Planning and Design Statement

Tees Valley Bottom Ash Facility
Grangetown Prairie, Dorman Point
Prepared on behalf of Viridor Waste Limited
March 2023

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TEES VALLEY BOTTOM ASH FACILITY
GRANGETOWN PRAIRIE, DORMAN POINT

OUTLINE PLANNING APPLICATION
PLANNING AND DESIGN STATEMENT
VIRIDOR WASTE LIMITED
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TERENCE O'ROURKE

TEES VALLEY BOTTOM ASH FACILITY
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CONTENTS

1.0 INTRODUCTION

1.1 This planning and design statement (PDS) forms part of a set of documents which together support an outline planning application made by Viridor Waste Limited (the applicant, hereafter referred to as Viridor) to Redcar and Cleveland Borough Council (RCBC) for the construction and operation of a Bottom Ash (BA) Facility on a site at Grangetown Prairie, located within the Tees Valley.

1.2 BA is the non-combustible residue arising from the treatment of waste in energy from waste plants.

1.3 BA is classified as a non-hazardous waste and can be processed to recover metals and prepare the remaining material for re-use. The recovered metals are exported to specialist facilities for onward recycling with the remaining material cleaned of contaminants and standardised. The resulting product forms a secondary/recycled aggregate known as Bottom Ash Aggregate (BAA).

1.4 The recycling process removes metals from the BA, contributing to sustainable waste management and the recovery of resources. The BAA that results can be substituted for primary aggregates in a number of construction activities, diverting the BA material from landfill and reducing the need for primary aggregates to be used.

1.5 This PDS demonstrates that the proposals comply with the local development plan. The development represents sustainable development which should be approved without delay in accordance with paragraph 11 of the National Planning Policy Framework (2021).

1.6 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 outline planning application.

1.7 Much of the information in support of the outline planning application is contained in the accompanying supporting documents. Whilst this PDS 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 and background

1.8 The outline planning application is made by Viridor Waste Limited (Viridor), a subsidiary of one of the largest resource management companies in the UK. Viridor (the parent company) has delivered a network of state-of-the-art Energy Recovery Facilities (ERFs) across the UK that diverts non-recyclable waste from local authorities and businesses away from landfill.

1.9 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.

1.10 The Tees Valley ERF has outline permission granted in 2020 and Viridor has submitted a reserved matters application for detailed proposals to build it, currently being considered by RCBC.

1.11 Viridor's proposed BA Facility is located on adjacent land immediately to the east of the Tees Valley ERF site, and it is intended that it will receive and process the BA from the proposed ERF.

1.12 The recovery of metals and manufacture of a reusable product from BA contributes to sustainable aggregates production and is in accordance with Circular Economy principles (extracting maximum value from resources and keeping them in use as long as possible); an objective of the Waste and Resources Strategy (2019).

1.13 Whilst Viridor's submitted reserved matters details include facilities at the ERF site for the collection of the BA and transport off site for processing, the intention with Viridor's outline planning application for the BA Facility is that, if approved, it will receive and process the ash from the ERF.

1.14 In the event that both the ERF reserved matters and the outline planning application for the BA Facility are approved, it is expected that Viridor will apply to amend the reserved matters approval to reflect the change in arrangements for processing the BA, as well as applying for reserved matters approval for the details of the BA Facility.

1.15 The BA Facility is sized to process all of the BA from the Tees Valley ERF (about 100,000 tonnes per annum, or tpa) and will also have capacity to treat about 80,000 tpa of BA sourced from other ERFs in the wider area (so up to 180,000 tpa maximum capacity).

Pre-application engagement

1.16 The principle of development and the information required to support an outline planning application has been discussed at virtual pre-application meetings with RCBC over the period from December 2021 to March 2022. The advice received verbally from RCBC indicated that the proposed development of a BA Facility at the site is likely to be acceptable in principle, subject to consideration of the potential environmental impacts.

1.17 Whilst there has been no specific community consultation on the proposals in the outline planning application, extensive consultation took place during the preparation of the STDC Regeneration Master Plan which included the plans to re-develop Grangetown Prairie. As part of the adoption process, a draft Master Plan was prepared in March 2017, which included a ‘Development Potential Illustrative Plan’ for each Zone. Subsequent to comments received an updated Masterplan was published in March 2019.

1.18 The purpose of this consultation was to gauge views of the local community and other stakeholders and consider how their comments and suggestions could be reflected in the Masterplan proposals.

1.19 As part of the consultation exercise a range of activities and events were undertaken over a seven-week period, including formal public presentations and events, workshops and stakeholder meetings, meetings with and/or presentations to major operators in the area, regulators, and local and regional business networks and forums.

1.20 As set out in the Masterplan, consultation not only helped STDC develop positive relationships with stakeholders, it also helped to develop a better understanding of current operations, constraints, logistics needs and business plans, enabling the development of the Masterplan that would also enable these key stakeholders to operate better and be more successful, so helping to realise and sustain significant growth in the Tees Valley economy.

1.21 The STDC area is also allocated for strategic waste development within the adopted Redcar Borough Council Local Plan, the Tees Valley Joint Minerals and Waste Development Plan Documents (The Minerals and Waste Core Strategy DPD and the Minerals and Waste Policies and Sites DPD), the South Tees Area Supplementary Planning Document (SPD) and STDC Regeneration Master Plan.

1.22 Given this background, the principle of redevelopment of the site for uses that include waste recycling activity has been subject to extensive consultation under the development plan and Masterplan processes. The outline proposals for a BA Facility at this site, within the Masterplan area and in accordance with the adopted development plan, would be covered by this.

Environmental impact assessment (EIA)

1.23 The applicant has considered whether the proposed BA Facility development requires EIA and has prepared a screening document. This finds that:

- The proposed development is not schedule 1 development
- The proposed development is schedule 2 development
- The development site is not within a sensitive area
- The development proposals exceed the applicable thresholds
- The proposed development is not considered likely to have significant environmental effects
- The proposed development is not an EIA development.

1.24 This report therefore concludes that the proposed development does not require EIA as it is unlikely to result in significant environmental effects.

1.25 This conclusion has been shared with RCBC in pre-application discussions and RCBC has indicated agreement with this finding, subject to receipt of the application and the screening information.

1.26 The screening document is submitted with the outline planning application so that RCBC has all the relevant information to confirm that the proposal is not EIA development.

1.27 Given the above, an Environmental Statement has not been prepared. Supporting environmental information is nevertheless submitted with the BA Facility planning application so that RCBC has sufficient information on which to determine it.

Content of the outline planning application

1.28 The content of the outline planning application reflects pre-application discussion with officers of RCBC as the Waste Planning Authority.

1.29 The material includes the following:

- Outline planning application form
- Location plan (drawing ref TOR- XX-ZZ-DR-A-P001)
- Existing site plan (drawing ref TOR- XX-ZZ-DR-A-P002)
- Parameter plan (drawing ref TOR- XX-ZZ-DR-A-P004)
- Environmental Impact Assessment screening report
- This planning and design statement
- Flood risk assessment and drainage strategy
- Air quality assessment
- Noise assessment
- Transport statement
- Ecological impact assessment
- Habitats Regulations Assessment screening
- Landscape and visual appraisal
- Heritage statement
- Contaminated land review.

