

Redcar and Cleveland Borough Council

Planning (Development Management)

APPLICATION NUMBER: R/2021/0473/ESM
LOCATION: LAND AT SOUTH TEES DEVELOPMENT CORPORATION EAST OF SMITHS DOCK ROAD AND WEST OF TEES DOCK ROAD SOUTH BANK
PROPOSAL: RESERVED MATTERS APPLICATION FOR 76,200 SQM FLOOR SPACE FOLLOWING APPROVAL OF OUTLINE PLANNING PERMISSION R/2020/0357/OOM

APPLICATION SITE AND DESCRIPTION

Permission is sought for reserved matters application for 76,200 sqm floor space following approval of outline planning permission R/2020/0357/OOM. The proposed development is for a state-of-the-art wind turbine blade manufacturing plant for the applicant LM Wind.

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 development site comprises 19.78 hectares in total, of which the majority (16.81 hectares) lies within the area covered by the 2020 outline consent. A small area of land (2.97 hectares) required by LM Wind lies outside of the area consented under R/2020/0357/OOM, however a standalone detailed planning application (R/2021/0465/FFM) has been submitted and is being considered in parallel with this reserved matters submission.

The 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 application has been accompanied by a suite of proposed plans including elevations, floor plans and landscaping details. The application has also been supported by an EIA compliance Statement.

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

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

Highways England

This application, which deals with reserved matters issues application for the LM Wind Facility and is part of application R/2020/0357/OOM, that we responded to with no objection at outline stage.

Therefore Highways England do not require to comment further on this application.

Northumbrian Water

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.

HSE

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

Natural England

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.

Environment Agency

We have reviewed the submitted proposal. We agree with the covering letter that this subsequent EIA application does not change the conclusions of the original Environment Statement. We therefore have no objections to raise to this reserved matters application.

Please note that the outline EIA for this proposal (R/2020/0357/OOM) was approved conditionally, several conditions relating to the Water Framework Directive and biodiversity are yet to be discharged that will set out the strategy to manage subsequent reserved matters applications. We wish to be consulted once these are submitted for consideration.

Cleveland Police ALO

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

Redcar and Cleveland Borough Council (Development Engineers)

No objection to the proposed development, however note that a separate application is to be submitted for an access road.

Redcar and Cleveland Borough Council (PROW)

Only indicative roads are shown in the vicinity of the site with no indication of how it will be accessible from the surrounding area.

Redcar and Cleveland Borough Council (Local Lead Flood Authority)

The LLFA would offer no comment in terms of flood risk for the reserved matters application and would advise that surface water will be considered via the R/2020/0357/OOM discharge condition application once detailed scheme is finalised in accordance with the FRA.

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

No objections

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;

- Site context history and EIA compliance
- 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

Site Context, History and EIA Compliance

The applicant in support of the application has prepared an EIA Compliance Statement.

Within the statement there is a summary of the relevant planning history of the site and the context of the current application in relation to that planning history. The submitted statement sets out the following;

On 3 December 2020 outline planning application was granted at South Bank for the 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 (R/2020/0357/OOM).

Condition 4 of Planning Permission Reference R/2020/0357/OOM states: “No development shall commence until a phasing plan for the application site has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved phasing plan unless otherwise agreed in writing with the Local Planning Authority. The applicant reserves the right to amend the phasing plan.”

The Phasing Plan was approved on 19 May 2021. Phase 3 of the approved Phasing Plan is listed as “submission of reserved matters details for first end-user –details of appearance, landscaping, layout and scale of buildings and associated hard landscaping”. This application relates to Phase 3 and LM Wind will be the first end user.

The LM Wind development site comprises 19.78 hectares in total, of which the majority (16.81 hectares) lies within the area covered by the 2020 outline consent.

A small area of land (2.97 hectares) required by LM Wind lies outside of the area consented under R/2020/0357/OOM. A standalone detailed planning application is therefore being submitted in parallel with the reserved matters submission to cover the development proposed in this area. The majority of this additional area will be occupied by hardstanding however three of the proposed buildings extend very slightly into this area.

