

Redcar and Cleveland Borough Council

Planning (Development Management)

APPLICATION NUMBER: R/2020/0357/OOM
LOCATION: LAND AT SOUTH TEES DEVELOPMENT CORPORATION EAST OF SMITHS DOCK ROAD AND WEST OF TEES DOCK ROAD SOUTH BANK
PROPOSAL: 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

APPLICATION SITE AND DESCRIPTION

Permission is sought for 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 on land at South Tees Development Corporation, East of Smiths Dock Road and West of Tees Dock Road, South Bank.

The applicant within the submitted Design and Access Statement has described the proposed development as;

The Illustrative layout shows up to 418,000 m² / 4,500,000 sqft footprint of:

- B2 (General Industrial)
- B8 (Storage and Distribution)
- B1 (Business)

The layout shows a range of sizes that could be designed for distribution centres, storage, manufacturing, assembly, industrial and others including ancillary offices (Areas on the illustrative masterplan exclude office space on mezzanine levels).

The illustrative layout has been designed to allow all proposed units to easily access the main internal road which in turn allows good access to the river, road and rail links.

The proposed development has the potential to offer a range of building sizes with heights up to a maximum of 40.21m AOD. This would be in line with the requirements for B2/B8/B1 uses. The Tesco Teesport distribution centre has a maximum height of 39m.

An illustrative layout of how the proposed development could be brought forward at the site has been submitted on drawing (Dwg No SB-SD-10.03)

The application made is for outline planning permission. The development is one which it was agreed fell under Schedule 1 of the EIA Regulations and it is therefore supported by an Environmental Statement (ES) which covers a range of topic areas agreed as part of an informal Scoping procedure prior to the submission of the application.

During the consideration of the application additional information has been submitted to provide outstanding information and additional information in response to consultation responses. These submissions have been made in the form of a Supplementary Environmental Statement.

The application has been accompanied by the following plans; Illustrative Site Layout Plan (SB-SD-10.01), Illustrative Aerial Layout Plan (SB-SD-10.02), Parameters Plan (SB-SD-10.03), Access Plan for Smiths Dock Road (SB-SD-20.01) and Access Plan Tees Dock Road (SB-SD-20.02).

The application has also been supported by the following supporting documents;

- Design and Access Statement
- Energy and Utilities Strategy
- Planning Statement
- Transport Statement
- Habitats Regulation 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)

Policy SD1 Sustainable Development

Policy SD2 Locational Policy

Policy SD3 Development Limits

Policy SD4 General Development Principles
Policy SD5 Renewable and Low Carbon Energy
Policy SD7 Flood and Water Management
Policy LS4 South Tees Spatial Strategy
Policy ED6 Promoting Economic Growth
Policy N2 Green Infrastructure
Policy N4 Biodiversity and Geological Conservation
Policy HE2 Heritage Assets
Policy TA1 Transport and New Development

OTHER POLICY DOCUMENTS

South Tees Area Supplementary Planning Document May 2018

South Tees Development Corporation Masterplan 2018

Tees Valley Joint Minerals and Waste Core Strategy Development Plan Documents (2011)

Tees Valley Joint Waste Management Strategy (2020-2035)

PLANNING HISTORY

While there have been various applications across the site over a number of years, given the strategic nature of the current application none are considered to be relevant to the consideration of the current application.

RESULTS OF CONSULTATION AND PUBLICITY

The application has been advertised by means of a press notice, site notice and neighbour notification letters. The application has also been subject to a second round of consultation as a result of the submission of the Supplementary Environmental Statement by means of a press notice, site notice and neighbour notification letters

Northumbrian Water

The planning application does not provide sufficient detail with regards to the management of foul and surface water from the development for Northumbrian Water to be able to assess our capacity to treat the flows from the development. We would therefore request the following condition:

CONDITION: Development shall not commence until a detailed scheme for the disposal of foul and surface water from the development hereby approved has been submitted to and approved in writing by the Local Planning Authority in consultation with Northumbrian Water and the Lead Local Flood Authority. Thereafter the development shall take place in accordance with the approved details.

REASON: To prevent the increased risk of flooding from any sources in accordance with the NPPF.

Natural England

Initial Comments – 24/07/2020

Summary of Natural England's advice

No objection - subject to appropriate mitigation being secured

We consider that without appropriate mitigation the application would:

- *have an adverse effect on the integrity of the Teesmouth and Cleveland Coast Special Protection Area (SPA) and Ramsar site <https://designatedsites.naturalengland.org.uk/>.*
- *damage or destroy the interest features for which the Teesmouth and Cleveland Coast Site of Special Scientific Interest (SSSI) has been notified.*

In order to mitigate these adverse effects and make the development acceptable, the following mitigation measures are required / or the following mitigation options should be secured:

- *A condition should be added to any permission to ensure further Habitats Regulations Assessments are undertaken for any reserved matters applications that come forwards once further detail on construction methodology and likely development is known;*
- *The Construction Environmental Management Plan (CEMP) should be prepared in advance of any works on site commencing as described in the Habitats Regulations Assessment document;*
- *All mitigation measures as described in the Habitats Regulation Assessment should be implemented in full.*

We advise that an appropriate planning condition or obligation is attached to any planning permission to secure these measures.

Natural England's further advice on designated sites/landscapes and advice on other natural environment issues is set out below.

Teesmouth and Cleveland Coast SPA and Ramsar site

Natural England notes that the Habitats Regulations Assessment (HRA) has not been produced by your authority, but by the applicant. As competent authority, it is your responsibility to produce the HRA and be accountable for its conclusions. We provide the advice enclosed on the assumption that your authority intends to adopt this HRA to fulfil your duty as competent authority.

The appropriate assessment concludes that the proposal will not result in adverse effects on the integrity of any of the sites in question. Having considered the assessment, and the measures proposed to mitigate for all identified adverse effects that could potentially occur as a result of the proposal, Natural England advises that we concur with the assessment conclusions, providing that all mitigation measures are appropriately secured in any planning permission given.

It should be noted that the correct terminology for the Appropriate Assessment stage is adverse effect on integrity of the European sites, rather than significant effect as stated throughout the 'shadow' HRA submitted with the application.

These conclusions have been reached based on an absence of over-wintering bird data, and detail on the actual developments on site:

o This is particularly relevant in relation to the loss of open water and inter-tidal habitats, which could provide functional support to the designated site interest features that utilise these area;

o We advise that a condition is added to any permission that further Habitats Regulations Assessments will be required at reserved matters stages to enable a robust assessment of the detail of development, and to enable suitable mitigation to be identified.

Please note that if your authority is minded to grant planning permission contrary to the advice in this letter, you are required under Section 28I (6) of the Wildlife and Countryside Act 1981 (as amended) to notify Natural England of the permission, the terms on which it is proposed to grant it and how, if at all, your authority has taken account of Natural England's advice. You must also allow a further period of 21 days before the operation can commence.

Other advice

In addition, Natural England would advise on the following issues.

Priority Habitat as identified on Section 41 list of the Natural Environmental and Rural Communities (NERC) Act 2006

The consultation documents indicate that this development includes areas of priority habitat, as listed on Section 41 of the Natural Environmental and Rural Communities (NERC) Act 2006. The National Planning Policy Framework (paragraph 118) states that 'when determining planning applications, local planning authorities should aim to conserve and enhance biodiversity. If significant harm resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused.'

Natural England notes that the development will result in a loss of open mosaic, lowland calcareous grassland, open waters, broad leaved woodland, coastal saltmarsh, inter-tidal mud and reedbed priority habitats, which will be subsequently mitigated for through measures in the forthcoming Environment

and Biodiversity Strategy for the wider South Tees Development Corporation area.

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

Should the developer wish to discuss the detail of measures to mitigate the effects described above with Natural England, we recommend that they seek advice through our Discretionary Advice Service.

If you have any queries relating to the advice in this letter please contact me on 0208 0265533 or andrew.whitehead@naturalengland.org.uk.

We would be pleased to provide advice on the discharge of planning conditions or obligations attached to any planning permission to address the issues above.

Should the proposal change, please consult us again.

Final Comments – 02/10/2020

NO OBJECTION - SUBJECT TO APPROPRIATE MITIGATION BEING SECURED

We consider that without appropriate mitigation the application would:

- have an adverse effect on the integrity of the Teesmouth and Cleveland Coast Special Protection Area (SPA) and Ramsar site <https://designatedsites.naturalengland.org.uk/>.*
- damage or destroy the interest features for which the Teesmouth and Cleveland Coast Site of Special Scientific Interest (SSSI) has been notified.*

In order to mitigate these adverse effects and make the development acceptable, the following mitigation measures are required / or the following mitigation options should be secured:

- A condition should be added to any permission to ensure further Habitats Regulations Assessments are undertaken for any reserved matters applications that come forwards once further detail on construction methodology and likely development is known;*
- The Construction Environmental Management Plan (CEMP) should be prepared in advance of any works on site commencing as described in the Habitats Regulations Assessment document;*
- All mitigation measures as described in the Habitats Regulation Assessment should be implemented in full.*

We advise that an appropriate planning condition or obligation is attached to any planning permission to secure these measures.

Natural England's further advice on designated sites/designated landscapes and advice on other natural environment issues is set out below.

Environment Agency

We have reviewed the submitted proposals and have no objection to the principle of this development. As an outline proposal, the full extent of the impact of the development is not known. In accordance with the NPPG, if effects are not identifiable at the time of the principal decision, an assessment must be undertaken at the subsequent stage (reserved matters). We therefore, propose the following six

CONDITIONS:

- 1. Submission of an Environment and Biodiversity Strategy*
- 2. Submission of an amended Environment and Biodiversity Strategy relevant to each subsequent reserved matters application.*
- 3. Submission of a high level Water Framework Directive assessment.*
- 4. Submission of a detailed Water Framework Directive assessment relevant to the phasing of the development (where development would impact watercourses).*
- 5. Submission of Construction Environment Management Plan (CEMP)*
- 6. Submission of Fish and Eel ecological assessment.*

The suggested conditions and reasons are as follows:

Matter 1: Environment and Biodiversity Strategy

The proposal is submitted in outline however we have noted that the submitted Environment Statement refers to a requirement of full compensation off site, due to an overall biodiversity loss, and does not propose mitigation on site. The documents refer to the detail of this being provided in a forthcoming Environment and Biodiversity Strategy for the wider South Tee Development Corporation Area however we would not be able to agree the principle of a document that does not yet exist. The planning test of the mitigation hierarchy (paragraph 175) should be fully explored through a subsequent application(s).

Condition: Submission of Environment and Biodiversity Strategy

Within 12 months of the grant of this planning permission, an Environment and Biodiversity Strategy shall be prepared and submitted to the local planning authority that confirms the approach of providing habitat mitigation and compensatory habitat equivalent to be 363.55 area based biodiversity units and 24 river units, within the site and where demonstrated not to be feasible, off-site, and the mechanisms for its provision and on-going management. That Strategy shall be approved, in writing, by the local planning authority and shall be implemented in accordance with the approved Strategy, and any subsequent agreed amendments to it.

Reason: To ensure that the development proposals and subsequent application fully consider the mitigation hierarchy and to secure mitigation/compensation in the absence of full details. This approach is

supported by paragraph 175 of the NPPF and Local Plan Policy N4 of the Redcar and Cleveland Local Plan.

*Condition: Submission of amended Environment and Biodiversity Strategy relevant to each subsequent reserved matters (layout) application
Prior to the approval of the reserved matter of layout of any phase of development, the approved Environment and Biodiversity Strategy shall be updated. The strategy shall be submitted to, and approved in writing by, the Local Planning Authority, to include the following:*

- The details of any new and enhanced biodiversity to be created on site, within that phase of development;*
- The details of compensatory habitat where on-site mitigation is demonstrated not to be feasible, relevant to that phase of development;*
- The details of treatment of site boundaries and/or buffers around water bodies, relevant to that phase of development;*
- The details of long-term maintenance regimes and management responsibilities, relevant to that phase of development.*

The identified mitigation and, where demonstrated to be necessary and feasible, compensation shall be provided in accordance with the Strategy and any subsequent agreed amendments to it, and shall be implemented prior to each phase of development commencing following the approval of reserved matters.

Reason: To ensure that the development proposals and subsequent application fully consider the mitigation hierarchy and to secure mitigation/compensation in the absence of full details and that this is adequately considered as each phase of development is submitted for approval. This approach is supported by paragraph 175 of the NPPF and Local Plan Policy N4 of the Redcar and Cleveland Local Plan.

Matter 2: Water Framework Directive (WFD) assessment

The EIA proposal has not included a WFD assessment. Several non-main watercourses exist on site which are connected to the River Tees. Drainage details have not been provided at this stage although some worst-case scenarios have been provided which include culverting. This is noted as being required and expected to be conditioned in chapter G of the ES. The tidal Tees Estuary WFD waterbody (GB410302509900) is designated as a heavily modified waterbody, and as such, requires that all practical mitigation is taken to achieve good ecological potential.

As part of the WFD assessment the applicant will need to demonstrate:

- Whether the proposed development will lead to the deterioration of any WFD waterbody.*
- Whether the proposed development will compromise the achievement of Good Status or Potential in any WFD waterbody.*

- *Whether the proposed development will contribute towards a cumulative deterioration of WFD status or prevent cumulative enhancement of WFD status in any waterbody.*
- *Whether the proposed development will support the delivery of measures identified in the Northumbria River Basin Management Plan (RBMP) that are required to achieve waterbody objectives.*

We propose the following conditions, please see the informatives sections for further details:

Condition: High Level Water Framework Directive Assessment

Prior to commencement of development, or at such a time agreed in the phasing plan, a high level Water Framework Directive (WFD) assessment is to be submitted to, and approved in writing by, the local planning authority. This assessment shall include the entire site and consider the impacts of the full development proposal. The scheme shall be implemented in accordance with the approved details, unless otherwise agreed in writing.

Reason: To ensure that the development would not lead to deterioration or prevent the attainment of Good Ecological Status of any waterbody under the Water Framework Directive (WFD) objectives.

Condition: Detailed Water Framework Directive assessment following phasing plan

Prior to the approval of any phase of development that includes watercourses, the approved WFD assessment shall be updated. This shall be submitted to and approved by the Local Planning Authority prior to the relevant phase of development in accordance with the approved phasing plan. The scheme shall be implemented in accordance with the approved details and any mitigation measures recommended as part of the assessment will be adhered to throughout the lifetime of the development, unless otherwise agreed in writing.

Reason: To ensure that the development would not lead to deterioration or prevent the attainment of Good Ecological Status of any waterbody under the Water Framework Directive (WFD) objectives.

Condition: Construction Environment Management Plan (CEMP)

Prior to commencement of development, or in accordance with an agreed phasing plan, a Construction Environment Management Plan for the development shall be submitted to and approved, in writing, by the local planning authority. The plan shall include detail to ensure mitigation for contaminated or poor quality surface water is appropriately mitigated. The development shall thereafter take place in accordance with the approved details.

Reason: To ensure the environment effects of construction are appropriately managed.

Matter 3: Fish and Eel.

Eel and Stickleback are believed to be present at the proposed development site. European Eel is identified under England's Biodiversity Strategy (EBS) and is listed under section 41 of the Natural Environment and Rural Communities (NERC) Act 2006. Section 40 of the NERC Act 2006 states that local planning authorities must have regard to biodiversity conservation. Any obstructions to fish and eel migration should be avoided as stated in both the Salmon and Freshwater Fisheries Act 1975 and the European Eel Regulations 2009.

The submitted Environment Statement acknowledges the presence of eel upstream of the Lackenby Channel and recognises that some connectivity exists between the Lackenby Channel and the River Tees. The outline proposals suggest that sections of the water course will be culverted; we appreciate these are worst-case scenarios and not finalised plans which would be submitted in a subsequent application. We do not have enough information at this stage to know if the proposed development can meet our requirements for fisheries because the proposal does not include fish surveys (completed June to September inclusive) that would confirm the presence/or lack of eel and fish in the channel.

Condition: Requirement for Fish and Eel ecological assessment

Prior to commencement of development a survey and ecological assessment of eel and fish within the Lackenby and Cleveland Channels is to be submitted and approved, in writing, by the Local Planning Authority. This assessment shall include the following

- Identify the impacts to fish and eel from the development and determine if they may be at risk of harm.*
- Identify any rare, declining, protected or otherwise important flora, fauna or habitats within the Lackenby Channel/The Slems.*
- Where relevant, assess the importance of the above features at a local, regional and national level, and identify the impacts of the detailed plans of the scheme on those features.*
- Demonstrate how the development will avoid adverse impacts.*
- Where necessary, propose mitigation for any adverse ecological impacts or compensation for loss.*

Reason: An ecological assessment is required to assess how the proposal will affect eel and fish. This assessment will need to demonstrate how this risk will be controlled. Where possible, it should identify opportunities for environmental improvements. This condition is supported by paragraphs 170 and 175 of the National Planning Policy Framework (NPPF) which recognise that the planning system should conserve and enhance the environment by minimising impacts on and providing net gains for biodiversity.

Beyond this, I have the following information:

Scope of the fish and eel survey – Advice to Applicant

We are able to provide further advice on the scope of the fish survey should this be required. However, we would not be able to review any documents and agree the acceptability of this prior to submission unless this was part of an agreed cost-recovery service. It should be noted that the most optimum time for this survey is June to September inclusive, we will object to an assessment that we do not find adequate. Pictures provided by the applicant indicate that the habitat does appear suitable for eel and given this location low in the catchment it could be important habitat.

Should you require further details of this please contact planning.nane@environment-agency.gov.uk. Please note, Sustainable Places North East are currently working under reduced capacity but we will review all cost-recovery, pre-application requests on a case-by-case basis.

*Opportunities for enhancement and WFD – Advice to Applicant/ LPA
Ideally, the development would enhance through design. We would be supportive of a strategy which did not culvert and which included improvements to the tidal flap, is possible, that eel can utilise. Regardless of the current condition of the watercourses, potential exists for valuable habitat creation for some fish species such as the critically endangered European Eel. Habitat creation and making the tidal flap more “eel and fish friendly” may be of some benefit to biodiversity mitigation and compensation which the applicant should consider.*

*Water Framework Directive (WFD) Assessments – Advice to LPA/Applicant
The purpose of a WFD assessment is to clearly identify the implications of the proposed development for the objectives of the WFD and relevant River Basin Management Plan. WFD covers all surface waters including rivers, lakes and estuarine and coastal waters, as well as groundwater. For this purpose, we have requested a high level WFD assessment that considers the entirety of the site and proposal and identifies the potential impacts, if any. The assessment will need to consider the following:*

- *Hydromorphology*
- *Biology – habitats*
- *Biology – fish*
- *Water quality*
- *Protected areas*

Once further details of the drainage strategy are known, this can be tied into further WFD assessment where necessary in relevant phases of the development.

Culverts – Advice to Applicant

Culverting a currently open watercourse, even if it is poor quality, is not favoured. The function of a river is not only determined by the quality of the water but the geomorphology of the riverbed and riparian habitat. These loss of these habitats would not only be detrimental to biodiversity/ecology but also upon water quality as well. The negative impacts upon river functionality, and

the service it provides, compared to a culverted stream needs to be fully understood and mitigated. It is not solely about the species it supports but also the geomorphological and ecological function of the river which will be lost, which both help to restore water quality. This would be absent in a concrete culvert. The de-culverting of watercourses is an opportunity to provide biodiversity net gains as well as providing amenity value and improving surface water drainage. To not de-culvert would be a missed opportunity.

Buffer Zones from Watercourse – Advice to LPA/Applicant

Development that encroaches on watercourses can have a potentially severe impact on their ecological value. Encroachment from development activities has the potential to cause habitat loss, disturbance and nutrient enrichment. The setback development area needs to maintain this corridor around any watercourses on site and should be maintained and enhanced.

Tees Estuary Habitat Vision – Advice to Applicant

The Tees Estuary Partnership (TEP) has developed a Tees Estuary Habitat Vision that aims to deliver WFD mitigation objectives. The Tees River Trust are already leading an IMMERSE project that sets out to enhance biodiversity of the intertidal zone of the Tees Estuary. This project forms a contribution to achieving the TEP habitat vision of establishing coherent ecological networks that are more resilient to current and future pressures at a landscape scale across local authority boundaries. The techniques employed have been drawn from successful Estuary Edge pilots on the Thames estuary where biodiversity benefits have also been shown to enhance the visual and aesthetic value afforded to new developments.

Car parking and drainage considerations – Advice to LPA/Applicant

Car parking drainage should ideally be permeable to control run off rates and mitigate pollution from oil and fuel leaks. If impermeable surface is used, then drainage should go through an interceptor or trapped gullies to mitigate pollution. There will need to be appropriate maintenance for the lift of the site to maintain effectiveness.

Land contamination and controlled waters – Advice to LPA

Please be aware that whilst we consider the site to be located within a lower environmental sensitive area, we are not stating in any way that the pollution risk to controlled waters underlying the site is acceptable, should not be considered further by appropriate investigation and assessment.

We would kindly remind the LPA that they are responsible for ensuring that the applicant appropriately investigate and address the risk to controlled waters, both surface waters and groundwaters. In doing so, this would promote remediation where required and an enhancement of the water environment through the planning regime. We would kindly ask the LPA to take into consideration our comments above with respect to controlled waters risk assessment.

We would highlight that the applicant be reminded of our current guidance which can be found on gov.uk and include Groundwater Protection, EA Approach to Groundwater Protection, Land Contamination

Further information on permitted sites – Advice to LPA/Applicant

The site of this proposed development includes areas of land which currently fall within the installation boundary of the following EPR permits:

- *JP3638HM - permit held by Sahaviriya Steel Industries (SSI) UK Limited (in Liquidation).*
- *PP3338MT - permit held by Harsco metals Group Limited.*

JP3638HM SSI

We expect that agreement regarding this permit will be closely linked to the outcome of the compulsory purchase order for the SSI assets. Part of the site was historically used for treatment and storage of waste arising from gas cleaning at the Blast Furnace and BOS plant. Since closure of the steel works treatment activities have continued and wastes are still being removed from the site. The estimated quantity of waste on site is approximately 500,000 m³. Although primarily iron oxide some trace elements (zinc in particular) means that there are limited available recovery routes for this material.

PP3338MT Harsco metals Group Limited

The operator has begun pre-application discussions with the Environment Agency regarding surrender of this permit. Until a permit surrender has been agreed we are unable to confirm whether or not any remedial works will be required before the surrender can be completed. Proposed development in this area should not begin before the permit surrender process is complete.

COMAH – Advice to LPA/ Applicant

Parts of the development site also form part of a COMAH establishment. The COMAH operator of this establishment is South Tees Site Company Limited. As the COMAH operator they are keeping safe and arranging for safe removal of COMAH inventory of dangerous substances. Demolition or removal of any installation (as defined by the COMAH regulations- see below) is subject to the COMAH regulations due to the presence of dangerous substances. “installation” means a technical unit within an establishment, whether at or below ground level, in which dangerous substances are produced, used, handled or stored and includes all the equipment, structures, pipelines, pipework, machinery, tools, private railway sidings, docks, unloading quays serving the installation, jetties, warehouses or similar structures, floating or otherwise, necessary for the operation of that installation;

Landfills within and adjacent to development site – Advice to LPA/Applicant

The proposal area encompasses three large operational landfill sites. These are

- *ICI Teesport No2 non-hazardous waste landfill site (EPR/RP3631DA),*
- *ICI Teesport No3 hazardous waste landfill site (EPR/DP3331DJ)*
- *SSI (In liquidation) non-hazardous landfill site (EPR/RP3434HP).*

The site also shares a boundary with two historic, closed landfill sites. These are:

- *Clay Lane Steelworks landfill (CLE/160)*
- *Cargo Fleet Wharf Area landfill (CLE/R021)*

ICI Teesport No2 (EPR/RP3631DA)

This site is located close to the centre of the proposed development area. The site was originally operated prior to the introduction of waste management licensing and thus operated without regulatory controls before 1976, by the British Steel Corporation. The site was acquired by ICI Chemicals and Polymers Ltd. In 1976 and in 1986 was issued with a Waste Disposal Licence to deposit a variety of both hazardous and non-hazardous industrial wastes.

In 2004 Impetus Waste Management was issued with an Installations Permit to operate the site for the disposal of a variety of non-hazardous and inert wastes only. In 2017 this permit was transferred to Highfield Environmental Ltd. This site is known to generate landfill gas and as an approved landfill has a control and utilisation system in place.

ICI Teesport No3 (EPR/DP3331DJ)

This site adjoins to the north of the Teesport No2 landfill. A permit for the disposal of hazardous waste to landfill was granted in 2004 to Impetus Waste Management Ltd. This was transferred to Highfield Environmental Ltd. in 2017.

SSI (In liquidation) landfill site (EPR/RP3434HP).

This site adjoins directly to the west of the Teesport No2 and No3 landfill sites. This site was originally operated by the British Steel Corporation prior to the requirement for Waste Management Licensing in 1976. In 1978 two permits (CLE3 and CLE8) were issued for the deposit of both hazardous and non-hazardous wastes (including biodegradable wastes) which were produced 'in-house' by British Steel. CLE3 was known to accept the more hazardous materials.

In 2010 TATA Steel UK Limited were issued a combined Permit (CLE3/8) for the disposal of non-hazardous 'in house' steel making wastes which included some biodegradable wastes. The site was taken into the hands of the Official Receiver in 2015 and since that time no further waste have been deposited at the site. The site currently undertakes landfill gas monitoring but no active landfill gas management system. Development on top of or within 50 metres of any permitted landfill site that accepted hazardous or non-hazardous waste (i.e. Teesport No2, No3 and the former SSI landfills) should be considered very carefully, as even with appropriate building control measures in place, landfill gas can accumulate in confined spaces in gardens (e.g. sheds, small extensions) and can gain access to service pipes and drains where it can accumulate or migrate away from the site.

Clay Lane Steelworks landfill (CLE/160).

This historic landfill is located outside (although adjacent to) the South West perimeter of the proposed development area on Puddlers Road Middlesbrough. The permit was issued to Langbaugh Borough Council and was operated between November 1985 and April 1986, for the deposit of construction materials, clay and sub-soils. The Environment Agency hold no information on environmental monitoring for this site although, given the

nature of the material deposited it is not expected that landfill gas will be produced. Cargo Fleet Wharf Area landfill (CLE/R021).

This historic landfill is located outside (although adjacent to) the Western perimeter of the proposed development area and was operated by Cleveland County Council between April 1998 and December 1995 for the disposal of inert wastes (clays and sub-soils). The Environment Agency hold no information on environmental monitoring for this site although, given the nature of the material deposited it is not expected that landfill gas will be produced.

Dewatering – Advice to Applicant

It is not clear to the EA if dewatering is required for this proposal.

