

# LACKENBY PLANNING STATEMENT

# **Lackenby Planning Statement**

South Tees Development Corporation

December, 2020

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## 1.0 Introduction

1.1 This Planning Statement has been prepared by Lichfields, on behalf of the South Tees Development Corporation (the applicant / ‘STDC’), to accompany an outline planning application to be submitted to Redcar and Cleveland Borough Council (‘RCBC’). The application site is known as Lackenby, within the STDC Masterplan area (hereafter referred to as the ‘Teesworks area’), Redcar.

1.2 The description of development is as follows:

*“Outline planning application for development of up to 92,903sqm (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 and associated infrastructure works. All matters reserved.”*

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

Table 1.1 Application Documents

Document Name
Planning Application Forms and Notices
Planning Cover Letter
Planning Statement
Design and Access Statement
Habitats Regulation Assessment
Environmental Statement Volume 1 – Non Technical Summary
Environmental Statement Volume 2 – Main Technical Assessments
Environmental Statement Volume 3 – Technical Figures & Appendices
Planning Drawings, including: <ul style="list-style-type: none"> <li>• Site Location Plan</li> <li>• Indicative Arrangement Plan</li> <li>• Parameters Plan</li> <li>• Existing Site Plan</li> </ul>

1.4 The proposed development falls within part 10(a) of Schedule 2 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 (as amended) Part 10(a) relates to industrial estate development projects where the development exceeds 5ha. For such developments, EIA is required where significant environmental effects are likely by virtue of factors such as its nature, size or location. It has been agreed with RCBC that the proposed development is EIA development and the findings of the EIA are set out within an Environmental Statement (‘ES’).

### Background to the Outline Planning Application

1.5 STDC is the third Mayoral Development Corporation to be established, and the first outside of London. It was created in August 2017 by the then Secretary of State for Communities and Local Government pursuant to Section 198 of the Localism Act 2011 at the request of the Tees Valley

Combined Authority ('TVCA') and was established by The South Tees Development Corporation (Establishment) Order 2017.

- 1.6 STDC (the applicant of this outline planning application) was established as the public sector vehicle for delivering area-wide, economic regeneration in the area to augment the wider economic growth plans of the Tees Valley. It delivers this regeneration through its South Tees Regeneration Programme. It has also prepared the South Tees Regeneration Masterplan to support development through the local planning and planning application process. This Masterplan was originally published in 2017 and it was revised to reflect ongoing changes in market demand in November 2019.
- 1.7 The Masterplan sets out the vision for transforming the STDC area into a world-class, modern, large-scale industrial business park. It provides a flexible development framework where land plots can be established in a variety of sizes to meet different occupier needs in the most efficient manner possible. The Masterplan identifies five distinct development 'zones' within the STDC area. This development site is within the South Industrial Zone. This zone is identified for port related used, offshore energy industries, materials processing and manufacturing and energy generation.
- 1.8 The Master Plan will be supported by area wide strategies that will seek to address environmental considerations and will help facilitate the delivery of development sites. Examples of these include the emerging Environment and Biodiversity Strategy, Waste Strategy and Transport Strategy.
- 1.9 This outline planning application is one of five applications in the Teesworks area being submitted by STDC simultaneously. From a commercial perspective, the simultaneous submission of the applications is an important step in delivering confidence to the market through demonstrating the deliverability of regeneration in the area to the market and potential end occupiers. The industrial use allocations in the Local Plan goes some way in giving certainty that there are no in-principle issues preventing redevelopment of the land. The approval of the outline applications furthers the planning certainty already given by the Local Plan by assessing the impacts and demonstrating the acceptability of a certain quantum of floorspace. The need for comprehensive regeneration of the Teesworks area is indisputable, and this is reflected by the establishment of STDC, the planning policy framework in place, and by the outcome of the recent Compulsory Purchase Order. Obtaining consent for the type, quantum and scale of development proposed in the five applications is the next, and necessary, step in furthering the certainty that there are no impediments to the delivery of large scale industrial development in the Teesworks area.
- 1.10 With regards to the EIA process, the submission of five separate applications and ESs will allow the Council to consider the impact of each scheme separately with full awareness of the likely impacts arising cumulatively as a result of the overall proposed quantum of development. This provides a transparent approach which recognises the potential for some schemes to have a cumulative effects, whilst allowing specific matters to be addressed by each application and ES. Figure 1.1 below shows the location of the five application sites.

Figure 1.1 Teesworks Application Sites



## Structure

1.11 This Planning Statement is structured as follows:

- Introduction;
- Site and Surroundings;
- Planning Policy Context;
- Determination of Planning Application;
- Compliance with NPPF; and
- Conclusions.



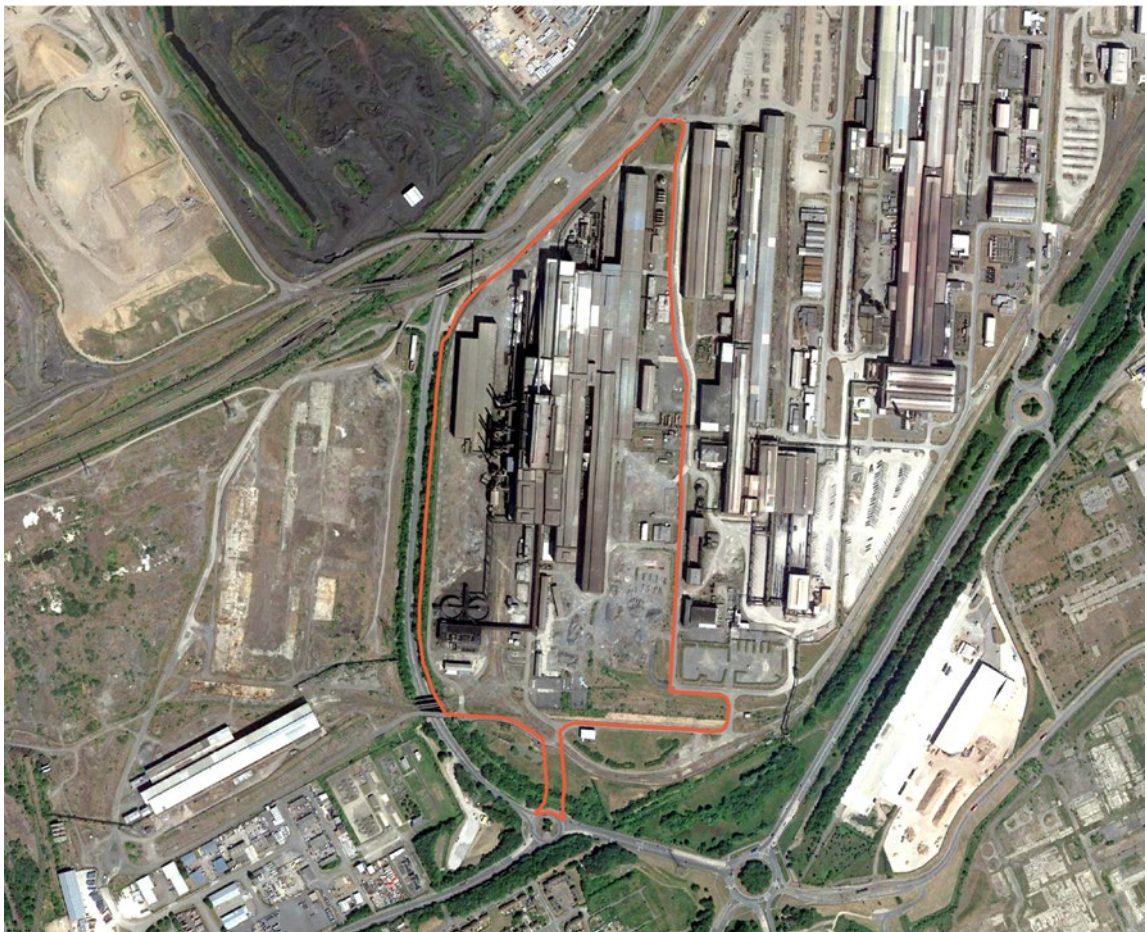
## 2.0 Application Site and Surroundings

### The Site

- 2.1 The development site is 35.8ha in size. It is brownfield industrial land and is extensively occupied by buildings and structures associated with its former use for steel making as discussed in further detail below.
- 2.2 The site is located approximately 3.5 miles north east of Middlesbrough town centre and 3 miles south west of Redcar town centre, and is approximately 1 mile south east of the River Tees.
- 2.3 It is located within the southern part of the Teesworks area and lies between the Grangetown Prairie (also known as Dorman Point) area and the British Steel area. It is immediately north west of the Wilton International area and the A1085 trunk road and is to the south east of the Landfill and Waste Management Facilities area as identified in the STDC Master Plan.
- 2.4 The site is immediately bounded by:
- Internal Teesworks road infrastructure to the north west, the east and the south; and
  - Teesdock Road to the west.

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Figure 2.1 Site Location: Lackenby



Source: Lichfields (November 2020)

- 2.5 The development site is approximately rectangular in shape and is defined by existing surrounding road infrastructure. The site is extensively occupied by buildings and structures



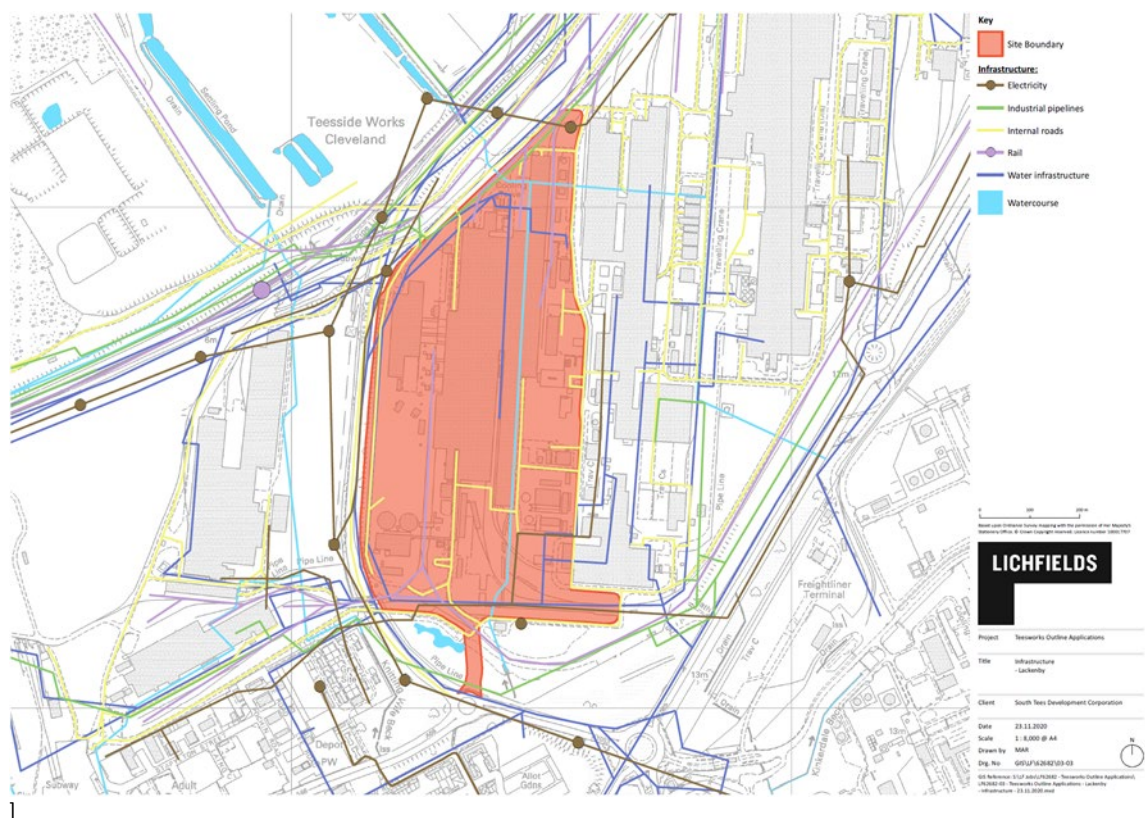
associated with the former SSI BOS and CONCAST steelmaking facilities and former Tata Steel’s vacant coil plate mill. Prior to its use for steelmaking the site had not been used for industry and was open fields up to the mid-1950s.

- 2.6 Most of the site is covered by buildings, structures or hardstanding, however there is some scrub type vegetation in the south eastern part of the site and in the northern corner. The buildings on the site are mostly large industrial shed style buildings, although there are also a few smaller brick built buildings. The built structures on the site include tanks, chimneys, industrial style pipes and conveyors. To the south of the central cluster of industrial sheds, the ground cover includes a number of mounds of material associated with former uses on the site. A redundant railway line is also present on the south western and northern parts of the site.

**Site Features**

- 2.7 The site includes a number of existing features which are described below and shown on Figure 2.2.

Figure 2.2 On site Infrastructure



- 2.8 An internal private road network exists across the whole of the Teesworks area and some of these roads are located within the application site. These include a road running in a north south direction along the western side of the site, and various spurs into the site connecting to the former industrial buildings and infrastructure.
- 2.9 Historically a freight rail network operated across the Teesworks area, parts of which are still operational. The former Hot Metal Transfer Railway extends into the southern part of the site, connecting to the large industrial buildings on the site. The major operators freight rail line has spurs entering the northern part of the site also connecting to the large industrial buildings, one these spurs extends a significant way into the site.

- 2.10 National grid electricity infrastructure is present throughout the Teesworks area, and specifically, the site contains an electricity pylon in the northern corner and an electricity substation is present just outside the site adjacent to the southern boundary. A power transmission line is also present under the southern part of the site.
- 2.11 A number of watercourses are present across the Teesworks area. In relation to the site, the Boundary Beck runs in a north south direction across the eastern side of the site via an underground culvert. A cross connector, which links the Boundary Beck to the Kinkerdale Beck, also via an underground culvert, is present at the northern extent of the site.
- 2.12 Water infrastructure present on the site comprises:
- Potable water supply pipes skirt the north western edge of the site and cross the northern part of the site in an east west direction;
  - Industrial Water Mains are present under the southern, western and north western edges of the site and extend southwards under the eastern part of the site; and
  - An NWL water mains is present under the western edge of the site running in a north south direction.
- 2.13 The site is located within Flood Zone 1 and is therefore land assessed by the Environment Agency ('EA') as having less than 1 in 1,000 annual probability of river or sea flooding.
- 2.14 There are no designated heritage assets within the site and it does not contribute to the setting of any listed buildings.
- 2.15 There are no designated ecological sites within the site. The following species are known to be present or are likely to be present on site based on professional evidence: breeding birds, small population of breeding shelduck, brown hare, dingy skipper and foraging and commuting bats (although no roosting opportunities are present). In lieu of invertebrate surveys the invertebrate assemblage is considered to be significant in certain areas of the site. On an anecdotal basis it is understood that common redshank utilise wetland habitats and further surveys remain on-going to undertake the exact position. Japanese knotweed is present in one location
- 2.16 There are no Public Rights of Way ('PROW') within the site. The site is not within an Air Quality Management Area ('AQMA'). The nearest one is the Scarborough AQMA, which is located around the village of Staithes, approximately 15 miles to the south east of the site.

