

Planning Supporting Statement

Tees Valley Energy Recovery Facility
Grangetown Prairie, Dorman Point
Prepared on behalf of Viridor Tees Valley Limited
March 2023



Planning Supporting Statement

Tees Valley Energy Recovery Facility
Grangetown Prairie, Dorman Point
Prepared on behalf of Viridor Tees Valley Limited
March 2023



LONDON
23 Heddon Street
London
W1B 4BQ

BIRMINGHAM
3 Edmund Gardens
117 Edmund Street
Birmingham
B3 2HJ

BOURNEMOUTH
Everdene House
Deansleigh Road
Bournemouth
BH7 7DU

TELEPHONE
020 3664 6755

Email enquiries@torltd.co.uk
www.torltd.co.uk



© Terence O'Rourke Ltd 2023. Document designed by Terence O'Rourke Ltd. All rights reserved. No part of this document may be reproduced in any form or stored in a retrieval system without the prior written consent of the copyright holder.

Figures (unless otherwise stated) © Terence O'Rourke Ltd. Aerial imagery © Getmapping plc Based upon the 2022 Ordnance Survey mapping data with the permission of the Ordnance Survey on behalf of Her Majesty's Stationery Office, © Crown copyright. Terence O'Rourke Ltd. Licence No. 100019980. © Crown Copyright and database rights 2022 OS Licence no. AC0000849896. Some mapping was provided to Viridor Tees Valley Limited by the Tees Valley Energy Recovery Facility Contract Authority (comprising Darlington, Hartlepool, Middlesbrough, Redcar & Cleveland, and Stockton Unitary Authorities and Durham County Council and Newcastle City Council) in 2020.

**TEES VALLEY ENERGY RECOVERY FACILITY
GRANGETOWN PRAIRIE, DORMAN POINT**

RESERVED MATTERS APPLICATION
PLANNING SUPPORTING STATEMENT
VIRIDOR TEES VALLEY LIMITED
MARCH 2023



TERENCE
O'ROURKE

**TEES VALLEY ENERGY RECOVERY FACILITY
GRANGETOWN PRAIRIE, DORMAN POINT**

RESERVED MATTERS APPLICATION
PLANNING SUPPORTING STATEMENT
VIRIDOR TEES VALLEY LIMITED
MARCH 2023

Issue / revision	Prepared by Steve Molnar
Reference	Signature
This document is issued for	Date
<input type="checkbox"/> Information <input type="checkbox"/> Approval	Checked by Paul Rogers
<input type="checkbox"/> Comment <input type="checkbox"/> Submission	Signature
Comments	Date
	Authorised by Steve Molnar
	Signature
	Date
	Please return by

© Terence O'Rourke Ltd 2023. All rights reserved.
No part of this document may be reproduced in any form or stored in a retrieval system without the prior written consent of the copyright holder.

All figures (unless otherwise stated) © Terence O'Rourke Ltd 2023.
Based upon the Ordnance Survey mapping with the permission of the Ordnance Survey on behalf of Her Majesty's Stationery Office © Crown Copyright Terence O'Rourke Ltd Licence number 100019980.

CONTENTS

1. Introduction
2. Site and surroundings
3. Overview of the proposals
4. Reserved matters and compliance with the outline permission
5. Compliance with local planning policy and material considerations
6. Conclusions

Appendix A: List of drawings

Appendix B: Condition discharge compliance letters.

1.0 INTRODUCTION

- 1.1 This planning supporting statement (PSS) forms part of a set of documents which together support a reserved matters submission made by Viridor Tees Valley Limited (the applicant, hereafter referred to as Viridor) to Redcar and Cleveland Borough Council (RCBC) for the construction and operation of an Energy Recovery Facility (ERF) on a site at Grangetown Prairie, Dorman Point, located within the Tees Valley.
- 1.2 RCBC granted outline planning permission (OPP) for an ERF at the site on 24 July 2020 (ref. R/2019/0767/OOM), subject to several planning conditions and a s106 agreement. It was subject to Environmental Impact Assessment and was therefore accompanied by an Environmental Statement.
- 1.3 The OPP established the principle of the development and left all details of access, appearance, landscape, layout, and scale as reserved matters, subject to an application for approval of these details under condition 1. These details (the reserved matters) are the subject of this application.
- 1.4 The OPP included several other planning conditions, some of which require further information to be submitted for approval prior to commencement of development, and some of these conditions have already been discharged in full or in part.
- 1.5 Further applications will be made to discharge remaining planning conditions in due course, in accordance with the timing for each condition as specified in the decision letter.
- 1.6 The details now submitted for reserved matters approval have been discussed at a series of virtual pre-application meetings with RCBC over the period from October 2020 to March 2022, where the content of the submission and related matters were discussed. More recently, brief discussions have been held with RCBC. The applicant has considered all the points raised relating to the content of the application to ensure that the detailed proposals for the site are in line with RCBC's ambitions and objectives for the site.
- 1.7 This PSS demonstrates that the details submitted for approval comply with the OPP and the local development plan. The development complies with both national and local policy and represents sustainable development which should be approved without delay in accordance with paragraph 11 of the National Planning Policy Framework (2019).
- 1.8 The document provides RCBC, as the Waste Planning Authority (WPA) and Local Planning Authority (LPA), with a summary of the main planning, design, and environmental information that it requires to support the approval of the reserved matters.
- 1.9 Much of the information in support of the application is contained in the accompanying supporting documents. Whilst this PSS summarises the information to give an overview, duplication of information between documents has been minimised. Consequently, this document should be read in conjunction with the full range of supporting documents.

The applicant

- 1.10 The reserved matters submission is made by Viridor Tees Valley Limited (Viridor), a subsidiary of one of the largest resource recovery and recycling companies in the UK. Viridor (the parent company) has invested around £2 billion in large infrastructure including a network of state-of-the-art ERFs. This is the largest UK market share in ERFs (22%, Tolvik 2022). These ERFs divert non-recyclable waste from local authorities and businesses away from landfill. Viridor is bidding for the contract to provide a new ERF to meet the residual waste management needs of a consortium of local authorities in the Tees Valley area.

The Tees Valley ERF procurement process

- 1.11 The Tees Valley Authorities, comprising the five unitary Councils of Darlington, Hartlepool, Middlesbrough, Redcar & Cleveland, and Stockton-on -Tees have joined together with Durham County Council and Newcastle City Council to procure the design, build, financing, and operation of a new ERF located in the Tees Valley. Together these councils are hereafter referred to as the Contracting Authority (CA).
- 1.12 Viridor is one of three shortlisted bidders for the Tees Valley ERF competitive bid process.
- 1.13 Prior to embarking on the ERF competitive tender process, the CA had already secured an outline permission for an ERF at the site at Grangetown Prairie, and it is a requirement for the successful bidder to have approved details or full permission for the ERF in place.
- 1.14 The information submitted in support of the outline planning application referred to the ERF having the capacity to manage circa 450,000 tonnes of residual waste per annum.
- 1.15 This application for reserved matters approval provides the required details of the ERF pursuant to condition 1 of the OPP. In addition, details pursuant to conditions 3, 12, 14 and 16 are submitted in parallel to this submission and will enable Viridor to meet the requirements of the procurement process and secure the ERF contract.
- 1.16 The objective is to deliver an ERF on the site at Grangetown Prairie to meet the residual waste management needs of the CA.

The principle of development

- 1.17 The OPP (R/2019/0767/OOM) dated 24 July 2020 for an ERF of the required size and capacity on the Grangetown Prairie (Dorman Point) site has established the principle of development, subject to the provision of further detailed information.
- 1.18 The technical information submitted in support of the outline application addressed the need for the facility, compliance with waste strategy and policies, and alternatives.
- 1.19 The outline planning application included an Environmental Statement that reported on the assessment of the potential environmental effects of the ERF

(explained further below) based on a set of defined parameters. It concluded that with appropriate mitigation the ERF would not give rise to any unacceptable environmental effects. This is predicated on the detailed design proposals satisfying RCBC that they would not result in any significant environmental impact beyond that assessed at outline stage.

Detailed proposals (the reserved matters)

1.20 The OPP provides for the construction of an ERF and associated development at the site. The OPP is subject to sixteen planning conditions, the first of which requires the submission of further detailed information (or reserved matters). The OPP was approved with all matters reserved, and as such this planning submission addresses the following:

- appearance
- means of access
- landscaping
- layout
- scale

1.21 Under the provisions of the OPP, details of the reserved matters must be submitted for approval within 3 years of the date of permission, which means submission by 23 July 2023. The date of this reserved matters submission to the RCBC in March 2023 is therefore within the required timescale.

Environmental impact assessment (EIA)

1.22 The proposed ERF development falls within Schedule 1 of the EIA Regulations and the outline planning application was accompanied by an Environmental Statement (ES). The ES was informed by a Screening Opinion in August 2019 (which confirmed that an ES would be provided with the outline application) and a Scoping Response from RCBC in November 2019. The ES covered the following environmental topic areas, including cumulative impacts:

- Ecology and biodiversity Landscape and visual impact
- Hydrology, hydrogeology, geology and contamination
- Flood risk and water quality
- Archaeology and cultural heritage
- Socio-economic
- Air quality, noise and human health
- Traffic and transportation.

1.23 As the outline application was accompanied by an ES, the approval of reserved matters must also demonstrate that the details provided follow the ES findings. Details of this are provided in a statement of conformity and relevant supporting information, submitted with this reserved matters application.

Environmental permit

- 1.24 Before the ERF can be operated it will require authorisation from the Environment Agency under the terms of the Environmental Permitting Regulations 2010. This authorisation will set out environmental standards for the operation of the ERF, mainly relating to control of emissions to the atmosphere.

Content of the reserved matters application

- 1.25 The content of the reserved matters application reflects pre-application discussion with officers of RCBC as the Waste Planning Authority.

- 1.26 The material includes the following:

- Reserved matters application form
- Detailed drawings to show the proposed access, layout, scale, appearance and landscaping (see Appendix A for full list of drawings).

- 1.27 The following supporting documents are also provided:

- This planning supporting statement
- Environmental Impact Assessment Statement of Conformity report
- Design evolution report
- Air quality: emissions modelling report
- Air quality: dioxin pathway intake assessment
- Transport Statement
- Interim Travel Plan
- Shadow Habitat Regulation Assessment report
- Flood risk assessment
- Sustainable Urban Drainage Systems technical note
- External lighting assessment
- Water Framework Directive Assessment update.
- Noise and Vibration Impact Assessment
- Preliminary Ecological Appraisal.

