



# **PLANNING COMMITTEE REPORT**

**TO:** Planning Committee North

**BY:** Head of Development

**DATE:** 4 July 2017

**DEVELOPMENT:** Non material amendment to DC/16/1844 to extend the footprint of the building by 1m and make minor elevational and landscape changes.

**SITE:** Broadbridge Heath Leisure Centre Wickhurst Lane Broadbridge Heath

**WARD:** Broadbridge Heath

**APPLICATION:** DC/17/1285

**APPLICANT:** Horsham District Council

**REASON FOR INCLUSION ON THE AGENDA:** The application is made by the Council

**RECOMMENDATION:** To approve the amendments as non-material to planning permission DC/16/1844

## **1. THE PURPOSE OF THIS REPORT**

1.1 To consider the proposed non-material amendments to planning permission DC/16/1844.

### **DESCRIPTION OF THE APPLICATION**

1.2 The application seeks amendments to full planning permission DC/16/1844 for the following elements:

- Increase building footprint by 1m to the north- total additional 27sqm of floorspace.
- Reduction of internal ground floor ceiling height by 0.5m with associated external alteration to increase the base of the first floor cladding.
- Removal of roof level rooflight screening and lowering of rooflights
- Removal of shallow northern and eastern angled oversail detail
- Minor alterations to the car park layout to increase capacity by one to 175 vehicles, access paths and soft landscaped areas

### **DESCRIPTION OF THE SITE**

1.3 The application site lies within the built-up area of Broadbridge Heath and comprises the existing Broadbridge Heath Leisure Centre and land adjacent. The site is bounded to the east by the Indoor Bowls Club, to the south by sports pitches and to the west by housing development at Wickhurst Green. Broadbridge Heath Tesco and car park sits to the north alongside the main site access.

1.4 A group of trees covered by Tree Preservation Order trees sits along the southern boundary.

## 2. INTRODUCTION

### STATUTORY BACKGROUND

- 2.1 The Town and Country Planning Act 1990.

### RELEVANT PLANNING POLICIES

The following Policies are considered to be relevant to the assessment of this application:

#### **National Planning Policy Framework**

#### **Horsham District Planning Framework (HDPF 2015)**

Policy 1 (Strategic Policy: Sustainable Development)  
Policy 2 (Strategic Policy: Strategic Development)  
Policy 3 (Strategic Policy: Development Hierarchy)  
Policy 4 (Strategic Policy: Settlement Expansion)  
Policy 24 (Strategic Policy: Environmental Protection)  
Policy 31 (Green Infrastructure and Biodiversity)  
Policy 32 (Strategic Policy: The Quality of New Development)  
Policy 33 (Development Principles)  
Policy 35 (Strategic Policy: Climate Change)  
Policy 37 (Sustainable Construction)  
Policy 38 (Strategic Policy: Flooding)  
Policy 39 (Strategic Policy: Infrastructure Provision)  
Policy 40 (Sustainable Transport)  
Policy 41 (Parking)  
Policy 42 (Strategic Policy: Inclusive Communities)  
Policy 43 (Community Facilities, Leisure and Recreation)

### RELEVANT NEIGHBOURHOOD PLAN

None

### PLANNING HISTORY AND RELEVANT APPLICATIONS

DC/16/1844	Demolition of existing leisure centre and associated facilities, demolition of existing Bowls Club canopy and existing external sports pitches. Erection of new 2- storey leisure centre with associated parking, landscaping and facilities	Application Permitted on 15.11.2016
------------	--	-------------------------------------

## 3. OUTCOME OF CONSULTATIONS

### INTERNAL CONSULTATIONS

None

### OUTSIDE AGENCIES

None

### PUBLIC CONSULTATIONS

None

#### **4. HOW THE PROPOSED COURSE OF ACTION WILL PROMOTE HUMAN RIGHTS**

- 4.1 Article 8 (Right to respect of a Private and Family Life) and Article 1 of the First Protocol (Protection of Property) of the Human Rights Act 1998 are relevant to this application, Consideration of Human rights forms part of the planning assessment below.

#### **5. HOW THE PROPOSAL WILL HELP TO REDUCE CRIME AND DISORDER**

- 5.1 It is not considered that the development would be likely to have any significant impact on crime and disorder.

#### **6. PLANNING ASSESSMENTS**

- 6.1 The main issue is whether the nature of the amendments falls to be considered as non-material under S96A of the Town and Country Planning Act 1990. The Planning Practice Guidance (PPG) advises that:

*'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.'*

- 6.2 In considering what a local planning authority should take into account when making its decision, the PPG further advises that:

*'The local planning authority must have regard to the effect of the change, together with any previous changes made under section 96A. They must also take into account any representations made by anyone notified, provided they are received within 14 days of notification. As this is not an application for planning permission, section 38(6) of the Planning and Compulsory Purchase Act 2004 does not apply.'*

- 6.3 Although increasing the footprint by 27sqm by extending the building 1m further to the north, in the context of the overall scale of the building (63m by 46m) this alteration would not be perceptible and is not considered to materially impact on the appearance of the building or its wider impact. Likewise the alterations to the building's external appearance and hard and soft landscaped areas are very minor in nature and do not materially change the appearance of the building and site from that approved. In any case final details of the landscaping are reserved by condition 4 of the planning consent for separate agreement.
- 6.4 The amendments are therefore considered non-material under S96A of the Act and as such would not require the submission of an application for, or the grant of, a further planning permission.

#### **7. RECOMMENDATIONS**

- 7.1 To grant the amendments as non-material to planning permission DC/16/1844.

#### Conditions:

None

#### **NOTE TO APPLICANT**

1. The applicant is reminded that the conditions of planning permission DC/16/1844 remain valid and the development must be completed in accordance with their requirements.

Background Papers: DC/17/1285 & DC/16/1844