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**Date:** 25 February 2021

**Our ref:** 60722/01/AGR/PMc/19444540v1

**Your ref:**

Dear David,

## **Detailed Planning Application: Engineering operations associated with ground remediation and preparation at Prairie site, Grangetown (Phase 4)**

We are pleased to be submitting on behalf of our client, South Tees Development Corporation (“STDC”), hereafter referred to as “Teesworks”, an application seeking detailed planning permission for the following:

“Engineering operations associated with ground remediation and preparation of the site”

The grant of planning permission will enable Teesworks to create appropriate conditions for final use developments at the southern-most part of the Prairie site by addressing the existing site constraints in relation to ground conditions and potential contaminants. Teesworks’ role is to prepare sites in advance of planning applications for end use developments, including in the advanced industrial sector.

The Prairie site is a priority regeneration project for Teesworks. As explained below, planning permission has already been granted to remediate and prepare other parts of the Prairie site for end-use development whilst an outline planning application has been submitted to establish the principle of redeveloping it for industrial uses.

### **Application Background**

STDC was created in 2017 with the objective of delivering area wide, transformational economic regeneration within its constitutional area, to augment the wider economic growth plans of the Tees Valley. Representing the largest single regeneration opportunity in the UK, STDC’s (now operating as Teesworks), regeneration programme will be pivotal in transforming the South Tees area into a national asset for new industry and enterpriser, making a substantial contribution to the economic growth and prosperity of the region.

As part of this transformation, an early priority, as set out in the phasing strategy in the South Tees Regeneration Master Plan (“the Master Plan”), is to prepare and unlock the Prairie site for new development. The phasing strategy in the Master Plan includes first readying sites to both support their marketing and to accommodate development as soon as possible in order to start delivering economic benefits to the area, including through private investment and job creation. The proposed remediation and site preparation works will enable Teesworks to start delivering Phase 1 of the Master Plan and those works are thus key to the overall regeneration planned for the STDC area.

The preparation of the Prairies site for end-use development is also an important step in Teesworks' objective of securing Freeport status for the area that would, in turn, deliver significant investment opportunities.

## **The Application Site**

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.

## **Proposed Works**

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.

## **Assessment against Planning Policy**

The statutory development plan for the proposed development site comprises

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

Alongside the Local Plan, RCBC prepared the South Tees Area Supplementary Planning Document ("SPD") (adopted in May 2018) to support economic and physical regeneration of the South Tees area and provide guidance on the interpretation of local planning policy documents. The SPD was informed, and is supported, by the South Tees Regeneration Master Plan which was originally adopted by STDC in 2017.

The Master Plan was subsequently updated, most recently, in November 2019. It sets out the vision for transforming the STDC area into a world-class example of a modern, large-scale industrial business park by providing 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. Key to the delivery of the Master Plan is progress in broad accordance with the phasing strategy, which includes preparation of the Prairie site for new development in the first phase.

We have, therefore, assessed the proposal against the above documents.

### **Principle of Proposed Development**

Policy LS 4 (South Tees Spatial Strategy) of the adopted Local Plan sets out a series of key economic, environmental and connectivity objectives for the South Tees area. Those of particular relevance include the following:

*a. deliver significant growth and job opportunities through the South Tees Development Corporation and Tees Valley Enterprise Zone at Wilton International and South Bank Wharf;*

*b. support the regeneration of the South Tees Development Corporation area through implementing the South Tees Area Supplementary Planning Document;*

*f. 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;*

*h. give the area an identity and make it attractive to inward investment;*

*j. 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;*

*x. secure decontamination and redevelopment of potentially contaminated land; and*

*y. 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.*

The proposed site preparation works will contribute to and help to realise all of the above objectives and, therefore, comply with the wider spatial strategy for the area and Policy LS 4 of the Local Plan.

Policy ED 6 (Promoting Economic Growth) of the Local Plan protects land within existing industrial estates and business parks, including 'Land at South Tees', which includes the application site, for employment uses. The policy expects proposals within the STDC Area to have regard to the South Tees Area SPD, and states that "Proposals which positively contribute towards growth and regeneration will be supported". Policy ED6 also requires that, where appropriate, development proposals 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.