2.0 SITE AND SURROUNDINGS

Site description

2.1 The proposed BA Facility site lies within the area known as Grangetown Prairie, also referred to as Dorman Point, owned by the South Tees Development Corporation (STDC). The site forms part of about 1,800 ha (about 4,500 acres) of land previously occupied by heavy industry and infrastructure that is subject to STDC's Regeneration Master Plan. The proposed BA Facility site is therefore part of a previously developed industrial site that was formerly used for the production of 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.

2.2 The site lies within the south west corner of the STDC regeneration area, within the Grangetown Prairie Zone. It is located approximately 1.5 km from the River Tees to the north, around 6.5 km to the north east of Middlesbrough and approximately 5 km south west of Redcar town centre. It is also located immediately adjacent to the eastern boundary of the approved Tees Valley ERF.

2.3 The application site covers an area of around 4.74 ha. Part of this (about 0.7ha on the western edge) overlaps the eastern part of the adjacent Tees Valley ERF site. This is to cover the potential area needed for provision an access with the ERF site or a conveyor to bring the BA from the ERF to the site, requiring development within the ERF site.

2.4 The land is part of a wider area subject to a recently granted planning permission for remediation of contamination and re-grading (see planning history below). These works have started with the remediation of the adjacent Tees Valley ERF site and, as a part of this work, temporary material stockpiles are currently located on the BA Facility site.

2.5 Whilst the site does not currently have direct access to the public highway, a new roundabout and a spur road have recently been constructed running south of the Tees Valley ERF site towards the BA Facility site. It is expected that STDC will extend this road infrastructure to serve the BA Facility site in the near future.

2.6 The site is in flood zone 1 and is considered to be at very low risk of flooding. There are no environmental or cultural heritage designations on site.

Planning history

2.7 As part of STDC's Regeneration Master Plan for the area, STDC is carrying out remediation works.

2.8 In September 2019 RCBC granted permission (R/2019/0427/FFM) to STDC for remediation and ground preparation works at the wider Grangetown Prairie site, which includes the land proposed for the BA Facility, as well as for the ERF.

2.9 In September 2020 RCBC granted a further permission (R/2020/0318/FFM) for engineering operations associated with ground remediation and preparation, including removal of the former railway embankment and works to Holme Beck

and Knitting Wife Beck (which are situated to the west of the Tees Valley ERF site and to the east of the proposed BA Facility site respectively).

2.10 There are a range of associated condition discharges for the above works, which have commenced with the remediation of the Tees Valley ERF site. This includes the disposition of temporary materials stockpiles on the BA Facility site.

2.11 Part of the site (about 0.7ha on the western edge) overlaps the eastern part of the adjacent Tees Valley ERF site, granted outline permission on 24 July 2020 (R/2019/0767/OOM). This overlap is required to cover the potential area needed for an access with the ERF site or a conveyor to bring the BA from the ERF to the site, requiring development within the ERF site.

2.12 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 both the ERF site and the BA Facility site as part of a larger site area.

2.13 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.

2.14 The proposed BA Facility is likewise considered to be a form of development that is compatible with the outline permission for general industrial use.

Surrounding land uses

2.15 The BA Facility 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 Bolckow industrial estate lie to the south of the site. The South Tees Freight Park lies to the west of the site beyond the ERF site and John Boyle Road, and the newly opened Teesworks Skills Academy is also to the west. 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.

2.16 The nearest residential areas are in Grangetown and South Bank, located around 700m away to the south and southwest of the BA Facility site, beyond the A66.

Environmental context

2.17 There are no environmental or cultural heritage designations on site. There are some features of interest within the surrounding area that are summarised below.

2.18 There are no designated archaeological or built heritage assets on the site. There are no conservation areas, registered parks and gardens or scheduled monuments within 1 km of the site. The closest listed buildings are at South Bank to the south west (1 km) and relate to the late 19th and 20th century development of the settlement to serve the iron and steel works.

2.19 The archaeological assessment work for the adjacent ERF site to the west, as set out in the historic environment desk-based assessment (Tees Archaeology 2019), outlined the history of the steelworks from the establishment of the Eston Iron Works in the 1850s, its replacement by the Cleveland Steelworks from 1872, and the subsequent demolition and clearance of the site from the 1980s.

2.20 The levels of archaeological survival across the area of the former steelworks were defined as part of the site remediation work undertaken across the site to the west in 2020 and 2021 by STDC. This work concluded that because of the extent of land reclamation there was little potential for archaeological finds of significance preceding the use of the site for iron and steel manufacture. The remains of the steelworks had been demolished to ground level, or close to ground level, and the surviving remains were sealed by a combination of imported materials and demolition material from the steelworks themselves.

2.21 The proposed location for the BA Facility was similarly part of the steel works and was subject to similar phases of disturbance and clearance. A similar, low to negligible level of survival of archaeological features is therefore expected. The BA Facility site will be subject to similar site remediation works by STDC in the near future.

2.22 Given that the site and study area have been subject to significant disturbance and previous investigations of the adjacent site have found no (or limited) survival outside of the area formerly occupied by the Eston Iron Works, the site area is expected to be similarly denuded of archaeology.

2.23 Although no significant cultural heritage effects are expected, a heritage statement is submitted in support of the planning application in accordance with national requirements.

2.24 The site is located within 2 km of nationally and internationally designated nature conservation sites and therefore there is the potential for effects / disturbance as a result of construction and operational activities, and an associated increase in vehicle emissions. However, the implementation of standard and proven construction measures to control dust emissions, runoff, noise and traffic management, to be set out in a detailed CEMP, will ensure that there is no potential for significant effects on these designated sites as a result of construction activities.

2.25 A Habitats Regulations Assessment (HRA) screening assessment under The Conservation of Habitats and Species Regulations 2017 (as amended) has been carried out as a result of the site's proximity to the internationally important designated nature conservation sites. The screening has found that the proposed development will not lead to any significant adverse effects. In addition to the HRA screening assessment, an ecological impact assessment is also submitted with the planning application in relation to on-site ecology in the context of the wider STDC regeneration works and off-site mitigation.

2.26 The site is in flood zone 1 and considered to be at very low risk of flooding. There are no watercourses on or in the immediate vicinity. The Holme Beck is situated approximately 275 m to the west of the site, immediately adjacent to the western boundary of the ERF site. The Knitting Wife Beck is situated approximately 300 m

to the east of the proposed BA Facility site. Both watercourses flow into the River Tees, which is situated approximately 1.5 km to the north / north west.

2.27 The outline planning application is accompanied by a flood risk assessment and drainage strategy to address flooding and drainage in accordance with national requirements.

2.28 RCBC has not declared any air quality management areas (AQMA) in the local area (the closest AQMA is at Staithes, approximately 25 km to the south east). An air quality assessment is submitted in support of the planning application.

2.29 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. Given the existing industrial context of the site and the relatively small scale of the proposed development, no significant landscape and visual effects are expected.

2.30 A landscape and visual appraisal (LVA) is submitted in support of the planning application.

3.0 OVERVIEW OF THE PROPOSALS

3.1 BA is the burnt-out residue from the combustion process that takes place within an ERF and is a recyclable non-hazardous waste. It can be used to make sustainable aggregates (BAA) suitable for construction projects and road construction. Various metals can also be recovered from it and put to use.

