

Redcar and Cleveland Borough Council

Planning (Development Management)

APPLICATION NUMBER: R/2021/0465/FFM
LOCATION: LAND AT SOUTH BANK TEES DOCK ROAD
GRANGETOWN
PROPOSAL: ERECTION OF 3,396SQM OF B2/B8
FLOORSPACE INCLUDING WASTE STORAGE
AREA, INSTALLATION OF SPRINKLER TANK
AND ASSOCIATED PLANT, CREATION OF
HARDSTANDING AND LANDSCAPING WORKS

APPLICATION SITE AND DESCRIPTION

Permission is sought for the erection of 3,396sqm of B2/B8 Floorspace including waste storage area, installation of sprinkler tank and associated plant, creation of hardstanding and landscaping works. The proposed development relates to the state-of-the-art wind turbine blade manufacturing plant for the applicant LM Wind which is also being consented under application R/2021/0473/ESM.

The proposed development site forms part of the wider South Bank outline approval site which is 174ha of brownfield industrial land. The site had previously been occupied by iron and steel industries. The proposed overall development site for the LM Wind development comprises 19.78 hectares in total, of which the majority (16.81 hectares) lies within the area covered by the 2020 outline consent. However a small area of land (2.97 hectares) required lies outside of the area consented under R/2020/0357/OOM and this is the area of land in question that is the subject of this application.

The overall proposed development involves the following main components;

BWS – 335m by 131m with a maximum height of 29m

PWS – 409m by 55m with a maximum height of 28.5m

WRH – 113m by 45m with a maximum height of 13m

There are other smaller structures across the site including admin blocks and waste storage and sprinkler tanks, however these are not of a scale the size of the main buildings detailed above.

The current application is however only seeking permission for a small proportion of this development including 3,396sqm of B2/B8 Floorspace including waste storage area, installation of sprinkler tank and associated plant, creation of hardstanding and landscaping works. This section of the development is to the southern end of the overall development plot.

The application has been accompanied by a suite of proposed plans including elevations, floor plans and landscaping details. The following technical documents have also been submitted in support of the application;

- Covering letter
- Design and Access Statement
- Enabling earthworks and remediation strategy
- Transport briefing note
- Shadow Habitats Regulations 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
SD2 Locational Policy
SD3 Development Limits
SD4 General Development Principles
SD5 Renewable and Low Carbon Energy
SD7 Flood and Water Management
LS4 South Tees Spatial Strategy
ED6 Promoting Economic Growth
N2 Green Infrastructure
N4 Biodiversity and Geological Conservation
TA1 Transport and New Development

OTHER POLICY DOCUMENTS

South Tees Area Supplementary Planning Document May 2018

South Tees Development Corporation Masterplan 2018

PLANNING HISTORY

R/2020/0357/OOM Outline planning application for demolition of existing structures on site and the development of up to 418,000 sqm (gross) of general industry (Use Class B2) and storage or distribution facilities (Use Class B8) with office accommodation (Use Class B1), HGV and car parking and associated infrastructure works all matters reserved other than access
Approved 03/12/2020

R/2021/0473/ESM Reserved matters application for 76,200 sqm floor space following approval of outline planning permission R/2020/0357/OOM Pending determination

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 written response has been received from PD Ports raising the following comments summarised in there letter;

- Highway safety and traffic generation intend through the private road within Teesport Estate
- Lack of highway safety and traffic generation assessments where access is not acceptable through the private roads belonging to PD Teesport but instead directly onto the public highway network
- Failure to ensure the drainage from the site has been properly considered
- Procedural failure to consult with or serve notice on all the relevant parties of the application
- Misleading labelling on drawings used to support the application
- Failure within the application pro-forma to properly delineate a planning boundary showing the public highway in relation to the application boundary

HSE

Do Not Advise Against, consequently, HSE does not advise, on safety grounds, against the granting of planning permission in this case.

Natural England

Initial Response received on 19/07/21

As submitted, the application could have potential significant effects on the Teesmouth and Cleveland Coast Special Protection Area (SPA) and Ramsar site. Natural England requires further information in order to determine the significance of these impacts and the scope for mitigation.

The following information is required:

- *An Habitats Regulations Assessment*

Without this information, Natural England may need to object to the proposal.

Please re-consult Natural England once this information has been obtained.

Final Response received on 25/08/21

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.

Environment Agency

No objection

Northumbrian Water

Having assessed the proposed development against the context outlined above we have the following comments to make:

The planning application does not provide sufficient detail with regards to the management of foul and surface water from the development for Northumbrian Water to be able to assess our capacity to treat the flows from the development. We would therefore request the following condition:

CONDITION: Prior to construction above ground floor level, a detailed scheme for the disposal of foul and surface water from the development hereby approved must be submitted to and approved in writing by the Local Planning Authority in consultation with Northumbrian Water and the Lead Local Flood Authority. Thereafter the development shall take place in accordance with the approved details.

