



Delegated Report

Non-Material Amendment Application

Application no:	20211577
Location:	Nelson Road Sports Ground Nelson Road Northfleet Gravesend
Description:	Application for non-material amendment to planning permission reference number 20200001 to allow addition of plant room to the scheme, removal/reconfiguration of the windows/doors and increase of 500mm to the scheme to allow for services to fit.
Applicant:	Mr Nathan Bullas, EUFC Elite Ltd
Site Visit Date:	Desktop only

Site Description and Surroundings

The application site is a roughly square shaped area of land extending to some 4.52 hectares (11.2 acres) and being an existing sports ground last run by Fleet Leisure (formerly Bowaters/Scotts Sports) and which comprised a single storey/two storey Sports Club building on the west side of the ground near the entrance and adjacent to the rear gardens of dwellings in Snelling Avenue.

The sports ground dates from 1932. Prior to this, the land was farmland.

Following the closure of Fleet Leisure in September 2013 the site has remained unused and the club building was unoccupied until a fire unfortunately destroyed it in 2017. The main clubhouse building had a footprint of approx. 60 x 20 metres being a rough estimate of the size and which included a single storey dancehall/social hall at the southern end and a two-storey element at the other end used by club members and local residents who were offered membership. The hall could be hired out for private functions.

There was also a single storey timber building (17m x 12m) to the north east of the sports club building which provided changing rooms for sports activities but this too was fire damaged and has now been removed.

To the east of the changing rooms were former grassed tennis courts. Beyond that was a surfaced but not marked out area last used for parking but was previously hard surfaced tennis courts. Further to the east was a disused bowls green and club building enclosed by high hedging and Cypress trees. There were a couple of smaller storage and maintenance type buildings on other parts of the ground.

Car parking areas were spread on the site being within the wide entrance/access road from Nelson Road, to the west of the timber changing rooms, in front of the sports club building, along the wide tarmacked access leading to the bowls green and on the former hard tennis courts next to the former bowls green

Just to the east of the parking area in front of the sports club were 4 small 5 a side floodlit artificial pitches. These were enclosed by fencing. They were lit by 6 x 13m approx. high floodlighting columns. These were added in circa 2010.

An additional 3 similar lighting columns were erected in the grassed playing field area to the east, with the intention of providing an additional 4 small 5-a-side floodlit artificial pitches.

It is difficult to accurately advise on measurements of the existing facilities and distances from boundaries as the submitted plans in 2007 were not to scale; however it is estimated that the existing court area was about 42m by 60m and therefore if the additional courts had been constructed at the time and to the position of where the other existing lighting columns are located it would have meant a pitch area of about 84m by 60m.

The remainder of the Fleet Leisure site comprised a grassed area which could accommodate at least 2 standard sized 11-a-side football pitches and a training area or possibly a junior sized pitch.

The extract below from an aerial photograph shows the layout of the site in 2008 prior to the installation of the artificial pitches and floodlighting. There were at that time 3 full sized grassed football pitches and 2 smaller pitches on the site.



The only access to the site for both vehicles and pedestrians is from Nelson Road to the north and being a gated access on to what is a residential street of two storey Victorian terraced dwellings either side.

Nelson Road is a narrow residential street with two-way movement restricted due to heavy on street parking either side of the road. It is nevertheless a bus route (Arriva route 481 - Riverview Park Gravesend to Bluewater).

The rear gardens of the dwellings on the south side of Nelson Road forms the northern boundary to the Fleet Leisure ground.

To the east the site is bounded by the rear gardens of two storey semi-detached dwellings (mainly Council owned) in Snelling Avenue and similarly to the south in Struttons Avenue where there is a mix of two storey terraced and semi-detached dwellings

To the east the site is bounded by the rear gardens of principally Local Authority two storey terraced and semi-detached dwellings in Harden Road and Newton Abbot Road as well as some more recent bungalows in Field Court built on a former Council lock-up garage site.

The aerial photograph below shows the layout of the site in 2013 just before closure and showing the location of the artificial playing pitches and floodlighting.



Work will soon commence on the implementation of a planning permission that was granted in July 2020 for a new sports facility redeveloping the whole site and comprising mixed sized football pitches, including artificial playing pitches, new clubhouse, play area, associated parking and lighting.

