



# TOWN AND COUNTRY PLANNING ACT 1990

## NOTICE OF OUTLINE PLANNING PERMISSION

### Agent Name and Address

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MR NEIL WESTWICK  
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### Applicant Name and Address

SOUTH TEES DEVELOPMENT  
CORPORATION  
CAVENDISH HOUSE  
TEESDALE BUSINESS PARK  
STOCKTON ON TEES  
TS17 6QY

**Reference No: R/2020/0819/ESM**

The Council as the Local Planning Authority **HEREBY GRANT OUTLINE PLANNING PERMISSION** for the development proposed by you in your application valid on: 21 January 2021

**Details:**        **OUTLINE PLANNING APPLICATION FOR DEVELOPMENT OF UP TO 139,353 SQM (GROSS) OF GENERAL INDUSTRY (USE CLASS B2) AND STORAGE OR DISTRIBUTION FACILITIES (USE CLASS B8) WITH OFFICE ACCOMMODATION (USE CLASS E), HGV AND CAR PARKING, WORKS TO WATERCOURSE INCLUDING REALIGNMENT AND ASSOCIATED INFRASTRUCTURE WORKS (ALL MATTERS RESERVED)**

**Location:**     **LAND BOUNDED BY TEES DOCK ROAD TO EAST BOLCKOW ROAD INDUSTRIAL ESTATE TO SOUTH EAST ESTON ROAD AND VACANT LAND TO WEST DARLINGTON & SALTBURN RAILWAY LINE TO NORTH WEST**

Subject to the following condition(s):

1.     **In accordance with the phasing plan agreed through the discharge of condition 4, details of the:**

- **Appearance;**
- **Landscaping;**
- **Layout;**
- **Access; and**
- **Scale**

**(thereafter called "the reserved matters) shall be submitted to and approved in writing by the Local Planning Authority before that phase of the development shall take place. The development shall be carried out as approved, unless otherwise agreed in writing.**

**REASON: Required to be imposed pursuant to Section 92 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.**

2. **Application for approval of reserved matters for the first phase of the development must be made no later than the expiration of three years beginning with the date of this permission, and the first phase of the development must be begun not later than the expiration of two years from the first approval of the reserved matters. The application for approval of the reserved matters for the subsequent phases of development shall be made to the Local Planning Authority before the expiration of 15 years from the date of this permission and each phase must be begun not later than the expiration of two years from the approval of all reserved matters for that phase of development.**

**REASON: Required to be imposed pursuant to Section 92 of the Town and Country Planning Act 1990, as amended by the Planning and Compulsory Purchase Act 2004.**

3. **The development hereby permitted shall be carried out in accordance with the following approved plan:**

**Proposed Parameters Plan (Dwg No DP-SD-10.01 Rev.B) received by the local Planning Authority on 22.12.2020**

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

4. **No development shall commence until a phasing plan for the application site has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved phasing plan unless otherwise agreed in writing with the Local Planning Authority. The applicant reserves the right to amend the phasing plan.**

**REASON: To ensure that the development takes place in accordance with the principles, parameters and application submission.**

**REASON FOR PRE-COMMENCEMENT: To ensure that the development is carried out in an appropriate way.**

5. **Any subsequent application for Reserved Matters consent that seeks approval for 'access' and/or 'layout' shall include evidence that the submitted layout plans have been developed, whilst having regard to the requirement to provide access to, through and from the site to those not using motorised vehicles, i.e. by foot and cycle. The submission shall demonstrate that the development makes reasonable endeavours to provide links and all reasonable opportunities have been taken to provide appropriate links. The submission shall include full details of the links and routes, including surface materials, levels and associated infrastructure e.g. lighting.**

**REASON: To ensure that the site is attractive to users, other than those using motorised vehicles, in the interests of sustainability and inclusivity.**

6. **Prior to the commencement of any phase as approved through the phasing plan a Construction Environmental Management Plan (CEMP) for that phase of development shall be submitted to and approved in writing by the Local Planning Authority. The CEMP will include measures relating to highways, ecology, materials and health and safety with particular reference to those**

matters below. The development of each phase shall thereafter take place in accordance with the approved details.