The outline approval required the submission of the following Reserved Matters; Appearance, Landscaping, Layout and Scale, all of which are being sought through the current application. In establishing a design to address these Reserved Matters, the applicant was also required to adhere to the parameters plan that formed part of the outline approval. The parameters plan established minimum finished floor levels, maximum building heights and maximum development heights. The proposed development has therefore been designed to accord with these limits and therefore the development is considered to comply with the parameters established through the outline approval.

As stated above the details provided within the application are fully in accordance with the principles established by the approved parameters plans and other details within the outline application. It is considered that there have been no material changes in circumstance which would affect the conclusions of the South Industrial Zone ES (July 2020) or SES (September 2020) which were used in the assessment of the outline application. The Local Planning Authority therefore consider it appropriate that in assessing the Reserved Matters application, it is appropriate to rely on the findings of the previous ES and SES and not require any update to these original documents from the applicant.

The principle of development

The 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 outline application 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. It was considered that the development of the wider site had the potential to have adverse impacts from selected viewpoints, however when these views were balanced against the fact they were long range which also took in the wider Teesside industrial landscape and the generation of jobs from the resulting development, the impacts were ones that on balance were considered to be acceptable. The proposed development is being built within the parameters of the outline application and is only currently a proportion of the overall consented floor space, therefore the change to the appearance of the site and the area are ones that fall within the considerations of the LVIA

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 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 is not considered to have an adverse impact on the character and appearance of the local area.

The outline approval does contain a condition requiring the submission of a design statement that should include use of materials, articulation of buildings and provision of suitable planting/screening in relation to view from Smiths Dock Road / Dockside Road. The information to discharge this condition will be submitted through the discharge of conditions process along with other technical matters that also are required to be discharged.

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 of the 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 that the development has been designed in accordance with the parameters plan in terms of finished floor levels, maximum height and significantly below the consented total floor space for the whole site the development is not considered to be one that will have adverse impact on existing or any future neighbouring buildings.

The development would not have a significant adverse impact on the amenities of occupiers of existing or proposed buildings and the application accords with part b of policy SD4 of the Local Plan.

The impacts on highways safety

Matters relating to both on and off site highways were considered in the assessment of the outline application. These matters were considered by both Highways England and the Council's highways engineers neither of which raised an objection or concerns that these matters could not be suitably dealt with by way of planning conditions. As a result, conditions were

attached to the outline approval including a Construction Environmental Management Plan (condition 5) and a Travel Plan (condition 15).

In considering the current application, Highways England have advised that they raised no objection to the Outline approval and have no further comment to make on the Reserved Matters submission. No objection has been raised by the Council's development engineers to the proposed provision of 504 car parking spaces, including 10 accessible spaces and cycle shelters accommodating 60 cycles spaces. It is also acknowledged that an application is to be made for an access road to the site from Dockside Road to the west, however this will be assessed and considered when submitted and consulted upon.

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

Matters relating to both foul and surface water drainage were considered in the assessment of the outline application. These matters were considered by both Northumbrian Water and by the Council as Lead Local Flood Authority, neither of which raised an objection or concerns that these matters could not be suitably addressed at the time of construction of individual developments. As a result conditions were attached to the outline approval relating to both surface water (condition 12) and foul water (condition 13). The information to discharge these conditions will be submitted through the discharge of conditions process along with other technical matters that also are required to be discharged.

The outline application was also considered by The Environment Agency with regard to the Water Framework Directive (WFD). No objection was raised with regard to this matter; however, two conditions were requested relating to a high level WFD (condition 9) and detailed WFD (condition 10). The information to discharge these conditions will be submitted through the discharge of conditions process along with other technical matters that also are required to be discharged.

Based on the conclusions that were reached in determining the outline application and given the quantum of development proposed is below the total floor space consented across the wider site, it is considered that a technical solution to drainage matters can be designed and submitted to the Local Planning Authority to discharge the conditions. This is a view expressed by the consultees in responding to this current application.

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

Matters relating to both contamination and the generation of nuisance were considered in the assessment of the outline application. These matters were considered by the Council's Environmental Protection Team who raised no objection or concerns that these matters could not be suitably at a time of construction of individual developments. As a result conditions were attached to the outline approval relating to both contamination (conditions 16, 17 and 25) and nuisance (conditions 5, 18, 22 and 24). It is acknowledged that condition 16 of the outline approval has been partially discharged a number of times to allow remediation to commence of various parts of the wider site in order to prepare suitable development platforms. In so far as condition 16 relates to this application, the remediation of the site was considered under application R/2021/0442/CD, with the application approved on 17/06/21.

