



# South Industrial Zone

Planning Statement  
July 2020

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## 1.0 Introduction

1.1 This Planning Statement has been prepared by Lichfields to accompany an outline planning application, accompanied by Environmental Statement, to be submitted to Redcar and Cleveland Borough Council ('RCBC') by South Tees Development Corporation ('STDC'). The description of development is as follows:

*“Outline planning application for the demolition of existing structures on site and development of up to 418,000sqm (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.”*

1.2 Whilst the applicant for the outline planning application is STDC the development is being brought forward in partnership with South Tees Enterprise Limited ('STEL').

1.3 This Planning Statement should be read in conjunction with the following documents which accompany this application. The scope of this information has been agreed with RCBC through the pre-application process.

Table 1.1 Application Documents

Document Name
Planning Application Forms and Notices
Planning Cover Letter
Planning Statement
Design and Access Statement
Transport Assessment
Energy and Utilities Statement
Habitats Regulation Assessment
Environmental Statement Volume 1 – Non Technical Summary
Environmental Statement Volume 2 – Main Technical Assessments
Environmental Statement Volume 3 – Technical Figures & Appendices
Planning Drawings: SB-SD-00.00 Location Plan SB-SD-00.01 Existing Site Plan SB-SD-10.01 Indicative Plan SB-SD-10.02 Indicative Plan Aerial SB-SD-10.03 Parameter Plan SB-SD-20.01 Access Plan Dockside Road SB-SD-20.02 Access Plan Tees Dock Road

1.4 Due to the likely scale and nature of the proposals, it is considered that the scheme gives rise to the need for Environmental Impact Assessment ('EIA'). Whilst a formal screening request was not submitted, it has been agreed with RCBC that the proposed development has the potential for significant effects due to its scale and nature. As such, the applicant confirmed its intention to submit an Environmental Statement ('ES') to accompany the application for planning permission. The development is therefore an EIA development, as confirmed under Regulation 5(2) of the 2017 Regulations (as amended). The project team has undertaken discussions with key consultees within the Council and other statutory bodies to inform the scope of the ES which accompanies the application. The applicant also sought informal Pre Application Advice from RCBC and has had weekly project meetings with the Case Officer throughout the preparation of

the application and the ES to discuss the proposals and environmental matters. Full details of this consultation is provided in Appendix B1 of the ES.

### **Background to the Outline Planning Application**

- 1.5 STDC is the third Mayoral Development Corporation to be established, and the first outside of London. It was created in August 2017 by the then Secretary of State for Communities and Local Government pursuant to Section 198 of the Localism Act 2011 at the request of the Tees Valley Combined Authority ('TVCA') and was established by The South Tees Development Corporation (Establishment) Order 2017.
- 1.6 STDC (the applicant of this outline planning application) was established as the public sector vehicle for delivering area-wide, economic regeneration in the area to augment the wider economic growth plans of the Tees Valley. It delivers this regeneration through its South Tees Regeneration Programme. It has also prepared the South Tees Regeneration Masterplan to support development through the local planning and planning application process. This Masterplan was originally published in 2017 and it was revised to reflect ongoing changes in market demand in November 2019.
- 1.7 The Masterplan sets out the vision for transforming the STDC area into a world-class, modern, large-scale industrial business park. It provides a flexible development framework where land plots can be established in a variety of sizes to meet different occupier needs in the most efficient manner possible. The Masterplan identifies five distinct development 'zones' within the STDC area. This development site is within the South Industrial Zone. This zone is identified for port related used, offshore energy industries, materials processing and manufacturing and energy generation.
- 1.8 STDC is in the process of producing a series of area wide strategies to support the Masterplan. These will help to guide development and address environmental considerations on an area wide level.
- 1.9 In order to acquire the land required to bring forward economic regeneration in the South Tees area in line with its Masterplan, STDC made The South Tees Development Corporation (Land at the former Redcar Steel Works, Redcar) Compulsory Purchase Order 2019 ('the Order') on 10th April 2019. This order was confirmed by the Secretary of State for Housing, Communities and Local Government on 29th April 2020. This order is in the process of being engrossed and once complete (in approximately October 2020), it will enable the acquisition of approximately 1,752 acres of land comprising the former Redcar Steel Works, some of which included parts of the development site subject to this outline planning application.

### **Submission of Planning Applications**

- 1.10 This outline planning application is one of the first developments being progressed by STDC. STDC is working with Joint Venture Partners (STEL) to bring forward development and the application is being submitted in outline to deliver flexible general industry and storage or distribution uses. It will be developed to reflect market demand. The development parameters have also been set to allow for its use by the offshore wind industry if the commercial opportunity arises.
- 1.11 A separate planning application is being prepared by STDC for a quay on the River Tees, adjacent to the development site. It is expected that this application will be submitted to RCBC in Autumn 2020 and it will facilitate the transportation of goods and materials to and from the development site by ship. It will be subject to its own EIA and will consider this outline application as a cumulative scheme. Both application project teams have been in dialogue to discuss and agree the extent of each EIA.

## **Structure**

1.12 The remainder of this Planning Statement is structured as follows:

- Introduction;
- Site and Surroundings;
- Planning Policy Context;
- Key Issues;
- Compliance with NPPF; and
- Conclusions and Planning Balance.

## 2.0 The Application Site

2.1 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.

2.2 The site is located approximately 2.5 miles north east of Middlesbrough town centre and 3 miles west of Redcar town centre.

2.3 The site is situated immediately south east of the River Tees and it has a river frontage.

2.4 It 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.

2.5 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 (further information on the infrastructure corridor is provided below); and
- South West by an existing line of raised vegetation and then by Smiths Dock Road.

2.6 The site's location is shown in **Figure 1** below.

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Figure 1 Site Location



Source: Google Earth (June 2020)

2.7 **Figure 2** provides further context to the current position on site.

Figure 2 The Site



Source: STDC (2019)

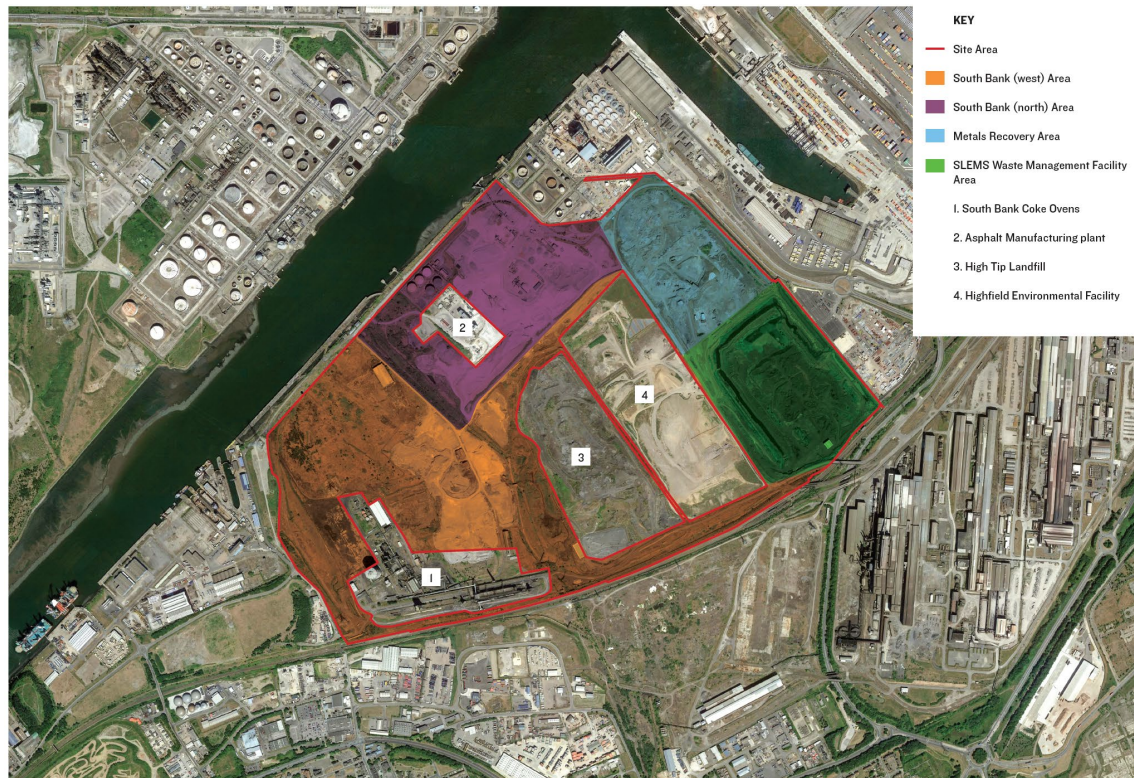
### **Site Areas**

2.8 The site comprises four distinct areas, including:

- The Metals Recovery Area
- The SLEMS Waste Management Facility Area
- The South Bank (North)
- The South Bank (West)

2.9 These are shown on Figure 3 below.

Figure 3 Site Plan



Source: GoogleEarth

**The Metals Recovery Area**

2.10 This area is shown in blue on Figure 3 above. It located in the north eastern part of the site. None of the area is currently in active use and it has previously been used for heavy industrial uses relating to the recovery of metals from the by-products of iron and steel making. The ground in the area is covered by a mixture of hardstanding and material associated with historic uses with an obvious internal vehicle network present.

**The SLEMS Waste Management Facility Area**

2.11 This area is shown in green on Figure 3 above. It is located in the south eastern part of the site. It is currently in use as a waste handling and treatment facility for BOS oxide waste, although only processing material received prior to 2015. Previously, the area has been used for heavy industrial uses relating to the recycling of materials from iron and steel making, and blast furnace slurry. The ground in this area is mostly covered by the waste material which is stored on site in mounds, however, this is interspersed by patches of vegetation. An internal vehicle network is also present across the area.

2.12 The Lackenby Channel and the Cleveland Channel watercourses are present on this part of the site, together running along three of its sides and draining into the River Tees via a drainage cut which takes it in a north west direction along the edge of the site, and then by an underground outfall to the River Tees. In addition, there are three informal ponds on this part of the site (one towards the north of the area and two towards the southern end).

2.13 There are some built structures on this part of the site, including a storage shed, and electricity pylon.



### **The South Bank (North) Area**

- 2.14 This area is shown in purple on Figure 3. It is located in the north western part of the site. Most of this part of the site is in occasional active use by Tarmac as an asphalt manufacturing plant. As such it contains mounds of material used in the manufacturing process, along with mobile and permanent plant. The ground is mostly covered by the material used in the on-site operations, interspersed by small pockets of vegetation. An internal vehicle network is present throughout, a small unnamed watercourse runs along the south western side of the area, and there is a settlement pond associated with the current use in the central northern part of the area.
- 2.15 There are a variety of built structures on this part of the site, including small buildings, containers, structures associated with the processing and transportation of materials and five disused oil tanks.

### **South Bank (West) Area**

- 2.16 This is shown as shown in orange on Figure 3. It is located in the western and southern central parts of the site. Historically, large parts of this area have been used for iron and steel manufacturing and none of the area is currently in active use. Grass and vegetation has grown over large areas of previous hard standing, whilst in the area to the east and north of the South Bank Coke Ovens evidence of recent use in aggregate processing remains. Although the material associated with this use has largely been removed, it still covers a large area of ground. The south eastern part of the site contains an unnamed private road and a track running parallel to the railway line as well as the industrial pipelines.
- 2.17 The area includes a variety of built structures, including small buildings and industrial style sheds, a substation, crushing plant, a raised section of road and bridge, two electricity pylons, and lighting towers.
- 2.18 Four pockets within the site are excluded from the redline (see Figure 3 above). These are the South Bank Coke Ovens area in the south west corner of the site, the High Tip Landfill facility and the Highfield Environmental facility both located fairly centrally within the site and a rectangular area in the north western part of the site which is part of an asphalt manufacturing plant. These areas have been excluded from the site because they are either still active and working sites or because separate planning applications will be coming forward in respect of either the clearing or development of the sites. Three of these areas are marked as 'future phases' for development.

### **Site Infrastructure**

- 2.19 An internal private road network exists across the whole of the STDC area and some of these roads are located within the application site.
- 2.20 Historically a freight rail network operated across the STDC area, and a section of track which diverts from the Darlington to Saltburn railway line, runs along the western edge of the Metals Recovery and the SLEMS waste management facility areas, before heading north east to Teesport.
- 2.21 Water infrastructure present on the development site comprising:
- An Estuary Water Pumping Mains crosses the site in a north west-south east direction;
  - An NWL Water Mains crosses the north western end of the Metals Recovery Area before continuing under the River Tees;

- Industrial Water Mains are present under the south of the South Bank (West) Area connecting to the Estuary Water Pumping Mains and to the South Bank Coke Ovens;
- An Industrial Effluent Pipeline crosses the southern part of the South Bank (West) Area connecting to the South Bank Coke Ovens; and
- An NWL foul sewer also crosses the southern part of the South Bank (West) Area connecting to the South Bank Coke Ovens.

2.22 The application site includes three electricity pylons and associated overhead electricity lines.

### **Access and Connectivity**

2.23 The development site is located directly to the east of Smiths Dock Road and directly to the west of Tees Dock Road. These roads provide connectivity to the wider local road network via the A66. The A66 provides direct links into the strategic road network via the A19 and A1M, and into the local road network including the A1053 and A1085.

2.24 The A66 links to Middlesbrough, Stockton-on-Tees and Darlington to the west, and joins the A1085 trunk road which links to Redcar to the east. The A19 links to Hartlepool, Peterlee and Sunderland to the north, and to Thirsk and York to the south. The A19 and A1(M) provide north-south links into the strategic road network.

2.25 Darlington Station which is located approximately 25 miles to the west. The station is on the East Coast Mainline which provides north-south rail links to London Kings Cross and to Durham, Newcastle and beyond. Darlington Station is connected directly to the STDC area via the Tees Valley line which connects Darlington to Saltburn and has two operational stations within the area; the South Bank Station, directly to the south of the site, and Redcar British Steel Station.