Other planning conditions

- 1.28 In addition to the reserved matters details for approval, pursuant to condition 1 of the outline planning permission, there are a number of other pre-commencement conditions:

- Condition 3 (shadow habitat regulations assessment and supplementary air quality assessment)
- Condition 4 (construction and environmental management plan or CEMP)
- Condition 5 (site contamination)
- Condition 7 (archaeological WSI)
- Condition 8 (foul water disposal scheme)

- Condition 9 (surface water drainage scheme)
 - Condition 10 (surface water drainage management plan)
 - Condition 12 (finished floor levels)
 - Condition 13 (biodiversity improvement plan)
 - Condition 14 (landscape scheme)
 - Condition 16 (detailed scheme for vehicular access and egress)
- 1.29 Conditions 4 and 7 of the outline permission for the ERF have been discharged in part by STDC as part of their overlapping works on site remediation (see RCBC reference R/2021/0152/CD for conditions 4 and 7).
- 1.30 Condition 4 (CEMP) is discharged in part with regard to its relationship with the Written Scheme of Investigation (WSI) for the archaeology works. A further submission will be made by the contractor appointed to construct the ERF in due course, to fully discharge condition 4.
- 1.31 R/2021/0152/CD STDC also part discharges condition 7, pending completion of the analysis and reporting stage of the findings from the archaeology investigation at the site in line with the approved WSI. An application including this final information was submitted in December 2021 to fully discharge the condition (reference R/2021/1046/CD). This was approved in March 2022 so condition 7 is fully discharged.
- 1.32 The decision letters for conditions 4 and 7 are included at Appendix B of this document).
- 1.33 STDC has also carried out site remediation under condition 5 of a separate planning permission (reference R/2020/0318/FFM) for wider site remediation works, including the ERF site, and this condition has been discharged under reference R/2020/0730/CD for the land including the ERF site. These works effectively mirror the requirements of condition 5 on outline permission reference R/2019/0767/OOM for the ERF.
- 1.34 STDC has therefore also secured the discharge of condition 5 of R/2019/0767/OOM for the ERF. The decision letter (reference R/2021/0662/CD dated 27 August 2021) is included in Appendix B of this document.
- 1.35 It is noted that the ERF development, insofar as it will involve excavations for the bunker, and some piling activity, that will be deeper than the extent of the approved remediation works, may also require further submissions to be made under condition 6 (previously unidentified contamination). If this is required, the relevant submissions will be made at the appropriate time.
- 1.36 Under the terms of the contract to build the ERF the management of any material determined to be Contaminated Material will become the responsibility of STDC. A protocol is being developed for how to deal with this material. It is proposed that any suspected Contaminated Materials can be moved temporarily to a holding area allocated by STDC pending completion of the sampling and testing to confirm (or otherwise) that the material is Contaminated Material, and subsequently where it is determined to be so, that STDC procures appropriate treatment and/or disposal of such Contaminated Material, in line with a materials

management plan, also prepared by STDC. The advantage will be that the contaminated material can be removed from site to the designated holding area whilst it is being tested, so that work on site is not held up in the meantime.

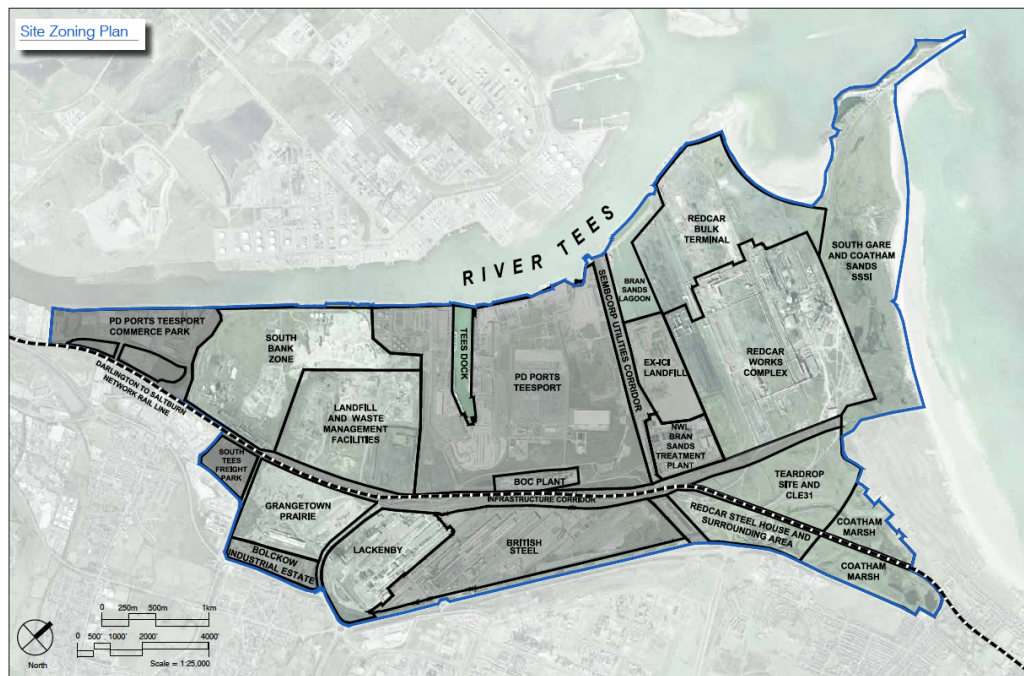
- 1.37 As such, Viridor have agreed with RCBC Planning that they will provide to the LPA, as soon as practicable after reserved matters approval and in advance of start on site, a copy of a Remediation Protocol along with a copy of the STDC materials management plan. The purpose of this will be to secure agreement of the general principles of the Protocol.
- 1.38 It is proposed that the submission of these documents would allow a partial discharge of condition 6 of the outline permission for the ERF regarding the approval of details for dealing with previously unidentified contamination that might be encountered in development of the ERF, by allowing for material to be removed to the holding area for testing.
- 1.39 STDC (through Teesworks) has also prepared a wider biodiversity strategy for the STDC area that will be used to discharge condition 13. The strategy provides for the required biodiversity net gain and involves the provision of strategic biodiversity areas off-site, to include provision for a number of redevelopment projects across the regeneration area, including for the ERF. It is expected that the CA will submit the application to discharge this condition.
- 1.40 STDC (through Teesworks) will account for any net biodiversity gain that is present in the approved reserved matters for the ERF (as presented in the landscape proposals for this application) as part of the overall package of biodiversity provision.
- 1.41 A separate application is submitted alongside this reserved matters application to provide information to address the requirements of conditions 3, 12, 14 and 16 regarding HRA/air quality information, details of finished floor levels, landscape planting details, and access arrangements.
- 1.42 As detailed technical design work continues to be worked up, Viridor intends to submit, as soon as possible, separate condition discharge application(s) to satisfy the remaining conditions precedent (4,8,9, and10), to enable construction to begin.

2.0 SITE AND SURROUNDINGS

Site description

- 2.1 The ERF site as defined in the outline planning application lies within the area known as Grangetown Prairie, now also referred to as Dorman Point, owned by the STDC. The site extends to around 10 hectares and forms part of about 1,800 hectares (4,500 acres) of land previously occupied by heavy industry and infrastructure that is subject to STDC's Regeneration Master Plan.
- 2.2 The site lies within the south west corner of the STDC area within the Grangetown Prairie zone as shown on STDC's zoning plan (figure 1). It is located approximately 1.2km from the River Tees to the north, and around 6.5km to the north east of Middlesbrough and 5km south west of Redcar.

Figure 1: STDC zoning plan



Source: STDC Regeneration Master plan, November 2019

- 2.3 The ERF site is a previously developed industrial site that was formerly used to produce iron and steel. Following the closure of the steel works and cessation of industrial activities, the building complex was cleared in the 1980's and the site is now vacant. Having been recently remediated (in 2021), the site is generally characterised as a flat area of open and featureless land.
- 2.4 OPP (R/2019/0767/OOM) was granted for the construction of an ERF in July 2020. The extent of this outline permission covers an area of land that is roughly rectangular in shape and situated between John Boyle Road to the west, Tees Dock Road to the east, the A66 to the south and a railway line to the north.
- 2.5 Planning permission has been granted for new road infrastructure that will serve the site, including a new roundabout on Eston Road and lengths of new road

extending north and east. This road infrastructure was completed in late 2022 and is detailed further below.

Surrounding land uses

- 2.6 The ERF site is surrounded by areas of relatively flat vacant former industrial land, much of which has been, or is in the process of being, remediated to facilitate redevelopment. There are some remaining industrial buildings and uses within the wider vicinity of the site. The newly constructed Teesworks Skills Academy and Dorman Point Way is located to the south, with Bolckow industrial estate beyond. The South Tees Freight Park lies to the west of the site beyond John Boyle Road and to the east is the operational British Steel Lackenby Beam Mill. To the north of the site lies the Tees Valley railway and a public footpath, part of the England Coast Path national trail.
- 2.7 The nearest residential areas are in Grangetown and South Bank, located around 700m away to the south and southwest of the ERF site, beyond the A66.

Planning and environmental designations

Planning

- 2.8 The grant of outline permission (R/2019/0767/OOM) has confirmed the principle of an ERF development in this location and that the facility is in accordance with relevant strategic planning policies. The detailed ERF proposals in the reserved matters must also comply with all other relevant development management policies and guidance. This is addressed in chapter 4 of this statement.

Environmental features and designations

- 2.9 There are no environmental or cultural heritage designations on site. There are some features of interest on the site and within the surrounding area that are summarised below.
- 2.10 There are no designated heritage assets on the site, or near the site. However, the site's long industrial heritage associated with the iron and steel industry was considered at the outline application stage. It was concluded that a part of the ERF site contained surviving historic blast furnace bases which were of national importance and of high value. The OPP includes provision for the area subject to features of high historic value to be retained and protected.
- 2.11 However, following further analysis of the blast furnaces these have subsequently been removed during the site remediation works carried out by STDC in 2021, so there are now no heritage or archaeology constraints on the site layout.
- 2.12 The Teesmouth and Cleveland Coast Special Protection Area (SPA), pSPA, Ramsar and pRamsar sites, designated international nature conservation sites, together with the underlying Teesmouth and Cleveland Coast Site of Special Scientific Interest (SSSI) are located within 2km of the ERF site. The North York Moors SAC and SPA is located 9.4km south-east of the site. The OPP was supported by a habitat regulation assessment (HRA) which concluded that the proposed ERF was unlikely to have a significant adverse effect on these protected sites.

