

Redcar and Cleveland Borough Council

Planning (Development Management)

APPLICATION NUMBER: R/2020/0270/FFM
LOCATION: LAND AT AND ADJOINING ESTON ROAD
INCLUDING GATEWAY JUNCTION OF A66 TO
MIDDLESBROUGH ROAD EAST
GRANGETOWN
PROPOSAL: 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

APPLICATION SITE AND DESCRIPTION

Permission is sought for 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 on land at and adjoining Eston Road including gateway junction of A66 to Middlesbrough Road East, Grangetown.

The application has been supported by a covering letter that details the application site as;

The site comprises the existing highway of Eston Road and redundant land on the western side of the Prairie site. Eston Road is adopted by Redcar and Cleveland Council ('RCBC'). The red line boundary also includes land on the east side of Eston Road through which the Holme Beck watercourse runs, north-south, and is, in the main, currently culverted. Eston Road connects to Middlesbrough Road East to the north west of the site and the A66 to the south of the site.

The site is bound as follows:

- To the north by industrial uses and vacant land at the Prairie site;*
 - To the east by industrial businesses as well as vacant brownfield land (the Prairie site);*
 - To the south by the A66, which connects onto Church Lane and the Grangetown residential area; and*
 - To the west by industrial uses at the South Tees Eco-Park and Freight Park.*
- The site area within the red line boundary comprises approximately 6.26 ha.*

The application has been accompanied by a site plan, an illustrative master plan, general arrangement plans, engineering layouts and drainage plans. The following documents have also been supported by the following documents;

- Design Statement
- Flood Risk Assessment
- Outline Remediation Strategy
- Ecological Impact Assessment
- Habitats Regulatory Assessment

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
SD2 Locational Policy
SD3 Development Limits
SD4 General Development Principles
SD7 Flood and Water Management
LS4 South Tees Spatial Strategy
ED6 Promoting Economic Growth
N2 Green Infrastructure
N4 Biodiversity and Geological Conservation
TA1 Transport and New Development
TA2 Improving Accessibility Within and Beyond the Borough
TA3 Sustainable Transport Networks

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 no written responses have been received

Northumbrian Water

We can inform you that a public sewer and two water mains are located within the red line boundary of the site and may be affected by the proposed development. Northumbrian Water do not permit a building over or close to our apparatus. We will work with the developer to establish the exact location of our assets and ensure any necessary diversion, relocation or protection measures required prior to the commencement of the development. We include this informative so that awareness is given to the presence of assets on site. For further information is available at <https://www.nwl.co.uk/services/developers/>

Northern Gas Networks

Northern Gas Networks has no objections to these proposals, however there may be apparatus in the area that may be at risk during construction works and should the planning application be approved, then we require the promoter of these works to contact us directly to discuss our requirements in detail. Should diversionary works be required these will be fully chargeable.

We enclose an extract from our mains records of the area covered by your proposals together with a comprehensive list of precautions for your guidance. This plan shows only those mains owned by Northern Gas Networks in its role as a Licensed Gas Transporter (GT). Privately owned networks and gas mains owned by other GT's may also be present in this area. Where Northern Gas Networks knows these they will be represented on the plans as a shaded area and/or a series of x's. Information with regard to such pipes should be obtained from the owners. The information shown on this plan is given without obligation, or warranty, the accuracy thereof cannot be guaranteed. Service pipes, valves, siphons, stub connections, etc., are not shown but their presence should be anticipated. No liability of any kind whatsoever is accepted by Northern Gas Networks, its agents or servants for any error or omission. The information included on the enclosed plan should not be referred to beyond a period of 28 days from the date of issue.

Network Rail

No observations to make

Natural England

Summary of Natural England's advice - No Objection

Based on the plans submitted, Natural England considers that the proposed development will not have significant adverse impacts on statutorily protected nature conservation sites or landscapes.

Natural England's generic advice on other natural environment issues is set out at Annex A.

European sites

Based on the plans submitted, Natural England considers that the proposed development will not have likely significant effects on statutorily protected sites and has no objection to the proposed development. To meet the requirements of the Habitats Regulations, we advise you to record your decision that a likely significant effect can be ruled out.

Sites of Special Scientific Interest

Based on the plans submitted, Natural England considers that the proposed development will not have likely significant effects on statutorily protected sites and has no objection to the proposed development.

Sites of Special Scientific Interest Impact Risk Zones

The Town and Country Planning (Development Management Procedure) (England) Order 2015 requires local planning authorities to consult Natural England on “Development in or likely to affect a Site of Special Scientific Interest” (Schedule 4, w). Our SSSI Impact Risk Zones are a GIS dataset designed to be used during the planning application validation process to help local planning authorities decide when to consult Natural England on developments likely to affect a SSSI. The dataset and user guidance can be accessed from the data.gov.uk website

Further general advice on the consideration of protected species and other natural environment issues is provided at Annex A.

We would be happy to comment further should the need arise but if in the meantime you have any queries please do not hesitate to contact us.

For any queries regarding this letter, for new consultations, or to provide further information on this consultation please send your correspondences to consultations@naturalengland.org.uk.