- Invasive Non-Native Species ('INNS') Management Plan
- Construction Traffic Management Plan (incorporating noise assessment) ('CTMP')
- Construction Noise Management Plan
- Construction Waste Management Plan ('CWMP')
- Materials Management Plan ('MMP')
- Health and Safety Plan for asbestos and watching brief where necessary
- Car Parking Management Plan and Servicing Management Plan

**REASON:** To ensure the environmental effects of construction are appropriately managed.

**REASON FOR PRE-COMMENCEMENT:** A pre-commencement condition is required as the environmental impact of the development will occur on the commencement of development.

7. Within 12 months of the grant of this planning permission, an Environment and Biodiversity Strategy shall be prepared and submitted to the local planning authority that confirms the feasibility of providing habitat mitigation and compensatory habitat equivalent to be 162.15 area based biodiversity units, within the site and / or off-site, and the mechanisms for its provision and on-going management. That Strategy shall be approved by the local planning authority. Following the approval of reserved matters details of the 'layout' of any phase of development, the Environment and Biodiversity Strategy shall be updated to include the following;
- The details of any new and enhanced biodiversity to be created on site, within that phase of development;
  - The details of viable compensatory habitat where on-site mitigation is demonstrated not to be feasible, relevant to that phase of development;
  - The details of treatment of site boundaries and/or buffers around water bodies, relevant to that phase of development;
  - The details of long-term maintenance regimes and management responsibilities, relevant to that phase of development.

The identified mitigation and, where demonstrated to be necessary and feasible, compensation shall be provided in accordance with the Strategy and any subsequent agreed amendments to it, and shall be implemented within 12 months of occupation.

**REASON:** To establish a framework for biodiversity.

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

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

**REASON FOR PRE-COMMENCEMENT:** To ensure that the development has regard to WFD requirements from the earliest opportunity.

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

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

10. Prior to the commencement of any phase, a detailed scheme for the disposal of foul and surface water from that phase shall be submitted to and approved in writing by the Local Planning Authority in consultation with Northumbrian Water and the Lead Local Flood Authority. The scheme shall include the following:

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

Thereafter the development shall take place in accordance with the approved details.

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

**REASON FOR PRE-COMMENCEMENT:** A pre-commencement condition is required to ensure that excavations and groundworks do not compromise the installation of the approved surface water or foul drainage infrastructure.

11. Prior to the first occupation of any phase as approved through the phasing plan details shall be submitted to and approved in writing by the Local Planning Authority of the Surface Water Management and Maintenance Plan, unless otherwise agreed in writing. Thereafter it shall be implemented in accordance with the approved details.

**REASON:** To ensure the development is supported by a suitably maintained designed surface water disposal infrastructure scheme to minimise the risk flooding and contamination of the system during the construction process and in the locality minimise.

12. Prior to the commencement of any phase of the development as approved through the phasing that includes the open hearth furnaces (North Steel Mills) as shown on 'Figure 2: Intervention areas' included in Dorman Point Environmental Statement Volume 3: Technical Appendices. Appendices to Chapter K (Below Ground Heritage), a written scheme of investigation (WSI) for archaeological investigation and recording of the part of the application site shall be submitted to and approved in writing by the local planning authority. The WSI shall make provision for:
- i. Archaeological interpretation of all borehole and trenching data
  - ii. Archaeological trial-trenching (or other evaluative techniques) of areas where the remains of former open hearth furnaces are likely to be encountered and/or other significant associated archaeological remains whose extent, character or degree of preservation is uncertain.
  - iii. Taking account of the prior evaluation, and before remediation or construction works takes place in the relevant areas (if any), an archaeological strip, map and sample of likely substantial remains of (A) furnaces and (B) any other associated features of significance.
  - iv. A general programme of works and supervisory arrangements, including reasonable notification to the local planning authority before commencement of remediation or development of the identity of the supervising archaeologist
  - v. Details of staff involved in carrying out the evaluations and/or recording and their qualifications and responsibilities
  - vi. The timetable for completing post-excavation assessment.
  - vii. Provision for the analysis, archiving and publication of the results of archaeological work shall be secured to the satisfaction of the local planning authority by the developer before the development is brought into use.
  - viii. Remediation and development shall not without the prior written approval of the local planning authority be carried out otherwise than in accordance with the approved WSI.