2.26 Teesside International airport provides national and international air connectivity to the region. The airport is located approximately 11 miles to the south, is within a 30 minute drive of the STDC area and is adjacent to the Teesside Airport train station which is on the Tees Valley rail line.

### **Planning History**

2.27 The site's history is briefly described above. Development proposals at the site are largely historic by their nature, however there are a few recent events of relevance to the current application:

2.28 A full planning application (reference. R/2019/0427/FFM) was approved by RCBC on 27<sup>th</sup> September 2019 for the following development:

*“Demolition of structures and engineering operations associated with ground preparation and the temporary storage of soils and its final use in the remediation and preparation of land for regeneration and development.”*

2.29 This application included the current application site and much of the surrounding area within the control of STDC. It sought detailed planning permission for engineering operations associated with two distinct elements of ground preparations works across the STDC area. Firstly, for engineering operations associated with the temporary storage of soils in mounds, and secondly for its final use in the remediation and preparation of land (including the current application site) for redevelopment in line with the STDC Master Plan.

2.30 The application noted that the volume of soil that will be stored in temporary mounds is capable of being put into final use within the extent of the application site boundary and, in so doing

would not lead to an increase in ground levels of typically more than 500mm over existing AOD levels, subject to local variations and low spots. Where the soil is to be used as part of development projects for which planning permissions will be sought, the planning application explained that the cumulative impacts of using the soils as part of wider development activities (i.e. the construction of roads and buildings) will be assessed as part of those planning applications.

- 2.31 Although the consent grants permission for the spreading of soil across much of the South Bank site, one of the planning conditions requires that:

*“Prior to the final use of the soils in the implementation of this planning permission, further Ecological Assessment(s) shall be carried out and submitted to the Local Planning Authority in respect of those areas where the soils are to be used for ground preparation and remediation works. The Assessment (s) shall include up-to-date surveys that identify any priority habitats, ecological networks or protected and priority species...”*

- 2.32 This will be addressed through the current planning application.

- 2.33 A prior approval application (R/2020/0281/PND) was submitted to RCBC on 5th June 2020 for the following development:

*“Prior approval for proposed demolition of 5 quayside heavy duty oil tanks and associated structures and pipework”*

- 2.34 STDC will be seeking further approvals for the demolition of other existing structures on the development site in line with the earlier 2019 consent.

- 2.35 Alongside these approvals, existing permits exist on site for the operation of activities that would enable the demolition of other on-site structures. STDC is committed to implementing these approvals and permits.

- 2.36 RCBC issued an Environmental Impact Assessment (‘EIA’) Scoping Opinion (reference. R/2019/0331/SCP) on 27th June 2019 for a proposed port-based development for the offshore marine energy sector (offshore wind turbines).

### 3.0 Description of Development

3.1 This application relates to the landside works associated with facilitating the development of the southern industrial zone. Separate applications (for both planning and relevant marine consents) for the formation of a new quay, river dredging and for the formation the berth pocket are to be submitted later this year.

3.2 The description of development for the current application is as follows:

*“Outline planning application for the demolition of existing structures on site and development of up to 418,000sqm (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.”*

3.3 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. Development parameters have been set for the outline planning application based on the baseline site information and on an understanding of potential future occupier requirements. These are set out in Table 3.1 below.

Table 3.1 Development Parameters

Development Parameter	Amount / Use
Use Class	B2 (General Industry) B8 (Storage or Distribution) B1 (Office) (maximum of 10% of overall floorspace)
Maximum Floorspace	4.5m sqft / circa 418,000 sqm
Finished Floor Level	The FFL will rise from north west to the south from 5.79m AOD to a maximum of 11m AOD.
Maximum Development Height	46m
Maximum Building Height	40.21m AOD
Footprint	Dependant on occupier demand. The Parameters Plan is based on an illustrative masterplan which indicates one possible scenario. The maximum building footprint is anticipated to be circa 560m (length) x 160m (width) but this will be determined at reserved matters stage.
Access	2 access points plus service corridor/ emergency access

3.4 Subsequent reserved matters applications will be required to be submitted in accordance with these parameters and it is anticipated that a planning condition will be attached to any outline planning permission requiring such an approach. The parameters therefore provide flexibility regarding how the site will ultimately be developed whilst providing all 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 developed to allow flexibility as to the end user and with commercial requirements in mind. End users could include typical manufacturing and storage or distribution occupiers and also could include facilities associated with the offshore wind industry if the opportunity arises.

3.5 The parameters have also been designed in accordance with a separate application, currently being prepared by STDC, for the development of a new quay at the north of the site. This will create the opportunity to transport goods and materials to and from the site via ship. For the

purpose of this application however it is assumed that there will be no opportunities for deliveries via ships.

- 3.6 Further details on the development parameters on which the environmental assessment has been based on are set out below.

### **Land Use and Floorspace**

- 3.7 The outline planning application seeks permission for up to 418,000sqm of B2 (General Industry) and B8 (Storage or Distribution) uses alongside ancillary offices. For the purpose of the ES, a maximum of 10% of the overall floorspace will be B1 (Office).
- 3.8 The Parameters Plan which accompanies this planning applications includes 'developable areas' where this proposed floorspace will be delivered.
- 3.9 Since the application is submitted in outline, the final floorspace and mix of uses is currently unknown. The precise quantum of floorspace will be delivered at reserved matters stage. An Indicative Masterplan has been provided to show one option as to how the development could be built out. This plan is for indicative purposes only and is not being submitted for approval.
- 3.10 An area, equating to c.50ha, of hardstanding and storage is proposed at the north of the development site (see the accompanying Parameters Plan) to provide the opportunity for end users of the site to use a new quay which is being brought forwards as part of a separate planning application.
- 3.11 The EIA has been progressed on the basis that all existing structures on the site will be demolished.

### **Maximum Development and Building Height**

- 3.12 For the purpose of the EIA, the maximum development height at the site will be 46m within all of the developable areas marked on the Parameters Plan. The maximum building height AOD (above ordnance datum) will be 40.21 m. These figures take into account of the proposed site levels and earthworks (see below).

### **Site Levels**

- 3.13 For the purpose of this EIA, the minimum finished floor level ('FFL') will be 5.79m AOD. This will enable the maximum building height (set out above) to be delivered on site.
- 3.14 This FLL will also enable the development to be at the same level as the proposed quay (being brought forward in a separate planning application) in the northern part of the site. It will allow for the feasible transportation of goods and materials to and from ships and for their storage in the proposed hard standing area.
- 3.15 The finished floor level has also been determined by a requirement of the Environment Agency ('EA'). This will provide mitigation in the event of flooding.

### **Earthworks**

- 3.16 The EIA is based on the assumption that the site will be cut and fill neutral.
- 3.17 To enable this, the FFL across the site may need to be greater than 5.79m AOD. The development parameters above have therefore been set to provide flexibility in how the site is brought forward. Within the maximum development height of 46m, warehouses can be brought forward based on different FFL and building heights.

## **Drainage**

- 3.18 A water management framework is currently being discussed and developed with STDC and so at present there are no details available on the water management and drainage design for the site. A range of drainage parameter assumptions have been identified within the Water Management and Flooding chapter of the ES that relate to drainage and these include that the strategy will not change the physical nature of the Tees bank and that it is assumed that all surface water runoff will require SuDS treatment and attenuation prior to discharge. However, due to contamination, this will not comprise soakaways.

## **Building Design**

- 3.19 Full details of building design will be agreed with RCBC at the reserved matters stage of the development. The specific design and specification will respond to end users requirements and market demand. Notwithstanding this, the Design and Access Statement submitted as part of this application provides an understanding of proposed design, examples and indicative images. It is anticipated that the building design will adopt a contemporary and modern architecture and the colour palette will be sympathetic to the site's surroundings.
- 3.20 STDC is in the process of producing a Design Guidance for Developments and the design of the proposals will accord with these guidelines.

## **Access and Parking**

- 3.21 Full details are submitted in respect of the proposed access arrangements. The main access into the site will be via the new roundabout junction which has been constructed at the junction of Smiths Dock Road and Dockside Road. The roundabout has been constructed to serve the STDC Regeneration Masterplan and facilitate access into the wider South Industrial Zone. There is also a secondary access provided on the eastern boundary of the site which connects to Tees Dock Road.
- 3.22 In addition to this proposed access the site will also include a service corridor at the south of the site. This will connect to the site access at Smiths Dock Road at the west of the site and to Tees Dock Road further to the south of the site. It is also designed to provide access to the wider area.
- 3.23 The site will also include internal access road(s) and parking and servicing areas for each development plot, which will come forwards in phases as and when development is brought forward at the site. The detailed design of these roads and parking / servicing areas will be subject to future reserved matters applications.
- 3.24 A walking and cycling network will be provided across the site and will connect to existing facilities on the site accesses and surrounding area. The internal walking and cycling network will be developed as part of the transport strategy for the wider STDC site and agreed through the reserved matters application for the proposed development.

## **Landscaping and Biodiversity**

- 3.25 Due to the nature of the proposed development, no landscaping is proposed within the site. Consideration of impact on existing habitats and through the ES.

## **Utilities**

- 3.26 Across the wider STDC site there are numerous electrical networks including the STDC site private network, supplied from the National Grid via two connection points, and Northern Power Grid (NPG) connections to various customers within the wider STDC area. Within the application site there is existing cabling on the STDC site 11kV network; this is serviced by two

existing 11kV substations, Holme Beck and Riverside. There is also a low voltage (440v – 3.3kV) network within the site, and there is a NPG 11kV cable and a 275kV connection along the north east of the application site that connects the MGT Teesside biomass plant to the National Grid.

- 3.27 There are several industrial gases and natural gas pipelines across the wider STDC site. There are several nationally significant gas pipelines (CATS pipeline and Breagh pipeline) that enter the wider STDC site along the coast and these cross the river in the corridor north of the South Industrial Zone. Within the application site there are several industrial pipelines that run along the north east, south east and south west edge of the site. Several of these pipelines, including the fuel oil and the coke over gas main, are now redundant. There are existing natural gas pipelines within the site including a Northern Gas Networks (NGN) medium pressure pipeline currently supplying Hanson Cement and a NGN low pressure pipeline along the south west boundary. There are several private natural gas pipelines across the wider STDC site, but they are not located within the application site.
- 3.28 The wider STDC site is supplied with both potable and raw industrial water. Various operational and redundant water mains exist across the site. There is an NWL potable water transmission main that runs along the south west edge of the application site supplying PD Ports Teesport Commerce Park. The NWL potable water transmission main also supplies PD Ports Teesport to the north east of the site and runs along the north eastern edge of the site before crossing the river. There are various private industrial and potable water mains across the wider STDC site. The industrial water pipes running across the application site run from the private estuary water abstraction main. The existing estuary abstraction licence is currently dormant.
- 3.29 There are existing NWL sewers that run along the south west and south east edges of the site from Grangetown, the South Bank Coke Ovens and PD Ports to Bran Sands WWTW. There is also a municipal sewer (Cargo Fleet transfer main) running along the south east edge of the site to Bran Sands Waste Water Treatment Works.
- 3.30 On the basis of the utilities assessment prepared by Arup to accompany the planning application it is clear that there is sufficient capacity across all these utilities to support the proposed development.

### **Hours of Operation**

- 3.31 Whilst the operating hours of each unit will be dependent on end user requirements, it is typical for such uses in the STDC and Redcar area to operate 24/7, seven days a week and this is the basis on which the application is submitted.

## 4.0 **Planning Policy Context**

4.1 In accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004, the determination of the application must be made in accordance with the development plan unless material consideration indicate otherwise.

4.2 In this case, the relevant statutory development plan comprises:

- Redcar and Cleveland Local Plan (adopted May 2018); and
- The Tees Valley Joint Minerals and Waste Development Plan Documents, comprising:
  - (a) Minerals and Waste Core Strategy DPD (adopted September 2011); and
  - (b) Minerals and Waste Policies and Sites DPD (adopted September 2011).

4.3 The National Planning Policy Framework ('NPPF') is also an important material consideration in the determination of this planning application.

4.4 Each level of planning policy and its relevance to the proposed development is set out below. Where relevant, extracts of planning policy have been provided or signposts have been made to the relevant document.

### **Local Planning Policy**

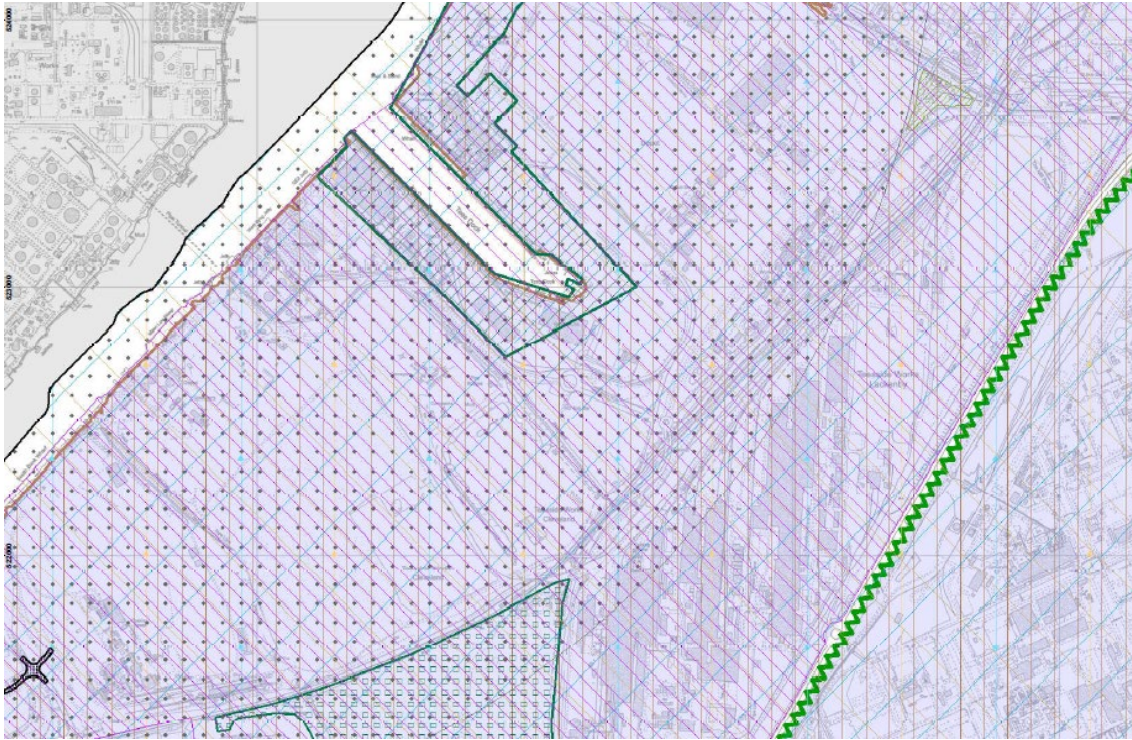
4.5 Local planning policies relevant to this application are set out within the Redcar and Cleveland Local Plan (adopted May 2018) and within the Tees Valley Joint Minerals and Waste DPD. The Local Plan is accompanied by a Policies Map which shows the policy designations.