Highways England

No objection

Environment Agency

We have reviewed the submitted proposal and have no objection.

From reading the relative documents, it appears the designs for the channel and riparian corridor are still at the outline design phase. Whilst we have no objections to this application, we would ask to be consulted on the final detailed design of the new channel and riparian corridor, to ensure that all the environmental opportunities presented by the development are realised.

Cleveland Police ALO

In relation to this application, I recommend that the column street lighting is to S5489:2013 Standards with a minimum uniformity of 20%.

This is for the roads, pavements and proposed cycle paths.

Any proposed planting is to be set back from footpaths and that closest to them should be kept to no more than 1m in height to afford as much surveillance as possible.

The applicant is welcome to contact me for any advice, guidance I can offer in relation to this proposal.

Redcar and Cleveland Borough Council (Planning Strategy)

Policy LS4 supports the improvement of strategic access links between the South Tees area and the strategic road network and the extension of the road network to unlock the development potential of South Tees. Policy TA2 states that the Council will work with the South Tees Development Corporation to secure the delivery of the South Tees Dockside Road.

Proposals should be well designed in accordance with Local Plan policies, including SD4. The Local Plan is also supportive of improvements to water quality, biodiversity and the improvement of cycling and walking links to the South Tees employment area.

The South Tees Area SPD is also relevant, particularly Development Principle STDC5: Transport Infrastructure, which supports the improvement and enhancement of the transport infrastructure serving the South Tees Area.

Redcar and Cleveland Borough Council (Development Engineers)

No objections on highway grounds.

The works will be subject to a S278/38 Agreement to ensure future adoption. Road safety audits will be required throughout the design and construction of any highway works and on completion. Before the development commences details shall be submitted and approved in writing of proposals to provide contractor car parking and a materials storage compound within the site boundary for the duration of the works.

Redcar and Cleveland Borough Council (Local Lead Flood Authority)

The LLFA would offer no objection to the proposed development. The proposed SuDS and river restoration and accompanying FRA complies with policy SD7 of the Redcar & Cleveland Local Plan, as well as the Tees Valley Design Guide. The proposed scheme is designed to mitigate and adapt to climate change and it demonstrates that the development will not increase flood risk to the development site or the surrounding area. The surface water

generated from the site is collected and stored within a detention basin and discharged to Holme Beck at a restricted rate of 5.26l/s.

The following document and drawings shall be included in the approved plans/documents list, should you application be approved; The development must be carried out in strict accordance with the following;

*DXL-JBAU-00-00-C-RP-0001-SO3-P01-
FRA_AND_DESIGN_JUSTIFICATION
DXL-JBAU-00-00-DR-C-0001 REV. P01
DXL-JBAU-00-00-DR-C-0002 REV. P01
DXL-JBAU-00-00-DR-C-0003 REV. P01
DXL-JBAU-00-00-DR-C-0004 REV. P01*

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

I note that the site remediation statement has been submitted which covers the discovery of any unrecorded/unexpected contamination and the procedure in place to deal with such events. I therefore have no objections to the above proposal.

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

I note the works will be carried in close proximity to residential properties on Eston Road south of the A66 and commercial operators whose amenity could be affected through construction activities including noise and dust.

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) The erection and maintenance of security hoarding including decorative displays; v) Wheel washing facilities; vi) Methods of demolition; vii) Measures to control the emission of noise dust and vibration during the construction period. viii) A scheme for recycling/disposing of waste resulting from demolition and construction works.*

REASON: To protect the amenity of nearby residents and in the interests of highway safety.

Redcar and Cleveland Borough Council (Natural Heritage Manager)

No objection to the proposals and would support and encourage mitigation measures where ecological conservation is to be enhanced

Redcar and Cleveland Borough Council (Business Growth Team)

We are supportive of this application as it will facilitate the opening up of the South Tees Development Corporation site to development which will bring new investment on the site and the creation of direct and indirect jobs. Our Grangetown Recruitment & Training Hub would be happy to support the appointed contractors on this project access the skills of the local workforce to undertake these works if they have any recruitment needs. Business & Skills Team

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 and neighbour amenity
- The impacts on highways safety
- The impacts on drainage and flooding
- The impacts on ecology
- The impacts on contamination and nuisance

The principle of development

The application site is located within development limits as identified on the Redcar and Cleveland Local Plan Policies Map. The area is also identified in the Local Plan for employment related development and it is also located on the boundary of the South Tees Development Corporation (STDC) site, now known as Teesworks.

The development is consistent with the adopted development plan policy ED6 (Promoting Economic Growth) in that it will promote and support economic growth and development on the STDC site through an improvement in access to the site from the main highway network including the A66. The development is also consistent with policy LS4 South Tees Spatial Strategy promoting the development of the South Tees Employment Area and improve connectivity within the area and will improve the main road network connecting into the site.

The development is also considered to be consistent with policy SD1 (Sustainable Development) and SD2 (Locational Policy) of the Local Plan, the latter policies

The principle of the proposed development in this location is acceptable and the proposal accords with the aims of policy SD1 SD2 SD3 LS4 and ED6 of the Redcar and Cleveland Local Plan.

