

DELEGATED DECISION REPORT

NMA/2024/0035
Valid 18/11/2024

**FORMER SHIRE HILL
HOSPITAL, BUTE STREET,
GLOSSOP, DERBYSHIRE,
SK13 7QP**

**NON MATERIAL AMENDMENT
RELATING TO OUTLINE
CONSENT HPK/2019/0316 -
WORDING OF CONDITIONS.**

**(NON MATERIAL
AMENDMENTS)**

MAIN ISSUES

The sole issue relates to whether the amendments proposed to the conditions are non-material.

DESCRIPTION OF SITE

The application site comprises the buildings and curtilage of the former Shire Hill Hospital on Bute Street in Glossop. The site currently benefits from both outline and reserved matters consent for the redevelopment of the site by virtue of planning permissions granted under reference numbers HPK/2019/0316 and HPK/2023/0337 respectively. The original outline planning permission was allowed following appeal (Ref: APP/H1033/W/21/3286543).

The former hospital site, which has been closed since 2018, occupies a site at the northern edge of the settlement on higher ground overlooking the town; the land beyond continuing to rise to the north. As a result, the site's topography rises quite significantly from the south to the north. The site includes a number of relatively mature landscape edges including a large area of woodland to the north-east.

The site is approximately 1.7 hectares and comprises several former hospital buildings of various ages and associated outbuildings and surface car parking. To the immediate south of the application site is modern housing development, Kilmory Fold, which includes a number of larger detached dwellings all built to two storeys. The rear gardens of some of these properties share a rear boundary with the application site. To the north and west of the site are a series of open pasture fields separated from the application site by a traditional stone wall.

The most notable buildings on the site are known as the administration block and the ward block. The outline permission (HPK/2019/0316) establishes that the administration block (a former workhouse) should be retained, however, all other buildings are to be demolished. The site also includes a small area of parkland to the south of the site – in front of the administration and ward buildings – which includes several mature native and ornamental trees. To the north-west corner of the site is a former barn which is not included in the application site and is retained due to its use by wildlife and other protected species.

Primary vehicle access is taken from the original entrance on Bute Street. A secondary access point, which links to the adjacent Blackshaw Clough, exists but has been closed for some time. Reserved Matters consent (HPK/2023/0337) issued in respect of this site proposes a new pedestrian and cycle access to be re-instated at this location, with all capacity for vehicle access through this part of the site removed.

PROPOSAL

The application proposes a non-material amendment to application HPK/2019/0316 which seeks to amend the timings of pre-commencement conditions (specifically numbers 6, 9, 10, 13, 17, 18 and 25) in order to facilitate demolition prior to the full satisfaction or discharge of those conditions. In many cases no specific trigger points have been established for the conditions, hence the reason for this non-material amendment which will help to establish clarity on the timings for the full satisfaction of all conditions.

The NMA application has been the subject of pre-application discussions with officers at the local planning authority prior to its formal submission.

RELEVANT LOCAL AND NATIONAL PLANNING POLICIES

High Peak Local Plan 2016

S1 – Sustainable Development Principles
S1a – Presumption in Favour of Sustainable Development
S5 – Glossopdale sub area strategy
EQ1 – Climate Change
EQ2 – Landscape Character
EQ5 – Biodiversity
EQ6 – Design and Place Making
EQ7 – Built and Historic Environment
EQ9 – Trees, Woodland and Hedgerows
EQ10 – Pollution Control and Unstable Land
EQ11 – Flood Risk Management
H3 – New Housing Development
CF3 – Local Infrastructure Provision
CF6 – Accessibility and Transport

National Planning Policy Framework

National Planning Policy Guidance

SITE HISTORY / RELEVANT PREVIOUS APPLICATIONS

OFFICER COMMENTS

Principle of Development

There is no statutory definition of 'non-material'. This is because it will be dependent upon the context of the overall scheme – an amendment that is non-material in one context may be material in another. Consequently, the Local Planning Authority must

be satisfied that the amendment sought is non-material in order to grant an application under section 96A of the Town and Country Planning Act 1990.