Dewatering is the removal/abstraction of water (predominantly, but not confined to, groundwater) in order to locally lower water levels near the excavation. This can allow operations to take place, such as mining, quarrying, building, engineering works or other operations, whether underground or on the surface.

The dewatering activities on-site could have an impact upon local wells, water supplies and/or nearby watercourses and environmental interests.

This activity was previously exempt from requiring an abstraction licence. Since 1 January 2018, most cases of new planned dewatering operations above 20 cubic metres a day will require a water abstraction licence from us prior to the commencement of dewatering activities at the site.

More information is available on gov.uk: <https://www.gov.uk/guidance/water-management-apply-for-a-water-abstraction-or-impoundment-licence#apply-for-a-licence-for-a-previously-exempt-abstraction>.

Please consult us on the information submitted to discharge these conditions. Should you require any further information or clarity, please don't hesitate to contact me.

HSE

1. HSE is a statutory consultee for certain developments within the consultation distance of major hazard sites and major accident hazard pipelines. The proposed development site identified in planning application P/2020/0357/OOM lies within the consultation distance of a major accident hazard pipeline which is currently operated by BOC Limited (Wilton & North Tees Sites – Linkline System 115 pipeline) and nine major hazard sites:

- CF Fertilisers UK Ltd (HSE Ref: H4335)*
- SABIC UK Petrochemicals (HSE Ref: H3505)*
- South Tees Site Company Ltd (HSE Ref: H1272)*
- SABIC UK Petrochemicals Ltd (HSE Ref: H0402)*
- Fine Organics Ltd (HSE Ref: H1875)*
- Navigator Terminals Seal Sands Ltd (H0533)*

- Ineos Nitriles (UK) Ltd (HSE Ref: H0441)
- PD Teesport Ltd (HSE Ref: H2048)
- Ineos Chlor Limited (HSE Ref: H4341)

The major hazard sites hold hazardous substances consent to store up to specified quantities of various hazardous substances under the Planning (Hazardous Substances) Act 1990 and the Planning (Hazardous Substances) Regulations 2015.

*2. Major hazard sites/pipelines are subject to the requirements of the Health and Safety at Work etc Act 1974, which specifically includes provisions for the protection of the public. However, the possibility remains that a major accident could occur at an installation and that this could have serious consequences for people in the vicinity. Although the likelihood of a major accident occurring is small, it is felt prudent for planning purposes to consider the risks to people in the vicinity of the hazardous installation. Where hazardous substances consent has been granted by the hazardous substances authority, then the maximum quantity of hazardous substance that is permitted to be on site is used as the basis of HSE's assessment – see para 068 of the Planning Practice Guidance on hazardous substances
<http://www.gov.uk/guidance/hazardous-substances>*

3. HSE's advice on planning applications is based on HSE's Land Use Planning Methodology (see <http://www.hse.gov.uk/landuseplanning/methodology.pdf>). Within that methodology, HSE's advice in relation to a workplace development such as that proposed, will depend on the number of occupants and the number of occupied storeys within each building, and the consultation zone(s) in which the buildings lie. However, as this is an outline application, the required level of detail about the occupancy of the buildings is not currently available.

4. It is HSE policy not to advise against the granting of planning permission for workplace developments within the middle or outer zones, regardless of the number of occupants or number of occupied storeys in each building. However, we will advise against the granting of planning permission for a workplace development within the inner zone if any building within that zone will have 100 or more occupants, or 3 or more occupied storeys.

5. According to the drawing entitled 'Proposed Site Plan Illustrative' (drawing no. SB-SD-10.01, dated 07:20), of the 9 buildings proposed, Unit C will lie wholly or partly within the inner zone of the PD Teesport Ltd consultation distance, and Unit I will lie wholly or partly within the inner zone of the South Tees Site Company Ltd consultation distance. The other Units will lie within the middle or outer zones of the major hazards.

6. In the absence of the necessary details indicated above, HSE would not advise against the granting of planning permission for the proposed development if the following condition were to be attached to the permission:

Units C and I, as shown in the drawing entitled 'Proposed Site Plan Illustrative' (drawing no. SB-SD-10.01, dated 07:20), shall each have less than 100 occupants and less than three occupied storeys.

7. As this is an outline planning application where the proposed layout and the scale of the development may only be indicative, it is strongly suggested that should any changes be proposed after the outline permission has been granted, that HSE's advice is obtained again before reserved matters are determined.

8. If nevertheless, you are minded to grant permission without the above condition, your attention is drawn to Section 9, paragraph 072 of the online Planning Practice Guidance on Hazardous Substances – Handling development proposals around hazardous installations, published by the Ministry of Housing, Communities & Local Government. This requires a local planning authority to give HSE advance notice when it is minded to grant planning permission against HSE's advice and allow 21 days from that notice for HSE to consider whether to request that the Secretary of State for Housing, Communities & Local Government, call-in the application for their own determination.

9. The advance notice should be sent to the HSE's Major Accidents Risk Assessment Unit, CEMHD5b, 1.2 Redgrave Court, Merton Road, Bootle, Merseyside, L20 7HS or by email to luppadhici5@hse.gov.uk.

Ramblers Association

Thank you for consulting the Ramblers regarding the above application. We have no objections to the proposal.

MMO

Please be aware that any works within the Marine area require a licence from the Marine Management Organisation. It is down to the applicant themselves to take the necessary steps to ascertain whether their works will fall below the Mean High Water Springs mark.

Highways England

Initial Response 07/08/2020

Recommend that planning permission not be granted for a specified period (see Annex A – further assessment required);

Reason(s) for the recommendation above:

To ensure that the A174 & A1053 Trunk Roads continue to serve their purpose as part of a national system of routes for through traffic in accordance with Section 10(2) of the Highways Act 1980 by minimising disruption on the trunk road network and in the interests of road safety.

The recommendation shall be maintained until 7 November 2020 or until sufficient information has been received to enable Highways England to reach an alternative view at which point a further notice will be issued.

Final Response – 27/10/2020

I attach a response of no objection from Highways England. Our prime concern is safety and operation of the Strategic Road Network (SRN). With regards to this application that is the impact at on the A174/ A1053 Greystones Junction and the A66/A19 Junction are the key issues, which have been addressed.

A174/ A1053 Greystones Junction

Following a previous review by our, consultants (CH2M), Arup provided further information related to the assessment of Greystones which has enabled us to reach this position:

- *Saturation flows - The full input data and results file which contains the geometric measurement information utilized to determine the saturation flows having been provided. Checks of the input data has identified it as being reasonable for the junction assessment.*
- *Coding errors - Coding errors on the A1053 approach (and corresponding circulatory) have been satisfactorily rectified.*
- *Model validity - CH2M previously requested further information in relation to the validity of the model. Noting difficulties faced in fully validating model information in the current Pandemic scenario, Arup has now provided further information which in the current circumstances can be accepted. The model can therefore be considered to be acceptable for use in the assessment. However whilst the results of the modelling are being used for the purpose of this application, this should not represent acceptability of the model (or the agreement of Highways England) for use in future assessments, and future assessments should seek to go through a stage of validation available at that time).*

With a view to the above and considering the results of the operational analysis, the following summary can be given with regard the SRN elements of the 2033 assessment:

- *AM Peak*
 - *A1053(T) – slight increase in the mean max queue in the with development scenario. The arm continues to operate satisfactorily.*
 - *A174(T) – again slight increases in the mean max queue in the with development scenario. The arm continues to operate satisfactorily.*
- *PM Peak*

- A1053(T) - slight increase in the mean max queue in the with development scenario. The arm (left turn lane) is over capacity in the base situation and the increase in the queue (3.5 PCU increase from 106 PCUs to 109.5 PCUs) is not considered to represent a step change in operational performance that is attributable to the development itself. Nor is it considered that this slight increase in queue would represent any increased safety risk compared to the base position.
- A174(T) - slight increase in the mean max queue in the with development scenario. The arm (left turn lane) is over capacity in the base situation and the increase in the queue (12 PCU increase from 75.9 PCUs to 87.9 PCUs) is not considered to represent a step change in operational performance that is attributable to the development itself. Nor is it considered that this slight increase in queue would represent any increased safety risk compared to the base position.

The Junction is already operating at over-capacity. However on the basis of the above, it is not considered that the development will result in a material impact on the operation of the junction.

A19/A66 Junction

Arup have also used an Aimsun model provided by our consultants to assess the impacts at the A19. From this they provided our consultants with model runs. CH2M has reviewed this and, mindful of operational constraints within the base model, recommended to us that there is not considered to be any material step change on the SRN in operational performance that can be attributed to the development itself. CH2M's review, within its remit to us, has only considered SRN outcomes from this model. It is assumed any operational issues on the (local) A66 to the east of the A19 in the evening peak will be addressed through local highway authorities.

With this additional information received we have been able to reach a position on this application of no objection.

We are aware that the South Tees Development Corporation (STDC) are bringing forward further developments through the planning process. We look forward to working proactively with STDC to sustainably deliver these.

Middlesbrough Borough Council

Thank you for your consultation on this application, I can confirm Middlesbrough has no objections to the application.

The Highway officers have advised that any modelling for the development should be assessed within Middlesbrough Council's strategic Aimsun model to provide an assessment of the potential impact on the A66 and the Trunk Road. The Aimsun model is currently held by retained consultants and a charge is made for model runs.

Stockton Borough Council

No objection

Cleveland Police ALO

Initial Comments – 07/08/2020

With regards to this Outline Application. I recommend applicant contact me for any advice, guidance I can offer in relation to designing out opportunities for crime to occur in future.

Full guidance on the Secured By Design scheme relating to police preferred specifications can be found on the Commercial Document 2015 at www.securedbydesign.com

Final Comments – 07/10/2020

With regards to this Outline Application for mixed industrial development at Smiths Dock Road. I recommend any future developer contact me for any input, advice I can offer in relation to designing out opportunities for crime and disorder to occur in the future. Full guidance is initially available within the Secured By Design Commercial Guide 2015 at www.securedbydesign.com

Network Rail

With reference to the protection of the railway, Network Rail has no objection in principle to the development, but below are some requirements which must be met. It is recognised that much of the detail here is more appropriate for the reserved matters stage but is nevertheless mentioned here as a reminder of the issues that will need to be taken into consideration.

Given the size and proximity of the development in relation to the railway it is considered that there may be significant impacts on South Bank railway station. It is therefore appropriate that a contribution is sought from the developer towards station facility improvements that would help encourage use of sustainable transport links to the site. This could include improvements to passenger facilities and the provision of cycle facilities. We are happy to discuss possible improvements to the station with the council as part of any S106 package as the application is processed.

Drainage

All surface and foul water arising from the proposed works must be collected and diverted away from Network Rail property. In the absence of detailed plans all soakaways must be located so as to discharge away from the railway infrastructure. The following points need to be addressed:

- 1. There should be no increase to average or peak flows of surface water run off leading towards Network Rail assets, including earthworks, bridges and culverts.*
- 2. All surface water run off and sewage effluent should be handled in accordance with Local Council and Water Company regulations.*
- 3. Attenuation should be included as necessary to protect the existing surface water drainage systems from any increase in average or peak loadings due to normal and extreme rainfall events.*
- 4. Attenuation ponds, next to the railway, should be designed by a competent specialist engineer and should include adequate storm capacity and overflow arrangements such that there is no risk of flooding of the adjacent railway line during either normal or exceptional rainfall events.*
- 5. There should be no attenuation or SUDs features within 30m of the railway boundary where the site is above the level of the railway, or 20m where the site is below the level of the railway.*
- 6. There should be no connection to existing railway drainage without discussion and agreement with Network Rail prior to work commencing on site.*

It is expected that the preparation and implementation of a surface water drainage strategy addressing the above points will be conditioned as part of any approval.

Fail Safe Use of Crane and Plant

All operations, including the use of cranes or other mechanical plant working adjacent to Network Rail's property, must at all times be carried out in a "fail safe" manner such that in the event of mishandling, collapse or failure, no materials or plant are capable of falling within 3.0m of the nearest rail of the adjacent railway line, or where the railway is electrified, within 3.0m of overhead electrical equipment or supports.

Excavations/Earthworks

All excavations/ earthworks carried out in the vicinity of Network Rail property/ structures must be designed and executed such that no interference with the integrity of that property/ structure can occur. If temporary works compounds are to be located adjacent to the operational railway, these should be included in a method statement for approval by Network Rail. Prior to commencement of works, full details of excavations and earthworks to be carried out near the railway undertaker's boundary fence should be submitted for the approval of the Local Planning Authority acting in consultation with the railway undertaker and the works shall only be carried out in accordance with the approved details. Where development may affect the railway, consultation with the Asset Protection Project Manager should be undertaken. Network Rail will not accept any liability for any settlement, disturbance or damage caused to any development by failure of the railway infrastructure nor for any noise or vibration arising from the normal use and/or maintenance of the operational railway. No right of support is given or can be claimed from Network Rails infrastructure or railway land.

Security of Mutual Boundary

Security of the railway boundary will need to be maintained at all times. If the works require temporary or permanent alterations to the mutual boundary the applicant must contact Network Rail's Asset Protection Project Manager.

Armco Safety Barriers

An Armco or similar barrier should be located in positions where vehicles may be in a position to drive into or roll onto the railway or damage the lineside fencing. Network Rail's existing fencing / wall must not be removed or damaged. Given the considerable number of vehicle movements likely provision should be made at each turning area/roadway/car parking area adjacent to the railway. This is in accord with the new guidance for road/rail vehicle incursion NR/LV/CIV/00012 following on from DfT advice issued in 2003, now updated to include risk of incursion from private land/roadways.

Fencing

Because of the nature of the proposed developments we consider that there will be an increased risk of trespass onto the railway. The Developer must provide a suitable trespass proof fence adjacent to Network Rail's boundary (minimum approx. 1.8m high) and make provision for its future maintenance and renewal. Network Rail's existing fencing / wall must not be removed or damaged.

Method Statements/Fail Safe/Possessions

Method statements may require to be submitted to Network Rail's Asset Protection Project Manager at the below address for approval prior to works commencing on site. This should include an outline of the proposed method of construction, risk assessment in relation to the railway and construction traffic management plan. Where appropriate an asset protection agreement will have to be entered into. Where any works cannot be carried out in a "fail-safe" manner, it will be necessary to restrict those works to periods when the railway is closed to rail traffic i.e. "possession" which must be booked via Network Rail's Asset Protection Project Manager and are subject to a minimum prior notice period for booking of 20 weeks. Generally if excavations/piling/buildings are to be located within 10m of the railway boundary a method statement should be submitted for NR approval.

Please note we will be unable to agree to discharge of a method statement condition without direct discussion and agreement with our Asset Protection Team and the developer entering into a Basic Asset Protection Agreement (where appropriate). We would advise that the developer discuss the proposals with Asset Protection prior to applying for the discharge of condition. Contact details for Asset Protection are below.

OPE

Once planning permission has been granted and at least six weeks prior to works commencing on site the Asset Protection Project Manager (OPE) MUST be contacted, contact details as below. The OPE will require to see any method statements/drawings relating to any excavation, drainage, demolition, lighting and building work or any works to be carried out on site that may affect the safety, operation, integrity and access to the railway.

Demolition

Any demolition or refurbishment works must not be carried out on the development site that may endanger the safe operation of the railway, or the stability of the adjoining Network Rail structures. The demolition of buildings or other structures near to the operational railway infrastructure must be carried out in accordance with an agreed method statement. Approval of the method statement must be obtained from Network Rail's Asset Protection Project Manager before the development can commence.

Vibro-impact Machinery

Where vibro-compaction machinery is to be used in development, details of the use of such machinery and a method statement should be submitted for the approval of the Local Planning Authority acting in consultation with the railway undertaker prior to the commencement of works and the works shall only be carried out in accordance with the approved method statement

Scaffolding

Any scaffold which is to be constructed within 10 metres of the railway boundary fence must be erected in such a manner that at no time will any poles over-sail the railway and protective netting around such scaffold must be installed.

Haulage routes and construction traffic

Applications that are likely to generate an increase in trips under railway bridges may be of concern to Network Rail where there is potential for an increase in 'Bridge strikes'. Vehicles hitting railway bridges cause significant disruption and delay to rail users. Consultation with the Asset Protection Project Manager is necessary to understand if there is a problem. If required there may be a need to fit bridge protection barriers which may be at the developer's expense.

Also, from the information supplied, it is not clear if any abnormal loads will be using routes that include any Network Rail assets (e.g. bridges). We would have serious reservations if during the construction or operation of the site, abnormal loads will use routes that include Network Rail assets. Network Rail would request that the applicant contact our Asset Protection Project Manager to confirm that any proposed route is viable and to agree a strategy to protect our asset(s) from any potential damage caused by abnormal loads. I would also like to advise that where any damage, injury or delay to the rail network is

caused by an abnormal load (related to the application site), the applicant or developer will incur full liability.

Cranes

With a development of a certain height that may/will require use of a crane, the developer must bear in mind the following. Crane usage adjacent to railway infrastructure is subject to stipulations on size, capacity etc. which needs to be agreed by the Asset Protection Project Manager prior to implementation.

ENCROACHMENT

The developer/applicant must ensure that their proposal, both during construction, and after completion of works on site, does not affect the safety, operation or integrity of the operational railway, Network Rail and its infrastructure or undermine or damage or adversely affect any railway land and structures. There must be no physical encroachment of the proposal onto Network Rail land, no over-sailing into Network Rail air-space and no encroachment of foundations onto Network Rail land and soil. There must be no physical encroachment of any foundations onto Network Rail land. Any future maintenance must be conducted solely within the applicant's land ownership. Should the applicant require access to Network Rail land then must seek approval from the Network Rail Asset Protection Team. Any unauthorised access to Network Rail land or air-space is an act of trespass and we would remind the council that this is a criminal offence (s55 British Transport Commission Act 1949). Should the applicant be granted access to Network Rail land then they will be liable for all costs incurred in facilitating the proposal.

Trees/Shrubs/Landscaping

Where trees/shrubs are to be planted adjacent to the railway boundary these shrubs should be positioned at a minimum distance greater than their predicted mature height from the boundary. Certain broad leaf deciduous species should not be planted adjacent to the railway boundary. We would wish to be involved in the approval of any landscaping scheme adjacent to the railway. Where landscaping is proposed as part of an application adjacent to the railway it will be necessary for details of the landscaping to be known and approved to ensure it does not impact upon the railway infrastructure. Any hedge planted adjacent to Network Rail's boundary fencing for screening purposes should be so placed that when fully grown it does not damage the fencing or provide a means of scaling it. No hedge should prevent Network Rail from maintaining its boundary fencing. Lists of trees that are permitted and those that are not permitted are provided below and these should be added to any tree planting conditions:

Acceptable:

Birch (Betula), Crab Apple (Malus Sylvestris), Field Maple (Acer Campestre), Bird Cherry (Prunus Padus), Wild Pear (Pyrus Communis), Fir Trees – Pines (Pinus), Hawthorn (Cretaeagus), Mountain Ash – Whitebeams (Sorbus), False Acacia (Robinia), Willow Shrubs (Shrubby Salix), Thuja Plicatata “Zebrina”

Not Acceptable:

Acer (Acer pseudoplatanus), Aspen – Poplar (Populus), Small-leaved Lime (Tilia Cordata), Sycamore – Norway Maple (Acer), Horse Chestnut (Aesculus Hippocastanum), Sweet Chestnut (Castanea Sativa), Ash (Fraxinus excelsior), Black poplar (Populus nigra var, betulifolia), Lombardy Poplar (Populus nigra var, italica), Large-leaved lime (Tilia platyphyllos), Common lime (Tilia x europea)

A comprehensive list of permitted tree species is available upon request.

Lighting

Where new lighting is to be erected adjacent to the operational railway the potential for train drivers to be dazzled must be eliminated. In addition the location and colour of lights must not give rise to the potential for confusion with the signalling arrangements on the railway. Detail of any external lighting should be provided as a condition if not already indicated on the application.

Access to Railway

All roads, paths or ways providing access to any part of the railway undertaker's land shall be kept open at all times during and after the development. Network Rail is required to recover all reasonable costs associated with facilitating these works.

I would advise that in particular the drainage, boundary fencing, Armco barriers, method statements/OPE, haulage/construction routes, lighting and landscaping should be the subject of conditions, the reasons for which can include the safety, operational needs and integrity of the railway. For the other matters we would be pleased if an informative could be attached to the decision notice.

I trust full cognisance will be taken in respect of these comments. If you have any further queries or require clarification of any aspects, please do not hesitate to contact myself I would also be grateful if you could inform me of the outcome of this application, forwarding a copy of the Decision Notice to me in due course.

Archaeology Consultants (NEAR)

Recommendation

8. (a) *We agree with the assessment in chapter M of the EIA that it is unlikely that any remains to be destroyed by the proposals will merit preservation in situ.*

(b) *There should be appropriate recording of the foundations of identified heritage assets of local/regional importance, and of 20th century structures.*

(c) *There should be some attempt to assess deeply buried layers for prehistoric interest, and thereafter the archaeological monitoring of deep excavations in areas where any deposits of prehistoric interest may survive.*

9. *Should it be considered that the public benefits of the proposal outweigh the harm to the heritage assets in this case we suggest the following archaeological condition be attached to any planning permission granted for the development.*

(a) *No development shall take place until a written scheme of investigation (WSI) for archaeological work has been submitted to and approved in writing by the local planning authority. The WSI shall as a minimum make provision for:*

- Before site remediation or development commences, archaeological evaluation of relevant borehole and test pit data*
- During remediation archaeological monitoring of groundworks in selected areas of the site (to be agreed with the Council in accordance with parameters specified in the WSI)*
- An archaeological watching brief/prior strip map and record (as appropriate) of areas agreed as archaeologically sensitive*
- Archaeological monitoring of deep excavations and piling in any areas indicated by the evaluation of borehole and test pit data to be of potential archaeological interest*
- The recording of the Riverside Pumping and Custom House to at Historic England Level 2/3, including photogrammetry and measured survey*
- A general programme of works and monitoring arrangements, including reasonable notification to the local planning authority of commencement of works*
- Details of staff involvement in carrying out the work (including specialists), and their qualifications and responsibilities*
- The timetable for completing post-excavation assessment.*

(b) *Provision for the analysis, archiving and publication of the results of the archaeological surveys and excavations shall be secured to the satisfaction of the local planning authority by the developer before any of the business units on development is brought into use.*

(c) *The development shall not without the prior written approval of the local planning authority be carried out otherwise than in accordance with the approved WSI.*

REASON: The site contains remains of significant archaeological interest, which should be recorded before they are destroyed.

Northern Powergrid

Thank you for your enquiry dated 17/07/2020 concerning the above. The enclosed Mains Records only give the approximate location of known Northern Powergrid apparatus in the area. Great care is therefore needed and all cables and overhead lines must be assumed to be live.

Please note that while all efforts are made to ensure the accuracy of the data, no guarantee can be given. We would refer you to the Health & Safety Executive's publication HS(G)47 Avoiding Danger From Underground Services which emphasises that:

Plans must only be used as a guide in the location of underground cables. The use of a suitable cable-tracing device is essential and careful hand digging of trial holes must be carried out to positively identify and mark the exact route of the cable. You should also bear in mind that a cable is unmistakably located only when it has been safely exposed.

Cable depths are not generally indicated on our records and can vary considerably even when shown.

Great caution must be exercised at all times when using mechanical plant. Careful trial digging should always be carried out on the whole route of the planned excavation to ascertain no cables exist.

The Health & Safety Executive have another publication, GS6 Avoidance of Danger from Overhead Electric Lines that you should be aware of if your work is near overhead power lines. Both of these documents provide comprehensive guidance for observance of statutory duties under the Electricity at Work Regulations 1989 and the Health & Safety at Work Act 1974. Our provision of these records is based upon the assumption that people using them will have sufficient competence to interpret the information given. Any damage or injury caused will be the responsibility of the organisation concerned who will be charged for any repairs.

*Please note ground cover must not be altered either above our cables or below overhead lines, in addition no trees should be planted within 3 metres of existing underground cables or 10 metres of overhead lines. All our apparatus is legally covered by a wayleaves agreement, lease or deed or alternatively protected under the Electricity Act 1989. Should any alteration/diversion of our Company's apparatus be necessary to allow your work to be carried out, budget costs can be provided by writing to Network Connections, Alix House, Falcon Court, Stockton On Tees TS18 3TU.
Tel:0800 0113433*

All future works that we may have will be included on the quarterly NRSWA coordination return for discussion at the quarterly meeting of authorities / utilities in order to minimise disruption to the public.

Redcar and Cleveland Borough Council (Planning Policy)

The application seeks outline permission for the erection of up to 418,000sqm of general industrial development and storage and distribution uses with office accommodation on land within the South Tees Development Corporation Area.

Policy LS4 of the Redcar and Cleveland Local Plan supports the delivery of significant economic growth and job opportunities in this area and its regeneration through implementing the South Tees Area SPD. Policy ED6 allocates the land for specialist uses and states that proposals falling within Use Classes B1, B2, B8 and suitable employment related sui-generis uses will be supported. The proposed storage and distribution development with associated office accommodation is, therefore, supported by the Local Plan and there are no objections to the principle of development.

The development of the South Tees area is supported through the South Tees Area SPD and it is considered that any proposals on this site should accord with the development principles contained within this SPD. It should be ensured that development does not result in an adverse effect on the integrity of the neighbouring Teesmouth and Cleveland Coast SPA and Ramsar site and underlying SSSI in accordance with Policy N4.

Redcar and Cleveland Borough Council (Development Engineers)

Initial Comments – 21/08/2020

I refer to the application and would offer no objections in principle regarding access arrangements; the roundabout to the west being newly completed. Construction traffic details plus final employment details and uses cannot be established at this stage, as they are currently unknown. Walking and cycling is to be promoted as an alternative to vehicles therefore off road footway/cycleways should be provided and allowed for from the starting points of access into the site.

Final comments – 28/10/2020

I refer to the Transport Assessment addendum and would add no further comments.

The main impacts are on the A171 Cargo Fleet Lane corridor and Greystones roundabout with the A174 -covered by MBC and HE respectively.

Initiatives are required to reduce the reliance on cars, therefore prior to full occupation of the site in 2028, measures will be implemented as part of the Transport Strategy for the STDC regeneration masterplan.

Redcar and Cleveland Borough Council (Public Rights of Way Officer)

The Teesdale Way historic trail runs along the opposite side of the railway line along the southern boundary of the site. This should not be affected by the proposed works. There are no PROW objections.

Redcar and Cleveland Borough Council (Local Lead Flood Authority)

Initial Comments – 07/08/2020

The LLFA would offer the following comments;

Having reviewed the Environmental Statement (Vol 3, appendix G) the LLFA would offer no objection in principal to the proposed outline planning application.

