

Redcar and Cleveland Borough Council

Planning (Development Management)

APPLICATION NUMBER: R/2021/0057/VC
LOCATION: LAND AT FORMER SOUTH BANK WORKS;
GRANGETOWN PRAIRIE; BRITISH STEEL AND
WARRENBY AREA
PROPOSAL: VARIATION OF CONDITION 2 OF PLANNING
PERMISSION R/2019/0427/FFM (DEMOLITION
OF STRUCTURES AND ENGINEERING
OPERATIONS ASSOCIATED WITH GROUND
PREPARATION AND TEMPORARY STORAGE
OF SOILS AND ITS FINAL USE IN THE
REMEDICATION AND PREPARATION OF LAND
FOR REGENERATION AND DEVELOPMENT)
TO ALLOW FOR ADDITIONAL STORAGE
MOUNDS

APPLICATION SITE AND DESCRIPTION

Permission is sought to vary the previously approved development for engineering operations associated with ground preparation and temporary storage of soils and its final use in the remediation and preparation of land for regeneration and development on land at the former South Bank Works, Grangetown Prairie, British Steel and Warrenby. The application seeks to introduce additional storage mound locations to those previously consented through the original application.

The application site comprises a series of land parcels, which have recently been acquired by STDC from Tata Steel, and which total around 286 ha of the overall 600ha acquired from Tata Steel. The condition of the land varies across the site. The majority of the area has been previously developed with uses almost extensively aligned to integrated iron and steelmaking.

The application has been accompanied by plans and cross-sections of the additional storage sites, and the following documents;

- Flood Risk Assessment and Drainage Strategy

DEVELOPMENT PLAN

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that applications for planning permission be determined in accordance with the development plan unless material considerations indicate otherwise.

NATIONAL PLANNING POLICIES

National Planning Policy Framework (NPPF)

REDCAR & CLEVELAND LOCAL PLAN (2018)

SD1 Sustainable Development
SD3 Development Limits
SD4 General Development Principles
SD7 Flood and Water Management
LS4 South Tees Spatial Strategy
ED6 Protecting Employment Areas
N1 Landscape
N2 Green Infrastructure
N4 Biodiversity and Geological Conservation
TA1 Transport and New Development

OTHER POLICY DOCUMENTS

South Tees Area Supplementary Planning Document

PLANNING HISTORY

R/2019/0427/FFM Demolition of structures and engineering operations associated with ground preparation and temporary storage of soils and its final use in the remediation and preparation of land for regeneration and development Approved 27/09/19

RESULTS OF CONSULTATION AND PUBLICITY

The application has been advertised by means of a site notice and neighbour notification letters.

As a result of the consultation period no written responses have been received

Environment Agency

We have reviewed the submitted planning application and the supporting Flood Risk Assessment (FRA):

- *South Tees Site Company Stockpile 5, FRA and Drainage Strategy Addendum, First Issue, January 2021. (FAO-JABU-XX-TN-Z-0001-S30-P01-South_Tees_Stockpile_5_FRA.docx)*

We have no objections.

We previously requested a condition be placed to secure that development is carried out in accordance with the submitted FRA. Condition 4 and 5 of the decision notice, should also be updated to reference the correct site location plan (identifying location of the storage mounds) and approved FRA.

Natural England

Natural England currently has no comment to make on the variation of condition 2 of R/2019/0427/FFM.

Should the proposal be amended in a way which significantly affects its impact on the natural environment then, in accordance with Section 4 of the Natural Environment and Rural Communities Act 2006, Natural England should be consulted again. Before sending us any further consultations regarding this development, please assess whether the changes proposed will materially affect any of the advice we have previously offered. If they are unlikely to do so, please do not re-consult us.

Network Rail

In relation to the above application, on the understanding that this variation relates to the former South Bank Works site only, some distance from the railway, I can confirm that Network Rail have no objection to the variation of this condition. However, we would remind the developer that they should liaise with our Asset Protection Team (assetprotectioneastern@networkrail.co.uk) for the construction of such mounds at the other sites shown on the location plan at Grangetown Prairie and Warrenby to ensure works can be undertaken safely and without impact to operational railway safety.