As set out above, a non-material amendment is proposed in relation to ref. HPK/2019/0316 to amend and clarify the timings of pre-commencement conditions 6, 9, 10, 13, 17, 18 and 25. Specifically, the non-material amendment seeks to amend conditions 9, 10, 13, 17 and 18 to allow for demolition to be lawfully undertaken in advance of the satisfaction (discharge) of such conditions. Consequently, the non-material amendment submission proposes to amend conditions 9, 10, 13, 17 and 18 to replace existing phrasing relating to the timing of the condition's enforcement with **'Other than works relating to on-site demolition, the development shall not commence until'**. Given the scope and content of these conditions they are not considered to be materially affected by the revised implementation timings.

Amendments are further proposed to conditions 6 and 25 relating to the Construction Method Statement and Construction Environmental Management Plan (CEMP) respectively in order to allow for a phased discharge – two phases split between the demolition phase and the wider construction of development. The intention is that the amendments to conditions 6 and 25 in particular will ensure that relevant construction and environmental matters are still considered and agreed prior to the demolition phase even in the event that timings alternative to those stated within the outline consent are agreed for other conditions.

An exact wording has not been proposed by the applicant in respect of the amendments to conditions 6 and 25 as part of the material submitted but this has since been mutually agreed during the determination period in accordance with requirements of the neighbourhood planning Act (2017).

The resultant changes as put forward through this non-material amendment are therefore as follows (**bold** emphasis indicates proposed changes), complete with the reasons for their original imposition as taken from the original outline consent issued under appeal decision ref: APP/H1033/W/21/3286543:

6. Prior to the commencement of all development (including demolition), a construction method statement relating to the demolition of on-site structures shall be submitted to and approved in writing by the Local Planning Authority. The statement shall provide for:

- *Parking of vehicles of site operatives and visitors;*
- *routes for construction traffic;*
- *hours of operation;*
- *method of prevention of debris being carried onto highway; - pedestrian and cyclist protection;*
- *proposed temporary traffic restrictions;*
- *areas for standing plant and materials clear of the highway; and*
- *arrangements for turning vehicles.*

The approved Construction Method Statement should be adhered to and implemented in accordance with the approved details throughout the demolition phase and no further works (other than those which relate solely to demolition)

shall commence thereafter until the Construction Method Statement is updated, resubmitted and approved in writing by the Local Planning Authority. The provisions of a further construction method statement shall remain as indicated within this condition but shall relate to all works forming part of the remaining development phase. The approved Construction Method Statement for the future development phase shall be adhered to and implemented in accordance with the approved details throughout the remaining construction period for the development.

Reason: To minimise the effects of construction on the local residents and highway users.

9. Other than works relating to on-site demolition, the development shall not commence until a detailed scheme of highway improvement works at the access with Bute Street, together with a programme for the implementation and completion of the works, including a method statement for the relocation and reconstruction of the northern gate peer, has been submitted to and approved in writing by the Local Planning Authority. No part of the development shall be brought into use until the required improvement works have been constructed in accordance with the approved details.

Reason: In the interests of the character and appearance of the area and highway safety.

10. Other than works relating to on-site demolition and modification of the new access, the existing access to Blackshaw Clough shall be closed in a manner to prevent frequent vehicular use in accordance with a scheme first submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of the character and appearance of the area and highway safety.

13. Other than works relating to on-site demolition, the development shall not commence until details are submitted to and approved in writing by the Local Planning Authority showing the means to prevent the discharge of water from the development onto the highway. The approved scheme shall be undertaken and completed prior to the first use of the access and retained as such thereafter.

Reason: In the interests of highway safety and to ensure the site is adequately drained.

