DELEGATED DECISION REPORT

SMD/2023/0461 **Valid 20/09/2023**	**BIDDULPH VALLEY LEISURE CENTRE THAMES DRIVE BIDDULPH**	**LAWFUL DEVELOPMENT CERTIFICATE FOR PROPOSED CONSTRUCTION OF A PACKAGED PLANT ROOM AND COMPOUND INC CONCRETE BASES, TO PROVIDE A RENEWABLE HEATING SOURCE FOR THE LEISURE CENTER.** **(CERTIFICATE OF LAWFULNESS - PROPOSED)**

MAIN ISSUES

- Whether the proposed development complies with the relevant parameters of Schedule 2, Part 12, Class A of the Town and Country Planning (General Permitted Development) Order 2015 (as amended).

DESCRIPTION OF SITE

Biddulph Valley Leisure Centre functions as an amenity facility for the Biddulph Valley Area. To the rear of the site is a small area of hard standing provides vehicular access to the bin store and existing plant room.

PROPOSAL

It is proposed to install an external plant room with adjoining ventilation compound. The maximum height is 3M with a mass of 199.8 cubic metres.

OFFICER COMMENTS

Biddulph Valley Leisure Centre benefits from permitted development rights. As such, in the event that the proposed development complies with Schedule 2, Part 12, Class A of the General Permitted Development Order (GPDO), a Certificate can be granted.

An assessment of the proposed development against the relevant criterion of Schedule 2, Part 12, Class A is undertaken as follows:

A. The erection or construction and the maintenance, improvement or other alteration by or on behalf of a local authority or by or on behalf of an urban development corporation of—

(a) any small ancillary building, works or equipment on land belonging to or maintained by them required for the purposes of any function exercised by them on that land otherwise than as statutory undertakers;

The Biddulph Valley Leisure Centre is owned and operated by the Staffordshire Moorlands District Council. The plant equipment proposed would fall within the description of equipment being installed on land belonging to a local authority for the purposes of exercising a function by them on that land. In this case this relates to heating the existing building. This is therefore in accordance with A. (a) subject to further conditions of Class A.

(b) lamp standards, information kiosks, passenger shelters, public shelters and seats, telephone boxes, fire alarms, public drinking fountains, horse troughs, refuse bins or baskets, barriers for the control of people waiting to enter public service vehicles, electric vehicle charging points and any associated infrastructure, and similar structures or works required in connection with the operation of any public service administered by them.

The application does not proposed any of the listed facilities. As such paragraph A (b) is not relevant.

Interpretation of Class A
Staffordshire Moorlands District Council are a local authority as defined by the Town and Country Planning Act.

A.2 The reference in Class A to any small ancillary building, works or equipment is a reference to any ancillary building, works or equipment not exceeding 4 metres in height or 200 cubic metres in capacity.

The proposed plant room and compound will be approximately 3M at its highest point. This complies with paragraph A.2.

The proposed plant room and ventilated compound will be approximately 199.8 cubic metres. This complies with paragraph A.2.

CONCLUSION / PLANNING BALANCE

The proposed plant equipment complies with Schedule 2, Part 12, Class A of the GPDO (2015)(as amended) . As such the proposed development is lawful and the certificate should be granted as applied for.

OFFICER RECOMMENDATION : Approve

Case Officer: Rachel Robinson
Recommendation Date: 5th December 2023

X 

Signed by: Ben Haywood

On behalf of Staffordshire Moorlands District Council