

Redcar and Cleveland Borough Council

Planning (Development Management)

APPLICATION NUMBER: R/2019/0427/FFM
LOCATION: LAND AT FORMER SOUTH BANK WORKS;
GRANGETOWN PRAIRIE; BRITISH STEEL AND
WARRENBY AREA
PROPOSAL: DEMOLITION OF STRUCTURES AND
ENGINEERING OPERATIONS ASSOCIATED
WITH GROUND PREPARATION AND
TEMPORARY STORAGE OF SOILS AND ITS
FINAL USE IN THE REMEDIATION AND
PREPARATION OF LAND FOR
REGENERATION AND DEVELOPMENT

APPLICATION SITE AND DESCRIPTION

Permission is sought for the demolition of structures and engineering operations associated with ground preparation and temporary storage of soils and its final use in the remediation and preparation of land for regeneration and development on land at the former South Bank Works, Grangetown Prairie, British Steel and Warrenby.

The application site comprises a series of land parcels, which have recently been acquired by STDC from Tata Steel, and which total around 286 ha of the overall 600ha acquired from Tata Steel. The condition of the land varies across the site. The majority of the area has been previously developed with uses almost extensively aligned to integrated iron and steelmaking.

The application seeks permission for the engineering operations associated with two distinct elements of the ground preparations works. Firstly, for engineering operations associated with the temporary storage of soils in mounds, and secondly for its final use in the remediation and preparation of land for redevelopment in line with the Master Plan.

The application has been accompanied by plans and cross-sections of the storage sites, and the following documents;

- Ecology Report
- Planning Statement
- Technical Note
- Remediation Strategy
- FRA and Drainage Strategy

DEVELOPMENT PLAN

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that applications for planning permission be determined in accordance with the development plan unless material considerations indicate otherwise.

NATIONAL PLANNING POLICIES

National Planning Policy Framework (NPPF)

REDCAR & CLEVELAND LOCAL PLAN (2018)

SD1 Sustainable Development
SD3 Development Limits
SD4 General Development Principles
SD7 Flood and Water Management
LS4 South Tees Spatial Strategy
ED6 Protecting Employment Areas
N1 Landscape
N2 Green Infrastructure
N4 Biodiversity and Geological Conservation
TA1 Transport and New Development

OTHER POLICY DOCUMENTS

South Tees Area Supplementary Planning Document

PLANNING HISTORY

No relevant history relating to the application site and the proposed development

RESULTS OF CONSULTATION AND PUBLICITY

The application has been advertised by means of a press notice, site notice and neighbour notification letters.

As a result of the consultation period one written response has been received raising the following points;

- British Steel support the application subject to some specific comments relating to dust emissions, contamination and traffic

Natural England

No objection - Based on the plans submitted, Natural England considers that the proposed development will not have significant adverse impacts on designated sites and has no objection.

Environment Agency

The proposed application will only meet the National Planning Policy Framework's requirements if the following planning condition is included.

Condition

The work will be carried out in accordance with the submitted flood risk assessment and drainage strategy (June 2019, wood) and consistent with the layout identified in *STDC-SCW-XX-PLA-0002 Materials Storage Site Location Plan with mounds*.

The storage mounds must be sited exclusively in Flood Zone 1

Reason To prevent flood flows from being displaced and prevent increased risk of flooding elsewhere.

Redcar and Cleveland Borough Council (Development Engineers)

No objection

Redcar and Cleveland Borough Council (Local Lead Flood Authority)

The LLFA would offer no objection to the proposed development, as the proposed Surface Water Drainage Strategy accords with the requirements of Policy SD7. The LLFA would request the following documents be deemed 'approved documents', to ensure compliance accordingly.

