

South Bank Quay Planning Statement

South Tees Development Corporation

9th November, 2020



61586/01/NW/JMa
18991792v1

Contents

1.0	Introduction	1
2.0	The Application Site	4
3.0	The Proposed Development	6
	Construction process	7
	Phasing	8
4.0	Planning Policy Context	9
	Local Planning Policy	9
	Other Material Considerations	12
	South Tees Supplementary Planning Document	14
	South Tees Regeneration Masterplan	17
	Summary	18
5.0	Key Planning Issues	19
	Policy Assessment	19
	Environmental Impact Assessment	19
	Water Framework Directive Compliance Assessment	27
	Habitats Regulations Assessment	27
6.0	Conclusions	28

1.0 Introduction

1.1 This Planning Statement has been prepared by Lichfields to accompany a 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:

“Demolition of existing redundant quay structures, capital dredging and development of new quay and associated works.”

1.2 STDC is the Mayoral Development Corporation tasked with the regeneration of land in what is UK's largest industrial zone: Teesworks. This application relates to that part of the Teesworks area known South Bank.

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 Application Documents

Document Name
Planning Application Forms and Notices
CIL Form
Planning Statement
Environmental Statement Volume 1 – Non Technical Summary
Environmental Statement Volume 2 – Main Technical Assessments
Environmental Statement Volume 3 – Technical Figures & Appendices
Habitats Regulation Assessment (contained within EIA Volume 2)
Water Framework Directive Compliance Assessment (contained within EIA Volume 2)
Transport Statement (contained with EIA Volume 3 Appendix 10)
Planning Drawings: <ul style="list-style-type: none"> • 1305-STDC-PD-SD-10.01A Site Location Phase 1 • 1305-STDC-PD-SD-10.02 Site Location Phase 2 • 1305-STDC-PD-SD-10.03A Site plan showing overlap between Phases 1 and 2 • PC1084-RHD-SB-EN-DR-EVC-1113_P01 Dredging Plan • PC1084-RHD-SB-DN-DR-C-1380_P01 General Arrangement • PC1084-RHD-SB-DN-DR-C-1383_P01 Quay Plan • PC1084-RHD-SB-DN-DR-C-1384_P01 Quay Sections • PC1084-RHD-SB-DN-DR-C-1385_P01 Drainage • PC1084-RHD-SB-DN-DR-C-1386_P01 Electrical Services • PC1084-RHD-SB-DN-DR-C-1387_P01 Mechanical Services • PC1084-RHD-SB-DN-DR-C-1388_P01 Construction Sequence

The Construction Works

1.4 The formation of the new quay involves a range of construction works which can be divided into two groups:

- The Seaward Works – these comprise dredging of the approach channel and berth pocket, the disposal of the dredged material at sea. Planning consent is not required for these works as they affect land below mean low water (MLW) and hence are not subject to planning control. A separate application has been made to the Marine Management Organisation (MMO) for the necessary Marine Licence.
- The Landward Works – these comprise the works above MLW involving the demolition of the existing quays and the formation of the new quay, installation of surface water drainage system, installation of power system (including floodlighting), installation of a water supply system and associated ancillary works. It is these works for which planning permission is being sought.

Environmental Impact Assessment

- 1.5 Due to the likely scale and nature of the proposals, it is considered that the scheme give rise to the need for Environmental Impact Assessment ('EIA').
- 1.6 RCBC previously issued a Scoping Opinion in June 2019 to a third party in relation to a proposed scheme very similar to that which is the subject of this application. This confirmed that various environmental assessments would be required in support of a planning application and the outputs presented in an Environmental Statement (ES).
- 1.7 A scoping note was submitted by Royal Haskoning DHV (RHDHV) in July 2020 to RCBC to inform discussions regarding the validity of the 2019 Scoping Opinions to inform the EIA for the current scheme. Meetings were held with RCBC in July 2020 to confirm the scope of environmental assessment which was proposed within the scoping note. RCBC provided a scoping response in September 2020.
- 1.8 On this basis, STDC has undertaken an EIA for the proposed scheme voluntarily under the Town and Country Planning (Environmental Impact Assessment) Regulations 2017, without submitting a formal EIA Screening Request.
- 1.9 To avoid unnecessary duplication a single Environmental Statement has been prepared by RHDHV which assesses both the Landward and Seaward works and hence addresses the requirements of both the Town and Country Planning Act and the Marine Management Organisation.

Background to the Application

- 1.10 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.
- 1.11 STDC (the applicant of this 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.
- 1.12 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.

1.13 The proposed scheme is required to directly support the economic regeneration plans being progressed by STDC within the Tees Valley region. In July of this year, STDC submitted an application (ref: R/2020/0357/OOM) seeking outline planning permission for the development of large-scale general industry and / or storage and distribution uses on land known as the South Industrial Zone (SIZ); a 174 hectare site adjoining the proposed quay. This application is anticipated to be approved imminently and will pave the way for a major development opportunity within the STDC area. It has been considered as a cumulative scheme in the ES which accompanies the current application.

1.14 The current application seeks to provide a new quay on the River Tees, adjacent to the recently approved development site. The purpose of the new quay is to facilitate the transportation of goods and materials to and from the South Bank development site by ship.

Structure

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

- Introduction;
- The Application Site;
- Proposed Development;
- Planning Policy Context;
- Key Planning Issues; and
- Conclusions.

2.0 The Application Site

2.1 The development site is located approximately 2.5 miles north east of Middlesbrough town centre and 3 miles south west of Redcar town centre. The planning application site is situated immediately adjacent to the River Tees and includes the area of river up to Mean Low Water (MLW). The new quay extends beyond MLW and hence an application for a marine licence has also been submitted to the Marine Management Organisation (MMO).