The ES provided a three stage approach in relation to flood risk – Assess flood risk, avoid flood risk and manage & mitigate flood risk.

The site is considered a brownfield site and is located in flood zone 1.

The ES takes accounts or climate change to a recognised standard, given the predicted sea level rise it would be appropriate to restrict any development to a minimum ground floor level of 5.79m AOD.

As the application is outline and only seeks to deal with access it is necessary for the LLFA to recommend the standard condition 1, 2 & 3 should you be minded to approve;

1. Prior to the commencement of the development, or in such extended time as may be agreed in writing with the Local Planning Authority, details shall be submitted and approved of the surface water drainage scheme and the development shall be completed in accordance with the approved scheme. The design of the drainage scheme shall include;

- (i) Restriction of surface water greenfield run-off rates (QBAR value) with sufficient storage within the system to accommodate a 1 in 30 year storm.*
- (ii) The method used for calculation of the existing greenfield run-off rate shall be the ICP SUDS method. The design shall also ensure that storm water resulting from a 1 in 100 year event, plus climate change surcharging the system, can be stored on site with minimal risk to persons or property and without overflowing into drains, local highways or watercourses.*
- (iii) Full Micro Drainage design files (mdx files) including a catchment plan*
- (iv) The flow path of flood waters for the site as a result on a 1 in 100 year event plus climate change*

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 it relates to drainage details which are often the first works on site and relate to site preparation.

2. Prior to the commencement of the development, or in such extended time that may be agreed with the Local Planning Authority, details of a Surface Water Drainage Management Plan shall be submitted and approved by the Local Planning Authority. The Management Plan shall include;

- (i) The timetable and phasing for construction of the drainage system*
 - (ii) Details of any control structure(s)*
 - (iii) Details of surface water storage structures*
 - (iv) Measures to control silt levels entering the system and out falling into any watercourse during the construction process*
- The development shall, in all respects, be carried out in accordance with the approved Management Plan.*

REASON: To ensure the development is supported by an appropriately designed surface water disposal infrastructure scheme and to minimise the risk of increased flooding and contamination of the system during the construction process.

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

3. The development shall not be occupied until a Management & Maintenance Plan for the surface water drainage scheme has been submitted to and approved by the Local planning Authority; the plan shall include details of the following;

- (i) A plan clearly identifying the sections of surface water system that are to be adopted*
- (ii) Arrangements for the short and long term maintenance of the SuDS elements of the surface water system*

REASON: To ensure that the surface water drainage infrastructure is maintained to minimise the risk flooding in the locality.

Final Comments – 05/10/2020

The LLFA would offer no additional comments and the requested conditions still apply as dated 07/08/2020

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

Initial Comments 10/08/2020

With reference to the above planning application, I would confirm that I have assessed the following environmental impacts which are relevant to the development and would comment as follows:

I note that a Ground Conditions and Remediation report has been submitted in support of this application.

The assessment undertaken is supported by the Outline Remediation Strategy (Wood, 2019) which identifies the relevant SPR linkages (based on current data) and the overarching remediation strategy required to address potential risks to identified receptors. The Outline Remediation Strategy (Wood 2019) will form the basis for a remediation strategy for the development site. It includes several elements which will mitigate potential environmental risks associated with the proposed development as part of the proposed remedial works, including:

1 Demolition of legacy structures and ground preparation operations including removal of relic subsurface obstructions (to ~2.5mbgl), vegetation clearance and infilling of voids.

2 The option for selective excavation and disposal at the adjacent hazardous waste facility of limited 'hotspots' of contamination; and

3 Site won and imported clean cover soils will be placed under a controlled methodology, mainly driven by geotechnical requirements, to form a 0.3m capping layer to physically break Made Ground contaminant linkages I have previously stated (R/2019/0427/FFM) that I am satisfied that this strategy adequately covers parts (a) (Site characterisation) and (b) (Submission of a Remediation Scheme) of the standard contaminated land condition for future commercial users of the site.

There are a number of potential on site sources of contamination (Former SSI SLEMS, Former Metals Recovery Area) as well as potential off-site sources (Former SSI High Tip, Highfield Environmental Facilities, Hanson Concrete and Tarmac Teesside Leasehold areas and the SBCO), therefore, additional ground investigation and/or risk assessment, will be necessary where required.

The assessment states that based on the results of the previous ground investigations as well as any further investigation undertaken, areas that pose a risk to human health as a result of identified contamination will be delineated and remediated prior to construction works.

Further investigations are recommended to include, but are not limited to, the following tasks which will identify the need for further mitigation.

- *Survey of asbestos in Made Ground across the entire Site including detection and, where detected, quantification of asbestos;*
- *Monitoring and assessment of ground gas regime across the Site, especially in the vicinity of areas of adjacent landfilling / waste disposal to inform requirements for remediation and/or gas protection measures;*
- *Assessment of soil quality with regard to potential Contaminants of Concern in specific areas where current data is limited e.g. Metals Recovery Area;*
- *Assessment of groundwater quality across the entire site within the Made Ground, superficial deposits and, if considered required, the bedrock aquifer with temporal assessment of trends should significant contaminant be identified;*
- *Assess of geotechnical properties of the underlying ground to inform e.g. foundation and infrastructure design.*

The assessment also states that a Construction Environmental Management Plan (CEMP) will be prepared for the development to include the following:

- 1 measures to minimise dust generation;*
- 2 provision of personal protective equipment (PPE), such as gloves, barrier cream, overall etc. to minimise direct contact with soils;*
- 3 provision of adequate hygiene facilities and clean welfare facilities for all construction site workers;*
- 4 monitoring of confined spaces for potential ground gas accumulations, restricting access to confined spaces, i.e. by suitably trained personnel, and use of specialist PPE, where necessary; and*
- 5 preparation and adoption of a site and task specific health and safety plan.*
- 6 damping of ground with water to minimise dust;*
- 7 adoption of and adherence to measures to ensure no materials are trafficked onto the public highway;*
- 8 processing of excavated materials and using in the works at the site where appropriate;*
- 9 sheeting of lorries transporting any spoil off site and the use of dust suppression equipment on plant;*
- 10 adequate fuel/chemical storage facilities e.g. bunded tanks, hard standing and associated emergency response/spillage control procedures;*
- 11 routine testing of soils and materials in accordance with the Outline Remedial Strategy (Wood 2019) and any detailed remediation statements prepared for specific developments;*
- 12 well maintained plant and associated emergency response/spillage control procedures; and*
- 13 any temporary onsite storage of contaminated material will be stored on sheeting and covered to minimise the potential for leachate and run off from the stockpile being generated;*
- 14 a significant programme of monitoring will be in place before, during and post remediation works. The monitoring programme will include as appropriate the following:*
 - a ground gas monitoring;*
 - b groundwater monitoring;*
 - c surface water monitoring;*
 - d noise and vibration monitoring;*

*e odour monitoring; and
f air quality monitoring.*

In order to minimise the environmental impact, and to ensure that the site is fully categorised and remediated in accordance with Ground Conditions and Remediation report I would recommend the inclusion of the following conditions onto any planning permission which may be granted:

- Further site investigation be carried out as and therefore the standard contaminated land condition with exception to the desk study*

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

- Prior to commencement of any engineering works, a detailed CEMP shall be submitted to and approved in writing by the Local Planning Authority. The approved Statement shall be adhered to throughout the engineering works period. The Statement shall provide the following details as stated in the Ground Conditions and Remediation report.*

REASON: To protect and to ensure that the development can be carried out safely without unacceptable risks to workers, or commercial neighbours.

Final Comments – 07/10/2020

I would reiterate my previous comments

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

Initial Comments – 10/08/2020

I note that a Noise and Vibration assessment has been submitted in support of this application

As this is an outline application, the design has not yet progressed to the level where detailed information regarding the end usage is known. Therefore, design of the mechanical services plant or type of industrial noise cannot be assessed with any certainty. Accordingly, it is anticipated that noise from building services and plant will be assessed at detailed planning or controlled through the specification of noise emission limits and acoustic design requirements

The assessment notes a small increase in road traffic noise due to increased traffic movements but expects this to be minimal and has not identified any significant effects from operational or construction noise sources on the

surrounding residential receptors but the following steps are recommended to ensure established criteria are met:

- Use of BPM during the construction phase;*
- Appropriate layout/orientation of service yards to provide screening of HGV movements and loading noise; and*
- At the detailed planning stage, the design of building services plant and industrial noise sources would be designed in line with BS4142 and national policies. Assessments would be required to be submitted by individual operators intending to occupy the site. The assessments should demonstrate that noise from individual sites, in addition to the site as a whole, does not exceed the noise criteria.*

However, there has been no consideration within the assessment for nearby commercial operators and the effects from construction noise/vibration. 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 any engineering works, a detailed CEMP shall be submitted to and approved in writing by the Local Planning Authority. The approved Statement shall be adhered to throughout the engineering works period. The Statement shall provide the following details as stated in the Ground Conditions and Remediation report. (Chapter H - Ground Conditions and Remediation)*

REASON: To protect and to ensure that the development can be carried out safely without unacceptable risks to workers, or commercial neighbours.

- A further noise assessment on the impact of noise from construction works on nearby commercial operators shall be carried out and submitted to and approved by the Local Planning Authority.*

REASON: In the interest of neighbour amenity

Final Comments – 07/10/2020

I would reiterate my previous comments.

Redcar and Cleveland Borough Council (Environmental Protection) (Air Quality)

I note that an Air quality assessment has been submitted in support of this application

The assessment acknowledges sensitive receptors defined as those residential properties/schools/hospitals that are likely to experience a change in pollutant concentrations and/or dust nuisance due to the construction and operation of the proposed scheme, but does not include nearby commercial

operations whose activities could be affected from dust emissions during demolition and construction works.

The assessment states there will be no significant effects as a result of the operational phase of the proposed development once constructed

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 any engineering works, a detailed CEMP shall be submitted to and approved in writing by the Local Planning Authority. The approved Statement shall be adhered to throughout the engineering works period. The Statement shall provide the following details as stated in Chapter H - Ground Conditions and Remediation Ground report. The IAQM construction dust guidance should also be referred to*

REASON: To protect and to ensure that the development can be carried out safely without unacceptable risks to workers, or commercial neighbours.

- All mitigation measures noted in para F6.5- F6.6 shall be adhered to*

REASON: To protect and to ensure that the development can be carried out safely without unacceptable risks to workers, or commercial neighbours

Final Comments – 07/10/2020

I would reiterate my previous comments.

Redcar and Cleveland Borough Council (Conservation Advisor)

Initial Comments – 06/08/2020

No objection to the outline application. The proposal to mitigate the loss of the relatively low significance industrial archaeology by recording features uncovered during groundwork and photogrammetric recording of remaining above ground structures is considered to be sufficient. The submitted documents are considered to fulfil the requirement of Policy HE3, which requires a Desk Based Assessment to be submitted as part of the application. Further requirements of HE3 are considered to be met as the public benefits of the proposals for the site are clear.

Final Comments – 05/10/2020

Based on the amendment I have no further comments

Redcar and Cleveland Borough Council (Business Growth Team)

I confirm this application is supported by the Council's Business & Skills team. The construction of modern, flexible industrial units under use classes B8, B2,

B1 will meet demand for supply chain space for several key investment projects underway or planned on this site and within the Borough as well as attract new investment in identified priority sectors to the Teesworks site.

The Council is keen to maximise the local content on this proposal both in terms of local employment opportunities and supplier opportunities. We would be pleased to enter into early discussions with appointed contractors on how local content can be maximised and how the skills needs of contractors can be met through delivery of targeted training programmes to meet contractors needs.

Redcar and Cleveland Borough Council (Natural Heritage Manager)

No objections to these proposals

CONSIDERATION OF PLANNING ISSUES

The main considerations in the assessment of the application are;

- The principle of development and compliance with development plan policy
- Consideration of the impact of the development as set out in the supporting ES
- General development management issues as identified in the ES and the
- Effectiveness of the mitigation strategy set out in the ES

Development Plan Context and General Policy Assessment

The Development Plan for the purposes of the Act is the adopted Redcar and Cleveland Local Plan May 2018.

Policy SD1(Sustainable Development) of the plan promotes sustainable development in accordance with the NPPF. The plan requires development proposals that accord with the plan to be approved without delay. The broad assessment of the submission is that the development does propose sustainable development in accordance with policy set out in the NPPF and that subject to the detailed assessment of the application, complies with policy SD1.

Policy SD2 (Locational Policy) provides that, the majority of development will be focused in the urban and coastal areas with limited development in the rural hinterland. The development proposed will take place on land within the urban area of South Tees, on previously developed vacant land. Provided the detailed assessment of the application demonstrates there is no adverse impact from the development locally or on sensitive environments, the development will comply with policy SD2 of the plan.

Policy SD3 (Development Limits) states that within development limits and subject to meeting other policies in the plan, development will be supported.

The application site is within development limits and approval of the application would accord with policy SD3 provided the development complies with relevant detailed planning policy as assessed below.

Policy SD4 sets out a range of criteria against which development is assessed. A detailed assessment of the application ES is set out below with commentary on relevant SD4 criteria and other relevant detailed plan policies.

The application site lies in an area identified under policy ED6 (Promoting Economic Growth) which safeguards such allocations for employment related development. In addition, the policy requires applications to have regard to the South Tees Area SPD and the associated Master Plan prepared by the STDC; proposals which contribute positively to growth will be supported.

Policy LS4 (South Tees Spatial Strategy) sets out policy for the STDC area.

There are a number of other policies that relate to technical matters which are set out within the individual ES chapter sections.

Assessment of the Environmental Statement topic areas and relevant planning policy

The remainder of this report deals with topic areas set out in the ES, the responses of key consultees, overall conclusions and the proposed mitigation strategy informed by the ES.

The introduction of the ES sets out the regulatory framework and purpose of the EIA process. The ES sets out the revisions to the regulations in terms of competency and the assessment of EIA documents.

The ES confirms the development is Schedule 1 development.

Chapter A – Introduction and Background

Sets out the scope and structure of the ES and the relevant topic chapters and these reflect the informal scoping exercise that was carried out with the Local Planning Authority prior to the submission of the application.

The ES has comprises of three volumes:

- Volume 1 – Non Technical Summary - *The Non-Technical Summary is intended to ensure that the detailed technical assessments contained within the Environmental Statement (Volume 2) are accessible to the general public.*
- Volume 2 – Main Technical Assessments - *Chapter B of Volume 2 sets out the site description and scheme proposals, as well as the planning policy background and a consideration of alternatives and the 'no development' scenario. It also includes details on the construction methodology. Chapters C to M comprise the detailed technical*

assessments. Chapter N considers interrelated and cumulative effects and Chapter O considers mitigation, compensation and monitoring measures arising from the technical assessments.

- Volume 3 – Figures and Appendices to the Technical Assessments - *Volume 3 includes the technical appendices and figures*

Volume 2 as detailed above consists of various chapters that deal with the detailed technical assessment of the proposed development. The structure of this volume is as follows;

- Chapter A – Introduction and Background
- Chapter B – Site Description and Scheme Proposals
- Chapter C – Transport
- Chapter D – Biodiversity and Ecology
- Chapter E – Noise and Vibration
- Chapter F – Air Quality
- Chapter G – Water Management and Flooding
- Chapter H – Ground Conditions and Remediation
- Chapter I – Socio – Economic
- Chapter J – Waste and Materials Management
- Chapter K – Climate Change
- Chapter L – Landscape and Visual Impact
- Chapter M – Below Ground Heritage
- Chapter N – Cumulative Impacts
- Chapter O – Mitigation, Monitoring and Compensation

Each of the technical assessments are formatted as follows:

- Overview: Brief review of relevant policy and legislative context
- Methodology: Confirmation of the detailed topic specific assessment methodology, consultation undertaken and confirmation on how the assessment relates to the standard significance criteria adopted for the EIA
- Baseline: Consideration of Baseline Conditions including an identification of sources of information, site history, current environmental conditions and future trends/anticipated changes to current conditions that could be anticipated without the scheme
- Assessment of Impacts: Identification of the potential effects including a summary of those resources/receptors likely to be affected, the sensitivity of those receptors to accommodate change; the degree of change resulting from the proposal; the change of events or pathways linking cause to effect and a prediction of the significance of effects in terms of nature, extent and magnitude including whether it is direct/indirect, short/long term, permanent/temporary, beneficial/adverse;
- Mitigation: The scope for incorporating mitigation measures to avoid, reduce, remedy or compensate for any identified effects; and

- Residual Effects: Identification of any effects remaining after mitigation.

The chapter also addresses the processes, assumptions and difficulties that were undertaken and encountered in the preparation of the ES.

The EIA process has been informed by a series of maximum development parameters and assumptions for the proposed development. As the scheme is in outline, these parameters and assumptions have been set to provide flexibility to scheme and so that development can be brought forward based on market demand. The assessment of maximum parameters ensures a 'worst case' on significance on the environment is established within the EIA therefore ensuring the ES is Rochdale Envelope compliant.

Due to matters including the application being made in outline, the scale of the development site the preparation of the ES has encountered a number of difficulties. These can be summarised as follows;

- Information being unavailable to the team or the necessity to rely on reasonably available data or assumptions in carrying out the EIA.
- The development has not formally been scoped, albeit extensive informal scoping and discussions have taken place prior to the submission of the ES.
- Assessment of construction is based on broad parameters ahead of detailed design and formal appointment of a contractor.
- Availability of accepted methodologies (e.g. there is no generally accepted criteria for assessing the significance of impacts on socioeconomics and soil)
- Desk based studies are based on publicly available data and their sources have not been verified by the relevant technical consultants. Data sources are also frequently updated and are therefore subject to change over time
- *A large proportion of work on the ES has been undertaken during the COVID-19 outbreak and this has caused the following difficulties:*
 - In some cases, the ability to undertake site surveys or sampling has been affected, such as the ability to undertake traffic surveys. Where this is the case this has been explained in the relevant technical chapters;*
 - Consultation with key stakeholders during March to June 2020 has been limited to digital, telephone consultation and letters sent by post. It is possible that the capacity of some consultees to respond to consultation requests has been negatively affected by the consequences of the COVID-19 outbreak, albeit the team are not aware of any such problems; and*
 - It has not been possible to submit a hard copy of the report to RCBC or any other consultees. However, electronic copies have instead been submitted and are available for public inspection via the RCBC website. When practically possible, the applicant has agreed to issue RCBC with hard copy. If members of the public or any consultees want a paper or CD Rom copy of the ES, they can request a copy as set out*

in section A8 of this report. This approach is consistent with the Coronavirus Regulations.

Chapter B – Site Description and Scheme Proposals

The development site is 174ha in size. It is brownfield industrial land and is largely free of active use and built development. The site has previously been occupied by iron and steel industries and it has also been used for the storage of materials and freight rail infrastructure. The site is situated immediately south east of the River Tees and it has a river frontage.

The site is located within the STDC area and it lies between land operated by PD Ports for its industry and commerce park. British Steel's site is located to the south east of the development site, with the Lackenby and Grangetown Prairie sites located to the south.

The site is immediately bounded to the North West by the River Tees, North East by the Lackenby Channel drainage cut and gas pipelines, forming part of the Sembcorp utilities corridor, South East by the Darlington to Saltburn Network Rail line and the infrastructure corridor associated with the wider area and South West by an existing line of raised vegetation and then by Smiths Dock Road.

The site comprises four distinct areas as illustrated on Figure B2.2 (Site Plan); The Metals Recovery Area, The SLEMS Waste Management Facility Area, The South Bank (North) Area and South Bank (West) Area

Since the application is submitted in outline (apart from site access), until specific building occupiers are identified, the precise specification of the warehouses and the development cannot be known. The EIA has therefore been supported by a Parameters Plan. The Parameters Plan provides details of the scheme's fixed development parameters including development zones, maximum building parameters and access).

Subsequent reserved matters applications will be required to be submitted in accordance with the Parameters Plan. The parameters are therefore considered to provide flexibility regarding how the site will ultimately be developed whilst providing all future interested parties with a sufficient level of certainty about the development in order to undertake the appropriate level of environmental assessment.

The parameters have also been designed with another application that is currently being prepared by STDC in the background for the development of a new quay at the north of the site. The development of the new quay would create the opportunity to transport goods and materials to and from the site via ship. For the purpose of the preparation of the ES, it has however been assumed that there will be no opportunities for deliveries via ships. This assesses the realistic worst case scenario if this proposed development of the quay does not come forward.

The application seeks permission for up to 418,000sqm of B2 (General Industry) and B8 (Storage or Distribution) uses alongside offices. For the purpose of the ES, a maximum of 10% of the overall floorspace will be B1 (Office).

Since the application is submitted in outline, the final floorspace and mix of uses is currently unknown. The precise quantum and footprint of floorspace will be delivered at reserved matters stage. An Indicative Masterplan has been included however this is for indicative purposes only and would not form part of any approval.

An area of hardstanding and storage is proposed at the north of the development to provide the opportunity for end users of the site to use the new quay should this be progressed.

For the purpose of this EIA, the maximum development height at the site will be 46m within all of the development areas marked on the Parameters Plan. The maximum building height will be 40.21m AOD. These figures take account of the proposed site levels and earthworks.

Chapter C – Transport

The ES chapter begins by setting out NPPF policy, legislation and local planning policy in respect ecology. The chapter has been prepared by an Chartered Transport Planning Professional and it considers the effects of the proposed development on transport matters.

The Chapter is supported by the following technical appendices:

Appendix C1: Transport Assessment (TA)

Baseline

To establish the baseline position relating to transport matters, consideration has been given to; walking and cycling, public transport and the local highway network.

With regard to walking facilities, these are considered to be fairly limited surrounding the site, although it is acknowledged that there are pedestrian footway links to both South Bank railway station and the Teesdale Public Right of Way.

With regard to cycling, the nearest National Cycle Route (NCR) is Route 1 (NCR1) which runs across Redcar Road and parallel to Middlesbrough Road, approximately 1.3km (linear distance) to the south of the site. This provides links between Saltburn, Marske, Redcar and Middlesbrough.

With regard to public transport there are currently no bus services in the vicinity of the site, with the nearest bus stops located in South Bank, approximately 1.3k walking distance to the south of the site. Arriva bus

services 6 and 64 / 64A run from this bus stop. South Bank railway station is located approximately 900m to the south of the site and operates the Bishop Auckland to Saltburn service.

The site is located in close proximity to a number of key roads. These have been detailed within the ES as follows;

- Smith's Dock Road is a local access road (two-lane single carriageway) that provides the main access into the development. As the site is currently vacant there is minimal traffic on the road in 2020;
- Dockside Road, a two-lane single carriageway, runs in an east-west direction to the west of the site and provides access to the site via the new roundabout that has been constructed at its junction with Smith's Dock Road;
- Old Station Road runs in a north-south direction and connects Dockside Road to the north with the A66 to the south;
- The A66 is a dual four-lane carriageway which connects the A19(T) to the west with the A1053(T) and Trunk Road to the east. The A66 is a key east-west corridor that links Middlesbrough to Redcar; and
- Tees Dock Road provides a secondary access to/from the eastern boundary of the proposed development and connects to the A66 and the A1053(T) at a three-arm roundabout.

While the above are the main roads on the local highway network, the site also have links to the wider strategic road network. These include;

- *The A1053(T), a four-lane dual carriageway, runs in a north-south direction and connects to the A66/Tees Dock Road/Trunk Road roundabout to the north and the A174(T) and B1380 High Street to the south; and*
- *The A174(T), a four -lane dual carriageway to the south of the site, is a key east-west corridor between Middlesbrough and Redcar, that connects the A19(T) to the further west and to the A1053(T) to the east.*

An assessment has been made of the highway network with regard to am and pm peak hour flows. Within this assessment overall vehicle numbers have been recorded along with that of HGV's. The findings of this survey work are set out within table C4.1 of the ES.

The submitted TA identifies three junctions locally where there is a geographic cluster of previous collisions:

- A66/Old Station Road/Middlesbrough Road roundabout;
- A66/Normanby Road signalised crossroads; and
- A66/Eston Road/Church Lane signalised junction.

An assessment has been made of receptor sensitivity. This has been set out in Table C4.2 of the ES.

Potential Effects of Development

Embedded Mitigation

The following embedded mitigation measures are to be provided as part of the development of the site

The proposed development will provide a high-quality industrial site which promotes walking and cycling through the provision of footways and secure cycle parking.

Two vehicular accesses will be provided to disperse trips across the network. The main access into the site will be via the new roundabout junction which has been constructed at the junction of Smith's Dock Road and Dockside Road. The roundabout has been constructed to serve the STDC Regeneration Masterplan and facilitate access into the SIZ. There is also a secondary access provided on the eastern boundary of the site which connects to Tees Dock Road.

During Construction

As has been noted the application is in outline and therefore the specifics relating to construction are not known at this time. Due to the location of the site it is anticipated that construction vehicles will access it by Old Station Road and Dockside Road. Given the capacity of these roads, there is not considered to be particularly sensitive to the short term temporary changes involved in construction activities. This judgment has been made using professional judgment, however consideration of these matters would be further addressed through the preparation of a CTMP as part of the wider CEMP.

During Operation

Due to the fact the application has been made in outline, the end users of the development site are not yet known and therefore specifics of construction are yet to be established.

It is considered that through the preparation and implementation of a CTMP impacts relating to construction can be managed.

No mitigation measures over and above the requirement for a CTMP have been identified or proposed at this stage.

During Operation

Again as the application is in outline assumptions have had to be made with regard to traffic flow for the resulting development. Assessments have been made with regard to change in vehicle trips, driver and bus delay, pedestrian and cyclist amenity and accidents and safety.

With regard to vehicle trip changes an assessment has been made of both am and pm peaks. The changes to the local highway network have been set out in Table C5.1 and C5.2 of the ES. With regard to the %'age changes anticipated from the development those that fall over 30% are summarised below;

- Dockside Road, east of Old Station Road where the magnitude of change in the AM peak hour is a 287% increase in vehicles and a 119% increase in HGV traffic. The respective values forecast during the PM peak hour are 440% and 133%;
- Old Station Road is forecast to experience a 57% increase in vehicles in the AM peak hour and a 94% increase in traffic in the PM peak hour. HGV flows increase by 29% and 21% respectively; and
- Middlesbrough Road is forecast to experience a 208% increase in HGV flows in the AM peak hour.