3.2 The proposal will provide a BA Facility (capacity up to 180,000 tpa) for the receipt, processing, storage and export of BA, BAA, and recovered metals.

3.3 Viridor Waste Limited proposes that 100% of the BA (approximately 100,000 tonnes per annum (tpa)) is transferred to the site from the adjacent Tees Valley ERF. In addition to the 100,000 tpa from the Tees Valley ERF, the proposed new BA Facility would be designed to accommodate up to 80,000 tpa from other sources.

3.4 The BA Facility will process the BA to remove materials such as metals and produce recovered BAA for recycling. The products (BAA and recovered metals) will be transported from the site using HGVs.

3.5 The proposal may include the provision of a covered conveyor from the adjacent Tees Valley ERF site to deliver BA directly to the BA Facility, or there may be the provision of an access to the site from the ERF site. Alternatively, the BA may be delivered to this site by road rather than being sent to an alternative site. Any BA from other sources will arrive in HGVs and be deposited into covered storage bays.

3.6 The raw BA will sit in the storage bays for maturation for a period of around 14 - 56 days days, reducing the pH of the BA, and its moisture content. This enables the screening of the BA to be optimised for metal extraction and separation into a range of sizes.

3.7 The processed BA (now classed as BAA) is then either loaded straight into trucks for transport off site or stored on site for a short period.

3.8 Dust arising from the process is likely to be limited, but dust suppression measures will be employed. Externally, ‘dust busters’ will be placed at strategic ash handling points to provide dust suppression during loading of materials.

3.9 For internal dust management, a bespoke dust suppression system will be employed, such as overhead sprays (under ceiling) in areas of potential dust. However, dust will be limited as the BA stored internally is moist and is processed while still humid.

3.10 Some of the rainwater collected from the roofs of the proposed buildings will be collected in water tanks and used for the internal dust suppression system, as well as for site wide dust control. Some rainwater will also be collected in a proposed lagoon.

3.11 Drainage channels cut into the floor of the storage bays will capture water runoff and direct it to a lagoon. The water from the lagoon can be pumped out for use as external dust suppression for the site roadways and BAA storage area if required. Should the lagoon approach near capacity then water will be tankered

off-site for treatment at a licensed facility. Every two to three years, it may be necessary to empty and dredge out sludge from the lagoon for dewatering and processing.

3.12 The BA processing, storage, and ancillary buildings will have a maximum footprint of 13,000 m^2. The BA storage, loading and unloading bays will be enclosed or under cover, and are included within this maximum footprint. The bays will be constructed on a purpose-built impermeable surface with sealed drainage.

3.13 Ancillary buildings and structures may comprise office and welfare accommodation for staff / visitors in the form of portable cabins, together with a weighbridge. A bunded fuel tank for storage of diesel will be installed. A wheelwash will also be provided.

3.14 The site will be operational six days a week, from 06:00 to 18:00 Monday to Saturday, including Bank Holidays. There may also be work on a Sunday in association with maintenance activities.

3.15 Car parking for staff and visitors will be provided on-site. It is anticipated that up to around 20 car parking spaces will be provided, including two electric vehicle charging points, together with two secure cycle racks.

3.16 Access to / from the site during construction and operation will be from the new road infrastructure to be provided by STDC between the site and Eston Road, and from there onto the A66 and the wider network.

3.17 Based on the construction of similar facilities elsewhere, the construction of the proposed BA Facility is predicted to generate an average of 20 HGV/LGV movements each way per day (i.e. 40 movements in total) and up to 44 HGV movements each way per day (i.e. 88 movements in total) during the very short, one-week period of peak construction activity. In addition, construction staff will generate up to 22 movements each way per day (i.e. 44 movements in total) and up to 34 movements each way per day (i.e. 68 movements in total) during the construction peak. All construction staff will park on site, within a temporary construction compound.

3.18 During operation, for assessment purposes it has been assumed that 180,000tpa will arrive by road, so 86 HGV 2-way movements plus 4 vans two-way movements. It is important to note that 26 of the 86 vehicle movements are to and from the adjoining ERF site in this scenario, and therefore although they are included within the assessments and figures for robustness, these 26 movements have already been considered as part of the ERF scheme. The assessments have considered a total of 90 two way (86+4) HGV / van movements to and from the site.

3.19 Site preparation and construction activities are expected to take approximately 35 - 40 weeks. Construction work audible outside of the site boundary will take place between 07:00 – 18:00 Monday – Saturday. Delivery of any oversize plant and equipment, internal fit out, internal works and other non-intrusive works may take place outside of these times. Extraordinary events such as concrete pours may also need to take place outside these hours, as by their nature they need to be continuous.

4.0 DESIGN

4.1 The design of the buildings will reflect the functional nature of the BA recycling process and the industrial context of the site. The BA Facility will therefore have an industrial design befitting this context.

4.2 As this planning application is outline with all matters reserved, the outline proposal has been designed to allow for a facility with adequate operational space, allowing for efficient and effective operation of fixed and mobile plant and sufficient storage area/volume for stockpiled material.

4.3 The site has no constraints such as ecology or cultural heritage, or other environmental constraints, that would affect the layout of the buildings in the proposed development zone.

4.4 The facility could be provided in a single large structure that encompasses all processing and storage activities under cover, with minimal external ancillary structures, or it could be arranged as a set of enclosed and under cover structures to provide the range of functions (e.g. an enclosed processing building plus open sided covered storage).

4.5 The buildings/structures may have a steel frame clad with profiled steel, and storage stockpiles may have one or more open sides beneath a roof. Alternatively, a fabric covered tensile structure may be provided. However, appearance is a reserved matter and the decisions on this will be made at detailed design stage once an operator is in place.

4.6 In the event that a conveyor is part of the final design, there is a fixed point at which the conveyor bringing BA from the adjacent ERF site will exit the ERF building, and this point is dictated by the proposed ERF design. This is a key factor to consider in the detailed design of the BA Facility. To address the potential connection between the site and the adjacent ERF site, the BA Facility site has a small overlap with the ERF site at the north-eastern edge of the latter. This is illustrated on Figure 1 below. This overlap provides a zone where the BA from the ERF can be transported across to the BA Facility site, via a conveyor or the creation of an access.

4.7

Figure 1: BA Facility application site showing extent of overlap with adjacent ERF proposals

4.8 Given the above a parameter plan has been prepared that identifies the development zone and the conveyor/access zone. It also identifies maximum height, maximum building footprint, the conveyor access point, and vehicle access locations.