2.2 An aerial view of the application site is shown in Figure 2.1 below.

Figure 2.1 Aerial view of application site



Source: STDC (2019)

2.3 The site of the proposed quay is currently occupied by a dilapidated wharf approximately 750m in length, two jetties immediately downstream, a further jetty at the extreme downstream end of the proposed scheme footprint with associated conveyor and various buildings and structures on the riverbank and the adjacent hinterland (including a live substation). Consultation with the Harbour Master in July 2020 has confirmed that no vessels have utilised any of the jetties within the proposed scheme footprint for a number of years.

2.4 The landward parts of the proposed scheme footprint were reclaimed from mudflats using slag fill in the late 1800s when Eston Wharf was constructed (now South Bank wharf). Travelling cranes and railways were used along the wharf, which served the surrounding industries. Riverside Pumping Station was constructed immediately landward of the wharf in the early 1900s to provide water to the industries to the south of the site. The wharf was redeveloped into South Bank Wharf at this time with further expansion to the north east. The area to the south west of the Riverside Pumping Station was a Benzole Plant from the 1950s to 1987. Between 1959 to 1964 there was a slag crushing works partially within the north of the site. In 1968 the oil depot was developed to the north east of the pumping station, half of which is within the proposed scheme.

2.5 During the late 1800s and early 1900s there was significant industrial activity within the landward areas surrounding the proposed scheme footprint including an iron works, sheet and galvanising works, dock yards, iron refinery and basic slag works; these were connected to the proposed scheme footprint via travelling cranes and railways. Industrial activity continued throughout the 20th century including the construction of a tank farm at Teesport to the north,

an ore crushing plant (later a ferro manganese crushing plant) to the south and the Teesside Works Cleveland (steel works).

- 2.6 The proposed scheme is located within and immediately adjacent to the Teesmouth and Cleveland Coast SPA and is adjacent to the Teesmouth and Cleveland Coast Ramsar site. The proposed scheme is also located within and adjacent to the Teesmouth and Cleveland Coast SSSI.

3.0 The Proposed Development

- 3.1 The proposed scheme comprises demolition of the existing wharf, jetties and other minor infrastructure along the river bank at South Bank (including an electrical substation), capital dredging to create a berth pocket and construction and operation of a new quay (to be set back into the riverbank). The new quay will be a solid piled quay structure up to 30m wide and 1,230m in length (with an approximate 1,050m of usable quay for berthing), set back into the riverbank. Although the useable surface of the quay itself will be up to 30m wide, the overall footprint of the quay will be up to 50m wide due to the need to construct an anchor structure further inland of the quay deck.
- 3.2 Demolition works to be undertaken as part of the proposed scheme include the dilapidated wharf, three jetties downstream of the wharf (with the associated conveyor at the downstream end), a live electrical substation on the hinterland and pipework which previously abstracted water from the Tees estuary associated with the pumping station. STDC has previously secured prior approval from RCBC for the demolition of the majority of existing buildings within the landward part of the proposed scheme footprint and as such the demolition of this infrastructure is not included with the current planning application.
- 3.3 The proposed scheme requires the construction of a new solid piled quay structure. The proposed quay length is a direct function of the operations that are predicted to be undertaken at the site; the quay has been designed to accommodate up to five vessels at the same time, including two large windfarm installation vessels as well as up to three smaller vessels which are predicted to import products to the site. The assumed size of such vessels has informed the length of quay required. The proposed scheme has been designed to accommodate a vessel with an overall length of up to 169m, breadth of up to 60m and laden draft of 11m.
- 3.4 Similarly, the beam of the widest design vessel has directly informed the size of the berth pocket required (90m wide) and the associated dredging requirements. Consultation with PD Ports' Harbour Master during June 2020 confirmed that the berth pocket should not intrude into the existing navigation channel, but that it would be possible to manage the risk of cargo (e.g. wind farm blades) intruding into the channel during loading operations. These criteria effectively set the riverward extent at which it is possible to locate the berth line and resulted in the proposed construction of the quay set back into the riverbank.
- 3.5 The proposed berth pocket would straddle an area that is currently partly land and estuarine. There would, therefore, be a requirement for dredging of estuarine (marine) sediments and excavation of soils / landside materials within the riverbank to create the berth pocket (as the berth line has been set approximately 90m inland from the edge of the channel) . The proposed scheme (and consequently the dredging requirements) has been designed to avoid the pipe tunnels which cross underneath the Tees estuary downstream of the proposed quay, as well as the overhead power lines and pylons upstream of the proposed quay.
- 3.6 A 2m thick Rock Blanket is to be laid in the berth pocket. This is required to avoid the risk of a jack-up barge 'punching' into the underlying sediments when berthed at the quay during the operation phase. Such an effect could result in instability of the berthed vessel as well as potentially destabilising the quay wall.
- 3.7 The assessed form of construction for the quay wall is a combi-wall comprising steel tubular king piles with steel sheet pile infills. All piles would be installed through soils on land; no piling is proposed in the river channel. An anchor structure would be constructed to provide lateral restraint to the combi-wall. Tie rods would be used to connect the combi-wall to the anchor structure.