The sensitivity of these receptors has also been considered in order to determine the significance of the changes. This is summarised in the ES as follows;

- *Dockside Road, east of Old Station Road, provides access into the STDC site and there are no other premises with direct access onto Dockside Road. The sensitivity of the receptor is therefore considered to be low and the large magnitude of change in traffic and HGV flows is as a result of very low baseline flows. The significance of the permanent effect would therefore be minor adverse;*
- *Old Station Road provides a connection from Teesport Commerce Park to the A66. It is, therefore, considered to be receptor of medium importance and as the magnitude of change in flows would be perceptible, the significance of the permanent effect is considered to be moderate adverse;*
- *Traffic flows on Middlesbrough Road are forecast to be low in the future baseline which results in a large magnitude of change with the addition of development traffic. Given that there are some residential and community properties on Middlesbrough Road (east) the receptor has been defined as of medium sensitivity, despite being lightly used. The change in traffic forecast in the AM peak hour is therefore considered to have a permanent moderate, adverse significance.*

With regard to driver and bus delay a summary of the assessment is contained within table C5.3 of the ES. The significance of the effects on the 5 locations set out in the table range from minor adverse to moderate adverse.

With regard to driver and bus delay a summary of the assessment is contained within table C5.4 of the ES. The significance of the effects on the 5 locations set out in the table range from negligible to moderate adverse. There is also considered to be a minor beneficial change at Smiths Dock Road.

With regard to accidents and safety, the development does not involve any alterations outside the site to the highway layout/network. As stated above, within the submitted TA 3 junctions have been identified where there are clusters of collisions. These junctions are;

- A66/Old Station Road/Middlesbrough Road roundabout;
- A66/Normanby Road signalised crossroads; and
- A66/Eston Road/Church Lane signalised junction.

The changes at these junctions are considered to range from negligible to minor adverse.

Mitigation and Monitoring

During Construction

It is considered the most appropriate form of mitigation is a CTMP which will identify any necessary mitigation to minimise the impact of construction traffic on the transport networks.

No further mitigation measures over and above the requirement for a CTMP have been identified at this stage.

During Operation

Prior to the operation phase of development it is envisaged that a Transport Strategy for the wider STDC area will be prepared. The proposed outcomes of this strategy are set out in para C6.3 of the ES. It is envisaged that the strategy will as stated within the ES;

will develop a delivery plan of interventions to meet these outcomes which is expected to include, amongst other things, limiting car parking provision, introducing mobility hubs, providing high quality cycling parking and improving public transport provision. Future occupiers of the proposed development will be expected to sign up to the Transport Strategy, where possible, to meet sustainability targets (including RCBC's ambition to be carbon neutral by 2030) and will benefit from the measures introduced to enhance the accessibility of the site. These benefits, will help to minimise the impact of development traffic and have a beneficial impact on pedestrian and cyclist amenity.

It is also posed that a travel plan be implemented at the site as part of the wider highway strategy. This is to be achieved by way of a planning condition.

While not forming part of this application and therefore outside of the control of the mitigation measures, there are highway improvement works proposed in proximity to the site that have the potential to have a positive impact on the highway network.

Residual Effects

During Construction

The assessment has concluded that the temporary effect on severance and amenity as a result of construction traffic is not expected to be significant. This is however based on the level of information currently known with regard to the outline nature of the application.

It is anticipated that there may be a temporary residual adverse effect on driver delay at the A66/Old Station Road/Middlesbrough Road junction, however it is considered that this can be minimised through the implementation of a suitable CTMP.

During Operation

With regard to the effects of the proposed development once in operation are summarised in Table C7.1 of the ES. The impacts range from negligible to minor adverse, with also some minor beneficial.

Conclusions

The ES has considered the impacts of the proposed development including impacts from both construction and operation. The ES states that, *any significant effects arising from the proposed development during construction have not been identified as a detailed assessment of construction traffic has been scoped out at this stage. Overall, Table C8 shows that the proposed development results in some minor adverse residual effects and one minor beneficial effect during operation. Where adverse effects have been identified, the STDC transport strategy, currently in development, will consider if any additional mitigation at these locations is required once other measures introduced as part of the strategy have been considered. In EIA terms, it is not expected that any residual effects will be significant.*

Within the conclusion Table C8.1 is considered to provide a summary of transport effects. The table includes the receptors, potential effects, mitigation measures and residual effects.

Planning Assessment

Based on the assessment set out in the ES the development raises no issues in terms of the generation of transport matters through the implementation of suitable mitigation measures as set out above.

The ES has been the subject of consideration by the Council's development engineers who have offered the following advice;

No objections in principle regarding access arrangements; the roundabout to the west being newly completed. Construction traffic details plus final employment details and uses cannot be established at this stage, as they are

currently unknown. Walking and cycling is to be promoted as an alternative to vehicles therefore off road footway/cycleways should be provided and allowed for from the starting points of access into the site. no objections in principle regarding access arrangements; the roundabout to the west being newly completed. Construction traffic details plus final employment details and uses cannot be established at this stage, as they are currently unknown. Walking and cycling is to be promoted as an alternative to vehicles therefore off road footway/cycleways should be provided and allowed for from the starting points of access into the site.

Additional information in the form of an SES was also submitted during the consideration of the application. This information again was considered by the Council's development engineers who offered the following advice;

The main impacts are on the A171 Cargo Fleet Lane corridor and Greystones roundabout with the A174 -covered by MBC and HE respectively. Initiatives are required to reduce the reliance on cars, therefore prior to full occupation of the site in 2028, measures will be implemented as part of the Transport Strategy for the STDC regeneration masterplan.

Due to the location of the proposed development and its proximity to the strategic road network, the application has been considered by Highways England (HE). Initially HE placed a holding direction on the application to allow further consideration of the impacts of the development on the strategic road network that falls under the HE authority. Detailed discussions took place between HE and the applicants highways consultants to ensure that the proposed development would not result in adverse conditions. Following the submission of the SES, HE have advised that they have no objection to the proposed development. It is however noted that this development forms only part of the wider aspirations of the STDC site and therefore further consideration will need to be given to the strategic road network when future application are submitted and considered.

In dealing with the above comments, conditions have been proposed to require the preparation of a Travel Plan as with other highways related matters being addressed through the CEMP and a construction traffic assessment. These conditions have been agreed with the application in advance of the decision being issued.

The LPA is satisfied that the development will have no impacts in terms of transport matters that cannot be mitigated to an appropriate level by planning conditions or other regulatory regimes. The development raises no issues in respect of National Policy within the NPPF and Policies SD4 TA1 TA2 and TA3 of the Redcar and Cleveland Local Plan.

Chapter D – Biodiversity and Ecology

The ES chapter begins by setting out NPPF policy, legislation and local planning policy in respect ecology. The chapter has been prepared by an

ecologist at Arup and it considers the effects of the proposed development on ecological matters.

The Chapter is supported by the following technical appendices:

Appendix D1: Legislation, Planning Policy, and Guidance;
Appendix D2: UK Habitat Classification Habitat Survey Map;
Appendix D3: Habitat Data Sources;
Appendix D4: Location of Designated Sites;
Appendix D5: Important Invertebrate Areas Map;
Appendix D6: Breeding Bird Survey Results Maps;
Appendix D7: Breeding Bird Survey Territory Map;
Appendix D8: Biodiversity Net Gain Assessment Methodology; and
Appendix D9: Biodiversity Net Gain Assessment – River Metric.

Baseline

To establish the baseline at the site a desk study has identified eight internationally important designated sites within 20km of the proposed development site, these are set out in Table D4.1 of the ES. The closest of these is Teesmouth and Cleveland Coast SPA, which is immediately adjacent to the proposed development site. The Teesmouth and Cleveland Coast Ramsar is approximately 250m north-west of the proposed development site.

The desk study identified one statutory designated site within 2km of the proposed development site which is set out in Table D4.1 of the ES. This is the Teesmouth and Cleveland Coast SSSI.

The desk study did not identify any non-statutory designated sites within 2km of the proposed development site.

An assessment has been made with regard to the habitats presence on the site. The site is detailed as including the following;

- Open Mosaic Habitat
- Lowland Calcareous Grassland
- Poor Semi-improved Grassland
- Neutral Grassland
- Modified Grassland
- Broadleaved Woodland
- Mixed Scrub
- Open Water
- Saltmarsh
- Intertidal Mud
- Reedbed
- Aquatic Marginal Vegetation
- Sparsely Vegetated Land – Ephemeral
- Artificial unvegetated land with unsealed surfaces
- Developed land with sealed surfaces

A number of the above habitats have been scoped out of further assessment within the ES. A summary of those habitats that have been scoped in are set out in Table D4.2 of the ES, which is included in part below;

| Feature | Geographic level of importance | Justification |
|------------------------------|--------------------------------|---|
| Open Mosaic Habitats | County | OMH generally support a range of invertebrates, with OMH within the proposed development site featuring a species-rich range of key brownfield indicator species. OMH is a HoPI [14]. |
| Lowland Calcareous Grassland | County | Although lowland calcareous grassland is present within the proposed development site in small isolated areas, this habitat is a HoPI [14]. |
| Broadleaved Woodland | Local | Although broadleaved woodland present within the proposed development site is restricted to a small area, and broadleaved woodland is limited to young specimens, this habitat is a HoPI [14]. |
| Open Waters | Local | Although open waters within the proposed development are generally in poor condition, open waters are a HoPI [14]. The brackish waterbody in the centre of The Slems is considered to be of good condition. |
| Saltmarsh | Regional | Saltmarsh is a HoPI [14], and extremely difficult to recreate. Although small areas of saltmarsh are present within the proposed development site, any area of this habitat is a candidate for LWS selection under the Tees Valley LWS Selection Guidance [10]. |
| Intertidal Mud | County | Intertidal mud is a HoPI [14], and difficult to recreate. Intertidal mud is an important habitat for invertebrates and foraging waterbirds; the habitat is also in low abundance across typical urban areas due to presence of artificial riverbanks. |
| Reedbed | Regional | Reedbed is present in small isolated sections around the proposed development site, except for the larger section surrounding the brackish waterbody within The Slems. |

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| | | Reedbeds are a HoPI [14]. An area of greater than 0.1ha of reedbed is a candidate for LWS selection under the Tees Valley LWS Selection Guidance [10]. |
|--|--|--|

An assessment has been made with regard to the protected and notable species presence on the site. The site is detailed as including the following;

- Invasive Non-native Species
- Notable Flora
- Invertebrates
- Birds
- Breeding Birds
- Wintering Birds
- Bats
- Badger
- Otter
- Amphibians
- Reptiles
- Marine Mammals
- Migratory Fish
- Other Mammals

A number of the above species have been scoped out of further assessment within the ES. A summary of those species that have been scoped in are set out in Table D4.2 of the ES, which is included in part below;

| Feature | Geographic level of importance | Justification |
|-----------------------------|--------------------------------|---|
| Invasive Non-native Species | Local | Japanese rose has been reported within the proposed development site in desk study information. Japanese Knotweed has been identified within the proposed development site during habitat surveys. |
| Invertebrates | County | Extensive areas of OMH present within the proposed development site likely support a significant population of invertebrates, including various SoPIs [14]. |
| Dingy Skipper | Regional | Significant numbers of dingy skipper are associated with OMH within the proposed development site. Dingy skipper are a SoPI [14]. Furthermore, more than 20 individual dinky skipper have been recorded within sections of the proposed development |

| | | |
|-----------------|--------|---|
| | | site, which meets the criteria for LWS selection in the Tees Valley [10]. |
| Grayling | Local | Grayling are present within the proposed development site, in low numbers. Grayling are a SoPI [14]. |
| Breeding Birds | County | The breeding bird assemblage of the proposed development site is considered to be relatively common, however breeding opportunities are available for ground-nesting species, passerines, and waterbirds. |
| Shelduck | County | Shelduck are a designated feature under the adjacent Teesmouth and Cleveland Coast SSSI. Up to four breeding pairs are present within the proposed development site. |
| Wintering Birds | County | No WBS data is available for the proposed development site, however it is considered likely that wintering birds would utilise wetland habitats within The Slems. |
| Bats | Local | The proposed development site is considered to be of low to moderate suitability in supporting foraging and commuting bats. |
| Otter | Local | Otter are present within the River Tees, however the proposed development site would not support the species. Otter are scoped in due to potential impacts to adjacent riverine habitat as a result of the proposed development. |
| Marine Mammals | Local | Marine mammals, including harbour seal (a designated feature of the Teesmouth and Cleveland Coast SSSI) utilise the River Tees for foraging. The proposed development site does not support marine mammals, however potential effects as a result of the proposed development could impact upon the River Tees. |
| Migratory Fish | Local | Salmon and brown trout utilise the River Tees for migration. The proposed development site does not support migratory fish species, however potential |

| | | |
|------------|--------|---|
| | | effects as a result of the proposed development could impact upon the River Tees. |
| Brown Hare | County | Brown hare are a SoPI [14]. An abundance of brown hare are associated with expansive OMH and grassland habitats present within the proposed development site. |
| Hedgehog | Local | Hedgehog are a SoPI [14] and have the potential to be present on the proposed development site. |

Potential Effects of Development and Mitigation

An assessment has been made of all the potential construction and operational impacts of the proposed development on each feature from the baseline ecological conditions scoped into this ES chapter. Consideration has also been given to any mitigation to be implemented within the construction and operation of the proposed development.

An assessment has been made with regard to the Teesmouth and Cleveland Coast SPA and Ramsar. Due to the potential of impacts to the internationally designated site and its qualifying features and HRA has been completed. The HRA stage 1 assessment identified the following potential impacts;

- i. During construction: the risk of disturbance and/or loss of habitats that support foraging and commuting activities, and/or roosting of the qualifying features, due to pollution from within the proposed development site;*
- ii. During construction: the risk of noise/visual disturbance of small numbers of qualifying species utilising the adjacent SPA/Ramsar site for foraging and commuting activities, and/or roosting; and*
- iii. During operation: the risk of disturbance and/or loss of habitats that support foraging and commuting activities, and/or roosting of the qualifying features, due to pollution from within the proposed development site.*

The HRA Stage 2 assessment (Appropriate Assessment) 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. The only proposed mitigation measures are those that also relate to the Teesmouth and Cleveland Coast SSSI.

As stated above an assessment has also be made with regard the to the Teesmouth and Cleveland Coast SSSI. Due to the location of the SSSI in relation to the development site there is potential for damage or disturbance to the site and the habitats and designated features within it. As stated above mitigation measures are proposed to protect the SSSI and simultaneously the SPA and Ramsar. The ES sets these mitigation measures out as follows;

Construction

- i. Construction works along the north-western boundary of the proposed development site within 10m or less of the River Tees are to be screened, to reduce the visual and noise impacts upon the Teesmouth and Cleveland Coast SSSI and the designated features that utilise the River Tees for foraging and commuting. Screening will involve use of opaque barriers, which would also prevent site operatives from unnecessary access to the riverbank;*
- ii. Construction of the proposed development will abide by a Construction Environmental Management Plan (CEMP), which will outline measures to prevent sediment, dust, surface water run-off, or any other substance relating to construction from entering the River Tees. The CEMP will be reviewed by a Suitably Qualified Ecologist (SQE);*
- iii. Contaminated liquids or sediments produced as a result of construction, i.e. through disturbance of known contaminated land, will be directed away from the River Tees. Measures to ensure contaminated substances do not reach the River Tees will be outlined within the CEMP; and*
- iv. Any lighting of the construction area is to be directed away from the River Tees or utilise directional shielding measures to prevent light-spill onto the river.*

Operation

- i. Lighting installed will utilise directional shielding measures to prevent light-spill onto the River Tees.*

It is considered that these measures can be achieved by way of planning conditions.

The impacts of the proposed development have also been considered against the habitats present of the site as well as the notable and protected species at the site. These impacts and the potential for mitigation have been summarised in Table D5.1 of the ES. The significance of the residual effects is noted as ranging from negligible to major negative effect at county level.

Compensation Enhancement and Monitoring

Compensation describes measures implemented to reduce any residual effects resulting in the loss of, or permanent damage to, ecological features despite mitigation. In BNG terms, compensation could be described as achieving 'No Net Loss' in biodiversity.

It is considered that compensation for any habitats that are to be lost due to the proposed development, should be undertaken with the aim to provide habitats with the same or greater ecological function and/or diversity to the habitat that is lost.

Three main aspects of compensation have been established as part of the ES. These are stated as;

- i. Loss of all areas of HoPI within the proposed development site. HoPI lost from the proposed development site are: OMH; lowland calcareous grassland; broadleaved woodland; open waters; saltmarsh; intertidal mud; and reedbed. Of these habitats, open water features, saltmarsh and intertidal mud habitats are likely to require bespoke like-for-like compensation due to the importance placed on these habitats;
- ii. Loss of resources for protected and notable species or species assemblages within the proposed development site. Such species or species assemblages are: invertebrates; breeding birds (including shelduck); wintering birds; bats; and brown hare.
- iii. To address the significant residual effects concluded in this assessment, the South Tees Regeneration Masterplan Environment & Biodiversity Strategy for the wider STDC site will identify opportunities for compensation in the STDC area and beyond for a range of measures, including:
 - i Offsite habitat creation or enhancement to provide replacement areas of lost OMH, calcareous grassland, broadleaved woodland, grasslands, and reedbed habitats. Such compensatory habitat creation or enhancement may also target provision of compensatory resource for invertebrates, breeding and wintering birds, foraging and commuting bats, and brown hare; and
 - ii Bespoke, like-for-like creation of wetland habitats that will be lost within the proposed development site, including the loss of open water, saltmarsh, and intertidal mud.

These measures will be agreed within NE and the Council through the discharge of suitable conditions and will form part of the wider discussions that continue to take place surrounding the formulation of the South Tees Regeneration Masterplan Environment & Biodiversity Strategy

Enhancement is considered to be the provision of new benefits for biodiversity that are additional to those provided as part of mitigation or compensation measures. Enhancement could be described as 'Biodiversity Net Gain'. This is further addressed below in the BNG section, however due to the nature of the development site and the losses that are envisaged, this is likely to be largely delivered off-site.

It is also intended that there be post construction and long term monitoring of the site. This is to be delivered by way of a planning condition.

Biodiversity Net Gain

As part of the ES an assessment has been made with regard to Biodiversity Net Gain (BNG).

The ES sets out the current policy position with regard to BNG

Policy N4 of the RCBC Local Plan states that "wherever possible developments should provide 'net gains' in the value of biodiversity". This is also reflected within Paragraph 170(d) of national planning policy, which

states that "Planning policies and decisions should contribute to and enhance the natural and local environment by... minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures."

Emerging legislation in the Environment Bill and the forthcoming South Tees Regeneration Masterplan Environment & Biodiversity Strategy, state that a 10% net gain of biodiversity must be achieved, however this is not policy yet.

The BNG baseline calculations were undertaken using the NE BM2.0.

Table D7.1 and Table D7.2 outline the baseline summary of the BNG assessment of the proposed development site, for habitat areas and rivers and includes the potential for mitigation to be provided.

It has been assumed that all habitats within the proposed development site will be removed due to the nature of the proposed development. Therefore the units lost will need to be replaced either through a mix of on and off site provision.

The requirement for BNG has been agreed with the EA and NE by way of a planning condition which is considered to be an appropriate mechanism for ensuring its delivery.

Conclusions

The ES has considered the impacts of the proposed development including impacts from both construction and operation. The ES states that *Following the implementation of the mitigation stated, significant residual effects upon ecological features are still anticipated. Of note, effects at a regional level will occur in relation to invertebrates, and at a county level in relation to OMH, high-value wetland habitats, and brown hare.*

Based on the BNG assessment and the assumption that the development will result in a total loss of all onsite habitat.

In order to address the above the ES proposes significant compensatory measures that will be implemented. The compensatory measures will require extensive offsite habitat creation and enhancement, as well as species-specific compensation for faunal ecological features impacted upon. It is considered that this will be delivered through the South Tees Regeneration Masterplan Environment & Biodiversity Strategy and through the discharging of the relevant planning conditions.

Planning Assessment

Based on the assessment set out in the ES the development raises no issues in terms of the generation of transport matters through the implementation of suitable mitigation measures as set out above.

Due to the scale and location of the application, both Natural England and the Environment Agency have considered the application. These considerations as set out above relate to the impact of the development on nearby designated assets including SSSI and Ramsar site, as well as detailed consideration with regard to individual species. Consideration has also been given to Biodiversity Net Gain at the site, with a BNG assessment taking place across the site to establish the units currently present at the site and what compensation/mitigation will be required.

In considering the impacts of the development, the applicant has prepared an HRA. This has been considered in the determination of the application, and while no objection has been raised to the is by Natural England, they have advised that based on the current unknowns surrounding the end form of development at the site, any future Reserved Matters application should be subject to an updated HRA. This has been secured by way of a planning condition that has been agreed with the applicant in advance of the application being determined. Notwithstanding the future need for updated HRA to be prepared, it is considered that through the current HRA a condition is required for the preparation of a CEMP, as has been the case for a number of the technical chapters. The preparation and implementation of a CEMP, is set out in the HRA as the most suitable form of mitigation to control any adverse impacts resulting from the development. This condition has again been agreed with the applicant in advance of the application being determined.

As set out above, consideration has been given to BNG for the site. It is acknowledged that the development of the site will result in a loss of biodiversity value at the site that will need to be compensated for. In assessing the site, it has been established and agreed that the site represents 363.55 area based biodiversity units and 24 river units that will need to be compensated/mitigated. Given the proposed industrial nature of the site and the surrounding STDC land, it is proposed that an Environment and Biodiversity Strategy is to be prepared for not only this site but the wider STDC site. This will allow for the appropriate provision of mitigation and compensation whether that be on or off site in a managed way. A condition has therefore been agreed in consultation with NE and the EA to tie the necessary mitigation/compensation for the site into the wider approach for the STDC site.

A number of discussions took place between the applicant and the EA about a number of matters relating to the proposed development, including as set out above BNG, Water Framework Directive and eel/fish within the Lackenby and Cleveland Channels. These discussions again result in no objection being raised to the development however a number of conditions were suggested that have been agreed with the applicant in advance of the application being determined.

The ES has been the subject of consideration by the Council's Natural Heritage Manager who has raised no objection to the proposed development.

The LPA is satisfied that the development will have no impacts in terms of ecology matters that cannot be mitigated to an appropriate level by planning conditions or other regulatory regimes. The development raises no issues in respect of National Policy within the NPPF and Policies SD4 (c) (e) (o) and N4 of the Redcar and Cleveland Local Plan.

Chapter E – Noise and Vibration

The ES chapter begins by setting out NPPF policy, legislation and local planning policy in respect noise and vibration. The chapter has been prepared by an acoustic consultant at Arup and it considers the effects of the proposed development on noise and vibration surrounding the site.

The Chapter is supported by the following technical appendices:

Appendix E1: Consultation correspondence

Baseline

As has been addressed within the ES the assessments relating to noise have been undertaken during the Covid pandemic and therefore the establishment of baseline conditions has not been carried out using baseline sound level surveys. The baseline sound level climate has, therefore, been informed by noise prediction modelling and professional judgement.

Baseline assessments have been made with regard to rail, road and noise sensitive receptors.

Figure E4.2 and Table E4.1 within the ES illustrate the closest sensitive receptor locations and their spatial relation to the site boundary. Given the location of the site, the sensitive receptors are largely located to the south of the site.

Table E4.2 within the ES includes the predicted existing baseline sound levels at the noise sensitive receptors. This table includes both daytime and night-time levels.

Potential Effects of Development

Embedded Mitigation

It is assumed that existing landscape and buildings outside of the site's red line boundary act as natural barriers and provide embedded mitigation that was considered during the assessment.

During Demolition and Construction

As has been established the application is in outline and therefore it is not possible to quantify levels of noise that will arise. As a result of this indicative calculations have been carried out based on the assumptions.

The distances between the proposed development and the nearest noise sensitive receptors reduce the likelihood of significant effects from construction noise activities. The assessment is based on noise arising from impact piling as a worst-case scenario with all sensitive receptors being located more than 300m from the application site.

The predicted noise levels at the nearest dwellings to the site have been calculated on a worst case scenario of hydraulic hammer piling at a location closest to each receptor with a night-time assessment being undertaken as this represents the worst potential impacts if working 24 hours a day.

Table E5.2 has provided a summary of ambient noise levels and construction noise at night-time. Based on the information within the table, the effects at sensitive receptors surrounding the proposed development during the works would be not significant, although it is noted that receptors are located >300m from the site and therefore any small uncertainty in terms of the assumptions would not change the assessment results.

It is therefore considered that there would be no adverse impacts from construction noise, in policy and EIA terms the construction noise exposure level at any sensitive receptors surrounding the construction works would be below the SOAEL threshold therefore not significant in policy and EIA terms.

During Operation

The consideration of noise impacts during operation has been assessed with regard to operational building services and industrial activity noise and road traffic noise.

As has been established there are no specific operators identified for the site. Given this lack of clarity, noise arising from specific industrial activities cannot be predicted with great accuracy at this time. The assessment that has been made is therefore one of a high-level assessment, indicating worst reasonable case scenario. In order to establish the worst case scenario a number of assumptions have been made. These include the following;

- *Operating hours are considered to be 24hrs a day, 7 days per week.*
- *It is assumed that each building has an associated industrial AHU unit/large extract fan unit on the south of the building positioned near the roof.*
- *It is assumed that each building will have an internal reverberant sound level of 85dBA, which is relevant to hearing protection zones in the working environment [19]. It is considered to be the extreme worst case to test the potential for the effects. It is most unlikely that the internal reverberant level will reach 85dBA for the 24hrs a day, 7 days per week. Each building is assumed to be 35m high.*
- *Lining of the buildings is assumed to have a transmission loss as shown in Table E5.5.*

- *The breakout noise level at sensitive receptors was predicted using ISO9613 Acoustics – Attenuation of Sound during Propagation Outdoors: Part 2: General Method of Calculation [10].*
- *Road traffic movements on site, that is, car and HGV activity were also considered as part of the overall operational facilities noise emission.*

Based on the fact that the development is currently only in outline assumptions have been made in the predicted noise levels. The proposed changes to ambient noise levels for the daytime and night-time has been set out in tables E5.6 and E5.7.

The impact of road traffic noise there has been a comparison between the noise levels for the 'Do something' scenario and the predicted 'Do minimum' scenario noise levels. The noise levels for both scenarios have been set out in tables E5.3 and E5.4 of the ES with an assessment of both daytime and night-time noise levels. Based on the information within these tables there is not significant effects. Based on these assumptions there are unlikely to be adverse impacts from operational noise, the operational noise exposure level at any sensitive receptors would be substantially below existing ambient noise and therefore is assessed as not significant in EIA terms.

Mitigation and Monitoring

During Construction

It is proposed that demolition and construction works will be undertaken using the principles of BPM as set out in paragraph E3.5 ES. These principles will include where necessary, the selection of quiet plant, ensuring plant is well maintained, operating the plant with all covers in place and shutting down of plant when not in use.

In order to deliver the suitable mitigation a Demolition and Construction Environmental Management Plan is proposed to control and minimise potential disturbance to identified receptors.

During Operation

The consideration of noise during operation has been assessed with regard to operational building services and industrial activity noise and road traffic noise.

