

High Peak Borough Council
PO Box 136
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Derbyshire
SK17 1AQ

Ref: 094-011

9 October 2025

To whom it may concern,

Eastern Mill, Milltown, Glossop (HPK/2022/0317)

Non-Material Amendment

We write on behalf of Watson Homes ("the Applicant") to submit this application under Section 96A of the Town and Country Planning Act 1990 (as amended), seeking a Non-Material Amendment (NMA) to planning permission HPK/2022/0317, approved on 22 September 2023 for residential development at Milltown, Glossop.

This application proposes minor wording changes to Conditions 7, 8, 9, 11 and 30 of the planning permission. The minor amendments to the conditions will introduce phasing flexibility across the lower site (**Phase 1 – Milltown**) and upper site (**Phase 2 – High Street East**), and to ensure that the timing and implementation of relevant conditions align appropriately with the phasing strategy already established through technical approvals and discharge applications.

There is no statutory definition of '*non-material*', but the PPG advises that in deciding whether a change is material, an authority must have regard to the effect of the change, together with any previous non-material changes, on the planning permission as originally granted, and the scheme context. In allowing a non-material change, an authority may impose new conditions and remove or alter existing conditions

The proposed amendments do not alter the scope or any physical aspect of the development as approved, and there will be no difference in impact as a result of amendment. The proposed amendments instead seek to clarify timing, implementation, and compliance wording to ensure consistency and deliverability during construction and occupation. The courts have held that it is proper to assess materiality in planning terms, having regard to the possible impact on local amenity. The approved development falls neatly into two phases, and the proposed

amendments would enable one phase to come forward in advance of the other without breaching specific conditions.

It should be noted that conditions 34 and 39 already include reference to phasing, and the proposed amendments would align other relevant conditions with the same clause.

Background and Phasing Context

The Milltown site was approved for a comprehensive residential scheme comprising:

- **Phase 1 (Lower Site – Milltown)**, delivered for Peaks and Plains Housing Trust, with first handovers anticipated to be in January 2026.
- **Phase 2 (Upper Site – High Street East)**, comprising a small block of nine apartments, with deliver planned at a later stage; and
- Existing buildings (Easton House and The Coach House), within the red-line boundary but under separate ownership, as their refurbishment is not part of the current phased delivery plan.

The original permission treated the site as a single phase. The amendments allow conditions to be discharged and implemented phase by phase, consistent with the practical delivery of the development.

In practice, several of the planning conditions as worded require whole-site implementation prior to occupation of any part. This would prevent completion and occupation of the lower site, even though the upper site remains undeveloped. The proposed NMAs therefore seek to make minor textual changes to these conditions to allow for independent discharge and implementation of conditions for each phase, without altering the scope or purpose of any condition.

Proposed Amendments

The following conditions are proposed to be amended:

Condition 7 – Landscaping and Walkway Implementation

The existing wording of the condition consists of:

“The approved landscaping and walkway details shall be implemented in full no later than the end of the first planting season following first occupation of any part of the development hereby approved.”

We propose the following wording:

“The approved landscaping and walkway details for each phase of the development shall be implemented in full no later than the end of the first planting season following first occupation of any dwelling within that phase. The approved works shall thereafter be retained and maintained for the lifetime of the development.”

Reason being to ensure the appropriate landscaping of each phase of the development.

Condition 8 – Bin Storage and Collection

The existing wording of the condition consists of:

“Prior to first occupation of the development hereby permitted, finalised details of bin storage and collection arrangements shall be submitted to and approved in writing by the Local Planning Authority. All facilities for bin storage and collection shall be implemented prior to first occupation of any of the dwellings which those facilities serve.”

We propose the following wording:

“Prior to first occupation of dwellings within each phase of the development, finalised details of bin storage and collection arrangements for that phase shall be submitted to and approved in writing by the Local Planning Authority. All facilities shall be implemented prior to first occupation of the dwellings they serve and retained thereafter for the lifetime of the development.”

This is to ensure that the external appearance of each phase of the development is appropriate to its surroundings, in accordance with Policy EQ66 of the High Peak Local Plan (2016) and NPPF.

Condition 9 – Flood Risk and Mitigation Measures

The existing wording of the condition consists of:

“The development shall be carried out in accordance with the submitted flood risk assessment (ref ELLUC-RH-21023-FRA-F4, dated 06/07/22, author I. Casling) and the following mitigation measures it details:

- *Finished floor levels shall be set no lower than those illustrated in ELL-21023-WHL-1002 (Appendix F)*
- *Compensatory storage shall be provided as according to ELL-21023-WH-L-1002 (Appendix F). The highest level AOD, and minimum dimensions, to be fit for purpose, should be taken from this drawing*

- *The proposed flood wall bordering Milltown in drawing ELL-21023-WH-L-1002 (Appendix F) shall be implemented prior to first occupation of the approved development, with a minimum of the same dimensions and level as described in the drawing*
- *Surface water drainage will have a minimum capacity of that described in the FRA (point 12.9). Please note that planning permission does not constitute a flood risk permit.*
- *These mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the scheme's timing/phasing arrangements. The measures detailed above shall be retained and maintained thereafter throughout the lifetime of the development."*