Flood Risk Assessment and Drainage Strategy Doc ref. 41825-WOOD-XX-XX-RP-OW-0001_A_P01 including all appendices dated 01/07/2019

**Redcar and Cleveland Borough Council (Environmental Protection)
(Contaminated Land)**

I note that an amended remediation strategy has been submitted in support of this application which includes enabling activities such as demolition of structures and engineering operations associated with the ground preparation and the temporary storage of soils.

All future developments regulated under the planning regime on this site will require a further design statement to be submitted to support the specific planning application, specifying the form of development and the manner in which the site will be remediated to render it suitable for use.

The remediation strategy splits the site 4 separate land parcels and provides detailed information including historical review and the environmental context for each parcel of land.

The strategy also provides an overall conceptual model for the major potential contaminants, exposure pathways and receptors for the site, and sets out a risk evaluation for the key contaminant linkages.

The remediation strategy also provides a remediation options appraisal and selects the most appropriate preferred option; consisting of the formation of a minimum capping layer across the site to physically break the contaminant linkages.

In summary the submission of this strategy has covered the characterisation of the site together with an appraisal of remedial options, and proposes the preferred option.

I am therefore satisfied that parts a & b of the standard contaminated land condition have been adequately covered.

In order to minimise the environmental impact I would recommend the inclusion of the following part conditions of the standard contaminated land condition:

c. Implementation of Approved Remediation Scheme

The approved remediation scheme must be carried out in accordance with its terms unless otherwise agreed in writing by the Local Planning Authority. Remediation shall be completed prior to the first end use of the development.

The Local Planning Authority must be given two weeks written notification of commencement of the remediation scheme works.

Following completion of measures identified in the approved remediation scheme, a validation report that demonstrates the effectiveness of the remediation carried out must be produced, and is subject to the approval in writing of the Local Planning Authority.

REASON: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

d. Reporting of Unexpected Contamination

In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with the requirements of condition 1, and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of condition 2, which is subject to the approval in writing of the Local Planning Authority.

Following completion of measures identified in the approved remediation scheme a validation report must be prepared, which is subject to the approval in writing of the Local Planning Authority in accordance with condition 3.

REASON: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers,

neighbours and other offsite receptors. and part d conditions onto any planning permission which may be granted:

**Redcar and Cleveland Borough Council (Environmental Protection)
(Nuisance)**

I note that an amended remediation strategy has been submitted in support of this application which includes enabling activities such as demolition of structures and engineering operations associated with the ground preparation and the temporary storage of soils.

The strategy acknowledges that there is a potential that dust, noise and vibration and potentially odours nuisance may be generated during excavation, haulage, backfilling and soil stockpiling, particularly for dust during periods of dry weather.

It will be the responsibility of the remediation contractor to ensure no nuisance arises.

Mitigation measures to be adopted include:

- Maintenance of site traffic routes, and enforcement of speed limits to minimise the potential generation of dust.*
- All wagons leaving the site to be sheeted.*
- Water sprays to be used during operations as and when required to minimise potential for dust generation.*
- Road sweeper to be deployed to clean public highways adjacent to site, where required. Road sweepers are not appropriate for the internal roadways.*

In order to minimise the environmental impact I would recommend the inclusion of the following conditions onto any planning permission which may be granted:

- Prior to commencement of construction, a CEMP shall be submitted to and approved in writing by the Local Planning Authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide the following;*
 - i) The parking of vehicles for site operatives and visitors;*
 - ii) Loading and unloading of plant and materials;*
 - iii) Storage of plant and materials used in constructing the development;*
 - iv) Wheel washing facilities;*
 - v) Methods of demolition;*
 - vi) Measures to control the emission of noise dust and vibration during the construction period.*
 - vii) A scheme for recycling/disposing of waste resulting from demolition and construction works.*

REASON: *In the interests of neighbour amenity and maintaining good Air Quality*

Redcar and Cleveland Borough Council (Business and Employment Growth Team)