Noise from building services, miscellaneous plant and industrial operation will be controlled through design to achieve acceptable noise criteria based on the existing baseline noise levels at the closest noise sensitive receptors and for the sites individual location. This will depend on the specific use for each development plot

It is considered that the delivery of good practice will be ensured through a management plan to ensure considerate working, particularly if it is necessary to work outside daytime hours. The management plan should include issues

such as considerate driver behaviour, avoidance of idling engines and avoidance of queuing on public highways.

The design and control measures that will be used to limit operational noise from the plant will prevent significant effects in both ES and policy terms.

It is anticipated that upon submission of reserved matters applications, individual operators will be required to submit detailed planning noise assessment to ensure operating levels do not exceed criteria.

With regard to road traffic noise, no significant effects have been identified from changes in road traffic flows in the local area, therefore no mitigation has been recommended.

Residual Effects

Consideration has been given within the ES chapter with regard to residual effects. The following assessment has been made;

During Construction

No significant effects were identified in the assessment of potential effects and best practice mitigation measures have been identified to control noise during the construction phase of development. As such there will be no significant residual effects of noise or vibration.

During Operation

As no significant effects are identified, no additional mitigation has been proposed and there will be no significant residual effects of noise or vibration.

Conclusions

The ES chapter has assessed the impacts of noise and vibration on sensitive receptors both during and post construction. The following summary has been provided within the ES;

The predicted highest construction noise levels are below the BS 5228-1 'ABC Method' noise threshold. The effects at sensitive receptors surrounding the proposed development during the construction works would be not significant.

Whilst there is a small increase in road traffic noise due to increase in traffic movements, this is expected to be a negligible impact in the short term and a negligible impact in the long term.

This assessment has identified no significant effects from operational or construction noise sources on the surrounding residential receptors. Table E8.1 represents the potential effect summary for each sensitive receptor assessed.

A number of actions are recommended to ensure an appropriate form of development and the management of noise and vibration impacts. These are detailed within the ES as;

- *Use of BPM during the construction phase;*
- *Appropriate layout/orientation of service yards to provide screening of HGV movements and loading noise; and*
- *At the detailed planning stage, the design of building services plant and industrial noise sources would be designed in line with BS4142 and national policies. Assessments would be required to be submitted by individual operators intending to occupy the site. The assessments should demonstrate that noise from individual sites, in addition to the site as a whole, does not exceed the noise criteria.*

Planning Assessment

Based on the assessment set out in the ES the development raises no issues in terms of the generation of noise and vibration that would not be dealt with through the implementation of suitable mitigation measures as set out above.

The ES has been the subject of consideration by the Council's environmental health section who have offered the following advice;

As this is an outline application, the design has not yet progressed to the level where detailed information regarding the end usage is known. Therefore, design of the mechanical services plant or type of industrial noise cannot be assessed with any certainty. Accordingly, it is anticipated that noise from building services and plant will be assessed at detailed planning or controlled through the specification of noise emission limits and acoustic design requirements

The assessment notes a small increase in road traffic noise due to increased traffic movements but expects this to be minimal and has not identified any significant effects from operational or construction noise sources on the surrounding residential receptors but the following steps are recommended to ensure established criteria are met:

- *Use of BPM during the construction phase;*
- *Appropriate layout/orientation of service yards to provide screening of HGV movements and loading noise; and*
- *At the detailed planning stage, the design of building services plant and industrial noise sources would be designed in line with BS4142 and national policies. Assessments would be required to be submitted by individual operators intending to occupy the site. The assessments should demonstrate that noise from individual sites, in addition to the site as a whole, does not exceed the noise criteria.*

However, there has been no consideration within the assessment for nearby commercial operators and the effects from construction noise/vibration

In order to minimise the environmental impact.

Based on the assessment of the ES by the Council's EHO no objection is raised in principle to the proposed development. The EHO has noted that the application has been made in outline and therefore there are still a number of unknowns with regard to the final development layout and form, and therefore the resulting impacts. It is therefore accepted that further assessment of individual developments will be undertaken at Reserved Matters stage where noise emission limits and acoustic design can be further considered.

The EHO has also accepted the conclusion that there will be minimal changes in noise as a result of traffic movement to and from the site on nearby residential receptors. It is however expected that any developer on the site will adopt the principles set out within the ES that limit the impact on those residential receptors.

Comments have however been made with regard to the level of consideration given to the impact of the development on the nearby commercial operators through noise and vibration. The EHO has therefore suggested a condition relating to the submission of further noise assessments in advance of future phases of development at Reserved Matters stage. Discussions have taken place with the agent regarding the need for this, and while it is generally considered that there is unlikely to be any such issues, any proposed condition will not be objected to. It is therefore considered that a condition be added relating to further noise survey works.

A further condition has been suggested with regard to the submission of a CEMP. The provision of a CEMP has and continues to be proposed by the applicant as a means of addressing a number of mitigation scenarios. A condition for the provision of a CEMP is therefore proposed.

Conditions have also been proposed with regard to the submission of a Pilling Risk Assessment as well as a condition allowing 24hour activities 7 days a week at the site. While the condition for activities does not preclude any time when works/development cannot take place and therefore may be questioned to as whether it is necessary, it is considered that the imposition of the condition adds clarity to any future occupants to the site as to working hours allowed on the site.

The LPA is satisfied that the development will have no impacts in terms of noise and vibration that cannot be mitigated to an appropriate level by planning conditions or other regulatory regimes. The development raises no issues in respect of National Policy within the NPPF and Policy SD4(b)(e)(m)(n) of the Redcar and Cleveland Local Plan.

Chapter F – Air Quality

The ES chapter begins by setting out NPPF policy, legislation and local planning policy in respect of air quality. The chapter has been prepared by

Arup and it considers the effects of the proposed development on air quality surrounding the site.

The ES chapter has also been supported by a number of technical appendices including the following;

Appendix F1: Construction dust methodology, supplementary information;
Appendix F2: Traffic Data and Road Details;
Appendix F3: Consultation records; and
Appendix F4: Modelled Receptor Results.

Baseline

The ES has established the existing conditions at the site and the surroundings. This data has been sourced from both the Defra website and from the Redcar and Cleveland Borough Council Annual Status Report. Following the review of this information it has been established that there are no Area Quality Management Area's (AQMA) in the Redcar and Cleveland Borough Council area.

Local monitoring is undertaken by RCBC that has aided the preparation of the baseline information. RCBC carries out both automatic monitoring and passive monitoring using diffusion tubes. All monitoring within a 2km radius of the proposed development has been considered in the establishment of the baseline position.

There are several monitoring sites in the vicinity of the proposed development site. The closest to the proposed development are within the adjacent industrial area, where concentrations are well below the national air quality objective for NO₂.

Information has also been sourced from the Defra website which includes estimated background pollutant concentrations for NO_x, NO₂, PM₁₀ and PM_{2.5} for each 1km by 1km OS grid square. Background pollutant concentrations for the baseline modelling year (2019) have been obtained for the grid square in which the proposed development is located and have been presented in table F4.3 within the ES. The concentrations illustrated within the table are consistent with what would be expected of this location. There are no urban background monitoring sites close to the proposed development and therefore the Defra background concentrations have been used in the assessment of air quality.

Potential Effects of Development

Embedded Mitigation

The ES has considered whether there is the potential for embedded mitigation both during construction and during operation. The ES states the following;

Construction Phase

Although details of the construction stage are still emerging, it has been confirmed that the cut and fill volume for the proposed development will be neutral. It is also assumed for the purpose of this EIA that any material resulting from demolition will either not be taken off site, or it will go to the Highfield Landfill site (which forms one of the areas not included within the development site). This will reduce the potential number of HGV movements associated with construction and hence potential HGV emissions and dust impacts associated with these HGV movements (known as trackout). As an assessment of construction traffic has not been undertaken at this time, this measure has not been taken into account here but should be considered if/when an assessment of construction traffic is carried out.

Operation Phase

There are no air quality mitigation measures that can be considered embedded for the operational phase.

During Construction

The main impact during the construction phase of development is considered to be from dust. The construction dust assessment has been carried out using the IAQM Construction Dust Guidance. The effects of construction are considered to be temporary with construction anticipated to occur in a phased manner from 2023 to 2028 and will then be fully operational. The activities required to facilitate the proposed development will be construction, earthworks, demolition and associated trackout.

It is noted that the application is in outline and therefore the specific details of the construction process are not able to be confirmed. As such, assumptions have been made using best practice, in conjunction with input from the EIA coordination team to facilitate the construction dust assessment.

It has been assumed that construction and earthworks will occur across the whole development site to facilitate development. The demolition volumes have been provided by the client team, and include all demolition across the site, although it is accepted that some of these demolition activities will be assessed in full in separate future detailed planning applications, with some having already being considered.

No construction traffic data is currently available for the proposed development due to the uncertainty about the final form of development. An estimate has been made based on the level of information currently available that the likely level of vehicle movement at the site will be between 10 and 50 HGV movements per day during construction. This assumption has been based on the phased approach to construction, on a market demand basis (between 2023 and 2028).

In assessing the impact of construction activities an assessment has been made of sensitive receptors. Sensitive receptors are defined as those

residential properties/schools/hospitals that are likely to experience a change in pollutant concentrations and/or dust nuisance due to the construction and operation of the proposed scheme. There are however no residential property, school or hospital receptors within 350m of the proposed development site and therefore construction, demolition and earthworks where not considered further.

Consideration has also been given trackout impacts from the development. IAQM construction dust guidance states that the effects of trackout can be considered from 500m from the from the site entrance on the public highway. It is acknowledged that there are residential receptors within 500m of the site boundary therefore further consideration is given to trackout impacts.

There are ecologically designated sites that may be sensitive to dust soiling and PM10 exposure within 50m of the proposed development. The nearest ecological receptor is the Teesmouth and Cleveland Coast SSSI. Impacts on this SSSI have been considered as part of the assessment. It is acknowledged that the Teesmouth and Cleveland Coast SPA is outside 50m from the proposed development and therefore has not considered further.

Taking the above into consideration an assessment has been made with regard to the impacts of these various activities. To make this assessment each activity has been considered against the following criteria;

- Dust Emission Magnitude
- Sensitivity of the Area

Following the consideration of these criteria a risk of impacts has been formulated. These risks are set out within table F5.2 which is included below;

| Activity | Dust soiling | Human health | Ecological |
|-----------------|---------------------|---------------------|-------------------|
| Earthworks | N/A | N/A | Low Risk |
| Construction | N/A | N/A | Low Risk |
| Demolition | N/A | N/A | Medium Risk |
| Trackout | Low Risk | Low Risk | Low Risk |

During Operation

There are no significant effects predicted as a result of the operational phase of the proposed development, therefore no air quality mitigation measures are required.

Mitigation and Monitoring

The ES has considered mitigation measures for both during construction and during operation.

During Construction

The issues relating to air quality during construction relate in the main to dust emitting activities and therefore mitigation measures are put in place to reduce or eliminate these across the site.

A number of measures from the IAQM guidance are relevant for *medium* risk sites and should be included in the Construction Environment Management Plan (CEMP) for the site. Apart from the CEMP it is considered that the implementation of a number of site specific measures will help to minimise the risk of dust soiling, human health and ecological matters. These are set out in the ES in full, however the broad topic headings of these are as follows;

- General
- Site Management
- Monitoring
- Site Maintenance
- Operating Vehicle/Machinery and Sustainable Travel
- Operations
- Waste Management
- Measures Specific to Earthworks
- Measures Specific to Construction
- Measures Specific to Trackout
- Measures Specific to Demolition

During Operation

There are no significant effects predicted as a result of the operational phase of the proposed development, therefore no air quality mitigation measures are required.

Residual Effects

Consideration has been given to the residual effects of the development both during construction and during operation. The ES states the following;

During Construction

Following the successful implementation of the mitigation measures outlined in Section F6.0, it is anticipated that there would be no significant effects associated with the construction of the proposed development in EIA terms.

During Operation

There are no significant effects as a result of the operational phase of the proposed development, and so it can be concluded that there would be no residual effects, dependent on the ultimate uses and no changes to the data provided for this assessment in EIA terms.

Taking these conclusions into consideration the development based on the information currently available and the implementation of suitable mitigation is not considered to have significant impacts with regard to air quality.

Conclusions

A table (F8.1) has been provided within the ES that summarises the receptors, potential effect (including significance), mitigation measure, residual effect in relation to air quality effects. This is considered to provide a detailed and robust overview of the impacts and mitigation.

The ES has the following concluding comments;

Current monitoring undertaken by RCBC indicates that the air quality at roadside locations in the area surrounding the proposed development is below the national annual mean NO₂ objective. At the monitoring location nearest to the proposed development, the concentrations are well below the objective.

Construction effects have been assessed using the qualitative approach described in the latest IAQM guidance and it was concluded that with the appropriate best practice mitigation measures suitable for medium risk sites in place, there is likely to be a negligible effect on receptors from the dust-generating activities onsite.

A detailed modelling assessment was carried out for the operational phase traffic to determine the likely impact of the proposed development. The assessment showed that all pollutant concentrations at all sensitive receptor locations are predicted to be below the relevant air quality objectives.

The magnitude of change for NO₂, PM₁₀ and PM_{2.5} concentrations at all receptors is negligible. The overall effect of the proposed development on local air quality is therefore predicted to be not significant.

Planning Assessment

Based on the assessment set out in the ES the development raises no issues in terms of emissions that would not be dealt with through the EA permitting regime and other regulatory functions.

Whilst the LPA must be mindful of the advice set out in the NPPF (para183)

The focus of planning policies and decisions should be on whether proposed development is an acceptable use of land, rather than the control of processes or emissions (where these are subject to separate pollution control regimes). Planning decisions should assume that these regimes will operate effectively. Equally, where a planning decision has been made on a particular development, the planning issues should not be revisited through the permitting regimes operated by pollution control authorities.

The ES has been the subject of consideration by the Council's environmental health section who have offered the following advice;

An Air quality assessment has been submitted in support of this application.

The assessment acknowledges sensitive receptors defined as those residential properties/schools/hospitals that are likely to experience a change in pollutant concentrations and/or dust nuisance due to the construction and operation of the proposed scheme, but does not include nearby commercial operations whose activities could be affected from dust emissions during demolition and construction works.

The assessment states there will be no significant effects as a result of the operational phase of the proposed development once constructed

In order to minimise the environmental impact, I would recommend the inclusion of conditions.

The LPA is satisfied that the development will have no impacts in terms of emissions and impact on human health that cannot be mitigated to an appropriate level by planning conditions or other regulatory regimes. The development raises no issues in respect of National Policy in the NPPF and Policy SD4(b)(e)(m) and LS4 (x) of the Redcar and Cleveland Local Plan.

Chapter G – Water Management and Flooding

The ES chapter begins by setting out NPPF policy, legislation and local planning policy in respect of water management and flooding. The chapter has been prepared by JBA and it considers the effects of the proposed development on water management and flooding associated with the development.

The Chapter is supported by the following technical appendices:

Appendix G1: Summary of Consultation with statutory consultees

Appendix G2: Flood Risk Assessment ('FRA')

Baseline

The ES describes the location of the site, surface water bodies across the wider site (Figure G4.1), flood risk at the site including (fluvial, coastal and tidal, surface water and climate change).

Due to the nature of the development consideration is also required to be given to the impact of ecology of the water bodies under the Water Framework Directive. The ES states the following;

Any activity that has the potential to have an impact upon any of the Quality Elements will need consideration in terms of whether it could cause a deterioration in the status of a water body. The activity will also need to be considered in terms of whether it will compromise the ability of the water body to reach Good Ecological Status or Good Ecological Potential. Future

Environmental Permits and full planning application for the site will likely require WFD Assessments to support them. Those assessments will determine the effects of the proposed facility on ecological, hydromorphological and chemical quality and identify any potential impacts that could cause deterioration in the current status of the water body or could hinder the water body from meeting its WFD objectives in the future.

The site is located 0.2km south east of the Tees Transitional water body (GB510302509900), 5km south west of Tees Coastal Water (GB650301500005) and is within the Tees Mercia Mudstone and Redcar Mudstone Groundwater water body (GB40302G701300).

Since the design of the proposed development and the water management strategy are yet to be developed, it is assumed that a WFD assessment will be undertaken at a later date.

Consideration has also been given to the future baseline of the site due to the ever changing nature of hydrological systems. The ES states;

In the absence of the proposed development proceeding, it is anticipated that the land use, management of the site and condition of the water bodies at the site and in the surrounding area would remain the same as the current baseline. as described in the FRA in Appendix G2.

Potential Effects of Development

Embedded Mitigation

Consideration has been given to the mitigation measures that will be designed into future development at the site. The ES states;

Construction Phase: -

- *Movement of material - it is assumed that the site is cut and fill natural.*
- *Flooding and drainage - the proposed finished floor level will be a minimum of 5.79mAOD. The tidal flood level of 5.03mAOD represents the 200 year coastal flood risk + Sea Level Rise allowance to 2100 design scenario and so the proposed development would be outwith the elevations at risk of flooding.*

A Drainage and Water Management Strategy is being developed for the wider STDC area. This is being progressed and at the point of submitting this outline planning application, is yet to be finalised. The detailed design of the scheme will be designed in accordance with the industry standards, regulations and guidance for design of water management and drainage assets detailed in this water management strategy that will be required to meet planning conditions. Since this strategy is not yet finalised, it is not embedded into the design of the scheme and it is therefore considered as secondary mitigation. However, the STDC strategy shall be prepared in advance of construction so that the detailed design will comply with the industry standards, regulations and guidance for the design of water

management and drainage assets and supply appropriate mitigation for the adverse impacts.

The above measures during the construction phase are accepted a reasonable approach, while it is acknowledged that work is on-going with the Drainage and Water Management Strategy that will feed in to later design solutions at the site along with industry standards that would be used outside of the presence of the proposed strategy.

During Construction

Consideration has been given to the impacts that are anticipated to occur during the construction phase of development in advance of the implementation of the Drainage and Water Management Strategy at the site, therefore only including the embedded mitigation strategy as set out above. Consideration has been given to the following potential impacts at the site;

- Surface Watercourses – flows
- Surface Watercourses – water quality
- Groundwater aquifer – flows
- Groundwater – water quality

Operation

Consideration has been given to the impacts that are anticipated to occur during the operation of the development. The consideration notes the impact of the development without the implementation of the Drainage and Water Management Strategy and the resulting drainage system across the site. Consideration has again been given to the following potential impacts at the site;

- Surface Watercourses – flows
- Surface Watercourses – water quality
- Groundwater aquifer – flows
- Groundwater – water quality

Mitigation and Monitoring

The development is proposed to include the following mitigation measures;

- The preparation of the STDC Water Management and Drainage Strategy
- The production and implementation of a suitable water and drainage asset
- The implementation of a Construction Environmental Management Plan (CEMP)

The potential content of the CEMP is set out at para G6.2 and likewise the broad content of strategy is set out at para G6.3.

The proposed mitigation and the rationale for its incorporation has been set out within Table G6.1 of the ES chapter. The table summarises the main receptors on site, the potential impact(s) from the development and then the mitigation resulting in during both construction and operation. The table is considered to provide a robust overview of the mitigation proposed during both phases of the development.

Residual Effects

The ES has considered the impacts of the development following the implementation of the above mitigation measures. The ES states;

The STDC water management strategy shall be prepared in advance of construction. The residual impact assessment has been carried out on the assumption that the above mitigation principles detailed in the strategy and the CEMP shall be adopted through the construction and operation phases. Since the water management strategy and CEMP are to be considered as secondary mitigation, this secondary mitigation will change the effect of the development over and above that assessed in the embedded mitigation section.

As previously noted, the water management and drainage strategy is yet to be completed but in light of the application of the appropriate mitigation following the mitigation hierarchy and the aspirations to establish blue-green networks and daylight culverts where possible, no significant residual impacts are predicted during construction, operation or decommissioning of the project.

Consideration of the residual effects have been set out in a similar manner to that of the potential effects of the development. An assessment has therefore been made both during construction and during operation of the following areas;

- Surface Watercourses – flows
- Surface Watercourses – water quality
- Groundwater aquifer – flows
- Groundwater – water quality

It is stated that no significant residual impacts are predicted as a result of the development following the implementation of the mitigation measures set out above.

Conclusions

A table (G8.1) has been provided within the ES that summarises the receptors, potential effect (including significance), mitigation measure, residual effect (including significance) in relation to water management and flooding. This is considered to provide a detailed and robust overview of the impacts and mitigation.

The ES has the following concluding comments;

The straightened and culverted watercourses through and surrounding the site present constraints to development, but they also provide significant opportunities. The aspirations of the forthcoming water management and drainage strategy seek to provide a plan for managing and improving the current baseline conditions on site with respect to the water environment. Works shall be done under an environmental permit and the STDC water management and drainage strategy shall be prepared in advance of construction so that there is a means to ensure commitment to delivering mitigation that adheres to the best practice, regulations and guidance noted in previous sections of this chapter.

With regards to groundwater, the site has limited groundwater resources. The development should lead to an overall improvement of groundwater conditions through the remediation strategy, blue green infrastructure and other embedded mitigation. SuDS shall be used to protect and enhance the environment. As most of the site is made ground the proposed SuDS and any new drainage shall be lined or subject to local investigation to minimise infiltration into contaminated parts and translocation of the contaminants into wider environment. Any storage for rainwater shall be lined or in tanks that are suitably protected against ingress from contaminated soils. This will prevent contamination during storage.

Planning Assessment

The ES provides an appropriate assessment of flood risk and related matters. The site does not lie in an area at risk of flooding and the development has limited potential to contribute to the issue of flood risk once completed. Surface water run-off from the site may be managed in an appropriate manner, with no residual impacts predicted in the assessment.

Policy SD7 of the RCLP requires flood risk to be assessed at all stages of the planning process. The site lies outside areas at risk of flood risk as indicated on EA mapping. The ES demonstrates that the development has taken account of flood risk and appropriate mitigation.

The management and treatment of water on the site is to be designed in accordance with the proposed STDC water management strategy

Policy requires that new major development is supported by appropriate infrastructure; the final detail of the drainage system is required to be agreed but neither the LLFA nor Northumbrian Water raise objection to the development and it is considered that planning conditions can be added to facilitate the granting of planning permission.

In view of the above the development complies with policy in the NPPF, policies SD7 and SD4(f) of the Redcar and Cleveland Local Plan.

Chapter H – Ground Conditions and Remediation

The ES chapter begins by setting out NPPF policy, legislation and local planning policy in respect of ground conditions and remediation. The chapter has been prepared by Arcadis (UK) Ltd.

The Chapter is supported by the following technical appendices:

Appendix H1: Former Steelworks Land, South Tees Outline Remedial Strategy, Prepared for South Tees Development Corporation by Wood, Ref. 41825-wood-XX-XX-RP-OC-0001_S0_P01 dated 25th June 2019 [Wood 2019];

Appendix H2: Scoping Correspondence with Redcar and Cleveland Borough Council ('RCBC');

Appendix H3: Site Layout and Areas Plan;

Appendix H4: The Former SSI Steelworks, Redcar: Former SLEMS Landfill, Intrusive Investigation Report, prepared by Arcadis for South Tees Site Company Ltd., Ref Redcar Steelworks-AUK-XX-XXRP-GE-001-P1-SLEMS_BOS_Oxide_Assessment dated January 2019 [Arcadis 2019];

Appendix H5: The Former SSI Steelworks, Redcar: Replacement CLE3/8 Landfill Boreholes, CQA Validation Report, prepared by Arcadis for South Tees Site Company Ltd., Ref 37774100007_01, dated January 2019 [Arcadis 2018];

Appendix H6: TS4 South Bank – Phase 1 Environmental Desk Study, prepared by CH2M Hill for the Homes and Communities Agency, Ref. 678079_TS4_001 dated August 2017 and marked Final [CH2M 2017];

Appendix H7: First Phase Reporting of the Site Protection and Monitoring Programme, prepared by Corus Group Plc (Corus [2008]);

Appendix H8: Design of a Site Protection and Monitoring Programme for Cleveland Works, Teesside, prepared by Corus Group Plc [Corus 2004];

Appendix H9: Soil and Groundwater Baseline Characterisation Study, Teesside Works, prepared by Enviros for Corus UK Ltd [Enviros 2004], Comprising: a Volume 1 – Factual Report, Ref. Rlp250604corusteessidefactual.Doc dated 25th June 2004 and marked Final; b Volume 2 – Interpretive Report Ref. Mwicorusdraftinterpretivemmdv#2. Doc dated 25th June 2004 and marked Final; and, c Volume 3 – Summary Report dated June 2004.

Appendix H10: South Tees Industrial Area – Site C – Ground Investigation, prepared by Allied Exploration and Geotechnics Ltd. for English Partnerships, Ref. 1715H dated 12th July 1999 and marked Draft [AEG 1999].

Potential Effects of Development

Embedded Mitigation

The proposed embedded mitigation measures relevant to ground conditions include:

1 Earthworks: for the purpose of this EIA it is assumed that the construction stage of the development will be cut and fill neutral; and

2 Site Levels: the proposed minimum finished floor level will be 5.79m AOD.

During Construction

Consideration has again been given to the impacts on human health receptors, environmental receptors.

With regard to the impacts on human health receptors the main effects from the development can be summarised as follows;

- Dust generation resulting in contact and inhalation of contaminants
- Contact with asbestos fibres
- Lead levels in soils
- Hydrocarbon contamination in soil and groundwater

The ES concludes that *Based on existing survey data available, the sensitivity of the human receptors which includes construction workers and residents/visitors of surrounding properties is high and the magnitude of impact prior to mitigation is medium. This could lead to impacts of moderate adverse significance (considered 'significant' in EIA terms) if mitigation actions are not carried out.*

With regard to the impacts on environmental receptors the main effects from the development can be summarised as follows;

- Widespread elevated sulphate concentration levels
- Past industrial activity is considered to pose a medium risk of pollution to controlled waters

The ES concludes *the assessment of significance undertaken within this EIA supports the remedial strategy with the sensitivity of the controlled water receptors considered medium (reflecting a water receptor deemed to be of low value) and that given the low magnitude of likely impact the overall significance is considered negligible and therefore not significant.*

During Operation

Consideration has again been given to the impacts on human health receptors, environmental receptors and built environment and landscape.

With regard to human health receptors it is considered that the South Industrial Zone and South Bank Site will have undergone remedial works which are assumed to meet the following objective as detailed within the Outline Remedial Strategy. It is therefore considered that the exposure of the future end-users will be limited as the developed site will be covered with a variety of finishes including commercial and industrial buildings and hard-standing associated with car parking and roads.

