

4.5 21/03208/NMA

Date expired 26 October 2021

Proposal:

Non-material amendment to 19/02951/HYB.

Location:

White Oak Leisure Centre, Hilda May Avenue, Swanley
KENT BR8 7BT

Ward(s):

Swanley White Oak

Item for decision

The reason that the application has been referred to Development Control Committee is because Sevenoaks District Council is the applicant.

RECOMMENDATION: That the alterations can be treated as a NON-MATERIAL AMENDMENT to the approved scheme and no further planning permission will be required in this instance.

Description of site

- 1 The application site is the site of the White Oak Leisure Centre, which is currently under redevelopment. It is sited on a large irregular shaped plot at the junction of Hilda May Avenue and Garrolds Close in Swanley. The site lies to the northeast of London Road, approximately 400m to the north-west of Swanley Town Centre.

Description of proposal

- 2 The application seeks a non-material amendment to the original scheme approved as a Hybrid Planning Permission for a new leisure centre (approved in detail) and residential development (approved in outline), as described in the planning history below.
- 3 The revisions proposed relate to:
 - The relocation of a temporary bin store; and
 - Enlargement of the chiller compound.
- 4 Both the temporary bin store and chiller compound were previously approved as a non-material amendment to the original planning permission on 30 April 2021.

Relevant planning history

- 5 The principal decisions of relevance to the current application are:

(Item No. 4.5) 1

6 19/02591/HYB - Hybrid application comprising, in outline: residential development of between 35 and 40 residential units - residential mix to be either 2 or 3 bed units with integral or on-street parking. Units to be either 2 or 3 storeys high. In detail: demolition of existing leisure centre building and erection of replacement leisure centre and associated car park - GRANTED

7 21/00635/NMA - Non-material amendment to 19/02951/HYB - APPROVED

Planning appraisal

8 The main planning consideration is whether the proposal is a non-material amendment.

9 Section 96A of the Planning Act allows a local planning authority to make a change to any planning permission relating to land in their area if they are satisfied that the change is not material. There is no statutory definition of 'non-material' and this will vary in relation to the context of the approved development. The Government's Planning Practice Guidance (PPG) confirms that the local planning authority must have regard to the effect of the change, together with any previous changes made under section 96A.

10 Further guidance to the Act within the PPG (Greater Flexibility for Planning Permissions) makes it clear that in issuing a decision for an NMA application, the original planning permission still stands and that the NMA decision should be read in conjunction with the original planning permission.

11 The previous non-material amendment to the original planning permission approved the provision of a chiller compound adjacent to the rear (west) side of the new leisure centre, within the smaller car park /servicing area. The current application would result in limited changes to the structure and dimensions of the chiller enclosure, including some increase in scale. This would be an acoustic metal-panelled enclosure, with a graphite grey matt powder coated finish. Under the proposed change, the enclosure would have a maximum height of 3.4metres. The proposed structure would, however, be positioned at the foot of the west elevation and remain diminutive in the context of this elevation and wider building/development, sitting at lower ground floor level against the dark brick plinth and below the light grey cladding that forms the principal elevational treatment.

12 The approved location of the temporary bin store, as confirmed by the previous non-material amendment, is also adjacent to the rear elevation of the new leisure centre, adjoining the chiller compound. This bin store is required for a temporary period while the main car park area, the location of permanent bin compound to service the leisure centre, is under construction following the demolition of the existing leisure centre. The proposed amendment would relocate the temporary bin compound to a position at the southern end of the car park, adjacent to the car park entrance on Garrols Close. The proposed temporary bin store, comprising

timber close boarded fencing and gates, would be 1.8 metres in height, with a footprint of approximately 4.8x4.9metres.

- 13 The temporary bin compound would be viewed in the context of the leisure centre and parking/service area at the rear of the leisure centre. Due to its location, the temporary bin compound would have limited impact in terms of noise, disturbance and odours being emitted.
- 14 The applicant has advised that the amendments are required to meet statutory guidelines and Sevenoaks District Council requirements.
- 15 Overall, both individually and collectively, and considered cumulatively with the previous non-material amendment, these proposed changes would not materially change the approved development.

