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High Peak Council
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Dear Ben

Non Material Amendment Application to Outline Consent Reference HPK/2019/0316 (Appeal Reference APP/H1033/W/21/3286543)
Former Shire Hill Hospital, Bute Street, Glossop

Introduction

On behalf of our client, Cube Homes Limited, Nexus Planning is submitting this application under Section 96A of the Town and Country Planning Act 1990 (as amended) to seek non-material amendments to the Description of Development on Outline Consent Reference HPK/2019/0316 (Appeal Reference APP/H1033/W/21/3286543), granted on 5 September 2022.

The non-material amendment sought relates specifically to an update to the description of development as provided on the original outline consent. The proposed amendment to the description of development is as follows:

'Redevelopment of the Shire Hill Hospital site for residential development including partial demolition and partial rebuilding of the former Administration Building' (amends underlined).

A concurrent application is submitted under Section 73 of the Act to update the approved list of planning drawings. All details in respect of the concurrent application are provided as part of those specific planning application documents, and this application therefore focuses solely on the wording of the description of development.

The Non-Material Amendment

The change relates solely to the description of development and an application is submitted concurrently to agree the proposed amendments to the approved development itself. In this regard, it is proposed to amend the approved description of development to read as follows:

'Redevelopment of the Shire Hill Hospital site for residential development including partial demolition and partial rebuilding of the former Administration Building'.

Section 96A of the Town and Country Planning Act 1990 is an application to make a minor, non-material amendment to a planning permission that has already been granted. The purpose is to make small changes to an existing consent without needing a new planning application, provided the amendment is not "material". Whether an amendment is non-material is decided by the local planning authority.

In this regard, the Planning Practice Guidance confirms that there is no statutory definition of 'non-material', as this is dependent on the context of the overall scheme.

The proposed amendments to the wording of the description of development only, fall firmly within the remit of a non-material amendment. No further changes are sought as part of this application. The consideration in respect of the details of the reinstatement of the Administration Block are covered in full within the concurrent Section 73 application.

The necessity to amend the description of development has come about due to the requirement to now undertake a partial rebuild of the building following its partial demolition on site. Amending the description of development ensures that the concurrent Section 73 application can be submitted and approved to regularise the approved development to reflect the latest position on site in respect of the Administration Block. As is explained in detail as part of the Section 73 application, all other design elements of the building, and the wider site, remain as previously approved.

For completeness, we have included CGIs of the finished development of the Administration Block, showing clearly the exceptional high quality of the scheme and that the resultant changes to the wording of the description of the development (and concurrent Section 73 application) will result in a scheme materially the same to that which has already been permitted at the site.

Given the above, we trust that the Council considers the proposals to reflect non-material amendments and that they can be dealt with under the provisions of Section 96A of the Town and Country Planning Act 1990.

Please do not hesitate to contact me should you have any queries or require any additional information.

Yours sincerely

Heather Lindley-Clapp

Director