



TOWN AND COUNTRY PLANNING ACT 1990

NOTICE OF PLANNING PERMISSION

Applicant / Agent Name And Address

Lichfields
MR NEIL WESTWICK
ST NICHOLAS BUILDING
ST NICHOLAS STREET
NEWCASTLE UPON TYNE
NE1 1RF

Reference No: R/2022/0355/FFM

The Council as the Local Planning Authority **HEREBY GRANT PLANNING PERMISSION** for the development proposed by you in your application valid on: 14 April 2022

**Details: ERECTION OF INDUSTRIAL FACILITY (USE CLASS B2/B8),
ASSOCIATED STRUCTURES, HARDSTANDING AND LANDSCAPING
WORKS**

Location: LAND AT SOUTH BANK OFF TEES DOCK ROAD SOUTH BANK

Applicant: SOUTH TEES DEVELOPMENT CORPORATION

Subject to the following condition(s):

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. SEAH-ASA-00-EX.SI-D-A-0004 (S0-P1) received by the Local Planning Authority on 13/04/22;

Proposed Parameters Plan (Dwg No. SEAH-ASA-00-EX.SI-D-A-0002 (S0-P1) received by the Local Planning Authority on 13/04/22;

Proposed Main Facility Building Floor Plan (Dwg No. SEAH-ASA-00-MF.GF-D-A-0007 (S0-P2) received by the Local Planning Authority on 13/04/22;

Proposed Main Facility Building Elevations and Perspectives (Dwg No. SEAH-ASA-00-MF.ZZ-D-A-0008 (S0-P3) received by the Local Planning Authority on 13/04/22;

Proposed Main Facility Building Sections (Dwg No. SEAH-ASA-00-MF.ZZ-D-A-0009 (S0-P2) received by the Local Planning Authority on 13/04/22;

Power Station No1 Floor Layout Plans (Dwg No. SEAH-ASA-00-P1.ZZ-D-A-0015 (S0-P1) received by the Local Planning Authority on 13/04/22;
 Power Station No1 Elevations and Perspective Views (Dwg No. SEAH-ASA-00-P1.ZZ-D-A-0016 (S0-P1) received by the Local Planning Authority on 13/04/22;
 Proposed Landscape Plan (Dwg No. SEAH-ASA-00-EX.SI-D-A-0006 (S0-P2) received by the Local Planning Authority on 13/04/22;
 Proposed Site Fence and Gate Details (Dwg No. SEAH-ASA-00-EX.SI-D-A-0028 (S0-P2) received by the Local Planning Authority on 13/04/22;
 Surface Finishes (Dwg No. SEAH-CLK-ZZ-EX.ZZ-DR-C-1900 Rev P03) received by the Local Planning Authority on 14/04/22.

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

3. Prior to the installation of any drainage works, a detailed scheme for the disposal of foul and surface water from the development hereby approved shall 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.

4. The development hereby approved shall be carried out in accordance with the details approved under application R/2022/0454/CD relating to the Construction Environmental Management Plan (CEMP) relating to Phase 3 (Reserved Matters for first end user SeAH Monopile Manufacturing Facility) of outline application R/2020/0357/OOM.

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.

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 5 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 13/04/22 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, 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.

9. The development hereby approved shall not provide more than (a) 20,371.7sqm of floorspace (Gross Internal Area) and (b) any amount of floorspace which when added to that provided pursuant to planning permission R/2020/0357/OOM gives a total which exceeds 418,000sqm (Gross Internal Area), unless evidence is submitted to and approved by the local planning authority (in consultation with National Highways) that any additional floorspace above these stated amounts is acceptable in respect of the safe and efficient operation of the highway network.

REASON: To ensure that the A174 & A1053 continue to serve their purpose as part of a national system of routes for through traffic in accordance with Section 10 (2) of the Highways Act 1980, in the interests of road safety.

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.



Signed:

Andrew Carter
Assistant Director Economic Growth

Date: **16 June 2022****YOUR ATTENTION IS DRAWN TO INFORMATIVE NOTES BELOW:****INFORMATIVE NOTE:**

The conditions above should be read carefully and it is your (or any subsequent developers) responsibility to ensure that the terms of all conditions are met in full at the appropriate time (as outlined in the specific condition).