The proposed works, along with those previously approved, represent a significant step in the regeneration of the Prairie site and will enable STDC to offer 'development ready' land to businesses interested in locating in South Tees. As discussed below, the Habitat Regulations Assessment and Appropriate Assessment report demonstrates that the proposed development, will not adversely affect the Teesmouth and Cleveland Coast SPA and Ramsar site. It is therefore entirely compatible with the aims and requirements of Policy ED 6 of the Local Plan.

The South Tees Area SPD, through Development Principle STDC1: Regeneration Priorities, signals the Council's commitment to work in partnership with STDC to achieve the comprehensive redevelopment of the South Tees Area in order to realise an exemplar world class industrial business park. The proposed works represent a crucial early step in the regeneration of the STDC area as explained above. The SPD goes on to state *'the need to remediate known contamination, including to reduce environmental harm, and to redevelop the South Tees Area for productive uses is fully recognised and supported by the Council.'*

The South Tees SPD, through Development Principle STDC3: Phasing Strategy, encourages re-development of the STDC area in accordance with a phasing strategy that prioritises early redevelopment of areas:

- Requiring little ground remediation and site preparation;
- That can best accommodate end user needs, where transport access/egress is presently afforded;
- Where development can manage with existing on-site infrastructure; and
- That don't require major demolition.

The above approach is in line with the early stages of the more detailed phasing strategy set out in the Master Plan discussed above. The proposed works are, therefore, in accordance with the approach to development phasing set out in Development Principle STDC3 and in the Master Plan.

Development Principle STDC14 covers this part of the STDC area, referred to as "*the South Industrial Zone*", and explains that proposals should take into account flood risk, ground contamination and ecology. These technical considerations are all summarised below and addressed in detail in the accompanying application documentation, such that the requirements of Development Principle STDC 14 are met.

It is, therefore, concluded that the principle of development is accepted in the location and the application accords with the relevant policies discussed above.

## **Ground Conditions**

A Environmental Site Assessment and Geotechnical Risk Assessment prepared by Arcadis has been submitted as part of this application. This reports seeks to provide the baseline ground conditions and to quantify potential risks to human health, controlled waters and built receptors. It should be noted that the submitted reports cover the application and another site that is not included in this application; when the report was prepared the application site was known as SSI3A.

A Ground Remediation Options Appraisal Report has been submitted as part of this application. This report provides an assessment of different potential remediation techniques and identifies a preferred remediation strategy.

Together, 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. It is accepted that it may be necessary to condition that further investigations are carried out following the removal of the buildings. We would welcome further discussions on possible conditions.

The proposed engineering works are, therefore, in accordance with Local Plan Policy SD 4 (General Development Principles) and Development Principle STDC9 (Site Remediation) of the South Tees Area SPD which gives support remediation of land that is *'proportionate, based on a risk assessment and responds to the development typology and its needs'* and expects remediation to, where appropriate, *'provide for environmental betterment'*. Further, it requires *'all remediation activities...to avoid adverse effects on the integrity, conservation objectives or qualifying features of the Teesmouth and Cleveland Coast SPA and*

*Ramsar Site...* and *'...to avoid unacceptable impacts on water quality and contamination of the water environment'*.

## **Ecology**

An Ecological Impact Assessment prepared by INCA accompanies this planning application which incorporates the results of a desk based study and walkover to inform its findings. Although the Assessment refers to prior knowledge of the site, it should be noted that it was not possible to carry out a detailed survey of the site immediately prior to the submission due to weather conditions. Further information on the condition of the site could be submitted during the determination of the application or this could be secured through planning conditions. Further discussions would be welcomed on this.

Policy N4 of the adopted Local Plan seeks for the following:

*'Biodiversity and geodiversity should be considered at an early stage in the development process, with appropriate protection and enhancement measures incorporated into the design of development proposals, recognising wider ecosystem services and providing net gains **wherever possible.**'*

The approach is similarly echoed in Development Principle STDC 7 (Natural Environmental Protection and Enhancement) of the South Tees Area SPD, which states that *'net environmental gains should be provided where **appropriate and viable**' (Lichfields' emphasis in bold)*

The application proposal is for a scheme of site preparation works. As such, it is not possible, appropriate or viable at this time to determine a scheme for replacement habitat value. Whilst, in isolation, the works proposed will result in a loss in habitat value, STDC is committed to bringing forward opportunities to compensate for this loss through the implementation of the site-wide Environment & Biodiversity Strategy, currently being prepared to identify habitat enhancement schemes across the STDC area and beyond.