We propose the following wording:

"The development shall be carried out in full accordance with the submitted Flood Risk Assessment (ref: ELLUC-RH-21023-FRA-F4, dated 06/07/22, author I. Casling) and the mitigation measures it identifies, applied to each phase of the development, including:

- *Finished floor levels set no lower than those shown on drawing ELL-21023-WH-L-1002 (Appendix F);*
- *Compensatory storage as shown on drawing ELL-21023-WH-L-1002 (Appendix F);*
- *Implementation of the proposed flood wall bordering Milltown (Appendix F) prior to first occupation of dwellings within the phase served by that access;*
- *Surface water drainage with a minimum capacity as described in section 12.9 of the FRA.*

The mitigation measures shall be fully implemented prior to first occupation of dwellings within each phase and retained and maintained thereafter for the lifetime of the development."

This is to reduce the risk of flooding to the development and its occupants, prevent flooding elsewhere and secure satisfactory water management.

Condition 11 – Sustainable Drainage Management and Maintenance

The existing wording of the condition consists of:

“Prior to occupation of the development a sustainable drainage management and maintenance plan for the lifetime of the development shall be submitted to the local planning authority and agreed in writing. The sustainable drainage management and maintenance plan shall be in accordance with the principles outlined within:

- a. a. Elluc Projects. (01.07.2022) Drainage Strategy, ELL-21023-WH-L-2000 & Elluc Projects. (06.07.2022) Flood Risk Assessment, ELLUC-RH-21023-FRAF4, including any subsequent amendments or updates to those documents as approved by the Flood Risk Management Team and*
- b. DEFRA’s Non-statutory technical standards for sustainable drainage systems (March 2015), have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in complete accordance with the approved details.*

And shall include as a minimum:

- c. Arrangements for adoption by an appropriate public body or statutory undertaker, or, management and maintenance by a management company;*

and

- d. Arrangements for inspection and ongoing maintenance of all elements of the sustainable drainage system to secure the operation of the surface water drainage scheme throughout its lifetimeThe development shall subsequently be completed, maintained and managed in accordance with the approved plan.*

Prior to the first occupation of the development, a verification report carried out by a qualified drainage engineer must be submitted to and approved in writing by the Local Planning Authority. This must demonstrate that the drainage system has been constructed as per the agreed scheme (or detail any minor variations), and state the national grid reference of any key drainage elements (surface water attenuation devices/areas, flow restriction devices and outfalls).”

We propose the following wording:

“Prior to occupation of dwellings within each phase of the development, a Sustainable Drainage Management and Maintenance Plan for that phase shall be submitted to and approved in writing by the Local Planning Authority. The Plan shall be in accordance with:

- a. *Elluc Projects (01.07.2022) Drainage Strategy (ELL-21023-WH-L-2000) and Elluc Projects (06.07.2022) Flood Risk Assessment (ELLUC-RH-21023-FRA-F4), including any approved updates;*
and
- b. *DEFRA's Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015)*

The Plan shall include arrangements for adoption, management, and ongoing maintenance to ensure effective operation of the drainage system throughout the lifetime of the development.

Prior to first occupation of dwellings within each phase, a verification report by a qualified drainage engineer shall be submitted to and approved in writing by the Local Planning Authority, confirming that the drainage system has been implemented as approved (including national grid references for key elements)."

This will ensure management arrangements are in place for sustainable drainage, reducing flood and pollution risk over the lifetime of the development.

Condition 30 – Implementation of Site Entrance Highway Works

The existing wording of the condition consists of:

"Prior to the first occupation of the development a new junction shall be formed onto Milltown, and an amended junction onto High Street East, both provided with visibility sightlines in accordance with a scheme first submitted to and approved in writing by the Local Planning Authority. The area within the sightlines shall thereafter be kept clear of any object greater than 1m in height (0.6m in the case of vegetation) above the nearside carriageway channel level."

We propose the following wording:

"Prior to first occupation of dwellings accessed from Milltown (Phase 1), the approved junction works at Milltown (as shown on drawings approved under Condition 29 and within the S278 technical approval dated 30/05/2024) shall be implemented in full.

Prior to first occupation of dwellings accessed from High Street East (Phase 2), the approved junction works at High Street East (as shown on drawings approved under Condition 29 and within the S278 technical approval dated 30/05/2024) shall be implemented in full.

The visibility sightlines for each access shall thereafter be kept clear of any object greater than 1 metre in height (0.6 metres in the case of vegetation) above the nearside carriageway channel level."

This will be within the interests of highway safety, in accordance with Policy CF6 of the Local Plan and paragraphs 110-111 of the NPPF.

Conclusion

The amendments proposed are non-material and preserve all control and mitigation measures in the original permission. They simply provide clarity and enable a practical phased delivery of the development, in line with current construction and occupation sequencing.

We trust that the Council will agree that these amendments are non-material under Section 96A of the Town and Country Planning Act 1990 and will approve the revised wording accordingly.

Should additional information and or clarification be required, please do not hesitate to contact us.

Yours sincerely,

Sophie Stanton
Senior Planner

cc: Watson Homes