- 3.8 The quay face will include ‘verti-pools’; these pools are pocket rock pools that are designed to be applied to vertical sea defences to create water retentive habitat features. It is proposed that a number of verti-pools are positioned along the length of the quay face at different heights within the tidal frame to provide a range of different habitat opportunities.
- 3.9 The ground level for the quay would be formed with stone surfacing, with the exception of two heavy lift areas which would have a concrete surface. Approximately 25,000m³ of crushed stone is proposed to be imported to create the surfacing on the quay. Surface water would drain through the crushed stone into the underlying material without the need for a formal drainage system.
- 3.10 A drainage system would however be required on the heavy lift areas, as such areas are proposed to be surfaced with concrete. Such a system would capture surface water runoff from the heavy lift areas through a series of gullies. The collected water will be discharged into the Tees estuary through the quay wall, via an interceptor.
- 3.11 Welfare facilities are not proposed on the quay itself in order to maximise the available space to support with operations; there would therefore be no foul sewage generated as a result of the proposed scheme.
- 3.12 The quay is proposed to contain two heavy lift areas along its length which would comprise concrete ground slabs supported on approximately 500 vertical bored cast in-situ piles to support each of the heavy lift areas (i.e. up to 1000 piles for the heavy lift areas). Each heavy lift area would be approximately 150m x 30m in size.
- 3.13 Fixed infrastructure to be installed on the quay would be limited to mooring bollards, Demand Side Units (DSUs), lighting towers and a new electrical substation. It has been assumed that 18 lighting towers (high masts) up to 30m will be utilised during the operational phase. The lighting towers are envisaged to have 50 Lux and will be spaced approximately 80m apart along the quay.
- 3.14 There would be water supply (both potable and fire water) at the quay, as well as the provision for ship to shore power connection. It has been assumed that all vessels to be used during operation would connect to the shore power, rather than running auxiliary engines when berthed at the quay.
- 3.15 It has been estimated that up to 390 offshore wind vessel calls would take place at the facility on an annual basis. This includes approximately 300 vessel calls per year associated with offshore wind staging and 90 vessel calls per year associated with offshore wind manufacturing activities.

Construction process

- 3.16 Given the proposals to utilise land-based plant for the proposed quay construction, it is envisaged that access to site for construction plant and personnel will be via Smiths Dock Road and / or Tees Dock Road.
- 3.17 All construction materials are predicted to be transported to site by road, with the exception of the following which are anticipated to arrive on site by vessel:
- steel required for piling – delivered using up to six vessels in Phase 1 and six vessels in Phase 2 (12 vessels in total);
 - rock required for the rock blanket in the berth pocket – delivered using up to six vessels in Phase 1 and seven vessels in Phase 2 (13 vessels in total); and,
 - tie rods – delivered using up to one vessel per phase of development (two vessels in total).

3.18 It is anticipated that the vessels transporting the steel and tie rods would arrive to site by sea, with vessels likely to berth in Tees Dock or at a suitable berth along the river channel. The piles and tie rods would then be offloaded onto HGVs and transported to site using the existing road network. Rock for the rock blanket is anticipated to be placed directly into position on the riverbed.

3.19 There would be a requirement for the excavation of approximately 275,000m³ of existing soils behind the proposed combi-wall in order to install the tie rods. Such material would be removed using long reach excavators. It has been assumed that the excavated material could be re-used on site, avoiding the requirement for offsite disposal.

Phasing

3.20 STDC is intending to commence phased construction of the facility during 2021 to enable the first section of the quay to be in operation by 2023 (an approximately three-year construction phase).

3.21 For various reasons STDC needs to submit two separate, but parallel, planning applications: one for the phase 1 quay and the other for the phase 2 area. However, in order to provide the greatest flexibility with regard to phasing of the proposed scheme, the EIA has assessed the worst-case scenario of building the entire quay in one phase.

3.22 The Phase 1 quay wall would extend 125m either side of the berth pocket to retain the dredged slopes back up to the existing bed level, resulting in a Phase 1 quay length of up to 700m. The quay would be extended up to the full 1,300m (equating to a total useable berth length of 1,050m) as required in Phase 2, based on market demands. Phase 2 may be constructed many years after completion of Phase 1, or may not be constructed at all if market conditions do not require it. In addition, the length of quay to be constructed during each phase may also be subject to change depending on financial availability and the market requirements at the time of construction. There is a small overlap between the phase 1 and 2 areas where an element of dredging will need to take place as part of each phase.

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 considerations 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). The Local Plan is accompanied by a Policies Map which shows the policy designations.

4.6 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)

4.7 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)

4.8 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)

4.9 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 ¹	South Tees	221
ED6.2	Land at South Tees ²	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.

...

¹ Includes Main Complex and land to the West of A1053.

² Includes Teesport Estate, Teesport Commerce Park and land along the River Tees.

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

4.10 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);
- 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

4.11 The National Planning Policy Framework (‘NPPF’) is a material consideration in the determination of planning applications.

4.12 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).

- 4.13 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.
- 4.14 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.
- 4.15 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.

National Policy Statement for Ports

- 4.16 The National Policy Statement for Ports is part of the planning system established under the 2008 Act to deal with nationally significant infrastructure but it is also relevant to the consideration of other port development proposals (i.e. projects that are not considered Nationally Significant Infrastructure Projects, such as the proposed quay which is the subject of this application).
- 4.17 In summary, the UK Government seeks to:
- Encourage sustainable port development to cater for long term forecast growth in volumes of imports and exports by sea with a competitive and efficient port industry capable of meeting the needs of importers and exporters cost effectively and in a timely manner, thus contributing to long term economic growth and prosperity.
 - Ensure all proposed developments satisfy the relevant legal, environmental and social constraints and objectives, including those in the relevant European Directives and corresponding national regulations.
- 4.18 In order to help meet the requirements of the government policies on sustainable development, new port infrastructure should also:
- Contribute to local employment, regeneration and development.
 - Ensure competition and security of supply.
 - Preserve, protect and where possible improve marine and terrestrial biodiversity.
 - Minimise emissions of greenhouse gasses from port related development.
 - Be well designed, functionally and environmentally.
 - Be adapted to the impacts of climate change.
 - Minimise use of greenfield land.
 - Provide high standards of protection for the natural environment.