4.9 The parameters plan submitted for approval is shown in Figure 2 below.

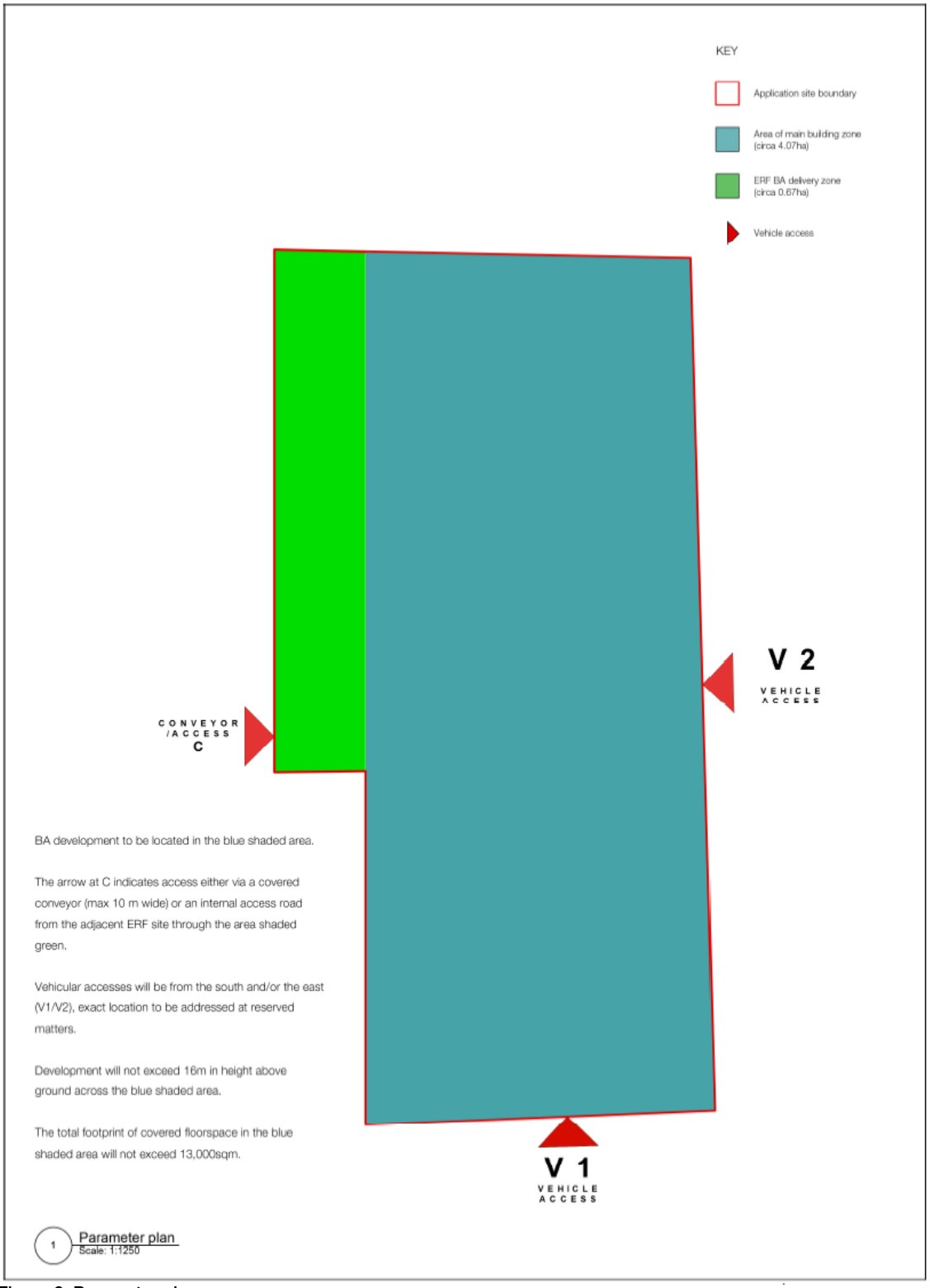

Figure 2: Parameter plan

4.10 The parameter plan identifies two zones as follows:

- The main building zone (circa 4ha) where the BA Facility and ancillary development will be located

- The ERF BA delivery zone (circa 0.74 ha) where either a conveyor or other access may be incorporated before entering the main building zone.

4.11 The main building zone will accommodate all of the BA processing, storage and handling of BA, BAA and recycled metals. It will also accommodate ancillary uses including offices, weighbridge, wheel wash, diesel tank, and leachate storage lagoon.

4.12 The BA processing will be fully enclosed. Storage and handling may include structures that are covered (with a roof) but are open to one or more sides.

4.13 The exact arrangements regarding position of buildings and structures on site, and the extent of fully enclosed and covered elements, will be confirmed through the submission of details for reserved matters approval. The appearance, scale and layout are reserved matters.

4.14 The parameters plan allows a maximum of 13,000 m^2 of covered footprint (buildings and open sided structures). This is sufficient to accommodate the BA processing activity, BA/BAA/recycled metals storage, and ancillary office space.

4.15 The plan also allows for a below ground leachate storage lagoon of up to 3,500 m^3 capacity.

4.16 The parameter plan provides for a maximum building height of 16 metres anywhere within the main building zone (blue shaded area). The height allows for the full enclosure of the BA processing equipment and coverage of storage stockpiles.

4.17 This height is in keeping with the general height of buildings anticipated across this STDC redevelopment area and compares with a height of up to 50 metres for the approved Tees Valley ERF on the adjacent site.

4.18 The height of the BA Facility in relation to the ERF is indicated in Figure 3 below. This shows the south elevation of the ERF (height 50 m) with the BA building at 16 m high.

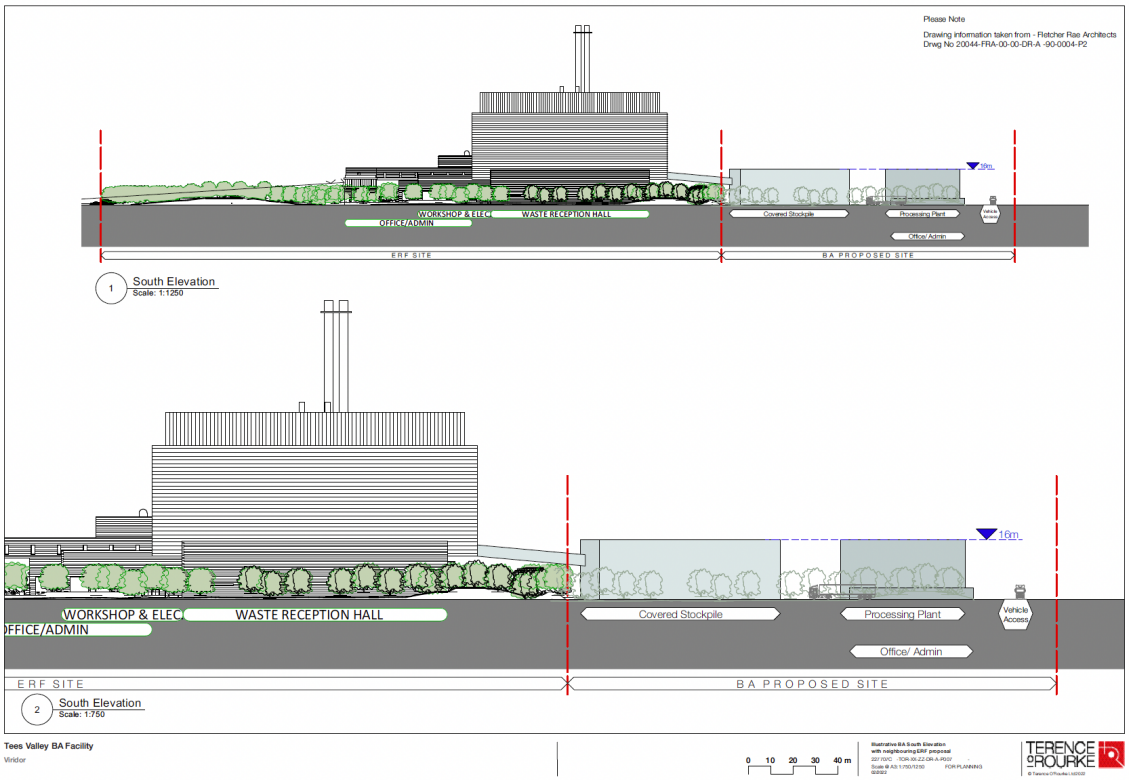

Figure 3: Indicative BA Facility with adjacent ERF proposals; illustrative south elevation

4.19 The buildings will be located on an area of impermeable concrete hardstanding with a sealed drainage system, full details of which will be provided within the application for reserved matters approval.