Conclusion

- 16 It is therefore considered that the proposed amendments comprise a Non-Material Amendment to the approved scheme, reference number 19/02951/HYB.
- 17 It is recommended that the proposed amendments are ACCEPTED.

Background Papers

Proposed Site Plan

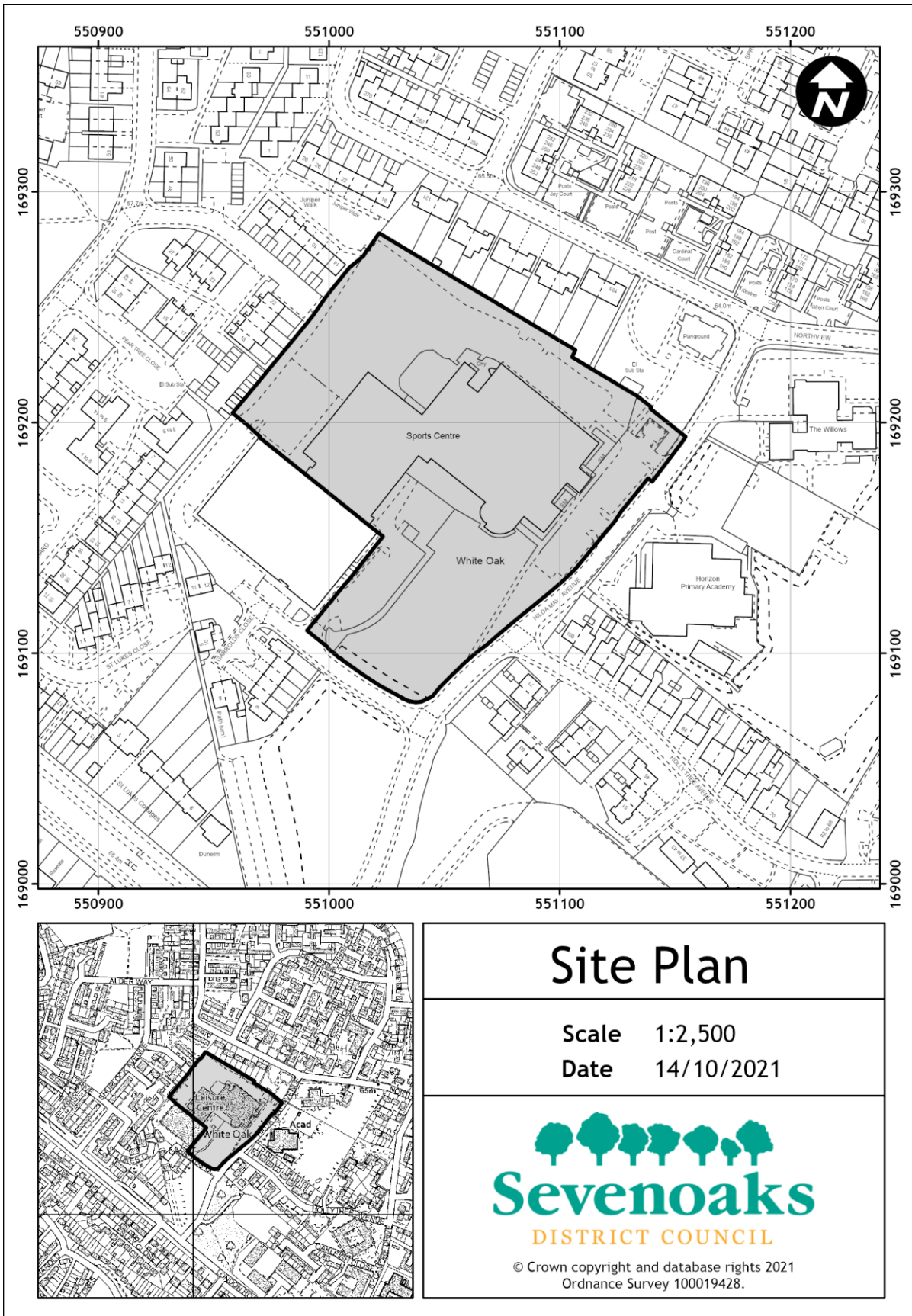
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[Link to application details:](#)

[Link to associated documents:](#)



BLOCK PLAN