### **Surroundings**

- 2.17 An aerial photograph of the site and its wider surroundings is provided below at Figure 2.3.

Figure 2.3 The Site and Surroundings



- 2.18 The site is located within the south east of the Teesworks area.
- 2.19 The area immediately to the east of the site is in use by British Steel for the Teesside Beam Mill and an associated area used for the external storage of products. Immediately to the west of the site is the Tees Dock Road and beyond this is the area known as Grangetown Prairie (also referred to as Dorman Point) which is brownfield industrial land and is largely free of active use and built development, although the former Torpedo Ladle Workshop is present in the southern part of the site.
- 2.20 To the north west of the site is a section of a transport infrastructure corridor; firstly, private Teesworks area internal roads, followed by Tees Dock Road and then the Darlington to Saltburn railway line, all of which run in a north-east south-west direction. Beyond this is the SLEMS Waste Management Facility Area and more widely to the north west, the area known as Southbank which is brownfield industrial land with a frontage to the River Tees.
- 2.21 To the north east of the site and adjacent to the Southbank area, is Teesport which is operated by PD Ports and is one of the largest ports in the UK and includes two container terminals, three general cargo berths, three Ro-Ro berths, rail sidings and extensive areas of warehousing and open storage areas.
- 2.22 To the south of the site is the A1053 road and the Grangetown and Teesville residential areas. To the south west of the site is the A66 and the Bolckow Road industrial estate, and to the south west of the site is the Wilton International complex, which is a 769ha area of national importance for process industry manufacturing.

- 2.23 Other operations and operators within the Teesworks area include Redcar Bulk Terminal, Anglo America and Sembcorp.
- 2.24 The development site is located directly to the east and south of Tees Dock Road, which provides direct connectivity to the wider local road network via the A66 and A1053. The A66 provides direct links into the strategic road network via the A19 and A1M, and into the local road network including the A1053 and A1085.
- 2.25 The A66 links to Middlesbrough, Stockton-on-Tees and Darlington to the west, and joins the A1085 trunk road which links to Redcar to the east. The A19 links to Hartlepool, Peterlee and Sunderland to the north, and to Thirsk and York to the south. The A19 and A1(M) provide north-south links into the strategic road network.
- 2.26 Darlington Station is located approximately 16 miles to the west. The station is on the East Coast Mainline which provides north-south rail links to London Kings Cross and to Durham, Newcastle and beyond. Darlington Station is connected directly to the Teesworks area via the Tees Valley line which connects Darlington to Saltburn. There are three stations on this rail line within the Teesworks area; Grangetown station to the west of the site which has been closed for a number of years; the South Bank Station, to the north west of the site, which is operational; and the Redcar British Steel Station, to the north east of the site, where services have been suspended since 2019.
- 2.27 Teesside International airport provides national and international air connectivity to the region. The airport is located approximately 12 miles to the south west, is within a 30-minute drive of the Teesworks area and is adjacent to the Teesside Airport train station which is on the Tees Valley rail line.
- 2.28 Walking and cycling facilities in the vicinity of the site and the surrounding area are limited. The Teesdale Way Public Right of Way ('PROW') runs parallel to the South Bank railway line. The nearest National Cycle Route (NCR) is Route 1 (NCR1) which runs across Redcar Road and parallel to Middlesbrough Road, approximately 1.3km (linear distance) to the south of the site. NCR1 provides strategic connections between Saltburn, Marske, Redcar and Middlesbrough.
- 2.29 There are no bus services within the vicinity of the site, with the nearest located in the residential area of South Bank approximately 1.3km walking distance from the south of the site

### **Planning History**

- 2.30 Development proposals at the site are largely historic by their nature and none are considered relevant to this application.



## 3.0 Description of Development

3.1 The description of development is as follows:

*“Outline planning application for the development of up to 92,903 sqm (gross) of general industry (Use Class B2) and storage and distribution facilities (Use Class B8) with ancillary office accommodation (Use Class E), HGV and car parking and associated works. All matters reserved.”*

### Development Parameters

3.2 This application is being submitted in outline until specific building occupiers are identified. The application is supported by a Parameters Plan which provides details of the schemes fixed parameters (including development area and maximum building parameters). The Plan is being submitted for approval which will allow the detailed design to be reserved for subsequent approval. The parameters have been developed to allow flexibility as to the end user and with commercial requirements in mind. End users could include typical manufacturing and storage or distribution occupiers. Further details on the development parameters on which the environmental assessment has been based on are set out below.

Table 3.1 Development Parameters

Development Parameter	Amount / Use
Use Class	B2 (General Industry) B8 (Storage or Distribution) E (Office) (maximum of 10% of overall floorspace)
Maximum Floorspace	92,903 m <sup>2</sup> / 1000,000 sqft
Finished Floor Level	10.00m AOD
Maximum Building Height	36m
Maximum Development Height	46m AOD
Access	Access is reserved and details will be submitted at the Reserved Matter stage of the planning process. An indicative location is shown on the Parameters Plan

### Land Use and Floorspace

3.3 The application seeks permission for up 92,903sqm of B2 (General Industry) and B8 (Storage or Distribution) uses alongside ancillary offices. For the purposes of this ES, a maximum of 10% of the overall floorspace will be Use Class E (Office). The Parameters Plan includes a ‘potential developable area’ where the proposed floorspace will be delivered.

3.4 The precise quantum of floorspace will be delivered at the reserved matters stage of the planning process, however an Indicative Arrangements Plan accompanies the application which shows one way the scheme could be brought forward. The reserved matters applications will include a final site layout and will take account of existing onsite infrastructure and / or the need for its diversion.

3.5 In addition, as previously described, there are some existing structures on site. Approval for the demolition of these structures will be obtained through a separate consenting process and does not form part of the consent sought by the planning application associated with this ES. As such, the EIA has not assessed the requirement to demolish the existing structures on site.

### **Maximum Development Height, Building Height and Finished Floor Levels**

- 3.6 For the purpose of this EIA, the maximum development height will be 46m AOD within all of the potential developable area marked on the Parameters Plan. The maximum building height will be 36m. The finished floor level will be 10m AOD . This will enable the maximum building height to be delivered on site.
- 3.7 The final development height will be based on market demand and will be determined at the reserved matters stage of the planning process.

### **Earthworks**

- 3.8 The EIA is based on the assumption that the site will be cut and fill neutral. If this is not possible, the site won material will be retained within the Teesworks area.

### **Building Design**

- 3.9 Full details of building design will be agreed with RCBC at the reserved matters stage of the planning process. The specific design and specification will respond to end users' requirements and market demand. Notwithstanding this, it is anticipated that the building design will adopt a contemporary and modern architecture and the colour palette will be sympathetic to the site's surroundings. STDC is in the process of producing a Design Guidance for Developments and the design of the proposals will accord with these guidelines.

### **Access and Parking**

- 3.10 Full access arrangements are not being sought as part of this development. However, the development will have a minimum of two access points and these will be determined at the reserved matters stage. Notwithstanding this, the Parameters Plan includes arrows which indicate the broad locations for access points.
- 3.11 The site will also include internal access road(s) and parking and servicing areas for each development plot, which will come forwards in phases as and when development is brought forward at the site. The detailed design of these roads and parking/servicing areas will be subject to future reserved matters applications.

### **Landscaping and Biodiversity**

- 3.12 By the nature of the proposed development, no landscaping is proposed within the site. The effect upon existing habitats and biodiversity has however been fully addressed in the submission.

### **Drainage**

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



## Hours of Operation

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

## Construction Methodology

- 3.15 The proposed development will be brought forward in phases based on market demand for the proposed employment use. A phasing schedule is included in Table 3.2 below and this sets out the proposed quantum of floorspace that will be delivered each year across the whole construction period. Based on the phasing schedule it can be assumed that construction period for the site is as follows:
- Construction commences in 2028 with first floorspace delivered in 2029; and
  - Construction period totals 3 years with completion anticipated in 2031.

Table 3.2 Phasing Schedule: Lackenby

Year	Floorspace to be Delivered (sqm)
2022	
2023	
2024	
2025	
2026	
2027	
2028	
2029	55,742
2030	
2031	37,161
2032	
Total	92,903

- 3.16 The programme of works will depend on several factors, including the availability of existing transport infrastructure, the implementation of new transport schemes (separate from the development), access arrangements and the environmental context of the site. The key stages of the construction works will be undertaken either at a site wide level or when development plots come forwards. The stages include:
- 1 Pre-Commencement: prior to the commencement of the development site, further environmental surveys will be undertaken (where required) and the detailed design of watercourse and utilities will be agreed with RCBC and statutory consultees;
  - 2 Site Preparation: including the erection of site hoarding and fencing, the creation of construction access and the installation of construction compound(s);
  - 3 Enabling and Ground Works: this will include earthworks to create development platforms and finished floor levels at the site;
  - 4 Access and Highways Works: including the creation of access point(s). The proposed internal road network will be constructed on a phased approach in line with the development coming forward;

5 Drainage and Building Foundation and Construction: the proposed drainage scheme will be implemented as each development plot comes forward. It is anticipated that piling will be used to form the foundations.

3.17 Materials are anticipated to include steel, timber, metal and those associated with the construction of warehouses. The exact pallet of materials will be based on occupier requirements and will be agreed with RCBC at the reserved matters stage of the planning process.

3.18 Construction hours are envisaged to be undertaken 24/7 in accordance with surrounding uses and industries.

## 4.0 **Planning Policy Context**

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

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

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

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

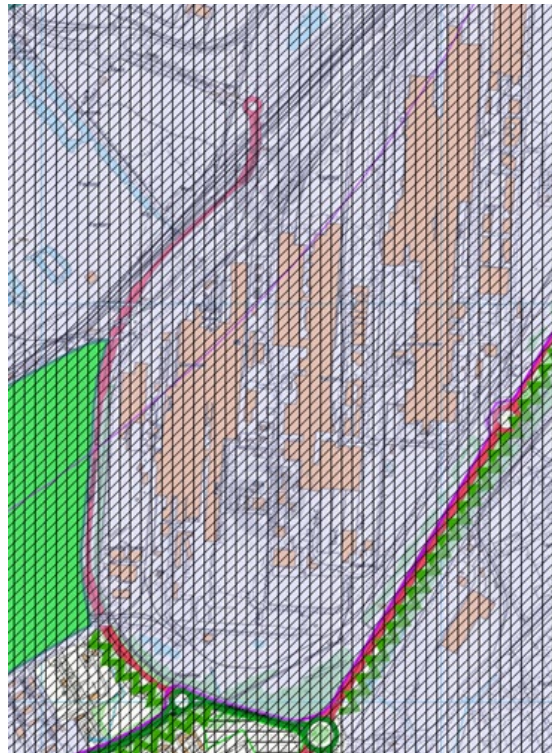
4.4 Each level of planning policy and its relevance to the proposed development is set out below. Where relevant, extracts of planning policy have been provided or signposts have been made to the relevant document.

### **Local Planning Policy**

4.5 As indicated above, local planning policies relevant to this application are set out within the Redcar and Cleveland Local Plan (adopted May 2018) and within the Tees Valley Joint Minerals and Waste Development Plan Documents (DPDs)(adopted in September 2011) which provide the local planning policies in relation to minerals and waste for the five local authorities in the Tees Valley

4.6 The Local Plan is accompanied by a Policies Map which shows the policy designations. The relevant extract of the Policies Map is shown in Figure 4.1 below.

Figure 4.1 Policies Map Extract



Source: RCBC (2018)

4.7 The site's designations include:

- Protected Employment Area (Policy ED6) (represented by the solid pale purple on the above extract);
- Safeguarding of minerals resources from sterilisation – salt and gypsum (Policy MWC4);
- 6km Special Protection Areas ('SPA') buffer zone (Policy N4);
- South Tees Development Corporation Area (Policy LS4 / ED 6);
- Extension to Dockside Road (Policy TA3);
- 30km wind farm safeguarding area for Durham Tees Valley Airport (Policy SD6); and
- Development Limits (Policy SD 3).

### **Relevant Planning Policies**

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

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

4.9 The relevant section of this policy states:

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

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

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

4.10 The policy states:

*“The South Tees Spatial Strategy includes:*

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

*The Council and its partners will aim to:*

### *Economy*

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

### *Connectivity*

- *improve and maintain access links between South Tees and the strategic road network;*
- *support improvements to the strategic and local road networks to support economic growth;*

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

*Environment*

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

**Policy E6 (Promoting Economic Growth)**

4.11 The relevant extract of this policy states:

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

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

Table 4.1

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

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

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



Ref.	Site	Location	Additional available land (net ha)
ED6.3	Skinningrove	East Cleveland	0

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

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

...

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

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

- 4.13 TA 3 (Sustainable Transport Networks)

- 4.14 The development of walking, cycling and horse riding routes, will be supported that:

- a improve public access to the coast, countryside, North York Moors National Park, the Cleveland Way, the Teesdale Way, the England Coast Path, the National Cycle Network and other public rights of way and open spaces;
- b provide and improve safe routes to school; and
- c improve linkages between where people live and recreation, open spaces, the countryside and coast, employment areas and town and district centres so that active travel becomes an attractive option for shorter journeys.

- 4.15 There will be a presumption in favour of multi-user routes.