- 2.13 Whilst this position was agreed with Natural England based on the modelling data available at the outline stage, the RCBC has applied the precautionary principle. Condition 3 of the OPP requires a revised HRA and final air quality assessment to be submitted to confirm that there will be no such adverse effects.
- 2.14 The site is in flood zone 1 and considered to be at very low risk of flooding. The OPP is subject to appropriate mitigation and details of the final drainage system for surface and foul water are required to be submitted. This reserved matters application includes a drainage strategy in this respect, with the final details to be submitted to discharge conditions 8 and 9 of the OPP (drainage details) in due course.
- 2.15 The site is not covered by any landscape designations and is located within a predominantly industrial setting. However, there are some recognised sensitive rural landscape areas within the wider area, such as the Eston Hills to the south. The outline permission has confirmed that the scale of the ERF development can be accommodated within the urban area of the site with no unacceptable impact in terms of landscape or visual amenity. This conclusion has been checked with respect to the final building design.

Relevant planning permissions

- 2.16 As well as the OPP, the application site has been subject to other planning permissions that are directly relevant to this reserved matters submission. These are summarised below.

Highways infrastructure

- 2.17 Planning permission (R/2020/0270/FFM) was granted to STDC by RCBC on 12 August 2020 for highways and engineering works in relation to land at and adjoining Eston Road, including gateway junction of the A66 to Middlesbrough Road East, at Grangetown. The description of the development is:

“Engineering operations including widening of Eston Road, formation of new roundabout and internal access roads, works to enhance Holme Beck and associated hard and soft landscaping works”

- 2.18 This was subject to a non-material amendment (ref: R/2021/0296/NM) approved in May 2021 to amend the north link road further south, with alterations to the east link road and emergency access (to the ERF site), and details of works to Holme Beck. A further non-material amendment (ref R/2021/1058/NM) was approved in January 2022 for adjustments to the footway.
- 2.19 The permission provides for the creation of a new road and highway access to the site of the ERF. The access works including the new Eston Road roundabout and associated arms have been recently completed in late 2022. The reserved matters for the ERF include the access design to link the site to this new highways infrastructure, including at both the main site access and the emergency access.
- 2.20 Drawing reference 20044-FRA-00-00-DR-A-90-0003 Rev P13 shows the proposed site plan with the new highways infrastructure in place.

Site remediation

2.21 Two further planning permissions were granted by RCBC to STDC for site remediation and ground preparation works at the Grangetown Prairie site, which affect the land subject to this reserved matters submission.

2.22 The first planning permission (R/2019/0427/FFM) was granted on 27 September 2019 for:

“Demolition of structures and engineering operations associated with ground preparation and temporary storage of soils and its final use in the remediation and preparation of land for regeneration and development”

2.23 The second planning permission (R/2020/0318/FFM) was granted by RCBC on 30 September 2020 for:

“Engineering operations associated with ground remediation and preparation including removal of former railway embankment and works to Holme Beck and Knitting Wife Beck”

2.24 The works to remediate the ERF site under these permissions have already been completed.

Dorman Point

2.25 An outline application (R/2020/0819/ESM) for development of up to 139,353 square metres (gross) of general industry (Use Class B2) and office accommodation (Use Class E), HGV and car parking, works to watercourse including realignment and associated infrastructure works (all matters reserved) was approved in May 2022, and encompasses the ERF site as part of a larger site area.

2.26 The approved development is known as Dorman Point. The planning statement accompanying the application explains that STDC is fully supportive of the ERF scheme and that the future detailed design of the site will ensure that the ERF scheme is incorporated in the proposals for Dorman Point.

Teesworks Skills Academy

2.27 A full application (R/2021/0879/FF) for erection of a training facility with associated landscaping and parking areas was approved in December 2021 on land within the ERF outline planning application boundary, to the south of the ERF reserved matters application boundary.

2.28 This facility has recently opened in late 2022 and operates as the Teesworks Skills Academy.

3.0 OVERVIEW OF THE PROPOSALS

Condition 1 (reserved matters)

- 3.1 This application for approval of reserved matters is submitted pursuant to condition 1 of OPP ref. R/2019/0767/OOM for the construction of an ERF and associated development at the site.
- 3.2 The reserved matters are access, appearance, landscaping, layout and scale. These matters are fully addressed in the submitted drawings and supporting documents as explained below and in chapter 4 of this document.

The proposals

- 3.3 A detailed description of the proposals is provided in the EIA Statement of Conformity presented with this submission.
- 3.4 In summary, the main ERF building will be located on the eastern part of the application site. It will treat non-hazardous, non-recyclable, residual waste material in two streams.
- 3.5 The main building will house a tipping hall, waste bunker, two moving grate furnaces, two boilers, flue gas treatment with two 80 metre high stacks, a waste reception area, and a steam turbine generator. The generator will provide electrical power, of which the majority will be exported to the local electrical distribution network and the remainder will be used within the ERF.
- 3.6 The proposals will also be able to export heat in the form of steam or hot water in the future, should off-site recipients be identified.
- 3.7 A separate building housing visitor and administrative facilities is located to the west of the main building, connected to it by an enclosed pedestrian bridge.
- 3.8 Buildings and structures ancillary to the ERF include security control and driver welfare facility, five weighbridges, workshops, air cooled condensers, fin fan coolers, electricity transformer / substation, storage tanks (diesel, ammonia, fire water), staff and visitor parking and internal roads. Culverts will be provided at key locations beneath the internal roads to facilitate installation of future pipe work with minimal disruption.
- 3.9 Parking is provided for 58 cars to the west of the buildings, and there is also a grasscrete/gravel area providing parking for 90 cars for use by contractors during maintenance shut down periods. The car park design has followed design principles laid down in relevant design guides as far as they are relevant to the proposed car park. Twenty electric vehicle (EV) charging points will be provided with the remainder of the main parking area (i.e. the rest of the 58 spaces) provided with ducting to facilitate the future installation of EV charging points.
- 3.10 There is a coach parking area in the car park to cater for larger groups of visitors attending the site. All visits will be by prior appointment. Fourteen secure spaces for bicycles and up to nine motorcycle spaces will also be provided to the south of the office/admin building for use by staff and visitors. This secure bicycle parking will be within a roofed storage facility that is lit and monitored by CCTV.

- 3.11 Two areas towards the north east and north west of the site (12,000 m² in combined area) are reserved for the future provision of carbon capture use and storage (CCUS) facilities, or for another future use. The total area has been calculated to be sufficient to provide plant that will process 100% of the flue gas emissions from the fully operational ERF. It is intended for design details of this area to be developed and provided as a separate submission in due course. The system will be designed to extract CO₂ from the flue gas to be piped offsite into the Net Zero Teesside CCUS Network.
- 3.12 There will be landscape bunding and planting around all four boundaries of the site to screen the lower part of the buildings and the activity on the site at ground level. The site boundaries will also have security fencing.
- 3.13 All entrance gates onto the site will be lockable. The final fence selection will consider deterring climbing and resist attack and intrusion. The material of the fencing and fixing will consider design life. Entrance gates will be inward opening.
- 3.14 Lighting across the access road, paths, footpaths and carpark areas will be compliant with relevant standards. LED lighting will be used where appropriate.
- 3.15 The staff and visitors entrance/exit, the commercial vehicles entrance/exit and car parks will be clearly signposted from the access road. Signs will be erected to identify areas that are not open to public access.
- 3.16 Vehicle security barriers will be installed between the car park and the west and south elevations of the office/admin building.
- 3.17 Entrance and emergency doors and windows of the office/admin building, and the security control and driver welfare building, will meet required security standards.
- 3.18 The proposals also include a sustainable urban drainage strategy and foul water network. A description of the surface water drainage arrangements for the site and flood risk is included within the surface water technical note and flood risk assessment which is submitted as part of the reserved matters application.
- 3.19 The ERF also includes photovoltaic panels on the southerly facing roofs of the waste reception area and the tipping hall. The array will make a further contribution to renewable energy generation at the site.

Access and circulation

- 3.20 All vehicles will access the ERF via the new northern arm of the new Eston Road roundabout located to the south west of the site.
- 3.21 The site is laid out to minimise the potential for conflict between operational traffic delivering waste to the site and lighter staff and visitor vehicles. The staff and visitor car park is therefore located soon after the entrance to the site off an internal site roundabout to ease circulation. The weighbridges are located well within the site with ample space for vehicle stacking on the site. This will avoid the risk of queuing affecting the main site access.
- 3.22 The various vehicle circulation routes within the site are shown on drawing 20044-FRA-00-00-DR-A -90-0023 Rev P11.

4.0 RESERVED MATTERS AND COMPLIANCE WITH THE OUTLINE PERMISSION

Introduction

- 4.1 This section of this statement provides a description of the proposals in respect to each of the reserved matters of access, layout, scale, appearance, and landscaping and demonstrates how the proposed detailed ERF design are in accordance with the OPP.
- 4.2 The EIA Statement of Conformity summarises how the detailed proposals are compliant with the findings of the EIA undertaken for the outline scheme, cross referenced to the additional technical assessment that has been undertaken, where relevant.

Reserved matters compliance

Access

- 4.3 Means of access is a reserved matter. This covers accessibility for all routes to and within the site, as well as the way they link up to other roads and pathways outside the site.
- 4.4 The information provided with this application therefore includes details of how access will be provided to the site from the external road network, circulation and access routes within the site itself, and emergency access.
- 4.5 The OPP is based on an indicative layout that shows the main site access provided to a new road to the west of the site, with potential for an emergency access to a new road to the south, both new roads linking to a new roundabout on Eston Road to the southwest of the site and giving access to the wider road network.
- 4.6 Whilst these new roads and roundabout did not exist at the time of the outline planning application, they have now been constructed following implementation of full planning application reference R/2020/0270/FFM, dated 12 August 2020 and a non-material amendment (ref: R/2021/0296/NM) approved in May 2021.
- 4.7 The reserved matters application for the ERF therefore includes the access design to link the site to the new highways infrastructure, including both the main site access and emergency access.
- 4.8 The proposed site plan in drawing 20044-FRA-00-00-DR-A-90-0003 Rev P13 shows how the connection to the new access road will be made, providing a road leading into the site from the new external road to the internal site road network. All deliveries, unloading of residues, and visitor traffic will use this access.
- 4.9 The drawing also shows how the connection to the emergency access to the south east of the site will be made, providing a link from the access bellmouth on the new external link road to the internal site roads. This will provide access for emergency vehicles to reach the buildings in the event that the main site access is blocked or unusable.

