

Redcar and Cleveland Borough Council

Planning (Development Management)

APPLICATION NUMBER: R/2021/0166/FFM
LOCATION: PHASE 4 GRANGETOWN PRAIRIE SITE
PROPOSAL: ENGINEERING OPERATIONS ASSOCIATED
WITH GROUND REMEDIATION AND
PREPARATION OF THE SITE

APPLICATION SITE AND DESCRIPTION

Permission is sought for engineering operations associated with ground remediation and preparation of the site at the Grangetown Prairie Site, Teesworks.

The supporting documentation with the application details the site and proposed works as follows;

The site comprises the southern part of a larger site known as 'Grangetown Prairie' as defined in the Master Plan. A significant part of the application site is currently occupied by a building known as the Torpedo Ladle Repair Workshop. There are several other, smaller buildings, on the site along with areas of vegetation and hardstanding. The topography of the site is generally flat. The structures and buildings on the site are fundamentally obsolete and are no longer required and an application for their demolition was submitted to the Council in December 2020 (LPA Ref: R/2020/0679/PND). After considering the submission, the Council decided that Prior Approval was not required for the demolition of the buildings.

The application to remediate and prepare this site for subsequent development follows on from a similar application to remediate and prepare the other parts of the 'Grangetown Prairie' site; known as Phases 1-3. That application was approved, subject to conditions, in September 2020 (LPA Ref. R/2020/0318/FFM).

In December 2020, an outline planning application was submitted for up to 139,353sqm (gross) of industrial development across the Prairies site (LPA Ref. R/2020/0819/EMS). That application, if approved, will have a range of pre-commencement conditions attached that are likely to require details of the final layout and design of development of the site to be worked up. In advance of that advanced design stage, Teesworks wishes to establish a separate permission that enables early preparation of the site.

The proposed engineering works will result in the creation of an environmentally suitable development platform for future development. Delivery of the final use developments will require remediation and preparation of the ground, some of which is subject to contamination due to historic uses of the site.

The 'Maximum Dig Depths' plan (ref: 10035117-AUK-XX-XX-DR-ZZ-0264-01 Prairie_Phase4_Dig_Plan) shows the maximum dig depths that ground could be excavated to across the site. These depths should be considered as a maximum parameter as the ground works will not necessarily extend to the maximum depths shown or cover the extents shown. It is anticipated that the deepest parts of the excavation will take place on the site of the Torpedo building (down to a maximum of 4 metres). The rest of the site will be excavated down to depths of between 2.5metres and 3.5 depending on the nature of the previous uses.

The application has been accompanied by a dig depths plan and the following documents:

Environmental Site Assessment
Geotechnical Risk Assessment
Ground Remediation Options Appraisal Report
Habitats Regulations Assessment
Ecological Impact Assessment

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

No relevant history relating to the application site however there are a number of other applications currently being considered across the wider STDC site.

RESULTS OF CONSULTATION AND PUBLICITY

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

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

Northumbrian Water

We can inform you that a public sewer crosses the site and may be affected by the proposed development. Northumbrian Water do not permit a building over or close to our apparatus. We will work with the developer to establish the exact location of our assets and ensure any necessary diversion, relocation or protection measures required prior to the commencement of the development. We include this informative so that awareness is given to the presence of assets on site. For further information is available at <https://www.nwl.co.uk/services/developers/>

Cleveland Police ALO

In relation to this application, applicant is welcome to contact me for any input they feel I can offer.

Environment Agency

No objection

Natural England

NO OBJECTION - Based on the plans submitted, Natural England considers that the proposed development will not have significant adverse impacts on designated sites. and has no objection.

Natural England's further advice on designated sites and advice on other natural environment issues is set out below.

Northern Powergrid

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 the following comments, further to the assessment of the submitted/accompanying information.

8.3.12.1 Surface Water Management

A surface water management plan shall be developed and implemented as a component of the CPEMP to provide temporary drainage facilities and protection measures (such as silt fences) as necessary to ensure the site, the Remediation Works, the adjacent land and existing facilities are adequately drained, and run-off managed during the course of the Work. Surface water and other water generated as part of the Works shall be monitored and treated via a drainage silt trap / settlement tank, or similar, to remove solids and fines from water. Any further treatment necessary to effect compliance with the consent limits shall be designed, installed and maintained.

The LLFA would wish to approve the drainage element of the CPEMP and would wish for a condition accordingly.

Condition.