4.20 Landscape is a reserved matter and details will be provided accordingly through an application for reserved matters approval. There is likely to be appropriate new planting to the north, east and south borders to provide a degree of softening and screening of ground level activity and to link to adjacent landscape on the ERF site.

4.21 The parameter plan (ref: TOR-XX-ZZ-DR-A-P004 and as shown in Figure 2 above) shows that access for vehicles will be provided either from the south or from the east, or from both south and east. In both cases it is anticipated that STDC will provide the external connecting road infrastructure to link to the new roundabout at Eston Road. This external connecting road will be constructed by STDC as part of the enabling works for development plots in the area and is not included as part of this outline planning application.

4.22 The exact access configuration will be decided in detailed design and confirmed in a reserved matters application (access is a reserved matter). It will depend on where on site the proposed BA Facility is located, and the detailed design and layout of the BA processing and storage operations.

4.23 Provision for pedestrians and cyclists will be included in the access arrangements, linking to provision of cycle and footways on the off-site highway infrastructure. Car and cycle parking will be provided adjacent to the office accommodation.

4.24 The number of car spaces depends on the exact requirements and mode of operations of the operator but is likely to be about 20 spaces, including an appropriate allowance of spaces for disabled drivers in accordance with required standards.

4.25 Four indicative layouts are provided in Figures 4a, 4b, 4c and 4d on the following pages. These illustrate how the main elements (process building, stockpile, leachate lagoon, administrative and welfare facilities) might be arranged on site. Two show potential arrangements in the southern part of the site, and two in the northern part.

4.26 However, other configurations are possible, and the appearance, size, shape and position of the buildings is not fixed. The outline planning application is seeking permission for the parameters of the development and not for any layout or appearance illustrated in this indicative material. Detailed work for a reserved matters application will address this.

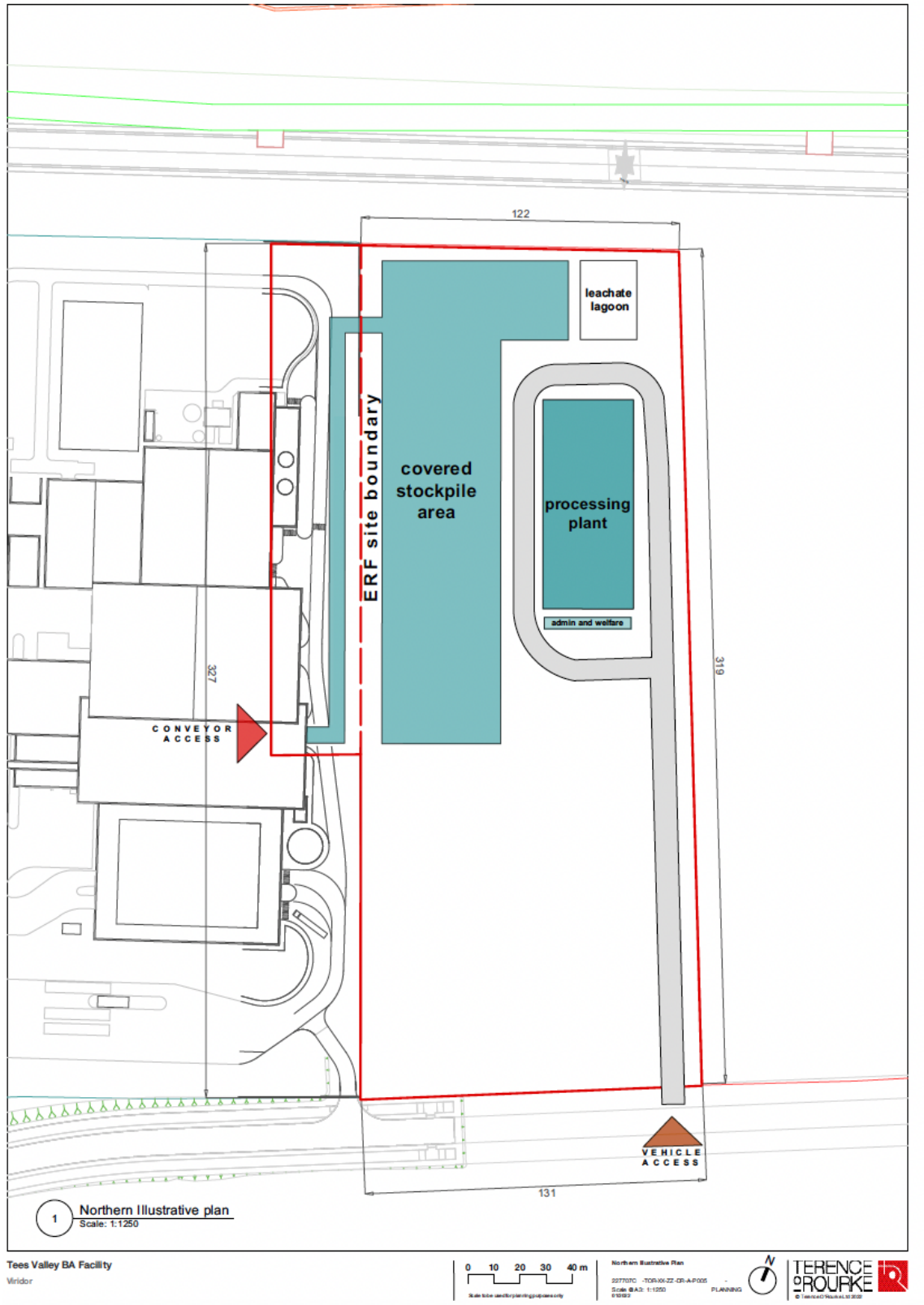

Figure 4a: Indicative layout north option with separate processing plant and storage area

