HUNTINGDONSHIRE DISTRICT COUNCIL

25/00182/NMA

OFFICER REPORT

Case No: **25/00182/NMA** **Non Material Amendment**

Proposal: **Non-material amendment to 22/02222/FUL to reposition the splashpad, relocate the playground, make minor changes to the plant room and a flat roof to suit reccomendations made by the contractor**

Location: **Former St Neots Swimming Pool Huntingdon Street St Neots**

Applicant: **St Neots Aquatic and Leisure Trust**

Grid Ref: **518835 260909**

DESCRIPTION OF SITE AND APPLICATION

The site is 0.7 hectares of grassland which at the time of determination of the parent permission (22/02222/FUL) comprised of a disused and now filled-in Lido situated on Huntingdon Road St Neots north of the Eat N Bowl leisure unit and south of Priory Park. To the west is a residential estate.

The site lies within St Neots Conservation Area. There are no other heritage assets within the vicinity of the site.

The site lies within both Flood Zone 1 and Flood Zone 2 on the Environment Agency Maps for Flooding and on the Council's Strategic Flood Risk Assessment maps. The site is susceptible to ground water flooding.

The north and eastern boundaries abut Public Right of Ways. The eastern boundaries include a band of legally protected trees (TPOs) while the south, west and northern boundaries of the site are metal fencing with sporadic hedging and vegetation.

Planning permission was granted under delegated powers for planning application reference 22/02222/FUL in May 2023 for a change of use to splash park facility including associated groundworks, plant and equipment. Erection of cafe/kiosk, plant building, WC building, bins storage area, hardstanding, play equipment, seating, fencing and sun shades. Removal of beech hedge to NE corner of the site. In September 2024 Conditions 4, 10 and 11 (relating to trees and contamination) were discharged.

This non-material amendment application seeks to amend the extant permission to reposition the splashpad, relocate the playground, make minor changes to the plant room and a flat roof to suit recommendations made by the contractor.

RELEVANT PLANNING HISTORY

9300479FUL for Erection of leisure pool, 10 pin bowling alley, 2 screen cinema, restaurant & function room and associated facilities PERMITTED 26.08.1993

22/02222/FUL for Change of use to splash park facility including associated groundworks, plant and equipment. Erection of cafe/kiosk, plant building, WC building, bins storage area, hardstanding, play equipment, seating, fencing and sun shades. Removal of beech hedge to NE corner of the site., PERMITTED 02.05.2023

24/80255/COND for Discharge of Conditions 4 parts A and B only (Contamination), 10 (Arboricultural Method Statement) and 11 (Tree Protection Plan) for 22/02222/FUL, DISCHARGED 13.09.2024

CONSULTATIONS

N/A

REPRESENTATIONS

N/A

SUMMARY OF ISSUES

Section 96A of the Town and Country Planning Act 1990 (as amended) allows a Local Planning Authority (LPA) to make a change to any planning permission if it is satisfied that the amendment proposed is non-material. The main issue for consideration is whether the proposed amendment can be treated as 'non-material'.

Government guidance on non-material amendments is set out in the Planning Practice Guidance. This sets out that there is no statutory definition of 'non-material' 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 main issue for consideration is whether the proposed amendments can be treated as 'non-material'.

Proposed changes to the approved scheme include:
-Repositioning of the Splashpad 10m to the West and an updated shape in line (due to the contractor's designs), which has resulted in the relocation of the playground from the south west of the site to the north west.
-The plant room/kiosk to the south east of the site is slightly extended (from 13.020m in length to 15.500m in length westwards and now incorporates a 2.675m ridge mono-pitched roof (from a 3.907m-ridge pitched roof), introduction of doors on the northern as western elevations and a set of WCs inside.
-Change to the shape of the external plant enclosure from rectangular to square to the centre-south of the site.

It is considered that the proposals represent a non-material alteration to the approved development (22/02222/FUL). From reviewing the site and the approved plans and elevations, it is not considered that the amendment would represent a material change to the original permission and would be acceptable in design terms. Furthermore, it is not considered that there would be any impact on any third party interests. The proposed amendments can therefore be agreed as non-material.

CONCLUSION

The proposed amendments including the repositioning and design of the splashpad, relocation of the playground, changes to the plant room and a flat roof, extension and insertion of doors are considered non-material in the context of the overall scheme and accords with the provisions of Section 96A of the Town and Country Planning Act 1990 (as amended).

The decision only relates to the non-material amendment sought and this is not a reissue of the original planning permission which still stands. The two documents should be read together.

CONTACT OFFICER:
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