### **Other Relevant Policies**

- 4.16 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 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

- 4.17 The National Planning Policy Framework ('NPPF') is a material consideration in the determination of planning applications.
- 4.18 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).
- 4.19 Paragraph 11 sets out that a presumption in favour of sustainable development should apply to plans and decisions. For decision taking this means approving development proposals that accord with an up-to-date development plan without delay.
- 4.20 The NPPF confirms that significant weight should be placed on the need to support economic growth and productivity, taking into account both local needs and wider opportunities for development. In particular, the NPPF promotes planning policies and decisions to help create the conditions in which businesses can invest, expand and adapt (paragraph 80).
- 4.21 In line with the Government's Industrial Strategy, paragraph 80 aspires for Britain to be a global leader in driving innovation, and in areas with high levels of productivity, which should be able to capitalise on their performance and potential.
- 4.22 Paragraph 81 sets out a clear strategy for planning policies to help build a strong and competitive economy including a requirement to:
- 'a) set out a clear economic vision and strategy which positively and proactively encourages sustainable economic growth, having regard to Local Industrial Strategies and other local policies for economic development and regeneration.*
- 4.23 Making effective use of land remains an important theme throughout the NPPF. In particular, paragraph 118 gives 'substantial weight to the value of using suitable brownfield land within settlements for homes and other identified needs, and support appropriate opportunities to remediate despoiled, degraded, derelict, contaminated or unstable land'.
- 4.24 Paragraph 119 states that local planning authorities and other plan-making bodies, should take a proactive role in identifying and helping to bring forward land that may be suitable for meeting development needs.

4.25 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.

4.26 In addition to Chapter 6 of the NPPF, the following chapters are also directly relevant to the proposed development:

- Chapter 9: Promoting sustainable transport;
- Chapter 11: Making efficient use of land;
- Chapter 14: Meeting the challenges of climate change, flooding and coastal change; and
- Chapter 15: Conserving and enhancing the natural environment.

### **Supplementary Planning Documents**

4.27 RCBC also have a set of Supplementary Planning Documents (“SPD”). Of relevance to the proposed development is:

- South Tees Area SPD (adopted May 2018)<sup>3</sup>; and
- Developer Contributions (adopted December 2014).

4.28 These will be a material consideration in the determination of the planning application.

### **South Tees Area SPD**

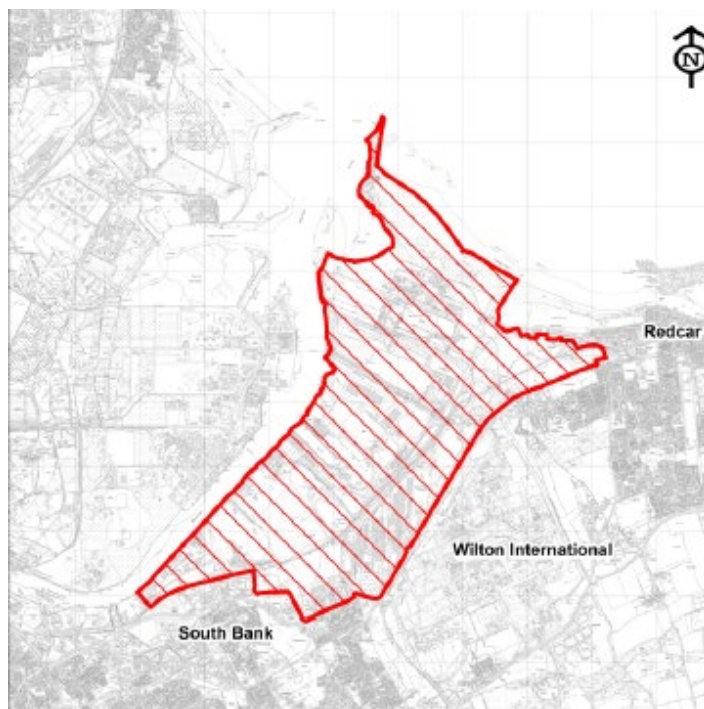
4.29 The South Tees Area SPD supports the economic and physical regeneration of the South Tees Area, setting out the vision and core objectives for the area and providing greater detail on how adopted planning policies will be interpreted. The SPD is supported by the South Tees Regeneration Master Plan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

4.30 The South Tees Area is set out in Figure 4.2 below.

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

Figure 4.2 South Tees Area



Source: RCBC (2018)

4.31 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.*

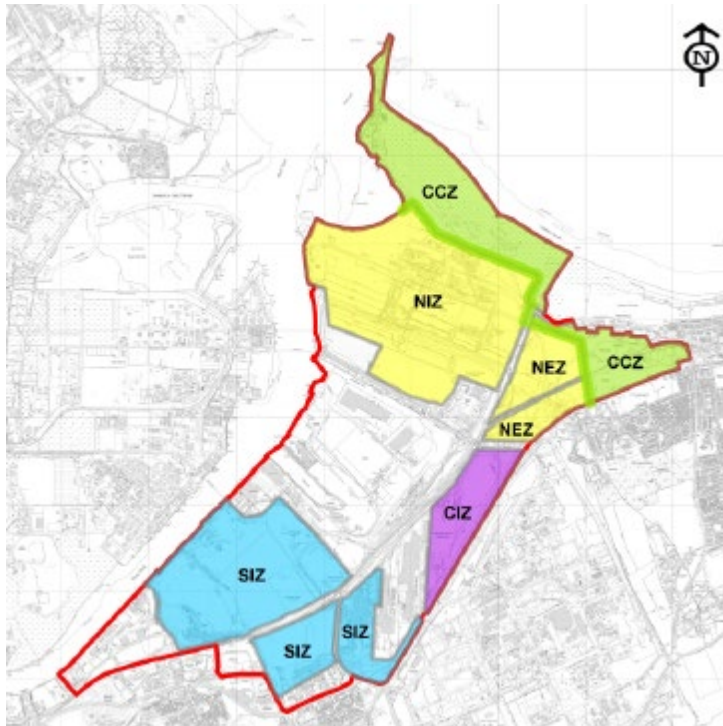
*The Vision sees the creation of up to 20,000 new jobs. The focus is on higher skilled sectors and occupations, centred on manufacturing innovation and advanced technologies and those industries best able to deliver sustained economic prosperity for the Tees Valley and its people, while realising a jobs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

- 4.32 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.
- 4.33 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.
- 4.34 STDC3 sets out an approach to phasing that will allow development to be implemented as soon as possible. This includes the Council and STDC promoting locations which require little ground remediation, areas that can best accommodate end user needs and areas that don't require major demolition in this first instance. There is also recognition that areas which require more extensive remediation will be supported albeit may take longer to secure.
- 4.35 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.
- 4.36 STDC7 looks to protect and, where appropriate, enhance designated and non-designated sites of biodiversity and geodiversity value and interest within the South Tees Area. It recognises the need for known contamination to be remediated, and for green infrastructure to be provided in accordance with Local Plan policies. It requires proposals with the potential to affect the Teesmouth and Cleveland Coast SPA to undergo a Habitat Regulations Assessment. It also requires proposals to have regard to the forthcoming Environment and Biodiversity and Open Space Strategies.
- 4.37 Development Principle STDC8 looks to protect industrial assets which are considered appropriate and viable to retain as part of the development of an industrial heritage trail in line with the South Tees Area Open Space Strategy. Proposals which would result in unacceptable harm to specific retained assets of heritage or cultural importance will not be supported.
- 4.38 STDC9 sets out an approach to the remediation of land within the site. Proposals should be in accordance with the forthcoming Ground Remediation Strategy and any remediation activities should avoid adverse effects on the integrity of the Teesmouth and Cleveland Coast SPA.
- 4.39 The SPD also sets out a series of development principles and objectives relating to economic development, employment opportunities, transport and sustainability.
- 4.40 The site is identified as the South Industrial Zone ('SIZ') and this is defined on Figure 4.3 below (in blue).

Figure 4.3 South Tees Development Zones



Source: RCBC (2018)

4.41 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”.*

### **Developer Contributions SPD**

- 4.42 The adopted SPD requires that for all applications involving non-residential developments with a floor space of 2,000m<sup>2</sup> or more; or developments that will require 25 or more full time equivalent employees, applicants will be expected to enter into an agreement with the Council to maximise local labour during the construction and (where applicable) occupation phases of the development. The mechanism by which the developer and the Council will work together to maximise access to employment opportunities for local labour should be specified in a Local Employment Agreement.

### **South Tees Regeneration Masterplan**

- 4.43 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.
- 4.44 The South Tees Regeneration Masterplan was published in November 2019<sup>4</sup>. This document presents the vision, strategy, Masterplan and ideas for the regeneration of the area. It illustrates the character and quality of place being planned for across the area, to be brought forward through development in accordance with the planning policy framework for the area.
- 4.45 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.
- 4.46 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.
- 4.47 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.
- 4.48 It identifies the SIZ as having the following 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;

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

- Over 2 million sq. ft. of existing large-scale industrial shed buildings with OH craneage and rail connections;
- Legacy industrial facilities offering heritage preservation potential;
- Very large licenced landfill facilities with significant residual capacity for both hazardous and non-hazardous waste;
- Commercial development opportunities;
- Close proximity to A66 with existing highway connections; and
- Benefits from any future Free Zone status.

4.49 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.

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

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

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

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

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

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

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

## Other Documents

### **The Tees Valley Strategic Economic Plan: The Industrial Strategy for Tees Valley**

- 4.52 The Tees Valley Combined Authority (“TVCA”) and the Tees Valley Local Enterprise Partnership’s (LEP) (Tees Valley Unlimited) Strategic Economic Plan is the Local Industrial Strategy for the Tees Valley. It aims to drive economic growth across the Tees Valley, supporting the creation of 25,000 new jobs and £2.8 billion additional GVA into the economy over the period 2016-2026. The overarching ambition is for Tees Valley to become a high value, low carbon, diverse and inclusive economy.
- 4.53 The SEP outlines that the target of delivering 25,000 new jobs is over and above the number of existing jobs that will need to be replaced over the next decade due to retirements, migration and natural change. Key sectors driving this growth include:
- Low Carbon/Process, chemical and energy, with a job’s creation target of 2,000;
  - Advanced Manufacturing, with a job’s creation target of 1,500;
  - Construction with a target of 3,000 new jobs;
  - Business & Professional Services, with a target of 7,000 new jobs;
  - Logistics, with a job’s creation target of 3,000;
  - Digital/Creative industries, with expected job gains of 3,000;
  - Higher Education, with expected job gains of 1,000;
  - Health and social care, with expected job gains of 3,500; and
  - Other services (e.g. retail, culture and leisure) with jobs creation target of 5,000.
- 4.54 In order to support growth in these sectors in the Tees Valley, the SEP identifies six strategic priorities and associated key aims:
- To diversify the economy, support more business start-ups, develop high growth potential, businesses and key growth sectors;
  - To introduce new processes and practices which reduce carbon emissions, increase productivity and the availability of high value jobs;
  - To increase educational attainment, produce the skilled workforce that businesses need and increase lifetime opportunities for residents;
  - To accelerate the supply of good quality homes across the whole housing market, revitalise town centres and urban cores, bring forward surplus public and blighted brownfield land for development and strengthen the commercial offer;
  - To change external perceptions of Tees Valley through the arts, cultural and leisure offer to create places that attract and retain businesses and business leaders and make the area more attractive to investors, workers and visitors; and
  - To improve connectivity within Tees Valley, across the Northern Powerhouse, the UK and the world and ensure comprehensive access to superfast broadband.
- 4.55 There are clear linkages between the economic ambitions of the SEP and those in the Master Plan, underpinned by the linkages between TVCA and STDC and as recognised in the forward to the Master Plan.
- 4.56 The regeneration planned through the Master Plan represents a major opportunity in the delivery of the employment growth planned in the Tees Valley. The Tees Valley Strategic

Economic Plan (SEP) aims to deliver 2,500 jobs a year, over a 10-year period (2016-2026). The Master Plan aims to create 800 jobs a year over a 25-year period, which equates to approximately one third of the annual target in the SEP.

### **Tees Valley Investment Plan, 2019-2029**

4.57 The Investment Plan sets out the spending priorities of the Combined Authority over the next decade. It outlines how and where £588million of funding will be targeted to priority interventions across the area. As explained in further detail within the Proof of Evidence of Mr Gary McDonald, the Plan allocates £56.5million of funding related specifically to land acquisition and site infrastructure costs at the STDC area. The document states, with specific reference to the STDC area, that:

*“The vision will create 20,000 new jobs in Tees Valley; realise a world-class industrial business park that will ensure sustained economic growth for Tees Valley; contribute an additional £1bn per annum into the Tees Valley economy; and, utilising the powers transferred from Whitehall, will transform the area into a global industrial hotspot...Government funding is already in place for elements of this work. The intention is that the acquisition of land will be funded locally and this Investment Plan makes provision for it. Funding for the site redevelopment will be sought from Government.”*

### **Local Industrial Strategy**

4.58 The Tees Valley Local Industrial Strategy (LIS) sets out the Combined Authority’s plan to improve the economic performance of the area and drive an increase in productivity. It is understood that a local draft of the document has been endorsed by the Combined Authority and is to be submitted to Government for negotiation, prior to its completion and formal launch.

4.59 In establishing the baseline position within Tees Valley at present, the LIS identifies a number of key economic strengths of the area, including the STDC area. The area is recognised, within the LIS as *“one of the UK’s greatest development opportunities.”*

4.60 A series of priority interventions and commitments are identified by the document. These are organised around five interlinked themes, including: *“Attract investment and establish a global reputation for Tees Valley as a vibrant and thriving place to be, with world leading opportunities in clean energy, low carbon and hydrogen.”* The theme is identified as being fundamental to the Combined Authority’s overall priorities. The interventions and commitments identified in relation to this particular theme include:

- A commitment to maximise the potential of the STDC area, with a focus on clean energy, low carbon and hydrogen. A business plan for the site will also be developed to secure “substantial private sector investment”; and
- Proposals to continue to make the case for establishing a test-bed for Free Trade Zone status at the STDC area.

4.61 Although not forming part of the development plan for the site, RCBC’s local planning policies are set within the context of these growth ambitions.

### **Summary**

4.62 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 4.2 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 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.