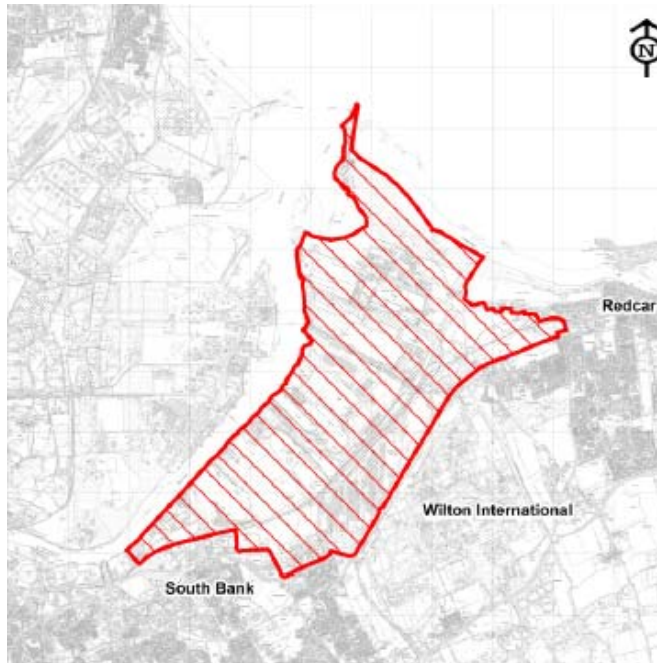
- Ensure that access to and condition of heritage assets are maintained and improved where necessary.
- Enhance access to ports and the jobs, services and social networks they create, including for the most disadvantaged.

South Tees Supplementary Planning Document

4.19 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.

4.20 The South Tees Area is set out in Figure 4.1 below.

Figure 2.1 South Tees Area



Source: RCBC (2018)

4.21 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.

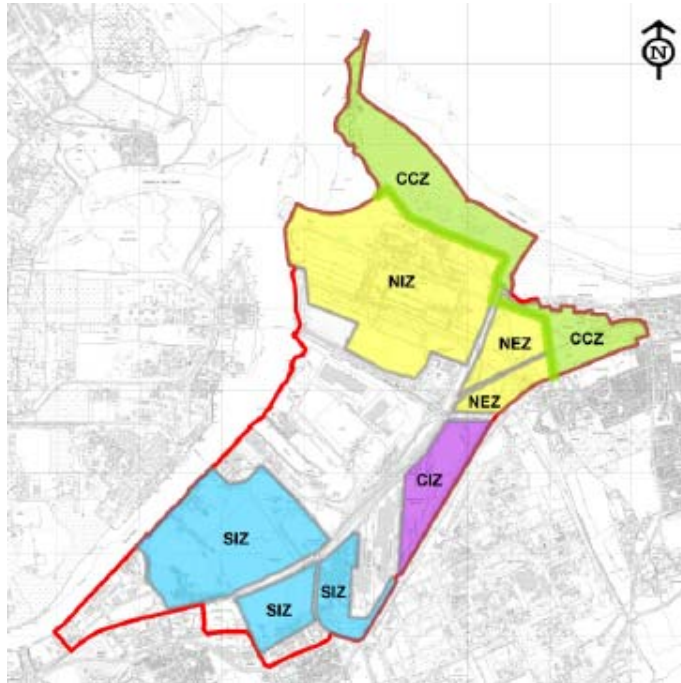
The Vision sees the creation of up to 20,000 new jobs. The focus is on higher skilled sectors and occupations, centred on manufacturing innovation and advanced technologies and those industries best able to deliver sustained economic prosperity for the Tees Valley and its people, while realising a jobs 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.”

- 4.22 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.
- 4.23 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.
- 4.24 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.
- 4.25 The SPD also sets out a series of development principles and objectives relating to economic development, employment opportunities, transport and sustainability.
- 4.26 The application site lies within the South Industrial Zone (‘SIZ’) and this is defined on Figure 4.2 below (in blue).

Figure 4.2 South Tees Development Zones



Source: RCBC (2018)

4.27 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”.

South Tees Regeneration Masterplan

- 4.28 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
- 4.29 The South Tees Regeneration Masterplan was published in November 2019³. 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.
- 4.30 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.
- 4.31 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.
- 4.32 It identifies the following target industries:
- Port-related uses, including port-based fabrication;
 - Offshore energy industries, including manufacturing;
 - Materials processing and manufacturing;
 - Contract fabrication;
 - Potential for rig and large equipment decommissioning; and
 - Energy generation.
- 4.33 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.

³ <https://www.southteesdc.com/masterplan/downloads/>

4.34 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.

4.35 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.”

Summary

4.36 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 Key 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

5.0 Key Planning 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.

Policy Assessment

- 5.2 The application site lies within the South Tees Development Corporation area, 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. The need for the proposed scheme has been clearly established and it has been demonstrated that it accords with the aims of STDC.
- 5.3 The application site is within the development limits identified under local plan policy SD3 and is designated under Policy ED6.2 to be developed for employment purposes. The area is identified within the Local Plan as being suitable for specialist uses, such as heavy processing industries and port logistics, falling within Use Classes B1, B2 and B8. This Policy also advises that suitable employment related sui-generis uses will be supported. The current application proposal would directly promote economic growth of the area by regenerating an area of river frontage which contains a dilapidated wharf and unused jetties.
- 5.4 The South Tees Area Supplementary Planning Document seeks to support the economic and physical regeneration of the South Tees Area. It sets out the vision and core objectives for the area and provides greater detail on how adopted planning policies will be interpreted during the decision-making process for planning applications. In this regard, the key reference point is Development Principle STDC14, 'South Industrial Zone', which indicates that 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 within the area will be encouraged. Given the nature of the proposed scheme, it is concluded that such development is in complete accordance with Development Principle STDC14.
- 5.5 The application site is located within and adjacent to environmentally designated sites. Potential impacts and any associated conservation/net gain measures have been fully addressed through the Environmental Impact Assessment which accompanies the application. The South Tees Regeneration Masterplan Environment & Biodiversity Strategy which is under preparation will define the works required to offset the loss of habitat arising as a result of works being proposed by STDC throughout the area, including the current application proposal. In this respect there is no conflict with local Plan policy N4 Biodiversity and Geological Conservation.
- 5.6 In the context of the above, there is, therefore, a clear and unequivocal presumption in favour of the grant of planning permission.

