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**Date:** 9 December 2021  
**Our ref:** 60722/01/AGR/rdo/20460883v1  
**Your ref:**

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.

The application proposed 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"

Planning permission was granted for the above, subject to conditions, on 12 August 2020.

The above planning permission was amended by way of a non-material amendment (NMA). This NMA had the following description;

*'Non-Material amendment to planning permission R/2020/0270/FFM to amend the north link road further south; alterations to east link road and access 2/emergency access and details of works to Holme Beck'*

Permission was granted for the above on 13 May 2021.

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

### **Background and Proposed Amendments**

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

Following the previous submissions, the detailed design work has continued and as a result of this process it became 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 alterations to the existing north link footway so that it connects with the ERF plot.

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. The application seeks permission for the corresponding plans listed in Condition 2 to be expanded to include;

- Detailed Design of Eston Road Highways Scheme Traffic Sign Schedule Sign Face, Post & Foundation Details (STDC\_HWY-ATK-HSN-PR-DE-CH-000002\_Co3)
- Detailed Design of Eston Road Highways Scheme Pavements & Footways Sub-Base Thickness (STDC\_HWY-ATK-HPV-PR-DR-CH-000025\_Co2)
- Detailed Design of Eston Road Highways Scheme Road Markings & Traffic Signs (STDC\_HWY-ATK-HMK-PR-DR-CH-000006\_Co2)
- Detailed Design of Eston Road Highways Scheme Road Lighting (STDC\_HWY-ATK-HLG-PR-DR-EO-000006\_Co3)
- Detailed Design of Eston Road Highways Scheme Kerbs, Footways & Paved Areas (STDC\_HWY-ATK-HKF-PR-DR-CH-000006\_Co2)
- Detailed Design of Eston Road Highways Scheme Kerbs, Footways & Paved Areas Tactile Location Insets (STDC\_HWY-ATK-HKF-PR-DE-CH-000003\_Co2)

### **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