### **Principle of Class B Employment Use**

- 5.2 The application site is allocated in the 2018 Local Plan for employment (industrial) (uses) within Policy ED6. The Master Plan is aligned with Policy ED6. There is, therefore, a clear and unequivocal presumption in favour of the grant of planning permission for the type of development illustrated on the Parameter Plan submitted with the application.
- 5.3 In terms of the detailed policy considerations arising from the statutory Development Plan, the key factors in the determination of this planning application are considered to be the following:
- 1 Environmental Impact Assessment
  - 2 Ecology and Biodiversity
  - 3 Water Management and Flooding
  - 4 Noise and Vibration
  - 5 Air Quality
  - 6 Below Ground Heritage
  - 7 Local Amenity
  - 8 Access and Highways
  - 9 Ground Conditions and Remediation
  - 10 Socio-Economic issues
  - 11 Waste
  - 12 Greenhouse Gases and Climate Change
  - 13 Health and Safety Executive Consultation Zones
  - 14 Cumulative Environmental Effects
- 5.4 These are considered in turn below.

### **Environmental Impact Assessment**

- 5.5 EIA is required for developments, which on the grounds of their nature, scale and location are likely to give rise to significant environmental effects. The purpose of an EIA is to ensure that the potential environmental effects are identified and factored into the decision-making process.
- 5.6 For planning applications, EIA is governed by the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 (the EIA Regulations) as updated by The Town and Country Planning and Infrastructure Planning (Environmental Impact Assessment) (Amendment) Regulations 2018.
- 5.7 In deciding to allocate this site for future employment development within the STDC area both RCBC and STDC have undertaken environmental assessments to understand the baseline of the area and to understand if there were likely to be any environments impacts that would either prevent development or require mitigation through the submission of planning applications. These assessments included, but were not limited to:

- **Transport Connectivity and Accessibility Assessment:** this assessment looked at road, rail, air and sea connectivity and identified potential connectivity barriers. As part of the STDC's role in the area is it working with other statutory bodies to bring forward a transport investment programme for the area and it recognises that the redevelopment of the STDC area will offer the opportunity for improved transport connections and a network of sustainable transport across the region. A new roundabout access off Dockside Road has recently been completed and this is the first stage in the delivery of a comprehensive area wide strategy to support the regeneration of the area;
- **Watercourses:** survey of the surrounding watercourses has been undertaken. STDC has identified that development of sites within the Masterplan area provide the opportunity to culvert the channels, enhance, divert or, where possible open the culverted sections to enhance the water and landscaped environment. STDC has also identified that the development of this site provides the opportunity to increase ground levels to act as flood alleviation;
- **Ground Conditions:** development at this site and the wider STDC area will enable a ground remediation strategy to be implemented. This will provide a solution to existing contamination issues in the area that are associated with its industrial heritage; and
- **Ecological Considerations:** STDC identify the presence of designated sites, important habitats and wildlife but recognise the opportunity to enhance and protect these assets through mitigation and compensation measures delivered as part of planning applications. As set out above, STDC is in the process of completing a biodiversity gain strategy which will seek to create a coordinated approach to emerging industry requirements.

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

## **Ecology and Biodiversity**

5.9 The application site has been subject to a rigorous ecological assessment in the lead up to the submission of the application. Assessment of the ecological value of the site involved a combination of a desk study of available information and site visits. The desk study is based principally on data collected by INCA, which has carried out ecological surveys across almost all of the industrial land in the wider South Tees area over more than a 20 year period, including the entirety of the Teesworks area.

5.10 The site was visited in May 2019. Weather conditions at the time of the survey were sunny, with a gentle breeze. The purpose of the survey was to define the nature of the habitats present and to assess the condition of each habitat so that a biodiversity metric could be applied. Only the vegetated parts of the site were visited.

5.11 In addition INCA carried out Great Crested Newt (GCN) surveys of all of the waterbodies on the Teesworks area in 2007 and of four ponds at Teesport in 2005. All proved to be negative for GCN. More recently INCA has undertaken environmental DNA surveys for GCN at Dorman Point and Long Acres on the Teesworks area in 2018 and 2019 respectively and at various waterbodies at the nearby Wilton Industrial Complex and Lazenby village over the period 2018-2020 All of these eDNA surveys have proved negative for GCN.



## **Designations**

- 5.12 There are four internationally designated sites within a 10km radius of Lackenby; the Teesmouth and Cleveland Coast Special Protection Area ('SPA') and the Teesmouth and Cleveland Coast Ramsar site; the North York Moor SPA and the North York Moors Special Area of Conservation ('SAC'). SPAs are designated under the EU Wild Birds Directive and SACs under the EU Habitats Directive. Ramsar sites are wetlands of international importance designated under the Ramsar Convention on Wetlands but which are afforded the same level of protection in policy terms in respect of new development as European sites. The Teesmouth and Cleveland Coast Ramsar site shares the same boundary as the Teesmouth and Cleveland Coast SPA except where the SPA includes a marine component. The intertidal element of the Teesmouth and Cleveland Coast SPA is also classed as a European Marine Site and shares its interest features with the SPA.
- 5.13 There are two nationally designated sites within a 5km radius of the proposed development site; Teesmouth & Cleveland Coast Site of Special Scientific Interest ('SSSI') and Teesmouth National Nature Reserve ('NNR').

## **Habitats**

- 5.14 The majority of the vegetation across the site would be within the category known as ephemeral/ short perennial. The substrate in this habitat is blast-furnace slag, which is flat and had previously been laid down as hard standing. The vegetation is somewhat sparse with significant areas of bare ground and very little grass.
- 5.15 Adjacent to the ephemeral/ short perennial habitat there are approximately 0.1ha of young, self-sown mixed scrub.
- 5.16 The proposed development site includes a short road link. The road link would cut through 0.1ha of what appears to have originally been amenity grassland, though it is no longer managed as such. The road link would also involve the removal or approximately 0.1ha of broad-leaved woodland. The woodland is of plantation origin so is of even age and structure. It comprises a mixture of native broad-leaved trees and is approaching maturity.
- 5.17 The proposed road route runs immediately adjacent to the pond known as "Millennium Pond" but does not intrude on the pond itself.

## **Protected Species**

- 5.18 Single examples of each of Dingy Skipper butterfly and Brown Hare were seen on the site.
- 5.19 The Ephemeral/ short perennial habitat on the site is ideal for Dingy Skipper, as there is an abundance of Birds-foot Trefoil, it's larval food plant, combined with bare ground for basking. As this habitat covers 2ha it is assumed that it could support a population of Dingy Skipper large enough to meet the relevant criterion for designation as a Local Wildlife Site.
- 5.20 Although a single Brown Hare was observed on the site, the site in itself is too small to support the species so its presence is assessed as being transient and part of a wider territory.
- 5.21 No other protected, priority or otherwise notable species were seen. No Invasive Non Native Species were recorded.
- 5.22 Other than some limited potential for breeding birds and for the terrestrial phase of amphibians associated with adjacent pond, there appeared to be no suitable habitat for other protected, priority or otherwise notable species.

### **Mitigation, Compensation and Enhancement**

- 5.23 It is assumed that all habitats on the site would be lost as a result of the construction phase of the proposed development. Therefore the populations of species on the site would be lost as a result of the loss of habitats. No on site mitigation is proposed however mitigation measures identified in the CEMP include the following measures:
- Mitigation will be included to prevent and mitigate against any accidents, including but not limited to, spills, storage of soils and control of construction related dust and the construction of site hoarding to reduce the impact on ecological sensitive receptors;
  - Measures will be implemented to prevent sediment, dust, surface water run-off and other substances from entering watercourses (including Millennium Pond);
  - Removal of trees, scrub, wetland habitat or areas of grassland or open mosaic habitat that may support nesting birds should be undertaken outside of nesting season (March to August inclusive), unless the habitats are first checked by a suitably qualified ecologist, who confirms in writing to the LPA that no nesting birds are present; and
  - Measures will be implemented to prevent the spread of invasive non-native plant species, as listed under either Schedule 9 of the Wildlife and Countryside Act 1981 (as amended) or the Invasive Alien Species (Enforcement and Permitting) Order 2019
- 5.24 The proposed development does not include the demolition of buildings or structures on the site, therefore there would be no effects on any species associated with the buildings as a result of the proposed development.
- 5.25 It is not practically possible for direct mitigation to be identified (and delivered within the development scheme / site) for the loss of on-site habitats at this stage and therefore compensatory measures will be needed to offset the loss of Dingy Skipper Butterfly and ephemeral /short perennial habitat.
- 5.26 Compensation describes measures implemented to reduce any residual effects resulting in the loss of, or permanent damage to, ecological features despite mitigation. In Biodiversity Net Gain (BNG) terms, compensation could be described as achieving 'No Net Loss' in biodiversity.
- 5.27 The proposed development is anticipated to result in some areas of the site being available either as landscaping or specifically for the creation of replacement habitats. However details of these measures are not known at this stage so it is not possible to predict to what extent they will be able to compensate for the overall loss of biodiversity therefore in calculating the number of compensatory Biodiversity Net Units (BDUs) that will be required for the proposed development, it has been assumed that there is no on-site compensation, albeit the intention is to identify on-site compensation when the details of the layout and landscaping proposals are fixed at reserved matters stage.
- 5.28 Compensation for any habitats that are to be lost due to the proposed development, should be undertaken with the aim to provide habitats with the same or greater ecological function and/or diversity to the habitat that is lost. The extent and location of compensatory habitat creation and enhancements must be agreed with Natural England (NE) and RCBC. It is anticipated that such discussions will take place as part of the wider consultation in relation to the South Tees Regeneration Masterplan Environment & Biodiversity Strategy.
- 5.29 Enhancement is the provision of new benefits for biodiversity that are additional to those provided as part of mitigation or compensation measures. Enhancement could be described as 'Biodiversity Net Gain'.

- 5-30 The Environment Bill 2019-2021, currently going through Parliament, is due to make provision about targets, plans and policies for improving the natural environment. Specifically, the draft make provision for biodiversity gain to be a condition of planning permission in England. There is likely to be a duty on developers to submit a biodiversity gain plan to a local planning authority, which should include (amongst other elements) biodiversity net gain (BNG) calculations and evidence of a 10% net gain in biodiversity. The Government has confirmed that there is to be a transition period set by provisions in the Environmental Bill. That period is two years from the Bill receiving Royal Assent before BNG requirements are implemented.
- 5-31 It is the intention that the Environment & Biodiversity Strategy being developed by STDC to support the South Tees Area Supplementary Planning Document will align with the requirements of the Environment Bill.
- 5-32 The only Valued Ecological Receptor on this site which would be classed as significant and requiring specific compensatory measures is the population of Dingy Skipper butterfly. Offsite compensation will be necessary to achieve a BNG for this proposed development. Teesworks is currently preparing an Environment and Biodiversity Strategy that will guide future decisions by Teesworks as to the delivery of habitat enhancement schemes to off-set biodiversity loss resulting from its development and regeneration activities. This will quantify all of the BDUs which will be lost as a result of development across the entire Teesworks area. It will also calculate the number of BDUs that can be created in the Teesworks area including on land outside of the any areas proposed for development. The strategy will also identify any local, off-site habitat creation and enhancement measures that could be implemented, focusing primarily on the Tees estuary but potentially within the wider Tees catchment area if necessary. It is the intention that the Environment and Biodiversity Strategy will provide options and opportunities for Teesworks, and those developing within the Teesworks area, to meet any biodiversity value deficit arising from development.
- 5-33 This compensation will be identified within the South Tees Regeneration Masterplan Environment & Biodiversity Strategy with the extent and location of compensatory habitat creation and enhancements agreed with NE and RCBC.
- 5-34 A targeted, long-term ecological monitoring and maintenance plan will be produced by an suitably qualified ecologist, in collaboration with RCBC. This plan will identify any created or enhanced habitats installed as compensation for habitat loss or as enhancement features, describe a monitoring methodology to be implemented for the duration of the plan, identify the timescales for monitoring, and describe the methods for maintenance.
- 5-35 It is expected that the Strategy will identify habitat enhancement schemes within and beyond the STDC area that can contribute towards BNG in future and provide a means of compensating habitat loss occurring from development schemes within the area that proceed ahead of its finalisation. It is anticipated that these compensatory measures will mean that ultimately there is no net loss of biodiversity arising from the proposed development.
- 5-36 **Habitats Regulations Assessment**
- 5-37 The proximity of the site in relation to the SPA, Ramsar site and SSSI means that development within the site will need to avoid adverse effects which would undermine the qualifying features of these designations.
- 5-38 As a result, development proposals in the area should be subject to a Habitats Regulations Assessment (HRA) if it is considered that they could have significant effects on the SPA. An HRA is legally required under the Conservation of Habitats and Species Regulations 2017 (the “Habitats Regulations”).

- 5.39 The Screening stage of an HRA involves the determination of the European sites which could potentially be affected by the proposed works and their determining interests, and whether or not the development could result in a likely significant effect, either alone or in combination with other plans and projects.
- 5.40 In the event that likely significant effects are identified at the Screening stage, the next stage is to carry out an Appropriate Assessment (AA). This stage involves an objective assessment of whether there would be an adverse effect on the integrity of the European Site concerned, in view of the site's conservation objectives, as a result of a Project or Plan, and the consideration of measures to address any such effect. Case Law has established that, when carrying out Appropriate Assessment, one should:
- Catalogue all habitats and species for which the European Site is protected;
  - Consider impacts on other (i.e. non-protected) habitat types or species which are on the European Site; and
  - Also take into account habitats and species located outside of the European Site if they are necessary to the conservation of the habitat type and species listed for the site.
- 5.41 In respect of HRA and Appropriate Assessment, it is important to note that the Redcar and Cleveland Local Plan and South Tees Area SPD (2018), which together allocate the site for uses consistent with the Master Plan and provide development principles in line with the Master Plan, were themselves the subject to HRA (and Strategic Environmental Assessment) prior to adoption. Notwithstanding the need for project-level HRAs, this provides a strong degree of confidence that the type, scale and cumulative nature of development envisaged by the Master Plan has already been found to be acceptable in relation to the qualifying interests and conservation objectives of the Teesmouth and Cleveland Coast SPA and Ramsar Site (and the special interest features of the associated SSSI).
- 5.42 A HRA has been completed for this planning application. At the screening stage the following impacts were identified as having the potential to have a likely significant effect:
- Loss of supporting habitat caused by the proposed development;
  - Changes to flightlines or sightlines for waterbirds occasioned by the proposed development;
  - Disturbance caused to waterbirds caused by the proposed development;
  - Discharges to water caused by the proposed development; and
  - Emissions to air caused by the proposed development.
- 5.43 The HRA Stage 2 assessment (Appropriate Assessment) then considered those potential impacts identified through screening and assessed whether there would be a likely significant effect from each. This assessment took into consideration the embedded mitigation measures, in particular that; *“Measures will be implemented to prevent sediment, dust, surface water run-off and other substances from entering watercourses.”*
- 5.44 The Stage 2 Appropriate Assessment concluded that, *“the proposed development will not cause adverse effects to the integrity of the Teesmouth and Cleveland Coast SPA and Ramsar site, either alone or in combination with other plans or projects, provided that the embedded mitigation measures specified in the application are satisfactorily delivered.”*
- 5.45 On the above basis it is concluded that there is no conflict with the aims of Policies N4 or LS4 (South Tees Spatial Strategy) to 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.