The impacts on the character and appearance of the area and neighbour amenity

The proposed development seeks the widening of Eston Road, formation of new roundabout and internal access roads, works to enhance Holme Beck and associated hard and soft landscaping works on land at and adjoining Eston Road. The surrounding land uses are mainly commercial/industrial in nature with the closest residential dwellings being on the opposite side of the A66 to the south.

Given the nature of the proposed works the development is not considered to result in conditions that would be prejudicial to the amenity of neighbouring units or properties in the long term. While it is accepted that there will be temporary disruption during the construction phase of development, this will be controlled by way of a Construction Environmental Management Plan as agreed with the applicant/agent.

In terms of the visual appearance of the site and the surroundings, the development is considered to enhance the road and surrounding verges from the current situation. The development is therefore considered to be a positive addition to the area, that will not adversely impact the character and appearance of the wider area.

The proposal is therefore considered to accord with parts b and j of policy SD4 (General Development Principles) of the Redcar and Cleveland Local Plan.

The impacts on highways safety

The application has been supported by detailed engineering layout plans for the proposed works.

The proposed development seeks to improve the highway network and access into the South Tees Development Corporation site, which will see significant investment and development within the Borough. The proposed works are therefore considered to be consistent with policies TA1 (Transport and New Development), TA2 (Improving Accessibility Within and Beyond the Borough) and TA3 (Sustainable Transport Networks) of the Local Plan.

The application has been considered by Highways England due to the links of the application and proposed development to the highway network that is managed by them. The formal response from Highways England is that they have no objection to the proposed development, however this was clarified in the email submitting the formal comments which stated;

Our prime concern is the impact on the Strategic Road Network (SRN) with regards to Highway safety and operation.

The southern end of the site of this application is close to Westgate Roundabout (c.800m) where the A1053 heading South is part of the SRN.

The application incorporates an improved access route to a potential development area but does not include any traffic generating development that will utilise the route. Presumably this will be part of other planning applications.

Consequently we do not object to this application but wish to note that as part of enabling sustainable development to come forward in this area we will require that a transport appraisal process is undertaken on trip generating developments and state that approval of this link road does not constitute an approval of development utilising it for access.

Please note however that we currently do have a positive working relationship with local development stakeholders in this regard. Our formal response of no objection is therefore attached.

This position is noted and it is accepted that Highways England will have further involvement in the future applications that are submitted at the site which will contain greater levels of detail and information about road use and therefore impact on the highway network.

The application has also been considered by Redcar and Cleveland Development Engineers. Based on the information that has been provided in support of the application, no objection has been raised to the development. It is noted that the development due to its location within the adopted highway, as well as the intention for the road to be adopted in the future, the works will be subject to a S278/38 Agreement. The engineer's response also states that the development will require Road Safety Audits will be required throughout the design and construction of any highway works and on completion. It is considered that this will be dealt with outside of the planning system and therefore will not be required by way of a planning condition. Conditions have also been suggested with regard to the provision of contractor car parking and a materials storage compound within the site boundary for the duration of the works. This is considered reasonable and appropriate and has been agreed with the agent in advance of the decision being issued due to it being pre-commencement.

The application raises no issues in terms of highways safety and the application accords with part p of policy SD4, TA1, TA2, and TA3 of the Redcar and Cleveland Local Plan.

The impacts on drainage and flooding

The site lies within Flood Zone 1. As the development site is greater than 1 Ha a Flood Risk Assessment (FRA) is required to be submitted in support of

the application. The FRA has been prepared by JBA Consulting in support of the application.

The application has been considered by the Environment Agency, Northumbrian Water and the Council as Local Lead Flood Authority (LLFA).

Environment Agency

The Environment Agency (EA) have raised no objection to the proposed development based on the information submitted.

The EA have stated that it appears the designs for the channel and riparian corridor are still at the outline design phase and whilst there are no objections to the principle of the proposed development set out in the application, it is requested that they be consulted on the final detailed design of the new channel and riparian corridor, to ensure that all the environmental opportunities presented by the development are realised. This is considered to be acceptable and a suitably worded condition has been agreed with the applicant with regard to the submission of the final details once these are established.

LLFA

The LLFA have raised no objection to the proposed development. The proposed scheme is designed to mitigate and adapt to climate change and it demonstrates that the development will not increase flood risk to the development site or the surrounding area. The surface water generated from the site is collected and stored within a detention basin and discharged to Holme Beck at a restricted rate of 5.26l/s.

It is considered that the development is therefore one that is acceptable subject to the development being carried out in accordance with the following approved documents and plans;

DXL-JBAU-00-00-C-RP-0001-SO3-P01-FRA_AND_DESIGN_JUSTIFICATION
DXL-JBAU-00-00-DR-C-0001 REV. P01
DXL-JBAU-00-00-DR-C-0002 REV. P01
DXL-JBAU-00-00-DR-C-0003 REV. P01
DXL-JBAU-00-00-DR-C-0004 REV. P01

Northumbrian Water

No objection has been raised by Northumbrian Water (NWL) with regard to the proposed development however they have advised that there is a public sewer and two water mains located within the red line boundary of the site which may be affected by the proposed development. The applicant/developer is therefore encouraged to enter into dialogue with NWL to ensure any necessary diversions or other works are carried out.