The ES concludes that *the sensitivity of the human receptors is high and the magnitude of impact prior to mitigation is considered to be low. Thus, the impact on human receptors prior to mitigation is considered to be of minor adverse significance which is not considered 'significant' in terms of this EIA assessment.*

With regard to environmental receptors the proposed development is based on a future commercial and industrial end use - B2 (general industry), B8 (storage and distribution) and B1 (office). It is considered that B1 uses due to their nature would not result in activities that generate contaminants that would pose a risk to soil surface or groundwater. B2 and B8 uses do introduce the potential for hazardous material depending on the specific form of development. Should any development result in the release of any contaminants, the magnitude of any impacts will depend on the type of material released, as well as the quantity and timing of the release.

The ES concludes the sensitivity of the surface waters and/or groundwater is medium and the magnitude of impact prior to mitigation is medium. Thus, the impact on surface waters and/or groundwater is considered to be of minor adverse significance which is not considered 'significant' in terms of this EIA assessment.

With regard to the Built Environment and Landscape materials such as concrete, metals and plastics will be employed in the construction of the development platform and site buildings and infrastructure. These materials could be used underground or above ground level. The built environment can be impacted where materials have been incorrectly specified at the design / construction stage. Buried concrete could be exposed to chemical attack especially from ground-borne acids and sulphates and this could compromise the structural integrity of the underground structures. The selection of materials will be on a plot by plot basis based on site specific criteria and resulting design.

The ES concludes *the sensitivity of the built environment and landscape associated with the development is high and the magnitude of impact prior to mitigation is medium. Thus, the impact on development infrastructure and landscape during the operation stage prior to mitigation is considered to be of moderate significance which is considered 'significant' in terms of this EIA assessment.*

Mitigation and Monitoring

An outline remediation strategy has been prepared for the site, however it is acknowledged that a strategy is also being prepared for the wider STDC site. The Outline Remediation Strategy (Wood 2019) prepared for the application includes the following;

- *Demolition of legacy structures and ground preparation operations including removal of relic subsurface obstructions (to ~2.5mbgl), vegetation clearance and infilling of voids. It should be noted that the*

demolition of existing structures within the development site has been considered within this EIA, albeit it is anticipated that these will be removed subject to existing prior approval applications (see chapter B of this ES);

- *The option for selective excavation and disposal at the adjacent hazardous waste facility of limited 'hotspots' of contamination; and*
- *Site won and imported clean cover soils will be placed under a controlled methodology, mainly driven by geotechnical requirements, to form a 0.3m capping layer to physically break Made Ground contaminant linkages. It is assumed cut and fill balance will be neutral.*

As the application is made in outline there are still unknowns regarding future plot locations and forms of development. The detailed design for each of the development plots will therefore determine the detailed remediation approach based on the intended layout and form of development. This would be informed by additional ground investigation and/or risk assessment, where required.

During Construction

It is proposed that construction activities will be mitigated through the implementation of a Construction Environmental Management Plan (CEMP). The CEMP will be developed to avoid, minimise or mitigate any construction effects on the environment and the surrounding community. The measures that should be included relate to the protection of human health receptors and environmental receptors. The specific measures to be included within the CEMP are set out in paras H6.4 of the ES.

During Operation

Consideration has again been given to the impacts on human health receptors, environmental receptors and the built environment. A number of measures are set out including;

- Ground gas monitoring within the proposed development area supported by a Gas Risk Assessment
- Areas of hardstanding to be designed to avoid uncontrolled discharges to drains
- Materials used in infrastructure will be designed and specified accordingly taking due account of the potential for aggressive ground conditions such as those related to the possible presence of elevated sulphate or the presence of ground gas.

Residual Effects

During Construction

Consideration has been given to the impacts on human health receptors, environmental receptors and waste management facilities. These have been summarised in the ES as follows;

Impacts on Human Health Receptors

The sensitivity of human receptors (construction workers and offsite human health receptors) is high and the magnitude of impact following mitigation is negligible. There are likely to be impacts of negligible significance after the implementation of mitigation measures. This is not considered significant in EIA terms.

Environmental Receptors (Surface Waters and Groundwater)

The sensitivity of the surface water and/or groundwater is medium, and the magnitude of impact following mitigation is negligible. Therefore, the impacts after the implementation of mitigation measures are considered to be of negligible significance. This is not considered significant in EIA terms.

Impacts on Waste Management Facilities

The sensitivity of the waste management facilities is medium, and the magnitude of impact following mitigation is Low and thus the impact on management facilities during the construction phase is considered to be of negligible significance. This is not considered significant in EIA terms.

During Operation

Consideration has been given to the impacts on human health receptors, environmental receptors and waste management facilities. These have been summarised in the ES as follows;

Impacts on Human Health Receptors

H7.4 The sensitivity of human receptors (future residents, visitors and maintenance workers of the proposed development, residents and visitors of surrounding properties) is high and the magnitude of impact following mitigation is negligible. Therefore, following the implementation of mitigation measures impacts are of negligible significance. This is not considered significant in EIA term.

Environmental Receptors (Surface Waters and Groundwater)

H7.5 The sensitivity of the surface water and/or groundwater is medium, and the magnitude of impact following mitigation is negligible. Therefore, the impacts following mitigation are of negligible significance. This is not considered significant in EIA terms.

Built Environment and Landscape

H7.6 The sensitivity of the built environment and landscape is medium, and the magnitude of impact following mitigation is negligible. Therefore, the impacts are considered to be of negligible significance. This is not considered significant in EIA terms.

Conclusions

A table (H8.1) has been provided within the ES that summarises the receptors, potential effect (including significance), mitigation measure, residual effect (including significance) in relation to ground conditions and contamination. This is considered to provide a detailed and robust overview of the impacts and mitigation.

The ES has the following concluding comments;

A number of potential impacts of varying significance to receptors, associated with land quality, ground conditions and contamination have been identified. These potential impacts have been considered and assessed within the context of the proposed construction (including the proposed remediation works detailed in the Outline Remedial Strategy (Wood 2019)) and operation of the Development. The sensitivity of the human receptors (construction workers and residents/visitors of surrounding properties) is high while the groundwater and principal surface water feature (River Tees) are considered of low value and hence considered a medium sensitivity.

H8.2 Mitigation that is designed to protect the identified receptors susceptible to impacts from contamination in Made Ground soils have been set out. The residual significance of the impacts identified is considered to be negligible following the implementation of the mitigation measures.

H8.3 There are currently a number of data gaps regarding the geochemical and geotechnical characterisation of ground conditions and contamination at the site which will likely require further site investigation and risk assessment in order to inform detailed design statements (in line with the overall remedial strategy) produced to support the development of specific areas during subsequent phases of development

Planning Assessment

The ES provides an appropriate assessment of ground conditions and remediation related matters.

The site forms part of the wider STDC area and therefore Policy LS4 of the Redcar and Cleveland Local Plan is relevant.

The application has been considered by the Council's EHO who has offered the following comments on the submitted information;

I note that a Ground Conditions and Remediation report has been submitted in support of this application.

The assessment undertaken is supported by the Outline Remediation Strategy (Wood, 2019) which identifies the relevant SPR linkages (based on current data) and the overarching remediation strategy required to address potential risks to identified receptors. The Outline Remediation Strategy (Wood 2019) will form the basis for a remediation strategy for the development site. It includes several elements which will mitigate potential environmental risks associated with the proposed development as part of the proposed remedial works,

There are a number of potential on site sources of contamination (Former SSI SLEMS, Former Metals Recovery Area) as well as potential off-site sources (Former SSI High Tip, Highfield Environmental Facilities, Hanson Concrete and Tarmac Teesside Leasehold areas and the SBCO), therefore, additional ground investigation and/or risk assessment, will be necessary where required.

The assessment states that based on the results of the previous ground investigations as well as any further investigation undertaken, areas that pose a risk to human health as a result of identified contamination will be delineated and remediated prior to construction works.

Based on the comments above, the survey work carried out as part of the ES and the conclusions that have been reached within the ES it is considered that a number of conditions are required. These include the provision of a CEMP, additional Ground Investigation Report, Remediation Strategy and a Gas Risk Assessment. Given the provisions within these requirements any future development is considered to be suitably controlled and potentially mitigated against any adverse impacts

In view of the above the development complies with policy in the NPPF, policy LS4 (x) of the Redcar and Cleveland Local Plan.

Chapter I – Socio – Economic

The ES chapter begins by setting out NPPF policy, legislation and local planning policy in respect of climate change. The chapter has been prepared by Lichfields.

Baseline

The ES has established the Area of Impact (AOI) as Redcar and Cleveland, Middlesbrough and Stockton-on-Tees local authorities. The population of the AOI was 474,475 in 2018 with a growth in population of 2.4% over the period of 2008 to 2018. This is a lower rate of growth when compared to a rate of 3.4% across the North East and 8.0% nationally.

An assessment has been made of local economic conditions including an assessment of employment growth, sectoral structure, business growth.

With regard to employment growth, Table I4.1 of the ES sets out the employment and jobs density position across the AOI. The information illustrates that jobs growth across the period was 2.5% which is lower than the regional position at 4.3% and nationally at 13.6%. Job density for the AOI is also detailed as being lower than the North East and nationally at 0.7, 0.73 and 0.86 respectively.

With regard to sectoral structure within the AOI it has been established that the largest employing sectors are as follows; *Health (17.3%), Retail (10.3%), Education (9.5%), Manufacturing (9.2%) and Business administration & support services (7.6%)*. Collectively, these five sectors constituted 53.8% of total employment. Further analysis has been made as to the change in employment sectors over the defined period. Particular interest in relation to the proposed development is in the following sectors;

- *Manufacturing: employment in the AOI decline substantially (-8.1%) despite remaining relatively static at the regional and national level; and*
- *Transport and logistics (inc. postal): employment in the AOI increased (5.3%) albeit at a rate below the regional and national level.*

With regard to business growth over the defined period. This has been summarised in Table I4.3 of the ES, which illustrates that the AOI compares favourably to the North East and nationally at 34.3% compared to 26.1% and 30.1% respectively.

An assessment has been made of local labour market conditions for the AOI. This has included consideration of economic activity, skills and qualifications, earnings and deprivation.

With regard to economic activity the most recent survey illustrates the AOI has a rate of 72.2%, this being lower than the North East at 75.0% and nationally at 78.9%. Consideration has also been given to unemployment rates with the most recent information from 2020 illustrating a rate of 7.4% in the AOI compared to 6.9% in the North East and 5.1% nationally.

With regard to skills and qualifications, the AOI has a lower proportion of working age residents with NVQ's levels 1 to 4+ than both the North East and nationally, while the AOI has a higher proportion of working-age residents with no qualifications (12.0%) than that of the wider region (9.4%) and nationally (7.7%).

With regard to earnings the AOI has higher median weekly earnings than the North East but lower than the national average.

With regard to deprivation Figure I4.4 of the ES indicates that there are significant pockets of deprivation across the AOI, with the most significant pockets located in Middlesbrough but also along the banks of the River Tees in both Stockton-on-Tees and Redcar and Cleveland, including the application site.

A summary of the baseline/existing conditions is included at para 14.22 of the ES and this states;

.....the AOI has:

- a lower jobs growth performance relative to the regional and national levels;*
- b A lower jobs density ratio compared to both regional and national averages;*
- c Higher business growth relative to regional and national averages, with particularly strong growth in Micro (0-9 employees) firms;*
- d An economic activity rate that is lower than the regional and national averages. Both the model-based unemployment rate for the AOI and the proportion of economically active population claiming out-of-work benefits are higher than the regional and national averages;*
- e Worse performance compared to regional and national averages in terms of skills and occupational profile of the resident workforce. The AOI has a lower proportion of residents with higher skills (NVQ Level 4+) and a lower proportion of the workforce in higher skilled occupations (SOCs 1-3). In addition, it has a higher proportion of residents with no qualifications and a greater proportion of the workforce in lower skilled occupations (SOCs 7-9).*
- f On average lower resident-based earnings compared to workplace-based earnings but in both cases sitting above the regional average but below the national average; and*
- g Significantly higher levels of deprivation within the context of all English local authorities.*

Potential Effects of Development

Embedded Mitigation

No design measures have been embedded into the scheme in relation to socio-economic matters

During Construction

The effects of the development have been considered to relate to both employment and economic output.

With regard to employment this can be considered with regard to both direct employment and indirect and induced employment. To quantify the employment benefit two construction options have been considered, one being total B8 development and one being total B2 development. These have resulted in estimated build costs that when applied through a labour coefficient gives an estimate of job creation. These have been set out in para 15.9 of the ES which states for option A 395 gross FTE jobs annually for the construction phase and for option B 420 gross FTE jobs annually for the construction phase. It is not possible however to quantify the number of these jobs that would be taken up locally as this will depend on let contractors at the time of construction.

With regard to the indirect and induced employment a multiplier effect can be introduced to generate the jobs that may be generated. For option A this is considered to generate 460 additional indirect FTE jobs per annum over the duration of the build period and 495 indirect FTE jobs per annum under Option B. In total, therefore, the proposed development could be expected to support between 855 and 915 direct and indirect FTE jobs per annum over an 8 year build period.

With regard to economic output the ES summaries this as follows;

Based on recent (March 2019) Experian data, the construction sector in the North East region is estimated to generate an average GVA per FTE worker of £62,370 per annum. Applying this to the direct employment effects of the scheme it is estimated that the proposed development could generate £24.5million of direct GVA for each year of the construction phase under Option 1, rising to £26.2million under Option 2. Applying an indirect GVA multiplier for the construction sector of 2.04vii to the direct GVA above, it is estimated that Option 1 could generate £50.1million of direct and indirect GVA for each year of the construction phase. This is anticipated to increase to £53.4million under Option 2.

A summary has been provided within TableE5.1 of the ES which illustrates the socio-economic effects of the development without any mitigation. The table illustrates that the proposed development will have a beneficial impact ranging from a moderate to substantial magnitude.

During Operation

As with during construction an assessment has been made with regard to employment and economic output.

With regard to direct employment resulting from the development the ES states;

Lichfields is advised, by the applicant, that the proposed development is expected to create approximately 3,870 gross direct FTE jobs, once completed and operational. It is understood that this figure has been arrived at having regard to:

- The existing masterplan for the wider STDC site, which identifies distinct character areas and the likely employment yield of each (based on the anticipated scale and nature of end users); and*
- Exploratory discussions with businesses interested in establishing a presence on the site, to understand their business model and the relationship between space requirements and employment creation that flows from this.*

In the context of the above, it is assumed that – if delivered and promoted in accordance with the guiding principles of the South Tees Regeneration Masterplan – the displacement effects of the proposed development will be

low. In accordance with the Homes and Communities Agency Additionality Guide, a 25% displacement allowance has therefore been applied.

As a result, it is estimated that the net additional on-site employment generated by the proposed development is likely to be in the order of 2,903 direct FTE jobs.

With regard to indirect and induced employment the ES states;

In addition to the direct jobs considered above, some indirect employment would also be created by the spending on goods and services by those business based at the proposed development. The wage expenditure of workers employed directly at the proposed development, as well as those employed in the supply chain, would also support induced jobs in shops, services and other businesses in the local economy.

In this context, it is estimated that the 2,903 net additional on-site jobs created by the proposed development could support the creation of a further 842 additional 'spin-off' FTE jobs in the supply chain as well as shops, services and other businesses in the local economy (defined as the AOI). At the regional (North East) level, a total of 1,277 'spin-off' FTE jobs is anticipated (including the 842 to be captured locally). The estimates of 'spin-off' employment have been derived having regard to Homes and Communities Agency Additionality Guide which advises that industrial/warehousing intervention types typically support type II multiplier effects of:

- 1.29 at the local level; and*
- 1.44 at the regional level.*

Taking these two scenarios and calculations into considerations the proposed development is expected to generate 3,745 (direct, indirect and induced) FTE jobs within the local economy (defined as the AOI), rising to 4,180 FTE jobs at the regional level.

With regard to economic output the ES states;

To reflect the differences in productivity between the B2 and B8 uses that could be accommodated on the site, the analysis of economic output effects presented below considers two possible outcomes:

Option 1: all employment (2,903 net additional on-site jobs) generated by the proposed development falls within the storage and distribution (B8) uses. It is estimated that this would generate in the order of £110 million of additional GVA per annum; and

- Option 2: all employment (2,903 net additional on-site jobs) generated by the proposed development falls within the general industrial (B2) use class. It is estimated that this would generate in the order of £180 million of additional GVA per annum.*

In reality, however, it is likely that any future development on the site will comprise a mixture of both B2 and B8 uses. As such, the observed economic output effects would sit somewhere within the range identified.

Mitigation and Monitoring

Consideration has been given to the need for mitigation measures in order to address any adverse effects of the development. Given the nature of the effects in so far as they are benefits, no mitigation is proposed.

It is stated within the ES;

STDC is committed to working with Redcar and Cleveland Borough Council, where possible, to deliver training and apprenticeship schemes during the construction phase. It is anticipated that this will help to maximise the extent to which the beneficial effects of the development proposals are captured within the AOI.

Residual Effects

As no mitigation measures are assessed as being necessary, the residual effects are the same as the impacts discussed above.

Conclusions

A table has been provided at E8.1 which summarises the receptors, potential effect (including significance), mitigation measure, residual effect (including significance) in relation to socio-economic effects. This is considered to provide a detailed and robust overview of the impacts.

The ES has the following concluding comments;

The proposed development will have a beneficial effect on the local economy. During the construction stage, the delivery of 418,000sq.m of new employment space for B2/B8 uses will support new construction industry jobs which, in turn, will generate an increase in economic output (Gross Value Added). Once operational, the site is expected to position Redcar to compete for businesses and investment on an international stage, creating a net increase in local employment and the economic output that flows from this.

The proposed development will, therefore, contribute towards improving economic conditions within the AOI, an area currently characterised by: a low jobs density (and low levels of employment growth in recent years); high unemployment; and high levels of deprivation.

Given the beneficial nature of the potential effects assessed, no mitigation measures are required in order to address any adverse effects of the development proposals.

Planning Assessment

The ES provides an appropriate assessment of socio-economic related matters.

The site forms part of the wider STDC area and therefore Policy LS4 of the Redcar and Cleveland Local Plan is relevant.

In relation to the economy, Policy LS4 states that the Council and its partners will aim to deliver the following objectives;

a Deliver significant economic growth and job opportunities through the South Tees Development Corporation and Tees Valley Enterprise Zone at Wilton International and South Bank Wharf;

b Support the regeneration of the STDC area through implementing the South Tees Area Supplementary Planning Document;

c Investigate opportunities to create a new energy hub to support the offshore wind and sub-sea engineering sectors;

d Support the expansion and protection of the port and logistics sector;

e Improve existing employment areas and provide a range of modern commercial premises that meet contemporary business requirements including the target sectors of the South Tees Area Supplementary Planning Document;

f Give the area an identity and make it attractive to inward investment; and

g Enhance the quality and range of services and facilities that serve the needs of those working in the South Tees employment area.

It is considered that the proposed development responds to the policy requirements of LS4 and the South Tees SPD to deliver economic growth and the regeneration of the STDC area.

The development has been assessed against two potential delivery scenarios, one based against solely B2 development and one against solely B8 development. It is acknowledged that both scenarios have the potential to deliver significant benefits with regard to job creation and spending within the economy, albeit any development is likely to deliver a mix of these two scenarios.

Given the proposed benefits from the scheme and the lack of adverse effects from the development, no mitigation measures are proposed. The ES does state that *STDC is committed to working with Redcar and Cleveland Borough Council, where possible, to deliver training and apprenticeship schemes during the construction phase.* This however does not result in the contribution of any monetary funds to support these initiatives.

In view of the above the development complies with policy in the NPPF, policy LS4 (a)(b)(c)(d)(e)(f)(h)(k)(l) of the Redcar and Cleveland Local Plan.

Chapter J – Waste and Materials Management

The ES chapter begins by setting out NPPF policy, legislation and local planning policy in respect of climate change. The chapter has been prepared by Atkins.

The Chapter is supported by the following technical appendices:

Appendix J1: Summary of Consultation

Baseline

The ES in the establishment of the baseline for the site has considered the existing conditions on the site, the remaining capacity of landfill within the North East region and the availability of materials within the North East region.

The STDC area presents a significant opportunity to convert brownfield sites into new industrial areas. It is considered that this can be achieved with sustainability in mind by utilising site-won materials generated during the development from earthworks and the demolition of existing assets

The site has an extensive transport network that includes roads, rail and port connections at Teesport, Redcar Bulk Terminal (RBT) and South Bank Wharf allowing for easy movement of materials and waste to and from the site.

The total remaining landfill capacity for the North East of England region is estimated to be 19,451,401 m³ (based on data from 2018) or 23,341,681 tonnes. This includes the capacity at Teesport 3 that is anticipated to be used for any hazardous material, while other landfill within the STDC site are also included within the North East capacity. The North East is therefore considered to have capacity to accommodate the proposed development as set out in Table J3.1 of the ES.

Materials availability within the region is considered to be sufficient compared with the typical volumes of material used within construction projects in the UK

Potential Effects of Development

This section has been prepared based on the forecast volume of waste generated and material used during the construction and operational phases of the proposed development which has been derived from the submitted parameters plan.

Embedded Mitigation

The following embedded mitigation measures are proposed:

- *The proposed development will aim to be cut and fill neutral, ensuring the reuse of suitable uncontaminated excavated materials is maximised. This comprises of the excavated material;*

- *In the above context, waste will be designed out in the early design phases to ensure the volume of waste generated is minimised;*
- *Actions will be taken in the early design phases to ensure the use of recycled/ reclaimed materials are maximised in line with the Waste Hierarchy; and*
- *Utilisation of existing waste management facilities (Highfield landfill sites) within the STDC site will be prioritised, in accordance with the proximity principle whereby waste should be treated/ disposed of as close as possible from the point of generation.*

During Construction

The construction phase of the development will generate predominantly inert and non-hazardous type wastes with the potential for some hazardous waste to arise. For the purposes of this assessment, the construction phase is considered to include demolition (as describe in the above sections of this chapter), excavation, and construction activities.

Excavation material would comprise inert soils and stones and Made Ground. In line with the assumption that the site will be cut and fill neutral, this material will be re-used on site, subject to geotechnical and chemical testing requirements.

Construction waste materials would comprise of concrete, other inert materials, masonry, steel, wood, plastic, glass, plasterboard, mixed waste, canteen waste and hazardous waste.

Tables J5.1, 5.2 and 5.3 set within the ES have set out estimated construction waste arisings based on the end use of the buildings, based on the final finish of hardstanding areas on site and the availability of materials required for the development of the site. Based on the assumptions made within these tables the impacts of the development are considered to be nil/not significant

During Operation

The assessment of operational phase has resulted in the expectation that any development on the site is likely to generate largely municipal type waste with some commercial and industrial waste. This is based on the parameters plan that supports the application.

An estimate of the volume of waste that would arise during the operational phase of the proposed development, has been calculated using the relevant BS. These assume that 0.002 m³ (0.0024 tonnes) of waste will arise per week for every square metre of a B1 office land use and 0.001 m³ (0.0012 tonnes) for B2 general industry and B8 storage and distribution.

Based on assumed floor space to be provided as a result of the proposed development, the total operational waste arisings are estimated to be 552 tonnes per week or 28,704 tonnes per year (assuming 52 weeks per year of operation). Based on these assumptions, the waste arisings would occupy 0.12% of the remaining landfill capacity for the North East of England.

The magnitude of the impact of waste generation in the operational phase of the proposed development is therefore considered to be negligible with the overall significance of the effect is considered to be neutral or slight (not significant).

Mitigation and Monitoring

During Construction

The development site forms part of the wider STDC area and therefore will fall under the waste management strategy that has been prepared for the wider site. It is considered that the development will come forward in compliance with the proposed strategy at a Reserved Matters stage.

As part of the construction phase, a construction waste management plan will be required pursuant to any Reserved Matters application.

Developers carrying out the construction of development on the site will be expected to ensure sustainable procurement of construction materials and minimise waste to landfill. In addition, during construction, the site should be managed so as to avoid unnecessary waste such as excess material brought to the site without need and left to be damaged or wasted. Para J6.7 sets out the best practice waste and materials management on construction projects.

Providing that the mitigation measures set out in the ES are adhered to and a licensed and high performing waste contractor is appointed this should enable a reduction in waste generation from construction activities.

During Operation

It is considered that during the operational phase of development the occupiers of the site should aim to reduce, re-use, recycle and recover waste as much as practicable prior to disposal of any waste. Waste management will therefore be a key consideration for any future occupants of the site.

The ES sets out the following considerations that may lead to the mitigation of waste during operational phase of development;

To mitigate the impact of the operational waste generation the following steps can be taken:

- i Provision of adequate internal storage space and containers for office units;*
- ii Residual and recyclable office wastes to be stored and collected separately via provision of clearly marked and/or colour-coded bins aligned with the local authority's guidance and infrastructure;*
- iii Provision of recycling facilities within the proposed development (i.e. card compactors, woodchippers/ pelletizers, etc.);*
- iv Development of an Environmental Management Plan incorporating waste or a standalone Operational Waste Management Plan;*

v Provision of education and awareness to end-users on recycling and waste reduction.

Residual Effects

During Construction

The recovery target for construction, demolition and excavation waste for the Tees Valley is 80% as set out in the Tees Valley Joint Minerals and Waste Core Strategy Development Plan Documents, 2011. If this recovery/ recycling rate was achieved in the construction phase of the proposed development, the total construction waste to landfill (104,069 tonnes) for the entire construction period would reduce to 20,814 tonnes. This equates to 4,163 tonnes per year based on the worst-case scenario of a 5-year construction period.

The Tees Valley Joint Waste Management Strategy 2020-2035 states that the region has in place a 60% recycling target for municipal solid waste and commercial and industrial wastes by 2030. If this recycling rate was applied to the municipal solid waste expected to arise from construction workers within the proposed development (1,883 tonnes per year), municipal solid waste to landfill would reduce to 753 tonnes per year.

Therefore, the total waste to landfill during the construction phase would equate to 4,916 tonnes per year and equate to 0.0002 % of regional landfill capacity.

Demolition works are expected to take place prior to construction works at the site and therefore have been considered separately to construction waste. On the assumption that the same recovery rate was applied to demolition waste (60,000 tonnes), this would also reduce demolition waste sent to landfill to 12,000 tonnes, therefore decreasing the impact to landfill capacity to 0.0005%.

Excavation material is expected to have a 0% impact on landfill capacity as the proposed development will aim to be cut and fill neutral, as intended to be included within the early stages of design.

Therefore, residual effects of the construction phase of the proposed development would be neutral or slight which is not considered significant.

During Operation

The Tees Valley Joint Waste Management Strategy states that the region has in place a 60% recycling target for MSW and C&I wastes by 2030. Making the assumption that this recycling rate is achieved in the operational phase of the proposed development, the total waste to landfill (28,694 tonnes) would reduce to a total of 11,482 tonnes per year, resulting in the impact on landfill capacity to 0.005%.