## Water Management and Flooding

- 5.46 A Flood Risk Assessment was undertaken by JBA to considers the effects of the proposed development on Water Management and flooding surrounding the site. The JBA report describes the existing environment and assesses the potential impacts of the construction and operation of the proposed development on hydrology (surface water quality, levels and flows) and hydrogeology (groundwater quality and levels).
- 5.47 In terms of local planning policy, policy SD7 provides the key policy context. The key issues to address were identified as follows:
- 1 All development proposals will be expected to be designed to mitigate and adapt to climate change, taking account of flood risk by ensuring opportunities to contribute to the mitigation of flooding elsewhere are taken.
  - 2 For previously developed sites, the peak runoff rate from the development to any drain, sewer or surface water body for the 1-in-1 year rainfall event and the 1-in-100 year rainfall event, must be as close as reasonably practicable to the greenfield runoff rate from the site for the same rainfall event but should never exceed the rate of discharge from the development prior to redevelopment for that event.
  - 3 Where the drainage system discharges to a surface water body that can accommodate uncontrolled surface water discharges without any impact on flood risk from that surface water body (e.g. the sea or River Tees) the peak flow control standards and volume control standards (attenuation requirement) need not apply. This may be the case for development in the SIZ1 site that where there is discharge into drainage channels which flow directly into the River Tees without any constraints.
  - 4 The drainage system must be designed and constructed so surface water discharged does not adversely impact the water quality of receiving water bodies, both during construction and when operational. New development should seek to improve water quality where possible, as well maintaining and enhancing the biodiversity and habitat of watercourses.
  - 5 The Council has a duty to have regard to the Northumbrian River Basin Management Plan to ensure the protection and improvement in quality of the water environment. This is also in accordance with the overall objective of the Water Framework Directive to achieve “good ecological status” in all waterbodies (including surface, ground and coastal waters) and not allow any deterioration from their current status.
  - 6 Wherever possible, measures to deal with flood risk and drainage should identify opportunities to maintain and enhance the biodiversity and habitat of watercourses through protecting or restoring natural channel morphology. Actions should also be taken to remove modifications to restore a more natural watercourse and associated biodiversity. Where such removal is not possible or not in the public interest, mitigation measures must be taken to create a more natural watercourse, improve habitats and enhance biodiversity.
- 5.48 A water management strategy is currently being discussed and developed with STDC and so at present there are no details available for the water management and drainage design. However a range of design parameter assumptions have been prepared including:
- 1 A Water Framework Directive (WFD) Assessment will be undertaken at a later stage once further details regarding water management for the proposed development are available. The WFD assessment will determine the effects of the proposed facility on ecological, hydromorphological and chemical quality and identify any potential impacts that could cause deterioration in the current status of the water body or could hinder the water body from meeting its WFD objectives in the future. At this stage, the water management strategy aims to improve water quality from existing run-off.

- 2 A Surface Water Management Plan, drainage proposals and a Drainage Impact Assessment will be included as part of the STDC water management strategy and further developed at design stage of the project.
- 3 The parameters plan includes a minimum Finished Floor Level ('FFL') of 10.0m AOD. This is above the level of flood risk.
- 4 The Flood Risk and Surface Water Management Strategy and drainage plan, with the exception of modified discharge infrastructure, will not change the physical nature of the Tees bank;
- 5 Construction works are not anticipated to be undertaken within 16m of the tidal Tees (the minimum limit under which an Environmental Permit for construction works near a tidally influenced river is required) as the site lies more than 16m from the Tees;
- 6 Environmental Permits will likely be required for the proposed activities on site including for the drainage and discharge of surface water to the Tees and possibly including industrial or manufacturing activities on site;
- 7 The design of water management shall include consideration of design features to remove silt and other suspended solids, as well as capture any spills/oil and grease, prior to discharge;
- 8 The water management and drainage design will not include infiltration SuDS such as soakaways, in order to limit mobilisation of contamination. Drainage channels and/or networks will be lined with a geomembrane to prevent connection of surface water with contaminated ground material; and
- 9 No works associated with demolition shall be undertaken to below ground infrastructure until details of the culvert / pipe conveying Boundary Beck beneath the site are ascertained from ground surveys. Any necessary works to Boundary Beck culvert and Kinkerdale Beck culvert, including diversions, will be undertaken via demolition consents.

5.49

A high level flood risk assessment has been undertaken for the site. This confirms that

- The proposed development lies within Flood Zone 1 which means it has a chance of flooding of less than 0.1% - equivalent to the 1000-year event. Modelling undertaken previously for the Tees indicates that the site is at very low risk from fluvial flooding. The flood extents for this mapping are created using coarse scale UK wide fluvial modelling, and incorporates more detailed modelling of specific rivers undertaken for the EA. The watercourses through the site are too small to be included in the coarse modelling and will not have previously been modelled by the EA so any fluvial flooding from these will not be captured in this mapping. However, there is unlikely to be any fluvial flooding on site due to the nature of the culverted watercourses and the elevation of the site. There are open channels to the north west of the site where the Cleveland and Lackenby channels are present however any flooding from these channels is unlikely to reach the site.
- The site is at a very low risk from coastal flooding. As part of the Level 2 Strategic Flood Risk
- Assessment a detailed model was created to supersede the broad scale EA tidal flood risk mapping. The modelling shows inundation along the A1053 Tees Dock Road from coastal sources however this will not occur within the site.
- Modelling of overland flow indicates that there is a moderate risk from surface water flooding. There is no clear area of flow path present, just many small areas of isolated extent in low spots.
- Tidal flood levels, fluvial flows, sea level and rainfall are all predicted to increase with climate change so appropriate climate change allowances have been considered. 5.03mAOD

represents the 200 year Coastal Flood Risk + Sea Level Rise Allowance to 2100 design scenario. According to the detailed model the site is not deemed to be within the extent of coastal flooding and therefore risk is very low.

- 5.50 In accordance with Planning Practice Guidance the proposed development is considered to be in the 'Less vulnerable' category, therefore, the proposed development is appropriate in Flood Zone 1 (outside of 1000 year flood).
- 5.51 The ES concludes that there will be no significant adverse effects remaining after mitigation and there will be negligible beneficial effects for the River Tees estuary during construction and operation. The straightened and culverted watercourses through and surrounding the site present constraints to the proposed development but can also provide significant opportunities. The drainage strategy for the site will seek to provide a plan for managing and improving the current baseline conditions on site with respect to the water environment. Works shall be done under an environmental permit.
- 5.52 The development should lead to an overall improvement of groundwater conditions through the remediation strategy, blue green infrastructure and other embedded mitigation. SuDS should be used to protect and enhance the environment. As most of the site is made ground the proposed SuDS and any new drainage should be lined or subject to local investigation to minimise infiltration into contaminated parts and translocation of the contaminants into wider environment. Any storage for rainwater should be lined or in tanks that are suitably protected against ingress from contaminated soils. This will prevent contamination during storage.
- 5.53 This assessment has been undertaken as a high level analysis of flood risk to the site. Further mapping and modelling of flood risk will be undertaken as part of detailed planning applications that will further identify opportunities and constraints. Consultation with the Risk Management Authorities – Redcar and Cleveland Council LLFA, Northumbrian Water, Environment Agency, Highways Services is being undertaken as part of the development of the water management strategy and engagement with these organisations will continue throughout the design of the proposed development. This will ensure that there are no adverse effects in relation to the water environment as a result of the development and hence no conflict with Policy SD7.

## **Noise and Vibration**

- 5.54 The NPPF makes clear that new development should be appropriate for its location. Planning decisions should avoid noise giving rise to significant adverse impacts on health and quality of life. An assessment has been undertaken by Arup to assess the effects of the proposed development on noise and vibration in the surrounding area. Since the assessment has been undertaken during the global Covid-19 pandemic it has not been possible to undertake a baseline sound level survey to quantify the noise climate under what would be considered normal conditions.
- 5.55 The Environmental Health Officer (EHO) at RCBC was consulted in November 2020 regarding the noise impact assessment. It was agreed that the existing noise environment around the site could be established based on predicted noise levels of road and rail traffic movements in the area. It was also agreed for the industrial noise source (including building services plant and on-site activities) that noise emissions at noise sensitive receptors should not exceed the existing ambient noise levels.
- 5.56 Noise sensitive residential receptors have been identified to the south and the west of the site on the vicinity of the A66. Non-residential (commercial) receptors have also been identified to the west of the site.



- 5.57 The construction noise and vibration assessment assumes the implementation of the principles set out in the Framework CEMP which will be embedded into the design of the scheme. This includes undertaking the works using best practicable means (BPM) as defined by the Control of Pollution Act 1974 (CoPA) and Environmental Protection Act 1990 (EPA). BPM will be applied during construction activities to minimise noise (including vibration) at neighbouring residential and commercial properties.
- 5.58 The potential construction noise levels at surrounding noise sensitive receptors have been calculated by considering the source noise levels from a hydraulic hammer (impact piling) that would be located within the building footprint arrangement shown on the indicative arrangement plan. Once the ground conditions on the site and construction techniques are confirmed, a detailed construction vibration study will be carried out to quantify the risk of causing a significant effect and to determine any additional mitigation needed. The assumptions that have been used to inform the assessment of the construction and operational noise impacts are considered representative of a reasonably foreseeable worst case. Any uncertainty associated with the construction and operational assumptions are unlikely to have any influence on the outcome of the assessment given the relatively large separation distances involved.
- 5.59 The noise assessment concluded that there would be no adverse impacts from construction noise at the nearest sensitive residential receptors or non-residential receptors. Notwithstanding this, best practicable means of working will be specified to ensure noise is kept to a minimum.
- 5.60 As this is an outline application, the design has not yet progressed to the level where detailed information regarding the end usage is known. Therefore, design of the mechanical services plant or type of industrial noise cannot be assessed with any certainty. Accordingly, it is anticipated that noise from building services and plant will be assessed once these details are known.
- 5.61 Indicative predictions and assessment of noise associated with heavy goods vehicle (HGV) deliveries and loading, car movements, air handling units and the breakout noise is included in the assessment. Noise arising from HGV and light vehicle movements has been assessed using predicted traffic flows detailed in the Transport Assessment. The additional traffic associated with the operation of the proposed development will be managed through a traffic management plan and this will aid in ensuring that noise associated with the operational stage of the development is kept to a minimum.
- 5.62 No permanent significant effects due to road traffic noise arising from the operation of the proposed development have been identified and on this basis it is clear that there will be no adverse impact on residential amenity as a result of noise in accordance with Policy SD6 of the Local Plan.

## **Air Quality**

- 5.63 A detailed assessment has been undertaken by Arup to consider the effects of the proposed development on local air quality, including the potential effects of the predicted traffic associated with the proposed development.
- 5.64 Monitoring undertaken by RCBC indicates that the air quality at roadside locations in the area surrounding the proposed development is below the national annual mean NO<sub>2</sub> objective. At the monitoring location nearest to the proposed development, the concentrations are well below the objective. As a result, the local council have not declared any Air Quality Management Areas (AQMAs).

- 5.65 There is one current industrial process with releases to air listed on the Environment Agency ('EA') website within 1km of the site. The process is the MGT Teesside Limited renewable energy plant, which is located approximately 900m to the north of the proposed development.
- 5.66 Sensitive air quality receptors include local residential uses within the South Bank and Grangetown areas. Ecological receptors include the Teesmouth and Cleveland Coast Site of Special Scientific Interest ('SSSI') and the Special Protection Area ('SPA') / Ramsar site Teesmouth and Cleveland Coast.
- 5.67 The potential impacts that may arise as a result of construction works for the proposed development are dust deposition, resulting in the soiling of surfaces; visible dust plumes; elevated PM10 and PM2.5 concentrations as a result of dust generating activities on site; and an increase in NO2, PM10 and PM2.5 concentrations due to exhaust emissions from Non-Road Mobile Machinery (NRMM).
- 5.68 Detailed information is not currently available on the construction phase of the development as the scheme is in outline, however based on professional experience, and given the size of the proposed development site, Arup considers the development parameters and the likely cumulative impacts associated with the construction of several sites within the Teesworks area in close succession, is likely to result in a classification of medium to high risk. As a consequence of this mitigation measures applicable to high risk sites will be employed at the site. Best practice mitigation measures in the form of a Framework Construction Environmental Management Plan (Framework CEMP) have been included as embedded mitigation. With the appropriate mitigation measures suitable for high risk sites in place, there is likely to be a negligible effect on receptors from the dust-generating activities onsite.
- 5.69 The operational phase of the development was considered by carrying out dispersion modelling using industry standard software. The impact of the predicted concentrations calculated through the modelling process was predicted to be negligible at all receptors. The overall effect of the operation of the proposed development on local air quality is therefore predicted to be not significant and hence no mitigation measures are required. There is, therefore, no conflict with local planning policy objectives in policies SD1 and SD4 which seek to minimise environmental impacts such as air pollution and support health and wellbeing.

## **Below Ground Heritage**

- 5.70 Prospect Archaeology Ltd was appointed to prepare a heritage assessment to assess the cultural heritage impact of the proposed development. The assessment was based on a study area extending 1000m from the boundary of the application site for designated assets and 500m for undesignated assets, enabling the significance of existing and potential archaeological features to be considered in their local, regional and national contexts.
- 5.71 The interior of the Site was not visited although it was observed from the adjacent Prairie Grangetown site.
- 5.72 The assessment confirmed that there are no designated heritage assets within the study area and there are no significant undesignated heritage assets within the site. Consequently there will be no direct or indirect impact on any designated assets.
- 5.73 Policy HE3 (Archaeological Sites and Monuments) of The Redcar & Cleveland Local Plan states that development that affects a site where archaeology exists or where there is evidence that archaeological remains may exist will only be permitted if:
- the harm or loss of significance is necessary to achieve public benefits that outweigh that harm or loss. Harm or loss may be avoided by preservation in situ or refusal: or

- Where in situ preservation is not required, appropriate satisfactory provision is in place for archaeological investigation, recording and reporting to take place before, or where necessary during, development. Where archaeological investigation, recording and reporting has taken place it will be necessary to publish the findings within an agreed timetable.