### **Policy Designations**

4.6 The relevant extract of the Policies Map is shown in Figure 3 below.



Figure 3 Policies Map Extract



Source: RCBC (2018)

4.7

The site's designations include:

- Protected Employment Area (Policy ED6) (represented by the solid pale purple on the above extract);
- General location for large waste management facilities (Policy MWC8) (represented by the black dots on the above extract);
- Safeguarding of minerals resources from sterilisation – salt and gypsum (Policy MWC4);
- 6km Special Protection Areas ('SPA') buffer zone (Policy N4) (represented by the brown diagonal lines on the above extract);
- South Tees Development Corporation Area (Policy LS4 / ED 6) (represented by the purple diagonal lines above);
- 30km wind farm safeguarding area for Durham Tees Valley Airport (Policy SD6) (represented by the blue diagonal lines above); and
- Development Limits (Policy SD 3) (represented by a brown line above).

### **Relevant Planning Policies**

4.8

Planning policies relevant to the principle of the proposed development are set out below. Other policies relevant to technical matters at the site are summarised at the end of the section.

#### **Policy SD 3 (Development Limits)**

4.9

The relevant section of this policy states:

*“Development limits have been identified on the Policies Map around the urban and coastal areas, and certain towns and villages in the rural area.*

*Within development limits, development will be supported, subject to meeting other policies in the Local Plan”.*

**Policy LS 4 (South Tees Spatial Strategy)**

4.10 The policy states:

*“The South Tees Spatial Strategy includes:*

- Wilton International*
- South Tees Development Corporation area, as illustrated on the Policies Map (including current and former steelworks at South Tees and Redcar)*
- Teesport*
- South Tees Industrial Estates and Business Parks*

*The Council and its partners will aim to:*

*Economy*

- 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;*
- support the regeneration of the South Tees Development Corporation area through implementing the South Tees Area Supplementary Planning Document;*
- grow the environmental and recycling sector;*
- investigate opportunities to create a new energy hub to support the offshore wind and sub-sea engineering sectors;*
- support the expansion and protection of the port and logistics sector;*
- 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;*
- continue development on general industrial and business estates;*
- give the area an identity and make it attractive to inward investment;*
- develop the chemical, technology and energy production industries at Wilton International;*
- support the existing steel industries and take a lead role in supporting the future regeneration of former steel sites as part of the South Tees Development Corporation;*
- enhance the quality and range of services and facilities that serve the needs of those working in the South Tees employment area;*
- encourage clean and more efficient industry in the South Tees area to help reduce carbon dioxide emissions and risk of environmental pollution;*
- support development related to Sirius Minerals' North Yorkshire Polyhalite project; and*
- support the extension of the road network to unlock the development potential of South Tees.*

*Connectivity*

- *improve and maintain access links between South Tees and the strategic road network;*
- *support improvements to the strategic and local road networks to support economic growth;*
- *deliver rail infrastructure improvements to support an increased movement of rail freight;*
- *investigate the feasibility for providing a new rail halt at Wilton International;*
- *maintain and improve public transport connectivity with settlements in the borough and beyond;*
- *support the extension of the road network to unlock the development potential of South Tees;*
- *maintain and enhance walking and cycling routes from nearby towns to the South Tees employment areas;*
- *improve access to, and the quality of, broadband internet;*

#### *Environment*

- *enhance the environmental quality of employment through well planned boundary treatments;*
- *secure decontamination and redevelopment of potentially contaminated land;*
- *protect European sites, and safeguard and improve sites of biodiversity interest particularly along the River Tees and the estuary and encourage integrated habitat creation and management;*
- *enhance the environmental quality of the River Tees and coastline;*
- *safeguard and enhance the significance of buildings, sites, settings and areas of heritage and cultural importance including the ‘Dorman Long’ tower at South Bank Coke Ovens supporting its adaptation to enable alternative uses;*
- *encourage improvements to access, interpretation and wildlife conservation and biodiversity across the area;*
- *support the development of the South Tees District Heating System; and*
- *support the development Carbon Capture and Storage to de-carbonise the local economy.”*

#### **Policy E6 6 (Promoting Economic Growth)**

4.11 The relevant extract of this policy states:

*Land and buildings within existing industrial estates and business parks, as shown on the Policies Map, will continue to be developed and safeguarded for employment uses.*

*Specialist uses, such as heavy processing industries and port logistics, will be focused in the following areas, with 405ha of additional land available over the plan period. In these areas proposals falling within Use Classes B1, B2, B8 and suitable employment related sui-generis uses will be supported.*

Ref.	Site	Location	Additional available land (net ha)
ED6.1	Wilton International <sup>1</sup>	South Tees	221
ED6.2	Land at South Tees <sup>2</sup>	South Tees	184
ED6.3	Skinningrove	East Cleveland	0

*Proposals at South Tees, South Tees Freight Park and Bolckow Industrial Estate (collectively referred to as the South Tees Development Corporation area) should have regard to the South Tees Area Supplementary Planning Document (SPD). Proposals which positively contribute towards growth and regeneration will be supported.*

*High tech and knowledge driven development should be focused within the South Tees Development Corporation area, at Kirkleatham Business Park and Cleveland Gate Business Park, as defined on the Policies Map.*

...

*Some of the above employment sites lie adjacent to, or are within, the proximity of protected landscapes and nature conservations sites. Where appropriate, proposals will need to demonstrate that there will be no adverse effects on the integrity of the Teesmouth and Cleveland Coast SPA and Ramsar site, or other European designated nature conservation sites either alone or in combination with other plans and programmes. Any proposals for development within the Warrenby Industrial Estate adjacent to Coatham Marsh should include a buffer of undeveloped land and a suitable boundary treatment during both construction and operation, such that direct effects on land within and immediately adjacent to the proposed extension to the Teesmouth and Cleveland Coast SPA are avoided. Any necessary mitigation measures must be secured in advance of the development in order to meet the requirements of the Habitat Regulations.*

*Proposals will be encouraged to improve the quality of the environment, signage, security and accessibility of the sites.”*

### **Other Relevant Policies**

4.12 Other policies relevant to technical considerations at the site are set out below.

- Policy SD 1 (Sustainable Development);
- Policy SD 4 (General Development Principles);
- Policy SD 5 (Developer Contributions);
- Policy SD 6 (Renewable and Low Carbon Energy);
- Policy SD 7 (Flood and Water Management);
- Policy N 1 (Landscape);
- Policy N 2 (Green Infrastructure);
- Policy N 4 (Biodiversity and Geological Conservation);
- Policy TA 1 (Transport and New Development);
- Policy TA 2 (Improving Accessibility within the Borough and Beyond);

<sup>1</sup> Includes Main Complex and land to the West of A1053.

<sup>2</sup> Includes Teesport Estate, Teesport Commerce Park and land along the River Tees.

- Policy TA 3 (Sustainable Transport Networks).
- Policy MWC 4 (Safeguarding of Minerals Resources from Sterilisation); and
- Policy MWC 8 (General Locations for Waste Management Sites).

## **Other Material Considerations**

### **National Planning Policy Framework**

- 4.13 The National Planning Policy Framework (‘NPPF’) is a material consideration in the determination of planning applications.
- 4.14 The new NPPF was published in July 2018 and updated in February 2019. The presumption in favour of sustainable development is the corner-stone of the Framework and it has three overarching objectives, comprising: ‘economic’ to help build a strong, responsive and competitive economy; ‘social’ to support strong, vibrant and healthy communities; and ‘environmental’ to contribute to protecting and enhancing our natural, built and historic environment (paragraph 8). The Framework states that planning policies and decisions should play an active role in guiding development towards sustainable solutions and in doing so should take local circumstances into account to reflect the needs and opportunities of each area (paragraph 9 and 10).
- 4.15 Specifically in relation to this proposed development, Chapter 6 (Building a Strong, Competitive Economy) states that planning policies and decisions should help create the conditions in which businesses can invest, expand and adapt. Significant weight should be placed on the need to support economic growth and productivity, taking into account local business needs and wider opportunities for development. The NPPF recognises this as particularly important where Britain can be a global leader in driving innovation.
- 4.16 Chapter 6 of the NPPF also recognises that planning policies and decisions should recognise and address the specific locational requirements of different sectors, including storage and distribution operations at a variety of scales and suitable accessible locations.
- 4.17 In addition to Chapter 6 of the NPPF, the following chapters are also directly relevant to the proposed development:
- Chapter 9: Promoting sustainable transport;
  - Chapter 11: Making efficient use of land;
  - Chapter 14: Meeting the challenges of climate change, flooding and coastal change; and
  - Chapter 15: Conserving and enhancing the natural environment.

### **Supplementary Planning Documents**

- 4.18 RCBC also have a set of Supplementary Planning Documents (‘SPD’). Of relevance to the proposed development is:
- South Tees Area SPD (adopted May 2018)<sup>3</sup>; and
  - Developer Contributions (adopted December 2014).
- 4.19 These will be a material consideration in the determination of the planning application.

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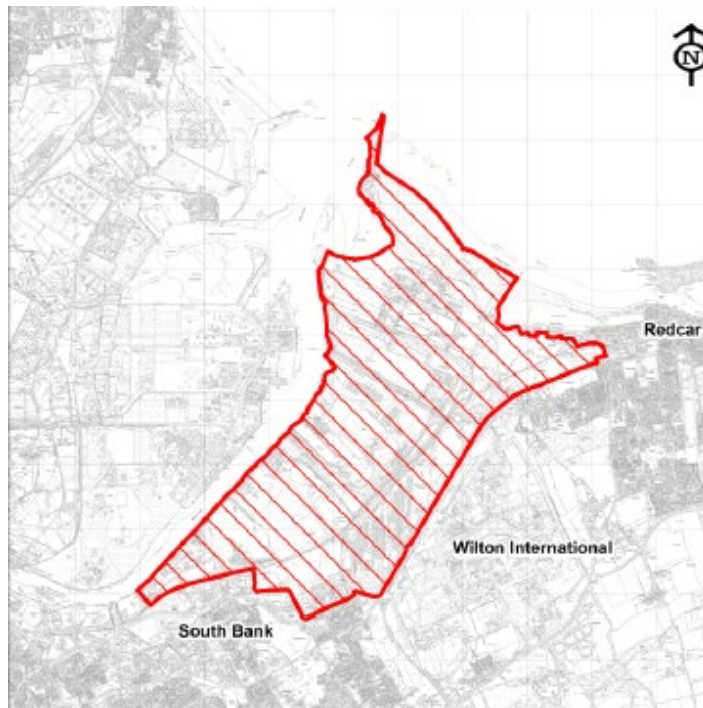
<sup>3</sup> <https://www.redcar-cleveland.gov.uk/resident/planning-and-building/local-plan/Pages/South-Tees-Area-SPD.aspx>

## South Tees Area SPD

4.20 The South Tees Area SPD supports the economic and physical regeneration of the South Tees Area, setting out the vision and core objectives for the area and providing greater detail on how adopted planning policies will be interpreted. The SPD is supported by the South Tees Regeneration Master Plan (details are set out below on this Masterplan), which has been prepared by STDC and is a background study to the SPD.