Planning History

The following table sets out the most relevant planning history

Ref No	Description and Site	Decision	Date
20200001	New sports facility comprising mixed sized football pitches, including artificial playing pitches, new clubhouse, play area, associated parking and lighting.	Permission	29.07.2020
20210855	Application for approval of conditions 3 and 4 of planning permission reference number 20200001 relating to condition (3) Phasing of development and Condition (4) Code of Construction and Management Plan.	Approved	29.07.2021
20210983	Application for approval of condition 7 (i) attached to planning permission reference number 20200001 relating to Archaeological field evaluation.	Approved	20.09.2021

20211251	Application for approval of conditions 8, 9, 20, 21, 23 and 32 attached to planning permission reference number 20200001 relating to drainage strategy including Foul and Surface Water Sewerage Disposal and SUDS, details of materials and surface treatments, details of boundary treatments, details of children's play area and scheme under Section 278 Agreement for Access/Highway Works.	Undetermined	
20211542	Application for non-material amendment to planning permission reference 20200001 to allow relocation of artificial grass pitches.	Undetermined	
20211577	<i>This Application</i>		

For a recital of the full planning history (including all pre-application enquiries) relating to this application site please see the planning committee report 22.07.2020 re ref 20200001

Proposal

The current planning application is described as:

Application for non-material amendment to planning permission reference number 20200001 to allow addition of plant room to the scheme, removal/reconfiguration of the windows/doors and increase of 500mm to the scheme to allow for services to fit.

Submitted Plans/Documents

Application Form;

Design and Access Statement by Orbit Architects dated 22 December 2021 (Project ref 2107);

Drawing No: DO-100 P1: General Arrangement - Ground Floor Plan;

Drawing No: DO-101 P1: General Arrangement - First Floor Plan;

Drawing No: DO-102 P1: General Arrangement - Roof Plan;

Drawing No: DO-200 P1: General Arrangement - Elevations;

Details of Application

It is stated in the Design and Access Statement that:

There has been adjustments to the design to enable the building to work in order to provide the space required for servicing, this includes a new plant room, small increase in building height and modification to the plan to allow for reduced escape distances. The roof plant and PV panels layout on the roof plan has also been included. This document has been produced to reflect the changes to the elevations and plan

There are some additions to the floor space particularly on the ground floor that perhaps are more than what might normally be regarded as minor alterations as they include on the ground floor a plant room (36m²) on the north side, an extended gym area - free weight area (43m²) and relocated spin room (41m²) on the south side as well as internal alterations to the layout. The extended areas on the south side are located within the original first floor overhang and thus effectively create no extended footprint.

The proposals include an area for plant on the roof (shown as a plant zone) and although the revised roof plan shows some details relating to extraction equipment and air conditioning units plus the provision of an area of solar panels no specification of this equipment is included within this submission. On the first floor there is a slightly extended roof terrace on the north side over the ground floor plant room.

The Design and Access Statement provides a readily understandable floor-by-floor comparison between the approved (extant) scheme and the proposed amended scheme as well as showing the changes to all elevations in relation to the approved scheme and this is reproduced below.

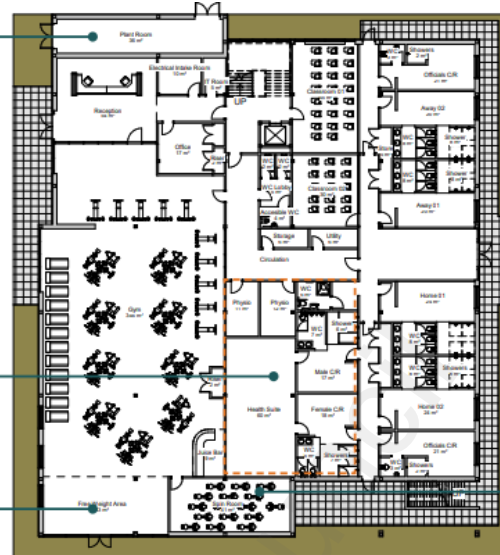


Ground Floor Plan - Extant Permission

New Plant Room

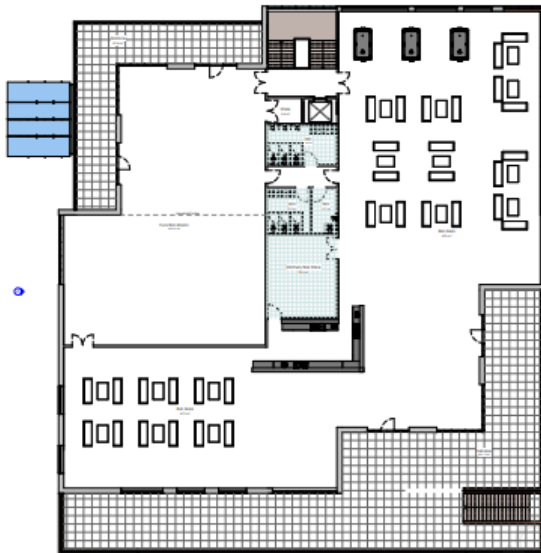
Reconfigured Health Suite and Changing Rooms