CATS Pipeline

Your above mentioned enquiry has issued a notification to us, in our capacity as operator of the CATS terminal and the CATS pipelines, that you have planned works within our area of interest. Any works or activity that have the potential to change the characteristics of the CATS pipeline corridor or present an immediate or latent threat to the CATS pipelines structural integrity within 50m of the CATS pipelines must be reviewed and assessed for safe working practices. On receipt of your information we will either confirm that there is no risk of such works infringing our CATS pipelines wayleaves or require to more generally assess the potential risk of such works to our operation. In the event that your works are within our area of interest but we consider that such works will not affect the CATS pipelines, we will grant you an "Authorisation to Work" form for your activity. Please see the attached blank example of CATS "third party works application" form CAT-PPI-FRM-001. We would appreciate if you would send the information required to complete this form in full.

The CATS pipelines have been built according to, and are managed subject to, the Health and Safety at Work Act (1974) and the associated Regulations including The Pipelines Safety Regulations 1996 (PSR) and The Pressure Systems Safety Regulations 2000 (PSSR). The operator of the CATS terminal and the CATS pipelines is a member of UKOPA, LSBUD and Linesearch. For more information on the associated businesses and pipelines please the links provided below.

I would appreciate a response even if you decide to cancel this project, so it can be closed out in our database.

Northern Gas Networks

No objection

Redcar and Cleveland Borough Council (Development Engineers)

No objections on highways grounds

Redcar and Cleveland Borough Council (Local Lead Flood Authority)

The LLFA would offer no further comments to the ones previously submitted for R/2019/0427/FFM

The LLFA would offer no objection to the proposed development, as the proposed Surface Water Drainage Strategy accords with the requirements of Policy SD7. The LLFA would request the following documents be deemed 'approved documents', to ensure compliance accordingly.

The revised FRA with additional appendices shall be included within the approved plans list under condition 2.

Redcar and Cleveland Borough Council (Environmental Protection) (Contaminated Land)

No objection

Redcar and Cleveland Borough Council (Environmental Protection) (Nuisance)

No objection

CONSIDERATION OF PLANNING ISSUES

The main considerations in the assessment of the application are;

- The principle of development
- The impacts on the character and appearance of the area
- The impacts on neighbour amenity
- The impacts on highways safety
- The impacts on Flood Risk
- The impacts on Ground Conditions and Contamination
- The impacts on Ecology

The principle of development

The principle of the proposed development was previously established as one that was considered acceptable through the granting of permission R/2019/0427/FFM. The current application seeks to introduce additional storage locations within the original red line application boundary.

The principle of the development continues to be acceptable and the proposal accords with the aims of policies SD3, N2 and LS4 of the Redcar and Cleveland Local Plan and the South Tees SPD.

The impacts on the character and appearance of the area

The additional storage site is surrounded almost entirely by existing industrial land, much of which is vacant, and is likely to remain so for the medium term, as was the consideration in the determination of the original application. The provision of the additional temporary mounds is therefore considered to have limited impacts on the character and appearance of the area. While it is accepted that the development will alter the appearance of the site in the short/medium term, the changes are not considered to be so significant or detrimental to the area that would require planning permission to be refused.

The proposal is suitable in relation to the proportions, massing, height, size, scale and the application would respect the character of the site and its surroundings. The application accords with part j of policy SD4 of the Redcar and Cleveland Local Plan.

The impacts on neighbour amenity

The application site is surrounded almost entirely by existing industrial land, much of which is vacant, and is likely to remain so for the medium term. Therefore, there are limited receptors whose amenity might be affected by the proposed development.

The proposed storage mounds that are to be added as part of this permission are 4A 4B 4C and 5 all of which are located in a location that has no direct impact on neighbouring residential properties.

