

30 April 2024

North Tyneside Council
Cobalt Business Park
The Quadrant
16 The Silverlink N
Newcastle Upon Tyne
NE27 0BY

Dear Sir / Madam

NON-MATERIAL AMENDMENT IN RELATION TO PLANNING PERMISSION 23/00660/FUL | REPLACEMENT OF RETAINING WALL AT 49-67 ARMSTRONG ROAD WALLSEND TYNE AND WEAR NE28 6LW, APPROVED 24 JULY 2023

Planning Permission ref: 23/00660/FUL has been granted for the replacement of Retaining wall at 49 – 67 Armstrong Road, Wallsend, Tyne and Wear, NE28 6LW via delegated decision 24 July 2023. This application followed the sudden localised failure of the timber crib wall at 62 Armstrong Road.

The proposed Non-Material Amendment (NMA) consists of the regularisation of the Proposed Site Plan to match the wall as built at property 49 Armstrong Road, Wallsend, NE28 6LW.

The approved documents for this Planning Permission comprise:

Application form
Location plan 21041-CK-XX-DR-S-011 P1
proposed site plan CK-XX-XX-DR-S-004 T1
Proposed permacrib wall failed section CK-XX-XX-DR-S-004 T1
Proposed permacrib wall plan sheet 1 CK-XX-XX-DR-S-002 T5
Proposed permacrib wall plan sheet 2 CK-XX-XX-DR-S-003 T1
Proposed permacrib wall CK-XX-XX-DR-S-001 T2
Proposed front elevation crib wall 21041-CK-XX-S-006 P1
Proposed front elevation crib wall sheet 2 21041-CK-XX-S-007 P1

Town and Country Planning Act 1990

Town and Country Planning Act 1990 (Section 96A) subsection 1 states that a Local Planning Authority (LPA) may make a change to any planning permission, relating to land in their area if they are satisfied that the change is not material.

The power conferred by subsection 1 includes power to make a change to a planning permission –

- a) To impose new conditions;
- b) To remove or alter existing conditions.

The Proposed Non-Material Amendment

The proposed Non-Material Amendment (NMA) consists of the regularisation of the Proposed Site Plan to match the wall as built at property 49 Armstrong Road, Wallsend, NE28 6LW.

The wall as built has intruded further into the garden of property 49, leading to the removal of the 1no. parking space. All other aspects of the proposal remain the same and the wall is near completion of being built.

Due to the significant risk of failure on other sections of the wall (and noted in the original planning statement) building works have continued for the safety of the residents and to cause as little disruption as possible. For context an existing site plan has been submitted (reference: NB24_02-02A ex site plan 200-A1)

The proposed finish of the surface is grass and paving stones in order to match existing materials on site.

Plans Previously Approved under Permission Ref: 23/00660/FUL	Proposed Changes to Approved Plans
Location plan 21041-CK-XX-DR-S-011 P1	Location plan 21041-CK-XX-DR-S-011 P1
Proposed site plan CK-XX-XX-DR-S-004 T1	NB24_02-03B pr site plan 200-A1
Proposed permacrib wall failed section CK-XX-XX-DR-S-004 T1	Proposed permacrib wall failed section CK-XX-XX-DR-S-004 T1
Proposed permacrib wall plan sheet 1 CK-XX-XX-DR-S-002 T5	Proposed permacrib wall plan sheet 1 CK-XX-XX-DR-S-002 T5
Proposed permacrib wall plan sheet 2 CK-XX-XX-DR-S-003 T1	Proposed permacrib wall plan sheet 2 CK-XX-XX-DR-S-003 T1
Proposed permacrib wall CK-XX-XX-DR-S-001 T2	Proposed permacrib wall CK-XX-XX-DR-S-001 T2
Proposed front elevation crib wall 21041-CK-XX-S-006 P1	Proposed front elevation crib wall 21041-CK-XX-S-006 P1
Proposed front elevation crib wall sheet 2 21041-CK-XX-S-007 P1	Proposed front elevation crib wall sheet 2 21041-CK-XX-S-007 P1

Summary

In line with the Town and Country Planning Act 1990 (Section 96A), Hedley Planning Services have submitted a Non-Material Amendment for the substitution of plans approved under planning permission **23/00660/FUL** to regularise the planning permission to the wall as built. There are no material changes to the approved development.

Yours sincerely,



Sunny Howd

Planner

BA (Hons) MSc

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