The development has no impacts in terms of surface water drainage that have not been fully assessed and appropriate provision can be made on site for such disposal, the development raises no issue in terms of the NPPF and policy SD7 (Flood and Water Management) of the Local Plan.

The impacts on ecology

The application is supported by an Ecological Impact Assessment and Biodiversity Net Gain Assessment as well as a Habitats Regulations Assessment which have been prepared by ARUP.

A desk study has been undertaken as part of the assessment to identify all internationally and nationally designated sites within 5km, non-statutory designated sites within 2km and protected and notable species within or immediately adjacent to the proposed development site.

Designated Sites

The proposed development site does not have any designated nature conservation sites within or immediately adjacent to the red line boundary, however, there are designated nature conservation sites within 2-5km of the proposed development site. These comprise of the Teesmouth and Cleveland Coast Special Protection Area (SPA), Ramsar site, National Nature Reserve (NNR) and Site of Special Scientific Interest (SSSI).

Teesmouth and Cleveland Coast SPA and Ramsar

The proposed development work includes the daylighting of the Holme Beck which is considered to be hydrologically connected to the River Tees. Due to the potential for an impact to an internationally important site and its qualifying features, a Habitats Regulations Assessment (HRA) has been completed as required under Regulation 63 of The Conservation of Habitats and Species Regulations 2017.

The HRA of the proposed development site contains both Stage 1 and Stage 2 of the HRA process and therefore discusses appropriate mitigation measures to ensure the proposed development works would not give rise to an adverse effect on the integrity of the Teesmouth and Cleveland Coast SPA and Ramsar.

The HRA Stage 1 assessment identified the following potential impacts to the Teesmouth and Cleveland Coast:

- a) During construction, the risk of loss and/or disturbance of habitats (within the SPA and Ramsar) that support foraging and commuting activities, and/or roosting and nesting of the qualifying features; and
- b) During operation, the risk of loss and/or disturbance of habitats (within the SPA and Ramsar) that support foraging and commuting activities, and/or roosting and nesting of the qualifying features, including the potential displacement of these features.

The report concluded that at the current time, and in consideration of the current construction and operational components of the proposed development, it is assumed that there will be no adverse effects on the Teesmouth and Cleveland Coast SPA and Ramsar as a result of the proposed development subject to mitigation in the form of a CEMP. The requirement of the CEMP can be achieved by way of a suitably worded planning condition that has been agreed by the applicant/agent.

Teesmouth and Cleveland Coast SSSI and NNR

As outlined in the HRA, the only impacts the main impacts from the proposed development were pollution impacts from the construction and operation of the proposed development site, specifically from the hydrological connection of the Holme Beck to the Teesmouth and Cleveland Coast SPA and Ramsar. As the Teesmouth and Cleveland Coast SSSI and NNR are within the same boundaries as the SPA and Ramsar, they are also considered to be hydrologically connected to the Holme Beck and thus subject to the same potential impacts.

It is therefore considered that the main impact that has the potential to significantly impact designating features of the Teesmouth and Cleveland Coast SSSI and NNR are construction and operation related pollution. The required mitigation (CEMP) put in place through the HRA process is considered to be sufficient to ensure the proposed development works do not impact the SPA and Ramsar, as well as the SSSI and NNR.

Habitats

An assessment has been made of the habitats on site with none of them considered to be Habitats of Principal Importance or Habitats of Priority within the local area, while Holme Beck is not designated as Priority Habitat River and does not meet the qualifying criteria for priority habitat.

The site has been assessed with regard to the value of habitats within the development site to allow consideration of biodiversity net gain, although this is not yet mandatory within legislation. Policy N4 (Biodiversity and Geological Conservation) seeks to encourage biodiversity be considered at an early stage in the development process and net gains should be provided where possible.

The table below sets out the habitat types across the site and the quantum that is present at the site.

Habitat Type	Area (ha)	Total Habitat Units
Modified Grassland	0.98	2.93
Other woodland (broadleaved)	0.54	4.29
Sea buckthorn scrub	0.54	3.56
Sparsely vegetated	2.01	5.39

landruderal/ephemeral (fairly poor)		
Sparsely vegetated landruderal/ephemeral (moderate)	0.05	0.20
Urban – amenity grassland	0.07	0.17
Artificial unvegetated, unsealed surface	0.67	0.00
Developed land, sealed surface	0.40	0.00

The proposed development is therefore considered to result in a loss of a total area of 5.26Ha. After the assessment of the habitats it has been calculated that 16.93 habitat units will be lost as a result of the development.

In order to compensate for the loss of the above habitats, replacement/creation provision is planned as part of the development. The table below sets out the proposed habitat creation at the site.