The potential for the proposed development to have an impact on amenity was considered from the perspective of the temporary storage mounds 3A and 3B when the original application was determined, with these being considered the only temporary storage mounds with potential receptors in their vicinity. The nearest residential receptor is an isolated dwelling approximately 200m north east of site 3A and 330m north east of site 3B.

Given the distance between the dwelling and the mounds, and that the proposed mounds will be a maximum of 6m (site 3A) and 15m (site 3B) above existing ground level, there will be no material effects in terms of loss of sunlight or overshadowing onto that property.

The development is therefore considered to have no significant adverse impact on the amenity of occupiers of existing buildings and the proposal accords with part b of policy SD4 of the Redcar and Cleveland Local Plan.

The impacts on highways safety

The proposed development involves the movement of large volumes of material to construct the mounds. However the movement of the material is to take place solely on the private road network both within Wilton International and in to the STDC land. The vehicles movements therefore do not have any direct impact on the local highway network, and therefore there is no impact on local highway capacity. The applicants continue to propose a condition that should works require vehicles to travel on local road network an assessment of the impacts of transporting soils upon the public highway shall be prepared and submitted the Local Planning Authority. This is considered to be an acceptable position should there be an issue at any time with the internal road network.

The application subject to conditions raises no issues in terms of highways safety and the application accords with part p of policy SD4 and policy TA1 of the Redcar and Cleveland Local Plan.

The impacts on Flood Risk

An updated Flood Risk Assessment (FRA) and Drainage Strategy (DS) have been prepared by to assess the impact of the additional storage mounds on Flood Risk and Surface Water Management. The FRA and DS confirm that all the temporary storage mounds are located within Flood Zone 1.

The FRA and DS have been considered by both the Council as LLFA and the EA. Neither of these consultees has raised any objections to the information supplied, however it is requested that the FRA be conditioned as an approved document which is considered to be appropriate. It is also noted that two conditions on the original approval will need to be updated to reflect the updated FRA and the location plan. The proposed development is therefore considered to comply with policy SD7 of the Local Plan.

The impacts on Ground Conditions and Contamination

The proposed storage and use of imported soils will, therefore, form part of a suitable remediation process to render the wider STDC site suitable for use.

Initial testing of the soils to assess its suitability for use as a capping material has previously been undertaken and it is confirmed that the material can be classified as inert and suitable for use within the development.

A Materials Management Plan (MMP) will be produced, following the grant of planning permission, in accordance with the CL:AIRE Definition of Waste Code of Practice. This will require that the material brought to the site is subject to regular testing to ensure its suitability for use as a capping material.

The RS states that chemical analysis of capping materials will be required before placement commences and it should be monitored throughout the works. The MMP and associated Remediation Verification Plan (on a phase by phase basis) will ensure this analysis is undertaken.

The MMP is regulated by the Environment Agency and is a legal requirement, with the onus being upon the developer to adhere to.

The submitted RS has previously been considered by the Council's environmental protection section who have raised no objection subject to suitable conditions. These condition will remain extant on the approval and therefore the proposal accords with parts b d and n of policy SD4 of the Redcar and Cleveland Local Plan.

Other Matters

The draft conditions have been sent to the applicant for consideration and they have agreed to these.

CONCLUSION

For the reasons outlined above the proposal is considered acceptable. The development would not have a significant adverse impact on neighbour amenity and the proposal raises no issues in terms of highways safety or crime prevention. The scale and design is acceptable and the proposal would respect the character of the site and surroundings. The proposal accords with policies SD3 SD4 SD7 LS4 N1 N2 and N4 of the Redcar and Cleveland Local Plan.

RECOMMENDATION

Taking into account the content of the report the recommendation is to:

GRANT PLANNING PERMISSION subject to the following conditions:

1. The development hereby approved shall be begun not later than 27/09/2022.

REASON: Required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990.