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

Cleveland Police ALO

In relation to this application, I recommend applicant contact me for any advice, guidance I can offer in designing out opportunities for crime and disorder to occur in the future.

Highways England

No objection

Redcar and Cleveland Borough Council (Development Engineers)

I refer to the application and would offer the no objections on highway grounds:- the Transport Statement states that there should not be any additional employees to this small increase (1%) in floor space to the original approved application. If indeed it does employ further staff, then it will not adversely affect the highway network, therefore I would offer no objections on highway grounds.

Redcar and Cleveland Borough Council (Local Lead Flood Authority)

The LLFA would offer the following comments in relation to surface water generated from the proposed enabling works.

As detailed: 4.3.14.1 Surface Water Management The Contractor shall develop and implement a surface water management plan 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.

The LLFA therefore raise no objection to the proposed development but would require a suitably worded condition (addition to/ detailed within the CPEMP condition) that details the need to submit a surface water management plan to provide temporary drainage facilities, throughout the development.

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

No objection received

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

No objection

Redcar and Cleveland Borough Council (Natural Heritage Manager)

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 drainage
- The impacts on contamination and nuisance
- The impacts on ecology

The principle of development

The site application site is located within the development limits identified within the Redcar and Cleveland Local Plan Policies Map. The development of the site for B2 and B8 uses was considered to comply with Policy SD3 of the Local Plan when considered through the outline application.

Policy LS4 of the Redcar and Cleveland Local Plan supports the delivery of significant economic growth and job opportunities in this area and its regeneration through implementing the South Tees Area SPD. The current application is the first Reserved Matters application following the outline approval and the proposed operations are considered to meet the aims of Policy LS4

Policy ED6 allocates the land for specialist uses and states that proposals falling within Use Classes B1, B2, B8 and suitable employment related sui-generis uses will be supported. The proposed development is, therefore, supported by the Local Plan and there are no objections to the principle of development.

It is therefore considered that taking the above into consideration and the granting of outline planning permission on the site that the principle of the proposed development on this site is one that has been previously established as one that is acceptable.

The proposed development is therefore considered to comply with national policy set out in the NPPF and policy SD3 LS4 and ED6 of the Redcar and Cleveland Local Plan.

The impacts on the character and appearance of the area

The application site, as detailed earlier in the report, is situated within the wider Teesworks site. The location of the site and the prevailing built form is industrial with a number of buildings and structures of significant scale in the surrounding area, with on-going works relating to demolition and remediation to establish suitable build platforms across the wider Teesworks site also currently taking place.

The proposed development includes a small proportion of the larger buildings including the BWS, PWS and WRH. In each case it is the very southern element of each building that falls within the application site and the will tie in to the wider development being sought through the Reserved Matters Submission.

In assessing the current application consideration has been given to the assessment within the neighbouring outline approval which was supported by a Landscape and Visual Impact Assessment that was based on the assumptions set out in the parameters plan, including floor area and maximum height of buildings. The proposed development, although not constrained by the terms of the outline approval is being built within the parameters of the outline application to complete the overall development being sought. It is therefore considered the change to the appearance of the site from the development being sought is not one that will have an adverse impact.

It is acknowledged that the proposed buildings are of a significant scale with the Post Molding Workshop (PWS) and the Blade Workshop (BWS) measuring c. 335m and 407m in length respectively with heights of up to 29m.

However the current application is only seeking a small proportion of these buildings. Notwithstanding the quantum of the proposed development, given the location of the site, the industrial/commercial nature of the surrounding area and the scale of existing buildings and structures, the proposed development relating to the buildings is not considered to have an adverse impact on the character and appearance of the local area.

The application also seeks consent for a large area of hardstanding to the south of the buildings. While this area of hardstanding is significant, it is necessary for the operational needs of the developer. Given the location of the development areas of hardstanding of this scale are not uncommon and is therefore is not considered to have an adverse impact on the character and appearance of the area.

The proposed development would respect the character of the site and the surroundings and the application accords with National Policy in the NPPF and policy SD4 (b)(i)(j) and (k) of the Redcar and Cleveland Local Plan.

The impacts on neighbour amenity

The application site, as detailed earlier in the report, is situated within the wider Teesworks site. There are therefore currently limited neighbouring commercial occupiers that would be impacted upon by the scale and massing of the proposed building. The proposed development is to have a maximum height of 29.26m which sits well below the approved parameters that were established in the neighbouring outline application that considered a maximum quantum of 46m to be acceptable.