**REASON:** The site may contain remains of significant archaeological interest

13. The area indicated by a broken orange line on the Indicative Arrangement Plan (drawing number DPSD-10.02) submitted with the application is subject to the requirements of conditions and agreed written schemes of investigation already approved by the Council under planning permission R/2019/0767/OOM. To the extent that this area is remediated/developed under this planning permission it shall be subject to the requirements of the WSI(s) as approved under that earlier permission. In the case of any discrepancy between the area marked on the Indicative Arrangement Plan and the areas of interest agreed in the WSI(s), the areas agreed in the WSI(s) shall take precedence.

**REASON:** Part of the site contains known remains of significant archaeological interest.

14. Prior to the first occupation of any building of the completed development, a Framework Travel Plan shall be submitted to and approved in writing by the Local Planning Authority. That Travel Plan could relate to individual occupiers of buildings or to a number of occupiers with shared Travel Plan objectives. Where feasible and viable, Travel Plan Measures shall incorporate improvements and/or expansion and where necessary financial contributions, including an appropriate delivery mechanism, towards bus

services and pedestrian/cycle networks that are capable of increasing accessibility to the site. Thereafter the development shall be implemented in accordance with the approved Travel Plan, unless otherwise agreed in writing.

**REASON:** to ensure that the end users can make an informed choice as to the method of sustainable transport.

15. The part of the site covered by planning permission Ref: R/2020/0318/FFM shall be remediated in full accordance with that scheme (including any subsequent amendments and any associated conditions).

**REASON:** To ensure that the site is remediated to a suitable standard, having regard to the proposed end use.

16. The part of the site covered by planning permission Ref: R/2021/0166/FFM shall be remediated in full accordance with that scheme (including any subsequent amendments and any associated conditions).

**REASON:** To ensure that the site is remediated to a suitable standard, having regard to the proposed end use.

17. During construction and operation, works at the site can take place 24 hours a day and 7 days a week.

**REASON:** To ensure the development is carried out in accordance with the terms of the Environmental Statement.

18. Prior to the commencement of any piling activity, a Piling Risk Assessment shall be submitted to and approved in writing by the Local Planning Authority. Any mitigation measures identified as part of the assessment shall be implemented throughout the piling phase of the development, unless otherwise is agreed in writing.

**REASON:** To ensure the satisfactory implementation of the approved scheme in the interests of the amenity of the locality.

19. Prior to the development first being brought into permitted end use, a detailed noise assessment shall be submitted to the Local Planning Authority for written approval. The assessment shall include details of any enclosures for any noise emitting plant and machinery that is considered necessary. Where considered necessary, the scheme shall include details of sound-proofing material, sound-insulating material, mounting to reduce vibration and transmission of structural borne sound, and ventilation or extraction systems required for the enclosure. Any measures contained within the report shall be complied with thereafter, unless otherwise is agreed in writing.

**REASON:** In the interests of amenity and to ensure that the development can be operated without unacceptable impacts on neighbour last uses.

20. A Sustainability Statement and Energy Management Strategy shall be submitted to and approved in writing by the Local Planning Authority prior to the occupation of each building. Where feasible, the measures shall be complied with thereafter, unless otherwise agreed in writing.

**REASON: To ensure the development is carried out in a sustainable form.**

- 21. A Gas Risk Assessment shall be submitted to and approved in writing by the Local Planning Authority prior to the occupation of each building on site. Any protection measures or gas mitigation will be complied with thereafter, unless otherwise agreed in writing.**

**REASON: To ensure that risks from gas to the future users of the land and neighbouring land are minimised and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.**

- 22. Following submission of reserved matters for each phase of the development (in line with the phasing plan) and prior to the construction of that phase of development, a detailed construction traffic assessment and associated air quality assessment shall be submitted to and agreed in writing by the Local Planning Authority. Measures set out within the assessment shall be complied with thereafter, unless otherwise agreed in writing.**

**REASON: To ensure the construction activities associated with the development are appropriately managed.**

- 23. Prior to the commencement of any phase of the development, or as otherwise approved through a phasing plan submitted under condition 4, full details of the finished floor levels for that phase shall be submitted to the Local Planning Authority for its written approval. The development shall be carried out in accordance with the approved details.**

