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Redcar & Cleveland Borough Council
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Kirkleatham Street
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Date: 25 May 2022
Our ref: 64764/01/NW/JMa/21072450v1
Your ref: R/2020/0357/OOM

Dear David

Non Material Amendment to Planning Consent R/2020/0357/OOM

On behalf of our client South Tees Development Corporation (STDC) we are pleased to submit an application for a Non Material Amendment (NMA) to outline planning permission (Ref R/2020/0357/OOM) which was granted by Redcar and Cleveland Borough Council on 3 December 2020 for the following development:

Outline planning application for demolition of existing structures on site and the development of up to 418,000 sqm (gross) of general industry (use class B2) and storage or distribution facilities (use class B8) with office accommodation (use class B1), HGV and car parking and associated infrastructure works all matters reserved other than access.

Planning permission was granted subject to conditions. Condition 2 required the development to take place in accordance with listed plans. One of the plans listed was a 'Parameter Plan' (Drawing Ref: SB-SD-10.03) which imposed, amongst other things, a limitation on the Maximum Development Height (46m) and a Maximum Floorspace (428,000 square metres) The purpose of this NMA application is to secure amendments to these parameters .

Maximum Development Height Parameter

When the outline application was submitted, it was not known who would ultimately occupy the site. However, things have moved on subsequently and SeAH now wishes to develop a monopile manufacturing facility on the site. However the requirements of SeAH are such that the facility that has been designed, would exceed the Maximum Development Height parameter. In order to accommodate SeAH's requirements, it is necessary to increase the Maximum Development Height parameter to 50 metres; an increase of 4 metres. The proposed building would remain less than the permitted 40.21 metres Maximum Building Height.

A copy of an updated Parameter Plan (Drawing Ref SB-SD-10.03 Rev D) is enclosed showing the proposed amendment.

Section 96a of the Town and Country Planning Act 1990 allows for a planning permission to be amended in a way that is 'non-material'. This includes through the imposition of new conditions and/or the removal or alteration of existing conditions. In deciding whether a change is material, a Local Planning Authority must have regard to the effect of the change.

To address this requirement an update has been prepared to the original LVIA taking account of the updated baseline conditions and the proposed increase in the parameter for Maximum Development Height. The original LVIA identifies 12 sensitive visual receptors (viewpoints) which have the potential to be affected by the proposed development. Each of the assessed viewpoints has been revisited and any changes to the baseline views have been noted. The landscape and visual effects forecast in the original LVIA have been reassessed on the basis of the revised development envelope. The LVIA update concludes that the proposed changes would not alter the previously assessed landscape effects during construction and operation. Neither would the changes alter the degree of visual effect upon receptors as assessed within the original LVIA.

On the basis of this updated LVIA it is clear that the 4m increase in Maximum Development Height is non-material in the context of such a large-scale permission in an area going through significant redevelopment.

Maximum Floorspace Parameter

The maximum amount of floorspace permitted by the outline consent is 418,000 sqm (gross). The buildings proposed to accommodate SeAH have been designed in direct response to the end user's requirements. The proposal is for a total GIA of 103,429 square metres, significantly below the maximum permissible under the extant outline consent.

The SeAH development site comprises 36.42 hectares in total, of which the majority (30.59 hectares) lies within the area covered by the 2020 outline consent. Part of the land (5.83ha) required by SeAH lies outside of the area consented under R/2020/0357/OOM. A standalone detailed planning application has therefore been submitted to cover the 20,372 square metres (GIA) of floorspace proposed in this area.

The Transport Assessment for the original outline application was based on a maximum development quantum of 418,000 square metres. In order to guarantee that this additional standalone detailed consent cannot result in the development of in excess of the 418,000 square metres approved under the outline consent it has been agreed with the Council that 20,372 square metres of floorspace should be 'traded' from the outline consent to the SeAH detailed consent. This is to be secured by means of a reduction in the Maximum Floorspace parameter approved under the outline consent from 418,000 to 397,628 square metres. This is detailed on the updated Parameter Plan Ref SB-SD-10.03 Rev D enclosed with this submission. As there are no changes proposed to the type of development and there is no overall change to the total floor area to be developed then the trip assumptions from the outline application all remain valid. Consequently the proposed reduction in the maximum floorspace parameter within the outline consent is non material and can be achieved through a NMA under section 96A.



Application Submission

The application seeks to substitute one of the plans listed in condition 2. The plan to be superseded and its replacement are as follows:

Table 1 Application Plans

Approved plan to be superseded	Replacement Plan
Proposed Parameter Plan Drawing Ref SB-SD-10.03 received by the LPA on 10 th July 2020.	Proposed Parameter Plan Drawing Ref SB-SD-10.03 Revision D

The NMA application has been submitted via the Planning Portal and comprises the following:

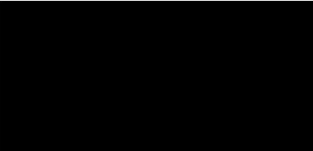
- Completed application form
- Covering letter (this letter)
- Revised Parameter Plan Ref SB-SD-10.03 Rev D
- South Industrial Zone Section 96A: LVIA Update

The requisite application fee of £234 has been paid via the Planning Portal.

Conclusion

We trust that you will find that the application pack contains everything you need to validate the application but if you have any questions or require any additional information please do not hesitate to contact me or my colleagues Neil Westwick or Phil McCarthy.

Yours sincerely



Justine Matchett
Planning Director