

Redcar and Cleveland Borough Council

Planning (Development Management)

APPLICATION NUMBER: R/2022/0454/CD
LOCATION: LAND AT SOUTH TEES DEVELOPMENT CORPORATION EAST OF SMITHS DOCK ROAD AND WEST OF TEES DOCK ROAD SOUTH BANK
PROPOSAL: PARTIAL DISCHARGE OF CONDITION 5 (CEMP) OF PLANNING PERMISSION R/2020/0357/OOM FOR 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.

APPLICATION SITE

The application relates to the discharge of conditions relating to planning application R/2020/0357/OOM

The planning permission sought consent 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. and was approved conditionally on 03/12/2020

CONDITION DETAILS

The following information has been submitted for condition 5

5. Prior to the commencement of the development, or in accordance with the phasing plan agreed through discharge of condition 4, a Construction Environmental Management Plan (CEMP) for the development shall be submitted to and approved in writing by the Local Planning Authority, or any other subsequent variation approved in writing. The CEMP will include measures relating to highways, ecology, materials and health and safety with particular reference to those matters below. The development shall thereafter take place in accordance with the approved details.
 - Invasive Non-Native Species ('INNS') Management Plan
 - Construction Traffic Management Plan ('CTMP')

- Construction Waste Management Plan ('CWMP')
- Materials Management Plan ('MMP')
- Health and Safety Plan for asbestos and watching brief where necessary
- Car Parking Management Plan and Servicing Management Plan

REASON: To ensure the environmental effects of construction are appropriately managed.

REASON FOR PRE-COMMENCEMENT: A pre-commencement condition is required as the environmental impact of the development will occur on the commencement of development.

Construction Environmental Management Plan (April 2022) received by the Local Planning Authority on 27/06/22

Invasive Non-Native Species Monitoring Plan (June 2022) received by the Local Planning Authority on 22/06/22

CONSULTATION RESPONSES

Natural England

Natural England currently has no comment to make on the discharge of condition 5.

Environment Agency

Initial Response – 08/06/22

We are unable to partially discharge condition 5 as the applicant has failed to include an Invasive Non-Native Species (INNS) Management Plan within the Construction Environmental Management Plan. We ask that we are consulted on this application once the INNS Management Plan has been submitted to the Local Planning Authority.

Final Response – 30/06/22

We have NO OBJECTIONS to the partial discharge of condition 5 with respect to Invasive Non- Native Species (INNS).

Redcar and Cleveland Borough Council (Development Engineers)

No objections to the partial discharge of condition 5

Redcar and Cleveland Borough Council (Environmental Protection)

With reference to the above planning application, I would confirm that I have assessed the following environmental impacts which are relevant to the development and would comment as follows:

The partial discharge of condition 5 (cemp) relates to Figure 1: Site location plan (site boundary denoted by redline) of the Construction Environmental Management Plan April 2022 for the SeAH Monopile Facility Issued by: K2 Consultancy Ltd. The CEMP mentions in the description of works that Piling work & RC work Piling work with RC Foundation work will be carried out.

The initial noise and vibration assessment Chapter E of R/2020/0357/OOM was based on the assumption that works including impact piling will be undertaken using best practicable means (BPM) including the approaches described in BS5228-1. Chapter H of R/2020/0357/OOM does not really cover piling in respect of contaminated land only that:

Subject to viability and if piling is used in the final design it may be possible to re-use pile and foundation arising's within the confines of the site, beneath the capping layer. This will be subject to chemical analysis of the arising's to ensure they are in keeping with the soil chemistry in the shallow Made Ground and do not lead to leachable contaminants.

However, it is noted that planning application R/2022/0342/CD includes a piling risk assessment (yet to be approved by this department), which does not cover the whole of the site and therefore there is missing information BH logs and site investigation etc.

Whilst the contents of the CEMP are acceptable the applicant should be made aware that there is outstanding Environmental information specifically in respect to the south-southwestern area of the site (subject to planning application R/2022/0355/FFM) where the coke works previously were, which has not been submitted to the LA.

PD Ports

The CEMP issued by K2 Consulting appears to indicate that site delivery vehicles may seek to access/egress the SeAH site via No.1 Quay Road and potentially for workforce.

No approach has been made to PD Teesport by SeAH requesting access for the prospective tenant or its contractors/deliveries/workforce via the Teesport Estate and there is no evidence of any consideration by the applicant of health and safety and traffic management through the private Teesport Estate.

The CEMP should therefore confirm that no access through the Teesport Estate.

PLANNING CONSIDERATIONS

In granting the original outline permission, a condition was attached to the approval relating to the phasing of the development. The condition relating to phasing was condition 4, which has been submitted for initial discharge based on the information currently held by the developer.

The information that has been submitted in support of this application relates to the Construction Environmental Management Plan (CEMP) pursuant to the proposed SeAH development (Phase 3 of the outline approval R/2020/0357/OOM).

The submitted information has been considered by various internal and external consultees including; Natural England, Environment Agency (EA), RCBC Engineers and RCBC Environmental Health. None of these consultees have raised any objection to the information that has been submitted. It is noted that the EA originally raised comments about the lack of the INNS assessment, however this has since been provided and considered by the EA who as a result has no objection to the discharge of the condition.

Comments have been received from PD Ports. As a landowner of neighbouring land to the site in question, comments were made about potential access to the site via road network under PD Ports control. In response to these comments the CEMP has been updated to remove these access routes with the only one now being illustrated at Figure 5 of the CEMP illustrating construction traffic will gain access by travelling along the A66 and turning into Old Station Rd, Dockside Rd. Old Station Rd is followed as it becomes Dockside Rd. Access to the site is found on the end of Dockside Rd. This amendment to the originally submitted CEMP is considered to have addressed the comments made by PD Ports.

Based on the information provided in so far as it relates to Phase 3 of the outline application (Reserved Matters for first end user SeAH Monopile Manufacturing Facility), it is considered that condition 5 can be partially discharged

RECOMMENDATION

Taking into account the content of the report the recommendation is to **partially** discharge condition 5 of application R/2020/0357/OOM in so far as it relates to Phase 3 of the outline application (Reserved Matters for first end user SeAH Monopile Manufacturing Facility).

Case Officer	
Mr D Pedlow	Principal Planning Officer
<i>David Pedlow</i>	30 June 2022

Delegated Approval Signature	
Claire Griffiths	Development Services Manager
<i>Claire Griffiths</i>	01/07/2022