**REASON: To confirm the finished floor level of the development in the light of any necessary groundworks to meet the requirement of other planning conditions and confirm the overall height of the final scheme in the context of the information provided in the Environmental Statement.**

- 24. Prior to the commencement of construction of any buildings a Local Employment Scheme for the construction of that building shall be submitted to, and approved in writing by, the Local Planning Authority. The development shall be implemented in accordance with the approved Scheme or any variations approved in writing by the Local Planning Authority. The submitted Local Employment Scheme should include the following:**

- 1. Details of how the initial staff/employment opportunities at the Development will be advertised and how liaison with the Council and other bodies will take place in relation to maximising the access of the local workforce to information about employment opportunities;**
- 2. Details of how sustainable training opportunities will be provided for those recruited to fulfil staff/employment requirements including the provision of apprenticeships;**
- 3. A procedure setting out criteria for employment, and for matching of candidates to the vacancies;**
- 4. Measures to be taken to offer and provide college and/or work placement opportunities at the Development to students within the locality;**
- 5. Details of the promotion of the Local Employment Scheme and liaison with tenants contractors engaged in the construction of the**

Development to ensure that they also apply the Local Employment Scheme so far as practicable having due regard to the need and availability for specialist skills and trades and the programme for constructing the development;

6. A procedure for monitoring the Local Employment Scheme and reporting the results of such monitoring to the Council including details of the origins qualifications numbers and other details of candidates; and,
7. A timetable for the implementation of the Local Employment Scheme."

**REASON:** To ensure a suitable strategy for local employment opportunities is implemented.

25. Within 6 months of commencement of development, details of the Teesworks Local Employment Scheme shall be submitted to, and approved in writing by the local planning authority. Thereafter the principles of the TLES shall be implemented in full unless otherwise agreed in writing. The submitted Local Employment Scheme should include the following:

1. Details of how training opportunities will be provided to the local community through the Teesworks Academy;
2. Details of how the Teesworks Academy will engage with prospective and actual occupiers of the development;
3. Details of how the Grangetown hub will be utilised to maximise training and employment opportunities for the local community. This will include details of how the operation of the Grangetown hub will be supported through South Tees Development Corporation or other funding mechanisms;
4. A procedure for monitoring the Local Employment Scheme and reporting the results; and,
5. A timetable for the implementation of the Local Employment Scheme.

**REASON:** To ensure a suitable strategy for local employment opportunities is implemented. **Statement of Co-operative Working:** The Local Planning Authority considers that the application as originally submitted did not meet with the local policies and guidance. Following discussions with the applicant / agent a satisfactory scheme has been negotiated.

26. Prior to the commencement of any development, a Stage 1 Road Safety Audit in accordance with DMRB GG119 (including a completed Road Safety Audit Decision Log) relating to the proposed highway improvement works at A1085/Trunk Road and A1053/Greystones Road roundabouts shall be submitted to and approved in writing by the Local Planning Authority in consultation with National Highways. The development shall be carried out in accordance with the approved detail.

**REASON:** To ensure that off site highway works are designed to an appropriate standard, in the interests of highway safety.

27. Unless the same (or substantially similar) has already been submitted to and approved in conjunction with any of the applications considered under the following reference numbers R/2020/0820/ESM, R/2020/0821/ESM, R/2020/0822/ESM, R/2020/0823/ESM or committed through any other means no development shall be allowed pursuant to this permission until further



details for improvement of each of the following road improvements has been submitted to and approved by the Local Planning Authority;

a) Greystones roundabout as indicated on plan ref. 279257-ARP-XX-XX-DR-CH-0102;

b) A1085 Trunk Road roundabout as indicated on plan ref. 279257-ARP-XX-XX-DR-CH-0101; and

c) Tees Dock Road at the roundabout junction with the A66 as indicated on plan ref. 79257-ARP-XX-XX-SK-CH-0007

**REASON:** To ensure that offsite highway works are designed to an appropriate standard, in the interests of highway safety and capacity.