4.21 The South Tees Area is set out in Figure 4 below.

Figure 4 South Tees Area



Source: RCBC (2018)

4.22 The SPD sets out the following vision for the area:

*“The Vision for the South Tees regeneration programme is to see the area transformed into a hotbed of new industry and enterprise for the Tees Valley that makes a substantial contribution to the sustained economic growth and prosperity of the region and the communities it serves.*

*The Vision sees the creation of up to 20,000 new jobs. The focus is on higher skilled sectors and occupations, centred on manufacturing innovation and advanced technologies and those industries best able to deliver sustained economic prosperity for the Tees Valley and its people, while realising a jobs spectrum that offers opportunities for all. The Vision is underpinned by the aspiration for new development to make best use of existing infrastructure and available land and to deliver a high value, low carbon, diverse and inclusive circular economy for the Tees Valley.*

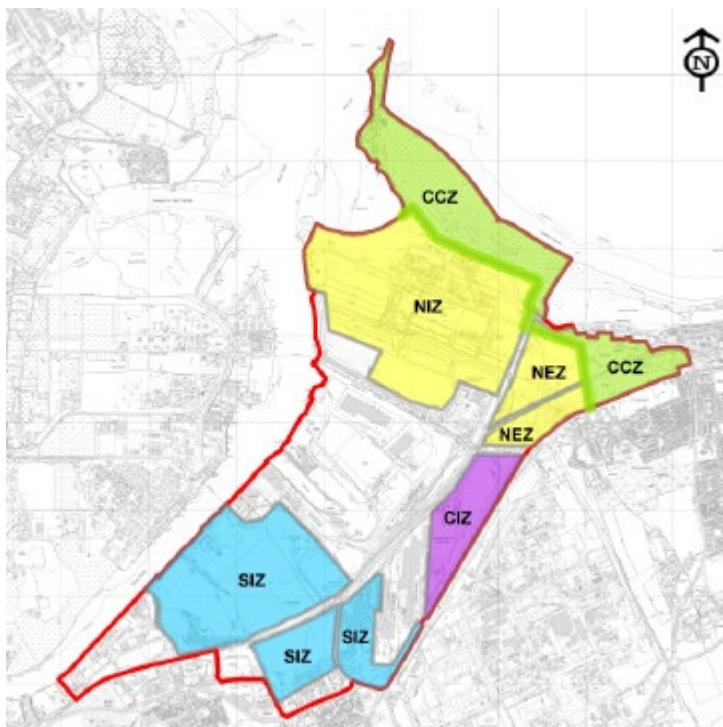
*The Vision sees an aspirational, modern industrial park, combining industrial, environmental, heritage and community assets in a well-designed development that is safe for all users and supported by a safe and efficient transport network, which delivers enhanced connectivity to the wider Tees Valley and beyond.*

*It extends to realising a telling, positive change in the external perceptions of the South Tees Area and wider Tees Valley to potential inward investors, to achieving the remediation of land contamination and to safeguarding biodiversity and promoting and encouraging environmental improvement. In overall terms, the realised Vision for the South Tees Area will deliver an exemplar, world class industrial business park that is renowned as a destination for manufacturing excellence.”*

- 4.23 The SPD includes a number of Strategic Development Principles intended to guide planning applications associated with the redevelopment of the STDC area. They have been developed in response to the relevant planning policies in the RCBC Local Plan and the development opportunities and constraints facing the STDC area.
- 4.24 STDC1 provides a series of priorities for the South Tees area in line with the SPD’s Vision and Objectives. These include a strong alignment with the Government’s Industrial Strategy, a co-ordinated world class offer, promotion and support for the expansion of existing port facilities, support for uses associated with advanced manufacturing, the low carbon and circular economy and for the creation of high-skilled employment and to support development which makes the best use of available land and existing infrastructure.
- 4.25 STDC 4 supports opportunities for specialist industries as well as the growth and expansion of existing operators and development proposals that will increase the attractiveness of the area for new users.
- 4.26 The SPD also sets out a series of development principles and objectives relating to economic development, employment opportunities, transport and sustainability.
- 4.27 The site is identified as the South Industrial Zone (‘SIZ’) and this is defined on Figure 5 below (in blue).

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Figure 5 South Tees Development Zones



Source: RCBC (2018)

4.28 The SPD includes the following development principle for the SIZ.

**Development Principle STDC14: South Industrial Zone**

*Within the South Industrial Zone, the Council, in partnership with the STDC, will encourage development proposals for port-related uses, including port-based fabrication, offshore energy industries, including manufacturing, materials processing and manufacturing, contract fabrication and energy generation and, potentially, rig and large equipment decommissioning.*

*The potential for an open space recreation and heritage area, within the South Industrial Zone, and incorporating the Dorman Long Tower and South Bank Coke Ovens battery, is being explored by the Council, in partnership with the STDC. Development proposals which adversely impact upon the delivery of schemes identified within the Open Space Strategy for the area are unlikely to be supported.*

*Development proposals will be required to take account of flood risk in accordance with Local Plan Policy SD7. The layout and design of proposals should also have regard to the forthcoming Water and Flood Risk Management Strategy.*

*Development proposals should have regard to the forthcoming Ground Remediation Strategy for the area and should, where necessary, be supported by a full gas risk assessment, incorporating any required measures to reduce landfill gas migration.*

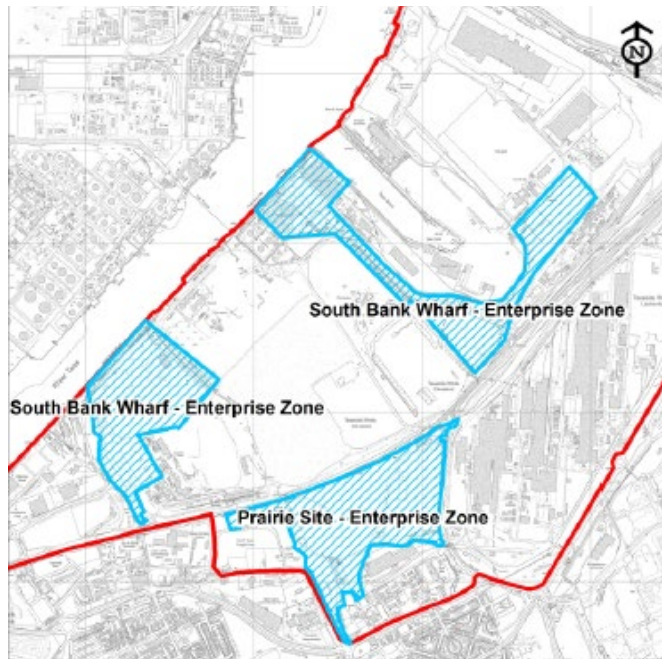
*Any proposals on the site of closed landfill operations should be supported by a risk assessment to be undertaken in advance of these works to ensure there is sufficient land stability and no increased gas and leachate risk associated with the development.*

*Development proposals should be in accordance with the requirements of Local Plan Policy N4 and have regard to Development Principle STDC7 and the forthcoming Environment and Biodiversity Strategy”.*

4.29 Part of the application site also lies within the South Bank Wharf Enterprise Zone (as shown on **Figure 6** below). Enterprise Zones include regulatory and tax incentives and are used to reverse the decline in existing industrial areas. At South Bank Wharf, 100% Enhanced Capital Allowance on capital investments are available for renewable energy and advanced manufacturing sectors which meet relevant qualification criteria.



Figure 6 Enterprise Zones



Source: RCBC (2018)

### South Tees Regeneration Masterplan

- 4.30 STDC has been set up to promote the economic growth and commercial development of the Tees Valley by converting assets in the South Tees area into opportunities for business investment and economic growth
- 4.31 The South Tees Regeneration Masterplan was published in November 2019<sup>4</sup>. This document presents the vision, strategy, Masterplan and ideas for the regeneration of the area. It illustrates the character and quality of place being planned for across the area, to be brought forward through development in accordance with the planning policy framework for the area.
- 4.32 The Masterplan does not form part of the statutory development plan though it has closely informed the preparation of, and is aligned with, that statutory policy framework. Local Plan Policy LS4 confirms the Council’s commitment to supporting the regeneration of the STDC area “through implementing the South Tees Area Supplementary Planning Document”. The accompanying text (at paragraph 3.27) refers to the preparation of a Masterplan by STDC and gives commitment to the Council adopting a SPD for the South Tees Area to help guide development there.
- 4.33 The Masterplan identifies the application site as being part of the SIZ (as referenced above) and sets out a development overview for the area from page 110 onwards.
- 4.34 It identifies the following target industries:
- Port-related uses, including port-based fabrication;
  - Offshore energy industries, including manufacturing;
  - Materials processing and manufacturing;
  - Contract fabrication;

<sup>4</sup> <https://www.southteesdc.com/masterplan/downloads/>

- Potential for rig and large equipment decommissioning; and
- Energy generation.

4.35 It identifies the SIZ as having the below assets and opportunities:

- Close to 880 acres of land available for development;
- 1.3km of river frontage with deep water potential;
- Existing rail connectivity to the various land areas;
- Over 2 million sq. ft. of existing large-scale industrial shed buildings with OH craneage and rail connections;
- Legacy industrial facilities offering heritage preservation potential;
- Very large licenced landfill facilities with significant residual capacity for both hazardous and non-hazardous waste;
- Commercial development opportunities;
- Close proximity to A66 with existing highway connections; and
- Benefits from any future Free Zone status.

4.36 The Masterplan identifies the site's river boundary as offering the opportunity for a significant increase in port-capacity on the river. This opportunity enhances the potential for attracting major industries that rely on imports and exports by sea, and that serve offshore industries.

4.37 The Masterplan makes reference to the offshore wind industry. It states:

*"...the UK offshore wind industry has committed to work with UK Government on a transformative sector deal, which, by 2030, will deliver thousands of additional skilled jobs and billions of pounds worth of export opportunities. Through this deal, the industry aims to generate one third of the UK's electricity from offshore wind by 2030.*

*In response to this emerging step change in the UK offshore wind industry, STDC has received numerous proposals from investors, including the manufacture of: gravity foundations; monopiles and transition pieces; top sides; blades; nacelles; and gearing systems. Interest has also been shown in establishing an onshore engineering base to serve Dogger Bank.*

*Presently, STDC is engaged in advanced dialogue with developers wishing to establish a new offshore wind base, inclusive of extensive port facilities, for the manufacture of all aspects of wind turbine substructures and superstructure tower assemblies. If realised, this would also offer the opportunity for significant offshore oil and gas rig decommissioning, which could produce a major feedstock for metals production projects."*

4.38 The Masterplan also refers to the site's suitability for materials processing and manufacturing. It states:

*"To reflect the growth in metals recycling both in the UK and globally, along with an ever-improving sophistication in the metals recycling process, the Master Plan for the SIZ accommodates a sizeable materials processing zone that can capitalise on the proposed new port facilities to cater for imports of recyclable materials by ship. This could extend to handling metals from rig decommissioning operations carried out elsewhere on the river.*

*The large industrial shed spaces in the SIZ offer the potential for re-use, and one such use could be metals manufacturing (such as steel or aluminium) using recycled metals, subject to market conditions and project viability being conducive. However, before making any decisions in this regard, the various shed facilities will need to be carefully evaluated to determine the viability of them being re-used. The proposed materials processing zone could extend to handling and recycling composites – another growing market – along with other recyclable materials. A key aspect of the vision for South Tees is the creation of a truly circular economy, and it is therefore appropriate that the plans make provision for uses aligned with recycling and re-use of materials on a large-scale basis.”*

**Other Documents**

4.39 The Tees Valley Combined Authority has produced a Tees Valley Strategic Economic Plan (2016 – 2026) which covers an area comprising Darlington, Stockton-on-Tees, Hartlepool, Redcar and Cleveland and Middlesbrough. This document, at a much larger scale than the application site, sets out the growth ambitions for the area over the plan period. It includes information on employment industry objectives. Although not forming part of the development plan for the site, RCBC’s local planning policies are set within the context of these growth ambitions.

**Summary**

4.40 Review and assessment of the above documents has identified that the following key planning policy issues are relevant to the assessment of the proposal:

Table 4.1 Planning Policy Issues for Assessment

Issue	Relevant Policy	
	NPPF Paragraphs	RCLP (May 2018)
Principle of Development	8, 9, 10, 11, 80, 82, 84, 117, 118	SD3, LS4, ED6, SD1, SD5
Design	91, 124, 127, 130,	SD4,
Transport and Access	103, 106, 107, 108, 109, 110, 111	TA1, TA2, TA3
Other Environmental Considerations: Biodiversity and Ecology Noise and Vibration Air Quality Water Management and Flooding Ground Conditions and Remediation Socio-Economic Waste and Materials Management Climate Change Landscape and Visual Impact Below Ground Heritage	150, 153, 163, 170, 171, 175, 178, 180, 181, 183, 189, 109, 192, 193, 197, 199	LS4, SD1, SD5, SD6, SD7, N1, N2, N4, MWC4, MWC8

4.41 In approving the recent Compulsory Purchase Order across this, and the wider STDC site, the Inspector confirmed at paragraph 52 of his decision notice that the planning framework is clearly permissive, and that he saw no reason why planning permission might be withheld for the STDC scheme as it accords with planning policy. He noted at paragraph 54 that

*“both the Local Plan and the SPD were subject to Strategic Environmental Assessments (forming part of a Sustainability Appraisal in relation to the Local Plan) as well as a Habitats Regulations Assessment. The overall conclusion was that the SPD would be likely to have significant beneficial effects on the environment and that no significant adverse effects are likely. There is no reason to suppose that these matters, including effects on the SPA and the SSSI will be impediments to the scheme underpinning the CPO.”*

4.42 This has been validated by the conclusion drawn from the EIA process undertaken for the current application proposal.

## 5.0 Key Issues

- 5.1 There is a legal obligation on the Council to approve planning applications that conform with the statutory Development Plan unless material considerations indicate otherwise. The NPPF directs local authorities to determination such applications without delay.
- 5.2 First and foremost, the application site is allocated for B Class employment use . There is, therefore, a clear and unequivocal presumption in favour of the grant of planning permission for the type of development illustrated on the Parameter Plan submitted with the application.
- 5.3 In terms of the detailed policy considerations arising from the statutory Development Plan, the key factors in the determination of this planning application are considered to be the following:
- 1 Environmental Impact Assessment
  - 2 Ecology
  - 3 Water Management and Flooding
  - 4 Noise and Vibration
  - 5 Air Quality
  - 6 Below Ground Heritage
  - 7 Local Amenity
  - 8 Access and Highways
  - 9 Ground Conditions and Remediation
  - 10 Socio-Economic issues
  - 11 Waste
  - 12 Health and Safety Executive Consultation Zones
- 5.4 These are considered in turn below.

