

# CASE OFFICER'S (MBB) REPORT ON APPLICATION NUMBER 24/02065/NONMAT



**Site: Land South Of Tower Gardens  
The Street  
Mortimer Common  
Reading**

## INTRODUCTION

The applicant is proposing a minor change to the positioning on the site of plot 82 as permitted under 23/00297/resmaj. In addition there are a number of roofscape and elevational changes including to dormers, the porch and fenestration all detailed in the cover letter on the file. This is to make the elevations less "fussy" and complex which is important as the siting of the dwelling on phase 3 is in a prominent corner position on the site. The garage and car port are now attached to the dwelling in addition but the number of on site parking spaces [3 number] remains the same. In addition there are internal changes to the house layout including the removal of the home office for example but the overall footprint remains the same as does the number of bedrooms i.e. 3 no.

## PLANNING HISTORY

Very considerable . All on file. Most salient.

19/00981/OUTMAJ . S73 approval of variation of plans on original outline permission.

23/00297/RESMAJ . Approval of phase 3 of site.

23/02392/RESMAJ . S73 on the above -layout variation.

## PROCEDURAL MATTERS

According to Section 96A of the Town and Country Planning Act 1990, a local planning authority may make a change to any planning permission, or any permission in principle (granted following an application to the authority), relating to land in their area if they are satisfied that the change is not material. 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 (or permission in principle) as originally granted. This power includes power to make a change to a planning permission: (a) to impose new conditions; and (b) to remove or alter existing conditions.

There is no statutory definition of 'non-material'. This is because it will be dependent on the context of the overall scheme - an amendment that is non-material in one context may be material in another. The local planning authority must be satisfied that the amendment sought is non-material in order to grant an application

As an application to make a non-material amendment is not an application for planning permission, the existing Town and Country Planning (Development Management Procedure) (England) Order 2015 provisions relating to statutory consultation and publicity do not apply. Therefore local planning authorities have discretion in whether and how they choose to inform other interested parties or seek

their views. As by definition the changes sought will be non-material, consultation or publicity are unlikely to be necessary, and there are unlikely to be effects which would need to be addressed under the Environmental Impact Assessment Regulations 2017.

#### ASSESSMENT OF PROPOSED AMENDMENT

The case officer has compared the as approved plans for plot 82 on the application site with the as proposed. The changes are considered satisfactory in the proposed street scene and will cause no harm . The parking and siting is accepted.

#### Approval

The amendments detailed in the above description and shown on plot 82 -floorplans 01 and elevations 02 are approved as non-material amendments to the development granted planning permission by 23/002392/RESMAJ .

This decision is made under section 96A of the Town and Country Planning Act 1990. Except as stated otherwise, this decision does not alter any planning conditions and/or obligations on the planning permission.

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Parish Council Office  
Mortimer Library  
27 Victoria Road  
Mortimer  
Reading  
RG7 3SH