28. All reserved matters applications seeking approval of 'scale' and 'layout' must be accompanied by a transport impact assessment setting out the predicted peak hour (as defined in condition 30) two way vehicle trips at the A1053 (Greystone Road) / A1085 (Trunk Road) [NZ556209] and A174 / A174 / A1053 (Greystone Road) / High Street [NZ568193] from the development proposed by that application, for approval by the Local Planning Authority in consultation with Middlesbrough Council and National Highways.

**REASON:** To inform the design of any necessary highway improvements.

29. All traffic impact assessments submitted to the Local Planning Authority pursuant to condition 28 shall be accompanied by a scheme that sets out the extent of the works covered by condition 27 that need to be undertaken to address the effects of that development, together with the cumulative effects (predicted or as a result of monitoring as the case may be) of all development with reserved matters approval or have been carried out pursuant to applications listed in condition 27. The scheme shall also set out the programme for delivery of those works and the costs and responsibilities for those works. No development shall take place until that scheme has been approved by the Local Planning Authority. The development shall thereafter be carried out in accordance with that approved scheme.

**REASON:** To ensure that offsite highway works are designed to an appropriate standard, in the interests of highway safety and capacity.

30. No development pursuant to this permission shall be allowed unless the predicted peak hour two way movement trips approved under condition 28, in combination with those trips already approved pursuant to all reserved matters approvals in relation to each of applications listed in Condition 27 or as the case maybe, if those development have already been carried out in part or in whole, the appropriate adjustment to reflect actual trips identified from each of those development pursuant to monitoring of their trip generation, is equal to or less than:

| Junction  | AM peak hour two-way vehicle trips | PM peak hour two-way vehicle trips |
|---|------------------------------------|------------------------------------|
| A1053 (Greystone Road) / A1085 (Trunk Road) [NZ556209]        | 983                                | 858                                |
| A174 / A174 / A1053 (Greystone Road) / High Street [NZ568193] | 462                                | 397                                |

For the purposes of interpreting the above: the "AM peak hour" is defined as the busiest hour between 07.00-10.00; the "PM peak hour" is defined as the busiest hour between 16.00 – 19.00.

**REASON:** In order to ensure the satisfactory operation of the highway.

31. No development pursuant to this permission shall be occupied until a scheme for monitoring traffic generated by the development at A1053 (Greystone Road) / A1085 (Trunk Road) [NZ556209] and A174 / A174 / A1053 (Greystone Road) / High Street [NZ568193] has been submitted to and approved by the Local Planning Authority in consultation with National Highways. The monitoring scheme shall thereafter be implemented.

**REASON:** To inform the design of any necessary highway improvements.

32. Reserved matters approval will not be granted for any scale of development that, when measured cumulatively with development committed this planning permission or pursuant to permissions referred to in Condition 27, would result in vehicle movements that exceeds the numbers at each junction as set out in the table within Condition 30 unless a transport impact assessment has been submitted to and approved by the Local Planning Authority, in consultation with Middlesbrough Council and National Highways, which demonstrates that additional trips generated above that identified in the table in Condition 30 is capable of being mitigated. Any required scheme(s) of mitigation shall be set out in an agreement entered into with the Local Planning Authority, that confirms the design, costs, responsibilities and programme for the delivery of the mitigation works. Thereafter the mitigation works shall be delivered in accordance with the agreed programme.

**REASON:** In order to ensure the satisfactory operation of the highway

33. Unless the same (or substantially similar) has already been submitted to and approved in conjunction with any of the applications considered under the following reference numbers R/2020/0820/ESM, R/2020/0821/ESM, R/2020/0822/ESM, R/2020/0823/ESM or committed through any other means no development shall be allowed pursuant to this permission until a scheme, including an appropriate delivery mechanism, to secure a proportionate contribution towards the provision of Traffic Average Speed Monitoring Cameras on the A66 corridor that covers the section of the A66 that travels around the north of the Town Centre (from Newport Interchange to Borough Road) has been submitted to the Local Planning Authority for its written approval in consultation with Middlesbrough Council. The scheme shall be implemented in full accordance with the approved detail.

**REASON:** In order to ensure the delivery of appropriate highway improvements, in the interests of highway safety and capacity.