Environmental Impact Assessment

- 5.7 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.
- 5.8 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.

- 5.9 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 environmental impacts that would either prevent development or require mitigation through the submission of planning applications.
- 5.10 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.
- 5.11 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.
- 5.12 The key findings from the EIA are summarised below.

Ecology

Marine ecology

- 5.13 The assessment of potential impacts to marine ecological receptors has been undertaken with reference to publicly available benthic ecology survey data and site-specific observations.
- 5.14 Predicted construction phase impacts are linked to habitat loss from the demolition of existing structures and capital dredging, increased suspended sediment concentrations and increased sediment deposition. Based on the sensitivity of the benthic communities and habitats expected to be present within the proposed scheme footprint and the results of the hydrodynamic and sediment plume modelling, an impact of minor adverse significance is predicted with regard to habitat loss. No significant impacts are predicted to marine ecological receptors as a result of increased suspended sediment concentrations or sediment deposition during construction.
- 5.15 Predicted operational phase impacts include the creation of new subtidal habitat within the proposed berth pocket, impacts to marine ecological receptors due to a change in the flow regime and impacts associated with maintenance dredging. All operational phase impacts are predicted to be of negligible significance, with the exception of the subtidal habitat creation within the proposed berth pocket; this is predicted to result in a minor beneficial impact.

Marine mammals

- 5.16 A desk-based review of available literature indicates that the marine mammal species most likely to occur in the vicinity of the proposed scheme are harbour seal. However, there is also potential for harbour porpoise, minke whale and grey seal in the wider area, including at the Tees Bay C offshore disposal site.
- 5.17 Based on the outcome of underwater noise assessment, the potential impact of permanent auditory injury to marine mammals from dredging has been assessed as negligible. The assessment has concluded impacts of negligible significance to all marine mammals with regard to potential for temporary auditory injury from all other activities.
- 5.18 As piling is to take place on land and out of water, underwater noise levels will be below those that could potentially cause short-term adverse effects on hearing of seals, even under worst case conditions.
- 5.19 Although there will be a small temporary increase in construction-related vessel traffic during dredging and construction, vessel strikes are not anticipated to be significant due to the existing number of vessel movements in the area. A worst-case impact of negligible significance (not significant) is predicted.

- 5.20 The haul out site at Seal Sands is not anticipated to be affected by the proposed scheme due to its distance from the proposed scheme footprint background vessel traffic movements. Prey resources are also not anticipated to be significantly affected by the proposed scheme, with a worst-case impact of minor adverse predicted.

Terrestrial Ecology

- 5.21 An ecological field survey was undertaken in 2019 and 2020 which confirmed that the habitats within the proposed scheme footprint were of limited ecological value for brown hare, hedgehog, breeding birds, invertebrates, foraging bats and commuting otters.
- 5.22 The proposed scheme will result in the permanent loss of a small area of broadleaved woodland; however, the trees within this area are predominately young birch trees and therefore have been assessed as having low ecological value. Invasive non-native species (namely Japanese Rose and Japanese Knotweed) were also recorded within the footprint of the proposed scheme. No other species or habitats of importance were recorded.
- 5.23 The proposed scheme could result in the following environmental impacts to terrestrial ecological receptors:
- disturbance on foraging and commuting bats;
 - disturbance (lighting and noise) on commuting/foraging otters;
 - disturbance and loss of habitat for breeding birds;
 - loss of foraging and breeding habitat for terrestrial invertebrates;
 - potential spread of invasive non-native species; and
 - disturbance and habitat loss for brown hare and hedgehogs.
- 5.24 Best practice measures would be adopted during construction and operation to minimise adverse impacts to all species. In addition, lighting requirements will be designed in accordance with the industry guidance to reduce impacts to bats and otters. Where possible, vegetation will be removed during winter months whilst birds are not nesting, and an Invasive Species Management Plan will be prepared to ensure the control of spread of non-native plant material.
- 5.25 Following the mitigation outlined above, a worst-case impact of minor adverse is predicted for the identified terrestrial ecology receptors. This is not considered significant.

Marine and Coastal Ornithology

- 5.26 The proposed scheme is located within the Teesmouth and Cleveland Coast Special Protection Area (SPA) and Site of Special Scientific Interest (SSSI), and is adjacent to the Teesmouth and Cleveland Coast Ramsar site. The Tees estuary provides supporting habitat for wintering waterbirds and breeding terns. The understanding of the existing environment within the study area has been informed by a desk-based review of existing data plus ongoing site-specific surveys for both estuarine waterbird species and terns. The existing information indicates that the North Tees Mudflat hosts foraging waterbirds at low tide, and the river channel itself is used by foraging common terns.
- 5.27 Direct impacts on supporting habitat would only affect areas of relatively low value for foraging waterbirds and terns, notably the depauperate intertidal area and the artificial structures at the South Bank. The footprint of the proposed scheme does not overlap with high value habitat such as intertidal mudflats at North Tees Mudflat, Vopak Foreshore or other such areas further downstream. As a result, impacts on foraging / roosting waterbirds as a result of changes to supporting habitat are expected to be minor adverse.