Habitat Type	Area (Ha)	Habitat Units Created
Grassland –Other Neutral (Poor)	1.22	4.71
Grassland –Other Neutral (Moderate)	0.67	4.71
Urban – Amenity Grassland	0.42	0.80
Heathland and Scrub – Mixed Scrub	0.50	3.61

The replacement habitats are therefore considered to result in the replacement of a total area of 2.81Ha. After assessment of the replacement habitats it has been calculated that 13.83 habitat units will be replaced. This will result in a biodiversity loss of 18.3%.

Given the proposed development is for new road infrastructure to serve the wider STDC site and therefore facilitate future development it is considered that the loss in biodiversity can be addressed in the consideration of future applications. The biodiversity loss is acknowledged, however when considered in the planning balance in the assessment of the application, it is considered the benefit from the investment opportunities and subsequent job creation outweighs the loss in the consideration of this application.

Habitat Type	Area (km)	Habitat Units Created
Line of trees associated with bank or ditch	1.6	3.14
Native Hedgerow associated with bank or ditch	1.6	7.18

The provision of the trees and hedgerows as part of the scheme will result in the gain of 10.32 habitat units.

River/Water Works

The Holme Beck runs along the eastern edge of the Eston Road. The open section of the Beck starts north of the junction of Eston Road and the A66 and continues for approximately 150m before being culverted again. The culverted section then runs approximately due north until the railway line, at which point the culvert turns 90° east with the Beck discharging into open water in Cleveland Channel.

The sides of the open sections are vertical and around 1.3m in height. The upper parts of the embankments were colonised principally by bramble with some grass in places. No aquatic vegetation was recorded within the beck.

The modified nature of the beck, coupled with potential water quality pressures associated with road run-off, are expected to reduce the suitability of the reach for supporting natural ecological communities. Overall the condition of the surveyed reach of Holme Beck is considered to be 'fairly poor'.

As part of the proposed development works the Holme Beck, where culverted, will be enhanced through daylighting. The whole of the Holme Beck within the proposed development site, including the currently non-culverted section will be enhanced through the removal of the vertical stone banks, with more naturally sloped and vegetated banks. This beck will meander with the channel bed varied in slope and profile, allowing for an increased variation in flow. It is considered that if these enhancements are achieved within the Holme Beck, the condition of the watercourse can be upgraded.

As outlined in the Local Plan, the reinstatement and/or repair of the landscape back to a more natural state should be targeted. The Local Plan states that the biodiversity and habitats of watercourses should be improved and enhanced, because of this, the daylighting of the Holme Beck is considered to have a high strategic significance.

Following assessment of the proposed improvements with the daylighting enhancement of Holme Beck to moderate condition, a biodiversity net gain of greater than 10% is achieved for the watercourse.

Protected and Notable Species

An ecological walkover of the proposed development site was undertaken on 12 May 2020 to update and clarify the existing Preliminary Ecological Appraisal (PEA 2018) habitat data within the proposed development site. The proposed development site and wider Grangetown prairie does not support habitats suitable for otter, water vole, badger or reptiles. As a result of this these species are not considered further in this assessment.

The following species have been considered with regard to the development site with these being scoped in and scoped out depending on their importance at the site.

Great Crested Newt (GCN)

As part of the 2018 PEA an environment DNA test was undertaken to determine if GCN were present within the ponds at the site. The tests came back negative and confirmed likely absence of GCN within the Grangetown Prairie site. As no GCN were recorded within 500m of the proposed development site, GCN have been scoped out of further assessment.

Smooth Newt

During the 2018 PEA survey, a single smooth newt was observed in the largest pond at the site. Smooth newt are not a Species of Principal Importance (SoPI) and as only one was observed at the pond smooth newt have been scoped out of further assessment.

Common Toad

During the 2018 PEA survey, common toad were observed to be using the ponds on the wider area as breeding grounds. Common toad is a SoPI and listed on the Tees Valley Local Biodiversity Species List. This population of breeding common toad is considered to be locally important at the South Tees level. As a number of breeding common toad were recorded in proximity to the proposed development site and the proposed development site contains some suitable habitat for foraging and commuting of common toad, common toad were scoped in for further assessment.

After further consideration of the sites characteristics, the proposed development site is considered to contain minimal, poor quality grassland and scrub habitat for commuting and foraging common toad. The proposed development is considered to be a very small part of habitat utilised by common toad, with the population concentrated in the Grangetown Prairie site where more suitable habitat exists. It is therefore considered that the loss of this small area of sub-optimal grassland and scrub habitat will not significantly affect the locally important population of common toad.

Bats

The habitats within the proposed development site and wider Grangetown Prairie site have low potential for foraging bats. No structures or trees within the proposed development site were found to have roosting potential. There are six historical records of bats within 2km of the proposed development site. The nearest record was an unconfirmed roost in 2010 over 1km south east of the proposed development site. Given these considerations bats are therefore scoped out of further assessment.

Birds

There is young plantation woodland and scattered sea buckthorn scrub within the proposed development site. The proposed development site, prior to felling, had contained broadleaved plantation woodland of approximately 30-40 years of age. Both of these habitats were considered to be of moderate quality and small in nature.

The small scale and limited structural diversity of these habitats within the proposed development site makes them unlikely to support important assemblages of breeding bird.