Therefore, residual effects of operational waste arising from the proposed development would be nil or negligible which is not considered significant.

Conclusions

The ES chapter has considered the potential waste impacts both during and post construction. Subject to the imposition of appropriate working practices on site as set within the ES the impacts from the development would be neutral or slight/ not significant (construction phase) and neutral or slight/ not significant (operational phase). The summary of effects has been appropriately summarised and set out in table J8.1 of the ES.

Planning Assessment

Based on the assessment set out in the ES the development raises no issues in terms of waste and materials management that would not be dealt with through the implementation of suitable mitigation measures as set out above.

The ES has considered the potential for waste generation during and post construction. The development has been considered against the Tees Valley Joint Minerals and Waste Core Strategy Development Plan Documents (2011) and The Tees Valley Joint Waste Management Strategy (2020-2035) with an assessment of location and capacity of landfill within the North East as well as the mechanisms that can be provided at the site through suitable mitigation techniques to reduce the reliance on land fill for waste. Based on the information provide and the conclusions of the ES, there is not considered be any adverse impact in planning policy terms with the treatment of waste during construction.

With regard to the treatment of post construction waste, the agent has proposed a condition that would require the submission of an operational waste management plan. This condition would be applied to individual developments based on their individual needs and requirements. Such a condition is considered reasonable and appropriate to manage future operational waste matters resulting from the development.

While it is acknowledged that the development is proposed in outline and therefore there are a number of uncertainties relating to construction activities, assumptions have been made with regard to the availability of typical construction materials. Based on the assumptions within the ES there is not considered to be impacts with regard to the availability of materials at the time construction takes place. Each individual plot will however have individual requirements with regard to specific materials and these will be considered and assessed at the time applications are submitted.

In view of the above the development complies with National Policy in the NPPF, Policy SD4(l) of the Redcar and Cleveland Local Plan and the Tees Valley Joint Minerals and Waste Core Strategy Development Plan Documents (2011) and The Tees Valley Joint Waste Management Strategy (2020-2035).

Chapter K – Climate Change

The ES chapter begins by setting out NPPF policy, legislation and local planning policy in respect of climate change. The chapter has been prepared by a climate change consultant at Arup.

The Chapter is supported by the following technical appendices:

Appendix K1: Meeting notes from consultation

Appendix K2: Assessment data and detailed assumptions

Baseline

There are currently no operational activities within the site. There are no known sources of GHG emissions within the site at present and therefore baseline emissions are assumed to be zero.

The UK national carbon budgets are considered to provide a benchmark for assessing the significance of the GHG emissions associated with the product and construction stages of the proposed development. The figures below summarise key GHG emission baseline numbers for the UK:

- UK 3rd carbon budget (2018-2022): 2,544 MtCO₂e
- UK 4th carbon budget (2023-2027): 1,950 MtCO₂e

These figures have been put into context of Redcar and Cleveland local authority in Table K4.1. This is considered to be 2,018.5 ktCO₂.

The future baseline for the site, in the absence of the proposed development, is assumed to be zero as no other construction/operational changes are proposed for the site.

Potential Effects of Development

Embedded Mitigation

Due to the current flexibility of end use of the proposed development it is not considered appropriate to consider embedded mitigation that relate to climate change and greenhouse gases.

The final design solutions that are made at Reserved Matters stage will provide an opportunity to provide a reduction in carbon emissions. These measures could include efficient use of space, recycling and reuse of materials as well as minimised transportation.

During Construction

The construction process contributes to GHG emissions through the extraction, production and delivery of materials and onsite energy consumption.

For the purposes of the consideration of construction on the site, two phases have been considered (Phase 1 2021-2023 and Phase 2 2023-2027). The two phases are considered to include different works with Phase 1 centring around site preparation with phase 2 centring around building infrastructure. Table K5.1 details the anticipated annual emissions associated with the construction phases. Considerations of these impacts have been assessed against the national level in terms of UK carbon budgets. These are set out in Table K5.2. Given the very small contribution of the proposed development to national carbon budgets, it is not expected to compromise the ability of the UK to meet its national targets.

During Operation

During operation the main contributor to emissions from the development are use-related. These include the provision of heating, cooling and electric use by the buildings or structures at the site. Other contributors include transportation of employees and visitors to the site and associated HGV and LGV.

At this stage there a number of unknowns due to the end use of the site being undecided. Depending on the end use of the site the energy consumed has the potential to vary greatly.

It is considered that at Reserved Matters stage when information is available on the end use energy demand for the proposed development, and an appropriate energy strategy has been developed by the STDC, the GHG emissions should be quantified and the impact on the overall conclusions of the assessment should be reassessed. At this time, it will be possible to utilise low and zero carbon energy supply options, and a travel plan will be established to encourage transport modal shift away from predominantly private car use. On this basis it is considered unlikely that the proposed development will compromise national or local GHG commitments

Mitigation and Monitoring

It is acknowledged that the proposed development is in outline form and therefore there is still a level of uncertainty regarding the final design and level of development at the site.

During Construction

As stated above there remains a level of uncertainty regarding the final construction design and logistics. There are however considered to be a range of construction and procurement strategies that may be investigated to provide mitigation measures to reduce the GHG emissions associated with the proposed development. These are set out in table K6.1 of the ES which summarises the possible mitigation measures for each of the product and construction lifecycle stages which are; Product Stage, Construction (Transport to site) and Construction (Installation process).

During Operation

As stated above there remains a level of uncertainty regarding the operational phase of development. It is acknowledged that the impacts from the operational phase are likely to be greater than construction phase. Possible mitigation measures against each relevant operational lifecycle stage are set out in Table K6.2. The lifecycle stages are; Use stage (Maintenance, Repair and Refurbishment) and In-use (Operational energy use)

It is considered that the final energy supply strategy for the proposed development will be developed as the project proceeds and more certainty is provided over the intended use of the site. It is considered that this information can be submitted at the reserved matters stage of the development.

Mitigation of emissions from user and staff travel will be developed in full as part of a Full Travel Plan which is to be required by way of a planning condition. The Travel Plan will provide further details of targeted mode share, supplemented with a travel survey and monitoring regime.

Residual Effects

During Construction

The proposed development is of a significant scale therefore requiring significant volumes of building materials as well as the associated construction related emissions. Given the nature and scale of the development it is still anticipated that there will be substantial residual construction related emissions even with the provision of suitable mitigation.

The proposed development is however not considered to compromise the ability of the UK to meet carbon targets or Redcar and Cleveland's GHG emissions.

During Operation

The STDC are in the process of preparing an energy strategy for the wider site and it is considered that this will be important for minimising the overall carbon emissions associated with the proposed development.

Redcar and Cleveland also have a commitment to achieve net zero carbon emissions, including both production and consumption and this is expected to maximise the use of low and zero carbon technologies.

There will also be transport emissions associated with worker and visitor commuting, and HGV and LGV movements associated with sites end use. Until there is a time when the UK can completely decarbonise transport it is inevitable that there will be residual GHG emissions arising from staff and visitors travelling to/from the proposed development.

It is acknowledged that there are opportunities to further mitigate operational emissions through travel planning and through energy system design and operation. This will be identified through subsequent design stages and through relevant planning conditions.

As stated above, it is not considered that emissions during operation will compromise the ability of the UK or Redcar and Cleveland to meet respective carbon targets.

Conclusions

The ES chapter has considered the GHG emissions resulting from the project both in construction and in operation. The ES chapter has concluded the following;

While all GHG emissions from a project in construction and operation can be considered significant, the scale of emissions arising from the proposed development is not considered to be so great as to prevent the UK achieving its national carbon targets and budgets.

In addition, the scale of operational emissions is not considered so great as to materially affect the overall GHG emissions within Redcar and Cleveland.

Planning Assessment

Based on the assessment set out in the ES the development raises no issues in terms of climate change that would not be dealt with through the implementation of suitable mitigation measures as set out above.

Consideration within the chapter of the ES has been given to the impact of the development with regard to GHG emissions resulting from the development and the way in which these can be mitigated against.

The Council within the Local Plan have policies that seek to address climate change. References to these specific policies are made in the ES chapter and are included below;

Policy SD 6 encourages the incorporation of low carbon energy initiatives into developments, particularly as part of major schemes. The policy states that the Council will “actively support community-led renewable energy schemes which are led by, or meet the needs of, local communities. Development of district heating schemes will also be supported.”

Policy LS 4 states that the Council will “encourage clean and more efficient industry in the South Tees area to help reduce carbon dioxide emissions and risk of environmental pollution; support the development Carbon Capture and Storage to de-carbonise the local economy” and “promote the reduction of transport’s emissions of carbon dioxide and other greenhouse gases, with the desired outcome of tackling climate change”.

RCBC declared a climate emergency in 2019 and have committed to the Borough of Redcar and Cleveland becoming carbon neutral by 2030, taking

into account both production and consumption emissions. RCBC are in the process of developing an Environment Strategy which will reflect this commitment, as well as wider environmental priorities for the Borough. These commitments as well as the policy drivers within the Local Plan are considered to align to the aspirations that are set out for the STDC site.

It is acknowledged that STDC are in the process of preparing an energy strategy for the wider site which will assist in minimising the overall carbon emissions associated with the proposed development. It is considered that with the preparation of the energy strategy along with the proposed condition Sustainability Statement and Energy Management Strategy which will apply to each development on the site, the impacts from the proposed development on climate change are not considered to be so great as to prevent the UK achieving its national carbon targets or so great as to materially affect the overall GHG emissions within Redcar and Cleveland.

In view of the above the development complies with National Policy in the NPPF and Policies SD6 and LS4 of the Redcar and Cleveland Local Plan.

Chapter L – Landscape and Visual Impact

The ES chapter begins by setting out NPPF policy, legislation and local planning policy in respect of landscape and visual impacts. The ES chapter has been prepared by Jenny Ferguson.

The Chapter is supported by the following technical appendices:

Appendix L1: Landscape Character Zone Plan;

Appendix L2: Viewpoint Location Plan;

Appendix L3: Technical Methodology for AVR;

Appendix L4: AVR Images; and

Appendix L5: Email Correspondence with Redcar and Cleveland Borough Council on the scope of assessment.

Baseline

To establish the baseline for the LVIA an assessment has been made of the local landscape character.

In making this assessment it has been established that there are a number of Landscape Character Zones (LCZs) to be considered in the assessment of the development. These are detailed in the ES as follows;

LCZ 1 – Industrial – Including heavy plant and manufacturing

LCZ 2 – Urban – Including commercial, retail and housing

LCZ 3 – Intertidal Estuary

LCZ 4 – Coast and peninsula

LCZ 5 – Coatham Marsh

LCZ 6 – Eston Hills

LCZ 7 – Salthouse wetlands

LCZ 8 – Rural

LCZ 9 – Urban Green Space

An assessment of each LCZ has been made with regard to their form, value and sensitivity and this is set out in Table L4.1 of the ES.

With regard to the visual assessment of the site this has been done by considering both the broad context of the site by way of a desk based assessment and also through the consideration of individual viewpoint analysis. The viewpoints are considered to identify key views of the site from varying distances to provide an overall context of the site. The assessed viewpoints (12) are set out in Table L4.2 of the ES which details the location, direction of view and the reason for the view. A further assessment has also been made of each viewpoint with regard to who this will largely impact, the susceptibility to change, the value of the view and the visual sensitivity. These considerations are set out in para L4.41 of the ES.

Potential Effects of Development

Embedded Mitigation

The application is made in outline and therefore the embedded mitigation measures relevant to the assessment of the LVIA are in the fixing of the broad parameters of the application. The LVIA also makes the assumption that should permission be granted any future development will implement construction best practices along with the careful siting of construction related materials and temporary structures.

During Construction

The effects of the construction phase have been assessed based on typical construction methods for large commercial buildings which are anticipated to be provided at the site based on the Parameters Plan.

It is considered that the construction effects on the surrounding landscape and views will be temporary and would include such effects as the presence of large machinery, cranes, materials storage and site accommodation/buildings. This temporary changes are considered common as a result of building activity and it is accepted that there is no practical way of avoiding. It is also considered that such views are not untypical for the surrounding area and the wider region.

The ES summarises the construction effects as follows;

The above aspects of the construction phase will have a temporary, short-term, moderate adverse effect on views 1, 4 and 5; a temporary, short-term, minor adverse effect on views; and temporary, short-term, moderate adverse effect on views 2, 3, 9 and 10. The impacts of views 2, 3, 9 and 10 are significant. Construction effects upon views 6, 7 and 8 are considered to be negligible.

The above aspects of the construction phase will have a temporary, short-term, minor adverse effect on the Urban, Intertidal Estuary, Eston Hills and Urban Green Space landscape character zones and a temporary, short-term, negligible effect on the Industrial, Coast and Peninsula, Coatham Marsh, Sathouse Wetlands and Rural landscape character zones.

Therefore, construction of the proposed development will result in effects ranging from negligible to a temporary, short-term minor to moderate adverse effect upon views and the landscapes surrounding the South Tees site.

During Operation

With regard to during operation consideration has been made with regard to both a landscape assessment and a visual assessment.

With regard to landscape assessment consideration has been given to each of the 9 identified LCZ's with an assessment of the; sensitivity of change, magnitude of change, significance of effects and nature of effect. A summary of the potential landscape effects is provided within Table L5.11 of the ES. It is noted that the significance of effect ranges from negligible to minor adverse all of which are considered to be not significant. It is also however noted that the is considered to be a moderate beneficial effect which is considered to be significant within LCZ1 – Industrial.

With regard to visual assessment consideration has been given to each of the 12 representative viewpoints with an assessment of the; receptor and visual sensitivity, magnitude of change, significance of effect and nature of effect. A summary of the potential visual effects is provided in Table L5.24 of the ES. It is noted that the significance of the effects are mainly minor adverse which are considered to be not significant. It is however noted that with regard to viewpoints 1 and 9 the significance of effects is moderate adverse and are considered to be significant.

Mitigation and Monitoring

A number of mitigation measures have been proposed to eliminate, minimise or manage identified potential significant landscape and visual effects.

During Construction

A number of measures have been suggested that could be implemented during the construction phase of development. These include;

- *Implementation of construction best practice;*
- *Installation of suitable site hoarding;*
- *Careful siting and management of materials stockpiles; and*
- *Sensitive siting of site welfare and other temporary structures.*

It is considered that these will be achieved both by working practices implemented by developers/contractors and through the use of suitable planning conditions.

During Operation

A number of measures have been suggested that could be implemented during the operation phase of development. These include;

- *Buildings to be articulated in a way which reduces visual scale and massing.*
- *Building colour and cladding to be appropriate, and help break up the visual massing, avoiding overly reflective materials.*
- *For View Point 5 there mitigation via tree planting and landscaping along the boundary line to soften and reduce the visual scale of the development.*

It is considered that these will be achieved by appropriate design selection at Reserved Matters stage and through the use of suitable planning conditions.

Residual Effects

The ES has provided the following summary of the residual effects of the proposed development;

During Construction

The construction phase will have a temporary, short-term, moderate adverse (significant) effect on views 1, 4 and 5; a temporary, short-term, minor adverse effect on views; and temporary, short-term, moderate adverse (significant) effect on views 2, 3, 9 and 10. Construction effects upon views 6, 7 and 8 are considered to be negligible and not significant in EIA terms.

The construction phase will have a temporary, short-term, minor adverse effect on the Urban, Intertidal Estuary, Eston Hills and Urban Green Space landscape character zones and a temporary, short-term, negligible effect on the Industrial, Coast and Peninsula, Coatham Marsh, Sathouse Wetlands and Rural landscape character zones. These impacts are not considered significant in EIA terms.

During Operation

The residual effects during operation have been set out in Table L7.1. While it is accepted that these are based on the parameters plan submitted and therefore a worst case scenario, each individual development will be assessed at Reserved Matters stage with further consideration given to the long term impacts from the development.

Conclusions

The ES chapter has considered the impacts on the landscape and visual impact from the project both in construction and in operation. Table L8.1 of

the ES provides a summary of the effects of the development. The table summarises the impacts on both LCZ's and the identified viewpoints.

The ES chapter has concluded the following;

Overall, the proposed development will result in significant (moderate) adverse visual impacts during the construction phase. However, these are temporary in nature and typical of construction projects of this type and not unusual in the local context.

There is potential for a significant (moderate) beneficial impact upon the industrial LCZ from the operational phase of the proposed development. Other impacts upon specified LCZs are considered to be minor or negligible in nature.

There is the potential for a significant (moderate) adverse effect upon Viewpoint 1 and Viewpoint 9. The effects upon other viewpoint are considered to minor or negligible in nature.

It is therefore considered necessary to balance the adverse impacts against the beneficial impacts as part of the wider planning balance.

Planning Assessment

The Landscape and Visual Impact analysis provides a robust assessment of the impact of the development. Although the application is in outline, the applicant has set out in the parameters plans along with maximum criteria for the development including maximum heights of buildings and ground levels. The ES is therefore considered to have assessed a worst-case scenario based on the parameters plans and supporting information and so the logic is that if the development is concluded to be acceptable based on those plans, then a scheme of a lesser scale would also be acceptable.

The overall conclusion of the ES in terms of landscape and visual impact are accepted, the application site is noted as being in an area allocated for employment related development in the Redcar and Cleveland Local Plan.

The location of the site and the prevailing built form is industrial with a number of buildings and structures of significant scale in the surrounding area.

The ES does conclude that there will be significant (moderate) adverse visual impacts during the construction phase. This is accepted and would form part of any redevelopment of such a site. Given the site is allocated for employment uses is considered reasonable that such impacts occur in the short term.

With regard to the LCZ's it is accepted that the majority of them will have minor to negligible adverse impacts. As stated above the site is allocated for employment uses and therefore any form of development has the potential to impact on these LCZ's. The benefits from the investment and resulting jobs therefore needs to be weighed against the impacts.

With regard to the viewpoint assessments, there is the potential for a significant (moderate) adverse effect upon Viewpoint 1 and Viewpoint 9. Viewpoint 1 is from Eston Nab therefore offering the long distance views of the site. These views also take in the wider industrial views of Teesside and the redevelopment of the site for employment uses is considered result in changes to these views. Again the balance needs to be given to the adverse impacts against the benefits from the investment and resulting jobs. Similar impacts are also experienced from Viewpoint 9 which also need to be weighed in the overall planning balance.

Final details are required to be agreed at the Reserved Matters stage but the mitigation strategy outline in the ES focuses rightly on the detail of materials, external elevations, development setting (building and landscape design) and outstanding matters in this respect can be dealt with by planning conditions.

In view of the above the development complies with National Policy in the NPPF and policy SD4 (b)(i)(j) and (k) of the Redcar and Cleveland Local Plan.

Chapter M – Below Ground Heritage

The ES chapter begins by setting out NPPF policy, legislation and local planning policy in respect of archaeology and cultural heritage. The ES also sets out that Built Heritage has been scoped out of the EIA, therefore the consideration centres around buried heritage. The ES chapter has been prepared by Prospect Archaeology.

The Chapter is supported by the following technical appendices:

Appendix M1: South Bank, Redcar Desk-Based Heritage Assessment

Appendix M2: Consultation Responses.

Baseline Conditions

The assessment of existing conditions in setting the baseline has been done based on a 'study area' which extends 1000m from the boundary of the application site. This has enabled the significance of existing and potential archaeological features to be considered in their local, regional and national contexts.

An assessment has been made of designated heritage assets within the study area. It has been established that there are 6 designated assets within the area, with these set out in Table M4.1 of the ES chapter. All six assets lie within the settlement of South Bank and date to the 19th and 20th centuries. None would be directly affected by the proposed development and the Site does not contribute to a significant setting for any of the buildings.

An assessment has also been made of non-designated heritage assets within the study area. The assessment of non-designated assets has been considered in the context of Pre-Industrial Periods and Industrial to Modern

Periods. Within the ES chapter a table (Table M4.2) has been provided detailing the undesignated assets within or bordering the site. The table details 13 assets ranging between a local and regional importance.

Satellite imagery has been used in the assessment of the site history.

If the development proposals were not to come forward, no alterations to the baseline conditions relating to below ground heritage are anticipated.

Potential Effects of Development

Embedded Mitigation

No embedded mitigation measures are included within the development parameters for the scheme that relate to below ground heritage.

During Construction

During construction, it has been assumed that all archaeological remains will be removed through the site preparation works, demolition and the creation of development platforms. On this basis, all of the identified sensitive receptors would be subject to potential effects that would be Moderate - Substantial Adverse and therefore significant in EIA terms.

Operation

As the below ground heritage assets will have been removed during the construction phase of the development no further effects would occur.

Mitigation and Monitoring

As stated previously due to the nature and location of the proposed development there is no potential for the preservation of archaeological matter in situ. It is therefore considered that the only mitigation possible is for the preservation by way of record.

During Construction

Areas of archaeological potential should be subject to monitoring during remediation works to determine the presence / absence of archaeology. Should significant archaeological remains survive, appropriate levels of excavation and recording should be undertaken to ensure their preservation by way of record.

It is considered that the 20th century Riverside Pumping and Custom House should be recorded using photogrammetric / measured survey techniques.

During Operation

No mitigation or monitoring is required during the operational phase of the development as this will have taken place during construction

Residual Effects

During Construction

All archaeological remains would be preserved by way recording. Whilst it is acknowledged the loss of the heritage asset is considered an adverse impact, the addition to historical and archaeological understanding offsets the negative effect to, in most cases, have a residual effect that is negligible or neutral.

During Operation

As the below ground heritage assets would have been removed during the construction stage of the development (and appropriately mitigated) there are no residual effects associated with the operational phase of the development.

Conclusions

Four areas of (below ground) archaeological potential have been identified. These comprise of the foundations and sub-structures of the following: South Bank Iron Works boiler house, Antonien Works, World War I submarine base accommodation, World War II HAA battery and associated facilities.

In each case, the potential survival of significant archaeology should be established through monitoring and review of site investigations and, where necessary, archaeological evaluation.

Two 20th century structures of Local significance have been identified. These would be recorded prior to demolition.

Development would remove all elements of the archaeological record.

Mitigation measures comprising the excavation and recording of archaeological features and deposits, and the recording of buildings would ensure impacts are no greater than Minor Adverse. This is not significant in EIA terms.

Planning Assessment

The ES has examined appropriate resources for information in respect of the archaeological potential of the site and the impact of the development on heritage assets. It correctly identifies those designated and non designated assets that lie within the study area. The assessment of that data demonstrates a historical link between the development of steel making in the area and the local communities of South Bank and Grangetown in the 19C and 20C as key historic developments.

The ES concludes that given the location of the site there will be no direct adverse impact on heritage assets. The ES recognises that the archaeological resource will be impacted by the development in terms of remediation and varying construction activities and this will see resources lost.

The Council's consultant archaeologist comments;

We agree with the assessment in chapter M of the EIA that it is unlikely that any remains to be destroyed by the proposals will merit preservation in situ.

(b) There should be appropriate recording of the foundations of identified heritage assets of local/regional importance, and of 20th century structures.

(c) There should be some attempt to assess deeply buried layers for prehistoric interest, and thereafter the archaeological monitoring of deep excavations in areas where any deposits of prehistoric interest may survive.

Should it be considered that the public benefits of the proposal outweigh the harm to the heritage assets in this case we suggest the following archaeological condition be attached to any planning permission granted for the development.

A condition in respect of archaeological investigation is therefore recommended.

In view of the above it is concluded the development complies with policy in the NPPF and policy SD4(c) and HE2 and of the Redcar and Cleveland Local Plan.

Chapter N – Cumulative Impacts

The ES chapter seeks to draw together the other chapters within the ES and establish the interrelationship between them. The ES chapter addresses two types of cumulative effects, these being;

- *Synergistic – the combined effect of different type of impacts attributable to the proposed development ('direct impacts') in respect of a particular receptor. An example of this could include the combined impact of ecology and water management on designated sites. This includes consideration of the impacts during the construction and operational phases; and*
- *Cumulative – these arise from the combined effect of the proposed development with committed development schemes that, individually, may be insignificant, but when combined with other impacts, may be significant.*

Synergistic Effects

The ES chapter identifies both the key residual effects identified in the ES and the sensitive receptors that are most likely to be affected. An assessment has then been made to the links and accumulation of affects between these.

Table N2.1 provides a summary of the main residual effects that have been identified through the ES in the technical chapters both during construction

and operational phases of development. Analysis has been made between the residual effects the sensitive reports that have been identified through the technical chapters. A list of the identified sensitive receptors has been included at para N2.5 of the ES chapter.

The interrelationship between the effects and the receptors has been summarised in table N3.1. The analysis identifies that there are no synergistic effects and therefore no additional mitigation measures are required to manage the effects arising during the construction or operational phase.

Cumulative Effects

The chapter of the ES also considers other developments that may result in a cumulative impact. The other developments that have been considered were agreed within the LPA in advance of the preparation of the ES. These developments are set out in table O4.1 of the ES.

Consideration of the cumulative effects of other developments has been undertaken with regard to a number of technical matters. A summary of these can be detailed as follows;

Biodiversity and Ecology

Three of the cumulative schemes are identified as having possible cumulative impacts with the proposed development because of the accumulative and loss of habitats and species on site. As within the ES and earlier in the report STDC are in the process of developing an Environment and Biodiversity Strategy and this is intended to coordinate the off-site compensation approach for most, if not all of the developments within the STDC area. It is anticipated that through this, the identified impacts will be reduced.

Water Management and Flooding

Three of the cumulative schemes are identified as having possible cumulative impacts with the proposed development however these are not considered to be significant and one of the developments may result in a moderate beneficial changes to water and quality which could result in beneficial significant effects.

Ground Conditions

No cumulative effects are anticipated to occur on ground condition receptors as a result of the cumulative schemes.

Socio-Economics

A review of the cumulative schemes indicates a wide variety of major employment generating schemes. These include the offshore wind energy sector, renewables and energy recovery, a container terminal and a mineral

processing and refining facility. The cumulative schemes also include residential development which has the potential to generate employment during construction phases.

Given that the cumulative schemes are likely to be built out at different times and that not all labour is likely to be local, the availability of construction labour is unlikely to be an issue.

If all the cumulative schemes came forward with the proposed development, it is estimated that these could deliver in the region of 10,200 operational jobs. It is considered that the scale of estimated operational employment represents approximately 5% of the total workforce within the Area of Impact which comprises Redcar and Cleveland, Middlesbrough and Stockton). The delivery of this many jobs could have a significant interaction with the local labour market and could result in a tightening of the job market and bidding up of wages locally. However, the impact of these could be reduced by virtue of the fact that the delivery of these jobs would, in theory, be generated over a wider time period and across a range of sectors.

The cumulative effect during the operational phase is likely to represent a substantial and beneficial effect.

