

[REDACTED]

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**From:** planningcomments@highpeak.gov.uk  
**Sent:** 19 January 2026 11:50  
**To:** Planning Comments (HPBC)  
**Subject:** Comment Received from Public Access

**Categories:** [REDACTED]

Application Reference No. : HPK/2025/0441 Site Address: HARPUR HILL SPORTS CENTRE Trenchard Drive Harpur Hill  
Buxton Derbyshire SK17 9JY BUXTON Comments by: H S  
From:

Hillside  
Harpur Hill  
Buxton

Phone:

Email: [REDACTED]

Submission: Objection

Comments: The Existing Use Is Misrepresented - The Site Has Been a Community Sports Facility, Not an Educational Institution (F1(a)).

The application asserts that the current use of Harpur Hill Sports Centre already falls within Use Class F1), implying that the proposed SEND school use is merely another F1(a) use and therefore does not require planning permission. However the site has operated fundamentally as a community sports centre not an educational premises. Its core purpose has been sport, fitness and community activity's such as badminton, pickleball and basketball. Not the provision of education as defined under F1(a).

The applicant has provided no evidence whatsoever beyond citing old planning permissions (HPK/0003/2266, HPK/0002/6089, HPK/0002/0207) to prove that the current lawful use is educational. Those permissions relate to past extensions, not the current use status.

An LDC requires strict, factual proof, not assertion. The applicant has failed to supply it.

## 2. A Change from a Sports Centre to a School Is a Material Change of Use

Even if both uses fall within the broad F1 class, this does not automatically mean that no material change of use has occurred.

Courts and planning guidance recognise that:

- A material change of use can occur within the same use class if the nature, character, or impacts of the use change significantly.
- Turning a sports centre into a SEND school represents significant changes in:
  - Traffic generation and parking patterns - access to this current building is via a private lane half owned by residents and a dead end. Increased traffic would cause significant congestion and maintenance to residents.

Current parking issues along Trenchard drive and college hill cause congestion issues currently with no school.

- Safeguarding requirements and access restrictions - Noise characteristics
- Local amenity impacts

These differences are substantial and far exceed what can be treated as a non-material change and therefore, a full planning application is required.

### 3. Traffic, Parking and Highway Safety Impacts Are Ignored

The application provides no transport assessment, traffic modelling, or parking strategy.

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A SEND school typically generates:

- More vehicle movements than a sports centre
- Drop-off/pick-up congestion
- Larger vehicles (minibuses, taxis, SEND transport) - Additional staff parking requirements
- Restricted access patterns during peak times.

A full planning application would require:

- Transport Statement / Transport Assessment - Swept-path analysis
- Parking provision
- Safety audit
- Drop-off/pick-up plan
- Staff and visitor management plan

None of this has been provided.

### 4. Loss of a Local Community Sports Facility

Harpur Hill Sports Centre serves:

- Local residents
- Sports groups
- Youth organisations

None of which are able to go elsewhere. Removing this facility would be detrimental to the local residents and children needing an outlet for physical clubs.

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- Older residents
- Community health and wellbeing initiatives

This significant community impact cannot be assessed under an LDC - another reason a full planning application is required.

#### 5. No Evidence Provided of the Current Lawful Use

The application is legally required to provide:

- Evidence that the current use is lawful
- Evidence that the proposed use fits within the same category
- Evidence of continuous use for 10+ years (if claiming existing lawful use)

Instead, the application only presents:

- Assertions that both uses fall under F1
- Historical planning permissions for building extensions (not evidence of use) - No supporting documents proving recent educational use

Without hard evidence (sworn statements, operational history, decision notices, certificates, tenancy documents, etc.), the LDC cannot be granted.

#### 6. The Applicant's Own Pre-Application Advice Acknowledges Uncertainty

The pre-application advice (28/10/2025) included in the application states:

“Only a lawful development certificate” would formally confirm the proposed use as not requiring planning permission.”

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This confirms:

- Even the council's planning officers were not certain the use was F1(a) - The applicant cannot rely on pre-application guidance as evidence
- The LDC is speculative and unsupported by factual proof

#### 7. Public Consultation and Full Assessment Are Needed

A change of use to a SEND school has wide-ranging impacts for:

- Residents - Traffic
- Noise
- Safety
- Local facilities
- The loss of a community sports site

None of these can be properly assessed within an LDC, which is a legal decision, not a planning merits decision.

Residents and stakeholders deserve a proper planning process.

Given the above points, the application fails to demonstrate that the proposed change of use is lawful.

The Council should therefore REFUSE the Lawful Development Certificate (PP-14466014) because:

- The existing lawful use has not been proven to be within Use Class F1(a).
- The proposed SEND school use constitutes a material change of use, even if the same use class is claimed.

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- The application provides no evidence or technical assessments.
- The development would result in the loss of a valuable community sports facility. - Such a proposal should be subject to a full planning application, not an LDC.

I request the council also consider the applicant partake in an environmental impact study on the basis that there will be significant increases in congestion, traffic into the area as well as the impact such a development would have on neighbouring houses with the water and sewage systems.

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