The proposed buildings include various door and window openings, however the location of these is not considered to have any impact on neighbouring buildings with regard to amenity or privacy.

Given the design of the proposed development it is not considered to be one that will have adverse impact on existing or any future neighbouring buildings the application is therefore considered to accord with part b of policy SD4 of the Local Plan.

The impacts on highways safety

The application has been considered by both Highways England and the Council's engineers.

In assessing the application Highways England have raised no objection to the proposed development. It is noted that further discussions have taken place following the receipt of the letter from PD Ports regarding the use of highways that are operated by PD Ports and any potential impact that this may have on the wider strategic highway network. The current application is for a small proportion of the wider development that sits outside of the previously consented outline approval. The current development is for 3,396sqm of B2/B8 Floorspace which forms part of a larger c 78,000sqm

development. This 3,396sqm of B2/B8 Floorspace equates to less than 1% of the consented developable area within the outline application that neighbours this application site and which this development will be part of once constructed. Given the considerations that were made to the local and strategic highway network in the assessment of the outline application and the relatively small quantum of development of the current application, there is not considered to be an adverse impact on the strategic highway network.

The concerns from PD Ports and a neighbouring landowner, who have responsibility for local road network within the port, are noted and have been considered and responded to by the applicant. The applicant has advised that the intention is for a new access road to the development site be provided from Dockside Road. This application has now been received and will go through the planning process. While this application has not been determined or approved, it is considered that its provision will result in the applicant, LM Wind, not requiring the need to access via PD Ports private road network. As the applicant and PD Ports are aware any, any future tenants of sites within Teesworks land that require access over PD Ports private road network will require PD Ports permission, however this is a matter that sits outside of planning controls.

As with a number of the technical topics, a condition requiring the submission of a CEMP has been agreed with the applicant in advance of the application being determined. The CEMP will address an number of highway related matters including mud/debris on the public highway and contractors parking.

The application taking the above into consideration is not considered to raise issues in relation to highways safety and accords with part p of policy SD4 of the Redcar and Cleveland Local Plan.

The impacts on drainage

The application has been considered by Northumbrian Water and the Council as Lead Local Flood Authority. In assessing the application neither consultee has raised an objection to the development, however both have requested conditions to deal with the treatment of both foul and surface water either during construction and/or operation.

As has been acknowledged through the report, this development forms part of the wider LM Wind development. This larger proportion of the development continues to have conditions relating to drainage that require discharging, therefore the inclusion of conditions on this application is not unexpected. It is considered likely that the final drainage scheme will cover the entire development that spans the two application sites, however the conditions will need to be discharged individually on the separate applications.

The proposed conditions have been shared with the applicant in advance of the decision being issued and the wording of the conditions has been agreed.

The proposed development is therefore, subject to the discharge of the conditions, not considered to have an adverse impact on drainage matters. The application therefore accords with Policy SD7 of the Redcar and Cleveland Local Plan.

The impacts on contamination and nuisance

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

The application has been supported by an enabling earthworks and remediation strategy. It is also noted that the wider development site that is covered by the outline approval also has a condition relating to contamination. This condition has already been discharged to allow remediation of the site to take place to provide a suitable development platform. No objection has been raised to the submitted strategy in support of this application, therefore it has been agreed with the applicant that a condition be attached requiring the development be carried out in accordance with the submitted strategy. A condition is also proposed that relates to unexpected contamination and how this is treated should it be encountered.

No objections have been raised with regard to the generation of nuisance from the proposed development. It is however noted that a condition is proposed in the form of a CEMP that will manage a number of matters relating to the generation of nuisance during the construction phase of the development. This condition has again been agreed with the applicant in advance of the decision being issued.

The proposed development is therefore, subject to the discharge of the conditions, not considered to have an adverse impact with regard to contaminated land and nuisance. The application therefore accords with Policy SD4 of the Redcar and Cleveland Local Plan.

The impacts on ecology

Given the location of the application site and its proximity to designated sites including Teesmouth and Cleveland Coast Special Protection Area (SPA) and Ramsar site and Teesmouth and Cleveland Coast Site of Special Scientific Interest (SSSI), the application has been supported by a Habitats Regulations Assessment (INCA July 2021). The submitted information was assessed by Natural England, who raised no objection or concerns that there would not be an adverse impact on 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 mitigation measures specified in the remediation strategy submitted with the application are satisfactorily delivered. A condition has therefore been sought that secures a CEMP for the site.

Given the views of Natural England the Local Planning Authority intend to adopt the HRA prepared by the applicant in support of the application.

The proposed development is therefore, subject to the discharge of the conditions, not considered to have an adverse impact with regard to ecology. The application therefore accords with Policies SD4 (c) (e) (o) and N4 of the Redcar and Cleveland Local Plan.