2. The development hereby permitted shall be carried out in accordance with the following approved plans:

Approved plans for application R/2019/0427/FFM

Drawing No. STDC-SCW-XX-PLA-0001 received by the Local Planning Authority on 01/07/19

Drawing No. STDC-NEZ-WA-PLA-0006 received by the Local Planning Authority on 01/07/19

Drawing No. STDC-SIZ-MR-PLA-0004 received by the Local Planning Authority on 01/07/19
Drawing No. STDC-SIZ-GP-PLA-0007 received by the Local Planning Authority on 01/07/19
Drawing No. STDC-NEZ-WA-PLA-0005 received by the Local Planning Authority on 01/07/19
Drawing No. STDC-SIZ-LA-PLA-0001 received by the Local Planning Authority on 01/07/19
Drawing No. STDC-SIZ-SB-PLA-0001 received by the Local Planning Authority on 01/07/19
Drawing No. STDC-SIZ-GP-PLA-0006 received by the Local Planning Authority on 01/07/19
Drawing No. STDC-NEZ-WA-PLA-0004 received by the Local Planning Authority on 01/07/19
Drawing No. STDC-NEZ-WA-PLA-0003 received by the Local Planning Authority on 01/07/19
Drawing No. STDC-SIZ-GP-PLA-0005 received by the Local Planning Authority on 01/07/19
Drawing No. STDC-SIZ-GP-PLA-0004 received by the Local Planning Authority on 01/07/19
Drawing No. STDC-SIZ-GP-PLA-0003 received by the Local Planning Authority on 01/07/19
Drawing No. STDC-SIZ-MR-PLA-0003 received by the Local Planning Authority on 01/07/19
Drawing No. STDC-SIZ-WA-PLA-0001 received by the Local Planning Authority on 01/07/19
Drawing No. STDC-SIZ-MR-PLA-0001 received by the Local Planning Authority on 01/07/19
Drawing No. STDC-SIZ-GP-PLA-0001 received by the Local Planning Authority on 01/07/19
Drawing No. STDC-SIZ-WA-PLA-0002 received by the Local Planning Authority on 01/07/19
Drawing No. STDC-SIZ-MR-PLA-0002 received by the Local Planning Authority on 01/07/19
Drawing No. STDC-SIZ-GP-PLA-0002 received by the Local Planning Authority on 01/07/19

Approved Plans for application R/2021/0057/VC

Drawing No. STDC-SCW-XX-PLA-0002 Rev A received by the Local Planning Authority on 21/01/21
Drawing No. STDC-SIZ-SB-PLA-0002 received by the Local Planning Authority on 21/01/21
Drawing No. STDC-SIZ-SB-PLA-0005 received by the Local Planning Authority on 21/01/21
Drawing No. STDC-SIZ-SB-PLA-0006 received by the Local Planning Authority on 21/01/21

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

3. With the exception of soils used to level ground required to host the temporary storage mounds hereby approved, all soils placed into the temporary storage mounds shall be used in operations associated with ground preparation and remediation works within 10 years of the date of planning permission.

REASON: In the interests of amenity

4. The work will be carried out in accordance with the submitted flood risk assessment and drainage strategies (June 2019, Wood and January 2021, JBA) and consistent with the layout identified in STDC-SCW-XX-PLA-0002 Rev A Materials Storage Site Location Plan with mounds received by the Local Planning Authority on 21/01/21.

The storage mounds must be sited exclusively in Flood Zone 1

REASON: To prevent flood flows from being displaced and prevent increased risk of flooding elsewhere.

5. The works carried out will be in accordance with the Flood Risk Assessment and Drainage Strategy Docs ref. 41825-WOOD-XX-XX-RP-OW-0001_A_P01 including all appendices dated 01/07/2019 and South Tees Site Company Stockpile 5, FRA and Drainage Strategy Addendum, First Issue, January 2021. (FAO-JABU-XX-TN-Z-0001-S30-P01-South_Tees_Stockpile_5_FRA.docx) received by the Local Planning Authority on 21/01/21.

REASON: To prevent increased risk of flooding

6. The approved remediation scheme must be carried out in accordance with its terms unless otherwise agreed in writing by the Local Planning Authority.