5.74 There is no evidence for significant archaeological remains of any period to have existed on the application site. The nature of the 20th century works constructed on the site make it highly unlikely any as yet unidentified, pre-industrial features would survive beneath the current development. Thus the heavy industrial development of the site since the 1970s negates the potential for earlier significant archaeological remains to exist. No further archaeological intervention is considered necessary and there is no conflict with Policy HE3.

## **Landscape and Visual Impact**

5.75 A landscape and visual assessment was undertaken by BDP which assesses the proposed development and considers its landscape and visual effects. The assessment has been based on likely assumptions of the nature and size of development from the parameters plans, as well as timescales for construction. The visual impact assessment is based on a 'massing plan' of the masterplan as assessing the visual impact of the full parameters plan would not give a very accurate impression of the likely significant visual impacts of the proposed development.

5.76 The assessment has been aided by a series of computer generated 'Photomontage' Accurate Visual Representation (AVR) images. These visualisations combine a photograph of an existing view with a computer-generated massing model of the proposed buildings.

5.77 The following local plan policies were identified as being particularly relevant to landscape and visual impact assessment for the proposed site:

- N1 Landscape - supports the protection and enhancement of the Borough's landscape based on the character areas identified through the Landscape Character Assessment, Landscape Character SPD, and Historic Landscape Characterisation, and restricts any development which leads to the loss of important features of landscape character and supports measures to enhance, restore or create those special features; and
- N4 Biodiversity and Geological Conservation - supports the protection and enhancement of the Borough's biodiversity and geological resource.

5.78 The construction effects on the surrounding landscape and views will be temporary. The most significant visual effects associated with the construction process will be the presence of cranes, construction compounds and materials storage. The presence of such temporary structures is inevitable in connection with construction of the type and scale envisaged. This temporary situation is common as a consequence of building activity and there is no practical way of avoiding it, nor is it an unusual view, and is commonly experienced at many similar sites in the region.

5.79 The following mitigation measures are assumed during the construction phase of the development:

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

- 5.80 With these mitigation measures in place it should be possible to minimise adverse effects on landscape and visual amenity during the construction process.
- 5.81 The LVIA undertaken by BDP concludes that there will be a residual moderate adverse (significant) visual effect on views from the public footpath on Eston Nab Hill (the highest vantage point in the area) during construction. All other effects are anticipated to be minor or negligible and not significant.
- 5.82 The Eston Nab viewpoint is from within a designated landscape area, and woodland Country Park, popular for walking and mountain biking, and observing wildlife. At its highest point, 'Eston Nab' is a local landmark, and popular vantage point in the area, with a range of long-range views of Middlesbrough, Redcar and the coastline. There is obvious scenic context to the view and value attached to the view, as is typical of such long-range vantage points of this nature. As a consequence the value of this particular view is considered to be high. The proposed development will form a minor component in the overall visible landscape and may not have a readily apparent influence on the receptor or negative influence on the perceived quality of the view due to the wider context, and views being of a varied and panoramic nature, rather than focussed directly on the proposed development site. Nevertheless as a result of the sensitivity of the footpath users the overall effect is considered to be significant.
- 5.83 Once operational, significant adverse effects are again only anticipated from only 1 viewpoint: the Eston Nab Hill footpath. To assist in addressing this the following mitigation measures are assumed during the operation phase of the development:
- 1 Buildings to be articulated in a way which reduces visual scale and massing. Buildings to be stepped down to site boundaries to reduce the perception of massing in local and mid-range views and site layouts to present legible blocks of development with appropriate breaks to reduce visual impact; and
  - 2 Building colour and cladding to be appropriate to surrounding colour palette, and help break up the visual massing, avoiding overly reflective materials. Use of colour gradation in the largest buildings to reduce the perception of height and massing in mid and long-range views. Buildings on individual plots to have a sensitive and complementary palette of materials and cladding to enable the development to be read as separate blocks in mid to long-range views
- 5.84 Overall, there are not expected to be any major effects on landscape character of sensitive visual receptors during the construction or operational phase of the proposed development. Therefore there is not considered to be any significant conflict with local planning policy N1 which supports the protection and enhancement of the Borough's landscape and restricts any development which leads to the loss of important features of landscape character.

## **Local Amenity**

- 5.85 The nature of the site and surroundings is characterised by large scale industrial development and there are limited residential receptors whose amenity might be affected by the application scheme.
- 5.86 The closest residential receptors to the site are the houses in the residential area of Grangetown, which is approximately 250m south west of the site and is separated from it by the Teesdock Road/A66 roundabout and areas of open land. Beyond this is the residential area of Teesville, approximately 1km from the site. The residential area of South Bank is approximately 1.5km west of the site and is separated from it by industrial estates and the A66.

- 5.87 Other nearby residential receptors include those in Old Lackenby/Eston, Newport, Middlesbrough, North Ormesby, Dormanstown and Redcar and the mobile home travellers' site at King's George Terrace, mobile homes site at Redcar Beach front and Marsh Farmhouse.
- 5.88 The determination the planning application must give rise to the consideration of the potential for adverse impacts on amenity, including local / residential amenity. The potential aspects of amenity that could be affected by the type of development include noise, vibration, smell, loss of sunlight, overshadowing, loss of privacy and change in view.
- 5.89 Pre-application discussions with planning officers at RCBC established the type and scope of assessments relating to amenity required to determine the application in line with local and national policies. These assessments considered the impact on amenity in the context of the existing surrounding area which is industrial in nature with large scale structures associated with the former steelworks and operational port.
- 5.90 Whilst the introduction of development on the application site will lead to some change in outlook and general amenity from residential properties, it is highly unlikely to introduce anything unacceptably incongruous in scale or nature into the existing industrial conditions when experienced from those receptors especially with the imposition of typical mitigation measures through planning conditions or legal agreements. In particular the use of a Construction and Environmental Management Plan would control and restrict construction phases of development, including hours of construction, demolition and construction techniques and site management. In this regard the application proposals have been demonstrated to conform with Policy SD6 of the Local Plan, where applicable, in respect of the protection of residential amenity.

## **Access and Highways**

- 5.91 The Redcar and Cleveland Local Plan stresses the good existing transport connectivity of the STDC area, which has access to a deep-water port, excellent road and rail links plus access to energy and utilities. Specific policies of relevance include:
- Policy SD4 relates to the general development principles and includes the requirements for locating development on appropriate sites with compatible surroundings, ensuring development is located in a sustainable and safe location, and ensuring there is adequate infrastructure to serve the development.
  - Policy LS4 includes the objective to improve the accessibility of employment sites by a range of transport methods.
  - Policy TA1 relates to transport and new development and includes the requirement for new developments to encourage transport choice and non-car modes.
  - Policies TA2 and TA3 relate to improving accessibility by bus across the borough and improving the walking cycling and public rights of way networks respectively.
- 5.92 One of the key objectives of the South Tees SPD is delivering efficient connectivity across the South Tees area through making the best use of existing transport infrastructure, providing new and enhanced on-site transport infrastructure and creating an integrated and safe transport network, which takes account of the needs of a variety of users and includes sustainable travel measures. The SPD specifies that an area wide Transport Strategy for the Teesworks area will include new and enhanced footpath and cycleway networks enabling ease of movement across the industrial park by non-automated transport modes, and development proposals that align with this strategy will be supported. A Transport Strategy is currently being prepared for the wider Teesworks site and it will be used by Teesworks for the effective delivery of development across the site, recognising the opportunities and benefits the single-ownership of the

Teesworks area brings to delivering interventions that will further encourage modal shift away from the private car and an increased use of public transport.

- 5.93 The Transport Assessment undertaken by Arup considers the impact of the proposed development at Dorman Point. As this is an outline planning application the specifics of construction are not known at the time of writing. As such, construction traffic has not been included in the quantitative assessment, however a qualitative assessment has been carried out which concludes that the temporary effect on severance and amenity, as a result of construction traffic, is not expected to be significant. A construction traffic assessment will be undertaken when the detailed design of the proposed development is known. The quantitative assessment will be undertaken based on a series of embedded mitigation measures that are in built into the design of development. Those of relevance are included in the Framework Construction Environmental Management Plan (Framework CEMP) and the Construction Traffic Management Plan (CTMP).
- 5.94 In terms of access to the application site, the main access to the site is proposed to be directly from the A66/Tees Dock Road roundabout. The Parameters Plan for the site shows the development as having a minimum of two access points.
- 5.95 The site will also include internal access road(s) and parking and servicing areas for each development plot, which will come forward in phases as and when development is brought forward at the site. The detailed design of these roads and parking / servicing areas will be subject to future reserved matters applications.
- 5.96 A dedicated bus service will be provided to connect the local towns of Middlesbrough and Redcar to the development site. The bus service, funded initially by the Teesworks development, will travel into the site to provide a service that connects directly to the front door of the development. If at least 5% of people who would usually travel by car could be encouraged to travel by the bus service, it is estimated that it would remove 29 car trips in the AM peak hour. The bus service will be extended as additional development sites are occupied at Teesworks.
- 5.97 A Framework Travel Plan ('FTP') is included in the TA and specific Occupier Travel Plans will be submitted for approval to promote sustainable modes of travel. This is expected to form part of a Teesworks wide Travel Plan. This will support the proposed bus service to facilitate access to the site and minimise the effects of operational traffic.
- 5.98 The application is in outline, and therefore the detailed internal site layout has not yet been developed, however the proposed development will provide a high-quality industrial site which promotes walking and cycling through the provision of footways and secure cycle parking. Walking and cycling connections to the external network will be provided prior to occupation. Associated facilities such as cycle parking, showers and lockers etc will also be provided within the proposed development, the details of which will be agreed through the reserved matters application.
- 5.99 The level of car parking provision will also be agreed as part of the reserved matters application. This will draw upon the transport strategy currently being developed for the wider South Tees site which will limit car parking as far as reasonably possible, to meet sustainability targets (including RCBC's ambition to be carbon neutral by 2030).
- 5.100 Traffic flow and junction capacity assessments have been undertaken at key locations in the vicinity of the application site, to assess the impact of the proposed development on the local and Strategic Road Network ('SRN'). This work concluded that the proposed development could have a significant substantial adverse effect on the A66 / Tees Dock Road roundabout and a significant moderate adverse effect at Greystones roundabout.

- 5.101 In order to reduce these effects and minimise the impact of the development on the strategic road network, the following additional mitigation measures have been proposed:
- 1 Occupier Travel Plan for each of the end occupiers at the development site;
  - 2 Wider travel planning measures, to reduce development traffic, encourage sustainable travel and the decarbonisation of the transport network, to reduce development traffic;
  - 3 Review proposed roundabout design when introducing a new access arm at A66/Tees Dock Road roundabout to see if junction performance can be improved; and
  - 4 Potential junction improvements for the A174/ Greystones Road roundabout.
- 5.102 These mitigation measures will be secured by way of an appropriately worded planning condition or obligation. With these mitigation measures in place it is concluded that there will remain a significant moderate adverse residual effect on driver and bus user delay at the A66 / Tees Dock Road roundabout. All other effects will be reduced to minor or negligible and not significant.
- 5.103 The impacts at the A66/Eston Road junction will be permanent in nature, however, there is potential that the review of the junction design could improve performance, reducing environmental effects with regards to on driver and bus user delay at the A66/Tees Dock Road/Development access junction. However, whilst a commitment cannot be made at this stage of the planning process, once adopted the emerging STDC Transport Strategy may provide an opportunity to further reduce the impacts of the proposed development on the sensitive receptors.
- 5.104 The Transport Strategy currently being prepared for the wider Teesworks site will identify opportunities for physical works interventions such as the creation of integrated public transport hubs, as well as walking and cycling infrastructure, together with behavioural interventions such as active travel planning measures. Teesworks, working in conjunction with public transport providers and end-occupiers, will deliver / apply measures identified in the Transport Strategy where it is suitable and feasible to do so (i.e. where delivery is subject to usage demand/critical mass) and when the specific type, scale and layout of development is known.
- 5.105 Some of the key outcomes included in the emerging STDC strategy are understood to include the following:
- High quality public transport, walking and cycling routes and connections are prioritised over other transport modes;
  - Cycling and walking connections to local residential centres are safer, more attractive, widely used and support local town centre regeneration;
  - Transport options enable improved individual health and wellbeing and access to jobs; and
  - Transport options will support the transition to zero carbon and contribute to a high-quality environment that will attract future occupiers.
- 5.106 The Transport Assessment concludes that subject to agreeing and providing any highway mitigation considered to be essential, there would be no transport related reasons why this development should not be granted planning consent and its commitment to providing sustainable travel choices should have a long-term positive impact on the regeneration of the former industrial site and local area.