Other matters

No objection has been made by from the HSE based on the information provided in support of the application. It is acknowledged that the development being sought through this application forms part of a wider development that has a condition from the HSE that limits development within COMAH inner consultation zones.

CONCLUSION

Taking the content of the report into consideration, the application is considered to be acceptable.

The proposed layout, appearance, scale and landscaping of the turbine manufacturing plant buildings and associated infrastructure and hardstanding are considered to be appropriate in the context of the wider South Bank site as well as the wider Teesworks site.

Technical matters relating to drainage, contamination/nuisance, highways and ecology have been considered by the relevant statutory consultees, none of which have raised any objection to the proposed development. There are a number of conditions relating to these technical matters that will be required to be discharged and complied with.

The proposed development is therefore considered to comply with national policy set out within the NPPF and policies SD1 (Sustainable Development) SD2 (Locational Policy) SD3 (Development Limits) SD4 (General Development Principles) SD5 (Renewable and Low Carbon Energy) SD7 (Flood and Water Management) LS4 (South Tees Spatial Strategy) ED6 (Promoting Economic Growth) N2 (Green Infrastructure) N4 (Biodiversity and Geological Conservation) HE2 (Heritage Assets) TA1 (Transport and New Development) 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 (Dwg No. 2260 Rev P1) received by the Local Planning Authority on 20/08/21

South Bank Parameters Plan Site Overlay Sheet 1 (Dwg No. 2904 Rev P1) received by the Local Planning Authority on 07/06/21

GIA Plans (Dwg No. 2250 Rev P2) received by the Local Planning Authority on 20/08/21

GEA Plans (Dwg No. 2255 Rev P2) received by the Local Planning Authority on 20/08/21

BWS PWS and WRH Ground Floor GA Plan (Dwg No. 3050 Rev P2) received by the Local Planning Authority on 20/08/21

BWS PWS and WRH Upper Floor GA Plan (Dwg No. 3051 Rev P2) received by the Local Planning Authority on 20/08/21

BWS PWS and WRH GA Roof Plan (Dwg No. 3055 Rev P2) received by the Local Planning Authority on 20/08/21

Main Blade Workshop GA Elevations (Dwg No. 3650 Rev P2) received by the Local Planning Authority on 20/08/21

Post Molding Workshop Warehouse and Waste Area GA Elevations (Dwg No. 3670 Rev P2) received by the Local Planning Authority on 20/08/21

GA Sections (Dwg No. 3850 Rev P2) received by the Local Planning Authority on 20/08/21

Proposed Landscape Masterplan (Dwg No. 2001 Rev P4) received by the Local Planning Authority on 20/08/21

Waste Storage and Sprinkler Tanks GA Plans & Elevations (Dwg No. 3020 Rev P1) received by the Local Planning Authority on 26/08/21

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

3. 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. 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.

4. Prior to construction above ground floor level, a detailed scheme for the disposal of foul and surface water from the development hereby approved must be submitted to and approved in writing by the Local Planning Authority in consultation with Northumbrian Water and the Lead Local Flood Authority. Thereafter the development shall take place in accordance with the approved details.

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

5. Prior to occupation of the building hereby approved a landscaping scheme shall be submitted to, and approved in writing by, the Local Planning Authority. The details shall include size, type and species and a programme of work. The development shall be completed in accordance with the approved details.

REASON: To ensure that the development would respect the site and the surroundings in accordance with policy SD4 of the Local Plan.

6. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding season following the occupation of the buildings or the completion of the development, whichever is sooner, and any trees or plants which within a period of ten years from the completion of the development die, are removed, or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species unless the Local Planning Authority gives written consent to any variation.

REASON: To ensure the satisfactory implementation of the approved scheme in the interests of the visual amenities of the locality.

7. The development hereby approved shall be carried out in accordance with the Enabling Earthworks and Remediation Strategy Report (Report No. 10035117-AUK-XX-XX-RP-ZZ-0271-02-South Bank Priority Strategy), Arcadis, May 2021 received by the Local Planning Authority on 07/06/21 unless otherwise agreed in writing with 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.

8. 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. prior to implementation of any amendments to the agreed strategy. An investigation and risk assessment must be undertaken, and where remediation is necessary a remediation scheme must be prepared which is subject to the approval in writing of the Local Planning Authority. The development shall then be carried out 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.

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	Acting Development Services Manager
<i>David Pedlow</i>	10 September 2021

Delegated Approval Signature	
Adrian Miller	Head of Planning and Development

A handwritten signature in black ink, appearing to be 'A. J. ...', located in the top-left cell of a table.

10 September 2021