Thanks for sending this planning application through. We are supportive of the proposal in terms of preparing the former steel site for future investment and would request the contractor use local labour and supply content on this contract wherever possible. Support for this can be provided via Grangetown Training and Recruitment Hub on 01642 459035 or email grangetownproject@redcar-cleveland.gov.uk

CONSIDERATION OF PLANNING ISSUES

The main considerations in the assessment of the application are;

- The principle of development
- The impacts on the character and appearance of the area
- The impacts on neighbour amenity
- The impacts on highways safety
- The impacts on Flood Risk
- The impacts on Ground Conditions and Contamination
- The impacts on Ecology

The principle of development

Over 90% of the application site area is allocated under Local Plan Policy ED 6 (Promoting Economic Growth) for employment uses and suitable employment related sui generis uses, with specific policy support for proposals which positively contribute towards growth and regeneration. The storage and use of soils in these parts of the application site area would contribute towards industrial development and compliance with Policy ED6.

Part of the north eastern most parcel, which contains the temporary storage mound areas 3A and 3B, is not included in the Policy ED 6 allocation. Instead, this part of the application site is designated as a Green Wedge and lies outside of the development limits, as defined on the Local Plan proposals map. The relevant policies in relation to these designations are SD3 and N2 of the Local Plan

Policy SD 3 restricts development to a list of specified exceptions though does not include activities related to industrial development. The supporting text explains that the purpose of defining development limits is 'to contain future development and to make a clear distinction between the urban area and the countryside'. The aim of the approach is to prevent uncontrolled urban sprawl and deliver sustainable development. Given the nature of the proposed works and the fact that this particular area beyond the limits to development is characterised by the former industrial and landfill uses that have taken place there, the proposals would not undermine the general objective of keeping separate the urban area from countryside.

It is, therefore, considered that the proposed development in this specific area beyond the defined limits to development will not undermine the overall purpose and objectives of Policy SD3.

Policy N2 describes green wedges as ‘...open areas within the main built-up area, but outside of development limits, which provide buffers between different uses and delineate distinct communities; are valuable for local amenity, recreation and wildlife.’ In this context, it is not considered that the proposed development would significantly undermine the green wedge allocation. It should also be noted that the size of the overall Green Wedge allocation is 217ha, and the part of the application site which encroaches into it is circa 27.8 ha, which is in the order of 13% of the total area.

The development proposal is wholly in accordance with South Tees SPD and it represents the delivery of significant investment in the economy of the borough, which meets the vision and policy objectives of the Local Plan.

The principle of the development is acceptable and the proposal accords with the aims of policies SD3, N2 and LS4 of the Redcar and Cleveland Local Plan and the South Tees SPD.

The impacts on the character and appearance of the area

The application site is surrounded almost entirely by existing industrial land, much of which is vacant, and is likely to remain so for the medium term. The provision of temporary mounds is therefore considered to have limited impacts on the character and appearance of the area. While it is accepted that the development will alter the appearance of the site in the short/medium term, the changes are not considered to be so significant or detrimental to the area that would require planning permission to be refused.

The proposal is suitable in relation to the proportions, massing, height, size, scale and the application would respect the character of the site and its surroundings. The application accords with part j of policy SD4 of the Redcar and Cleveland Local Plan.

The impacts on neighbour amenity

The application site is surrounded almost entirely by existing industrial land, much of which is vacant, and is likely to remain so for the medium term. Therefore, there are limited receptors whose amenity might be affected by the proposed development.

The potential for the proposed development to have an impact on amenity has been considered from the perspective of the temporary storage mounds 3A and 3B as these are considered the only temporary storage mounds with potential receptors in their vicinity. The nearest residential receptor is an isolated dwelling approximately 200m north east of site 3A and 330m north east of site 3B.

Given the distance between the dwelling and the mounds, and that the proposed mounds will be a maximum of 6m (site 3A) and 15m (site 3B) above existing ground level, there will be no material effects in terms of loss of sunlight or overshadowing onto that property.