Extend Gym Area



Relocated Spin Room

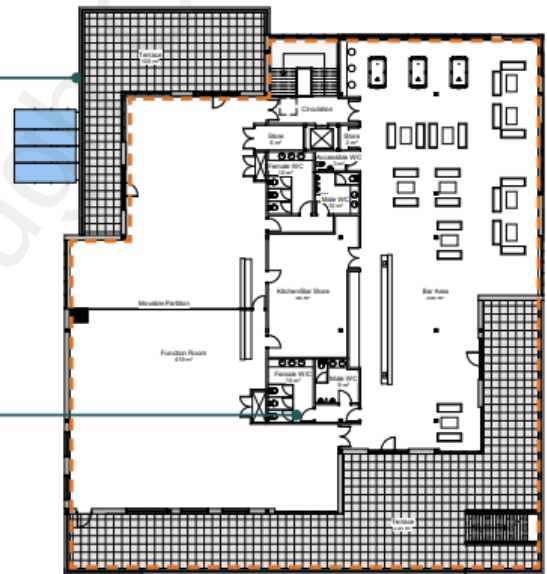
Ground Floor Plan - Proposed



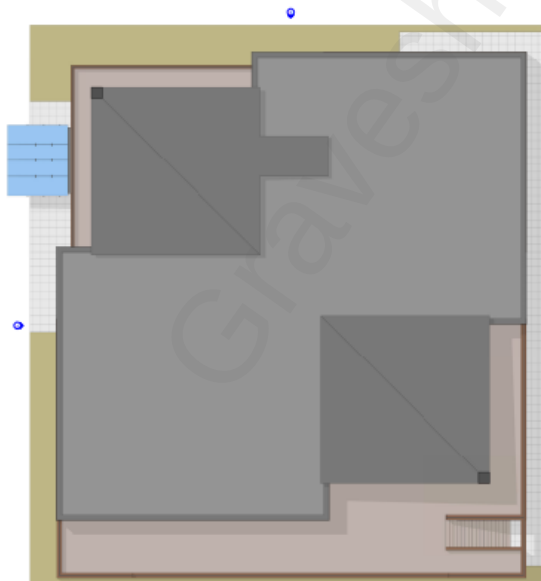
First Floor Plan - Extant Permission

Extended Terrace with plant room below

Reconfigured Function Room Kitchen and Bar Area



First Floor Plan - Proposed



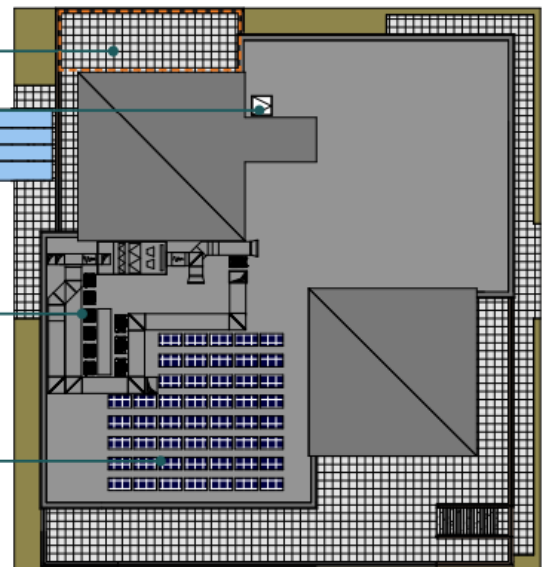
Roof Plan - Extant Permission

Balcony extended above plant room

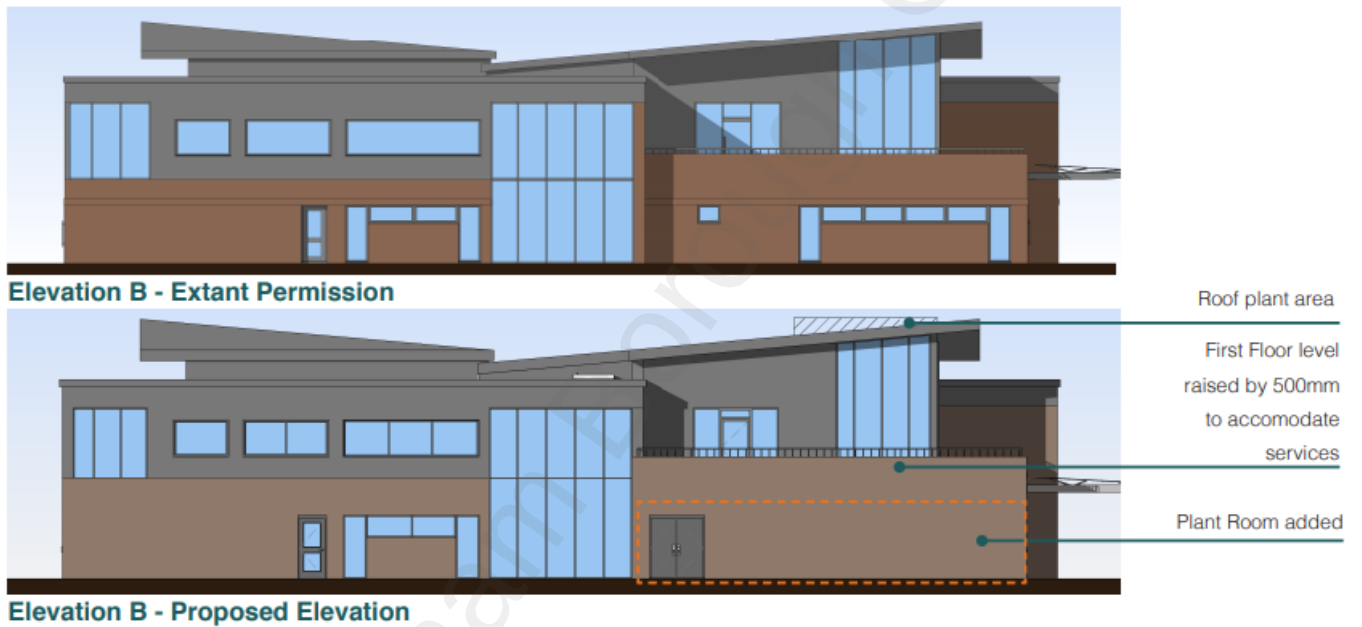
Roof access hatch

Roof Plant Layout

Solar Panels



Roof Plan - Proposed





Development Plan and other Relevant Planning Policies and Guidance

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires planning applications to be determined in accordance with the development plan unless material considerations indicate otherwise. The Courts have held that it is a matter of planning judgement as to whether a proposal is in accordance with the development plan when 'read as a whole' and conflict with a particular policy or policies may not pass that threshold.¹

Where there are other material considerations, the development plan should be the starting point, and other material considerations should be taken into account in reaching a decision. One such consideration will be whether the plan policies are relevant and up to date.

The Development Plan for Gravesham currently comprises:

- *The Gravesham Local Plan Core Strategy and Policies Map (September 2014);*
- *Remaining Saved Policies in the Gravesham Local Plan First Review (November 1994); and*
- *The Kent Minerals and Waste Local Plan 2013 - 2030 (July 2016, revised 2020)*

