

Our ref: MM/GEN.40

5th February 2021

Mr David Pedlow
Redcar and Cleveland Borough Council
Corporate Directorate for Growth, Enterprise and Environment
Development Management
Redcar & Cleveland House
Kirkleatham Street
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Dear David

PLANNING APPLICATION: R/2020/0684/ESM - LAND AT SOUTH BANK WHARF GRANGETOWN LACKENBY
DEMOLITION OF EXISTING QUAY STRUCTURES, CAPITAL DREDGING AND DEVELOPMENT OF NEW QUAY AND ASSOCIATED WORKS (PHASE 1)

PLANNING APPLICATION: R/2020/0685/ESM - LAND AT SOUTH BANK WHARF GRANGETOWN LACKENBY
DEMOLITION OF EXISTING QUAY STRUCTURES, CAPITAL DREDGING AND DEVELOPMENT OF NEW QUAY AND ASSOCIATED WORKS (PHASE 2)

As the Statutory Harbour Authority for the River Tees as well as a landowner which holds a number of interests to which the applications relate, PD Teesport acknowledges receipt of notice of the abovementioned two planning applications for proposed development works on land at South Bank Wharf, Grangetown, Lackenby. Given the overlapping nature of the proposed developments and phased approach to demolition and construction, please accept the comments below to be applicable to both applications.

With the notices being received just prior to Christmas and considering Covid working practices please also accept our apologies for the delay in issuing these initial comments. Considering the sensitive nature of the development proposals it is important that the applicant is shown to appropriately address numerous matters which have not been demonstrated by way of the applications.

PD Teesport Ltd (PD) agrees with the applicant's recognition that a Harbour Revision Order (HRO) will be required to realign the Statutory Harbour Authority (SHA) jurisdiction boundary. In the event an HRO is approved for the proposed developments and that the development does proceed, the entire boundary of the new berth should be included in the SHA jurisdiction. In order to ensure an HRO approval can be granted for the proposed works, both landside and the dredging proposals in the River Tees, it is considered necessary for HRO approval to be a pre-commencement condition of any works starting on the site.

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It is noted that freehold land of PD will be required in what is presented as phase 2 of the proposed development. No request has been received from the applicant to access land nor to demolish assets currently under the possession of PD as part of this application. The applicant has not discussed the intended works and suggested development, programme with PD Teesport and how those relate to our own plans.

There are extant legal agreements completed under the Tees and Hartlepoons Port Authority Act 1966 contained within the red line boundary of both the applications. The obligations in these agreements have not been noted in the application submission documents nor the application proforma.

No request has been made to discuss the impact of the proposed development in relation to the hazardous material in vessels moored from time to time on the jetties at the Teesport Estate adjoining phase 1 of the proposed development. Currently amongst other cargo Liquefied Natural Gas bunkering and Chemical Class C4 products are transferred over the riverside jetties at the Teesport Estate. Prior to any proposed demolition works commencing within the vicinity of hazardous cargo moored on the riverside jetties at Teesport Estate, safety considerations will need to be understood and an approved method of construction taking into account the proximity of these jetties agreed by all the relevant parties.

In order to protect all the existing River Tees users from unacceptable levels of disruption and potential safety risk, we would wish to see greater analysis of the cumulative impact of the proposed works alongside other permitted development, in particular the Northern Gateway Container Terminal at Tees Dock consent ref: R/2006/0433/00 and associated approved Harbour Revision Order. The significance to the regional economy and Freeport application of existing riverside uses, along with consented development must be fully understood during the application process. Any development proposal that will have a negative impact on these must be understood and resisted. It is not clear from the application that the cumulative impact of the proposed works alongside other existing uses and permitted development and the development timescales thereof have been properly considered.

In terms of development phasing it may be that what is currently suggested to be the Phase 2 development may be more immediately deliverable than Phase 1.

It is necessary to understand how the boundary of the two phases will be treated during the proposed works to ensure that there is no debris or contamination released into the River Tees as a consequence of the demolition and construction. It is considered essential that a scheme of maintenance works for the South Bank water side structures within Phase 1 and 2 be agreed prior to commencement of the Phase 1 works. The scheme should ensure the proposed works will not impact on the River traffic with detailed contamination recovery and debris containment plans. A regular maintenance inspection regime and water side materials recovery plan for the various South Bank structures within the application boundaries is required.