- 5.28 It is predicted that there would be no effects on benthic prey resources at mudflats and other intertidal areas.
- 5.29 Impacts on fish resources within the subtidal area, as a result of increased suspended sediment, would only affect a minute portion of the common tern foraging range and would be temporary and short-lived. As such, impacts on prey resources and foraging are predicted to be minor adverse, at worst.
- 5.30 Some noise and visual disturbance is expected during construction particularly as a result of the proposed piling works. Following the implementation of mitigation measures, including shrouding on the piling rigs, noise levels at the North Tees Mudflat, Vopak Foreshore and other high-value supporting habitats within the Tees will fall below significant sensitivity thresholds. With mitigation in place, disturbance impacts are predicted to be minor adverse, at worst.
- 5.31 During the operational phase, hydrodynamic modelling suggests that there will be no measurable change to water levels in the estuary and therefore no significant impacts on mudflat exposure time. The increase in vessel traffic is expected to be insignificant in the context of existing traffic, and operational activities are in keeping with other activities in the area. Therefore, significant disturbance effects are not predicted.
- 5.32 On this basis no significant adverse effect is predicted for marine and coastal ornithology.

Fish and Fisheries

- 5.33 The Tees estuary provides both intertidal and subtidal habitat for a number of resident fish and shellfish species, with plaice, cod, dab, whiting and flounder being the principal species recovered during fish surveys. Migratory fish species regular commute along the Tees, notably salmonids, lampreys and European eel. Most commercial fisheries operate outside of the Tees, but there are small, seasonal fisheries that target lobster and velvet swimming crab.
- 5.34 Adverse impacts may be expected as a result of temporary increases in suspended solids concentrations during the capital dredging works, notably if creating barrier effects that may deter migratory patterns. However, with mitigation measures in place to reduce the magnitude of such effects, any residual impact is predicted to be minor.
- 5.35 Other water quality issues, such as a reduction in dissolved oxygen or suspension of contaminants, are not considered to have any significant impact on resident or migratory species.
- 5.36 Alteration of subtidal habitat due to the proposed dredge is expected to be temporary and would be similar to that already experienced through regular maintenance dredging that is already undertaken within the Tees, and is therefore expected to have a negligible effect on fish. The removal of the existing wharf structure has potential to remove sheltering habitat for juvenile fish, however the implementation of mitigation measures such as creation of new complex habitat within the proposed quay walls via proposed 'verti-pools' means that the net loss would only result in a minor adverse effect on juvenile fish.
- 5.37 Based on the expected underwater noise levels associated with capital dredging activities, sound thresholds for causing physical injury will not be exceeded. In terms of behavioural responses, it is expected that fish will already be habituated to regular dredging noises within the estuary and only a minor adverse impact is predicted. A review of potential impacts from land-based piling resulted in a conclusion that there will be negligible impacts on both resident and migratory fish.
- 5.38 Disturbance during the operational phase, either as a result of vessel calls to the new quay or the use of quayside lighting, is predicted to have a negligible effect.

5.39 Given that there is very little fishing within the affected area, there is unlikely to be any significant impact on fishing activity as a result of the proposed scheme. As the channel is dredged on an almost daily basis, the area within the footprint of the scheme is unsuitable for placement of fishing pots targeting crabs or lobster.

5.40 As a matter of course, any conflicts will be resolved through coordination via the harbour. Bait digging takes place on intertidal mud and sandflats within the Tees estuary, but the area of intertidal that will be lost during the construction of the proposed scheme is small and has restricted public access.

Traffic and Transport

5.41 The traffic and transport assessment within the ES has been supported by a detailed Transport Statement (TS). The TS includes details of the existing highway environment and the proposed schemes forecast traffic demand and assignment via the highway network. An assessment of the proposed increases in traffic when compared to background traffic flows has been undertaken and (in accordance with the Guidelines for the Environmental Assessment of Road Traffic), the impact is considered to be of negligible significance.

Archaeology and Cultural Heritage

5.42 The historic landscape/seascape character of the South Bank area is one of 19th and 20th century industrial heritage and industry still defines and dominates the region today. Elements of the proposed scheme (dredging and construction of the new quay) are in keeping with the historic (and current) character of the study area. Both the historic landscape and seascape character of the study area have capacity to accommodate this change in line with the ongoing industrial uses of the wider locality. Similarly, there will be no impact upon the significance of heritage assets as a result of changes to their setting.

5.43 There are no designated heritage assets, nor any extant, non-designated heritage assets recorded within the proposed scheme footprint. However, the dilapidated remains of the early 20th century South Bank Wharf and three jetties will be demolished as part of the proposed scheme and it is recommended that a suitable record of the structures be prepared prior to demolition, anticipated to comprise a photographic record / drone footage of the wharf and jetties. The suitability of this record will be confirmed in advance of demolition being undertaken with RCBC and submitted to the RCBC Historic Environment Record (HER).

5.44 The live electrical substation, conveyor and pipework (associated with the pumping station) which are to be demolished as part of the proposed scheme are not considered to be of heritage value in themselves and no mitigation is proposed prior to the removal of these elements.

5.45 The potential for buried archaeology to be present within reclaimed areas is limited to the potential for in situ prehistoric deposits which may survive beneath the reclamation deposits and beneath the currently maintained depths within the channel. Given this potential, geoarchaeological assessment of vibrocores/boreholes, planned as part of a marine ground investigation, will be undertaken in advance of work commencing.