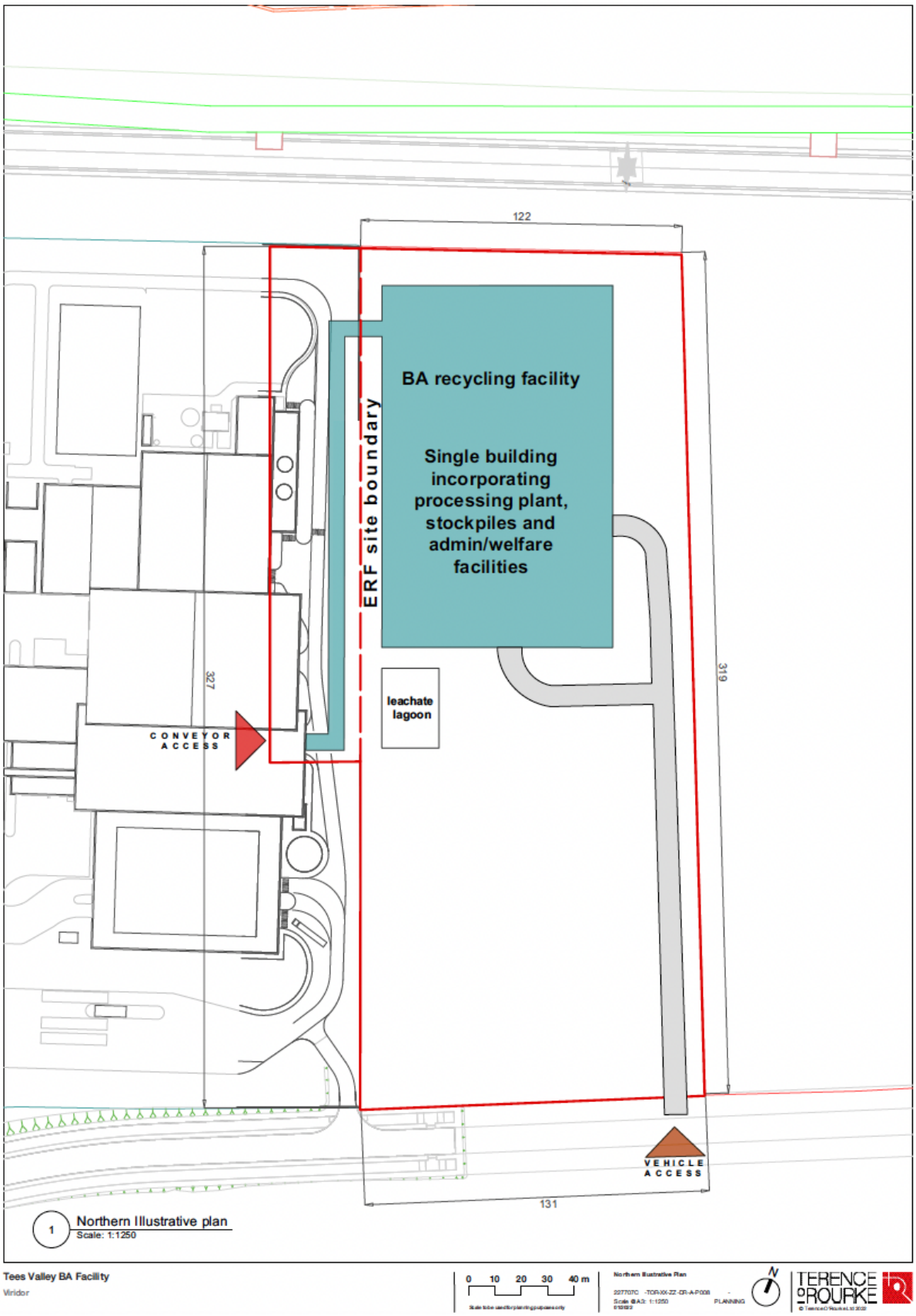

Figure 4b: Indicative layout north option with single building

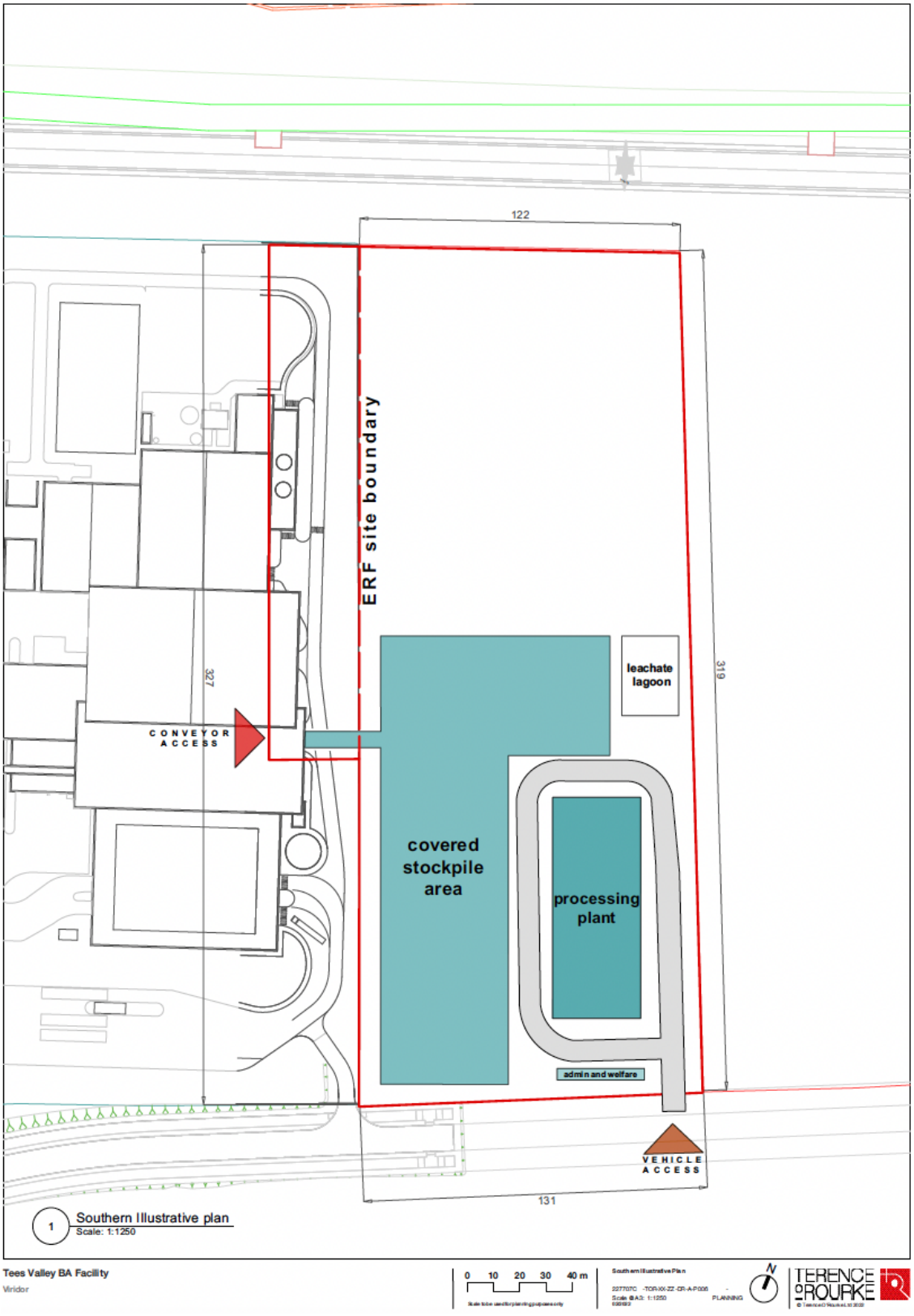

Figure 4c: Indicative layout south option with separate processing plant and storage area