Prior to commencement of construction, a CEMP shall be submitted to and approved in writing by the Local Planning Authority. The approved Statement shall detail the surface water management plan and shall be adhered to throughout the construction period.

Reason.

To ensure the development is supported by a suitably designed surface water disposal infrastructure scheme and to minimise the risk flooding in the locality.

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

I note that this application is within the larger site planning permission R/2019/0427/FFM from which a CEMP was recommended and conditioned. The environmental risk assessment also states that asbestos is the major contaminant of concern and therefore dust management is essential whilst engineering operations are carried out. I would therefore reiterate that this same condition is applied to this application.

In order to minimise the environmental impact, I would therefore recommend the inclusion of the following conditions onto any planning permission which may be granted:

- Prior to commencement of construction, a CEMP shall be submitted to and approved in writing by the Local Planning Authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide 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 development.*
- iv) Wheel washing facilities.*
- v) Methods of demolition.*
- vi) Measures to control the emission of noise dust and vibration during the construction period.*
- vii) A scheme for recycling/disposing of waste resulting from demolition and construction works.*

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

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

I note that several documents including Environmental Risk Assessment (ERA) and Remedial Options Appraisal (ROA) and covering letter have been submitted in support of this application.

Although the covering letter states that “the reports provide sufficient detail for the Council to understand the ground conditions, risk of contaminants and the remediation strategy to the areas that are not currently covered by buildings,” the application and remedial options appraisal are based on previous site investigation carried out on the external area around the TLRS and no Site Investigation has been carried out within the building as building is not yet been demolished.

The ROA is based on findings from the ERA report and currently only looks to deal with asbestos as this is the only contaminant of concern.

Further investigation therefore needs to be carried out to fully characterise the site including gas monitoring to establish if the proposed ROA is still appropriate and does not need any variation due to the findings of any subsequent investigation.

In order to ensure that the site is fully characterised, I would recommend the inclusion of the full Standard Contaminated Land condition onto any planning permission which may be granted:

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.

Redcar and Cleveland Borough Council (Natural Heritage Manager)

No objection

Redcar and Cleveland Borough Council (Business Growth Team)

From a Business Growth perspective, we understand these works will enable the STDC to offer a 'development ready' site going forward, which positively contributes towards our key local growth and regeneration priorities.

We would welcome any opportunity to engage with contractors to explore potential local supply chain opportunities.

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 application site is located within the development limits and within a predominantly industrial/commercial area. The principle of the remediation of the site is acceptable and the proposal accords with the aims of policy SD3 of the Redcar and Cleveland Local Plan.

The application site is allocated under Local Plan Policy ED 6 (Promoting Economic Growth) for employment uses and suitable employment related sui generis uses, with specific policy support for proposals which positively contribute towards growth and regeneration. The application is for the remediation works to allow for the preparation of the site to facilitate future development at the site. It is therefore considered that the proposed development would contribute towards industrial development in the short to medium term and compliance with Policy ED6.

The development proposal is wholly in accordance with South Tees SPD and it will facilitate the delivery of significant investment in the economy of the borough, which meets the vision and policy objectives of the Local Plan.

The principle of the development is acceptable and the proposal accords with the aims of policies SD3 ED6 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 application site is surrounded almost entirely by existing industrial land and various commercial uses. The proposed works mainly involve the

remediation of the site through the digging down and processing of the soils and materials on the site. Given that the proposed works are to provide a development site suitable for future development it is considered to have limited impacts on the character and appearance of the area.

It is accepted that the development will alter the appearance of the site in the short during the operations associated with the works, 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, 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 and various commercial uses. Given the nature of the proposed development it is considered that there are limited receptors whose amenity might be affected by the proposed development.

The impact of any future development that will come forward on the remediated site will be assessed and where necessary mitigated against when those applications are received.

The development would not have a 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 application has been considered by the Council's development engineers with regard to the impact of the development on the local highway network. No objection has been received from the development engineers with regard to the principle of the proposed development.

The application subject to conditions and control measures through the proposed CEMP 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

The application is for the remediation of the site with no end use development at this point. The LLFA have acknowledged that main aspect of the application is for remedial and preparation works to take place on site to allow for the site to be developed at a later date. It is therefore considered that this element of the proposal is compliant with policy SD7 as there is no increase to flood risk.

It is considered that through appropriate control measures through the proposed CEMP there will be no adverse impacts with regard to surface water management.

The development would not have a significant adverse impact on flood risk and the proposal accords with policy SD7 of the Redcar and Cleveland Local Plan subject to the imposition of the proposed condition relating to the any future works to the two becks that run through the site.