5.46 The potential for the survival of in situ archaeological material within the river channel, associated with the recorded losses of wrecks and aircraft for example, has been significantly reduced by disturbance from previous dredging. Archaeological material may still survive, albeit fragmentary and dispersed, or potentially preserved within intertidal areas along the riverbank, as suggested by the record of a seaplane close to the existing dilapidated South Bank Wharf. Although the reported position of this seaplane is unreliable, and the position, nature and extent of this previously reported seaplane are unclear, remains may be present, possibly buried or fragmented, and potentially within the proposed scheme footprint.

5.47 It is proposed that an archaeological reporting protocol is adopted to mitigate the potential impact on any as yet unidentified marine archaeological remains arising from construction activities. It is proposed that this protocol would be formalised in a Written Scheme of Investigation (WSI) which would be produced by a suitably qualified marine archaeological specialist.

5.48 Indirect impacts to heritage assets from changes to the hydrodynamic and sedimentary regime were also assessed and significant effects are not anticipated to occur.

Contamination

5.49 A desk-based assessment of available information indicates that there is the potential for contamination to be present in soils and groundwater within the landward parts of the proposed scheme footprint. This contamination is likely to originate from historical industrial land uses both within the footprint of the proposed scheme boundary and on neighbouring land. Construction activities will disturb soils and groundwater and may result in the mobilisation of contaminants which have the potential to impact on controlled waters and human health receptors.

5.50 It is concluded that the impact during the construction phase of the proposed scheme would be of negligible significance to groundwater, moderate adverse to the Tees estuary and associated ecological receptors and minor adverse significance to human health. This is on the basis that the embedded mitigation measures set out in a CEMP would be adhered to, and the measures detailed in an outline remediation strategy would be implemented.

5.51 A programme of site characterisation is proposed in advance of the construction phase commencing to ascertain whether contaminants are present in concentrations that could result in harm to human health or controlled waters. Should unacceptable risks be identified, remediation works will be undertaken in addition to the works outlined in the remediation strategy. With implementation of mitigation measures, the residual impacts are of minor adverse significance at worst.

5.52 During operation, site remediation works will have taken place. As a result, the impacts during operation are predicted to be minor beneficial to controlled waters and negligible to human health.

Noise and Vibration

5.53 The assessment of potential noise impacts has been informed by baseline noise monitoring and computer modelling. Consultation with RCBC confirmed that vibration could be scoped out of the assessment due to the separation distance between the proposed scheme footprint and sensitive receptors. Potential operational phase noise disturbance impacts to noise sensitive receptors were not considered as part of the assessment through agreement with RCBC.

5.54 The assessment of potential noise impacts has focussed on construction phase road traffic and use of construction phase plant and machinery. Given the separation distance between the proposed scheme footprint and residential properties, it was agreed with RCBC that the assessment would focus on commercial receptors at the South Tees Business Parks. The outputs from computer modelling predict that construction phase noise levels at the South Tees Business Parks would be negligible. No mitigation measures are required.

Air Quality

5.55 Impacts on human and ecological receptors were considered as a result of air emissions generated during the construction and operational phases of the proposed scheme. Qualitative

assessments were undertaken to consider the impacts of construction phase dust emissions and construction and operational phase road traffic, plant and vessel emissions.

- 5.56 Mitigation and control measures are recommended to minimise the effects of dust and plant emissions during construction. Impacts of road traffic emissions were considered to be insignificant due to the low level of generated traffic. Impacts of vessel emissions were considered in relation to the low number of vessels generated by the proposed scheme and the relatively short duration of use and were considered to be insignificant. Onsite plant emissions were also considered and, as the proposed scheme is located at a distance from human receptors and habitats sensitive to air pollution, impacts of plant emissions were considered to be not significant.

Landscape and Visual

- 5.57 The proposed scheme is located in an extensive industrial area. Existing landscape character and views are strongly influenced by large industrial buildings, dockside cranes, chimney stacks, silos and associated infrastructure including busy road and rail corridors and very tall electricity pylons. The proposed scheme also lies within a wider area of future economic regeneration, to be delivered through the South Tees Regeneration Programme. As a result, the existing industrial character of the site and its surroundings is predicted to be further reinforced by future, large scale industrial development.

- 5.58 The landscape and visual impact assessment (LVIA) establishes that operational effects of the proposed quay and other associated ground level features, will not incur significant effects. Potential landscape and visual effects will be derived from the operational use of very tall heavy lift cranes and the storage and assemblage of tall wind farm components. Tall features may be seen rising above local visual horizons, or may be visible from elevated vantage points within the study area. Given the existing, strongly industrial character within the study area and the effects that industrial and urban features have on existing views, the LVIA concludes that the proposed scheme will not result in significant, adverse landscape or visual effects. There will be no views to ground level, quayside activity. Where proposed tall structures are visible in close range views, they will be seen in context of other, tall industrial features. In more distant or elevated views, proposed tall structures may be seen in the skyline but the overall change in both views and the character of the landscape, will not be significant.

Water Environment

Flooding and Drainage

- 5.59 Given the location of the proposed scheme, there is the potential for impact on coastal / tidal defences and flood risk during the construction and operational phase. The assessment of flood risk and the coastal / tidal defence has been informed through a combination of desk-based assessment, hydrodynamic modelling studies and a site-specific Flood Risk Assessment (FRA).

- 5.60 The FRA includes details of the existing flood risk from all sources of flooding, future flood risk as a result of climate change and the impact that the proposed scheme may have on flood risk both now and in the future. The primary sources of flooding that may affect the proposed scheme have been identified as tidal flooding from the Tees estuary or localised surface water flooding to the area of land required for the proposed quay.

- 5.61 The existing riverbank comprises a tidal defence, providing protection during a tidal event within the Tees estuary. As part of the proposed scheme, a new quay wall is proposed in a set-back position into the existing riverbank providing a revised defence line and continued protection during an extreme event, both now and in the future.

