

Date: 01 July 2021  
Our ref: 356921  
Your ref: R/2021/0473/ESM



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**BY EMAIL ONLY**

Dear Mr. Pedlow,

**Planning consultation: RESERVED MATTERS APPLICATION FOR 76,200 SQM FLOOR SPACE FOLLOWING APPROVAL OF OUTLINE PLANNING PERMISSION R/2020/0357/OOM  
Location: LAND AT SOUTH TEES DEVELOPMENT CORPORATION EAST OF SMITHS DOCK ROAD AND WEST OF TEES DOCK ROAD SOUTH BANK**

Thank you for your consultation on the above dated 15 June 2021 which was received by Natural England on 15 June 2021.

Natural England is a non-departmental public body. Our statutory purpose is to ensure that the natural environment is conserved, enhanced, and managed for the benefit of present and future generations, thereby contributing to sustainable development.

**SUMMARY OF NATURAL ENGLAND'S ADVICE**

**NO OBJECTION**

Based on the plans submitted, Natural England considers that the reserved matters being discharged will not have significant 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.

**European sites - Teesmouth and Cleveland Coast Special Protection Area and Ramsar site**

Based on the plans submitted, Natural England considers that the proposed development will not have likely significant effects on the Teesmouth and Cleveland Coast Special Protection Area and Ramsar site and has no objection to the proposed development.

To meet the requirements of the Habitats Regulations, we advise you to record your decision that a likely significant effect can be ruled out. The following may provide a suitable justification for that decision:

- The Reserved Matters that are the subject of this application will not have a significant impact on the adjacent sites' qualifying features.

We note that Condition 6 of the approved Outline application R/2020/0357/OOM states: “Upon the approval of the Reserved Matters in accordance with the phasing plan agreed through discharge of condition 4, and prior to the implementation of the approved scheme, the development shall be the subject of an updated Habitats Regulations Assessment.” We look forward to receiving an updated HRA as details of the proposed development and Phasing Plan become clearer to meet this condition.

### **Teesmouth and Cleveland Coast Site of Special Scientific Interest**

Based on the plans submitted, Natural England considers that the proposed development will not damage or destroy the interest features for which the site has been notified and has no objection.

### **Other advice**

#### **Biodiversity Net Gain and Green Infrastructure**

Natural England advises that the proposed landscaping could be improved to provide net gains for biodiversity and contribute to green infrastructure. This would ensure the proposed development contributes to the Teesworks Environment and Biodiversity Strategy (currently in development), and aligns with both with Policy N 2 (Green Infrastructure) of the Redcar and Cleveland Local Plan (2018) and the Tees Valley Green Infrastructure Strategy (2008).

There is also the opportunity to contribute to carbon sequestration. Natural England recently published a report detailing the different rates of carbon sequestration according to habitat type, which indicates that managing grassland for biodiversity also improves its ability to sequester carbon. For full details see: [Carbon Storage and Sequestration by Habitat 2021 - NERR094](#).

The current landscaping proposal is limited to “maintained grass and native tree planting”. However, Natural England would encourage the applicant to consider other approaches to the landscaping such as incorporating species rich grassland and other design elements that provide net gains for biodiversity, and provide wider environmental benefits.

Further general advice on the consideration of protected species and other natural environment issues is provided at Annex A.

Should the proposal change, please consult us again.

If you have any queries relating to the advice in this letter please contact me on [nick.lightfoot@naturalengland.org.uk](mailto:nick.lightfoot@naturalengland.org.uk)

Yours sincerely

Nick Lightfoot  
Northumbria Area Team

## Annex A – Additional advice

Natural England offers the following additional advice:

### Protected Species

Natural England has produced [standing advice<sup>1</sup>](#) to help planning authorities understand the impact of particular developments on protected species. We advise you to refer to this advice. Natural England will only provide bespoke advice on protected species where they form part of a SSSI or in exceptional circumstances.

### Local sites and priority habitats and species

You should consider the impacts of the proposed development on any local wildlife or geodiversity sites, in line with paragraph 170a and 174a of the NPPF and any relevant development plan policy. There may also be opportunities to enhance local sites and improve their connectivity. Natural England does not hold locally specific information on local sites and recommends further information is obtained from appropriate bodies such as the local records centre, wildlife trust, geoconservation groups or recording societies.

Priority habitats and Species are of particular importance for nature conservation and included in the England Biodiversity List published under section 41 of the Natural Environment and Rural Communities Act 2006. Most priority habitats will be mapped either as Sites of Special Scientific Interest, on the Magic website or as Local Wildlife Sites. List of priority habitats and species can be found [here<sup>2</sup>](#). Natural England does not routinely hold species data, such data should be collected when impacts on priority habitats or species are considered likely. Consideration should also be given to the potential environmental value of brownfield sites, often found in urban areas and former industrial land, further information including links to the open mosaic habitats inventory can be found [here](#).

### Environmental enhancement

Development provides opportunities to secure a net gain for nature and local communities, as outlined in paragraphs 102d, 118a, 170d, 174b and 175d of the NPPF. We advise you to follow the mitigation hierarchy as set out in paragraph 175a of the NPPF and firstly consider what existing environmental features on and around the site can be retained or enhanced or what new features could be incorporated into the development proposal. Where onsite measures are not possible, you may wish to consider off site measures, including sites for biodiversity offsetting. Opportunities for enhancement might include:

- Creating a new pond as an attractive feature on the site.
- Planting trees characteristic to the local area to make a positive contribution to the local landscape.
- Using native plants in landscaping schemes for better nectar and seed sources for bees and birds.
- Incorporating swift boxes or bat boxes into the design of new buildings.
- Designing lighting to encourage wildlife.
- Adding a green roof to new buildings.

You could also consider how the proposed development can contribute to the wider environment and help implement elements of any Landscape, Green Infrastructure or Biodiversity Strategy in place in your area. For example:

- Identifying opportunities for new greenspace and managing existing (and new) public spaces to be more wildlife friendly (e.g. by sowing wild flower strips)
- Planting additional street trees.
- Identifying any improvements to the existing public right of way network or using the opportunity of new development to extend the network to create missing links.
- Restoring neglected environmental features (e.g. coppicing a prominent hedge that is in poor condition or clearing away an eyesore).

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<sup>1</sup><https://www.gov.uk/protected-species-and-sites-how-to-review-planning-proposals>

<sup>2</sup><http://webarchive.nationalarchives.gov.uk/20140711133551/http://www.naturalengland.org.uk/ourwork/conservation/biodiversity/protectandmanage/habsandspeciesimportance.aspx>

### **Access and Recreation**

Natural England encourages any proposal to incorporate measures to help improve people's access to the natural environment. Measures such as reinstating existing footpaths together with the creation of new footpaths and bridleways should be considered. Links to other green networks and, where appropriate, urban fringe areas should also be explored to help promote the creation of wider green infrastructure. Relevant aspects of local authority green infrastructure strategies should be delivered where appropriate.

### **Rights of Way and National Trails**

Paragraph 98 of the NPPF highlights the important of public rights of way and access. Development should consider potential impacts on rights of way in the vicinity of the development. Consideration should also be given to the potential impacts on the any nearby National Trails. The National Trails website [www.nationaltrail.co.uk](http://www.nationaltrail.co.uk) provides information including contact details for the National Trail Officer. Appropriate mitigation measures should be incorporated for any adverse impacts.

### **Biodiversity duty**

Your authority has a [duty](#) to have regard to conserving biodiversity as part of your decision making. Conserving biodiversity can also include restoration or enhancement to a population or habitat. Further information is available [here](#).