

DELEGATED DECISION REPORT

NMA/2024/0005
Valid 16/09/2024

**BUXTON SWIMMING AND
FITNESS CENTRE ST
JOHNS ROAD
BUXTON**

**APPLICATION FOR A NON-
MATERIAL AMENDMENT IN
RELATION TO APPLICATION
HPK/2023/0363 - HV & LV
HOUSING UNITS WITH
CONCRETE PLINTHS**

**(NON MATERIAL
AMENDMENTS)**

MAIN ISSUES

- The main issue relates to whether the proposed amendment to the approved scheme is non-material in nature.

PROPOSAL

The application seeks a non-material amendment to planning approval to HPK/2023/0363 which was granted consent for the installation of 144.no solar panels on the roof of the leisure centre building, installation of a packaged plant room and evaporator decks on the ground floor of the multi-story car park, with pipework between the packaged plant and leisure centre main building (partially trenched).

The proposed amendment to the above involves the installation of a substation to facilitate the approved plant room. The proposed substation will be located in the ground floor of the multi storey car park next to the plant room. The substation will be located on a concrete plinth. The substation will be located within the approved plant area in approved plan no. LE-034-23-P009-4000-02.

SITE HISTORY / RELEVANT PREVIOUS APPLICATIONS

HPK/0003/7255 – construction of new car park deck over part of existing car park and construction of new toilets APPROVED 14/08/1998

HPK/2004/1137 and 1182 – Disability Discrimination Act Works Including New Access To Disabled Toilets, New Stairlift etc. APPROVED 17/02/2005

HPK/2023/0363 - Installation of 144.no solar panels on the roof of the leisure centre building. Installation of a packaged plant room and evaporator decks on the ground floor of the multi-story car park, with pipework between the packaged plant and leisure centre main building (partially trenched). APPROVED 15/12/2023

CONSULTATIONS

N/a

OFFICER COMMENTS

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.

In the case of the proposed amendments the proposed substation is small in size, and will be retained within the approved plant area. The proposed substation will be 2.4m in height and 3.1 by 3.7m. The proposed substation will have a utilitarian appearance typical of plant equipment. The proposed amendment will be in keeping with the utilitarian nature of the plant area approved. Due to the location of the plant area within the ground floor of the multi storey car park the substation will not have an impact on the street scene and will not be visible from outside of the car park. As such, the proposed substation will not impact upon surrounding heritage assets (including listed park, listed buildings and conservation area) due to its lack of visibility.

The change is considered to be non material, being located within an area already the subject of planning approval for plant and equipment, and due to its size, scale and siting would have no noticeable impact on visual amenity. There are no neighbours in close proximity.

CONCLUSION / PLANNING BALANCE

In summary, it is considered that within the context of the original application the proposed change is of a non-material nature. Therefore it is recommended that approval be granted.

OFFICER RECOMMENDATION : Approval

Case Officer: Rachel Robinson

Recommendation Date: 15th October 2024

X *J. Colley*

Signed by: Jane Colley Signature

On behalf of High Peak Borough Council