- 4.10 The internal site circulation can be seen on drawing 20044-FRA-00-00-DR-A-90-0023 Rev P11. The internal site circulation and layout has been designed to meet operational requirements for waste deliveries. HGVs and RCVs access to the tipping hall, plus HGVs making operational deliveries and exporting residues, are kept separate from private cars and cyclists visiting the site and the administration block. Sufficient queuing space is provided on site to prevent delivery vehicles backing up onto the highway.
- 4.11 The access arrangements meet the relevant highway design standards and provide for safe access for HGVs, RCVs, light cars and vans, cyclists and pedestrians. Pedestrian circulation is shown on drawing 20044-FRA-00-00-DR-A-90-0024 Rev P11. Provision is also made for disabled persons to access the site and the buildings.
- 4.12 It is considered that the information provided regarding access fully addresses this reserved matter and is in line with the outline permission.

Layout

- 4.13 Layout as a reserved matter includes details of buildings, routes and open spaces within the development and the way they are laid out in relation to buildings and spaces outside the development.
- 4.14 The drawings submitted with the application provide details of all the buildings including tanks and ancillary structures; all the internal circulation routes; and all the open spaces. The information provided fully addresses these elements of the reserved matters requirements on layout. Drawing 20044-FRA-00-00-DR-A-90-0003 Rev P13 shows the proposed site layout.
- 4.15 Currently the only building in the immediate surrounding area adjacent to the site boundary is the Teesworks Skills Academy to the southwest. Care has been taken in the design and layout of the ERF proposal to take account of this and other adjacent development that will take place in the future, which may be of a smaller scale; and of the position of the site in the wider regeneration area, close to a gateway to the new industrial area that is planned to be located to the south. It is also mindful of the public right of way that runs alongside the railway line to the north.
- 4.16 With this in mind, a feature of the design strategy has been to locate the main building away from the southern boundary of the site with all buildings pushed back from the southwestern approach to the regeneration area.
- 4.17 The main body of the building is located away from the Skills Academy and primary frontages to the south and west. The building is on a roughly north-south alignment, with the stack located in the northeastern corner of the site, away from the main public frontages.
- 4.18 The turbine hall and transfer substation are located close to the external offsite grid connection position, to the north of the site.
- 4.19 The air-cooled condenser units are located away from the main site frontages to create distance from potentially sensitive noise receptors.

- 4.20 The internal route layout provides for early separation of operational vehicles from staff and visitor vehicles and includes clear and safe onsite traffic management flow and directional signing.
- 4.21 The administration block is west of the main ERF, with high level access via an overbridge connecting to the control room. This allows the car park access from the internal site roundabout to be adjacent to the administration block and keeps car traffic separate from the HGV traffic soon after entering the site.
- 4.22 Space for CCUS equipment (or other future development) is provided at the north and northwest of the site, close to the flue gas treatment, this being the most efficient location for such equipment to minimise pipework. The areas are indicated on the layout drawings and will be grassed over (northwestern area) or surfaced with gravel (northern area) until needed for the CCUS equipment, or other future scheme.
- 4.23 It is intended that CCUS equipment will be installed in these areas at a future date, as the technology is at an early stage of development and the details of what will be provided are not yet known. The layout has future-proofed the area around the stack, freeing it of any obstructions to enable easy connection to the ductwork to extract the flue gas. Pre-application discussion with the planning authority (RCBC) has indicated that the CCUS equipment is ancillary to the ERF and its provision can be subject to a planning condition on the reserved matters approval to ensure that RCBC can approve the details at a future date.¹
- 4.24 It is considered that the information provided regarding layout fully addresses the requirements for this reserved matter and is in line with the outline permission.

Scale

- 4.25 Scale as a reserved matter includes information on the size of the development, including the height, width, and length of each proposed building.
- 4.26 The submitted drawings include plans and elevations that provide the required dimensions for all the buildings, and the design evolution report includes illustrations of the buildings in situ. The elevations of the main ERF building are shown on 20044-FRA-00-00-DR-A-20-0010 Rev P10 and 20044-FRA-00-00-DR-A-20-0011 Rev P10. Site elevations are shown on drawings 20044-FRA-00-00-DR-A-90-0004 Rev P8 and 20044-FRA-00-00-DR-A-90-0005 Rev P9.
- 4.27 The outline permission was based on a building with a height of around 50m, with a stack height of up to 80m.
- 4.28 The proposed buildings do not exceed the scale anticipated by the outline permission, having a maximum building height of 50m and a stack height of 80m.

¹ Wording of a possible planning condition has been discussed and agreed with RCBC as follows: *Prior to the installation of any infrastructure or equipment relating to the delivery of carbon capture, and associated storage and transportation on the application site, final details of that infrastructure shall be submitted to and approved by the Local Planning Authority and the development completed in accordance with the approved details.*

- 4.29 It is considered that the information provided regarding scale fully addresses the requirements for this reserved matter and is in line with the outline permission.

Appearance

- 4.30 Appearance as a reserved matter includes aspects of a building or place which affect the way it looks, including the exterior of the development.
- 4.31 The reserved matters submission includes drawings and a design evolution report that show the appearance of the development, including materials.
- 4.32 The materials palette is light and crisp, with grey tones complementing each other across the various built elements that make up the ERF and its component parts and ancillary buildings and structures.
- 4.33 The materials palette, and how it has been applied, enhances and complements the building form. For example, the interface of the finishes at corners and edges has crisp detailing to ensure that the pure form is clear.
- 4.34 The chosen materials also have a variety of textures and depths. The materials ensure that the new buildings will make a positive contribution to the overall appearance of the area using good quality materials of appropriate scale, profile, finish, colour, and weathering characteristics.
- 4.35 The appearance of the building has been discussed with STDC in relation to the Teesworks Design Guide, and the final design and materials palette selection has been informed by this testing and dialogue.
- 4.36 It is considered that the information provided regarding appearance fully addresses the requirements for this reserved matter and is in line with the outline permission.

Landscape

- 4.37 Landscape as a reserved matter includes the improvement or protection of the amenities of the site and the surrounding area.
- 4.38 Landscape details are provided on drawing TOR-TV-XX-ZZ-DR-L-P002 with planting plans on drawings TOR-TV-XX-ZZ-DR-L-P003 to P008. A landscape management and maintenance plan is also provided.
- 4.39 Landscape bunds and planting are proposed to assist in breaking up the proposed building mass and provide a degree of screening to the ground level activity.
- 4.40 A 2.4 m high palisade boundary fence will provide security for the ERF. This fence will sit along the centre of a 0.8 m wide gravel maintenance strip. This allows for access to cut grass and shrubs adjacent to the fencing and allows for unobstructed views of the fencing from the CCTV cameras.
- 4.41 The spoil generated from the construction of the ERF will, where possible, be retained and used to form earth bunds around the perimeter of the site. These will

sit inside of the security fence line along the north, east and west boundaries and in front of the fence line along the southern boundary.

- 4.42 Along the northern boundary the bund will reach a height of 1 - 1.2 m high. Along the eastern boundary the bund will be predominantly 1 m high rising to 1.5 m where space allows. Along the majority of the western boundary the bund will be 1.5 m high, reducing to just 0.5 m high along the western edge of the car park. At the south western corner of the site where there is greater space for landscape, south of the site entrance, the bunding rises to 3 m, reducing to 1.5 m high where the landscape area narrows and then rises again to 2 m at the emergency access gate.
- 4.43 The majority of the bunds along all four of the boundaries have a gradient of predominantly 1:4 and will be planted with native woodland planting. In order to provide a more established appearance from day one the mix will consist of a variety of sizes rather than being purely transplants. Light standard trees ranging in height from 3 – 6 m high will be planted at 4 m centres. 1.25 – 2 m high feathered whips will be planted at 2 m centres and at 1 m centres smaller transplant stock. The species proposed are native to Teesside and will provide a biodiverse species mix that will benefit numerous birds, small mammals, and insects alike.
- 4.44 Within the woodland mix there will also be some advanced nursery stock trees that will provide further immediate height to the planting and will be planted in species groups of three, five and seven. Within the car park and along the eastern and western boundary relatively small tree species have been proposed such as wild cherry, small leaved lime, grey alder and field maple. Where space allows for their eventual growth size, common oak have been used to provide a more substantial climax tree species. Equally, around the attenuation pond, where the soil will be wetter, fast growing white willow have been proposed which will assist in visually breaking up the mass of the built form in views from the north west and west.
- 4.45 In order to enhance the biodiversity on site, a wildflower rich grass mix will be used around the attenuation pond and around the native woodland mix to the bunds along the eastern, western and northern boundaries. While the attenuation pond has not been designed to hold permanent water, a wet meadow grass mix will provide additional biodiversity and will cope well when temporarily flooded following heavy rain.
- 4.46 Ornamental shrub planting is only used at locations such as the site entrance, to the east and west of the security control building, the staff and visitor car park and at the administration building. Where soft landscape areas are wider, they will be planted with further pockets of native woodland mix, such as areas to the south of the staff and visitor car park and to the north of the southern weighbridges.
- 4.47 The site is located on a corner or gateway plot and as such it is important the landscape design takes account of this. For this reason, the native woodland planting has been located to the rear of the bund and contained within a more formal beech hedge and a more contemporary ornamental concentric ring shrub design located on the southern slope of the entrance bund, south of the beech hedge.