17. Other than works relating to on-site demolition, the development shall not commence until a detailed design and associated management and maintenance plan of the surface water drainage for the site, in accordance with the principles outlined within the report 'SuDSmart Pro Drainage Strategy' by GeoSmart Information Ltd for Shire Hill Hospital, Bute Street, Glossop SK13 7QP (referenced 71830.01R4 FINAL and dated September 2020) and any subsequent amendments or updates to that report as may be approved by the local planning authority and DEFRA's Non-statutory technical standards for sustainable drainage systems (or any subsequent version), have been submitted to and approved in writing by the Local Planning

Authority. Development shall be carried out and maintained in accordance with the approved plan.

Reason: To ensure the implementation of suitable surface water drainage provision and prevent localised flooding.

18. Other than works relating to on-site demolition, the development shall not commence until a detailed assessment has been provided to and approved in writing by the Local Planning Authority, to demonstrate that the proposed destination for surface water accords with the drainage hierarchy as set out in paragraph 80 reference ID: 7-080-20150323 of the planning practice guidance.

Reason: To ensure the implementation of suitable surface water drainage provision and prevent localised flooding.

25. Prior to the commencement of all development (including demolition), a Construction Environmental Management Plan (CEMP) relating to the demolition of on-site structures shall be submitted to and approved in writing by the Local Planning Authority. The statement include the following:

- a) Risk assessment of potentially damaging construction activities.*
- b) Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements).*
- c) The location and timing of sensitive works to avoid harm to biodiversity features.*
- d) The times during construction when specialist ecologists need to be present on site to oversee works.*
- e) Responsible persons and lines of communication.*
- f) The role and responsibilities on site of an ecological clerk of works or similarly competent person.*
- g) Use of protective fences, exclusion barriers and warning signs.*

The Construction Environmental Management Plan should be adhered to and implemented in accordance with the approved details throughout the demolition phase and no further works (other than those which relate solely to demolition) shall commence thereafter until the Construction Environmental Management Plan (CEMP) is updated, resubmitted and approved in writing by the Local Planning Authority. The provisions of a further Construction Environmental Management Plan shall remain as indicated within this condition but shall relate to all works forming part of the remaining development phase. The approved Construction Environmental Management Plan (CEMP) for the future development phase shall be adhered to and implemented in accordance with the approved details throughout the remaining construction period for the development.

Reason: To safeguard and promote biodiversity and the protect the amenity value of such vegetation, including trees.

The reasons for all conditions are provided within paragraphs 75 to 80 of the appeal decision issued under appeal reference APP/H1033/W/21/3286543 and would remain

unaffected. Importantly there remain a series of conditions which would remain as pre-commencement conditions and must be satisfied prior to any demolition taking place on site. Specifically, this includes conditions 16, 19, 21, 24, 28 and 31 of the outline consent relating to preliminary archaeology works, surface water drainage, tree protection, non-native species control, and contamination for which consideration from the beginning of any site works is material. As proposed, conditions 6 and 25 relating to construction management will also remain as pre-commencement conditions despite becoming essentially 'two-part' in order to facilitate and manage on-site demolition works in isolation from future development phases which will be considered through a second discharge application.

CONCLUSION / PLANNING BALANCE

It is considered that within the context of the original application, the proposed changes are not of a material nature and fall comfortably within the scope of a non-material amendment application. The proposed amendments do not change the requirements placed on the applicant with regard to the scope or extent of information required for approval in writing by the Local Planning Authority prior to development taking place, and whilst they would amend the timings at which this information is required for submission, this is considered reasonable and does not result in any material change to the nature of the planning permission, nor do they change the reasons for which the condition is required. Accordingly, this NMA application is recommended for approval.

OFFICER RECOMMENDATION : Approve as an NMA

Case Officer: Bob Phillips

Recommendation Date: 16th December 2024

X 

Signed by: Ben Haywood

On behalf of High Peak Borough Council