Please note that in order to discharge any conditions, a fee is payable in respect to this.

Failure on the part of the developer to fully meet the terms of any conditions which require the submission of details prior to the commencement of development may result in the development being considered unlawful and may render you liable to formal enforcement action.

Failure on the part of the developer to observe the requirements of any other conditions could result in the Council pursuing formal action in the form of a Breach of Condition notice.

APPROVAL INFORMATIVE:

This permission refers only to that required under the Town and Country Planning Acts and does not include any consent or approval under any other enactment, byelaw, order or regulation.

Consent under the current Building Regulations may also be required for the development before work can commence.

CATS Pipeline

In addition to the statutory consultees, applicants should also consider what other stakeholders should be consulted. For example, in the case of any development taking place that may affect High Pressure Gas Pipelines, operated by CATS North Sea Limited on behalf of the owners of the pipeline, please consult with CATS North Sea Limited at CATSPipeline@woodplc.com 01642 546404 CATS Terminal, Seal Sands Road, Seal Sands, Teesside TS2 1UB.

County of Cleveland Act, 1987 – Facilities for Fire Fighting

Section 5 of this Act requires that, where building regulation plans for the erection or extension of a building are deposited with the Council, the Council must reject the plans if it is not satisfied:

- That there will be adequate means of access for the Fire Brigade
- That the building or extension will not make means of access for the Fire Brigade to any neighbouring building inadequate

- If the building could be used for commercial or industrial purposes, that there is provision for installation of fire hydrants or other provision for an adequate supply of water for firefighting purposes.

Appeals to the Secretary of State

If you are aggrieved by the decision of your local planning authority to refuse permission for the proposed development or to grant it subject to conditions, then you can appeal to the Secretary of State under Section 78 of the Town and Country Planning Act 1990.

If you want to appeal, then you must do so within the timeframes stated below:

- **12 weeks** of the date of this notice for a householder application/minor commercial application;
- **six months** of the date of this notice for other planning applications
- **8 weeks** in the case of any advertisement

using a form which you can get from the Secretary of State at **Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 6PN, (Tel: 0303 444 5000)** or online at

<https://www.gov.uk/planning-inspectorate>. The Secretary of State can allow a longer period for giving notice of an appeal, but will not normally be prepared to use this power unless there are special circumstances, which excuse the delay in giving notice of appeal.

The Secretary of State need not consider an appeal if it seems to them that the local planning authority could not have granted planning permission for the proposed development or could not have it granted without the conditions it imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order. In practice, the Planning Inspectorate does not refuse to consider appeals solely because the local planning authority based its decision on a direction given by them.

Purchase Notices

If either the Local Planning Authority or the Secretary of State refuses permission to develop land or grants it subject to conditions, the owner may claim that they can neither put the land to a reasonably beneficial use in its existing state nor can they render the land capable of a reasonably beneficial use by the carrying out of any development which has been or would be permitted.

In the circumstances, the owner may serve a purchase notice on the Council (District Council, London Borough Council or Common Council of the City of London) in whose area the land is situated. This notice will require the Council to purchase his interest in the land in accordance with the provisions of part VI of the Town and Country Planning Act 1990.

Compensation

In certain circumstances compensation may be claimed from the local planning authority if permission is refused or granted subject to conditions by the Planning Inspectorate on appeal or on reference of the application to them. These circumstances are set out in Section 114 and related provisions of the Town & Country Planning Act 1990.

The Highways Act 1980 (Sections 131, 133 and 171)

Prior to commencing work on any development which entails interference with an adopted Highway a developer/contractor is required to obtain the consent of the Engineering (Highways Team). Such consent will not unreasonably be withheld but will be conditional upon obtaining a "Road Opening And Reinstatement" Consent and signing an "Undertaking To Pay For Works".

The Building Act 1984 (Section 80)

Prior to commencing work on any development which entails the demolition of part, or all of a building a developer or contractor is required to obtain the consent of the Engineering Team. Consent will be conditional on the Local Authority receiving the appropriate forms. Forms can be obtained direct from the Engineering Team.