34. Unless the same (or substantially similar) has already been submitted to and approved in conjunction with any of the applications considered under the following reference numbers R/2020/0820/ESM, R/2020/0821/ESM, R/2020/0822/ESM, R/2020/0823/ESM or committed through any other means no development shall be allowed pursuant to this permission until a scheme, including an appropriate delivery mechanism, to allow for a proportionate contribution towards the delivery of improvements to the Cargo Fleet Lane / Longlands Road highway scheme has been submitted to the Local Planning Authority for its written approval. The scheme shall be implemented in full accordance with the approved detail.

**REASON:** In order to ensure the delivery of appropriate highway improvements, in the interests of highway safety and capacity.

35. Unless the same (or substantially similar) has already been submitted to and approved in conjunction with any of the applications considered under the following reference numbers R/2020/0820/ESM, R/2020/0821/ESM, R/2020/0822/ESM, R/2020/0823/ESM or committed through any other means no development shall be allowed pursuant to this permission until a scheme, including an appropriate delivery mechanism, to secure a proportionate contribution towards a Mobility Corridor Study for the Cargo Fleet Lane corridor has been submitted to the Local Planning Authority for its written approval. The scheme shall be implemented in full accordance with the approved detail.

**REASON:** In order to ensure the delivery of appropriate highway improvements, in the interests of highway safety and capacity.

36. Unless the same (or substantially similar) has already been submitted to and approved in conjunction with any of the applications considered under the following reference numbers R/2020/0820/ESM, R/2020/0821/ESM, R/2020/0822/ESM, R/2020/0823/ESM or committed through any other means no development shall be allowed pursuant to this permission until a scheme, including an appropriate delivery mechanism, to secure a proportionate contribution towards the signalisation of the A66 westbound off-slip at the Newport Interchange has been submitted to the Local Planning Authority for its written approval. The scheme shall be implemented in full accordance with the approved detail.

**REASON:** In order to ensure the delivery of appropriate highway improvements, in the interests of highway safety and capacity.

37. Two years after first occupation of the approved buildings, an assessment of the traffic movements through the A1085 Trunk Road/Kirkleatham Lane and A1085 Trunk Road/West Coatham Lane (Steel House Roundabout) shall be carried out and submitted to the Council. The scope of the assessment shall be submitted to and approved in advance by the Local Planning Authority. The Assessment shall consider the likely effects that the development has had on the operation of the junction.

- a) The assessment shall consider if, after considering the effect of the development on the junction, the operation of the junction has been unacceptably and demonstrably impacted upon as a direct result of the development.
- b) If considered necessary after carrying out the assessment (part a) an updated Travel Plan shall be prepared and submitted to the Local Planning Authority for consideration and subsequent approval in writing.
- c) The Travel Plan (part b) shall include measures to improve access to sustainable Transport measures and introduce targets to reduce the number of vehicular movements attributable to the development. The Travel Plan shall include appropriate measures to monitor the success of the measures for 12 months.
- d) Following the expiry of the monitoring period set out in part c, the results shall be submitted to the Local Planning Authority. The submitted report shall consider the success of the Travel Plan measures and consider if any improvements to the A1085 Trunk Road/Kirkleatham Lane and A1085 Trunk Road/West Coatham Lane (Steel House Roundabout) are considered necessary.
- e) In the event that improvements are considered necessary, the report (submitted under part d) shall consider potential improvements to the junction, before concluding if they are feasible and necessary.
- f) If any improvements are considered necessary and feasible (part e), a scheme shall be submitted (including timetable and an appropriate delivery mechanism) to the Local Planning Authority for consideration and subsequent written approval.
- g) If improvements are required (under part f) they shall be carried out as approved and in accordance with the approved timetable.

**REASON:** To inform the design of any necessary highway improvements.

**Statement of Co-operative Working:** The Local Planning Authority considers that the application as originally submitted is a satisfactory scheme and therefore no negotiations have been necessary.



Signed:

**Andrew Carter**  
**Assistant Director Economic Growth**

Date: **13 May 2022**

**YOUR ATTENTION IS DRAWN TO INFORMATIVE NOTES BELOW:**

**INFORMATIVE NOTE:**

The conditions above should be read carefully and it is your (or any subsequent developers) responsibility to ensure that the terms of all conditions are met in full at the appropriate time (as outlined in the specific condition).