- 4.48 The concentric ring design layout uses a limited palate of evergreen and semi evergreen shrubs, perennials and ornamental grasses, along with short broken lengths of evergreen hedging to create rhythmic concentric swathes of single species block planting that repeat throughout the design. Species have been chosen that require limited maintenance and where even the perennial and ornamental grass species can be left throughout the winter as they form interesting sculptural forms even when dead, before requiring an annual cut back the following spring. White stemmed Jermyns birch are proposed as a single tree species within the entrance planting, also to be planted in concentric rings. However, as the design runs eastwards, both the ornamental shrub planting and tree planting begin to break up and decrease in size. About mid-point along the southern boundary the ornamental white stemmed birch give way to common silver birch.
- 4.49 The planting and earth bunding will assist in screening the majority of the ground level activity, especially with regards to views from the Teesdale Way public right of way to the north of the site. Equally, the high bund, the wide area of native woodland and the ornamental tree and shrub entrance design will assist in visually screening the queuing HGV's within the site at the weighbridges and also provide an attractive contemporary landscape design to this important southern gateway site.
- 4.50 It is considered that the information provided regarding landscape fully addresses the requirements for this reserved matter and is in line with the outline permission.

EIA compliance

- 4.51 An EIA Statement of Conformity has been submitted in support of the application.
- 4.52 It is submitted in accordance with the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 (as amended), to provide a comparative assessment of the environmental impacts of the proposed reserved matters with the scheme that has outline permission.
- 4.53 The report considers whether the proposed details in the reserved matters submission are likely to give rise to any new or materially different significant effects to those already identified in the December 2019 ES that accompanied application reference R/2019/0767/OOM that granted outline permission for an ERF at the site in July 2020.
- 4.54 The report has assessed the proposed details against each of the topics included in the December 2019 ES and concludes that these details and minor amendments do not materially alter the basis of the topic specific assessments and that, therefore, they are not likely to give rise to any new significant or materially different effects to those in the December 2019 ES.
- 4.55 The EIA Statement of Conformity should be read in its entirety for further details of the findings.

5.0 COMPLIANCE WITH PLANNING POLICY AND OTHER MATERIAL CONSIDERATIONS

The development plan

5.1. Under the provisions of the Planning and Compulsory Purchase Act (PCPA) (2004) the current development plan comprises the following:

- Redcar and Cleveland Local Plan (2018)
- Tees Valley Joint Minerals and Waste Core Strategy DPD (2011)
- Tees Valley Joint Minerals and Waste Policies and Sites DPD (2011)

5.2. The key development plan policies of relevance to the proposed development are considered further below.

The principle of development

5.3. The OPP establishes that the proposed development is acceptable in principle and complies with development plan policy. In coming to the decision to grant outline permission, RCBC considered other relevant material considerations, including the following documents:

- National Planning Policy Framework (NPPF) 2019
- Waste Management Plan for England (WMPE) 2013
- National Planning Policy for Waste (NPPW) 2014
- Our Waste, Our Resources: A Strategy for England (2018)
- A Green Future: Our 25 Year Plan to Improve the Environment 2018
- South Tees Supplementary Planning Document (SPD) 2018
- Tees Valley Joint Waste Management Strategy (JWMS) 2008
- Draft Tees Valley Joint Waste Management Strategy (Draft JWMS) 2020-2035
- South Tees Development Regeneration Master Plan.

5.4. In determining the outline planning application, the waste planning authority concluded that the principle of development is acceptable in context of the local plan, accepting that the ERF:

- constitutes sustainable development in accordance with development plan Policy SD1 (Sustainable Development) and the provisions of the NPPF
- is compliant with Policy SD2 (Locational Policy) in that it will be located on previously developed land within the urban area of South Tees, provided that detailed assessment demonstrated no adverse impact locally or on sensitive environment
- sits within the development limits established under Policy SD3 (Development Limits)
- following an assessment against a series of detailed criteria, complies with Policy SD4 (General Development Principles)
- is compliant with Policy SD7 (Flood and Water Management)

- is allocated for specialist employment uses under Policy ED6 of the Local Plan, with such specialist uses including waste and energy
 - is in context of the Tees Valley Minerals and Waste Core Strategy and Policies and Sites DPDs is located on a site identified under Policy MWC8 as lying within a general location for waste management sites,
 - is within an area allocated for the development of the South Tees Eco Park under Policy MWCP8. The South Tees Eco-Park is allocated for development that will recover value from 450,000 tonnes of municipal solid waste and commercial and industrial waste per annum. Large-scale waste management facilities, such as the ERF, are listed as appropriate developments in the Park
 - is compliant with Policy LS4 (South Tees Spatial Strategy), which requires economic growth and regeneration within the STDC area
 - following detailed assessment, in context of the Environmental Statement information, accords with the provisions of Policy N1 (Landscape), Policy N4 (Biodiversity and Geological Conservation), Policy HE2 (Heritage Assets), Policy HE3 (Archaeological Sites and Monuments) and Policy T1 (Transport and New Developments)
- 5.5. In the context of other relevant material considerations, the ERF was deemed to recover value from the region's residual waste and divert this from landfill and therefore in accordance with the waste hierarchy and circular economy, national, local planning policies and strategies, the current and emerging JWMS and other relevant waste strategies. The officer's report for the ERF outline application concluded that:
- “The application for the development of an energy from waste plant is generally consistent with development plan policy which allocates the area for employment related development. In addition, the development is consistent with the STDC Master Plan and South Tees Area SPD. In addition, the development is consistent with the Tees Valley Minerals and Waste Core Strategy and Policies and Sites DPDs. There is no policy objection to the principle of development.”*
- 5.6. As the principle of the ERF development on this site is established by the outline permission, there is no requirement to provide further evidence in respect to the need for the ERF, or the suitability of the site for the construction of the ERF.
- 5.7. The remainder of this chapter therefore demonstrates how the detailed design proposals for the ERF are compliant with relevant planning policy and other relevant material considerations in relation principally to the approval of the reserved matters of access, appearance, landscape, layout, and scale, which are all matters related primarily to detailed design.
- Redcar and Cleveland Local Plan (May 2018)***
- 5.8. The most relevant adopted development plan policies for approval of the reserved matters application are found in the Redcar and Cleveland Local Plan (RCLP) adopted in 2018. The RCLP was prepared to be consistent with the National Planning Policy Framework (NPPF) and covers the period to 2032. It is a recently adopted local plan and remains effective.
- 5.9. Given that the outline permission establishes the principle of development, only those policies that relate to the design details submitted for reserved matters

approval in relation to access, appearance, layout, landscape, and scale are relevant. These are:

- Policy SD4 (General Development Principles)
- Policy SD6 (Renewable and Low Carbon Energy)
- Policy SD7 (Flood and Water Management)
- Policy N1 (Landscape)
- Policy N4 (Biodiversity and Geological Conservation)
- Policy HE2 (Heritage Assets)
- Policy HE3 (Archaeological Sites and Monuments)

Policy SD4 (General Development Principles)

- 5.10. Policy SD4 sets out a series of criteria (a. to h.) against which the suitability of a site or location for development should be assessed. The ERF OPP has already satisfied these criteria, and these are not considered further.
- 5.11. Criteria i. to r. require development to be designed to a high standard. They relate to matters that are included in the reserved matters submission and are therefore addressed below.
- 5.12. Criterion i. requires development to make the most effective and efficient use of available land and where appropriate include greenspace and landscaping as part of the development, also supporting local facilities and transport networks. The detailed ERF proposals reflect the proposals in the outline planning application and have been designed with a layout that makes best use of the site in line with this context.
- 5.13. An area that was to be left undeveloped to preserve archaeological remains (former blast furnace bases) in situ is no longer required for this purpose following the carrying out of archaeological works on site (see material submitted to discharge condition 7, reference R/2021/0152/CD). Similarly, an area to be retained for biodiversity improvements is no longer required since the biodiversity improvements are to be delivered largely off site through a strategic approach under the auspices of Teesworks' wider overview of the regeneration area. This offsite provision is allowed for under the terms of condition 13.
- 5.14. These two areas, shown on the indicative layout in the outline planning application have therefore become part of the development area, resulting in a more efficient approach to the layout.
- 5.15. The layout provides significant areas of green landscape to help to integrate the ERF into the wider landscape. Some of this is reserved for the future installation of equipment for CCUS, an ancillary use (or other future development). This further enhances the efficiency of site usage.
- 5.16. Criterion j. requires development to respect or enhance the character of the site and its surroundings in terms of its proportion, form, massing, density, height, size, scale, materials and detailed design features.

- 5.17. The broad scale and height of the proposed ERF stack and building envelope have already been addressed by the outline planning permission. The EIA was based on some key parameters, including a building height of 50m, and a stack height of 80m.
- 5.18. The detailed design for the ERF that is presented in this reserved matters application has been carefully considered to ensure that the scale, size, and height of the ERF remains within the parameters assessed in the EIA.
- 5.19. The design process has considered form, massing, and materials to arrive at a proposal that respects the character of the site and its surroundings, as explained in the Design Evolution Report submitted with the reserved matters application.
- 5.20. Relevant parts of criterion k. require opportunities to be taken to enhance the character and quality of the surrounding area, by establishing a strong sense of place, responding to local character and history and using buildings to create attractive places to live, work and visit.
- 5.21. In this context, the site for the ERF is part of a major regeneration area for which a master plan has been produced by the STDC. The master plan sets out the vision for the wider regeneration of the area. The ERF will be one of the first buildings to be constructed in the area, which is to be a new and modern industrial zone, and the ERF has been designed to set a high standard for future industrial development that will follow. STDC has been consulted on the design of the emerging proposals, and comments received have been incorporated in the design. The proposals will help to set the tone for the character and quality of the new industrial area and will have a quality that will help to establish a strong sense of place. Criterion k will therefore be met.
- 5.22. Criterion l sets an expectation for sustainable design and construction, incorporating best practice in resource management, energy efficiency and climate change adaptation.
- 5.23. The ERF has been designed specifically to ensure that it is as sustainable as possible in respect to its design and construction. In terms of resource management and climate change adaptation, the ERF provides rooftop photovoltaic cells to generate renewable energy and is itself a resource management facility that takes residual waste left over after recycling has been carried out and generates partially renewable energy from it, diverting this waste from landfill and helping to reduce greenhouse gases. The design and construction of the facility is targeting a BREEAM "excellent" rating
- 5.24. The proposals are also 'carbon capture ready'. The design and layout allows for carbon capture technology to be added to the process, and there is space identified on site for the installation of carbon capture technology in the future.
- 5.25. The drainage system also takes account of climate adaptation in terms of allowance for potential for increased rainfall intensity and volume and incorporates rainfall capture, using the captured water in the ERF process.
- 5.26. Overall, the ERF proposal fully complies with the requirements of policy criterion l.