Following completion of measures identified in the approved remediation scheme, a validation report that demonstrates the effectiveness of the remediation carried out must be produced, and is subject to the approval in writing of the Local Planning Authority.

REASON: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

7. In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken and where

remediation is necessary a remediation scheme must be prepared and submitted to and approved in writing to the Local Planning Authority.

Following completion of measures identified in the approved remediation scheme a validation report must be prepared, which is subject to the approval in writing of the Local Planning Authority.

REASON: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors. and part d conditions onto any planning permission which may be granted:

8. None of the soils placed into the temporary storage mounds hereby approved shall be transported upon the public highway network unless an assessment of the impacts of transporting soils upon the public highway network is prepared, submitted to and approved by the Local Planning Authority. Any such assessment shall include a transportation management scheme that identifies mitigation measures required to manage the movement of soils on the public highway network. Thereafter, any such transportation on the public highway shall be carried out in accordance with the approved transport management scheme.

REASON: In order to ensure no adverse impacts arise on local amenity or the safe and effective operation of the public highway.

9. Prior to the final use of the soils in the implementation of this planning permission, further Ecological Assessment(s) shall be carried out and submitted to the Local Planning Authority in respect of those areas where the soils are to be used for ground preparation and remediation works. The Assessment (s) shall include up-to-date surveys that identify any priority habitats, ecological networks or protected and priority species. If significant harm to biodiversity cannot be avoided as a result of the final use of the soils, appropriate mitigation including by way of on or off-site compensatory provision, shall be identified in the Ecological Assessment and carried out within the timescales set out in the approved Assessment.

REASON: In the interests of conserving biodiversity.

10. The development hereby approved shall be carried out in accordance with the Reptile Mitigation Strategy (October 2019, INCA) received by the Local Planning Authority on 10/10/19 to discharge condition 10 of application R/2019/0427/FFM.

REASON: In the interests of preventing harm to protected species

11. Prior to commencement of any phase of the movement of earth associated with the formation of the approved temporary storage mounds or its final use, a Construction and Environmental Management Plan (CEMP) for that phase shall be submitted to and approved in writing by the Local Planning Authority. The approved Plan shall be adhered to throughout the implementation of the permission. . The Plan shall provide details of the following;
- i) The parking of vehicles for site operatives and visitors;
 - ii) Loading and unloading of plant and materials;
 - iii) Storage of plant and materials used in constructing the temporary storage mounds;
 - iv) Measures to control the spread of dirt and debris on the private road network;
 - v) Methods of demolition of any structures to be demolished in order to form the approved temporary storage mounds;
 - vi) Measures to control the emission of noise, dust and vibration during the formation of the temporary storage mounds. .
 - vii) A scheme for recycling/disposing of waste resulting from demolition works that are required to form the approved temporary storage mounds.

REASON: In the interests of neighbour amenity and maintaining good Air Quality

STATEMENT OF COOPERATIVE WORKING

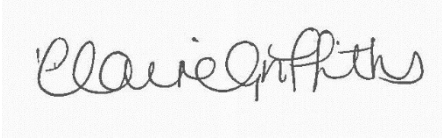
Statement of Co-operative Working: The Local Planning Authority considers that the application as originally submitted is a satisfactory scheme and therefore no negotiations have been necessary.

INFORMATIVES

Informative Note: The Local Planning Authority acknowledge that Condition 11 (CEMP) of application R/2019/0427/FFM has been partially discharged in so far as it relates to Warrenby Site (3B). A CEMP will need to be submitted for the remaining storage areas to fully discharge the condition.

Informative Note: The Local Planning Authority acknowledge that the required two weeks notice has been given in relation to Condition 6 of application R/2019/0247/FFM. Condition 6 can however not fully be discharged until a validation/verification report is submitted to the Local Planning Authority following the completion of the works.

Case Officer	
Mr D Pedlow	Principal Planning Officer
<i>David Pedlow</i>	25 March 2021

Delegated Approval Signature	
Claire Griffiths	Development Services Manager
	26/03/2021