There are a number of other planning policy documents which are of some relevance to the consideration of planning applications and are material considerations, including national planning advice and guidance in the National Planning Policy Framework (NPPF), the National Planning Practice Guidance (NPPG), and supplementary planning guidance and where they exist neighbourhood plans. There are currently no relevant neighbourhood plans.

Previous decisions on planning applications and appeals relating to the site and relevant case law etc. are also capable of being material considerations.

Local Planning Guidance

Gravesham Local Plan Core Strategy, September 2014

The Core Strategy sets out the Council's spatial vision and strategic objectives for the Borough to 2028 and the policies which will deliver them. It identifies the main areas where major change is likely to take place and allocates sites which are key to achieving the strategy.

The development site is shown as being within the **urban area** (Policy CS02) in the Gravesham Local Plan Policies Map.

¹ See the Judgement in the Court of Appeal on R(on the application of William Corbett) and The Cornwall Council and others [2020] EWCA Civ 508 at <https://www.bailii.org/ew/cases/EWCA/Civ/2020/508.pdf>

The most relevant policies from the adopted Core Strategy in relation to this development are as follows:

Core Strategy Policy CS01: Sustainable Development
Core Strategy Policy CS02: Scale and Distribution of Development
Core Strategy Policy CS10: Physical and Social Infrastructure
Core Strategy Policy CS11: Transport
Core Strategy Policy CS12: Green Infrastructure
Core Strategy Policy CS13: Green Space, Sport and Recreation
Core Strategy Policy CS18: Climate Change
Core Strategy Policy CS19: Development and Design Principles
Core Strategy Policy CS20: Heritage and the Historic Environment

Gravesham Local Plan First Review 1994

The Gravesham Local Plan First Review was originally adopted in November 1994.