- 5.62 As part of the proposed scheme the quay would be constructed such that surface water would drain into the underlying material without the need for a formal drainage system across the majority of its length. A drainage system collecting surface runoff through gullies would be required for the proposed heavy lift areas which are to be surfaced with concrete. The collected water will be discharged into the Tees estuary through the quay wall, via an interceptor.
- 5.63 As such the potential impacts of flooding to and from the proposed scheme have been mitigated within the design and therefore no impact is predicted during either the construction or operational phase.

Marine Sediment and Water Quality

- 5.64 The assessment of potential impacts associated with marine sediment and water quality has been undertaken with reference to publicly available sediment and water quality data. A potential impact on water quality has been identified due to the resuspension of sediment, principally as a result of the proposed dredge. However, on further consideration of the potential impact, the risk of exceeding water quality standards was deemed to be low. Additionally, sediment plume modelling shows relatively limited areas of high suspended solids concentrations, which only occur for a matter of hours at a time before the suspended sediment concentrations return to baseline values. No significant impacts are therefore predicted.
- 5.65 Other impacts such as demolition and removal of existing structures and construction of the new quay wall would have small and localised effects on water quality, but the effects of this would be highly localised and temporary only. Landside material within the riverbank (to be excavated to create the new berth pocket) would be characterised and (if necessary) remediated before any works commence. Best practice measures would be adopted during the dredging process to minimise the potential for resuspension of sediments. Such measures include dredging in long strips to ensure the plume is located only on one side of the channel at a time and using experienced operators. Best practice measures when working in and around water would also be adopted and captured in a Construction Environmental Management Plan (CEMP) to ensure impacts on the Tees estuary are minimised as far as possible.

Socio-economics

- 5.66 A desk based socio-economic assessment has been undertaken to inform the assessment of potential impacts. The desk-based assessment involved a review of nationally published data from the Office for National Statistics, as well as local authority statistics and other data including the 2011 Census, Experian datasets and other publicly available national statistics. The study area comprises the local authorities of Redcar and Cleveland, Middlesbrough and Stockton-on-Tees.
- 5.67 The assessment concludes that the proposed scheme will have a temporary, short-term and minor beneficial impact on the local economy by creating new construction (and supply chain) jobs and a temporary, short-term and minor beneficial effect in relation to economic output (as measured by Gross Value Added) during the construction period. No mitigation measures during the construction phase are required.
- 5.68 The operation of the proposed scheme is intended to facilitate the operation of the South Industrial Zone warehousing/distribution ('landside') development proposal which itself is likely to bring about a significant uplift in employment opportunities locally. However, the scale of employment (and related economic output) generated by the proposed scheme is likely to be small. As such, the anticipated operational impacts are assessed as being permanent and negligible. No mitigation measures during the operational phase are required.

Mitigation

- 5.69 A range of mitigation measures have been identified throughout the ES, some of these, such as the verti-pools, are embedded into the design of the scheme whilst the others are capable of being enforced through the planning process in relation to the proposed development.
- 5.70 With these mitigation measures in place, the ES concluded that there would be no significant environmental effects as a result of the development.

Water Framework Directive Compliance Assessment

- 5.71 A Water Framework Directive (WFD) compliance assessment has been undertaken for the proposed scheme. The scoping stage of the assessment identified a number of WFD compliance parameters for the Tees coastal water body that could be at risk from the proposed activities, which were subject to further assessment.
- 5.72 Further detailed assessment of these activities was undertaken and determined that the above aspects would not cause deterioration in water body status, potential problems with respect to the ability of the water body to meet its objectives in the future or compromise the mitigation measures in place for the water body.

Habitats Regulations Assessment

- 5.73 An assessment of the potential for the proposed scheme to affect sites designated under European nature conservation legislation has been undertaken. The assessment concluded that the proposed scheme would result in a likely significant effect on the Teesmouth and Cleveland Coast SPA and Ramsar site. However, the effects and impacts of the proposed scheme are considered to be of sufficiently low magnitude and can be mitigated such that an adverse effect on the integrity of the SPA and Ramsar site would not occur (either alone or in-combination with other plans and projects).

6.0 Conclusions

- 6.1 The proposed scheme comprises demolition of the existing wharf, jetties and other minor infrastructure along the river bank at South Bank, capital dredging to create a berth pocket and construction and operation of a new solid piled quay set back into the riverbank.
- 6.2 The formation of the new quay involves a range of construction works which can be divided into two groups:
- The Seaward Works – these comprise dredging of the approach channel and berth pocket, the disposal of the dredged material at sea. Planning consent is not required for these works as they affect land below mean low water (MLW) and hence are not subject to planning control. A separate application has been made to the Marine Management Organisation (MMO) for the necessary Marine Licence.
 - The Landward Works – these comprise the works above MLW involving the demolition of the existing quays and the formation of the new quay, installation of surface water drainage system, installation of power system (including floodlighting), installation of a water supply system and associated ancillary works. It is these works for which planning permission is being sought.
- 6.3 The application site is identified for port related used, offshore energy industries, materials processing and manufacturing and energy generation. The proposed scheme is required to directly support the economic regeneration plans being progressed by STDC, particularly the development of the South Industrial Zone (SIZ) which is a 174 hectare site adjoining the proposed quay. The purpose of the new quay is to facilitate the transportation of goods and materials to and from the South Industrial Zone by ship, including large windfarm installation vessels.
- 6.4 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. It has been demonstrated through this Planning Statement that the application accords fully with the requirements of the Redcar and Cleveland Local Plan, The South Tees Area Supplementary Planning Document and the South Tees Regeneration Masterplan. The EIA process which has been undertaken has clearly established that there are no significant adverse environmental effects or any other material considerations which would indicate that permission should not be granted for the new quay.