### **Environmental Impact Assessment**

- 5.5 EIA is required for developments, which on the grounds of their nature, scale and location are likely to give rise to significant environmental effects. The purpose of an EIA is to ensure that the potential environmental effects are identified and factored into the decision-making process.
- 5.6 For planning applications, EIA is governed by the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 (the EIA Regulations) as updated by The Town and Country Planning and Infrastructure Planning (Environmental Impact Assessment) (Amendment) Regulations 2018.
- 5.7 In deciding to allocate this site for future employment development within the STDC area both RCBC and STDC have undertaken environmental assessments to understand the baseline of the area and to understand if there were likely to be any environments impacts that would either prevent development or require mitigation through the submission of planning applications. These assessments included, but were not limited to:
- Transport Connectivity and Accessibility Assessment: this assessment looked at road, rail, air and sea connectivity and identified potential connectivity barriers. As part of the STDC's role in the area is it working with other statutory bodies to bring forward a transport investment programme for the area and it recognises that the redevelopment of the STDC area will offer the opportunity for improved transport connections and a network of

sustainable transport across the region. A new roundabout access off Dockside Road has recently been completed and this is the first stage in the delivery of a comprehensive area wide strategy to support the regeneration of the area;

- **Watercourses:** survey of the surrounding watercourses has been undertaken. In addition to the River Tees there are on-site channels and of relevance to the development site is the Lackenby Channel. STDC has identified that development of sites within the Masterplan area provide the opportunity to culvert the channels, enhance, divert or, where possible open the culverted sections to enhance the water and landscaped environment. STDC has also identified that the development of this site provides the opportunity to increase ground levels to act as flood alleviation;
- **Ground Conditions:** development at this site and the wider STDC area will enable a ground remediation strategy to be implemented. This will provide a solution to existing contamination issues in the area that are associated with its industrial heritage; and
- **Ecological Considerations:** STDC identify the presence of designated sites, important habitats and wildlife but recognise the opportunity to enhance and protect these assets through mitigation and compensation measures delivered as part of planning applications. As set out above, STDC is in the process of completing a biodiversity get gain strategy which will seek to create a coordinated approach to emerging industry requirements.
- Both the Local Plan and the SPD were subject to Strategic Environmental Assessments (forming part of a Sustainability Appraisal in relation to the Local Plan) as well as a Habitats Regulations Assessment.

5.8 In undertaking the EIA for the current application the technical team has worked closely with STDC and relevant statutory consultees to consider and address the environmental matters at the site. An iterative process has been followed to agree parameters that maximise the potential socio-economic and ground remediation benefits of developing the site whilst minimising potential adverse ecological effects.

5.9 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.

5.10 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.

5.11 The relationship between the effects identified onsite do not give rise to the need for additional mitigation measures.

5.12 The only cumulative impacts, based on the information available at the time of undertaking this EIA relate to ecology, however these should be considered within the context of STDC'S Environment and Biodiversity strategy which aims to provide a means of compensation for the loss of on-site habitats and species as a result of development in the area.

## **Ecology**

### **Habitats**

5.13 A desk study by Arup identified eight internationally important designated sites within 20km of the proposed development site. The closest of these sites 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 Teesmouth and Cleveland Coast SPA and Ramsar sites cover an expansive area from Crimdon Dene (north of Hartlepool), to east of Redcar. A significant marine area extending away from Teesmouth, and the full course of the River Tees up to the Tees Barrage is designated under the SPA. Due to their designation status, Teesmouth and Cleveland Coast SPA and Ramsar sites are considered to be of international importance.

- 5.14 Further internationally important designated sites within 20km of the proposed development site were identified as North York Moors SAC and SPA; Durham Coast SAC; Northumbria Coast SPA and Ramsar; Castle Eden Dene SAC.
- 5.15 The desk study identified one statutory designated site within 2km of the proposed development site. This is the Teesmouth and Cleveland Coast SSSI, which is a nationally important designated site within the same extent as the Teesmouth and Cleveland Coast SPA.
- 5.16 The assessment also identified the presence of areas of Open Mosaic Habitats ('OMH') which typical of such brownfield land. OMH is considered to be a habitat of priority within the local area and is of county importance due to the extent and quality of OMH present within the proposed development site. Also present are small discrete areas of Lowland Calcareous Grassland, also assessed as of county importance. Small areas of saltmarsh habitat (generally less than 1 m in width) are present along the margins of the Cleveland Channel and Lackenby Channel watercourses and these are considered to be of regional importance as is a small area of reedbed.
- 5.17 The proposed development would result in the complete loss of all habitats within the application site, with no opportunities for on-site habitat enhancement or creation proposed.

### **Protected Species**

- 5.18 A range of invertebrates were identified across the site, including dingy skipper and grayling butterflies which are listed as priority species in the Tees Valley Biodiversity Species List. Several notable bird species have been recorded within 2km of the proposed development site within the last 10 years, including several species designated under the adjacent Teesmouth and Cleveland Coast SSSI, SPA, and Ramsar sites.
- 5.19 No qualifying species of the Teesmouth and Cleveland Coast SPA and Ramsar sites were recorded breeding within the proposed development site, either in desk study data or breeding bird surveys undertaken within the proposed development site, however the assessment concluded that the breeding bird assemblage of the proposed development site is of county value. No wintering bird surveys have been undertaken within the application site but based on a review of the wetland habits available a precautionary approach has been adopted which assumes that the wintering bird assemblage of the proposed development site is also of county value.
- 5.20 Other species identified as being present within the application site include brown hare and hedgehog. The development would result in the loss of habitats that support these species and no on-site mitigation is proposed.
- 5.21 The surrounding area, including the river, is considered likely to support foraging and commuting bats, otters, migratory fish and seals. The impacts on these species can be minimised during both construction and operation by measures including the development of an appropriate lighting strategy and construction environmental management plan.

### **Mitigation**

- 5.22 The Ecological Impact Assessment concluded that it is not practically possible for direct mitigation to be identified (and delivered within the development scheme / site) for the loss of

habitat value given the nature of the works proposed and the purpose of the application proposals. Instead, to address the significant residual adverse effects identified in the assessment, STDC is committed to delivering compensation in due course through the South Tees Regeneration Masterplan Environment & Biodiversity Strategy. The Environment & Biodiversity Strategy will seek to identify opportunities for compensation in the STDC area and beyond, for a range of measures.

### **Compensation**

- 5.23 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.
- 5.24 Due to the nature of the proposals and the practical constraints to providing mitigation within the proposed development, significant residual effects remain which require compensatory measures to alleviate. Offsite compensation will be necessary. The approach for this will be detailed in the forthcoming South Tees Regeneration Masterplan Environment & Biodiversity Strategy, which is intended to coordinate the offsite compensation approach for most if not all applicable developments in the wider STDC site.
- 5.25 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.
- 5.26 Compensatory measures will be required in relation to the following aspects:
- a Loss of all areas of Habitat of Principal Importance (HoPI) within the proposed development site. 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;
  - b 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; wintering birds; bats; and brown hare.
  - c To address the significant residual effects concluded in the ecological assessment, the South Tees Regeneration Masterplan Environment & Biodiversity Strategy for the wider STDC site will seek to 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 open mosaic habitat, 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.
- 5.27 Extent and location of compensatory habitat creation and enhancements will be agreed with Natural England (NE) and RCBC. Consultation and collaboration with NE will occur in order to inform the provision of compensatory open water, saltmarsh, and intertidal mud habitats, due to their complexity in recreation. It is anticipated that such discussions will take place as part of the wider consultation in relation to the South Tees Regeneration Masterplan Environment & Biodiversity Strategy.



### **Enhancement**

- 5.28 Enhancement is 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'.
- 5.29 It is important that development is sustainable and that projects produce a net gain for biodiversity and nature conservation. National planning policy requires the inclusion of measures to enhance biodiversity within development proposals.
- 5.30 Offsite compensation will be necessary to achieve a BNG for this proposed development. The approach for this will be detailed in the forthcoming South Tees Regeneration Masterplan Environment & Biodiversity Strategy, which will coordinate the offsite compensation approach for all developments in the wider STDC site.

### **Monitoring**

- 5.31 A targeted, long-term ecological monitoring and maintenance plan will be produced by an suitably qualified ecologist, in collaboration with RCBC. This plan will identify any created or enhanced habitats installed as compensation for habitat loss or as enhancement features, describe a monitoring methodology to be implemented for the duration of the plan, identify the timescales for monitoring, and describe the methods for maintenance.

### **Habitats Regulations Assessment**

- 5.32 The proximity of the site in relation to the SPA, Ramsar site and SSSI means that development within the site will need to avoid adverse effects which would undermine the qualifying features of these designations.
- 5.33 As a result, development proposals in the area should be subject to a Habitats Regulations Assessment (HRA) if it is considered that they could have significant effects on the SPA. An HRA is legally required under the Conservation of Habitats and Species Regulations 2017 (the "Habitats Regulations").
- 5.34 The Screening stage of an HRA involves the determination of the European sites which could potentially be affected by the proposed works and their determining interests, and whether or not the development could result in a likely significant effect, either alone or in combination with other plans and projects.
- 5.35 In the event that likely significant effects are identified at the Screening stage, the next stage is to carry out an Appropriate Assessment (AA). This stage involves an objective assessment of whether there would be an adverse effect on the integrity of the European Site concerned, in view of the site's conservation objectives, as a result of a Project or Plan, and the consideration of measures to address any such effect. Case Law has established that, when carrying out Appropriate Assessment, one should:
- i Catalogue all habitats and species for which the European Site is protected;
  - ii Consider impacts on other (i.e. non-protected) habitat types or species which are on the European Site; and
  - iii Also take into account habitats and species located outside of the European Site if they are necessary to the conservation of the habitat type and species listed for the site.
- 5.36 In respect of HRA and Appropriate Assessment, it is important to note that the Redcar and Cleveland Local Plan and South Tees Area SPD (2018), which together allocate the site for uses

consistent with the Master Plan and provide development principles in line with the Master Plan, were themselves the subject to HRA (and Strategic Environmental Assessment) prior to adoption. Notwithstanding the need for project-level HRAs, this provides a strong degree of confidence that the type, scale and cumulative nature of development envisaged by the Master Plan has already been found to be acceptable in relation to the qualifying interests and conservation objectives of the Teesmouth and Cleveland Coast SPA and Ramsar Site (and the special interest features of the associated SSSI).

5-37 In May 2020 Arup was appointed by STDC to undertake a HRA to accompany the submission of this planning application. At the screening stage it was concluded that potential impacts upon the Teesmouth and Cleveland Coast SPA and Ramsar were as follows:

- During construction, the loss of habitat within the proposed development site suitable to support foraging, commuting and/or roosting by some qualifying features of the SPA and Ramsar, including the open water habitats, saltmarsh and intertidal mud.;
- During construction, the risk of disturbance and/or loss of habitats within the SPA and Ramsar that support foraging, commuting and/or roosting of the qualifying features, due to pollution from within the proposed development site;
- 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
- 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.

5-38 Following the conclusion of potential disturbance or likely significant effects at the screening stage, Arup then undertook an AA to provide the information necessary for RCBC to assess whether the project would have an adverse effect on the integrity of internationally important sites, either alone or in combination with other proposals.

5-39 The AA concluded that no significant effect on the integrity of the internationally important sites are anticipated during the construction or operational phases of the proposed development. On this basis no further stages of the HRA process will be required.

### **Biodiversity Net Gain**

5-40 The Environment Bill 2019-2021, currently going through Parliament, is due to make provision about targets, plans and policies for improving the natural environment. Specifically, the draft make provision for biodiversity gain to be a condition of planning permission in England. There is likely to be a duty on developers to submit a biodiversity gain plan to a local planning authority, which should include (amongst other elements) biodiversity net gain (BNG) calculations and evidence of a 10% net gain in biodiversity. The Government has confirmed that there is to be a transition period set by provisions in the Environmental Bill. That period is two years from the Bill receiving Royal Assent before BNG requirements are implemented.

5-41 It is the intention that the Environment & Biodiversity Strategy being developed by STDC to support the South Tees Area Supplementary Planning Document will align with the requirements of the Environment Bill.

5-42 As outlined above, significant compensatory measures will be implemented in order to mitigate the residual impacts anticipated as a result of the proposed development. Compensatory measures will require extensive offsite habitat creation and enhancement, as well as species-specific compensation for faunal ecological features impacted. This compensation will be identified within the South Tees Regeneration Masterplan Environment & Biodiversity Strategy

with the extent and location of compensatory habitat creation and enhancements agreed with NE and RCBC.

- 5.43 It is expected that the Strategy will identify habitat enhancement schemes within and beyond the STDC area that can contribute towards BNG in future and provide a means of compensating habitat loss occurring from development schemes within the area that proceed ahead of its finalisation. It is anticipated that these compensatory measures will mean that ultimately the proposed development will result in a biodiversity net gain.

## **Water Management and Flooding**

- 5.44 A Flood Risk Assessment was undertaken by JBA to consider the effects of the proposed development on Water Management and flooding surrounding the site. The JBA report describes the existing environment in relation to hydrology and hydrogeology and assesses the potential impacts of the construction, operation and decommissioning of the proposed development on hydrology (surface water quality, levels and flows) and hydrogeology (groundwater quality and levels).

- 5.45 In terms of local planning policy, policy SD7 provides the key policy context. The key issues to address were identified as follows:

- 1 All development proposals will be expected to be designed to mitigate and adapt to climate change, taking account of flood risk by ensuring opportunities to contribute to the mitigation of flooding elsewhere are taken.
- 2 For previously developed sites, the peak runoff rate from the development to any drain, sewer or surface water body for the 1-in-1 year rainfall event and the 1-in-100 year rainfall event, must be as close as reasonably practicable to the greenfield runoff rate from the site for the same rainfall event but should never exceed the rate of discharge from the development prior to redevelopment for that event.
- 3 Where the drainage system discharges to a surface water body that can accommodate uncontrolled surface water discharges without any impact on flood risk from that surface water body (e.g. the sea or River Tees) the peak flow control standards and volume control standards (attenuation requirement) need not apply. This may be the case for development in the SIZ1 site that where there is discharge into drainage channels which flow directly into the River Tees without any constraints.
- 4 The drainage system must be designed and constructed so surface water discharged does not adversely impact the water quality of receiving water bodies, both during construction and when operational. New development should seek to improve water quality where possible, as well maintaining and enhancing the biodiversity and habitat of watercourses.
- 5 The Council has a duty to have regard to the Northumbrian River Basin Management Plan to ensure the protection and improvement in quality of the water environment. This is also in accordance with the overall objective of the Water Framework Directive to achieve “good ecological status” in all waterbodies (including surface, ground and coastal waters) and not allow any deterioration from their current status.
- 6 Wherever possible, measures to deal with flood risk and drainage should identify opportunities to maintain and enhance the biodiversity and habitat of watercourses through protecting or restoring natural channel morphology. Actions should also be taken to remove modifications to restore a more natural watercourse and associated biodiversity. Where such removal is not possible or not in the public interest, mitigation measures must be taken to create a more natural watercourse, improve habitats and enhance biodiversity.