The development would not have a significant adverse impact on the amenity of occupiers of existing buildings and the proposal accords with part b of policy SD4 of the Redcar and Cleveland Local Plan.

The impacts on highways safety

The proposed development involves the movement of large volumes of material to construct the mounds. However the movement of the material is to take place solely on the private road network both within Wilton International and in to the STDC land. The vehicles movements therefore do not have any direct impact on the local highway network, and therefore there is no impact on local highway capacity. The applicants have proposed a condition that should works require vehicles to travel on local road network an assessment of the impacts of transporting soils upon the public highway shall be prepared and submitted the Local Planning Authority. This is considered to be an acceptable position should there be an issue at any time with the internal road network.

It is noted that comments have been made by British Steel with regard to the impact of use of internal roads on existing operations across the site. This point is noted, however it will be for agreements to take place between all existing operators to ensure that the vehicle movements on the private road network do not impact on the operations of neighbouring businesses.

The application subject to conditions raises no issues in terms of highways safety and the application accords with part p of policy SD4 and policy TA1 of the Redcar and Cleveland Local Plan.

The impacts on Flood Risk

A Flood Risk Assessment (FRA) and Drainage Strategy (DS) have been prepared by to assess the impact of the proposals on Flood Risk and Surface Water Management. The FRA and DS confirm that all the temporary storage mounds are located within Flood Zone 1, and that small elements of the area where the soils may be put to final use are in Flood Zone 2.

The FRA and DS includes a flood risk appraisal for all potential sources of flooding and identifies flood risk mitigation measures. The assessment found that the presence of the mounds could increase surface water runoff rates, potentially increasing downstream flood risk, and drainage strategies are proposed to address this.

The FRA and DS have been considered by both the Council as LLFA and the EA. Neither of these consultees has raised any objections to the information supplied, however it is requested that the FRA be conditioned as an approved

document which is considered to be appropriate. The proposed development is therefore considered to comply with policy SD7 of the Local Plan.

The impacts on Ground Conditions and Contamination

The proposed storage and use of imported soils will, therefore, form part of a suitable remediation process to render the wider STDC site suitable for use.

Initial testing of the soils to assess its suitability for use as a capping material has been undertaken and it is confirmed that the material can be classified as inert and suitable for use within the development.

A Materials Management Plan (MMP) will be produced, following the grant of planning permission, in accordance with the CL:AIRE Definition of Waste Code of Practice. This will require that the material brought to the site is subject to regular testing to ensure its suitability for use as a capping material. The RS states that chemical analysis of capping materials will be required before placement commences and it should be monitored throughout the works. The MMP and associated Remediation Verification Plan (on a phase by phase basis) will ensure this analysis is undertaken.

The MMP is regulated by the Environment Agency and is a legal requirement, with the onus being upon the developer to adhere to.

The submitted RS has been considered by the Council's environmental protection section who have raised no objection subject to suitable conditions. With the implementation of the conditions, the proposal accords with parts b d and n of policy SD4 of the Redcar and Cleveland Local Plan.

The impacts on Ecology

An Ecological Assessment has been undertaken by the Industry Nature Conservation Association (INCA) in respect of all of the land within the application boundary. It considers the potential effects of the works, both the temporary storage and final use of the soils, on habitat value and on protected and priority species.

Other than nesting birds, no protected species were observed in the surveys carried out, however it is known that there is a very low population of reptiles in one small, discrete part of the application site and it is possible that there are similarly small populations in two further small discrete areas on the northern boundary of the application site. Both nesting birds and reptiles can be dealt with by suitable worded conditions.

No impacts on internationally and nationally designated sites are predicted due to the distances involved and the nature of the application proposals.

The application is therefore considered to comply with policy N4 of the Local Plan.

Other Matters

A number of conditions have been suggested by the applicant relating to the development. These have been considered by the LPA and form part of the suggested conditions for the development. The draft conditions have been sent to the applicant for consideration and they have agreed to these.