- 5.27. Criterion m seeks the creation of a healthy, active, safe, and secure environment. The ERF will be an operational waste management site, and the health and safety of employees and visitors, and security of the site, have therefore been a key design consideration.
- 5.28. This includes measures such as the early separation of visitor traffic from operational traffic, provision of an enclosed pedestrian bridge from the administration building to the ERF to keep visitors and personnel away from site traffic, and the ability for visitors to the site to view parts of the ERF from the bridge and from safe viewing areas within the operational area itself. This is reflected in the drawings and supporting documents submitted with the reserved matters application.
- 5.29. Criterion n. requires all new development to minimise light and noise and vibration levels to meet or exceed acceptable limits. The outline ERF permission was granted on the basis that the facility would not exceed the noise levels assessed under the EIA and stated within the ES. The technical information accompanying this reserved matters submission confirms that the detailed design proposals are within accepted limits and therefore policy compliant.
- 5.30. The lighting has been designed to minimise external light spill, glow and glare. In addition, the presence of bunding and planting around site boundaries will help to further minimise light spill from the site. Higher level lighting will be within relevant limits.
- 5.31. Criterion o. states that development should respect or enhance the landscape, biodiversity, geological features, the historic environment and both designated and non-designated heritage assets that contribute positively to the site and the surrounding area. The ERF has been designed to ensure compliance with these requirements and the approach taken is detailed later in this section of the report, with respect to specific policies N1 (Landscape), N4 (Biodiversity and Geological Conservation), Policy HE2 (Heritage Assets) and Policy HE3 (Archaeological Sites and Monuments).
- 5.32. Criterion p. requires development to provide suitable and safe vehicular access and parking suitable for its use and location. The ERF has been designed to provide access and egress to accommodate both HGV movements and other vehicles. The access arrangements provide for separation of operational HGV and visitor traffic shortly after the site entrance, with visitor and staff car parking separated from HGV traffic. The level of staff and visitor parking is appropriate for the staffing levels and anticipated visitor levels, and there is an overspill parking area provided for use by contracting staff during maintenance shut down periods to avoid offsite parking on nearby roads during these outages. The weighbridge arrangements provide ample space for stacking on site to avoid tailing back outside the site in busy periods.
- 5.33. Under criterion r, the needs of people with disabilities must be considered through inclusive design and accessible environments through site layout and design. The design of the ERF makes allowance for the needs of disabled staff and visitors, providing suitable access to the visitor and administration areas and the control room. Seven dedicated parking spaces are provided for those who are disabled or mobility impaired.

- 5.34. In conclusion, the relevant requirements of policy SD4 have been fully addressed and met in the detailed design of the proposals.

Policy SD6 (Renewable and Low Carbon Energy)

- 5.35. Policy SD6 broadly supports and encourages renewable and low carbon energy schemes and identifies a wide range of matters to be considered in respect to such development including impact on residential amenity, environmental impacts, landscape sensitivity, heritage, recreation, scale, local topography, aeronautical and military considerations, impact on North Yorkshire Moors National Park, other operational constraints and cumulative impacts.
- 5.36. The OPP established that the purpose of the ERF is to manage residual waste and recover energy and that the proposals were broadly compliant with Policy SD6. The detailed proposals are in accordance with the parameters of the OPP and therefore also comply with this policy.
- 5.37. Furthermore, the ERF, as well as generating low carbon electricity from the outset, is also designed and equipped to be CHP ready, so will facilitate the potential for development of a local heat network.
- 5.38. The detailed design also makes provision for roof mounted solar photovoltaic cells, that will generate additional renewable energy.

Policy SD7 (Flood and Water Management)

- 5.39. Policy SD7 is also a criteria based policy and states that flood risk will be taken into account at all stages of the planning process. Flood risk and water management was considered at outline planning stage through the ES, which was deemed to have presented a robust assessment of the impact of the ERF in terms of hydrology and hydrogeology concluding that, provided the appropriate mitigation strategy is implemented effectively, there will be no unacceptable significant impacts from the development of the project or its operation, in accordance with criteria a to c of SD7. The ES set out a series of environmental measures that are designed to protect the water environment and human health, which include the need for a drainage strategy that incorporates a drainage basin and hydrobrake. These have been addressed in the design of the proposals in the reserved matters application, and the EIA Statement of Conformity confirms the details are compliant with the ES findings on this.
- 5.40. The detailed ERF design respects and accords with the drainage strategy and mitigation agreed at outline stage and therefore criteria d. to g. are complied with in so far as mitigating flooding elsewhere, prioritising the use of sustainable drainage systems, ensuring the separation of foul and surface water flows and ensuring that the development remains in accordance with the Redcar and Cleveland Strategic Flood Risk Assessment. Criteria h is also addressed by a site specific flood risk assessment that demonstrates that development is not at risk from flooding and that it does not increase flood risk elsewhere. Criteria i to n are not relevant to the proposals.
- 5.41. The details provided in the reserved matters submission and its associated drainage strategy are considered to be fully compliant with the overarching approach to flood risk and water management, established by the OPP and in

accordance with Policy SD7. The approval of a detailed drainage scheme for foul and surface water management will be sought through the submission of technical information in respect to planning conditions 8 (foul water disposal scheme), 9 (surface water drainage scheme) and 10 (surface water drainage management plan).

Policy N1 (Landscape)

- 5.42. This policy seeks to protect and enhance the borough's landscapes, considering both nationally and locally important landscapes. Potential impact on landscape from the ERF was considered at outline planning stage and through the landscape and visual assessment forming part of the ES.
- 5.43. The landscape and visual impact assessment was based on an envelope for the building and a maximum height for the stack. This provided a worst-case scenario for the purpose of the assessment. The overall ES mitigation strategy was focused on good design and the use of an appropriate palette of materials.
- 5.44. The detailed design complies with the building envelope and stack height assessed in the OPP and would not give rise to a landscape and visual impact beyond the worst case that was assessed. In this respect, the proposals would accord with landscape Policy N1.
- 5.45. The detailed design of the ERF has been devised taking account of the vision and mitigation established by the OPP and has adopted an approach to deliver a high-quality design that respects and enhances its location and setting and the wider context of the South Tees Regeneration Area.

Policy N4 (Biodiversity and Geological Conservation)

- 5.46. Policy N4 seeks to protect and enhance the borough's biodiversity and geological resources and generally supports high quality schemes that enhance nature conservation and management, preserve the character of the natural environment and maximise opportunities for biodiversity, particularly in areas such as the Tees Corridor.
- 5.47. The policy prioritises the protection of internationally important sites and requires (under criterion a.) for an Appropriate Assessment to be undertaken where proposed development is likely to have an impact on such sites. Policy N4 also generally precludes proposals that are likely to have an adverse impact on nationally and locally important sites, subject to the considerations set out in criteria c. to h.
- 5.48. The potential impact on internationally, nationally and locally important sites and protected sites from the construction and operation of the ERF was considered in detail at the outline planning stage. The officer's report at outline stage concludes that whilst the site generally has limited value in terms of ecology compared to other more environmentally sensitive areas, there are some aspects of the site which are of ecological importance that reflect the location on previously developed land.
- 5.49. Mitigation proposed at outline stage included the reservation of an area of land where a biodiversity improvement scheme could be implemented that would

combine sustainable drainage and landscaping of the site. The on-site management of this area was also accepted as suitable mitigation for any operational impact from the ERF. The ES therefore sets out a strategy for ecological enhancement within the site based on the ecological reserve including creation of reed beds and refuges.

- 5.50. The officer's report on the outline application indicated that whilst there would be some habitat loss, the identified mitigation and net gains were acceptable in context of Policy N4 and Policy SD4(h).
- 5.51. Potential impact on European and nationally protected sites was assessed, including from air quality at outline stage. Natural England concluded that there would be no significant effects from the development. However, this view was predicated on the modelling and limited data provided in an outline application. It was agreed between RCBC and Natural England that the precautionary principle should be applied and that a final air quality assessment should be undertaken at the reserved matters stage, to confirm that there would not be any significant effects on ecological sites.
- 5.52. Since the grant of outline planning permission, STDC has secured planning permissions for ground works related to the remediation of the site in preparation for redevelopment. As a result, the mitigation for the loss of on-site ecological interest will now be undertaken off-site on land elsewhere within the STDC regeneration area. The mitigation works will be undertaken by STDC in accordance with a biodiversity strategy that will be submitted for approval by STDC (through Teesworks).
- 5.53. As required, an updated air quality assessment forms part of this submission and also part of a parallel conditions discharge submission. This technical work takes account of the detailed technical design of the ERF, based on the proposed process equipment and air pollution control technology. In addition, air quality assessment has considered the final orientation, size and position of the building, and the position of the stack as the point source for process emissions.
- 5.54. The updated air quality assessment demonstrates that the emissions associated with the detailed ERF process design, and the final building/stack location and footprint within the site, are comfortably within the accepted levels in the ES for the OPP.
- 5.55. The output of the updated air quality modelling has informed the habitats regulation assessment. The assessment re-affirms that the ERF proposals would not adversely impact the integrity of ecological sites.
- 5.56. The landscape proposals of the reserved matters application also include provision of habitats that will enhance the biodiversity of the site, further satisfying the requirements of this policy.

Policy HE2 (Heritage Assets) and Policy HE3 (Archaeological Sites and Monuments)

- 5.57. The potential impact of the ERF's development on heritage assets and archaeological potential was considered at the outline planning stage through the ES. The site's heritage value is largely derived from its former use for steel making,

forming part of the first steel works in the area. Whilst the site has been cleared, at the time of the outline planning application, the bases of some early blast furnaces remained in situ.