Please note that in order to discharge any conditions, a fee is payable in respect to this.

Failure on the part of the developer to fully meet the terms of any conditions which require the submission of details prior to the commencement of development may result in the development being considered unlawful and may render you liable to formal enforcement action.

Failure on the part of the developer to observe the requirements of any other conditions could result in the Council pursuing formal action in the form of a Breach of Condition notice.

**APPROVAL INFORMATIVE:**

This permission refers only to that required under the Town and Country Planning Acts and does not include any consent or approval under any other enactment, byelaw, order or regulation.

Consent under the current Building Regulations may also be required for the development before work can commence.

**CATS Pipeline**

In addition to the statutory consultees, applicants should also consider what other stakeholders should be consulted. For example, in the case of any development taking place that may affect High Pressure Gas Pipelines, operated by CATS North Sea Limited on behalf of the owners of the pipeline, please consult with CATS North Sea Limited at [CATSPipeline@woodplc.com](mailto:CATSPipeline@woodplc.com) 01642 546404 CATS Terminal, Seal Sands Road, Seal Sands, Teesside TS2 1UB.

**County of Cleveland Act, 1987 – Facilities for Fire Fighting**

Section 5 of this Act requires that, where building regulation plans for the erection or extension of a building are deposited with the Council, the Council must reject the plans if it is not satisfied:

- That there will be adequate means of access for the Fire Brigade
- That the building or extension will not make means of access for the Fire Brigade to any neighbouring building inadequate
- If the building could be used for commercial or industrial purposes, that there is provision for installation of fire hydrants or other provision for an adequate supply of water for fire fighting purposes

**Appeals to the Secretary of State**

If you are aggrieved by the decision of your local planning authority to refuse permission for the proposed development or to grant it subject to conditions, then you can appeal to the Secretary of State under Section 78 of the Town and Country Planning Act 1990.

If you want to appeal, then you must do so within **six months** of the date of this notice (8 weeks in the case of any advertisement) using a form which you can get from the Secretary of State at **Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 6PN, (Tel: 0303 444 5000)** or online at <https://www.gov.uk/planning-inspectorate>. The Secretary of State can allow a longer period for giving notice of an appeal, but he will not normally be prepared to use this power unless there are special circumstances, which excuse the delay in giving notice of appeal.

The Secretary of State need not consider an appeal if it seems to him that the local planning authority could not have granted planning permission for the proposed development or could not have it granted

without the conditions it imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order. In practice, the Planning Inspectorate does not refuse to consider appeals solely because the local planning authority based its decision on a direction given by him.

### **Purchase Notices**

If either the Local Planning Authority or the Secretary of State refuses permission to develop land or grants it subject to conditions, the owner may claim that he can neither put the land to a reasonably beneficial use in its existing state nor can he render the land capable of a reasonably beneficial use by the carrying out of any development which has been or would be permitted.

In the circumstances, the owner may serve a purchase notice on the Council (District Council, London Borough Council or Common Council of the City of London) in whose area the land is situated. This notice will require the Council to purchase his interest in the land in accordance with the provisions of part VI of the Town and Country Planning Act 1990.

### **Compensation**

In certain circumstances compensation may be claimed from the local planning authority if permission is refused or granted subject to conditions by the Planning Inspectorate on appeal or on reference of the application to them. These circumstances are set out in Sections 114 and related provisions of the Town and Country Planning Act 1990.

### **The Highways Act 1980 (Sections 131, 133 and 171)**

Prior to commencing work on any development which entails interference with an adopted Highway a developer/contractor is required to obtain the consent of the Engineering (Highways Team). Such consent will not unreasonably be withheld but will be conditional upon obtaining a "Road Opening And Reinstatement" Consent and signing an "Undertaking To Pay For Works".

### **The Building Act 1984 (Section 80)**

Prior to commencing work on any development which entails the demolition of part, or all of a building a developer or contractor is required to obtain the consent of the Engineering Team. Consent will be conditional on the Local Authority receiving the appropriate forms. Forms can be obtained direct from the Engineering Team.