

DELEGATED OFFICER REPORT



WOKINGHAM
BOROUGH COUNCIL

Application Number:	250105
Site Address:	Loddon House, Loddon Drive, Wargrave, Wokingham, RG10 8HL
Expiry Date:	21 February 2025
Proposal: Application for non-material amendment to planning consent 232532 to extend the raised terrace to the south-west corner of the new dwelling.	

PLANNING HISTORY

Application No.	Description	Decision & Date
232532	Application to vary conditions 2,3,4,5,6,7,8,10 and remove condition 17 of planning consent 201453 for the Full application for the proposed erection of a 3 no. bedroom dwelling and detached double garage following demolition of the existing dwelling and detached garage. Condition 2, approved details 3 external materials, 4 Plans for watercourse buffer zone, 5 Construction Environmental management plan, 6 Landscaping, 7 protection of trees, 8 Biodiversity enhancements, 10 Flood risk assessment, 17 Obscure glazing and the variations are to allow changes to the approved dwelling and re-positioning of the wet dock also remove condition 17 following grant of planning permission (201453).	Approved – 11/04/2024
230843	Householder application for the proposed erection of a detached double garage on stilts with 2no. ground level scissor-lifts. (Part-retrospective)	Approved – 30/08/2023
213891	Application to vary conditions 2, 3, 4, 5, 6, 7, 8 and 10 and to remove condition 17 of planning consent 201453 for the proposed erection of a 3 no. bedroom dwelling and detached double garage following demolition of the existing dwelling and detached garage. Condition 2 refers to the approved details; condition 3 to the external materials; condition 4 to a watercourse	Approved – 17/02/2022

	buffer zone; condition 5 to a CEMP and LEMP; condition 6 to landscaping proposals; condition 7 to tree protection; condition 8 to biodiversity enhancements; condition 10 to a flood risk assessment, and condition 17 to obscure glazing, and the variations are to facilitate internal and external changes to the proposed dwelling and allow for the proposed creation of a river cutting and wet dock, in addition to the removal of the requirement for obscure glazing on the north elevation bedroom window.	
212891	Pre-application advice for the proposed creation of a cutting and wet dock from the River Loddon, in tandem with the implementation of the previously approved replacement dwelling.	Replied 21/09/2021
211348	Application to vary conditions 2 and 10 of planning consent 201453 to allow internal and external changes to the approved dwelling plus changes to the position/extent of the external terrace areas, and reference to an updated Flood Risk Assessment.	Approved 21/06/2021
202674	Application for a certificate of lawfulness for the proposed erection of an outbuilding to the side of existing dwelling.	Approved 09/11/2020
201453	Full application for the proposed erection of a 3 no. bedroom dwelling and detached double garage following demolition of the existing dwelling and detached garage.	Approved 17/08/2020
192812	Pre-application advice for the demolition of existing single storey dwelling and erection of a replacement single storey dwelling	Replied 26/11/2019
180658	Application for a certificate of lawfulness for the proposed single storey side and rear extensions to dwelling	Approved - 25/04/2018
173132	Full application for the proposed erection of a replacement dwelling, following demolition of existing dwelling	Refused - 15/12/2017 appeal dismissed 20/12/2018
171946	Pre-application advice for the proposed erection of a replacement dwelling with associated landscaping following demolition of existing dwelling	Replied - 02/08/2017
153490	Full application for the proposed erection of a replacement dwelling and detached two bay garage following demolition of existing dwelling and detached garage.	Approved - 04/03/2016
143133	Pre-application advice for the proposed replacement dwelling and detached garage	Replied - 29/01/2015
01244	Replacement of two garages	Refused -

APPRAISAL

Site Description:

The site is approximately 0.46ha in size and is located directly from Loddon Drive, Wargrave. The dwelling approved to be replaced (originally under 201453) and later varied by 211348, 213891 and 232532 has been demolished and replaced by pole foundations for the consented dwelling. The built form is notably set back from Loddon Drive and backs onto the River Loddon. The site though under construction retains ample amenity space and a high quality, verdant and riverside character.

Non-Material Amendments:

Section 96A of the Town and Country Planning Act (as amended) confers the power to make non-material amendments to existing planning conditions or adding new planning conditions, subject to them being non-material.

There is no statutory definition of what is considered to be 'material'. This is a matter for the LPA's consideration as per Section 96A (1,2) of the Town and Country Planning Act (as amended). This is bolstered by the National Planning Practice Guidance which states *"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 under section 96A of the Town and Country Planning Act 1990."*

The amendment to extend the external decking area (secured by two posts) does not seek to increase the size of the development, does not materially impact highway safety, does not materially impact on site drainage, exacerbate flood risk or hinder landscaping and is therefore appropriate to be considered under a S96 application.

