or appearance of the property. Similarly, there is little impact on the character of the wider street scene. There are also no identified risks in relation to the amenity to the surrounding residents nor the future occupants of the site.

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

Conditions as per PL/25/1001:

1. Time limit (S73)
2. [VARIED] Approved plans
3. Materials as specified
4. No trees to be removed
5. Landscaping to be submitted prior to first occupation
6. All existing walls as shown on plans shall be retained to existing ceiling level
7. PD rights removed – Class A & Class B
8. Hours of construction
9. No development above slab level to commence until specified structures are removed.

Informatives:



1. Terms
2. Building control
3. Complaints about construction
4. Encroachment
5. CIL
6. Works may affect bats
7. No highway works permitted