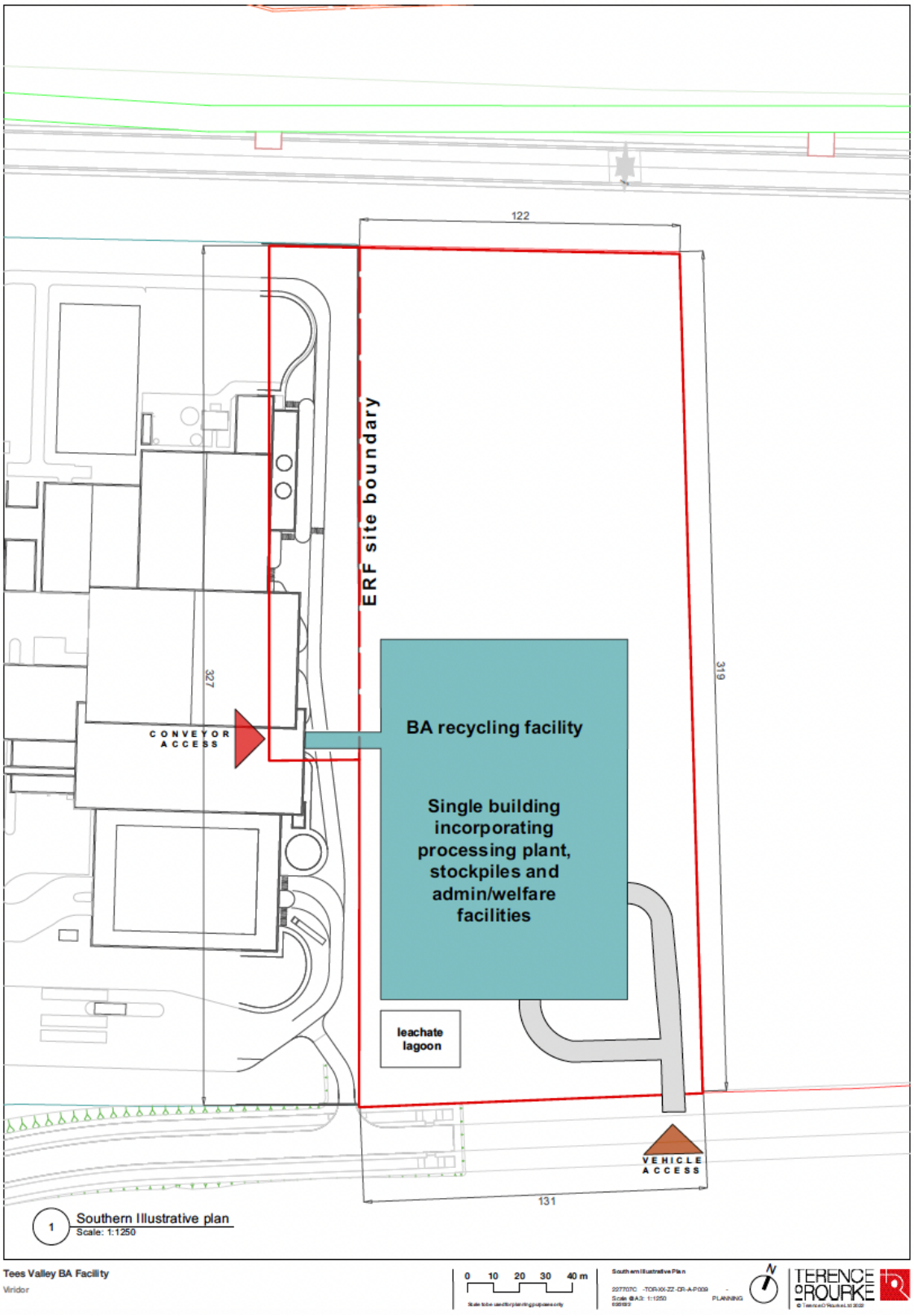

Figure 4d: Indicative layout south option with single building

5.0 COMPLIANCE WITH PLANNING POLICY AND OTHER MATERIAL CONSIDERATIONS

5.1. Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that the determination of applications for planning permission should be made in accordance with the development plan unless material considerations indicate otherwise. The main planning considerations for this application are therefore the policies of the adopted development plan, together with the main other relevant material considerations. The latter include national policies, strategies and guidance.

National planning policies, strategies and guidance

5.2. This section provides an overview of these policy frameworks, highlighting parts that are considered to be most relevant to the proposed BA Facility. The relevant national planning policy documents, strategies and guidance are:

- National Planning Policy Framework, 2021
- National Waste Management Plan for England, 2014
- National Planning Policy for Waste, 2014
- Our Waste, Our Resources: A Strategy for England, 2018

National Planning Policy Framework 2021

5.3. The National Planning Policy Framework (NPPF) sets out the overarching national policy framework for achieving sustainable development, providing guidance for both plan-making and decision-making and addressing specific topic areas.

5.4. Whilst the revised NPPF does not provide any specific policy guidance on waste, it does cover a number of other wider planning policy matters, which are relevant to the proposed development.

5.5. These include:

- Achieving sustainable development
- Building a strong, competitive economy
- Promoting healthy and safe communities
- Promoting sustainable transport
- Meeting the challenges of climate change, flooding and coastal change
- Conserving and enhancing the natural environment
- Conserving and enhancing the historic environment.

5.6. Each of these are considered in turn below.

Achieving sustainable development

5.7. The NPPF states that the purpose of the planning system is to contribute to the achievement of sustainable development. The NPPF sets out the three overarching objectives to achieve sustainable development. These are:

a) *An economic objective - to help build a strong, responsive and competitive economy*

b) *A social objective - to support strong, vibrant and healthy communities*

c) *An environmental objective - to contribute to protecting and enhancing our natural, built and historic environment*

5.8. The NPPF carries a presumption in favour of sustainable development. This advocates that decision making should apply a presumption in favour of sustainable development. For decision making this means approving development that accords with an up-to-date development plan, or where there are no relevant development plan policies, or the policies are out of date, unless there are policies within the framework which provide a clear reason for refusing permission, or the adverse impacts of granting permission would demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole.

5.9. The proposed BA Facility is inherently sustainable, designed to perform an important role within the waste hierarchy and the UK's network of sustainable waste management facilities. It will manage BA that would otherwise go to landfill (the least sustainable option) thus reducing the amount of waste landfilled and maximising the value of waste by recycling the material for beneficial use as an aggregate (BAA). This also reduces the need to extract primary material for aggregates. The process also includes recovery of metals.

5.10. The NPPF requires that all decision-makers should seek to approve applications for sustainable development where possible.

Building a strong competitive economy

5.11. The government expects the planning system to support sustainable economic growth. The NPPF requires significant weight to be placed on the supporting economic growth and productivity, in decision making, and account to be taken of the local business needs and wider opportunities for development.

5.12. The proposed BA Facility will contribute towards the local economy in Teesside. It will support local jobs during construction and operation and recover recyclable materials that are reprocessed and fed back into the economy. It will contribute to the economy through the provision of employment and opportunities to supply goods and services.