CONCLUSION

For the reasons outlined above the proposal is considered acceptable. The development would not have a significant adverse impact on neighbour amenity and the proposal raises no issues in terms of highways safety or crime prevention. The scale and design is acceptable and the proposal would respect the character of the site and surroundings. The proposal accords with policies SD3 SD4 SD7 LS4 N1 N2 and N4 of the Redcar and Cleveland Local Plan.

RECOMMENDATION

Taking into account the content of the report the recommendation is to:

GRANT PLANNING PERMISSION subject to the following conditions:

1. The development shall not be begun later than the expiration of THREE YEARS from the date of this permission.

REASON: Required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990.

2. The development hereby permitted shall be carried out in accordance with the following approved plans:

Drawing No. STDC-SCW-XX-PLA-0001 received by the Local Planning Authority on 01/07/19

Drawing No. STDC-SCW-XX-PLA-0002 received by the Local Planning Authority on 01/07/19

Drawing No. STDC-NEZ-WA-PLA-0006 received by the Local Planning Authority on 01/07/19

Drawing No. STDC-SIZ-MR-PLA-0004 received by the Local Planning Authority on 01/07/19

Drawing No. STDC-SIZ-GP-PLA-0007 received by the Local Planning Authority on 01/07/19

Drawing No. STDC-NEZ-WA-PLA-0005 received by the Local Planning Authority on 01/07/19

Drawing No. STDC-SIZ-LA-PLA-0001 received by the Local Planning Authority on 01/07/19

Drawing No. STDC-SIZ-SB-PLA-0001 received by the Local Planning Authority on 01/07/19

Drawing No. STDC-SIZ-GP-PLA-0006 received by the Local Planning Authority on 01/07/19

Drawing No. STDC-NEZ-WA-PLA-0004 received by the Local Planning Authority on 01/07/19

Drawing No. STDC-NEZ-WA-PLA-0003 received by the Local Planning Authority on 01/07/19

Drawing No. STDC-SIZ-GP-PLA-0005 received by the Local Planning Authority on 01/07/19

Drawing No. STDC-SIZ-GP-PLA-0004 received by the Local Planning Authority on 01/07/19

Drawing No. STDC-SIZ-GP-PLA-0003 received by the Local Planning Authority on 01/07/19

Drawing No. STDC-SIZ-MR-PLA-0003 received by the Local Planning Authority on 01/07/19

Drawing No. STDC-SIZ-WA-PLA-0001 received by the Local Planning Authority on 01/07/19

Drawing No. STDC-SIZ-MR-PLA-0001 received by the Local Planning Authority on 01/07/19

Drawing No. STDC-SIZ-GP-PLA-0001 received by the Local Planning Authority on 01/07/19

Drawing No. STDC-SIZ-WA-PLA-0002 received by the Local Planning Authority on 01/07/19

Drawing No. STDC-SIZ-MR-PLA-0002 received by the Local Planning Authority on 01/07/19

Drawing No. STDC-SIZ-GP-PLA-0002 received by the Local Planning Authority on 01/07/19

REASON: To accord with the terms of the planning application.

3. With the exception of soils used to level ground required to host the temporary storage mounds hereby approved, all soils placed into the temporary storage mounds shall be used in operations associated with ground preparation and remediation works within 10 years of the date of planning permission.

REASON: In the interests of amenity

4. The work will be carried out in accordance with the submitted flood risk assessment and drainage strategy (June 2019, wood) and consistent with the layout identified in STDC-SCW-XX-PLA-0002 Materials Storage Site Location Plan with mounds.

- The storage mounds must be sited exclusively in Flood Zone 1

REASON: To prevent flood flows from being displaced and prevent increased risk of flooding elsewhere.

5. The works carried out will be in accordance with the Flood Risk Assessment and Drainage Strategy Doc ref. 41825-WOOD-XX-XX-RP-OW-0001_A_P01 including all appendices dated 01/07/2019.