The nesting bird check undertaken on 4 May 2020 identified active nests of whitethroat, willow warbler and blue tit within the proposed development site. Willow warbler are amber listed BoCC.

During the 2018 PEA survey¹⁴, lapwing, skylark, herring gull and moorhen, were recorded in the wider Grangetown Prairie site, but outside the boundary of the proposed development site.

Lapwing, skylark and herring gull are red listed BoCC.

As the proposed development site does not contain standing water, is small in nature and contains a large amount of hard standing road surfaces, it is not considered to be part of the a core breeding habitat area nor is it considered to contain foraging or commuting habitats.

Breeding birds are therefore scoped out of further assessment, however measures to ensure legal compliance need to be considered when working in areas where any nesting birds may be present as nesting birds are legally protected under the WCA 1981 (as amended).

Brown Hare

The proposed development site is relatively small in comparison to the wider Grangetown prairie site but consists of habitats suitable for supporting brown hare, although the sparse vegetation and small area within the proposed development site, means that in order to support brown hare this small patch of suitable habitat would have to be connected to a much larger area of suitable habitat in the wider area.

During the surveys conducted in 2018 and 2020, no brown hares were recorded within the proposed development site, and no evidence of burrowing was recorded.

Two brown hares were observed during the 2018 PEA survey on the larger Grangetown Prairie site but outside the boundary of the proposed development site. While an area of this size is large enough in itself to support two hares in typical habitat, even here the sparse vegetation across much of

the wider Grangetown Prairie site means that it will probably only form part of wider home ranges.

There are two historical records of brown hare within close proximity to the proposed development site, the nearest being approximately 200m west.

The proposed development site is considered to be part of a wider home range for these brown hares. Brown hare are a SoPI and listed on the Tees Valley Local Biodiversity Species List. This small population is therefore considered to be of local importance and has been scoped in for further assessment.

After further assessment the proposed development site contains minimal, poor quality grassland and scrub habitat for foraging of brown hare. The proposed development site is considered to be a very small part of the wider territory of brown hare within the local area. It is therefore considered that loss of this small area of sub-optimal grassland and scrub habitat will not significantly affect the locally important population of brown hare.

Invertebrates

The proposed development site is considered to have limited to no suitable habitat to support notable invertebrate species. The soils within the proposed development site are compacted and are therefore unsuitable for most invertebrate species, such as solitary burrowing bees.

The proposed development site contains small areas of suitable foraging plant species such as bird's-foot trefoil for both dingy skipper and grayling butterfly. Both invertebrate species are known to breed within grass tussocks which are limited within the proposed development site. A single dingy skipper was recorded on a small patch of bird's-foot trefoil within the proposed development site during the updated site walkover on 12 May 2020.

The wider Grangetown Prairie site contains habitats suitable to support dingy skipper and grayling butterfly, however this was largely restricted to the north western section of the Grangetown Prairie site. There were no historical records of protected or notable invertebrate species within 2km of the proposed development site, however this is considered to be due to lack of survey data rather than lack of species presence.

Dingy skipper and grayling are both SoPI and listed on the Tees Valley Local Biodiversity Species List. This small population of dingy skipper and grayling butterfly are considered to be locally important. These species have been scoped in for further assessment.

After further assessment the proposed development site has minimal suitable foraging and breeding habitat for the local dingy skipper and grayling populations. It is therefore considered that loss of this small area of suitable feeding plants in the grassland habitat will not significantly affect the locally important populations of grayling and dingy skipper

Given the assessment of the species on and adjacent to the site it is considered that the proposed development given its scale and form will not have an adverse impact that would require mitigation measures to be put in place prior or during construction.

Cumulative Effects

Only one development has been considered in the cumulative effect's assessment. This development is the Energy Recover Facility (ERF) within the Grangetown Prairie site. An Environment Statement was produced for this outline development proposal in December 2019, with the decision issued in July 2020.

The ES identified potential impacts to common toad, brown hare and invertebrates from the construction of the proposed development, with brown hare potentially disturbed also during the operation of the development. The impact to these, and other species is mitigated through the creation of a designated biodiversity area of approximately 7ha which will be safeguarded, enhanced and managed for the lifetime of the facility. This area will provide enhanced habitats for amphibians, invertebrates and brown hare. Following the implementation of this mitigation, no significant residual impact is expected from the ERF development. An alternative to providing the 7ha of on-site mitigation, would be for the ERF development to contribute to a scheme(s) of off-site habitat / biodiversity enhancement that is to be defined through the completion of STDC's Environment and Biodiversity Strategy.

It is therefore considered that there will be no cumulative impact from the proposed ERF development and the Eston Road proposed development site.

The application site is not within or directly abuts environmentally sensitive locations and through the implementation of a CEMP there is not considered to be any direct impact on these designated areas. The applicant has provided information with regard to net gain of habitat units on the site. When considering these as a whole with regard to site habitat creation, river enhancement and hedge creation there is not considered to be a loss of bio diversity units at the site. The proposed development is therefore considered to comply with policies SD4 (General Development Principles) and N4 (Biodiversity and Geological Conservation) of the Local Plan.

