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**Date:** 6 April 2021  
**Our ref:** 60722/01/AGR/PMc/19441061v1  
**Your ref:** R/2020/0270/FFM

Dear David,

### **Non-Material Amendment: Eston Road Widening, Teesworks, Redcar**

We are pleased to be submitting on behalf of our client South Tees Development Corporation 'Teesworks' a Non-Material Amendment ('NMA') application in respect of planning application ref: R/2020/0270/FFM, Eston Road, Redcar. The application seeks to amend the planning permission granted on the 12 August 2020 for the following development:

*'Engineering operations including widening of Eston Road, formation of new roundabout and internal access roads, works to enhance Holme Beck and associated hard and soft landscaping works'*

The application seeks permission to amend condition 2 and 10 of the above permission.

### **Background and Proposed Amendments**

The planning permission allows for the widening and alterations to Eston Road along with works to enhance Holme Beck.

Following the decision to grant planning permission the detailed design work continued and as a result of this process it has become necessary to vary the permission. The non-material changes included within this application are set out on the submitted drawings, but for information they include;

- The North Link Road has been relocated further south
- Alterations to the East Link Road and Access 2/Emergency Access
- Details of works for Holme Beck

When looking at the scheme as a whole, these changes do not materially alter any of the principles of the proposed development.

Planning condition 2 listed the approved plans for the scheme (including the plans for the Holme Beck improvements that were also listed in condition 10) and condition 10 listed the plans for improvements to the Holme Beck only. The application seeks permission for the corresponding plans listed in Condition 2 to be replaced with;

- Detailed Design of Eston Road Highways Scheme General Arrangement Key & Notes (STDC\_HWY-ATK-HGN-PR-DR-CH-000001 Rev. Co2)
- Detailed Design of Eston Road Highways Scheme General Arrangement (STDC\_HWY-ATK-HGN-PR-DR-CH-000002 Rev. Co2)
- Detailed Design of Eston Road Highways Scheme General Arrangement (STDC\_HWY-ATK-HGN-PR-DR-CH-000003 Rev. Co2)
- Detailed Design of Eston Road Highways Scheme General Arrangement (STDC\_HWY-ATK-HGN-PR-DR-CH-000004 Rev. Co2)
- Detailed Design of Eston Road Highways Scheme General Arrangement (STDC\_HWY-ATK-HGN-PR-DR-CH-000005 Rev. Co2)
- Detailed Design of Eston Road Highways Scheme General Arrangement (STDC\_HWY-ATK-HGN-PR-DR-CH-000006 Rev. Co2)
- Detailed Design of Eston Road Highways Scheme General Arrangement (STDC\_HWY-ATK-HGN-PR-DR-CH-000007 Rev. Co2)
- Detailed Design of Eston Road Highways Scheme General Arrangement (STDC\_HWY-ATK-HGN-PR-DR-CH-000008 Rev. Co2)
- Detailed Design of Eston Road Highways Scheme General Arrangement (STDC\_HWY-ATK-HGN-PR-DR-CH-000009 Rev. Co2)
- Detailed Design of Eston Road Highways Scheme General Arrangement (STDC\_HWY-ATK-HGN-PR-DR-CH-000010 Rev. Co1)
- Detailed Design of Eston Road Highways Scheme General Arrangement Overview Plan (STDC\_HWY-ATK-HGN-PR-DR-CH-000011 Rev. Co1)
- Detailed Design of Eston Road Highways Scheme SUDS and River Restoration Plan & Section 1 of 3 (STDC\_HWY-ATK-HDG-PR\_XS-DR-CD-000001 Rev. Co1)
- Detailed Design of Eston Road Highways Scheme SUDS and River Restoration Plan & Section 2 of 3 (STDC\_HWY-ATK-HDG-PR\_XS-DR-CD-000002 Rev. Co1)
- Detailed Design of Eston Road Highways Scheme SUDS and River Restoration Plan & Section 3 of 3

The application also seeks permission for the plans listed in condition 10 to be replaced with the following;

- Detailed Design of Eston Road Highways Scheme SUDS and River Restoration Plan & Section 1 of 3 (STDC\_HWY-ATK-HDG-PR\_XS-DR-CD-000001 Rev. Co1)
- Detailed Design of Eston Road Highways Scheme SUDS and River Restoration Plan & Section 2 of 3 (STDC\_HWY-ATK-HDG-PR\_XS-DR-CD-000002 Rev. Co1)
- Detailed Design of Eston Road Highways Scheme SUDS and River Restoration Plan & Section 3 of 3

## **The Non-Material Amendment ('NMA') Approach**

Whilst there is no statutory definition of a non-material amendment, Section 96a of the Town & Country Planning Act 1990 states that 'in deciding whether a change in material, a local planning authority must have regard to the effect of the change, together with any previous changes made under this section, on the planning permission as originally granted.' Section 96a includes powers to both impose and remove or alter



planning conditions. It is clear from the amendments detailed above that the effect of these changes would not materially amend the development which benefits from planning permission.

### **The Application Submission**

The NMA application comprises completed application forms, together with the plans listed above.

The application has been submitted via the Planning Portal and the requisite fee has also been paid.

### **Summary**

We trust that all of the above is in order, and that the application can be validated and advanced to determination at the earliest opportunity. We will contact you in due course in order to discuss the likely timescales for determination.

Should you have any queries in the meantime, please do not hesitate to contact me.

Yours sincerely



**Phil McCarthy**  
Associate Director