A substantial number of policies of the Gravesham Local Plan First Review were saved by a Direction dated 25 September 2007 of the Secretary of State under paragraph 1 (3) of Schedule 8 to the Planning and Compulsory Purchase Act 2004 as transitional arrangements pending adoption of the Core Strategy.

Saved policies contained in the Gravesham Local Plan First Review should still be accorded significant weight, albeit that the weight accorded should be greater where policies are consistent with the National Planning Policy Framework (NPPF, paragraph 219).

Those Local Plan First Review policies that remain in force are listed in Appendix 1 of the Local Plan Core Strategy. The remaining saved policies will be replaced following the adoption of the Site Allocations and Development Management Policies Development Plan Document.

The following remaining saved policies are relevant to the consideration of this application:

Policy T1: Impact of Development on the Highway Network
Policy T5: New Accesses onto Highway Network
Policy P3: Vehicle Parking Standards
Policy TC7: Other Archaeological Sites

Review of Local Plan

Paragraph 33 of the NPPF (2021) sets out those policies within adopted local plans should be reviewed to assess whether they need updating at least once every five years, and should then be updated as necessary. Such reviews are also a legal requirement as set out in Regulation 10A of the Town and Country Planning (Local Planning) England Regulations 2012.

The Council undertook such a review in September 2019 and The review found that the adopted Local Plan Core Strategy is in need of a partial review in terms of Policy CS02 due to the increased need for housing since the Local Plan Core Strategy was adopted and the need to ensure a sufficient land supply exists to meet this need. Whilst saved policies from the Local Plan 1st Review (1994) general conform to the National Planning Policy Framework (2021), the Council will also seek to replace these.

Gravesham Local Plan Regulation 18 Stage 2 Consultation Part 2: Draft Development Management Policies Document October 2020

The Council published in 2020 a Regulation 18 (stage 2) consultation on its proposed Development Management Policies Document, replacing the 2018 Stage 1 version, which will in due course form part of and update the Gravesham Local Plan. Under paragraph 48 of the NPPF, policies in this document may be accorded weight in the decision making process with this varying according to its stage of preparation; the extent to which there are unresolved objections; and the degree of consistency of policy with those in the Framework. As the Development Management Policies Document is at an early stage and the fact that the consultation has only recently concluded, the policies therein should at this stage be given very limited weight. It should be noted, in any event, that many of the relevant policies reflect those set out in the Framework and for the purposes of this pre-application these should be relied on instead.

The following draft policies from the Regulation 18 (Stage 2) Development Management Policies Document (2020) show the direction of travel the Council is going albeit the weight that these emerging policies may be accorded at this stage is very limited.

Proposed Policy INF 2: Transport Design Principles;
Proposed Policy INF 3: Understanding and Mitigating Transport Impacts;
Proposed Policy INF 4: New Accesses and Junctions;
Proposed Policy INF 5: Electric Vehicle Charging Points;
Proposed Policy GI 6: Biodiversity;
Proposed Policy FW 4: Managing Waste Water Drainage;
Proposed Policy FW5: Managing Surface Water Drainage;
Proposed Policy AM 3: Light Pollution;
Proposed Policy AM 4: Sunlight and Daylight within New Development;
Proposed Policy AM5: Noise and Vibration;
Proposed Policy HER 4: Archaeology;

National Planning Policy Guidance

The National Planning Policy Framework (NPPF)

The National Planning Policy Framework (NPPF) July 2021, is a material consideration.

At the heart of the NPPF is a presumption in favour of sustainable development (paragraph 11) which means approving development proposals that accord with the development plan without delay and where there are no relevant development plan policies or where the policies are out of date planning permission should be granted unless policies of the Framework provide a clear reason for refusing the development such as where land is designated as Green Belt or any adverse impacts would so significantly and demonstrably outweigh the benefits or specific policies in the NPPF taken as a whole.

The NPPF includes (in paragraph 8) three overarching objectives to achieving sustainable development:

- An economic objective;
- A social objective; and
- An environmental objective.

The following paragraphs are specifically highlighted as being of importance to the consideration of the development proposals, but it should not be taken that these are the only parts of the NPPF that need to be considered.