The information to discharge the remaining conditions will be submitted through the discharge of conditions process along with other technical matters that also are required to be discharged.

Based on the conclusions that were reached in determining the outline application and given the quantum of development proposed is below the total floor space consented across the wider site, it is considered that a technical solution to the above matters can be designed and submitted to the Local Planning Authority to discharge the conditions.

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

Matters relating to ecology were considered in the assessment of the outline application. 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 included detailed ecological assessment as well as a Habitats Regulations Assessment. The submitted information was assessed by Natural England, The Environment Agency and the Council's Natural Heritage Manager who raised no objection or concerns that matters relating to ecology could not be suitably mitigated against by various planning conditions.

Given the varied nature of the impacts various conditions were imposed on the outline approval. The conditions include; Construction Environmental Management Plan (Condition 5), Updated Habitats regulation Assessment (Condition 6), Fish Survey (Condition 7), Biodiversity Net Gain (Condition 8), Piling Methodology (Condition 21) Lighting Strategy (Condition 22) and Post Construction Ecology Monitoring (Condition 23). While not all these

conditions are pre-commencement conditions the information to discharge the conditions will be submitted at the relevant time through the discharge of conditions process along with other technical matters that also are required to be discharged.

The current application has been considered by Natural England and The Environment Agency, neither of which have raised an objection, subject to the submission and discharge of the conditions they recommended at the outline stage.

Based on the conclusions that were reached in determining the outline application and given the quantum of development proposed is below the total floor space consented across the wider site, it is considered that a technical solution to the above matters can be designed and submitted to the Local Planning Authority to discharge the conditions.

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, with a condition continuing to be on the outline approval that limits development within COMAH inner consultation zones. The applicant is aware of this and is seeking to address this in consultation with the HSE.

As has been detailed throughout the report there are a number of conditions that will be both required to be discharged and thereafter complied with. The applicant is aware of these requirements and will make the relevant submissions at the appropriate time.

The applicant has agreed the proposed condition that relates to the approved plans submitted in support of the application.

CONCLUSION

Taking the content of the report into consideration, the Reserved Matters application is considered to be in accordance with the outline approval and the established parameters within set out within the outline application.

The proposed layout, appearance, scale and landscaping of the turbine manufacturing plant 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 RESERVED MATTERS APPROVAL subject to the following condition:

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

Location Plan (Dwg No. 2210 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 20/08/21

South Bank Parameters Plan Site Overlay Sheet 2 (Dwg No. 2905 Rev P2) received by the Local Planning Authority on 20/08/21

GIA Plans (Dwg No. 2200 Rev P2) received by the Local Planning Authority on 20/08/21

GEA Plans (Dwg No. 2205 Rev P2) received by the Local Planning Authority on 20/08/21

BWS PWS and WRH Ground Floor GA Plan (Dwg No. 3000 Rev P2) received by the Local Planning Authority on 20/08/21

BWS PWS and WRH Upper Floor GA Plan (Dwg No. 3001 Rev P2) received by the Local Planning Authority on 20/08/21

BWS PWS and WRH GA Roof Plan (Dwg No. 3005 Rev P2) received by the Local Planning Authority on 20/08/21

Administration Block - GA Plans, Sections and Elevation (Dwg No. 3010 Rev P2) received by the Local Planning Authority on 20/08/21

Main Blade Workshop GA Elevations (Dwg No. 3610 Rev P2) received by the Local Planning Authority on 20/08/21

Post Molding Workshop Warehouse and Waste Area GA Elevations (Dwg No. 3620 Rev P2) received by the Local Planning Authority on 20/08/21

GA Sections (Dwg No. 3810 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 20/08/21

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


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 applicant is advised that there are a number of conditions on the Outline Approval (R/2020/0357/OOM) that are required to be discharged and complied with in the implementation of the application hereby approved.

| Case Officer | |
|---------------------|-------------------------------------|
| Mr D Pedlow | Acting Development Services Manager |
| <i>David Pedlow</i> | 9 September 2021 |

| Delegated Approval Signature | |
|---|----------------------------------|
| Adrian Miller | Head of Planning and Development |
|  | 9 September 2021 |