- 5.46 A water management strategy is currently being discussed and developed with STDC and so at present there are no details available for the water management and drainage design. However a range of design parameter assumptions have been prepared including:
- 1 The water management and drainage plan, with the exception of modified discharge infrastructure, will not change the physical nature of the Tees bank.
  - 2 Ground levels and the Final Floor Levels (FFL) are proposed for 5.79mAOD and will not be lowered below the 1:200 year coastal and tidal flood risk level with an allowance for Sea Level Rise (SLR) that equates to 5.03mAOD.
  - 3 A Water Framework Directive (WFD) Assessment will be undertaken at a later stage once further details regarding water management for the proposed development are available. The WFD assessment 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. At this stage, the water management strategy aims to improve water quality from existing run-off.
  - 4 Drainage proposals and a Drainage Impact Assessment will be included as part of the STDC water management strategy and further developed at design stage of the project.
  - 5 It is assumed that all surface water runoff will require SuDS treatment and attenuation prior to discharge into the Tees or local watercourses, however due the contaminated nature of the land on site, the water management strategy will not comprise soakaways.
- 5.47 A flood risk assessment has been undertaken for the site. This confirms that
- The proposed development lies within Flood Zone 1 which means it has a chance of flooding of less than 0.1% - equivalent to the 1000-year event. Modelling undertaken previously for the Tees indicates that the site is at very low risk from fluvial flooding. Detailed modelling of the watercourses including the Lackenby and Cleveland Channels as well as the culverts, tidal weir at the Lackenby outfall to the Tees and other structures present, has not to date been undertaken to date and would be required to inform future designs. However, the inflows to the site would be limited by the upstream culverts so there is unlikely to be a high risk from these sources in addition to that already identified by the high level modelling.
  - There is a moderate coastal/tidal flood risk at the site due to the small area at risk in the south-east corner of the site.
  - Modelling of overland flow indicates that there is a moderate risk from surface water flooding. Water pools in low spots on the site, notably the depressions at the landfill area. Mostly flows are shallow and do not follow any clear overland flow paths. The aspiration for the development of a sustainable drainage strategy and aspiration for blue-green networks will create flow paths for this water to reduce the risk at the site.
  - It is understood that the ground levels proposed for the development are 5.79mAOD. The tidal flood level of 5.03mAOD represents the 200 year Coastal Flood Risk + Sea Level Rise Allowance to 2100 design scenario. It is understood that the ground levels for the site will be set to 5.79mAOD and therefore above the level to which flooding is anticipated.
- 5.48 The JBA report noted that 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.

- 5-49 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 should be used to protect and enhance the environment. As most of the site is made ground the proposed SuDS and any new drainage should 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 should be lined or in tanks that are suitably protected against ingress from contaminated soils. This will prevent contamination during storage.
- 5-50 This assessment has been undertaken as a high level analysis of flood risk to the site. Further mapping and modelling of flood risk will be undertaken as part of detailed planning applications that will further identify opportunities and constraints. Consultation with the Risk Management Authorities – Redcar and Cleveland Council LLFA, Northumbrian Water, Environment Agency, Highways Services is being undertaken as part of the development of the water management strategy and engagement with these organisations will continue throughout the design of the proposed development. This will ensure that there are no adverse effects in relation to the water environment as a result of the development.

## **Noise and Vibration**

- 5-51 The NPPF makes clear that new development should be appropriate for its location. Planning decisions should avoid noise giving rise to significant adverse impacts on health and quality of life. An assessment has been undertaken by Arup to assess the effects of the proposed development on noise and vibration in the surrounding area. Since the assessment has been undertaken during the global Covid-19 pandemic it has not been possible to undertake a baseline sound level survey to quantify the noise climate under what would be considered normal conditions. The baseline sound level climate has, therefore, been informed by noise prediction modelling and professional judgement.
- 5-52 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. Indicative predictions and assessment of noise associated with heavy goods vehicle (HGV) deliveries and loading, car movements, air handling units and the breakout noise is included in the assessment. Noise arising from HGV and light vehicle movements has been assessed using predicted traffic flows detailed in the Transport Assessment. The assumptions that have been used to inform the assessment of the construction and operational noise impacts are considered representative of a reasonably foreseeable worst case. Any uncertainty associated with the construction and operational assumptions are unlikely to have any influence on the outcome of the assessment given the relatively large separation distances involved.
- 5-53 The noise assessment concluded that there would be no adverse impacts from construction noise at the nearest sensitive residential receptors. In terms of construction activities, it was concluded that no vibration effects are likely to occur, as ground-borne vibrations diminish strongly with distance and the distances to all the existing residential receptors from the proposed works are greater than 100m, the level of vibration is predicted to be well below levels at which there is a risk of causing building damage or disturbance to residents.
- 5-54 Once operational, the assessment concluded that the operation of the proposed development would result in a negligible increase in road traffic noise within the local area. Noise emission from building services plant will be controlled through design to meet established noise criteria based on the existing baseline noise levels at the closest noise sensitive receptors. Based on the

Arup assessment the operational noise exposure level at all sensitive receptors would be substantially below existing ambient noise and therefore assessed as not significant. Notwithstanding this, at reserved matters stage the individual operators should provide a desktop acoustic study to demonstrate avoidance of potential adverse effects at the closest noise sensitive receptors. The assessments should demonstrate that noise from individual sites, in addition to the site as a whole, does not exceed the established noise criteria. This will ensure that there is no adverse impact on residential amenity in accordance with Policy SD6 of the Local Plan.

## **Air Quality**

- 5.55 A detailed assessment has been undertaken by Arup to consider the effects of the proposed development on local air quality, including the potential effects of the predicted traffic associated with the proposed development. The assessment covers construction dust and operational traffic effects on human and ecological sensitive receptors.
- 5.56 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 NO<sub>2</sub> objective. At the monitoring location nearest to the proposed development, the concentrations are well below the objective. As a result, the local council have not declared any Air Quality Management Areas (AQMAs).
- 5.57 The effects of construction dust have been considered using the industry standard guidance to consider the effects of construction, demolition, trackout (dust deposited or resuspended by vehicles leaving site) and earthworks of the proposed development on sensitive receptors. The assessment concluded that, following the implementation of best practice mitigation measures for construction dust (to be secured through a Construction Environmental Management Plan (CEMP) along with a Dust Management Plan (DMP)), the impact of the construction of the proposed development would not be significant and there would be no residual effects. Liaison with the project ecologists was undertaken to ensure the ecological site was considered appropriately.
- 5.58 The operational phase of the development was considered by carrying out dispersion modelling using industry standard software. The impact of the predicted concentrations calculated through the modelling process was predicted to be negligible at all receptors. The overall effect of the operation of the proposed development on local air quality is therefore predicted to be not significant and hence no mitigation measures are required. There is, therefore, no conflict with local planning policy objectives which seek to minimise environmental impacts such as air pollution and support health and wellbeing.

## **Below Ground Heritage**

- 5.59 Prospect Archaeology Ltd was appointed to prepare a heritage assessment to assess the cultural heritage impact of the proposed development. The assessment was based on a study area extending 1000m from the boundary of the application site enabling the significance of existing and potential archaeological features to be considered in their local, regional and national contexts.
- 5.60 The assessment confirmed that there are 6 designated heritage assets within the study area, though none within the site itself. 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 application site does not contribute to a significant setting for any of the buildings.

- 5.61 The application site was a part of the mud flats on the River Tees until reclamation commenced in the 19th century, therefore, there are no undesignated heritage assets within the study area relating to the pre-Industrial period. Any undesignated heritage assets within the site would date to the 19th and 20th centuries and relate to the industrial and military uses of the Site.
- 5.62 Four areas of (below ground) archaeological potential have been identified. These comprise 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 Heavy Anti-Aircraft Battery and associated facilities. Policy HE3 (Archaeological Sites and Monuments) of The Redcar & Cleveland Local Plan states that development that affects a site where archaeology exists or where there is evidence that archaeological remains may exist will only be permitted if:
- the harm or loss of significance is necessary to achieve public benefits that outweigh that harm or loss. Harm or loss may be avoided by preservation in situ or refusal: or
  - Where in situ preservation is not required, appropriate satisfactory provision is in place for archaeological investigation, recording and reporting to take place before, or where necessary during, development. Where archaeological investigation, recording and reporting has taken place it will be necessary to publish the findings within an agreed timetable.
- 5.63 Development would remove all elements of the archaeological record and so in each case, the potential survival of significant archaeology should be established through monitoring and review of site investigations and, where necessary, archaeological evaluation. To secure compliance with the requirements of Policy HE3, mitigation work in the form of a strip, map and record can be secured through an appropriate planning condition.

## **Landscape and Visual Impact**

- 5.64 A landscape and visual assessment was undertaken by BDP which assesses the proposed development and considers its landscape and visual effects. The assessment has been based on likely assumptions of the nature and size of development from the parameters plans, as well as timescales for construction. The visual impact assessment is based on a 'massing plan' of the masterplan as assessing the visual impact of the full parameters plan would not give a very accurate impression of the likely significant visual impacts of the proposed development.
- 5.65 The assessment has been aided by a series of computer generated 'Photomontage' Accurate Visual Representation (AVR) images. These visualisations combine a photograph of an existing view with a computer-generated massing model of the proposed buildings.
- 5.66 The following local plan policies were identified as being particularly relevant to landscape and visual impact assessment for the proposed site:
- N1 Landscape - supports the protection and enhancement of the Borough's landscape based on the character areas identified through the Landscape Character Assessment, Landscape Character SPD, and Historic Landscape Characterisation, and restricts any development which leads to the loss of important features of landscape character and supports measures to enhance, restore or create those special features; and
  - N4 Biodiversity and Geological Conservation - supports the protection and enhancement of the Borough's biodiversity and geological resource.
- 5.67 The LVIA undertaken by BDP concludes that the construction effects on the surrounding landscape and views will be temporary and are limited to effects such as the presence of large machinery, cranes, materials storage (both construction material and temporary mounds for site remediation) and site accommodation.

- 5.68 The most significant visual effects associated with the construction process will be the presence of cranes, construction compounds and materials storage. The presence of such temporary structures is inevitable in connection with construction of the type and scale envisaged. This temporary situation is common as a consequence of building activity and there is no practical way of avoiding it, nor is it an unusual view, and is commonly experienced at many similar sites in the region. The following mitigation measures are assumed during the construction phase of the development:
- 1 Implementation of construction best practice;
  - 2 Installation of suitable site hoarding;
  - 3 Careful siting and management of materials stockpiles; and
  - 4 Sensitive siting of site welfare and other temporary structures.
- 5.69 With these mitigation measures in place there should be no significant adverse effects on landscape and visual amenity during the construction process.
- 5.70 Once operational, significant adverse effects are anticipated from only two viewpoints: Eston Nab Hill, which is representative of views from the public footpath and the highest vantage point in the area of the site and Uvedale Road, South Bank which is representative of views from residential housing, recreation space and footpaths.
- 5.71 The Eston Nab viewpoint is from within a designated landscape area, and woodland Country Park, popular for walking and mountain biking, and observing wildlife. At its highest point, 'Eston Nab' is a local landmark, and popular vantage point in the area, with a range of long-range views of Middlesbrough, Redcar and the coastline. There is obvious scenic context to the view and value attached to the view, as is typical of such long-range vantage points of this nature. As a consequence the value of this particular view is considered to be high. The proposed development will form a minor component in the overall visible landscape and may not have a readily apparent influence on the receptor or negative influence on the perceived quality of the view due to the wider context, and views being of a varied and panoramic nature, rather than focussed directly on the proposed development site. Nevertheless as a result of the sensitivity of the footpath users the overall effect is considered to be significant.
- 5.72 The Uvedale Road viewpoint location is on the south west corner of public open green space within the residential neighbourhood of Southbank. The position of the playing fields provides a sense of openness for the residential receptors and respite from the dense urban landscape. This is an undesignated view and doesn't include any landmark features. There is no obvious scenic context to the view or value attached to the view. The view is more incidental to the recreational use in this location, however from ground floors of the properties the view will be more of a static view. For this reason the viewpoint is also representative of residential receptors, who have views orientated towards the proposed development and residential receptors are considered to have a high susceptibility to visual changes. The proposed development would be located in the distant view but the scale and massing of the industrial buildings would create a visible and recognisable feature in the visual context and although it would not change the overall character of the view the effect is still considered to be significant.
- 5.73 To assist in addressing these concerns the following mitigation measures are assumed during the operation phase of the development:
- 1 Buildings to be articulated in a way which reduces visual scale and massing and
  - 2 Building colour and cladding to be appropriate, and help break up the visual massing, avoiding overly reflective materials.



5.74 Overall there is not considered to be any significant conflict with local planning policy N1 which supports the protection and enhancement of the Borough's landscape and restricts any development which leads to the loss of important features of landscape character.

### **Local Amenity**

5.75 The nature of the site and surroundings is characterised by large scale industrial development and there are limited residential receptors whose amenity might be affected by the application scheme.

5.76 The closest residential receptors to the site are the houses in the residential area of South Bank, which is approximately 500m south of the western end of the site. These are separated from the site by the A66. Also within proximity of the site is 'The Haven' Gypsy and Traveller site. This contains 18 pitches, and it is located on King George's terrace, approximately 800m south west of the site. It is separated from the site by the South Tees Imperial Park industrial estate and the Darlington to Saltburn railway line.

5.77 Nonetheless, the determination the planning application must give rise to the consideration of the potential for adverse impacts on amenity, including local / residential amenity. The potential aspects of amenity that could be affected by the type of development include noise, vibration, smell, loss of sunlight, overshadowing, loss of privacy and change in view.

