

DELEGATED OFFICER REPORT



WOKINGHAM
BOROUGH COUNCIL

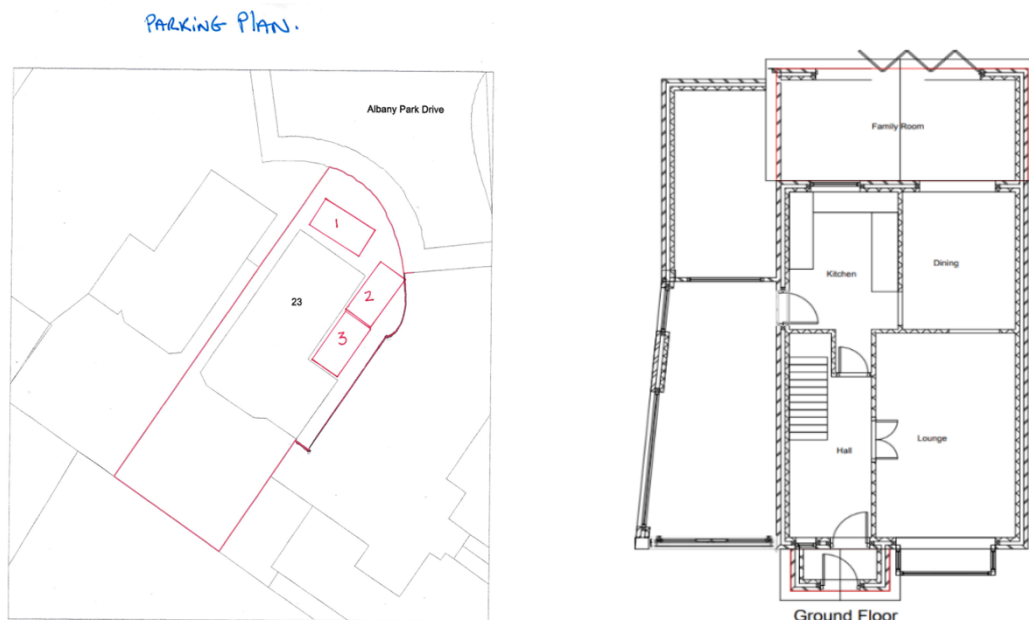
Application Number:	252322
Site Address:	23 Albany Park Drive, Winnersh, Wokingham, RG41 5HZ
Expiry Date:	5 November 2025
Proposal: Application for non-material amendment to planning consent 242438 (as amended by 250176 and 250645) to add a front door to the car port.	

PLANNING HISTORY		
Application No.	Description	Decision & Date
071217	Application for certificate of proposed lawful use for the erection of a single storey rear extension to form conservatory.	Approved 13/06/2007
241074	Householder application for proposed two storey side extension with changes to the fenestration following the partial demolition to the existing garage	Refused 26/06/2024
242438	Householder application for the proposed first floor extension above existing garage and new car port alongside rear roof change from flat to gable end.	Approved 24/10/2024
250176	Application for non-material amendment to planning consent 242438 to allow changes to layout and fenestration.	Approved 19/02/2025
250645	Application for non-material amendment to planning consent 242438 to allow changes to layout and fenestration.	Approved 07/04/2025

APPRAISAL	
Is the proposed change non-material?	
Yes	☐
No	☒
Assessment: This application seeks permission to amend the approved scheme (ref: 242438, as amended by 250176 and 250645), by virtue of adding a garage door to the car port. There is no set definition for a non-material amendment, but it is a minor change. For this application, a garage door is being added to the existing car port. There is a general set of points for which an application for a non-material amendment is assessed against, and it is considered that the proposal would conflict with some of these points:	

‘Amending the description of development or introducing new element(s) which were not part of the original scheme.’
‘Significantly altering the external appearance of the permitted proposal.’
‘Adding a window that may cause overlooking.’
‘Changes that would breach conditions of planning permission’

The proposed garage door would not significantly alter the appearance of the dwelling as garages are common features on residential dwellings. Additionally, the garage door is at ground floor level and there would be no overlooking concerns associated with it. The introduction of the garage door would require an amendment to the original description of development as the car port would now be deemed as being a garage, but the use of the space would be the same and no new element is being introduced. However, condition 5 of application 242438 requires that the vehicle parking spaces are permanently maintained and remain available for the parking of vehicles at all times. A screenshot of the approved parking plan for application 242438 (left), and a screenshot of the proposed ground floor plan for this application (right) is included below.



If the proposed garage door was introduced, parking space 2 would not be available for parking at all times, and therefore the proposed garage door would be in breach of condition 5 of application 242438. Non Material Amendment applications under Section 96A of the Town and Country Planning Act 1990 are strictly for non-material changes to the approved development but cannot be used to vary a planning condition.

For the reason above, it is deemed that the proposed alteration would be a material change, and therefore the application is recommended for refusal.

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:	Refuse – the change is material because the proposed garage door would be in breach of condition 5 of application 242438.
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Date:	30 October 2025
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Earliest date for decision:	n/a
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Recommendation agreed by: (Authorised Officer)	
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Date:	30/10/25
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