Section 2, Paragraphs 7 - 14: Achieving sustainable development
Section 4, Paragraphs 38 - 59: Decision Making
Section 8, Paragraphs 92 - 101: Promoting healthy and safe communities
Section 9, Paragraphs 102-111: Promoting Sustainable Transport
Section 12, Paragraphs 126 - 136: Achieving well-designed places
Section 14, Paragraphs 152 - 173: Meeting the Challenge of Climate Change, Flooding and Coastal Change
Section 15, Paragraphs 174 - 188: Conserving and Enhancing the Natural Environment
Section 16, Paragraphs 189 - 208: Conserving and Enhancing the Historic Environment

The National Planning Practice Guidance (NPPG)

Planning Practice Guidance (<http://planningguidance.planningportal.gov.uk/>) supports and clarifies areas in the NPPF.

It contains guidance on assessing housing need; design (Design: Process and Tools); public consultation; open space provision in new development; travel plans, transport assessments and statements in decision-taking; health and wellbeing; water supply, wastewater and water quality; light pollution; determining a planning application; the use of planning conditions and viability, amongst other things.

The NPPG gives guidance on what is a material planning consideration in determining a planning application indicating that the impact of a development on the value of a neighbouring property or loss of

private rights to light could not be material considerations.

The NPPG includes more detailed advice on the use of planning conditions (replacing the cancelled Circular 11/95). It outlines the six tests.

The National Design Guide 01 October 2019

The National Design Guide (Planning practice guidance for beautiful, enduring and successful places) sets out ten characteristics of well-designed places based on planning policy expectations and is illustrated by projects that demonstrate good practice. It should be read alongside the separate planning practice guidance (NPPG) on design process and tools.

Supplementary Planning Guidance and other Documents

The Council has adopted a number of Supplementary Planning Guidance documents, Development Briefs and Conservation Area Appraisals. These elaborate on saved policies in the Gravesham Local Plan First Review and policies in the Gravesham Local Plan Core Strategy and are material considerations in determining planning applications.

In addition the Council has adopted a number of documents that have been produced by Kent County Council also as Supplementary Guidance.

The following documents are relevant to the consideration of this application:

Kent Design Guide (SPG 5 published December 2005, adopted July 2006)
Adopted Kent Vehicle Parking Standards (SPG 4 published in 2003 and adopted in 2006)

Other Relevant Council Documents

Also of relevance are the published Gravesham Open Space, Sport & Recreation Assessment, Strategy & Action Plan which has two components being the technical based assessments and the Strategy/Standards.

Of particular relevance are:

- Knight, Kavanagh & Page GBC Open Space Assessment Report, April 2016
- Knight, Kavanagh & Page GBC Open Space Standards Paper, August 2016

The above documents provide strategic evidence on what open space, sports and recreational provision is needed within Gravesham and will be used to inform the development of planning policies, including the need for supplementary planning documents. This is carried out in order to inform future planning application decisions and future corporate/strategic development opportunities as and when they arise.

Consultations, Publicity and Representations

Internal Consultations

GBC Leisure and Resilience Manager

I have no comments to make.

GBC Environmental Protection Comments

Noise

Before the development hereby permitted is first brought into use, a post installation BS4142:2014 assessment shall be carried out and submitted to the Local Planning Authority for approval, for the approved extraction system, to demonstrate impact on the nearest Noise Sensitive Receptors. Any works

identified as required to ensure the rating noise is at least 5dB below the LA90 background noise shall be carried out prior to the first commercial use of the extraction system.

Code of Practice on Construction and Demolition

Please apply

Watching Brief

The applicant shall undertake a watching brief during construction in case any contamination issue is encountered. If during development any contamination is found, the local planning authority should be informed as soon as practical and the work shall not continue until written agreement is provided by the LPA as to the appropriate measures to be taken to resolve the matter and they are satisfied that those measures have been carried out.

Ward Councillors

No comments received

External Consultations

None undertaken

Publicity

No publicity necessary for a non-material amendment type application

Planning Analysis and Assessment

Introduction

A planning application (200200001) was originally submitted to the Borough Council at the beginning of January 2020 and was eventually reported for decision to the Council's Planning Committee meeting on 22 July 2020, where Members resolved, subject to the imposition of numerous planning conditions, to grant planning permission for a new sports facility comprising mixed sized football pitches, including artificial playing pitches, new clubhouse, play area, associated parking and lighting.

The officer report concluded:

The site at Fleet Leisure provides a much needed open space for this urban area and the former sports and social club is regarded by local residents as an important local leisure facility.

The current proposals seek to reinforce the continuing use of the site for sport and social activities and do not conflict with the authorised use of the site or the general planning principles at a local level as set out in Policy CS12 (Green Infrastructure) of the Gravesham Local Plan Core Strategy that indicates that all green spaces contribute to the green infrastructure network and that the multifunctional network of green spaces will be created, protected, enhanced and maintained and Policy CS13 (Green Space, Sport and Recreation) that indicates that the Council will seek to make adequate provision for and protect and enhance the quantity, quality and accessibility of green space in accordance with an adequate up to date and relevant evidence base.