The impacts on contamination and nuisance

The application has been considered by the Council's environmental protection (EP) section with regard to the generation of nuisance and contamination.

Contamination

The application has been supported by an Outline Remediation Strategy which has been considered in the assessment of the application. The

strategy covers the discovery of any unrecorded/unexpected contamination and the procedure in place to deal with such events. The information within the strategy is considered to be acceptable by the Council's EP section. It is considered that a condition relating to this is appropriate and attached to the decision notice.

Nuisance

The application site is in close proximity to residential properties on Eston Road south of the A66 and commercial operators whose amenity could be affected through construction activities including noise and dust. It is therefore suggested that a Construction Environmental Management Plan be submitted to control these issues. This has been raised with the applicant and they have agreed a suitably worded planning condition.

Given the information provided in support of the application, the location of the development site, the proposed works and the suggested conditions the development is not considered to have an adverse impact in terms of contamination and the generation of nuisance.

The proposal therefore accords with parts b d and n of policy SD4 of the Redcar and Cleveland Local Plan.

Other matters

The application has been considered by Cleveland Police ALO who has raised no objection to the development. Suggestions have been made with regard to lamp column standards and details relating to the location of planting along the edge of the adopted highway. The application therefore raises no issues in terms of crime prevention and the application accords with part m of policy SD4 Redcar and Cleveland Local Plan.

The application has also been considered by the Council's Business Growth Team who have stated their support for the application as it will facilitate the opening up of the South Tees Development Corporation site to development which will bring new investment on the site and the creation of direct and indirect jobs.

CONCLUSION

The application proposes 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 to provide suitable access into the wider South Tees Development site. The works are considered to be of a scale and design that area suitable for the site and its surroundings and will result in an improved gateway into the site. The site is in on within an area allocated for employment related development in the Local Plan and it is considered the provision of the proposed infrastructure will help facilitate future developments at the STDC site.

The proposed development involves work both within the adopted highway and the creation of additional highway within the STDC site. The application raises no issues in terms of highway safety or impacts from traffic generation as a result from the works subject to the application of suitable conditions. The application site is in relatively close proximity to sites of ecological importance and consideration has been given to the impacts of the development with regard to these designated sites as well as the more general ecological value of the site. The application has been supported by ecological survey work and an HRA, the recommendations of which are sought by way of planning conditions.

The application site while situate within Flood Zone 1 does also proposed works to watercourses. These works are considered acceptable and are considered to result in an improvement to the water course quality. Conditions have been recommended to ensure the works carried out are appropriate and subject to their implementation there are not drainage issues from the development.

The proposed development is therefore considered to comply with policies within the NPPF and policies SD1, SD3, SD4, SD7, LS4, ED6, N4, TA1 and TA2 of the Redcar and Cleveland Local Plan.

RECOMMENDATION

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

1. Adopt the submitted HRA and
2. 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:

Site Location Plan received by the Local Planning Authority on 01/06/2020

Landscape Site Wide plan (ref: (90) LP001 Rev P02) received by the Local Planning Authority on 03/08/2020

General Arrangement Plan Sheet 1 of 5 (ref: (90) LP002 Rev P02) received by the Local Planning Authority on 03/08/2020

General Arrangement Plan Sheet 2 of 5 (ref: (90) LP003 Rev P02) received by the Local Planning Authority on 03/08/2020

General Arrangement Plan Sheet 3 of 5 (ref: (90) LP004 Rec P03) received by the Local Planning Authority on 03/08/2020

General Arrangement Plan Sheet 4 of 5 (ref: (90) LP005 Rev P03) received by the Local Planning Authority on 03/08/2020
General Arrangement Plan Sheet 5 of 5 (ref: (90) LP006 Rev P03) received by the Local Planning Authority on 03/08/2020
SuDs & River Restoration Proposal Holme Beck Plan (ref: DLX-JBAU-00-00-DR-C-0001 Rev P01) received by the Local Planning Authority on 01/06/2020
SuDs & River Restoration Proposal Holme Beck Plan & Section 1 of 3 (ref: DLX-JBAU-00-00-DR-C-0002 Rev P01) received by the Local Planning Authority on 01/06/2020
SuDs & River Restoration Proposal Holme Beck Plan & Section 2 of 3 (ref: DLX-JBAU-00-00-DR-C-0003 Rev 01) received by the Local Planning Authority on 01/06/2020
SuDs & River Restoration Proposal Holme Beck Plan & Section 3 of 3 (ref: DLX-JBAU-00-00-DR-C-0004 Rev Po1) received by the Local Planning Authority on 01/06/2020
Colour Engineering Layout, 1-1250 scale Overview (ref: STDC_HWY-ATK-LDC-PR-DR-CH-000004 Rev Co1) received by the Local Planning Authority on 01/06/2020
Colour Engineering Layout, 1-500 scale (Sheet 1 of 4) (ref: STDC_HWY-ATK-LDC-PR-DR-CH-000005 Rev Co1) received by the Local Planning Authority on 01/06/2020
Colour Engineering Layout, 1-500 scale (Sheet 2 of 4) (ref: STDC_HWY-ATK-LDC-PR-DR-CH-000006 Rev Co1) received by the Local Planning Authority on 01/06/2020
Colour Engineering Layout, 1-500 scale (Sheet 3 of 4) (ref: STDC_HWY-ATK-LDC-PR-DR-CH-000007 Rev Co1) received by the Local Planning Authority on 01/06/2020
Colour Engineering Layout, 1-500 scale (Sheet 4 of 4) (ref: STDC_HWY-ATK-LDC-PR-DR-CH-000008 Rev C01) received by the Local Planning Authority on 01/06/2020