## Ground Conditions and Remediation

- 5.107 The application proposes industrial development on land previously developed for industrial uses and allocated in an up-to-date development plan for industrial development. Notwithstanding this, the local planning authority should (at the time of determining planning applications) have sufficient information to understand the ground conditions to the extent that it is able to impose a suitable approach to managing the construction process and operational stage of the development so as to ensure no risk to human health. The role of the planning system is to ensure that a site is suitable for its new use and prevent unacceptable risk from pollution. The implications of contamination for development should, therefore, be considered though not to the extent that it replicates other statutory regimes such as the Environmental Protection Act, Building Regulations or Environmental Permitting Regulations.
- 5.108 Ground Investigations have been carried out across large extents of the STDC area, the results of which have informed the preparation of the Masterplan and the latest application proposals. Site investigation has not taken place under the footprint of the buildings on the Lackenby site. The ground conditions both geochemically and geotechnically under the structures is therefore unknown. It is anticipated that supplementary ground investigation within these areas will be required to support specific proposed developments and land parcels as they are brought forward for development.
- 5.109 The application site and the wider Teesside area has an extensive industrial legacy including almost 170 years of iron and steel making, together with auxiliary works including fuel oil storage. Notable historic and contemporary features within the area which may have implications for land contamination include but are not limited to:
- 1 Grangetown Power Station
  - 2 Historic Clay Pits
  - 3 Railway lines and Sidings
  - 4 BOS and Concast Plant (Steelmaking areas, Storage areas and tanks, Garages and workshops, Water treatment plant) Figure 4 in Site Condition Report (Appendix G12 - Arcadis, 2018) shows potential areas of concern across the site
  - 5 Substations
  - 6 Made Ground (slag deposits)
- 5.110 Notable historic and contemporary features outside of the site boundary which may have implications for land contamination include but are not limited to
- 1 Surrounding Landfills
  - 2 Disused Coil Mill, Current British Steel Facility, and Former Cleveland Iron and Steelworks and Mill
  - 3 Sub stations
  - 4 Torpedo Ladle Repair Shop
- 5.111 Previous investigation of the land has shown that soils across the site are characterised by uniformly alkaline pH conditions and occasionally elevated concentrations of sulphide and sulphate, reflecting the widespread presence of slag materials in the Made Ground. Limited gas monitoring was undertaken in four boreholes across the site. Concentrations of carbon dioxide and methane recorded were below levels that would indicate a significant risk to human health receptors from the accumulation of ground gases. Based on the existing monitoring data for the site, there is no evidence of an unacceptable risk to human health or built receptors from the accumulation of ground gas.



- 5.112 Without mitigation, the use of heavy equipment and activities such as excavation, backfilling, and compaction will disturb the soil and could result in dust generation, as well as provide opportunities for direct contact and inhalation of contaminants. During construction there is a risk of disturbance of unexploded ordnances which may be present on the site. The main risk from explosions is to construction workers and off site human health receptors.
- 5.113 An Outline Remediation Strategy is currently being progressed for the wider STDC area and this is high level at the point of submitting this outline planning application. The detailed design for each of the development plots will determine the detailed remediation approach based on the intended layout and form of development. A Remediation Design Statement will be prepared for each development plot to set out how the proposed development conforms with the outline remediation strategy.
- 5.114 In the event that contamination is encountered at any time when carrying out the remediation and enabling works that was not previously identified, an investigation and risk assessment will be undertaken and where remediation is considered necessary additional mitigation will be agreed with the relevant authorities.
- 5.115 Areas that pose a risk to human health as a result of identified contamination would be delineated and remediated prior to construction works. Additional ground gas monitoring at greater density is recommended prior to any specific redevelopment to determine the risk from ground gases on the site. Detailed risk assessment or site mitigations are also considered essential to reduce the unexploded ordnance (UXO) risk on the site to as low as is reasonably practicable. A Health and Safety Plan would be prepared to manage delineated materials in a safe manner in accordance with the Construction (Design and Management) Regulations 2015 and the requirements of the Control of Asbestos Regulations 2012.
- 5.116 Taking into account mitigation in the form of compliance with the remediation strategy and other mitigation measures, Arcadis concludes that impacts on human health, surface waters, groundwater, the built environment and landscape will all be of minor adverse / negligible significance during the construction phase. In this respect the application proposals accord with the aims of policy LS4 of the RCLP in terms of the decontamination and redevelopment of potentially contaminated land.

## **Socio Economic Issues**

- 5.117 A detailed assessment has been undertaken of the economic context and main socio-economic characteristics of the local area relating to the proposed development. This includes a summary of the current local economic conditions and labour market conditions within the Area of Impact (AOI) (defined as Redcar and Cleveland, Middlesbrough and Stockton-on-Tees local authorities).
- 5.118 The assessment identified that jobs growth across the AOI during the period 2008-2018 was, at 2.5%, lower than the equivalent rate experienced regionally (4.3%) and nationally (13.6%). ONS Job Density data provides a measure of the ratio of total jobs to working age residents in a given area. The most recently published data (2018) shows that the AOI has a job density ratio of 0.70, indicating that it has 70 jobs for every 100 residents of working age (aged 16-64). This is lower than the regional (0.73) average and significantly lower than the national average (0.86), highlighting the potential to deliver employment growth in the local area.
- 5.119 Annual Population Survey data from the most recent full year (2019) indicates that the economic activity rate (i.e. the share of working-age residents either in or seeking employment) across the AOI is 72.2%. This is lower than the regional (75.0%) and national (78.9%) economic activity rates.

- 5.120 In 2019, the model-based unemployment rate (share of working-age residents out of employment) in the AOI was 6.3% - higher than both the regional (5.9%) and national (4.0%) averages. This is also reflected in unemployment data for April 2020 which shows that there were 21,600 residents in the AOI claiming out-of-work benefits. This equates to a claimant rate of 7.4%. This rate is higher than that of the region (6.9%) and nationally (5.1%). Taken together these data suggest that there is greater scope locally to accommodate employment growth.
- 5.121 The methodology for estimating the employment and economic output effects (during construction) of any development proposal takes the anticipated build cost as its starting point.
- 5.122 The proposed development is expected to comprise of up to 92,903 sqm of gross external area ('GEA') floorspace primarily for either general industry (B2) or storage and distribution (B8) uses, with a maximum of 10% of the total floorspace for ancillary office use. As such, the total cost of construction is likely to vary depending upon the exact mix and quantum of commercial employment uses to be delivered. In recognition of this, the analysis of employment and economic output effects during construction reflected two possible outcomes:
- Option 1: all floorspace (up to 92,903 sqm) will be for storage and distribution (B8) uses. Based upon an analysis of BCIS data (adjusted to reflect regional cost differentials) it is estimated that this would correspond to a total build cost of £81.6 million; and
  - Option 2: all floorspace (up to 92,903 sqm) will be for general industrial (B2) uses. Based upon an analysis of BCIS data (adjusted to reflect regional cost differentials) it is estimated that this would correspond to a total build cost of £87.1 million.
- 5.123 The options have been developed to help frame and assess the lower and upper bounds of the proposed development with respect to potential construction costs (and therefore employment and economic output effects). In reality, however, it is likely that any future development on the site will comprise a mixture of both B2 and B8 uses. As such, the observed employment and economic output effects could be expected to somewhere within the range identified.
- 5.124 It has been assumed that the length of the build period, for both options, would be in the order of 3 years.
- 5.125 During the construction stage, the delivery of 92,903 sqm of new employment space for B2/B8 uses is estimated to support between 232 and 248 gross new direct FTE construction industry jobs annually over the construction phase. In addition it could be expected to support between 347 and 370 additional indirect FTE jobs per annum over the duration of the build period. In total, therefore, the proposed development could be expected to support between 579 and 618 direct and indirect FTE jobs per annum over a 3 year build period. It is estimated that the construction period could generate between £32.1 million and £34.3 million of direct and indirect Gross Value Added (GVA) for each year of the construction phase.
- 5.126 Once operational, the site is expected to position Redcar to compete for businesses and investment on an international stage, creating a net increase in local employment and the economic output that flows from this. Based on the standard employment densities (for general industrial and storage and distribution uses) published by the Homes and Communities Agency the proposed development could generate approximately 1,080 gross direct FTE jobs, once completed and operational.
- 5.127 In accordance with the Homes and Communities Agency Additionality Guide, a 25% displacement allowance needs to be applied. As a result, it is estimated that the net additional on-site employment generated by the proposed development is likely to be in the order of 810 direct FTE jobs.

- 5.128 In addition to the direct jobs considered above, some indirect employment would also be created by the spending on goods and services by those business based at the proposed development. The wage expenditure of workers employed directly at the proposed development, as well as those employed in the supply chain, would also support induced jobs in shops, services and other businesses in the local economy.
- 5.129 In this context, it is estimated that the 810 net additional on-site jobs created by the proposed development could support the creation of a further 235 additional 'spin-off' FTE jobs in the supply chain as well as shops, services and other businesses in the local economy (defined as the AOI). At the regional (North East) level, a total of 3565 'spin-off' FTE jobs is anticipated (including the 235 to be captured locally).
- 5.130 In total, therefore, once operational the proposed development is expected to generate 1,045 (direct, indirect and induced) FTE jobs within the local economy (defined as the AOI), rising to 1,167 FTE jobs at the regional level.
- 5.131 In terms of GVA once operational, this is estimated to be in the order of £33.6 million additional GVA per annum.
- 5.132 On the basis of this assessment it is clear that the proposed development will, therefore, contribute towards improving economic conditions within the AOI, an area currently characterised by: a low jobs density (and low levels of employment growth in recent years); high unemployment; and high levels of deprivation.
- 5.133 Overall the socio-economic assessment undertaken by Lichfields as part of the EIA demonstrates that proposed development will have a moderate beneficial effect on the local economy. This is a significant material consideration in the determination of this planning application.

## **Waste**

- 5.134 The NPPF is clear that minimising waste is an important part of the environmental objective for achieving sustainable development and the National Planning Policy for Waste explains that it is important to ensure that, where possible, waste production is minimised to reduce environmental impact.
- 5.135 The Tees Valley Joint Waste Management Strategy 2020-2035 states that the region has in place a 60% recycling target for Municipal Solid Waste (MSW) and Commercial and Industrial (C&I) wastes by 2030. The recovery target for construction, demolition and excavation waste for the Tees Valley is 80%.
- 5.136 In this context an assessment has been undertaken quantifying the likely volumes of waste and materials which will be generated during both the construction (including excavation and demolition) and operational phases of the proposed development, and by considering its potential impact on the known regional landfill void capacity. In undertaking this assessment it has been assumed that the redevelopment of the site will be cut and fill neutral ensuring the reuse of suitable uncontaminated excavated materials is maximised. This assumption is embedded into the design of the scheme. Excavation material would comprise soil, clay, stone and spoil. In line with the assumption that the site will be cut and fill neutral, this material will be re-used on site. This means that there will be no requirement for waste material to be removed from the site in order to prepare a level development platform.
- 5.137 In terms of construction activities, the site should be managed so as to avoid unnecessary waste such as excess material brought to the site and left to be damaged or wasted. This can be achieved through the production and maintenance of a Site Waste Management Plan during the

design and construction phases of the proposed development. Contractors will be required to commit to achieving a high recycling and recovery rate for all waste generated on site.

- 5.138 The waste objectives for the operational phase will aim to reduce, re-use, recycle and recover waste as much as possible before considering disposal. The waste management system will consider the whole process of waste management including storage, collection, waste transport, treatment and disposal.
- 5.139 The proposed development will result in the generation of 23,756 tonnes of construction waste, in the construction phase). Excavation waste is assumed to be zero (or cut and fill neutral) for the purposes of this assessment. Construction waste per year of the proposed development period is estimated to be 7,918 tonnes. A certain volume of municipal type waste will also be generated by the construction workers themselves, this has been estimated as 2.3652 tonnes per year. Taking into consideration the MSW arising from construction workers, the total construction waste anticipated to arise from the proposed development is 7,921 tonnes per year. Based on a worst-case scenario (if all these waste arisings were sent to landfill), construction waste arisings would account for 0.1% of the regional landfill capacity.
- 5.140 During the operational phase, the proposed development is expected to generate a total of 6,377 tonnes of waste per year, largely comprising MSW and C&I waste. Based on a worst-case scenario (if all waste arisings were sent to landfill), operational waste arisings would account for 0.03% of the regional landfill capacity.
- 5.141 In the case that good recycling and recovery practices are adopted, it is possible the volumes of waste requiring disposal may be reduced by at least 80% for CD&E waste (mostly construction phase) and 60% for MSW (mostly operational phase). Where these targets are met, it is possible to reduce the waste sent to landfill to 4,751 tonnes per year (construction waste). Operational phase waste could reduce to 2,550 tonnes per year. This would account for an average of 0.01% (construction waste), and 0.01% (operational waste) of regional landfill capacity. Adopting these recycling and recovery rates will reduce the impact of the waste arising from the proposed development on the existing regional landfill capacity and associated environmental impacts. In this context demolition, construction and operational waste from the proposed development are all considered to result in a negligible impact on regional landfill capacity. In this respect there is no conflict with national or local planning policy relating to minimisation of waste.

## **Greenhouse Gases and Climate Change**

- 5.142 Redcar and Cleveland Borough Council declared a climate emergency in 2019 and have committed to the Borough of Redcar and Cleveland becoming carbon neutral by 2030, taking into account both production and consumption emissions.
- 5.143 An assessment has been undertaken by Arup to consider the effects of the proposed on the climate, with regard to atmospheric greenhouse gas (GHG) concentrations, by assessing the magnitude of GHG the first year of full site occupancy and operation. As this is an outline planning application, the end users of the development site are not yet known. A robust and clear methodology has been adopted to provide a reasonable worst case assessment of likely GHG emissions. This is based on adopting a set of project parameters to reflect the scale of the development, and incorporating a range of appropriate assumptions in the absence of more accurate data.
- 5.144 To provide context for the consideration of GHG emissions, emissions associated with the construction of the proposed development have been compared with the national carbon budgets to determine whether they are likely to impinge on the overarching ability of the UK Government to meet its statutory commitments.

- 5.145 To provide additional context for the annual operational emissions associated with the proposed development, the assessment compares emissions identifiable within the spatial extent of RCBC against the Council's existing GHG baseline.
- 5.146 There are currently no operational activities within the site. There are no known sources of GHG emissions within the site at present and therefore baseline emissions are assumed to be zero.
- 5.147 The construction process contributes to GHG emissions through the extraction, production and delivery of materials and onsite energy consumption. Key impact areas once operational include provision of heating, cooling and electrical energy in buildings included within the proposed development, the transportation of employees and visitors to and from the site, the movement of HGVs and LGVs, and the periodic replacement of materials.
- 5.148 While all GHG emissions from a project in construction and operation could be considered significant, it is necessary to contextualise estimated emissions. The scale of emissions arising from the proposed development is not considered to be so great as to prevent the UK achieving its national carbon targets and budgets. On this basis the potential effects of the scheme are considered not significant.
- 5.149 The proposed development in operation is anticipated to contribute approximately 0.28% of the annual emissions from Redcar and Cleveland as a whole which is not considered so great as to materially affect the overall GHG emissions within Redcar and Cleveland. This is not a major contribution but must be considered in the context of the overall scale of the proposed development and the assumptions made which represent a worst-case scenario. It also represents a worst-case assumption in terms of regulated energy use, assuming full use of grid electricity and natural gas, and no onsite renewable energy use. Once further information is available on the end users of the site, it is expected that a detailed energy strategy will be developed that will utilise low and zero carbon energy supply options, and a travel plan will be established to encourage transport modal shift away from predominantly private car use. In this respect there will be no conflict with local plan policy SD6.