5.78 Pre-application discussions with planning officers at RCBC established the type and scope of assessments relating to amenity required to determine the application in line with local and national policies. These assessments considered the impact on amenity in the context of the existing surrounding area which is industrial in nature with large scale structures associated with the former steelworks and operational port.

5.79 Whilst the introduction of development on the application site will lead to some change in outlook and general amenity from residential properties, it is highly unlikely to introduce anything unacceptably incongruous in scale or nature into the existing industrial conditions when experienced from those receptors especially with the imposition of typical mitigation measures through planning conditions or legal agreements. In particular the use of a Construction and Environmental Management Plan would control and restrict construction phases of development, including hours of construction, demolition and construction techniques and site management. In this regard the application proposals have been demonstrated to conform with Policy SD6 of the Local Plan, where applicable, in respect of the protection of amenity.

### **Access and Highways**

5.80 The Redcar and Cleveland Local Plan stresses the existing transport connectivity of the STDC site, which has access to a deep-water port, excellent road and rail links, access to energy and utilities. Specific policies of relevance include:

- Policy SD4 relates to the general development principles and includes the requirements for locating development on appropriate sites with compatible surroundings, ensuring development is located in a sustainable and safe location, and ensuring there is adequate infrastructure to serve the development.
- Policy LS4 includes the objective to improve the accessibility of employment sites by a range of transport methods.
- Policy TA1 relates to transport and new development and includes the requirement for new developments to encourage transport choice and non-car modes.

- Policies TA2 and TA3 relate to improving accessibility by bus across the borough and improving the walking cycling and public rights of way networks respectively.

5.81 With regards to connectivity opportunities, Policy TA2 identifies schemes for improving accessibility within and beyond the borough. One of the key actions included in the policy refers to the delivery of the South Tees Dockside Road access to the site. The Dockside Road roundabout has now been delivered and the proposed development will benefit from a western access through this new roundabout. The proposed development is therefore aligned with local planning policy in this regard.

5.82 Full details are submitted in respect of the proposed access arrangements. The proposed access arrangements include:

- The main site access will be at Smiths Dock Road, along the south western boundary of the site. This will be accessed via Dockside Road. This access will be signposted on the local road network as the primary site access; and
- A secondary access will be provided on Tees Dock Road, along the north western boundary of the site. This will be accessed from the A66.

5.83 In addition to this proposed access the site will also include a service corridor at the south of the site. This will connect to the site access at Smiths Dock Road at the west of the site and to Tees Dock Road further to the south of the site. Connections to the wider STDC network are also possible.

5.84 The site will also include internal access road(s) and parking and servicing areas for each development plot, which will come forwards in phases as and when development is brought forward at the site. The detailed design of these roads and parking / servicing areas will be subject to future reserved matters applications.

5.85 A walking and cycling network will be provided across the site and will connect to existing facilities on the site accesses and surrounding area. The internal walking and cycling network will be developed as part of the transport strategy for the wider STDC site and agreed through the reserved matters application for the proposed development. Associated facilities such as cycle parking, showers and lockers etc will also be provided within the proposed development, the details of which will be agreed through the reserved matters application.

5.86 As an outline planning application, the internal site layout has not yet been developed and therefore the level of car parking provision is expected to be agreed as part of the reserved matters application.

5.87 The proposed development will benefit from proposed improvements to the existing public transport facilities in the wider area and new provisions within the STDC site, as part of the transport strategy for the wider site. This strategy will propose a list of potential measures to be implemented across the wider South Tees site to achieve these outcomes, such as the provision of mobility hubs within the South Tees site, an internal bus service to connect between the hubs, provision of real time information at bus stops etc.

5.88 Some of the key outcomes included in the emerging STDC strategy are understood to include the following:

- High quality public transport, walking and cycling routes and connections are prioritised over other transport modes;
- Cycling and walking connections to local residential centres are safer, more attractive, widely used and support local town centre regeneration;
- Transport options enable improved individual health and wellbeing and access to jobs; and

- Transport options will support the transition to zero carbon and contribute to a high-quality environment that will attract future occupiers.

- 5.89 It is proposed that a site-wide Travel Plan will be developed for the South Tees site based on the transport strategy. Future occupiers of each development within the South Tees site will be expected to sign up to the Travel Plan. However, as parts of the application site may be developed in advance of the transport strategy being adopted, a Travel Plan framework has been developed to identify a list of measures for the proposed development that could be applied in advance of the wider strategy coming forward, but also outlining how the site will be incorporated into the wider masterplan in due course. A site-wide Travel Plan Coordinator will be appointed to ensure and oversee its implementation, as well as monitor and review its effectiveness.
- 5.90 Junction capacity assessments have been undertaken at key junctions in the vicinity of the application site, to assess the impact of the proposed development on the local and Strategic Road Network ('SRN'). The only effects considered to be significant are minor adverse effects on driver delay at the A66/Old Station Road/Middlesbrough Road roundabout, the A66/Tees Dock Road/A1053 roundabout and A1053/A1085 Road roundabout due to development traffic. It is reasonable to suggest that implementing the wider transport strategy for the South Tees site will mitigate, to some extent, this impact on the highway network. However the STDC transport strategy will consider if any additional mitigation at these junctions is required once other measures introduced as part of the strategy have been considered.
- 5.91 It should be noted that the transport assessment has been undertaken based on a worst-case scenario, concentrating traffic in the south-west of the site and assuming that the majority of employees (82%) will drive to the site based on existing travel trends. It is expected that the physical walking and cycling measures and the public transport improvements that will be provided as part of the sustainable transport measures of the wider STDC site transport strategy will promote mode shift across the wider site so as to substantially reduce the 82% commuter car mode share percentage and reduce the volume of traffic generated by the proposed development. As the transport strategy is still in development, it has not been possible to quantify the reduction in car mode share that the measures would deliver, and re-model the junctions. In mitigation, it is expected that the requirement to provide a car parking management plan in the interim will be conditioned
- 5.92 In summary, the proposed development is in compliance with local, regional and national policy. It is clearly aligned with the STDC site specific policies and the masterplan for the site, as it will provide improvements to the transport network to allow access to the development by sustainable and active travel modes. The development will be incorporated into the wider South Tees site transport strategy, which should mitigate the forecast minor adverse impact of the development on certain highway junctions whilst having a positive impact on the local sustainable and active travel networks.

## **Ground Conditions and Remediation**

- 5.93 The application proposes industrial development on land previously developed for industrial uses and allocated in an up-to-date development plan for industrial development. Notwithstanding this, the local planning authority should (at the time of determining planning applications) have sufficient information to understand the ground conditions to the extent that it is able to impose a suitable approach to managing the construction process and operational stage of the development so as to ensure no risk to human health. The role of the planning system is to ensure that a site is suitable for its new use and prevent unacceptable risk from pollution. The implications of contamination for development should, therefore, be considered

though not to the extent that it replicates other statutory regimes such as the Environmental Protection Act, Building Regulations or Environmental Permitting Regulations.

- 5.94 Ground Investigations have been carried out across large extents of the STDC area, the results of which have informed the preparation of the Masterplan and the latest application proposals. In 2017, ground investigations were carried out by the South Tees Site Company, covering over 220ha (550 acres) of the former SSI landholdings, which are in addition to further ground investigations carried out over the past 40 years across much of the remaining land identified for development in the local plan. These desk top studies and ground investigations have evidenced that there will be only localised, discrete and relatively small areas of land where contamination will require remediation intervention, given the industrial re-use planned across the area.
- 5.95 Recent work undertaken by Arcadis to accompany the current planning application considers the potential presence of land and groundwater contamination as well as sites of geological/geomorphological significance, geotechnical constraints and the potential for explosive ground gas accumulation. The Arcadis assessment identified that 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).
- 5.96 The application site and the wider Teesside area has an extensive industrial legacy including almost 170 years of iron and steel making, together with auxiliary works including fuel oil storage. Previous investigation of the land has confirmed the presence of contaminants including heavy metals, hydrocarbons and abnormal pH. The site is known to extensively comprise reclaimed land, made up of slag, together with supplementary Made Ground deposits comprising ash and demolition rubble giving rise to a range of contaminants including heavy metals, abnormal pH and sulphate/sulphides. Previous investigation of adjacent land has identified the presence of ground gases (methane (flammable gas) and carbon dioxide) which are likely to be derived from the historical legacy of landfilling, infilling and reclamation both on and off the site. Investigation data has also identified the presence of asbestos in Made Ground which is likely to be derived from the historical legacy of landfilling, infilling and reclamation activities as well as operational aspects associated with the site.
- 5.97 An Outline Remediation Strategy is currently being progressed for the wider STDC area and this is high level at the point of submitting this outline planning application. The detailed design for each of the development plots will determine the detailed remediation approach based on the intended layout and form of development. A Remediation Design Statement will be prepared for each development plot to set out how the proposed development conforms with the outline remediation strategy.
- 5.98 Taking into account mitigation in the form of compliance with the remediation strategy, Arcadis concludes that impacts on human health, surface waters, groundwater, waste management facilities and the built environment and landscape will all be of negligible significance during both the construction and operational phases. In this respect the application proposals accord with the aims of policy LS4 of the RCLP in terms of the decontamination and redevelopment of potentially contaminated land.

## **Socio Economic Issues**

- 5.99 A detailed assessment was provided in Chapter I of the ES of the economic context and main socio-economic characteristics of the local area relating to the proposed development. This includes a summary of the current local economic conditions and labour market conditions

within the Area of Impact (AOI) (defined as Redcar and Cleveland, Middlesbrough and Stockton-on-Tees local authorities).

- 5.100 The assessment identified that jobs growth across the AOI during the period 2008-2018 was, at 2.5%, lower than the equivalent rate experienced regionally (4.3%) and nationally (13.6%). ONS Job Density data provides a measure of the ratio of total jobs to working age residents in a given area. The most recently published data (2018) shows that the AOI has a job density ratio of 0.70, indicating that it has 70 jobs for every 100 residents of working age (aged 16-64). This is lower than the regional (0.73) average and significantly lower than the national average (0.86), highlighting the potential to deliver employment growth in the local area.
- 5.101 Annual Population Survey data from the most recent full year (2019) indicates that the economic activity rate (i.e. the share of working-age residents either in or seeking employment) across the AOI is 72.2%. This is lower than the regional (75.0%) and national (78.9%) economic activity rates.
- 5.102 In 2019, the model-based unemployment rate (share of working-age residents out of employment) in the AOI was 6.3% - higher than both the regional (5.9%) and national (4.0%) averages. This is also reflected in unemployment data for April 2020 which shows that there were 21,600 residents in the AOI claiming out-of-work benefits. This equates to a claimant rate of 7.4%. This rate is higher than that of the region (6.9%) and nationally (5.1%). Taken together these data suggest that there is greater scope locally to accommodate employment growth.
- 5.103 Overall the socio-economic assessment undertaken by Lichfields as part of the EIA demonstrates that proposed development will have a substantial beneficial effect on the local economy.
- 5.104 During the construction stage, the delivery of 418,000sq.m of new employment space for B2/B8 and associated B1 office use is estimated to support between 395 and 420 gross new direct construction industry jobs annually over the construction phase. In addition it could be expected to support between 460 and 295 additional indirect FTE jobs per annum over the duration of the build period. 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. It is estimated that the construction period could generate in excess of £50 million of direct and indirect Gross Value Added (GVA) for each year of the construction phase .
- 5.105 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. 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
- 5.106 The approach outlined above is considered to be more appropriate, in this instance, than the application of the standard employment densities (for general industrial and storage and distribution uses) published by the Homes and Communities Agency. The applicant has advised that the proposed development is likely to be particularly attractive to occupiers from the offshore wind energy sector, which is particularly 'land hungry'. As such, it is likely that the

employment effects of the proposed development would be significantly overstated by applying standard employment densities to the quantum of development for which permission is sought.

- 5.107 In accordance with the Homes and Communities Agency Additionality Guide, a 25% displacement allowance needs to be 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.
- 5.108 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.
- 5.109 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).
- 5.110 In total, therefore, once operational 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.
- 5.111 In terms of GVA once operational, this is estimated to be between £110 million and £180 million additional GVA per annum.
- 5.112 On the basis of this assessment it is clear that 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. This is a very significant material consideration in the determination of this planning application.

## **Waste**

- 5.113 The NPPF is clear that minimising waste is an important part of the environmental objective for achieving sustainable development and the National Planning Policy for Waste explains that it is important to ensure that, where possible, waste production is minimised to reduce environmental impact.
- 5.114 The Tees Valley Joint Waste Management Strategy 2020-2035 states that the region has in place a 60% recycling target for municipal solid waste (MSW) and commercial and industrial (C&I) wastes by 2030. The recovery target for construction, demolition and excavation waste for the Tees Valley is 80%.
- 5.115 In this context an assessment has been undertaken quantifying the likely volumes of waste and materials which will be generated during both the construction (including excavation and demolition) and operational phases of the proposed development, and by considering its potential impact on the known regional landfill void capacity. In undertaking this assessment it has been assumed that the redevelopment of the site will be cut and fill neutral ensuring the reuse of suitable uncontaminated excavated materials is maximised. This assumption is embedded into the design of the scheme. Excavation material would comprise soil, clay, stone and spoil. In line with the assumption that the site will be cut and fill neutral, this material will be re-used on site. This means that there will be no requirement for waste material to be removed from the site in order to prepare a level development platform.

