

**KIRKLEES METROPOLITAN COUNCIL
INVESTMENT & REGENERATION SERVICE**

DEVELOPMENT MANAGEMENT

Town and Country Planning Act 1990 (as amended) – SECTION 96A

**DELEGATED DECISION TO DETERMINE APPLICATIONS FOR
NON-MATERIAL AMENDMENTS**

Reference No: 2021/NM/90369/E

Site Address: Spenborough Fitness Complex, Bradford Road,
Littletown, WF15 6LW

Description: Non material amendment to previous permission
2019/91491 for demolition of existing fitness complex
and erection of Spen Valley Leisure Centre

Recommending Officer: Sarah Longbottom

DECISION – NON-MATERIAL AMENDMENT APPROVED

**I hereby authorise the approval of this application for the reasons set
out in the officer's report and recommendation annexed below in
respect of the above matter.**

Paul Dowd

AUTHORISED OFFICER

Date: 03-Mar-2021

Non-material amendment to previous planning application ref: 2019/91491 for demolition of existing fitness complex and erection of Spen Valley Leisure Centre

The application seeks a non-material amendment to application ref 2019/191491, which granted permission for the demolition of the existing fitness complex and erection of Spen Valley Leisure Centre.

The proposed amendment is the inclusion of Photovoltaic Panels on the roof of the proposed building.

These details are shown on the following:

- AG (04)03-RevC3
- AP (100)100
- Data sheet for PV panels

Assessment:

Is the proposed change inconsequential in terms of its scale (magnitude, degree etc) in relation to the original approval?

Yes. The proposed amendment would be inconsequential in scale due to the location and design of the proposed PV panels and design of the building, which would result in their minimal visibility. They would cover less than 50% of the roof area.

In the Authority's view would the proposed change result in a detrimental impact either visually or in terms of living conditions?

No. The proposed amendment would not result in a detrimental visual impact, due to the location of the PV panels, their design and the design of the building on which they are to be located. Due to the nature of the amendment, there would be no detrimental impact upon the amenity of nearby residents: - no overlooking/overshadowing or overbearing impact would result from the amendment, nor would it result in noise disturbance to adjacent occupiers.

In the Authority's view would the interests of a third party or body who participated in or were informed of the original decision be disadvantaged in any way?

No. It is considered that no third party would be disadvantaged by the proposed revision to include PV panels.

In the Authority's view would the amendment be contrary to any policy of the Council?

No. The proposed amendments would preserve visual amenity, and residential amenity in accordance with Policy LP24 of the Kirklees Local Plan.

The proposed changes to the permitted scheme must not result in the development falling outside the description of the development as set out on the Decision Notice e.g. by seeking to add a pitched roof to an extension described on the Notice as a “flat roof” extension

The proposed changes would not fall outside of the description of development for “demolition of the existing fitness complex and erection of Spen Valley Leisure Centre”.

The proposed change must not contravene any condition attached to the original permission.

The proposal does not contravene any condition attached to the original permission.

The proposed change should not require a further restriction to make it acceptable (e.g. an amendment seeking to introduce a window which would only be acceptable if it is kept obscurely glazed).

The proposal would not require a further restriction to make it acceptable.

The proposed change would not result in any material increase in height, scale, width or depth of a building.

The proposed change would not result in any material increase in height, scale, width or depth of the building.

The proposed change would have been likely to have been approved had it formed part of the original application.

The proposed revisions would likely have been approved had they formed part of the original application.

Conclusion

Based on the above, the proposals are considered non-material.

Recommendation – Approve

Decision Letter Text for Standard Letter

The amendment sought is to include photovoltaic panels to the roof of the approved Leisure Centre Building, as shown on the following plans and documents:

AG (04)03-RevC3

•AP (100)100

•Data sheet for PV panels