The proposals also conform to the Council's objectives for the site as set out by the Council's Cabinet and Full Council with the clear focus still on the continuation of the site as a destination for the playing of football...

...In terms of the assessment of the impact of the development the key considerations, beyond the form and principle of the development, have been:

- The design and location of the clubhouse building;
- The proximity of the pitches to nearby residential properties including the extended hours of use due to more extensive artificial playing pitches;
- The levels of floodlighting and how this might best be mitigated including the height and location of boundary fences and landscaping to reduce light pollution and noise;
- Highway impacts including the levels of car parking and potential increased traffic generation; and
- Landscaping, tree and ecological impacts and other material considerations

These matters have been carefully considered during the processing of the application and additional technical information, where necessary, has been sought. There are no overriding adverse consultation comments to the development which is considered to be overall policy compliant with national (NPPF) and local planning policy (Core Strategy and saved Local Plan policies).

There have been only limited neighbour objections in response to the wide publicity given to the proposals and the pre-submission exhibition of the proposals and the positive involvement at an early stage locally from ward councillors has assisted in identifying and addressing neighbour concerns and potential issues relating to the proposed development of the site.

The recommendation to the Planning Committee is therefore on balance for PERMISSION subject to conditions. It is recognised that the development is likely to take place on a phased basis with the prospect of an early start being made to bring back into use the playing pitches and with the new artificial pitches in advance of the new clubhouse building and that the decision and accompanying planning conditions will need to reflect this.

Subsequent to the permission, an application was approved in 2021 for part approval of condition 7 relating to an archaeological field evaluation and a further application approved re the discharge of conditions 3 and 4 relating to the phasing of development and code of construction. A further application to discharge various other conditions relating to drainage strategy, details of materials and surface treatments, details of boundary treatments, details of children's play area and scheme under Section 278 Agreement for Access/Highway Works is still pending.

There is also a separate application for a non-material amendment to allow relocation of artificial grass pitches.

Current Proposal

This is an application for a non-material amendment to allow the addition of a plant room to the scheme, removal/reconfiguration of the windows/doors and increase of 500mm to the scheme to allow for services to fit.

There is no statutory definition of 'non-material'. This is because it is so dependent on the context of the overall scheme - what may be 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 s.96A.

As indicated in the proposals section of this report there are some additions to the floor space particularly on the ground floor that perhaps are more than what might normally be regarded as minor alterations as they include on the ground floor a plant room (36m²) on the north side, an extended gym area - free weight area (43m²) and relocated spin room (41m²) on the south side as well as internal alterations to the layout. As previously stated the extended areas on the south side are however located within the original first floor overhang and thus effectively create no extended footprint. The addition of the plant room would not materially change the external appearance of the building overall. On the first floor, there is a slightly extended roof terrace on the north side over the ground floor plant room but again it is a minor change in the context of the overall scheme.

The proposals include an area for plant on the roof (shown as a plant zone) and although the revised roof plan shows some details relating to extraction equipment and air conditioning units plus the provision of an area of solar panels no specification of this equipment is included within this non-material amendment submission. It should be noted that one of the planning conditions (condition 25) on the original grant of

planning permission (20200001) states:

Location of Plant

25. Before the relevant part of the development or phase of development is brought into use and notwithstanding the details as shown in the approved plans and supporting documents full details and specification of any external plant to be located on or outside of the clubhouse building shall be submitted for the approval of the Local Planning Authority; the development shall be carried out in accordance with the approved details before the first occupation of any relevant phase or part of the development. No additional plant shall thereafter be affixed to the exterior of the building unless a specific grant of permission has been given by the Local Planning Authority.

Reason: In the interests of visual and local amenity and to ensure a high quality of design pursuant to Gravesham Local Plan Core Strategy Policy CS19: Development and Design Principles and section 12 (Achieving well-designed places) of the NPPF.

In addition, condition 24 on Sustainability says:

24. Notwithstanding the details shown in the Energy and Sustainability Statement (Ubique), June 2020 full details of the sustainability measures to be incorporated in the development hereby permitted shall be submitted for the approval of the Local Planning Authority before the commencement of any above ground works; the development shall be carried out in accordance with the approved details before the first occupation of any relevant phase or part of the development; for the avoidance of doubt the sustainability measures shall include the provision of solar panels and rainwater harvesting and recycling.

Reason: To ensure that the development of the site promotes sustainability measures, in accordance with adopted Gravesham Local Plan Core Strategy Policy CS18 (Climate Change).