- 5.58. Whilst officers accepted that the construction of the ERF would impact on these non-designated heritage assets, the public benefits of the development was deemed to outweigh these impacts and that this harm could be mitigated through a programme of archaeological work and the retention of some of these features in situ.
- 5.59. A planning condition (condition 7) was imposed requiring a written scheme of investigation (WSI) for archaeological work to be submitted to and approved in writing by the local planning authority.
- 5.60. The information required in respect to discharging condition 7 has been submitted by SDTC. Condition 7 of the OPP was discharged in part under reference R/2021/0152/CD, leaving the report of the findings of the site investigations to be submitted for full discharge. An application including this remaining information was submitted in December 2021 to achieve full discharge of condition 7 and was approved in March 2022 (ref R/2021/1046/CD).
- 5.61. In the course of the archaeological work to discharge condition 7, the significance of the blast furnace bases was re-appraised and it was determined that their preservation in situ was no longer required. The features have been removed from the site as part of the approved remediation works completed by STDC.
- 5.62. The detailed proposals do not give rise to any harm to heritage assets, beyond that assessed by the outline planning application and are therefore in accordance with Policies HE2 and HE3.

Overall conclusion on compliance with the Local Plan

- 5.63. In conclusion it is considered that the proposals satisfy all relevant policies of the Redcar and Cleveland Local Plan (2018) and the Tees Valley Joint Minerals and Waste Core Strategy and Policies and Sites DPD.

Material considerations

South Tees Area Supplementary Planning Document (May 2018)

- 5.64. This supplementary planning document (SPD) supports the economic and physical regeneration of the South Tees Area, setting out the vision and core objectives for the Area and providing greater detail on how adopted planning policies will be interpreted. The proposed ERF is located within the South Tees Area so the content of the SPD is a material consideration.
- 5.65. The OPP was found to be consistent with the development principles included in the SPD.
- 5.66. The OPP has already established the principle of the development of the ERF, and that there will be no unacceptable adverse environmental or amenity effects. The application was subject to EIA and was accompanied by an ES that identifies the

effects of the development and the proposed mitigation, where relevant. The OPP includes planning conditions to ensure that this is achieved.

- 5.67. The detailed design and siting of the ERF in the reserved matters application reinforces the conclusion that there will be no unacceptable adverse effects. The ES statement of compliance report shows that the environmental and amenity effects of the detailed design of the ERF are in line with the ES findings.
- 5.68. The proposals in the reserved matters application therefore comply with the development principles in the SPD.

South Tees Regeneration Master Plan (November 2019)

- 5.69. The Master Plan was prepared in accordance with the adopted Redcar and Cleveland Local Plan (2018) and is itself incorporated within the South Tees Area SPD, discussed above. In planning policy terms, the Master Plan has no formal status other than as a background study. However, it is a material consideration.
- 5.70. The ERF site is located within the Master Plan's South Industrial Zone (SIZ). In granting the OPP, RCBC found it to be consistent with the Master Plan.
- 5.71. The site is in Phase 1 (known as Grangetown Prairie) of the Master Plan proposals for the SIZ, and STDC's enabling works for this phase, by way of site remediation and construction of a new four-arm roundabout and access roads, are now underway. The remediation works carried out include remediation of the ERF site itself. The new roundabout/access roads that have been constructed will provide the access to the ERF site. The reserved matters application shows how the ERF site's internal circulation will connect to these external access roads.
- 5.72. The detailed design and siting of the ERF in the reserved matters application therefore reflects the Master Plan where relevant.

6.0 CONCLUSIONS

- 6.1 This application is submitted on behalf of Viridor for the approval of reserved matters in relation to the operation of an ERF on a site at Grangetown Prairie (also known as Dorman Point), located within the Tees Valley.
- 6.2 The ERF will provide for the sustainable waste management needs of the Tees Valley Authorities², Durham County Council, and Newcastle City Council, collectively known as the contracting authority (CA), who are seeking to procure the design, build, financing, and operation of a new ERF located in the Tees Valley.
- 6.3 RCBC granted permission for the CA's outline planning application for an ERF at the site on 24 July 2020 (ref. R/2019/0767/OOM). The permission was subject to EIA and was therefore accompanied by an ES.
- 6.4 The detailed proposals in this reserved matters application, submitted pursuant to condition 1 of the OPP, reflect the ambition of Viridor, the CA, the landowner (STDC) and RCBC to provide a high quality development that respects its context.
- 6.5 The details submitted have been shown in this planning statement and accompanying documents to be materially compliant with relevant adopted planning policy and the OPP.
- 6.6 The proposed details are therefore acceptable having regard to the principles established by the OPP and do not affect any planning policy or other matters that were material to the decision to grant OPP.
- 6.7 Having regard to the above, the reserved matters proposals are materially compliant with the OPP and planning policy. We therefore respectfully request that these reserved matters be approved without delay.

² Comprising the five unitary Councils of Darlington, Hartlepool, Middlesbrough, Redcar & Cleveland, and Stockton-on-Tees.

Appendix A: Reserved Matters Drawing List

Plan Description	Plan Ref
Site Location Plan	227707B/TOR-001
Existing Site Plan	20044-FRA-00-00-DR-A -90-0025 Rev P7
Layout	
Proposed Site Plan	20044-FRA-00-00-DR-A-90-0003 Rev P13
Landscape	
Landscape masterplan	TOR-TV-XX-ZZ-DR-L-P002 Rev F
Tree planting and grass mixes	TOR-TV-XX-ZZ-DR-L-P003 Rev F
Shrub planting 1 of 5	TOR-TV-XX-ZZ-DR-L-P004 Rev F
Shrub planting 2 of 5	TOR-TV-XX-ZZ-DR-L-P005 Rev F
Shrub planting 3 of 5	TOR-TV-XX-ZZ-DR-L-P006 Rev E
Shrub planting 4 of 5	TOR-TV-XX-ZZ-DR-L-P007 Rev E
Shrub planting 5 of 5	TOR-TV-XX-ZZ-DR-L-P008 Rev E
Site elevations	
Site elevation SOUTH & EAST	20044-FRA-00-00-DR-A-90-0004 Rev P8
Site elevation NORTH & WEST	20044-FRA-00-00-DR-A-90-0005 Rev P9
ERF floor and roof plans	
Proposed GA Level 00	20044-FRA-00-00-DR-A-20-0006 Rev P11
Proposed GA Plan – Level 01 & 02	20044-FRA-00-00-DR-A-20-0007 Rev P9
Proposed GA Plan – Level 03 & 04	20044-FRA-00-00-DR-A-20-0008 Rev P9
Proposed GA Plan – Level 05 & Roof	20044-FRA-00-00-DR-A-20-0009 Rev P9
ERF elevations	
ERF proposed elevations north and east	20044-FRA-00-00-DR-A-20-0010 Rev P10
ERF proposed elevations south and west	20044-FRA-00-00-DR-A-20-0011 Rev P10

ERF sections	
Section A	20044-FRA-00-00-DR-A-20-0012 Rev P11
Section B & C	20044-FRA-00-00-DR-A-20-0013 Rev P8
Section D & E	20044-FRA-00-00-DR-A-20-0014 Rev P8
Administration, security, welfare, weighbridge	
Office Admin GA Plans	20044-FRA-00-00-DR-A-20-0015 Rev P10
Office Admin GA Elevations	20044-FRA-00-00-DR-A-20-0016 Rev P8
Security Control & Driver Welfare	20044-FRA-00-00-DR-A-20-0017 Rev P9
Weighbridge control	20044-FRA-00-00-DR-A-20-0018 Rev P10
Other site structures	
Fin Fan Coolers	20044-FRA-00-00-DR-A-20-0019 Rev P10
CHP	20044-FRA-00-00-DR-A-20-0020 Rev P10
EDG, Water Tank and Pumphouse	20044-FRA-00-00-DR-A-20-0021 Rev P10
Generator step up transformer	20044-FRA-00-00-DR-A-20-0022 Rev P10
Substation	20044-FRA-00-00-DR-A-20-0023 Rev P10
Fencing, Gating & Security Plan	20044-FRA-00-00-DR-A-90-0022 Rev P10
Site circulation	
Vehicle circulation	20044-FRA-00-00-DR-A-90-0023 Rev P11
Pedestrian routes	20044-FRA-00-00-DR-A-90-0024 Rev P11

Appendix B: Condition discharge letters



**Redcar & Cleveland Borough Council
Corporate Directorate for Growth, Enterprise
and Environment**

Development Management
Redcar and Cleveland House
Kirkleatham Street
Redcar
Yorkshire
TS10 1RT

LICHFIELDS
MISS KATHERINE SIMPSON
THE ST NICHOLAS BUILDING
ST NICHOLAS STREET
NE1 1RF

Telephone: 01642 774 774
Email: planning_admin@redcar-cleveland.gov.uk
Website: www.redcar-cleveland.gov.uk/Planning

Our Ref: R/2021/0152/CD
Your Ref:
Contact: Adrian Miller
Date: 24 March 2021

Dear Sir/Madam

**PROPOSAL: DISCHARGE OF CONDITIONS 4 & 7 OF PLANNING PERMISSION
R/2019/0767/OOM FOR OUTLINE APPLICATION FOR THE
CONSTRUCTION OF AN ENERGY RECOVERY FACILITY (ERF) AND
ASSOCIATED DEVELOPMENT**

**LOCATION: GRANGETOWN PRAIRIE LAND EAST OF JOHN BOYLE ROAD AND
WEST OF TEES DOCK ROAD GRANGETOWN REDCAR**

Further to your recent submission of information to comply with conditions attached to the planning permission for the above development.

Please find enclosed Confirmation of Compliance.

This Confirmation of Compliance is the only documentary evidence to show of your compliance with the planning permission and should be retained with your planning decision notice.

Yours faithfully

A handwritten signature in black ink that reads 'Claire Griffiths'.