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

3. No development shall take place until a Construction Environmental Management Plan (CEMP) for the development has been submitted to and approved in writing by the Local Planning Authority. The approved CEMP shall be adhered to throughout the construction period. The CEMP shall set out and include the following details:
 - i The method to be used to control the emission of dust, noise and vibration from construction works, including any details of any mitigation measures required;
 - ii Measures to control the deposit of mud and debris on adjoining public highways
 - iii Site fencing and security
 - iv Temporary contractors' buildings, plant, storage of materials, lighting and parking for site operatives
 - v The use of temporary generators

vi The arrangement or turning of vehicles within the site so that they may enter and leave in forward gear

vii A risk assessment of construction activities with potentially damaging effects on local ecological receptors including any measures to protect those receptors during construction

viii Roles and responsibilities for the implementation of the CEMP requirements and measures.

REASON: In the interest of neighbour amenity, highways safety and protection of sites of ecological value in accordance with policies SD4 and N4 of the Redcar and Cleveland Local Plan.

REASON FOR PRE-COMMENCEMENT: The information is required prior to any works commencing on site as it relates to construction details which are often the first works on site and relate to site preparation.

4. No development shall commence until a scheme to deal with any site contamination has been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall include an investigation and assessment to identify the extent of contamination and the measures to be taken to avoid risk to human health. Development shall only proceed in accordance with the approved scheme.

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.

REASON FOR PRE-COMMENCEMENT: The information is required prior to any works commencing on site as it relates to land contamination details which are often the first works on site and relate to site preparation.

5. 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 which is subject to the approval in writing of the Local Planning Authority. The development must then be carried out in accordance with the approved remediation scheme.

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.

6. Prior to their implementation, details of any gateway features and structures (including those indicated on approved plan reference (90) LP007 Rev P03), shall be submitted to and approved in writing by the Local Planning Authority. The gateway features and structures shall be installed in accordance with the approved details.

REASON: In the interest of the general amenity and appearance of the area in accordance with policy SD4 of the Local Plan.

7. Prior to the installation of any of the following, details of them shall be submitted to and approved by the Local Planning Authority and the development shall thereafter be carried out in accordance with the approved details:

- Street Lighting;
- Street Furniture including benches, waste bins and bus stops;
- Hard landscaping, including surface treatments, tactile paving and dropped kerbs; and
- Soft landscaping.

REASON: In the interest of the general amenity and appearance of the area in accordance with policy SD4 of the Local Plan.

8. No development shall commence until details of final finished levels and surface water drainage have been submitted to and approved by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

REASON: To ensure the development is supported by a suitably designed surface water disposal infrastructure scheme and to minimise the risk flooding in the locality.

REASON FOR PRE-COMMENCEMENT: The information is required prior to any works commencing on site as it relates to drainage details which are often the first works on site and relate to site preparation.

9. Prior to the completion of works to form new habitat features including SuDS features, a post-construction monitoring and maintenance plan shall be submitted to and agreed in writing with the Local Planning Authority, to ensure that any created or enhanced habitats of medium or high distinctiveness, installed as part of the proposed development, will be monitored post-construction to ensure continued suitability for their intended purpose. The plan should include monitoring and management of the SuDS feature to ensure it remains fit for purpose. The development shall be completed in accordance with the details approved.

REASON: To ensure the development is delivered and maintained in a manner that supports the ecological benefits from the scheme.

10. The approved works to Holme Beck, including any works to remove the existing culvert or to create new culvert, shall be carried out in accordance with the details contained on the approved plans refs. DLX-JBAU-00-00-DR-C-0001 Rev P01, DLX-JBAU-00-00-DR-C-0002 Rev P01, DLX-JBAU-00-00-DR-C-0003 Rev P01, DLX-JBAU-00-00-DR-C-0004 Rev P01, unless details of any alternative design and arrangements for Holme Beck, including culverting are first submitted to and approved by the local planning authority prior to them being carried out.

REASON: To ensure the development is carried out in accordance with the approved details relating to works involving the culvert.

11. There shall be no site vegetation clearance between March to the end of August unless the project ecologist has first undertaken a checking survey immediately prior to the clearance and confirms in writing to the Local Planning Authority that no active nests are present.

REASON: To conserve protected species and their habitat in accordance with policy N4 of the Local Plan.

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
<i>David Pedlow</i>	11 August 2020

Delegated Approval Signature	
Claire Griffiths	Development Services Manager
<i>Claire Griffiths</i>	11/08/2020