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

- 5.150 The application site is located within a heavily industrialised area of Teesside, where there are a number of large-scale industrial plants and pipelines which are classified as hazardous installations.
- 5.151 The Health and Safety Executive (HSE) sets a consultation distance (CD) around major hazard sites and major accident pipelines after assessing the risks and likely effects of major accidents at the major hazards. These consultation areas are referred to as HSE zones. Within the CD there are three further zones defined, referred to as Inner, Middle and Outer Zones.
- 5.152 The HSE consultation zones affecting the application site are centred upon industrial operations located both within and beyond the STDC area. The following organisations within the STDC area currently have HSE consultation zones associated with hazardous substances consents:
- South Tees Site Company Limited (formerly SSI);
  - SABIC UK Petrochemicals Ltd
  - British Oxygen Co. Ltd
  - PD Teesport Ltd.
- 5.153 HSE would remove the consultation zones associated with these sites if they were to be notified by the Council that the hazardous substances consents have been formally revoked in accordance with the Planning (Hazardous Substances) Act 1990.

- 5.154 Beyond the STDC area, a number of zones associated with sites at Seal Sands, North Tees and Wilton International, extend into the STDC area. In advance of determining the current application proposal the Council will be required to consult with the HSE as the site falls within a consultation zone and the application comprises more than 750sqm of industrial floorspace.
- 5.155 This requirement is highlighted in Policy SD4: General Development Principles, which permits development where it avoids locations that would put the environment, or human health or safety, at unacceptable risk. The supporting text to this policy confirms that the Council will seek the advice of the appropriate regulatory organisations, including the Health and Safety Executive on proposals falling within defined consultation zones.
- 5.156 The HSE will provide a response stating the HSE “advises against” or “does not advise against” the grant of planning permission on safety grounds.
- 5.157 In providing their response, HSE has regard to 4 principles:
- 1 The risk considered is the residual risk which remains after all reasonably practicable preventative measures have been taken to ensure compliance with the requirements of the Health and Safety at Work etc. Act 1974 and its relevant statutory provisions;
  - 2 Where it is beneficial to do so, advice takes account of risk as well as hazard, that is the likelihood of an accident as well as its consequences;
  - 3 Account is taken of the size and nature of the proposed development, the inherent vulnerability of the exposed population and the ease of evacuation or other emergency procedures for the type of development proposed. Some categories of development (e.g. schools and hospitals) are regarded as more sensitive than others (e.g. light industrial) and advice is weighted accordingly; and
  - 4 Consideration of the risk of serious injury, including that of fatality, attaching weight to the risk where a proposed development might result in a large number of casualties in the event of an accident.
- 5.158 To further guide the HSE in making a decision, they have regard to:
- 1 The consultation zone in which the development is located (i.e. which of the three zones that makes up the overall consultation zone); and
  - 2 The sensitivity level of the proposed development, which is derived from HSE categorisation system of “Development Types”. There are four levels of development with Level 1 being the least sensitive (e.g. “normal working population” and Level 4 being the most sensitive (large outdoor developments or large facilities for vulnerable members of the public). Further guidance is given in Table 1.1 of the HSE Land Use Planning Methodology as to how developments are categorised.
- 5.159 Further considerations apply to more complex cases, such as when the development is located in more than one zone; where more than one major hazard is involved; the proposal involves more than one “Development Type”; and the development involves a small extension to an existing facility.
- 5.160 The current application proposals are considered to be Level 1 developments: “normal working population”.
- 5.161 In preparing the Local Plan, RCBC was required to have regard to the prevention of major accidents, limiting the consequences of such accidents and considering the appropriate distances between hazardous establishments and population or environmentally sensitive areas. The Council was also required to consider whether additional measures for existing establishments are required to ensure risks to people in the area are not increased.

5.162 Allocations were determined having regard to the relevant HSE zones, with information recorded in the Sustainability Appraisal. The HSE was consulted during the development of the plan and whilst some standard advice was received, no objections were raised in relation to the allocations of land within the STDC area.

5.163 There are no obvious reasons for HSE to advise against the grant of planning permission for the current application proposal.

### **Cumulative Environmental Effects**

5.164 The Cumulative Effects chapter of the ES draws together and summarises the findings from the individual inputs into the ES; defines inter-relationships between these assessments and any other developments in the area surrounding the site; and establishes whether there are any other residual effects on the identified sensitive receptors which may require additional mitigation not previously identified.

5.165 There may also be other indirect effects arising from the development when considered with other proposals or schemes in the surrounding area, including the four other outline South Tees Development Corporation ('STDC') applications. These effects may also give rise to the need to consider additional mitigation measures; albeit it is necessary to consider the likelihood of those other schemes of proceeding and the ability or necessity of the applicant to mitigate any such effects for other sites.

5.166 Two types of cumulative environmental effect are considered:

- Synergistic – the combined effect of different types of impacts attributable to the proposed development ('direct impacts') in respect of a particular receptor. This includes consideration of the impacts during the construction and operational phases; and
- Cumulative – these arise from the combined effect of the proposed development with committed development schemes that, individually, may be insignificant, but when combined with other impacts, may be significant.

#### **Synergistic Effects**

5.167 No Significant synergistic effects have been identified thus there is no requirement for additional mitigation measures to address effects arising from the inter relationship between impacts on sensitive receptors, over and above the mitigation and monitoring measures already proposed all of which are capable of being secured via planning condition or s106 Agreement.

#### **Cumulative Effects**

5.168 In considering potential cumulative construction effects, the project team has assumed a worst case scenario of considering construction effects at 2030 when it is anticipated that construction will take place across all five outline application sites.

5.169 In considering potential cumulative operational effects, the project team has assumed a worst case scenario of assessing operational effects at 2033 when all five outline developments are anticipated to be operational.

5.170 Consideration has also been given to the cumulative impact of 25 other existing or approved developments, selected as developments with the potential to give rise to cumulative effects as a result of their geographic proximity to the site, scale of development or other relationships which may be relevant.

5.171 In terms of overall conclusions and cumulative effects, the comprehensive EIA undertaken for the site concluded that significant adverse cumulative effects are predicted during the

construction phase, in relation to Noise and Vibration and Landscape and Visual Impact (LVIA) and during the operation phase in relation to Transport, Noise, Greenhouse Gas Emissions and Landscape and Visual Impact. Significant Beneficial Socio-Economic Cumulative effects are anticipated during both the construction and operational phases. No mitigation is proposed or possible in relation to the Significant Beneficial cumulative effects and Significant Adverse cumulative Noise and LVIA effects.

5.172 Once further information is available on the end users of the site, it is expected that a detailed site wide energy strategy will be developed that will utilise low and zero carbon energy supply options, which will help to mitigate the cumulative greenhouse gas emissions. Framework and Occupier Travel Plans may help to reduce transport and greenhouse gas emissions further.

5.173 In terms of the residual effects of the proposed development in isolation, during the construction phase there are predicted to be significant adverse LVIA effects and significant beneficial socio-economic effects. During the operational phase, there are predicted to be significant adverse transport and LVIA effects and significant beneficial socio-economic effects. All other environmental effects assessed are considered to be not significant.



## 6.0 Compliance with NPPF

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

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

### **Environmental**

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

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

6.5 Whilst the exact sustainability credentials of the scheme will be established at the reserved matters stage, it is anticipated that the following measures will be implemented:

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

6.6 As part of the site wide redevelopment of the wider STDC site, the South Tees Regeneration Masterplan Energy and Utilities strategy is currently being developed by Arup. This, and other strategies related to the wider STDC site, are due to be completed in early 2021. The South Tees Regeneration Masterplan Energy and Utilities strategy will consider site-wide utilities able to serve each of the STDC development plots. As part of the South Tees Regeneration Masterplan Energy and Utilities strategy development, the phasing of the individual developments is being considered. It is likely that in the near term some of the existing site infrastructure will be reused to supply energy and utilities to the earlier developments. Although the design of the site has not progressed to include utilities networks, from the work to understand the available capacity within the wider STDC site, there is sufficient capacity in the electricity and water networks to supply the estimated demands, based on the anticipated usage classes and floor areas. In parallel the site wide energy and utilities system will be implemented which meets the STDC vision of an exemplar, world class industrial business park.

- 6.7 The South Tees Regeneration Masterplan Energy and Utilities strategy is being developed in line with the South Tees Regeneration Masterplan guiding principle to ‘promote and support development uses aligned with a low carbon, circular economy, while delivering redevelopment within a framework of reduced energy costs and waste minimisation.’ The South Tees Regeneration Masterplan Energy and Utilities strategy is looking at low carbon on site generation options, utilisation of waste heat from industrial uses as well as defining the utilities corridors.
- 6.8 As the STDC site develops further, its site wide energy and utilities network will be established, and developments will transfer on to the new utilities infrastructure as applicable. There may also be the potential for the development to incorporate renewables e.g. rooftop solar to supply some of the required energy.

## **Economic**

- 6.9 As outlined earlier, the economic benefits of the proposal are substantial, both in terms of job creation and increased GVA. In this regard it is clear that the proposed development will have a substantial beneficial effect on the local economy. Key headline figures include:
- Creation of between 232 and 248 direct and indirect FTE jobs per annum over the 3 year build;
  - Generation of between £32.1 million and £34.3 million of direct and indirect Gross Value Added (GVA) for each year of the construction phase;
  - Creation of approximately 810 gross direct FTE jobs, once completed and operational plus the creation of a further 235 additional ‘spin-off’ FTE jobs in the supply chain as well as shops, services and other businesses in the local economy; and
  - Creation of in the order of £33.6 million additional GVA per annum once operational. This is a significant material consideration in the determination of this planning application.

## **Social**

- 6.10 The social benefits of the scheme go beyond the benefits arising from greater economic prosperity in the local area. The development of the application site for Class B (and E) uses will end years of feelings of uncertainty within the local community about the future prospects of the area. It is vitally important to the communities of Redcar and Tees Valley that a permanent, sustainable, solution is delivered quickly to resolve the ongoing issue of safe-keeping of the area. To return the application site to an economically productive, environmentally attractive and publicly accessible and safe place will be a significant boost to the social well-being of the area.
- 6.11 All construction activities will be undertaken by industry certified contractors and specialist for each phase of the construction process. This will be managed and coordinated by a Site Project and Environment Coordinator for each development plot who will be responsible for the health and safety of the site.
- 6.12 All work will be subject to risk assessments and method statements and these will be reviewed in order to accord with best practice standards. Where relevant, these will be required to mitigate the impact of the development, including specific measures as set out in the technical chapters of the ES.
- 6.13 All contractors and personnel entering the site will be required to show the relevant permits and, upon request, will be required to provide proof of compliance with waste and pollution regulations.

## **Summary**

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

## 7.0 Conclusions and Planning Balance

- 7.1 The application site is allocated in the 2018 Local Plan for employment (industrial) (uses) within Policy ED6. The Master Plan is aligned with Policy ED6. There is, therefore, a clear and unequivocal presumption in favour of the grant of planning permission for the type of development illustrated on the Parameter Plan submitted with the application.
- 7.2 There are a number of material considerations which would find in favour of proposals for development in line with the Master Plan. These include the direction provided by the NPPF for decision-makers to attach significant weight on the need to support economic growth and productivity, as well as the contribution that development in line with the Master Plan would make to the objectives of national and local industrial and economic strategies, including the creation of around 81 permanent FTE jobs.
- 7.3 In terms of GVA once operational, this is estimated to be around £33.6 million additional GVA per annum. It is clear that the proposed development will contribute towards improving economic conditions within an area currently characterised by a low jobs density (and low levels of employment growth in recent years), high unemployment and high levels of deprivation. The applicant is committed to the development of a local employment and training programme to ensure that the benefits for the local community are maximised. This will be secured through a s106 agreement. The job creation and training opportunities along with the wider economic benefits to the region are considered to be very significant material considerations in the determination of this planning application.
- 7.4 However the ES has also identified a limited number of significant adverse effects which could arise from the development proposal in combination with other developments in the area. The ES concluded that significant adverse cumulative effects are predicted during the construction phase, in relation to noise and vibration and landscape and visual impact (LVIA) and during the operation phase in relation to transport, noise, greenhouse gas emissions and landscape and visual impact.
- 7.5 Once further information is available on the end users of the site, it is expected that a detailed site wide energy strategy will be developed that will utilise low and zero carbon energy supply options, which will help to mitigate the cumulative greenhouse gas emissions. Framework and Occupier Travel Plans may help to reduce transport and greenhouse gas emissions further.
- 7.6 A detailed optioneering, modelling and design exercise, with phased build-out, will need to be undertaken for relevant highway junctions to determine when mitigation measures are required. The design and implementation of any mitigation scheme for the junctions must take into account active and sustainable infrastructure measures which should be implemented to reduce vehicle trips and ensure that the forecasts of a worst case assessment are not realised. This is in alignment with the developing Transport Strategy for the wider Teesworks site. These measures will help to mitigate, to some extent, the impact of the development on the highway network. The Transport Strategy measures will aim to promote sustainable transport and active travel patterns to/from the site, and substantially reduce the commuter car mode share. This should therefore reduce the volume of traffic generated by the proposed development.
- 7.7 It is expected that a site-wide Travel Plan will be developed for the Teesworks site based on the emerging transport strategy. However, if the Lackenby is developed in advance of the Transport Strategy being adopted, the Transport Assessment has identified a list of initial measures and a Framework for a Travel Plan that could be applied in advance of the wider strategy coming forward, also outlining how the development will be incorporated into the wider masterplan in due course.

- 7.8 No mitigation is proposed or possible in relation to the significant adverse cumulative noise and LVIA effects.
- 7.9 In this context it is necessary to weigh all these factors in the planning balance to reach a view on the acceptability of the application proposal. On the basis of the very substantial training and employment opportunities which will result from the development and the understanding that, subject to agreeing and providing any highway mitigation considered to be essential, there would be no transport related reasons why this development should not be granted planning consent and its commitment to providing sustainable travel choices should have a long-term positive impact on the regeneration of the former industrial site and local area, it is considered that in this case the balance strongly falls in favour of granting planning permission for the proposed development.



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