The impacts on Ground Conditions and Contamination

The application has been considered by the Council's environmental protection section with regard to both contamination and nuisance.

The application has been supported by a Geotechnical Risk Assessment and a Ground Remediation Options Report. The information within these reports have been considered by the Council's EHO, who has advised that while there is no objection to the information within the reports, there remain a number of uncertainties with regard to the potential contamination under the footprint of the buildings on site at the time the survey works were undertaken. As a result a condition is suggested to ensure the site is fully investigated and characterised. The proposed condition has been agreed with the applicant in advance of the application being determined.

With regard to the generation of any nuisance, consideration has been given to the generation of noise, dust and vibration from the proposed works. It has been agreed that these matters can be dealt with by way of a suitably worded planning condition in the form of a Construction Environmental Management Plan. The wording of the condition has been agreed with the applicant in advance of the application being determined.

The proposed development subject to the implementation of the suggested conditions, the proposal accords with parts b d and n of policy SD4 of the Redcar and Cleveland Local Plan.

The impacts on Ecology

The application is supported by an Ecological Impact Assessment I as a Habitats Regulations Assessment which have been prepared by INCA.

A desk study has been undertaken as part of the assessment to identify all internationally and nationally designated sites within 10km and 5km respectively.

Designated Sites

The proposed development site does not have any designated nature conservation sites within or immediately adjacent to the red line boundary, however, there are designated nature conservation sites within 10km of the

proposed development site. These comprise of the Teesmouth and Cleveland Coast Special Protection Area (SPA), Ramsar site, National Nature Reserve (NNR) and Site of Special Scientific Interest (SSSI).

Protected Notable Species

As part of the submitted Ecological Impact Assessment consideration has been given to the following species with the EIA concluding the following;

Great Crested Newt

As GCN appears to be absent from the surrounding South Tees area, despite extensive survey effort, it is therefore considered to be absent from the site with no realistic potential for it to colonise. Therefore there would be no impacts on GCN

Bats

There are no roost sites and only a negligible amount of suitable foraging habitat for bats on the site therefore impacts on bats are assessed as being negligible.

Reptiles

The habitat on the site is of low suitability for reptiles. Given that reptiles have only been recorded in the north of the Teesworks area and the limited opportunity for dispersal from there, then reptiles are considered to be absent from the site. Therefore there would be no impacts on reptiles.

Birds

There is potential for very limited numbers of breeding birds on the site. It is possible that a pair of ground nesting birds could breed in the area of Ephemeral/ short perennial habitat and that small numbers of other bird species could nest in the small amount of shrubs on the site.

Brown Hare

Brown Hare could use the site however, the site in itself is too small to support the species so its presence would be considered as being transient and part of a wider territory. As such impacts on Brown Hare are considered to be negligible

Hedgehog

The amount of suitable habitat for Hedgehog on the site is negligible therefore impacts on Hedgehog are considered to be negligible.

Common Toad

It is possible that a very small proportion of what is a relatively small population of Common Toad associated with the pools on the wider Grangetown Prairie would use the terrestrial habitat on the site. Nevertheless the site is considered to be of negligible importance for Common Toad.

Invertebrates

The ephemeral/short perennial habitat on the site has the potential to support a small number of Dingy Skipper, as part of the wider population across the Teesworks area. Any such populations would be of local importance at most therefore the proposed works have the potential to result in the loss of a population of Dingy Skipper of local importance.

The Ephemeral/ short perennial habitat on the site has the potential to support a small number Grayling as part of the wider population across the Teesworks area. Any such populations would be of local importance at most therefore the proposed works have the potential to result in the loss of a population of Grayling of local importance.

The compacted substrate and low habitat diversity would render the site of low suitability for other invertebrates of conservation importance. Therefore there would be no impacts on other invertebrate species.

Conclusions

Within the Ecological Impact Assessment the following summary has been provided with regard to impacts on designated sites, species and the summary of the Biodiversity Net Gain position.

The proposed development site is of low biodiversity value overall.

In total, across all habitats on the site, the number of BDUs has been estimated as being between 5 and 15.

The only Valued Ecological Receptors which are other than of negligible value are Dingy Skipper and Grayling butterflies. These will require specific compensatory measures.

The development and implementation of an Environment and Biodiversity Strategy will ensure that compensatory measures are provided such that there is no net loss of biodiversity arising from the proposed development.