Proposal Description:

Condition 2 (approved plans) pertaining to planning approval 232532 (a variation of 201453) records the 'Approved Details'. The applicant proposes the following changes to the external terrace area previously approved:

- The extension of the external deck area of c22.5m²
- The addition of two support posts of c200x200mm

These amendments are shown in submitted plans: 100revH- Proposed_Site_Plan, 200revF Proposed Ground Level Plan, 300revD Proposed Section A-A and B-B, 110rev A Location Plan, 201revF Proposed Main Floor Plan, 400revC - Proposed Elevations and 401revF Proposed North Sectional and South Sectional Elevations. It is noted that given the 2D nature of the elevations, the additional posts cannot be shown, however, the below snip of the proposed foundation plan outlines their position:

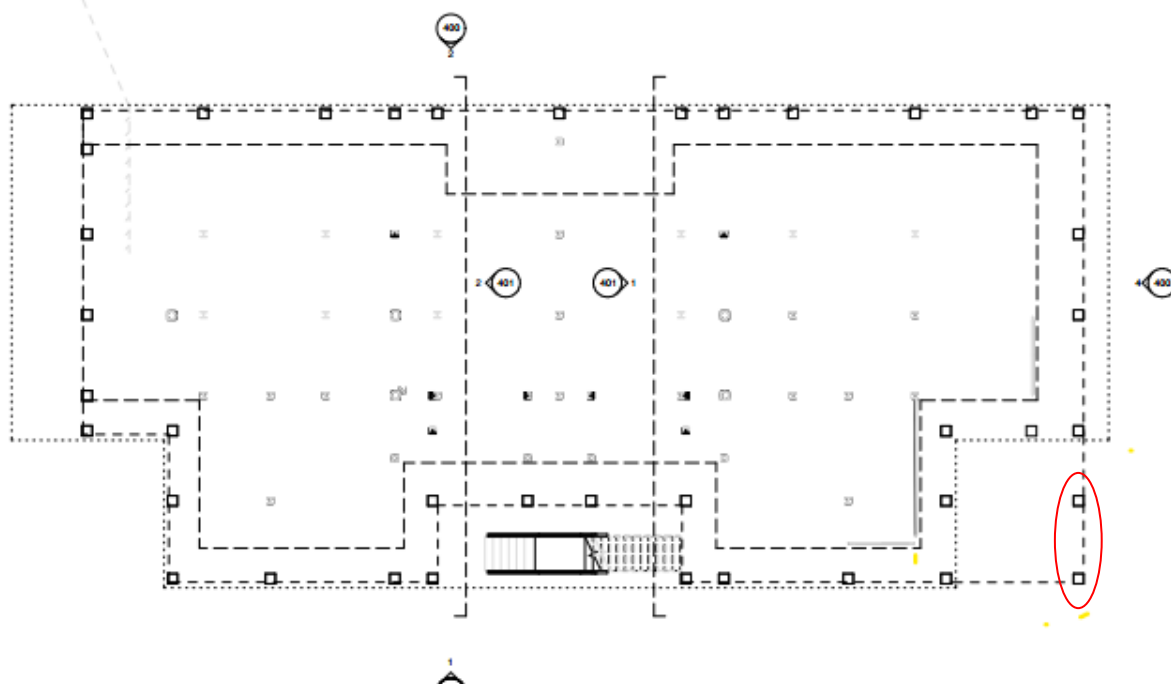


Figure 1: Foundation Plan: 250105 (contextual only)

Materiality:

This non-material amendment application proposes the addition of an extended external decking area of c22.5m² on the southern and western elevations. Given the dwelling's location set back from Loddon Drive by c60 metres and notable vegetative screening the decking extension would not be appreciable from public vantage points. Accordingly, the proposal would be non-material in character terms.

The installation of 2no. c200x200mm posts to support the 'floating decking' above would be de-minimis in the context of the originally approved Flood Risk Assessment and given minimal scale do not interfere with the drainage layout. Accordingly, the proposal would be non-material with respect to flood risk and surface water drainage.

In terms of neighbouring amenities, the extended decking a 2no. posts would not give rise to detrimental overbearing, overlooking or overshadowing impacts, nor would stand contrary to the recommendations within the Borough Design Guide SPD.

The proposal would further not stand contrary to any imposed conditions regarding ecological mitigation and landscape provision.

Conclusion:

With the above in mind, the proposed extension of the south-west external decking area (including 2no. 200x200mm support posts) do not constitute a material change to the scheme and therefore are acceptable under this S96A application.

Is the proposed change non-material?

Yes	☒
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No	☐
The Public Sector Equality Duty (Equality Act 2010): In determining this application the Council is required to have due regard to its obligations under the Equality Act 2010. The key equalities protected characteristics include age, disability, gender, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief. There is no indication or evidence (including from consultation on the application) that persons with protected characteristics as identified by the Act have or will have different needs, experiences, issues and priorities in relation to this particular planning application and there would be no significant adverse impacts as a result of the development.	

RECOMMENDATION	
Recommendation:	Approve – the change is non-material.
Date:	17 February 2025
Earliest date for decision:	

Recommendation agreed by: (Authorised Officer)	MC
Date:	18.02.2025