PD Teesport supports the recommendation of Northumbrian Water Limited and the Local Lead Flood Authority that development shall not commence until a detailed scheme for the disposal of foul and surface water has been approved. The applicant has not made any contact with PD on this issue. Should there be any proposal in the proposed development to alter the existing water discharge infrastructure or to discharge into the River Tees, then a Works Licence Application made under the Tees and Hartlepoons Port Authority Act 1966 must be submitted for consideration prior to works commencing. If it is the applicant's intention to link the drainage from the larger land side development of 418,000 m² (permission ref: R/2020/0357/OOM of B1, B2 and B8 uses and associated infrastructure) to the proposed demolition and development of a new quay at South Bank, then this must be designed in detail at this time. Proposed changes to the discharge of water into the jurisdiction of the Statutory Harbour Authority must be agreed prior to works commencing.

The applicant has not demonstrated any understanding of traffic and transport movements, the assessment contained in the application only having regard to the adopted highway network and not the full route needed to access the development site boundary. It is noted that the intention is to access to the development site via the public highway comprising the A1053 Tees Dock Road. The applicant further proposes that access will then be taken over the private Tees Dock Estate roads owned by PD. No request has been received from the applicant by PD to use the private estate roads in order to access the development site. There is no consideration the traffic volumes within the Teesport Estate as a result of the available capacity for business growth following major investment schemes carried out by PD and other business at Tees Dock in recent years. There is no reference in the application to any growth models for the Teesport Estate users including the regional distribution centers operated by Asda Walmart and Tesco, nor of the investment plans of Northumbrian Water at the Bran Sands Treatment Plant nor of the production and delivery of industrial gases by BOC Ltd, including oxygen supplies to the regions hospitals. New Brexit contingency measures have recently been introduced to alleviate HGV congestion and a levelling up of the regional economy will benefit the growth plans resulting in greater traffic flows to and from the Teesport Estate.

It is the view of PD Teesport the impact on the existing businesses and planned growth for the users of the private Estate has not been considered and is currently not understood by the applicant. Without such an understanding the transport assessment for the proposed development is incomplete.

We would like to reserve the right to comment further on the above applications given the concerns raised and the need for fundamental information to still be provided in order to understand the impact on the River Users and the existing neighbouring operations.

In terms of the traffic and transport assessment relating to the adopted highway network, it is understood the Councils Highways Engineers continue to investigate the the recent flooding incident of the public highway network with water egressing the Teesworks site onto the A1053 causing traffic disruption to the A66 and beyond. With the transfer of responsibility of the safe management of the former steelworks site having recently been taken under the control of the South Tees Development Corporation from the South Tees Site Company, it is assumed the applicant will be addressing this, in conjunction with the Councils Highways Engineers.

It appears, however, the applications would place further pressure on the A1053 public highway, assuming access is permitted through the private Teesport Estate, and we would request the applicant shows how it will ensure that it will not cause further issues for the highway network. It is noted the recent landside application for the neighbouring South Bank site (R/2020/0357/00M) included a road extending the public highway network at Smiths Dock Road/Dockside Road. It would seem sensible that as a precondition to commencing other works the applicant be required to construct that road to an adoptable standard thereby providing an extension to the existing adopted highway.

The applicant has not demonstrated how access for construction traffic, access should development take place and the locality becomes operational, or emergency access will be provided with all necessary consents. Again, it is suggested that a precondition to the commencement of any works the applicant can demonstrate that it has addressed these issues with all necessary statutory and legal consents in place.

It is noted the applicant has split the South Bank area into 3 separate planning applications, although all of these propose access over the private Teesport Estate, with application R/2020/0357/00M relating to a general industrial planning application, with the port related proposal to follow. PD Teesport supports the use of the South Bank site for the development of a facility for the offshore marine energy sector, which could compliment the offer of the River Tees, whereas a general

industrial estate or port facility may have the opposite effect. We would, therefore, encourage the Council and applicant to take steps to ensure that what is both consented and delivered is solely an offshore marine energy facility rather than an alternative use which could present a lost opportunity. In terms of longer-term regeneration and economic growth for the area.

Yours sincerely



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