Waste and Materials Management

Cumulative impacts may be minor to moderate but not significant. This is based on the assumption that there is an opportunity for procurement of locally sourced secondary materials and reuse of materials in accordance with the proximity principle, waste hierarchy, and Definition of Waste: Development Industry Code of Practice. Consideration also needs to be given to the preparation of the STDC waste strategy for the masterplan area.

Climate Change

It is acknowledged that all of the developments under consideration together would further contribute to emissions but it is not considered that this would impact on the ability of the UK or Redcar and Cleveland to achieve its objectives to reduce greenhouse gas emissions. Notwithstanding, all developments should be encouraged to implement measures to reduce emissions from their sites to reduce impacts as far as is possible.

Below Ground Heritage

As belowground heritage features are standalone features of the proposed development site there are considered to be no cumulative impacts and this is therefore not significant in EIA terms.

A number of the topics are addressed in their individual ES chapters and are not covered again in this chapter. These include noise and vibration, air quality,

Conclusion

The ES conclusion on cumulative impacts has been summarised as follows;

A range of mitigation measures have been identified throughout the ES, some of these are embedded into the design of the scheme whilst others are largely capable of being enforced through the planning process in relation to the proposed development.

Some negative residual effects during construction and operation remain and these relate to ecology and landscape and visual impact. Non-significant impacts are identified for the other environmental areas. The adverse impacts should be balanced against the substantial socio-economic benefits to the scheme.

The relationship between the effects identified onsite do not give rise to the need for additional mitigation measures.

The only potential cumulative impacts, based on the information available at the time of undertaking this EIA relate to:

- *Ecology – there is potential for cumulative impacts associated with the development of the wider Grangetown Prairie/South Bank sites, however these should be considered within the context of STDC'S Environment and Biodiversity strategy that aims to provide a means of compensation for the loss of on-site habitats and species as a result of development in the area.*
- *Water Environment – there may be additional beneficial impacts to Holme Burn and other surface water bodies from the implementation of the wider STDC Water Management Strategy, which will improve surface water flow and water quality.*
- *Socio Economic – additional benefits associated with direct, indirect and induced employment are expected.*
- *Waste – Additional impacts may arise from waste and materials management, however this will be addressed in the context of STDC's emerging Waste Strategy for the Masterplan area.*
- *Climate Change – Further greenhouse gas emissions are expected from transport movements and material sourcing associated with the construction and operational phases of the development, however this will not impact on the ability to meet the climate change objectives of the UK or Redcar and Cleveland.*
- *Landscape and Visual – Additional impacts are predicted however these are very localised. Potential minor beneficial cumulative impacts are predicted on Viewpoint 1 (Eston Nab Hill Footpath/Vantage point) as the development of the Prairie site will reduce the appearance of the massing of the proposed development. Minor beneficial cumulative impacts are also predicted on Viewpoint 8 (Junction with Tesco Extra).*

Chapter O – Mitigation, Monitoring and Compensation

This chapter presents the mitigation, monitoring and compensation measures proposed throughout the ES, and the mechanism for securing these. This is identified to assist in the ongoing consideration of the ES.

Most of the measures are standard best practice processes but are summarised below for completeness, while others are specific to the development. The majority of measures are capable of being secured via a planning condition or obligation.

The ES in its structure has included within each individual chapter the potential for embedded mitigation. Any additional mitigation that has been proposed in each of the topic areas therefore makes the assumption that the 'in-built' measures are already accounted for in the assessment. The embedded mitigation measures relating to the development include, but are not limited to the following;

- Maximum Development Height
- Site Levels
- Earthworks
- Site access

With regard to more specific mitigation, monitoring and compensation measures identified in the individual ES chapters, many of these will be developed following the production of the various strategies that are being prepared across the wider STDC area. The mitigation measures set out in the chapters of the ES take note of the draft aims and objectives of these strategies although as they are emerging it is not always possible to commit to their requirements.

Table O2.1 of the ES sets out the secondary mitigation measures that have been identified within the relevant technical chapters in the ES. It is anticipated that the majority of these measures will be secured via planning conditions or obligations.

In addition to the proposed mitigation and monitoring measures, a series of compensation measures have been identified within Chapter D (Biodiversity and Ecology) of this ES. The compensation measures are proposed to facilitate the delivery of the emerging requirement for 10% biodiversity net gain on site (where possible). Compensation for habitats should be undertaken with the aim to provide habitats with the same or greater ecological function and, or diversity to the habitat that will be lost. The provision of compensatory habitat will be established in conjunction with the emerging South Tees Regeneration Masterplan Environment and Biodiversity Strategy which is being prepared with the EA, Natural England and RCBC.

A number of conditions have been agreed with the applicant to ensure a suitable form of development results at the site. These conditions address the

technical chapters discussed in more detailed above where more specific reference has been made to each condition and its need.

None of the technical chapters within the ES have identified in the need for monetary contributions to be secured by way of a Sec 106 Agreement.

No non-financial contributions have been identified within the technical chapters of this ES to reduce the environmental impact of the proposed development. STDC is, however, committed to providing employment opportunities, apprenticeships and training programmes during both the construction and operational phase of the development. This measure enhances the benefits of the scheme as it is not a required mitigation measure identified within the EIA.

A number of additional surveys and information were established during preparation of the ES. These are to be addressed by way of Supplementary ES or the Reserved Matters stage of development. A Supplementary ES has since been submitted as part of the consideration of the development, with a number of the other requirements being addressed by way of suitable planning conditions.

It is acknowledged that the ES has been based on high level development parameters for the outline scheme. During the detailed design stage and the reserved matters process, environmental considerations will be revisited and where, relevant and necessary, updated as part of future submissions to RCBC.

Other matters

Planning Obligations

Policy SD5 of the Development Plan sets out those developer contributions that may be sought in respect of new developments, this includes the delivery of local employment and training. The application site is located within the STDC area and will be developed on STDC land however, RCBC remain the planning authority and it has been agreed the Council will lead on the delivery of planning obligations.

Discussion have taken place between the applicant, the Council and Tees Valley Combined Authority with regard to the provision of a financial contribution with regard to training and employment opportunities. Initially the Council sought this to be provided through a Sec 106 agreement with the commuted sum being proposed to support the local employment hub(s) or other appropriate training and employment programmes. During these discussions the applicant was of the view that they fully support the initiatives proposed by the Local Authority, with STDC also seeking to provide jobs for local people and businesses, however they were of the opinion that a Sec 106 for training and employment opportunities was not necessary to result in an acceptable form of development and therefore the tests set out in legislation.

Further discussion therefore have taken place involving all parties to ensure that all interests are recognised through the application. An agreement has been reached between all parties that results in TVCA making financial contributions to the LPA for the matters set out above, however this is not controlled by a Sec 106 and has been agreed in a letter (27/11/2020) signed by the Chief Executive of TVCA, a copy of which is attached to the planning record.

Conclusions

The application for 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 is generally consistent with development plan policy which allocates the area for employment related development. In addition, the development is consistent with the STDC Master Plan and South Tees Area SPD and the Tees Valley Minerals and Waste Core Strategy and Policies and Sites DPDs. There is therefore no policy objection to the principle of the proposed development.

In terms of the detailed assessment of the application the application is supported by an Environmental Impact Assessment as Schedule 1 development. The background to the development is fully explained along with additional information provided in the Design and Access Statement.

The methodology of the ES is acceptable and is considered a robust document which properly outlines the baselines conditions of the site, the impact of the development of the site and its future operation. The scope of the ES is that which was previously agreed with the LPA and other stakeholders. Additional information has been provided during the consideration of the application in the form of a Supplementary Environmental Statement.

In terms of mitigation these matters have been addressed through a suite of planning conditions that have been drafted in response to advice offered by statutory consultees and in response to the findings and conclusions of the ES. Further consideration of a number of matters will also be further addressed at the Reserved Matters stage of development.

It is acknowledged that throughout the ES adverse impacts will result from the development, however these have been balanced against the positive benefits including the redevelopment of a vacant site, inwards investment to the area, job creation and other associated economic benefits.

Taking all of the above into consideration the proposed development is recommended for approval subject to conditions.

RECOMMENDATION

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

GRANT PLANNING PERMISSION subject to the following conditions:

1. In accordance with the phasing plan agreed through the discharge of condition 4, details of the:
 - Appearance;
 - Landscaping;
 - Layout; and
 - Scale

(hereafter called "the reserved matters) shall be submitted to and approved in writing by the Local Planning Authority before that phase of the development shall take place. The development shall be carried out as approved, unless otherwise agreed in writing.

REASON: Required to be imposed pursuant to Section 92 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004"

2. Application for approval of reserved matters for the first phase of the development must be made no later than the expiration of three years beginning with the date of this permission, and the first phase of the development must be begun not later than the expiration of two years from the first approval of the reserved matters. The application for approval of the reserved matters for the subsequent phases of development shall be made to the Local Planning Authority before the expiration of 15 years from the date of this permission and each phase must be begun not later than the expiration of two years from the approval of the reserved matters for that phase of development.

REASON: Required to be imposed pursuant to Section 92 of the Town and Country Planning Act 1990, as amended by the Planning and Compulsory Purchase Act 2004.

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

Proposed Parameters Plan (Dwg No SB-SD-10.03) received by the Local Planning Authority on 10/07/2020
Access Plan Smiths Dock Road (Dwg No. SB-SD-20.01) received by the Local Planning Authority on 10/07/2020

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

4. No development shall commence until a phasing plan for the application site has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved phasing plan unless otherwise agreed in writing with the Local Planning Authority. The applicant reserves the right to amend the phasing plan.

REASON: To ensure that the development takes place in accordance with the principles, parameters and application submission"

5. Prior to the commencement of the development, or in accordance with the phasing plan agreed through discharge of condition 4, a Construction Environmental Management Plan (CEMP) for the development shall be submitted to and approved in writing by the Local Planning Authority, or any other subsequent variation approved in writing. The CEMP will include measures relating to highways, ecology, materials and health and safety with particular reference to those matters below. The development shall thereafter take place in accordance with the approved details.

- Invasive Non-Native Species ('INNS') Management Plan
- Construction Traffic Management Plan ('CTMP')
- Construction Waste Management Plan ('CWMP')
- Materials Management Plan ('MMP')
- Health and Safety Plan for asbestos and watching brief where necessary
- Car Parking Management Plan and Servicing Management Plan

REASON: To ensure the environmental effects of construction are appropriately managed.

REASON FOR PRE-COMMENCEMENT: A pre-commencement condition is required as the environmental impact of the development will occur on the commencement of development.

6. Upon the approval of the Reserved Matters in accordance with the phasing plan agreed through discharge of condition 4, and prior to the implementation of the approved scheme, the development shall be the subject of an updated Habitats Regulations Assessment. The HRA shall confirm, based on the approved detail of the development and its processes and the conclusions of the Environmental Impact Assessment that the development will not give rise to significant adverse impacts on the Teesmouth and Cleveland Coast SPA and Ramsar sites. Where significant impacts not previously identified are assessed to arise from the approved detailed scheme, the additional information shall set out those mitigation measures to be employed to minimise or eliminate such impacts.

REASON: to update the Habitats Regulations Assessment based on the detailed schemes.

7. Prior to commencement of development, or in accordance with the phasing plan agreed through the discharge of condition 4, a survey and ecological assessment of eel and fish within the Lackenby and Cleveland Channels is to be submitted to and approved by the Local Planning Authority unless otherwise agreed in writing. The assessment shall include the following:

- Identify the impacts to fish and eel from the development and determine if they may be at risk of harm.
- Identify any rare, declining, protected or otherwise important flora, fauna or habitats within the Lackenby Channel/The Slems.
- Where relevant, assess the importance of the above features at a local, regional and national level, and identify the impacts of the detailed plans of the scheme on those features.
- Demonstrate how the development will avoid adverse impacts.
- Where necessary and feasible, propose mitigation for any adverse ecological impacts or compensation for loss.

REASON: An ecological assessment is required to assess how the proposal will affect eel and fish and where necessary and feasible to identify the need for environmental protection.

REASON FOR PRE-COMMENCEMENT: A pre-commencement condition is required as the impact of the development will occur on the commencement of development.

8. Within 12 months of the grant of this planning permission, an Environment and Biodiversity Strategy shall be prepared and submitted to the local planning authority that confirms the feasibility of providing habitat mitigation and compensatory habitat equivalent to be 363.55 area based biodiversity units and 24 river units, (including habitats identified as of High Distinctiveness in Table 4.7 of the Supplementary Environmental Statement (September 2020) within the site and / or off-site, and the mechanisms for its provision and on-going management. That Strategy shall be approved by the local planning authority. Prior to the approval of reserved matters details of the layout of any phase of development, the Environment and Biodiversity Strategy shall be updated to include the following:

The details of any new and enhanced biodiversity to be created on site, within that phase of development;

- The details of viable compensatory habitat where on-site mitigation is demonstrated not to be feasible, relevant to that phase of development;
- The details of treatment of site boundaries and/or buffers around water bodies, relevant to that phase of development;
- The details of long-term maintenance regimes and management responsibilities, relevant to that phase of development.

The identified mitigation and, where demonstrated to be necessary and feasible, compensation shall be provided in accordance with the Strategy and any subsequent agreed amendments to it, and shall be implemented within 12 months of occupation.

REASON: To establish a framework for biodiversity.

9. Prior to commencement of development, or at such a time agreed in the phasing plan, a high level Water Framework Directive (WFD) assessment is to be submitted to, and approved in writing by, the local planning authority. This assessment shall include the entire site and consider the impacts of the full development proposal. The scheme shall be implemented in accordance with the approved details, unless otherwise agreed in writing.

REASON: To ensure that the development would not lead to deterioration or prevent the attainment of Good Ecological Status of any waterbody under the Water Framework Directive (WFD) objectives.

10. Prior to the approval of any phase of development that includes watercourses, the approved WFD assessment shall be updated. This shall be submitted to and approved by the Local Planning Authority prior to the relevant phase of development in accordance with the approved phasing plan. The scheme shall be implemented in accordance with the approved details and any mitigation measures recommended as part of the assessment will be adhered to throughout the lifetime of the development, unless otherwise agreed in writing.

REASON: To ensure that the development would not lead to deterioration or prevent the attainment of Good Ecological Status of any waterbody under the Water Framework Directive (WFD) objectives.

11. Prior to any works being undertaken to the Lackenby or Cleveland Channels within the site, details comprising engineering drawings including cross sections of the works shall be submitted to and approved by the Local Planning Authority. The works shall thereafter be carried out in accordance with those details.

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

12. Prior to the commencement of the development, or in accordance with the phasing plan agreed through discharge of condition 4, details shall be submitted to and approved in writing by the Local Planning Authority of the Surface Water Management and Maintenance Plan, unless otherwise agreed in writing. Thereafter it shall be implemented in accordance with the approved details.

REASON: To ensure the development is supported by a suitably designed surface water disposal infrastructure scheme which is appropriately maintained and to minimise the risk flooding and contamination of the system during the construction process and in the locality minimise."

REASON FOR PRE-COMMENCEMENT: A pre-commencement condition is required to ensure that excavations and groundworks do not compromise the installation of the approved surface water drainage infrastructure.

13. Prior to the commencement of the development, or in accordance with the phasing plan agreed through discharge of condition 4, a detailed scheme for the disposal of foul and surface water from the development hereby approved shall be submitted to and approved in writing by the Local Planning Authority in consultation with Northumbrian Water and the Lead Local Flood Authority. Thereafter the development shall take place in accordance with the approved details.

REASON: To prevent the increased risk of flooding from any sources in accordance with the NPPF.

REASON FOR PRE-COMMENCEMENT: A pre-commencement condition is required to ensure that excavations and groundworks do not compromise the installation of the approved surface water or foul drainage infrastructure.

14. Prior to the commencement of the development, or in accordance with the phasing plan agreed through discharge of condition 4, a written scheme of investigation (WSI) for archaeological work shall be submitted to and approved in writing by the local planning authority. The WSI shall make provision for:
 - i Before site remediation or development commences, archaeological evaluation of relevant borehole and test pit data
 - ii During remediation archaeological monitoring of groundworks in selected areas of the site (to be agreed with the Council in accordance with parameters specified in the WSI)
 - iii An archaeological watching brief/prior and, or strip map and, or record (as appropriate) of areas agreed as archaeologically sensitive
 - iv Archaeological monitoring of deep excavations and piling in any areas indicated by the evaluation of borehole and test pit data to be of potential archaeological interest
 - v The recording of the Riverside Pumping and Custom House to at Historic England Level 2/3, including photogrammetry and measured survey
 - vi A general programme of works and monitoring arrangements, including reasonable notification to the local planning authority of commencement of works
 - vii Details of staff involvement in carrying out the work (including specialists), and their qualifications and responsibilities

viii The timetable for completing post-excavation assessment.

Provision for the analysis, archiving and publication of the results of the archaeological surveys and excavations shall be secured to the satisfaction of the local planning authority by the developer before any of the business units on development is brought into use, as necessary.

The development shall not without the prior written approval of the local planning authority be carried out otherwise than in accordance with the approved WSI.

REASON: to ensure that any archaeological interest is appropriately recorded.

REASON FOR PRE-COMMENCEMENT: A pre-commencement condition is required to ensure that no remains are disturbed or otherwise compromised by site excavation of other ground works.

15. Prior to the first occupation of any building of the completed development, or in accordance with the phasing plan agreed through discharge of condition 4, a Framework Travel Plan shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be implemented in accordance with the approved Travel Plan, unless otherwise agreed in writing.

REASON: to ensure that the end users can make an informed choice as to the method of sustainable transport."

16. Prior to the commencement of the development, or in accordance with the phasing plan agreed through discharge of condition 4, further site investigation shall be carried out and reported to the Local Planning Authority. Thereafter the development shall be implemented in accordance with the approved details and mitigation measures therein, unless otherwise agreed in writing.

REASON: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised.

REASON FOR PRE-COMMENCEMENT: A pre-commencement condition is required because the risk form contamination will be present on the commencement of works.

17. In accordance with the phasing plan agreed through the discharge of condition 4, a Remediation Design Statement for each development plot shall be submitted to and approved in writing by the Local Planning Authority. Thereafter development will be implanted in accordance with the approved details, unless otherwise agreed in writing.

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.

18. In accordance with the phasing plan agreed through the discharge of condition 4, a further noise assessment on the impact of noise from construction works on nearby commercial operators shall be carried out and submitted to and approved by the Local Planning Authority. All mitigation measures included in paragraph F6.5 of Chapter F of the submitted Environmental Statement shall be adhered to during the construction of the development, or where relevant, those that are identified within the noise assessment.

REASON: In the interest of neighbour amenity and protect and to ensure that the development can be carried out safely without unacceptable risks to workers, or commercial neighbours."

19. Parts of the site currently lie within COMAH inner consultation zones. Prior to the submission of reserved matters for each phase of development, discussions must be undertaken with the HSE to establish any COMAH restrictions which remain in place. Any building within the inner zone shall each have less than 100 occupants and less than three occupied storeys, unless otherwise agreed in writing by the Health and Safety Executive.

REASON: To ensure that the development can be carried out safely without unacceptable risks to workers.

20. During construction and operation, works at the site can take place 24 hours a day and 7 days a week.

REASON: To ensure the development is carried out in accordance with the terms of the Environmental Statement.

21. Prior to the commencement of the development, or in accordance with the phasing plan agreed through discharge of condition 4, a Piling Risk Assessment shall be submitted to and approved in writing by the Local Planning Authority. Any mitigation measures identified as part of the assessment shall be implemented throughout the construction phase of the development, unless agreed in writing.

REASON: To ensure the satisfactory implementation of the approved scheme in the interests of the amenity of the locality.

REASON FOR PRE-COMMENCEMENT: A pre-commencement condition is required so that the final details of piling are agreed in advance of this early part of development.

22. Prior to the occupation of development, and in accordance with the phasing plan agreed through the discharge of condition 4, a Lighting

Strategy will be submitted to approved in writing by the Local Planning Authority. Thereafter development will be implanted in accordance with the approved details, unless otherwise agreed in writing.

REASON: To ensure the satisfactory implementation of the approved scheme in the interests of the visual amenity of the locality and the appearance of the development.

23. Post construction of the whole site, an Ecological Monitoring Report will be submitted to the Local Planning Authority at intervals to review ecology on site.

REASON: To monitor the impact of the development on the biodiversity interest on the site in accordance with national and local planning policy.

24. A Detailed Noise Assessment shall be submitted to and approved in writing by the Local Planning Authority prior to the occupation of each building on site. Any measures and recommendations within the report will be complied with thereafter, unless otherwise agreed in writing.

REASON: In the interest of neighbour amenity and protect and to ensure that the development can be carried out safely without unacceptable risks to workers, or commercial neighbours.

25. A Gas Risk Assessment shall be submitted to and approved in writing by the Local Planning Authority prior to the occupation of each building on site. Any protection measures or gas mitigation will be complied with thereafter, unless otherwise agreed in writing.

REASON: To ensure that risks from gas to the future users of the land and neighbouring land are minimised and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors

26. An Operational Waste Management Plan shall be submitted to and approved in writing by the Local Planning Authority prior to the occupation of each building on site. The management measures shall be complied with thereafter, unless otherwise agreed in writing.

REASON: To ensure the development is carried out in accordance with approved details.

27. A Sustainability Statement and Energy Management Strategy shall be submitted to and approved in writing by the Local Planning Authority prior to the occupation of each building. The measures shall be complied with thereafter and where feasible, unless otherwise agreed in writing.

REASON: To ensure the development is carried out in a sustainable form.

28. Following agreement of reserved matters for each phase of the development (in line with the phasing plan) and prior to the construction of that phase of development, a detailed construction traffic assessment and associated air quality assessment shall be submitted to and agreed in writing by the Local Planning Authority. Measures set out within the assessment shall be complied with thereafter, unless otherwise agreed in writing.

REASON: To ensure the construction activities associated with the development are appropriately managed.

29. Following agreement of the reserved matters for each phase of the development (in line with the phasing plan) and prior to the construction of that phase of the development, a detailed construction materials assessment shall be submitted to and approved in writing by the Local Planning Authority. Measures set out within the assessment shall be complied with thereafter, unless otherwise agreed in writing.

REASON: To ensure the suitable materials are used in the construction of the development and these are appropriately managed.

30. Following agreement of the reserved matters for each phase of the development (in line with the phasing plan) a greenhouse gas assessment shall be undertaken in respect of the operation of the proposed buildings. It shall be submitted to and approved in writing by the Local Planning Authority. Measures set out within the assessment shall be complied with thereafter, unless otherwise agreed in writing.

REASON: To ensure the environmental effects of construction are appropriately managed.

31. Prior to the commencement of the development, or in accordance with the phasing plan agreed through discharge of condition 4 a Design Statement shall be submitted to and approved in writing by the Local Planning Authority to include information on how the buildings will be articulated, coloured and use of materials. The Design Statement shall also include details relating to the provision and implementation of boundary tree planting at viewpoint 5 (Smiths Dock Road / Dockside Road). The development shall be carried out in accordance with the approved details and shall be complied with thereafter, unless otherwise agreed in writing.

REASON: To ensure the development is supported by a suitably designed scheme for the sites setting and location.

REASON FOR PRE-COMMENCEMENT: A pre-commencement condition is required so that the final agreed details for the development are agreed in advance of any start of site to avoid the use of inappropriate materials.

32. Prior to the commencement of development or in accordance with the phasing plan agreed through the discharge of condition 4 final details shall be agreed of the finished floor levels of the development and the development completed in accordance with the approved details.

REASON: To confirm the finished floor level of the development in the light of any necessary groundworks to meet the requirement of other planning conditions and confirm the overall height of the final scheme in the context of the information provided in the Environmental Statement.

REASON FOR PRE-COMMENCEMENT: A pre-commencement condition is required so that the final agreed levels for the site are not compromised by the start of groundworks.

33. Prior to the commencement of construction of any buildings a Local Employment Scheme for the construction of that building shall be submitted to, and approved in writing by, the Local Planning Authority. The development shall be implemented in accordance with the approved Scheme or any variations approved in writing by the Local Planning Authority. The submitted Local Employment Scheme should include the following:

- 1 Details of how the initial staff/employment opportunities at the Development will be advertised and how liaison with the Council and other bodies will take place in relation to maximising the access of the local workforce to information about employment opportunities;
- 2 Details of how sustainable training opportunities will be provided for those recruited to fulfil staff/employment requirements including the provision of apprenticeships;
- 3 A procedure setting out criteria for employment, and for matching of candidates to the vacancies;
- 4 Measures to be taken to offer and provide college and/or work placement opportunities at the Development to students within the locality;
- 5 Details of the promotion of the Local Employment Scheme and liaison with tenants contractors engaged in the construction of the Development to ensure that they also apply the Local Employment Scheme so far as practicable having due regard to the need and availability for specialist skills and trades and the programme for constructing the development;
- 6 A procedure for monitoring the Local Employment Scheme and reporting the results of such monitoring to the Council including details of the origins qualifications numbers and other details of candidates; and,
- 7 A timetable for the implementation of the Local Employment Scheme.

REASON: To ensure a suitable strategy for local employment opportunities is implemented.

34. Within 6 months of commencement of development, details of the Teesworks Local Employment Scheme shall be submitted to, and approved in writing by the local planning authority. Thereafter the

principles of the TLES shall be implemented in full unless otherwise agreed in writing. The submitted Local Employment Scheme should include the following:

- 1 Details of how training opportunities will be provided to the local community through the Teesworks Academy;
- 2 Details of how the Teesworks Academy will engage with prospective and actual occupiers of the development;
- 3 Details of how the Grangetown hub will be utilised to maximise training and employment opportunities for the local community. This will include details of how the operation of the Grangetown hub will be supported through South Tees Development Corporation or other funding mechanisms;
- 4 A procedure for monitoring the Local Employment Scheme and reporting the results; and,
- 5 A timetable for the implementation of the Local Employment Scheme.

REASON: To ensure a suitable strategy for local employment opportunities is implemented.

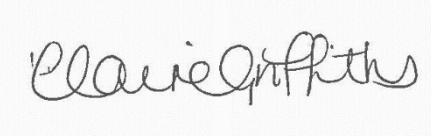
STATEMENT OF COOPERATIVE WORKING

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.

INFORMATIVES

Informative Note: Future construction contractors and occupiers of the site are advised that contact should, where feasible, be made with Redcar and Cleveland Borough Council to explore the opportunities of employment and training programmes in the local area.

| Case Officer | |
|---------------------|----------------------------|
| Mr D Pedlow | Principal Planning Officer |
| <i>David Pedlow</i> | 02 December 2020 |

| Delegated Approval Signature | |
|---|------------------------------|
| Claire Griffiths | Development Services Manager |
|  | 02/12/2020 |