- 5.116 In terms of construction activities, the site should be managed so as to avoid unnecessary waste such as excess material brought to the site and left to be damaged or wasted. This can be achieved through the production and maintenance of a Site Waste Management Plan during the design and construction phases of the proposed development. Contractors will be required to commit to achieving a high recycling and recovery rate for all waste generated on site.
- 5.117 The waste objectives for the operational phase will aim to reduce, re-use, recycle and recover waste as much as possible before considering disposal. The waste management system will consider the whole process of waste management including storage, collection, waste transport, treatment and disposal.
- 5.118 The proposed development is forecast to result in the generation of 104,069 tonnes of construction waste, and 60,000 tonnes of demolition waste in the construction phase). Excavation waste is assumed to be zero (or cut and fill neutral) for the purposes of this assessment. Construction waste per year of the proposed development period is estimated to be 22,697 tonnes.
- 5.119 During the operational phase, the proposed development is expected to generate a total of 28,704 tonnes of waste per year, largely comprising MSW and C&I waste. Based on a worst-case scenario (if all waste arisings were sent to landfill), construction waste arisings would account for 0.10% of the regional landfill capacity whilst demolition waste would account for 0.26%. Operational waste arisings would account for 0.12% of the regional landfill capacity.
- 5.120 In the case that good recycling and recovery practices are adopted, it is possible the volumes of waste requiring disposal may be reduced by at least 80% for construction, demolition and excavation (CD&E) waste (mostly construction phase) and 60% for MSW (mostly operational phase). Where these targets are met, it is possible to reduce the waste sent to landfill to 4,916 tonnes per year (construction waste) and 12,000 tonnes (demolition waste). Operational phase waste could reduce to 11,482 tonnes per year. This would account for an average of 0.0002% (construction waste), 0.0005% (demolition waste), and 0.005% (operational waste) of regional landfill capacity. Adopting these recycling and recovery rates will reduce the impact of the waste arising from the proposed development on the existing regional landfill capacity and associated environmental impacts. In this context demolition, construction and operational waste from the proposed development are all considered to result in a negligible impact on regional landfill capacity.

## **Health and Safety Executive Consultation Zones**

- 5.121 The application site is located within a heavily industrialised area of Teesside, where there are a number of large-scale industrial plants and pipelines which are classified as hazardous installations.
- 5.122 The following industrial pipelines are present on and under the site:
- The now redundant Coke Ovens Gas Main (“COGM”) runs from the South Bank Coke Ovens (at the south western part of the site) to the Redcar Coke Ovens in the north eastern part of the STDC area. The pipeline is an over ground feature on the development site and still contains hazardous material and is controlled under a nitrogen blanket to prevent ignition;
  - The Heavy Fuel Oil (“HFO”) line. This pipeline is an over ground feature on the site and has trace heating to maintain flow; and
  - The BOC Gas pipeline is an over ground feature on the site, and follows the route of the Sembcorp utilities corridor, which carries a range of utilities from the Wilton International Complex under the River Tees to Seal Sands and the wider area.

- 5.123 The Health and Safety Executive (HSE) sets a consultation distance (CD) around major hazard sites and major accident pipelines after assessing the risks and likely effects of major accidents at the major hazards. These consultation areas are referred to as HSE zones. Within the CD there are three further zones defined, referred to as Inner, Middle and Outer Zones.
- 5.124 The HSE consultation zones affecting the application site are centred upon industrial operations located both within and beyond the STDC area. The following organisations within the STDC area currently have HSE consultation zones associated with hazardous substances consents:
- South Tees Site Company Limited (formerly SSI);
  - SABIC UK Petrochemicals Ltd
  - British Oxygen Co. Ltd
  - PD Teesport Ltd.
- 5.125 HSE would remove the consultation zones associated with these sites if they were to be notified by the Council that the hazardous substances consents have been formally revoked in accordance with the Planning (Hazardous Substances) Act 1990.
- 5.126 Beyond the STDC area, a number of zones associated with sites at Seal Sands, North Tees and Wilton International, extend into the STDC area. In advance of determining the current application proposal the Council will be required to consult with the HSE as the site falls within a consultation zone and the application comprises more than 750sqm of industrial floorspace.
- 5.127 This requirement is highlighted in Policy SD4: General Development Principles, which permits development where it avoids locations that would put the environment, or human health or safety, at unacceptable risk. The supporting text to this policy confirms that the Council will seek the advice of the appropriate regulatory organisations, including the Health and Safety Executive on proposals falling within defined consultation zones.
- 5.128 The HSE will provide a response stating the HSE “advises against” or “does not advise against” the grant of planning permission on safety grounds.
- 5.129 In providing their response, HSE has regard to 4 principles:
- 1 The risk considered is the residual risk which remains after all reasonably practicable preventative measures have been taken to ensure compliance with the requirements of the Health and Safety at Work etc. Act 1974 and its relevant statutory provisions;
  - 2 Where it is beneficial to do so, advice takes account of risk as well as hazard, that is the likelihood of an accident as well as its consequences;
  - 3 Account is taken of the size and nature of the proposed development, the inherent vulnerability of the exposed population and the ease of evacuation or other emergency procedures for the type of development proposed. Some categories of development (e.g. schools and hospitals) are regarded as more sensitive than others (e.g. light industrial) and advice is weighted accordingly; and
  - 4 Consideration of the risk of serious injury, including that of fatality, attaching weight to the risk where a proposed development might result in a large number of casualties in the event of an accident.
- 5.130 To further guide the HSE in making a decision, they have regard to:
- 1 The consultation zone in which the development is located (i.e. which of the three zones that makes up the overall consultation zone); and
  - 2 The sensitivity level of the proposed development, which is derived from HSE categorisation system of “Development Types”. There are four levels of development with



Level 1 being the least sensitive (e.g. “normal working population” and Level 4 being the most sensitive (large outdoor developments or large facilities for vulnerable members of the public). Further guidance is given in Table 1.1 of the HSE Land Use Planning Methodology as to how developments are categorised.

- 5.131 Further considerations apply to more complex cases, such as when the development is located in more than one zone; where more than one major hazard is involved; the proposal involves more than one “Development Type”; and the development involves a small extension to an existing facility.
- 5.132 The current application proposals are considered to be Level 1 developments: “normal working population”.
- 5.133 In preparing the Local Plan, RCBC was required to have regard to the prevention of major accidents, limiting the consequences of such accidents and considering the appropriate distances between hazardous establishments and population or environmentally sensitive areas. The Council was also required to consider whether additional measures for existing establishments are required to ensure risks to people in the area are not increased.
- 5.134 Allocations were determined having regard to the relevant HSE zones, with information recorded in the Sustainability Appraisal. The HSE was consulted during the development of the plan and whilst some standard advice was received, no objections were raised in relation to the allocations of land within the STDC area.
- 5.135 There are no obvious reasons for HSE to advise against the grant of planning permission for the current application proposal.

## 6.0 Compliance with NPPF

6.1 At the heart of the NPPF is the intention for the planning system to contribute to the achievement of sustainable development. In practice this means development meeting three overarching objectives which are interdependent and need to be pursued in mutually supportive ways (economic, social and environmental) (paragraph 8).

6.2 In this respect, the NPPF is clear that '*Planning policies and decisions should play an active role in guiding development towards sustainable solutions, but in doing so should take local circumstances into account, to reflect the character, needs and opportunities of each area*' (paragraph 9).

### Environmental

6.3 The reclamation of this contaminated brownfield site will have significant environmental benefits.

6.4 The application site has an extensive industrial legacy and site investigation has confirmed the presence of contaminants including heavy metals, hydrocarbons and sulphate/sulphides. The site preparation work to be undertaken across this site, and the wider STDC area, will result in the remediation of this heavily contaminated landscape.

6.5 Whilst precise final details of the scheme will be established at the reserved matters stage, it is anticipated that the following measures will be implemented:

- Encourage a reduction in CO<sub>2</sub> emissions, monitor energy and waste consumption and consider energy generation;
- Future occupiers of the proposed development will be encouraged to consider the benefit of cooperating to manage resources, environmental issues, energy generation, logistics, green technology, local education and resources;
- Contractors will consider using local suppliers, recycled materials and will be required to implement a Construction Environmental Management Plan ('CEMP') which will be monitored throughout the construction phase of development;
- All building materials and products will be sourced, where practical, from suppliers who manufacture with certified environmental management systems and timber will be Forest Stewardship Council ('FSC') certified, where possible; and
- Adoption of Framework Travel Plan ('FTP') and specific Occupier Travel Plans to promote sustainable modes of travel in accordance with STDC's emerging transport strategy.

6.6 As part of the site wide redevelopment of the wider STDC site, the South Tees Regeneration Masterplan Energy and Utilities strategy is currently being developed by Arup. This, and other strategies related to the wider STDC site, are due to be completed later in 2020. The South Tees Regeneration Masterplan Energy and Utilities strategy will consider site-wide utilities able to serve each of the STDC development plots, of which the South Industrial Zone is one. As part of the South Tees Regeneration Masterplan Energy and Utilities strategy development, the phasing of the individual developments is being considered. It is likely that in the near term some of the existing site infrastructure will be reused to supply energy and utilities to the earlier developments. Although the design of the site has not progressed to include utilities networks, from the work to understand the available capacity within the wider STDC site, there is sufficient capacity in the electricity and water networks to supply the estimated demands, based on the anticipated usage classes and floor areas. In parallel the site wide energy and utilities

system will be implemented which meets the STDC vision of an exemplar, world class industrial business park.

6.7 The South Tees Regeneration Masterplan Energy and Utilities strategy is being developed in line with the South Tees Regeneration Masterplan guiding principle to ‘Promote and support development uses aligned with a low carbon, circular economy, while delivering redevelopment within a framework of reduced energy costs and waste minimisation.’ The South Tees Regeneration Masterplan Energy and Utilities strategy is looking at low carbon on site generation options, utilisation of waste heat from industrial uses as well as defining the utilities corridors.

6.8 As the STDC site develops further, its site wide energy and utilities network will be established, and developments will transfer on to the new utilities infrastructure as applicable. There may also be the potential for the development to incorporate renewables e.g. rooftop solar to supply some of the required energy subject to compatibility with user requirements and market conditions.

## **Economic**

6.9 As outlined earlier, the economic benefits of the proposal are substantial, both in terms of job creation and increased GVA. In this regard it is clear that the proposed development will have a substantial beneficial effect on the local economy. Key headline figures include:

- Creation of between 855 and 915 direct and indirect FTE jobs per annum over the 8 year build.
- Generation of in excess of £50 million of direct and indirect Gross Value Added (GVA) for each year of the construction phase.
- Creation of approximately 3,870 gross direct FTE jobs, once completed and operational plus 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 .
- Creation of between £110 million and £180 million additional GVA per annum once operational.
- A commitment to provide a wide range of employment and training opportunities for local people.

6.10 This is a very significant material consideration in the determination of this planning application.

## **Social**

6.11 The social benefits of the scheme go beyond the benefits arising from greater economic prosperity in the local area. The development of the application site for Class B uses will end years of feelings of uncertainty within the local community about the future prospects of the area. It is vitally important to the communities of Redcar and Tees Valley that a permanent, sustainable, solution is delivered quickly to resolve the ongoing issue of safe-keeping of the area. It is not sustainable and does not provide acceptable assurances to the local communities, to carry on indefinitely managing the area under the terms of its COMAH status. To return the application site to an economically productive, environmentally attractive and publicly accessible and safe place will be a significant boost to the social well-being of the area.

6.12 All construction activities will be undertaken by industry certified contractors and specialist for each phase of the construction process. This will be managed and coordinated by a Site Project

and Environment Coordinator for each development plot who will be responsible for the health and safety of the site.

- 6.13 All work will be subject to risk assessments and method statements and these will be reviewed in order to accord with best practice standards. Where relevant, these will be required to mitigate the impact of the development, including specific measures as set out in the technical chapters of this ES.
- 6.14 All contractors and personnel entering the site will be required to show the relevant permits and, upon request, will be required to provide proof of compliance with waste and pollution regulations.

### **Summary**

- 6.15 Overall it is clear that the proposed development represents a sustainable form of development in line with the requirements of the NPPF.

## 7.0 **Conclusions and Planning Balance**

- 7.1 There is a legal obligation on the Council to approve planning applications that conform with the statutory Development Plan unless material considerations indicate otherwise.
- 7.2 The EIA and other assessments undertaken to accompany this planning application have identified significant material considerations which would find in favour of the current proposals.
- 7.3 These material considerations include the direction provided by the NPPF for decision-makers to attach significant weight on the need to support economic growth and productivity, as well as the contribution that the proposed development would make to the objectives of national and local industrial and economic strategies, including the creation of around 3,870 permanent FTE jobs. In terms of GVA once operational, this is estimated to be between £110 million and £180 million additional GVA per annum. It is clear that the proposed development will contribute towards improving economic conditions within 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. The applicant has committed to the development of a local employment and training programme to ensure that the benefits for the local community are maximised. This will be secured through a s106 agreement. The job creation and training opportunities along with the wider economic benefits to the region are considered to be very significant material considerations in the determination of this planning application.
- 7.4 However the ES has also identified a limited number of significant adverse effects which could arise from the development proposal.
- 7.5 The key adverse effect is the complete loss of high priority habitats within the application site, some of which support protected species, with no opportunities for on-site habitat enhancement or creation proposed. Whilst the nature of the work proposed and the application proposals means that direct mitigation cannot be identified and delivered within the site, STDC is committed to delivering compensation in due course through the South Toss Regeneration Masterplan Environment & Biodiversity Strategy. This strategy will seek to identify opportunities for compensation in the STDC area and beyond, for a range of measures. This compensatory provision will be undertaken with the aim to provide habitats with the same or greater ecological function and/or diversity to the habitat that is lost. In addition enhancement measures involving the provision of benefits for biodiversity that are additional to those provided as part of mitigation or compensation measures will be provided in the form of Biodiversity Net Gain. The approach for this will be detailed in the forthcoming Environment & Biodiversity Strategy, which will coordinate the offsite compensation approach for all developments in the wider STDC site.
- 7.6 In this context it is necessary to weigh all these factors in the planning balance to reach a view on the acceptability of the application proposal. On the basis of the very substantial training and employment opportunities which will result from the development and the understanding that ecological compensatory measures will ultimately result in a biodiversity net gain, it is considered that in this case the balance falls in favour of granting planning permission for the proposed development.