Claire Griffiths
Development Services Manager



TOWN AND COUNTRY PLANNING ACT 1990

CONFIRMATION OF COMPLIANCE

R/2021/0152/CD

Proposal: DISCHARGE OF CONDITIONS 4 (PART) & 7 (PART) OF PLANNING PERMISSION R/2019/0767/OOM FOR OUTLINE APPLICATION FOR THE CONSTRUCTION OF AN ENERGY RECOVERY FACILITY (ERF) AND ASSOCIATED DEVELOPMENT

Location: GRANGETOWN PRAIRIE LAND EAST OF JOHN BOYLE ROAD AND WEST OF TEES DOCK ROAD GRANGETOWN REDCAR

This Notice confirms that the conditions stated below have been complied with and are formally discharged:

4. **No development shall take place until a Construction Environmental Management Plan (CEMP) for the development has been submitted and approved in writing by the Local Planning Authority. The approved CEMP shall be adhered to throughout the construction phase and shall include of all those mitigation measures set out in Chapter 15 of Volume 1 of the submitted Environmental Impact Assessment December 2019 and Chapter 7 (Mitigation) of the Air Quality Assessment Rev 02 6 March 2020, unless alternative approaches to biodiversity and archaeology mitigation are submitted to and approved by the Local Planning Authority, in accordance with condition nos. 7 and 13, and thereafter carried out in the required timescales. In addition, the CEMP shall set out;**
 - i. **The method to be used to control the emission of dust, noise and vibration from construction works, including any details of any mitigation measures required;**
 - ii. **Measures to control the deposit of mud and debris on adjoining public highways**
 - iii. **Site fencing and security**
 - iv. **Temporary contractors' buildings, plant, storage of materials, lighting and parking for site operatives**
 - v. **The use of temporary generators**
 - vi. **The arrangement or turning of vehicles within the site so that they may enter and leave in forward gear**
 - vii. **A risk assessment of construction activities with potentially damaging effects on local ecological receptors including any measures to protect those receptors during construction**
 - viii. **Roles and responsibilities for the implementation of the CEMP requirements and measures.**

REASON: To mitigate the impact of the development in accordance with the strategy set out in the Environmental Assessment.

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

7. No development shall take place until a written scheme of investigation (WSI) for archaeological work has been submitted to and approved in writing by the local planning authority. The WSI shall as a minimum make provision for:

- (i) Before remediation or development commences, archaeological evaluation of borehole and trenching data
- (ii) Before remediation or development commences, initial archaeological survey (drawn and photographed) of the whole application site, with particular emphasis on the remains the subject of preservation in situ
- (iii) Where practical and before remediation or construction works takes place on site an archaeological strip, map and sample of remains of high significance suggested by the borehole/trenching data, or observed during the initial survey
- (iv) An archaeological watching brief of all ground disturbance during the remediation works and during construction ground works in areas identified as archaeologically sensitive
- (v) Protection during development, followed by consolidation and preservation of high value remains left in situ
- (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.

(a) 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 the development is brought into use.

(b) 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, and the consolidation and preservation of on-site remains as provided for in the WSI (or as otherwise agreed at any time in writing by the local planning authority) shall be secured by the developer and/or landowner on an on-going basis.

REASON: The site contains remains of significant archaeological interest, some of which merit preservation in situ.

REASON FOR PRE-COMMENCEMENT: A pre-commencement condition is required to ensure that no remains are disturbed or otherwise compromised by site excavation of other ground works.



Signed:

Andrew Carter
Assistant Director Economic Growth

Date: **24 March 2021**

Informative Note: Only the conditions listed above have been formally discharged.

Failure on the part of the developer to fully meet the terms of any conditions which require the submission of details at appropriate stages during the development, will result in the development being considered unlawful and may render you liable for formal enforcement action.

Failure on the part of the developer to observe the requirements of any other conditions which do not require submission of details could result in the Council pursuing formal action in the form of a Breach of Condition Notice.



**Redcar & Cleveland Borough Council
Corporate Directorate for Growth, Enterprise
and Environment**

Development Management
Redcar and Cleveland House
Kirkleatham Street
Redcar
Yorkshire
TS10 1RT

STANTEC
MR JAMES WELSH
5TH FLOOR
9 GEORGE SQUARE
GLASGOW
G2 1DY

Telephone: 01642 774 774
Email: planning_admin@redcar-cleveland.gov.uk
Website: www.redcar-cleveland.gov.uk/Planning

Our Ref: R/2021/0662/CD
Your Ref:
Contact: Adrian Miller
Date: 27 August 2021

Dear Sir

**PROPOSAL: DISCHARGE OF CONDITION 5 OF PLANNING PERMISSION
R/2019/0767/OOM FOR OUTLINE APPLICATION FOR THE
CONSTRUCTION OF ENERGY RECOVERY FACILITY (ERF) AND
ASSOCIATED DEVELOPMENT.**

**LOCATION: GRANGETOWN PRAIRIE LAND EAST OF JOHN BOYLE ROAD AND
WEST OF TEES DOCK ROAD GRANGETOWN**

Further to your recent submission of information to comply with conditions attached to the planning permission for the above development.

Please find enclosed Confirmation of Compliance.

This Confirmation of Compliance is the only documentary evidence to show of your compliance with the planning permission and should be retained with your planning decision notice.

Yours faithfully

A handwritten signature in black ink that reads 'Claire Griffiths'.

Claire Griffiths
Development Services Manager



TOWN AND COUNTRY PLANNING ACT 1990

CONFIRMATION OF COMPLIANCE

R/2021/0662/CD

Proposal: **DISCHARGE OF CONDITION 5 OF PLANNING PERMISSION R/2019/0767/OOM FOR OUTLINE APPLICATION FOR THE CONSTRUCTION OF ENERGY RECOVERY FACILITY (ERF) AND ASSOCIATED DEVELOPMENT**

Location: **GRANGETOWN PRAIRIE LAND EAST OF JOHN BOYLE ROAD AND WEST OF TEES DOCK ROAD GRANGETOWN**

This Notice confirms that the condition stated below has been complied with and is formally discharged:

5. **Development shall not commence until a scheme to deal with any site contamination has been submitted and approved in writing by the Local Planning Authority. The approved scheme shall include an investigation and assessment to identify the extent of contamination and the measures to be taken to avoid risk to the site occupants when the site is developed. Development shall not proceed until the measures approved in the scheme have been implemented.**

REASON: To ensure that the development takes account of any contamination present on the site in the interests of the safety and amenity of occupiers and visitors to the site.

REASON FOR PRE-COMMENCEMENT: A pre-commencement condition is required because the risk form contamination will be present on the commencement of works.

A handwritten signature in blue ink that reads 'A. Carter'.

Signed:

**Andrew Carter
Assistant Director Economic Growth**

Date: **27 August 2021**

Informative Note: Only the conditions listed above have been formally discharged.

Failure on the part of the developer to fully meet the terms of any conditions which require the submission of details at appropriate stages during the development, will result in the development being considered unlawful and may render you liable for formal enforcement action.

Failure on the part of the developer to observe the requirements of any other conditions which do not require submission of details could result in the Council pursuing formal action in the form of a Breach of Condition Notice.



**Redcar & Cleveland Borough Council
Corporate Directorate for Growth, Enterprise
and Environment**

Development Management
Redcar and Cleveland House
Kirkleatham Street
Redcar
Yorkshire
TS10 1RT

LICHFIELDS
SAINT NICHOLAS BUILDING, LICHFIELDS
SAINT NICHOLAS STREET
NEWCASTLE UPON TYNE
NE1 1RF

Telephone: 01642 774 774
Email: planning_admin@redcar-cleveland.gov.uk
Website: www.redcar-cleveland.gov.uk/Planning

Our Ref: R/2021/1046/CD
Your Ref:
Contact: AM
Date: 17 March 2022

Dear Sir/Madam

**PROPOSAL: DISCHARGE OF CONDITION 7 OF PLANNING PERMISSION
R/2019/0767/OOM FOR OUTLINE APPLICATION FOR THE
CONSTRUCTION OF AN ENERGY RECOVERY FACILITY (ERF) AND
ASSOCIATED DEVELOPMENT**

**LOCATION: GRANGETOWN PRAIRIE LAND EAST OF JOHN BOYLE ROAD AND
WEST OF TEES DOCK ROAD GRANGETOWN**

Further to your recent submission of information to comply with conditions attached to the planning permission for the above development.

Please find enclosed Confirmation of Compliance.

This Confirmation of Compliance is the only documentary evidence to show of your compliance with the planning permission and should be retained with your planning decision notice.

Yours faithfully

A handwritten signature in black ink that reads 'Claire Griffiths'.

Claire Griffiths
Development Services Manager



TOWN AND COUNTRY PLANNING ACT 1990

CONFIRMATION OF COMPLIANCE

R/2021/1046/CD

Proposal: DISCHARGE OF CONDITION 7 OF PLANNING PERMISSION R/2019/0767/OOM FOR OUTLINE APPLICATION FOR THE CONSTRUCTION OF AN ENERGY RECOVERY FACILITY (ERF) AND ASSOCIATED DEVELOPMENT

Location: GRANGETOWN PRAIRIE LAND EAST OF JOHN BOYLE ROAD AND WEST OF TEES DOCK ROAD GRANGETOWN

This Notice confirms that the conditions stated below have been complied with and are formally discharged:

7. **No development shall take place until a written scheme of investigation (WSI) for archaeological work has been submitted to and approved in writing by the local planning authority. The WSI shall as a minimum make provision for:**
- (i) **Before remediation or development commences, archaeological evaluation of borehole and trenching data**
 - (ii) **Before remediation or development commences, initial archaeological survey (drawn and photographed) of the whole application site, with particular emphasis on the remains the subject of preservation in situ**
 - (iii) **Where practical and before remediation or construction works takes place on site an archaeological strip, map and sample of remains of high significance suggested by the borehole/trenching data, or observed during the initial survey**
 - (iv) **An archaeological watching brief of all ground disturbance during the remediation works and during construction ground works in areas identified as archaeologically sensitive**
 - (v) **Protection during development, followed by consolidation and preservation of high value remains left in situ**
 - (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.**
- (a) **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 the development is brought into use.**
- (b) **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, and the consolidation and preservation of on-site remains as**

provided for in the WSI (or as otherwise agreed at any time in writing by the local planning authority) shall be secured by the developer and/or landowner on an on-going basis.

REASON: The site contains remains of significant archaeological interest, some of which merit preservation in situ.

REASON FOR PRE-COMMENCEMENT: A pre-commencement condition is required to ensure that no remains are disturbed or otherwise compromised by site excavation of other ground works.



Signed:

**Andrew Carter
Assistant Director Economic Growth**

Date: **17 March 2022**

Informative Note: Only the conditions listed above have been formally discharged.

Failure on the part of the developer to fully meet the terms of any conditions which require the submission of details at appropriate stages during the development, will result in the development being considered unlawful and may render you liable for formal enforcement action.

Failure on the part of the developer to observe the requirements of any other conditions which do not require submission of details could result in the Council pursuing formal action in the form of a Breach of Condition Notice.