The application has also been supported by an HRA prepared by INCA. The HRA concludes that the proposed development will not cause adverse effect to the integrity of the Teesmouth and Cleveland Coast SPA and Ramsar site, either alone or in combination with other plans or projects.

The proposed development is therefore considered to comply with policies SD4 (General Development Principles) and N4 (Biodiversity and Geological Conservation) of the Local Plan.

Other matters

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

CONCLUSION

The application proposes engineering operations involved in the remediation and restoration of the site to provide a suitable development platform within the South Tees Development site.

The works are considered to be of a scale and design that area suitable for the site and its surroundings. The site is within an area allocated for employment related development in the Local Plan and it is considered the works will help facilitate future developments at the STDC site.

The application raises no issues in terms of highway safety or impacts from traffic generation as a result from the works subject to the application of suitable conditions.

The application site is in relatively close proximity to sites of ecological importance and consideration has been given to the impacts of the development with regard to these designated sites as well as the more general ecological value of the site. The application has been supported by ecological survey work and an HRA, the recommendations of which are sought by way of planning conditions.

The application site while situated within Flood Zone 1. Conditions have been recommended to ensure the works carried out are appropriate and subject to their implementation there are not drainage issues from the development.

The proposed development is therefore considered to comply with policies within the NPPF and policies SD1 SD3 SD4 SD7 LS4 ED6 N4 TA1 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 shall not be begun later than the expiration of THREE YEARS from the date of this permission.

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:

Location Plan (TSWK-STDC-DMP-ZZ-DR-C-0003) received by the Local Planning Authority on 26/02/21

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

3. Any excavation works hereby approved shall not exceed the maximum depths of excavation as shown on plan ref. 10035117-AUK-XX-XX-DR-ZZ-0264-01-Prairie_Phase4_Dig_Plan received by the Local Planning Authority on 26/02/21 unless otherwise agreed in writing with the local planning authority.

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

4. No phase of development shall take place until a Construction Environmental Management Plan (CEMP) for that phase of the development has been submitted to and approved in writing by the Local Planning Authority. The approved CEMP shall be adhered to throughout the construction period of that phase. The CEMP shall include details of any phasing of the approved works across the site and shall demonstrate how the mitigation measures set out in the Ecological Impact Assessment, INCA,, dated 26 February 2021 have been incorporated in the construction methods. The CEMP shall also include the following details:

- i The method to be used to control the emission of dust, noise and vibration from construction works, including any details of any mitigation measures required;
- ii Measures to control the deposit of mud and debris on adjoining public highways
- iii Site fencing and security
- iv Temporary contractors' buildings, plant, storage of materials, lighting and parking for site operatives
- v The use of temporary generators
- vi The arrangement or turning of vehicles within the site so that they may enter and leave in forward gear
- vii A risk assessment of construction activities with potentially damaging effects on local ecological receptors including any measures to protect those receptors during construction
- viii Roles and responsibilities for the implementation of the CEMP requirements and measures.
- ix Measures to control invasive plant species
- x Measures to control surface water and other water generated as part of the works

REASON: In the interest of neighbour amenity, highways safety and protection of sites of ecological value in accordance with policies SD4 and N4 of the Redcar and Cleveland Local Plan.

REASON FOR PRE-COMMENCEMENT: The information is required prior to any works commencing on site as it relates to construction details which are often the first works on site and relate to site preparation.

5. No phase of development shall commence until a scheme to deal with any site contamination within that phase has been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall include an investigation and assessment to identify the extent of contamination and the measures to be taken to avoid risk to human health. Development shall only proceed in accordance with the approved scheme.

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.

REASON FOR PRE-COMMENCEMENT: The information is required prior to any works commencing on site as it relates to land contamination details which are often the first works on site and relate to site preparation.

6. Prior to any works being undertaken to any open or culverted watercourse within the site, details comprising engineering drawings including cross sections of the works shall be submitted to and approved by the local planning authority. The works shall thereafter be carried out in accordance with those details.

REASON: To ensure the development is carried out in accordance with approved details relating to works involving the culvert.

7. There shall be no site vegetation clearance between March to the end of August unless the project ecologist has first undertaken a checking survey immediately prior to the clearance and confirms in writing to the Local Planning Authority that no active nests are present.

REASON: To conserve protected species and their habitat in accordance with policy N4 of the Local Plan.

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.

Case Officer	
Mr D Pedlow	Principal Planning Officer
<i>David Pedlow</i>	16 June 2021

Delegated Approval Signature	
Claire Griffiths	Development Services Manager
<i>Claire Griffiths</i>	17/06/2021