It is noted that GBC Environmental Protection have commented in relation to the plant that there ought to be as condition that says:

Before the development hereby permitted is first brought into use, a post installation BS4142:2014 assessment shall be carried out and submitted to the Local Planning Authority for approval, for the approved extraction system, to demonstrate impact on the nearest Noise Sensitive Receptors. Any works identified as required to ensure the rating noise is at least 5dB below the LA90 background noise shall be carried out prior to the first commercial use of the extraction system.

As a non-material type application, additional conditions would not normally be imposed. Nevertheless, the planning condition on the original planning permission, condition 25 relating to submission of details and specification of external plant is still extant and thus still required to be discharged and that stage would provide the opportunity to demonstrate impact on the nearest Noise Sensitive Receptors. Similarly, although the current application includes the provision of solar panels condition 24 would still be required to be formally discharged to show details of all sustainability measures.

Therefore the details that have been submitted relating to external plant and solar panels can be accepted as showing the general location within the scheme but that full details will still be required to fully discharge conditions 24 and 25 pursuant to the planning permission granted under reference 20200001 and an informative will be recommended to that effect.

On balance, it is considered that the changes are relatively minor in the context of the overall wider scheme and can be accepted as being non-material and can be supported as not impacting on the overall amenity of the site or materially impacting on neighbouring properties.

Conclusions and Balancing Exercise

Having considered all material issues and considered the development in the round it is considered that the amendments as proposed, and being to allow an addition of a plant room to the scheme, removal/reconfiguration of the windows/doors and increase of 500mm to the scheme to allow for services to fit, pursuant to the planning permission granted under ref 20200001 on 29.07.2020, can be considered as non-material and are considered acceptable in replacement for the originally approved plans and can be APPROVED subject to informatives.

Recommendation:**Approval of a Non-Material Amendment subject to informatives****Planning Conditions**

None

INFORMATIVES**1 EXTENT OF THE APPROVAL**

Pursuant to the procedure introduced under s.96A of the Town and Country Planning Act 1990 the Local Planning Authority has determined that the amendments to the planning permission under reference 20200001, and being to allow the an addition of a plant room to the scheme, removal/reconfiguration of the windows/doors and increase of 500mm to the scheme to allow for services to fit, would constitute a non-material amendment such that a separate planning application for the works would not be required.

This decision notice should be read in conjunction with the planning permission (reference 20200001) granted planning permission on 29 July 2020 and has the effect of altering condition 2 and informative 1 of 20200001 only insofar as it references the originally approved drawings and documents.

For the avoidance of doubt, the approval does not amend any other part of that permission or discharge any of the other planning conditions attached to that permission, subject to those conditions still subsisting or capable of taking effect.

The applicants are advised that the details that have been submitted with this non-material amendment application relating to external plant and solar panels are approved only in so far as showing the general location within the scheme building but that full details will still be required to be submitted to fully discharge conditions 24 and 25, pursuant to the planning permission granted under reference 20200001, and which still subsist.

2 STATUS OF SUBMITTED PLANS AND DOCUMENTS

For the avoidance of doubt the approved documents and drawings are:

Submitted Drawings/Documents

Application Form;

Design and Access Statement by Orbit Architects dated 22 December 2021 (Project ref 2107);

Drawing No: DO-100 P1: General Arrangement - Ground Floor Plan;

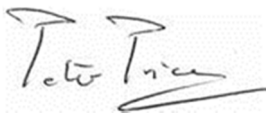
Drawing No: DO-101 P1: General Arrangement - First Floor Plan;

Drawing No: DO-102 P1: General Arrangement - Roof Plan;

Drawing No: DO-200 P1: General Arrangement - Elevations;

3 STATEMENT OF POSITIVE AND PROACTIVE APPROACH TO DECISION-MAKING

In accordance with Article 35 (2) of the Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended), and paragraph 38 of the National Planning Policy Framework (NPPF) 2021, the Local Planning Authority has approached the assessment and determination of this application in a positive and creative way and, where appropriate, has worked pro-actively with the applicant to secure a development that is sustainable and that improves the economic, social and environmental conditions of the area, and that is in accordance with the Development Plan for the area.

Case Officer:	Mr Peter Price	Team Leader:	Richard Hart
Signed:		Signed:	<i>R Hart</i>
Dated:	18 January 2022	Dated:	19 January 2022

File Location: H: Plan/Typing/General/Peter/Delegated Reports/Uniform - 20211577 - Delegated Report - Former Fleet Leisure Nelson Road - NMA re plant rooms and alterations to building