

# Redcar and Cleveland Borough Council

## Planning (Development Management)

APPLICATION NUMBER: R/2021/0878/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 PROPOSED HARDSTANDING AREA FOLLOWING OUTLINE PERMISSION R/2020/0357/OOM

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### APPLICATION SITE AND DESCRIPTION

Permission is sought for reserved matters approval for a proposed hardstanding area associated with the delivery of a state-of-the-art wind turbine manufacturing plant to serve the next generation of offshore windfarms on behalf of LM Wind following approval of outline planning permission R/2020/0357/OOM and Reserved Matters R/2021/0473/ESM.

The layout of the area of hardstanding are set out in the submitted Location Plan (Reference: LMW-RYD-00-ZZ-DR-A-2920 and Site Plan (Reference: LMW-RYD-00-ZZ-DR-A-2921), which identify a 68.5 acre (27.72 ha) area of hardstanding ground adjacent to the proposed LM Wind site.

The application has been accompanied by a suite of plans, as well as a covering letter and a Design and Access 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

R/2021/0472/ESM Reserved matters application for 76,200 sqm floor space following approval of outline planning permission R/2020/0357/OOM  
Approved 10/09/21

## **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 relates to Reserved Matters on planning application R/2020/0357/OOM. As we have already issued our approval for this application our review finds that contents of this reserved matters application are not of concern to National Highways (formerly Highways England). We therefore do not wish to formally comment on this application*

### **Natural England**

*No objection - Based on the plans submitted, Natural England considers that the proposed development will not have significant adverse impacts on statutorily protected nature conservation sites or landscapes.*

### **Environment Agency**

*No objection*

### **Cleveland Police ALO**

*In relation to this application, applicant can contact me for any advice they believe I can offer.*

## **NEAR**

*On 29th September (2021) I wrote to the applicant's archaeological consultant about the question of archaeological work ahead of remediation on the whole of the site covered by planning application reference R/2020/0357/OOM. I suggested that the relevant WSI should explain why, as was proposed, archaeological mitigation would not be appropriate with regard to below ground archaeology (including at the site in question which, as the reserved matters application makes clear, falls within the area being developed under the above permission). I am not aware that any draft WSI, or explanation, has been received by the LPA.*

*The proposed hardstanding may or not involve excavation at depth; the reserved matters application seems short on detail. However, it makes sense for the WSI to be submitted, with the relevant explanation, before this application is determined.*

## **Redcar and Cleveland Borough Council (PROW)**

*There are no public rights of way crossing the site. There are no PROW objections to the proposals. Appropriate provision needs to be made for foot and cycle access within the overall development.*

## **Redcar and Cleveland Borough Council (Local Lead Flood Authority)**

*The LLFA would offer no additional comments, the requirements for the sufficient disposal of surface water will be established through conditions previously agreed through R/2020/0357/OOM.*

## **Redcar and Cleveland Borough Council (Conservation Advisor)**

*No objection subject to the satisfaction of archaeological concerns. As the archaeological Written Scheme of Investigation attached to the outline permission has not been discharged and executed, it is suggested that the following condition is attached to ensure compliance with Policy HE3 of the adopted Local Plan:*

*Prior to the commencement of the development, or in accordance with the phasing plan agreed through discharge of condition 4, a written scheme of investigation (WSI) for archaeological work shall be submitted to and approved in writing by the local planning authority. The WSI shall make provision for:*

*i Before site remediation or development commences, archaeological evaluation of relevant borehole and test pit data; ii During remediation archaeological monitoring of groundworks in selected areas of the site (to be*

*agreed with the Council in accordance with parameters specified in the WSI);  
iii An archaeological watching brief/prior and, or strip map and, or record (as appropriate) of areas agreed as archaeologically sensitive; iv Archaeological monitoring of deep excavations and piling in any areas indicated by the evaluation of borehole and test pit data to be of potential archaeological interest; v The recording of the Riverside Pumping and Custom House to at Historic England Level 2/3, including photogrammetry and measured survey; vi A general programme of works and monitoring arrangements, including reasonable notification to the local planning authority of commencement of works; vii Details of staff involvement in carrying out the work (including specialists), and their qualifications and responsibilities; viii The timetable for completing post-excavation assessment.*

*Provision for the analysis, archiving and publication of the results of the archaeological surveys and excavations shall be secured to the satisfaction of the local planning authority by the developer before any of the business units on development is brought into use, as necessary. The development shall not without the prior written approval of the local planning authority be carried out otherwise than in accordance with the approved WSI.*

*REASON: to ensure that any archaeological interest is appropriately recorded as required by Policy HE3 of the adopted Local Plan.*

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

*No objection*

**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 hardstanding associated with B2 and B8 uses is considered to comply with Policy SD3 of the Local Plan.

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 hardstanding is of a significant scale. However, given the location of the site, the industrial/commercial nature of the surrounding area and the scale of existing buildings and structures in the area, the proposed development is not considered to have an adverse impact on the character and appearance of the local 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 proposed development given that it is an area of hardstanding.

The proposed amendments raise no issues in terms of neighbour amenity. 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 development.

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 a condition was attached to the outline approval relating to surface

water (condition 12). 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 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.

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.

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 SD7 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**

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 including matters relating to archaeology which have been raised by both the Council's conservation advisor and the Council's consultant archaeologist. The applicant is aware of these requirements and will make the relevant submissions at the appropriate time as agreed through the Phasing Plan on the outline approval.



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 set out within the outline application.

The proposed layout, appearance, scale and landscaping of the hardstanding area is 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. LMW RYD 00 ZZ DR A 2920 Rev P2) received by the Local Planning Authority on 22/10/21

Site Plan - Proposed Hardstanding Area (Dwg No. LMW RYD 00 ZZ DR A 2921) received by the Local Planning Authority on 22/10/21

**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	Principal Planning Officer
<i>David Pedlow</i>	21 December 2021

Delegated Approval Signature	
Andrew Carter	Assistant Director Growth and Enterprise
<i>A. Carter</i>	22/12/21