STDC does, therefore, have a strategy for the compensation of habitat loss that would occur through the works set out in this application; works which are essential if the regeneration objectives of STDC are to be achieved.

In addition, whilst not part of this application proposal, the final development schemes that come forward on the site, once remediated, may also include for habitat creation, depending upon their type, layout and design, and which would be proposed in subsequent planning applications.

There are four internationally designated sites within a 10km radius of the site; 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).

Policy N4 also requires that development *'...which is likely to have a significant effect on any internationally designated site, irrespective of its location and when considered both alone and in combination with other plans and projects, will be subject to an Appropriate Assessment.'* and that, in such cases, development will only be allowed where *'it can be determined through Appropriate Assessment at the design stage that, taking into account mitigation, the proposal would not result in adverse effects on the site's integrity, either alone or in combination with other plans or projects.'*

The accompanying Habitat Regulations Assessment (HRA), concludes that the proposed development will not cause adverse effect to the integrity of the Teesmouth and Cleveland SPA and Ramsar site either alone or in combination with other plans or projects. The submitted HRA screens out likely significant effects on North York Moors SPA and North York Moors SAC due to the distances involved (the sites are approximately 9km away at their closest point to the application site) and the nature of the proposals.

## **Flood Risk, Below Ground and Surface Water Management**

The proposed remediation strategy comprises the excavation of hardstanding and other impermeable obstructions within the made ground. As such, the proposed works, including the removal of hardstanding will increase surface water infiltration rates and therefore the risk of surface water flooding will be no higher than current rates. The proposed enabling works will not, therefore, increase flood risk at the site.

Further improvements to water management can be incorporated into the final use development proposals when they come forward in future planning applications.

## **Archaeology and Heritage**

A Desk Based Heritage Assessment has been commissioned to accompany the application. It is concluded that the development will have no direct effect on any designated heritage assets and no significant archaeology is expected to have been present on the site. It is expected, therefore, that no further archaeological work will be required beyond the initial Desk-Based Heritage Assessment.

## **Conclusion**

The proposed engineering works is a further important step in preparing the Teesworks area and represent a significant step in its regeneration, bringing forward transformational economic regeneration in the area and creating thousands of new jobs. The proposal accords with the relevant adopted Local Plan policies and aligns with the aspirations for the area set out in the South Tees SPD. The application should therefore, be approved.

## **Application Submission**

The application submission comprises the following documents:

- This covering letter;
- Completed Application Forms and Ownership Certificates;
- Environmental Site Assessment, prepared by Arcadis;
- Geotechnical Risk Assessment, prepared by Arcadis;
- Ground Remediation Options Appraisal Report, prepared by Arcadis;
- Habitats Regulations Assessment, prepared by INCA;
- Ecological Impact Assessment, prepared by INCA;
- Site Location Plan (ref: TSWK-STDC-DMP-ZZ-DR-C-0003), prepared by STDC;
- Estimated Dig Depths – Prairie Site (ref: 10035117-AUK-XX-XX-DR-ZZ-0264-01-Prairie\_Phase4\_Dig\_Plan), prepared by Arcadis.

Given the size of the site, it is not practical to provide existing site plans at a scale of 1:500, the enclosed Site Location Plan is provided at a scale of 1:2500.

Based on the application site area of 7.97ha, the requisite application fee payable directly to RCBC is £2,028.

We trust that the application can be validated and advanced to determination at the earliest opportunity and will contact you in due course to discuss the progress of the application and anticipated timescales for its determination.

**LICHFIELDS**

Should you have any queries in the meantime, please do not hesitate to contact either myself or my colleague Anthony Grealley.

Yours sincerely



**Phil McCarthy**  
Associate Director