REASON: To prevent increased risk of flooding

6. The approved remediation scheme must be carried out in accordance with its terms unless otherwise agreed in writing by the Local Planning Authority.

The Local Planning Authority must be given two weeks written notification of commencement of the remediation scheme works. Following completion of measures identified in the approved remediation scheme, a validation report that demonstrates the effectiveness of the remediation carried out must be produced, and is subject to the approval in writing of the Local Planning Authority.

REASON: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

7. In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken and where remediation is necessary a remediation scheme must be prepared and submitted to and approved in writing to the Local Planning Authority.

Following completion of measures identified in the approved remediation scheme a validation report must be prepared, which is subject to the approval in writing of the Local Planning Authority.

REASON: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors. and part d conditions onto any planning permission which may be granted:

8. None of the soils placed into the temporary storage mounds hereby approved shall be transported upon the public highway network unless an assessment of the impacts of transporting soils upon the public highway network is prepared, submitted to and approved by the Local Planning Authority. Any such assessment shall include a transportation management scheme that identifies mitigation measures required to manage the movement of soils on the public highway network. Thereafter, any such transportation on the public highway shall be carried out in accordance with the approved transport management scheme.

REASON: In order to ensure no adverse impacts arise on local amenity or the safe and effective operation of the public highway.

9. Prior to the final use of the soils in the implementation of this planning permission, further Ecological Assessment(s) shall be carried out and submitted to the Local Planning Authority in respect of those areas where the soils are to be used for ground preparation and remediation works. The Assessment (s) shall include up-to-date surveys that identify any priority habitats, ecological networks or protected and priority species. If significant harm to biodiversity cannot be avoided as a result of the final use of the soils, appropriate mitigation including by way of on or off-site compensatory provision, shall be identified in the Ecological Assessment and carried out within the timescales set out in the approved Assessment.

REASON: In the interests of conserving biodiversity.

10. Prior to the deposition of earth in any area that has been identified in the Ecology report (ID: INCA 201920) as supporting or potentially supporting reptiles, a reptile mitigation strategy should be prepared, submitted to and approved by the local planning authority and any necessary actions resulting from that implemented in accordance with the strategy.

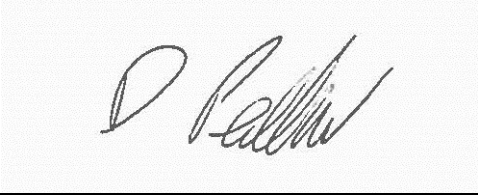
REASON: In the interests of preventing harm to protected species

11. Prior to commencement of the movement of earth associated with the formation of the approved temporary storage mounds or its final use, a Construction and Environmental Management Plan (CEMP) shall be submitted to and approved in writing by the Local Planning Authority. The approved Plan shall be adhered to throughout the implementation of the permission. The Plan shall provide details of the following;
 - i) The parking of vehicles for site operatives and visitors;
 - ii) Loading and unloading of plant and materials;
 - iii) Storage of plant and materials used in constructing the temporary storage mounds;
 - iv) Measures to control the spread of dirt and debris on the private road network;
 - v) Methods of demolition of any structures to be demolished in order to form the approved temporary storage mounds;
 - vi) Measures to control the emission of noise, dust and vibration during the formation of the temporary storage mounds. .
 - vii) A scheme for recycling/disposing of waste resulting from demolition works that are required to form the approved temporary storage mounds.

REASON: In the interests of neighbour amenity and maintaining good Air Quality

STATEMENT OF COOPERATIVE WORKING

Statement of Co-operative Working: The Local Planning Authority considers that the application as originally submitted is a satisfactory scheme and therefore no negotiations have been necessary.

Case Officer	
Mr D Pedlow	Principal Planning Officer
	26 September 2019

Delegated Approval Signature	
Claire Griffiths	Development Services Manager
	26/09/2019