5.13. The BA Facility will employ up to 10 staff. In addition, there will be potential for apprenticeships and training.

5.14. The proposals therefore contribute to NPPF economic objectives, which should be afforded weight and supported.

Promoting healthy and safe communities

5.15. The proposed BA Facility will be an important part of the local, regional and national waste management system, serving the needs of local communities and managing waste in a sustainable way, helping to reduce the environmental impacts associated with landfill and the extraction of primary aggregates.

Meeting the challenges of climate change, flooding and coastal change

5.16. The NPPF requires the planning system to support the transition to a low carbon future in a changing climate.

5.17. The NPPF directs new development away from those areas at highest risk of flooding. The proposed site is predominantly located in flood zone 1, the lowest risk area. The proposed drainage strategy makes allowance for climate change. The application is in accordance with NPPF guidance.

Conserving and enhancing the natural environment

5.18. The NPPF establishes that the planning system should contribute to and enhance the natural and local environment.

5.19. The landscape and visual effects of the proposals have been fully assessed within the Landscape and Visual Appraisal (LVA). This concludes that there will be no significant effects on landscape character and views.

5.20. The site is not subject to any European, national or local ecological designations, nor does it include any significant habitats or large populations of protected species. The ecology appraisal submitted with the application finds that there is no significant habitat or protected species at the site.

5.21. In addition, the development of the site is calculated to have a positive impact on the biodiversity value of the site compared to baseline levels (new planting of native species at site boundaries). As such the proposal accords with the NPPF.

5.22. In respect to ground conditions and pollution, the NPPF states that planning decisions should ensure that a site is suitable for its proposed use taking account of ground conditions and any risks arising from land instability and contamination. Adequate site investigation is required to enable an assessment to be made and appropriate remediation undertaken.

5.23. The information submitted with the application identifies that the site is subject to appropriate remediation proposals under a wider scheme for the regeneration and remediation of the area.

5.24. The NPPF requires that planning decisions should ensure that new development is appropriate for its location, taking account of the likely effects (including cumulative effects) of pollution on health, living conditions and the natural environment, as well as the potential sensitivity of the site, or the wider area to impacts that could arise from the development. In doing so they should:

- Mitigate, and reduce to a minimum, potential adverse impacts resulting from noise from new development – and avoid noise giving rise to significant adverse impacts on health and the quality of life
- Identify and protect tranquil areas which have remained relatively undisturbed by noise and are prized for their recreational and amenity value for this reason; and
- Limit the impact of light pollution from artificial light on local amenity, intrinsically dark landscapes and nature conservation.

5.25. On air quality matters, the NPPF requires planning decisions to have regard to sustaining and complying with relevant limit values or national objectives for pollutants, taking account of the presence of Air Quality Management Areas (AQMA), Clean Air Zones, and the cumulative impacts from individual sites in the local area.

5.26. All relevant aspects related to land contamination and stability, potential pollution to land, water and air (including noise), and impact on natural heritage have been comprehensively assessed within the reports submitted in support of the application and accord with the NPPF.

Conserving and enhancing the historic environment

5.27. The NPPF considers heritage assets an irreplaceable resource, to be conserved in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of existing and future generations.

5.28. There are no designated archaeology assets or scheduled monuments on the site. However, there is potential for discovery of archaeological deposits during construction.

5.29. An assessment of the impact on nearby heritage assets has been undertaken in accordance with NPPF guidance. This shows that as the application area is subject to extensive remediation works very little, if any, archaeological remains would be expected to survive.

5.30. No further archaeological work is proposed across the remaining application site given the current ground conditions.

Conclusions on compliance with the NPPF

5.31. It has been demonstrated above, and with reference to the details provided in the supporting documents, that the proposal for the BA Facility is sustainable development and is compliant with the NPPF when read as a whole. This is a significant material consideration that should be afforded weight in support of the proposals.

National Waste Management Plan for England 2013

5.32. The Waste Management Plan for England 2013 (WMPE) fulfils an obligation under Article 28 of the revised Waste Framework Directive (WFD) (008/98/EC) for competent authorities to establish waste management plans that cover all of their territory. The plan provides an analysis of the current waste management situation in England and evaluates how it will support implementation of the objectives and provisions of the revised WFD.

5.33. The WMPE notes that there are comprehensive waste management policies in place in England that deliver upon the revised WFD objective which is:

> *"to protect the environment and human health by preventing or reducing the adverse impacts of the generation and management of waste and by reducing overall impacts of resource use and improving the efficiency of such use".*

5.34. As such, the WMPE does not introduce new waste management policies, but rather its aim is to bring current waste management policies under the umbrella of one national plan. This includes reference to the waste hierarchy, of which other recovery forms an important part in diverting waste from landfill. It confirms that:

> *"The Government, supports efficient energy recovery from residual waste – of materials which cannot be reused or recycled - to deliver environmental benefits, reduce carbon impact and provide economic opportunities."*

5.35. The government places importance on ensuring that the right waste management infrastructure is in place, at the right time, and in the right location. Appropriate waste reprocessing and treatment infrastructure should be constructed and operated effectively at all levels of the waste hierarchy to enable the most efficient treatment of our waste and resources.

5.36. The WMPE also reflects the 'proximity principle', enshrined within the WFD. This requires a network of waste management facilities to be established to enable waste to be disposed of, or be recovered, in one of the nearest appropriate installations, by means of the most appropriate methods and technologies, in order to ensure a high level of protection for the environment and public health.

Compliance with WMPE

5.37. The proposed BA Facility fully accords with the objectives of the WMPE.

National Planning Policy for Waste (NPPW) 2014

5.38. This provides national planning policy for waste to be read in conjunction with the NPPF 2021 and WMPE.

5.39. It provides detailed waste policies building upon the WMPE framework, which sets out the government's ambition to work towards a more sustainable and efficient approach to resource use and management.

5.40. The NPPW provides specific guidance for the determination of waste planning applications. Waste planning authorities should inter alia:

- Consider the likely impact on the local environment and on amenity against the criteria set out in appendix B of the NPPW and the locational implications of any advice on health from the relevant health bodies.
- Concern themselves with implementing the planning strategy in the local plan and not with the control of processes which are a matter for the pollution control authorities. Waste planning authorities should work on the assumption that the relevant pollution control regime will be properly applied and enforced.

Compliance with the NPPW

5.41. The proposals provide sustainable, modern and efficient waste management infrastructure, that enables the recycling of BA in proximity to where it arises, in accordance with the proximity principle, without endangering human health and without harming the environment.

5.42. The proposals support NPPW policy, including helping to push the management of waste further up the waste hierarchy and ensuring that waste is dealt with at the nearest appropriate installation (the proximity principle).

5.43. The site is allocated for waste uses in the adopted development plan and is located adjacent to an ERF (with outline planning permission but not yet built and currently subject to a reserved matters application for approval of the details). This will provide the majority of the BA that it will process. There are also other waste management facilities in the vicinity of the site and the wider Tees Valley area. There are no overriding physical or environmental constraints to development. It is also well located in relation to the strategic road network, with new road infrastructure to be provided by the STDC.

5.44. Given that the site is allocated in the development plan for the use, the NPPW says there is no requirement to demonstrate market need.

5.45. Overall, in respect to planning for sustainable waste management the proposal is fully compliant with the NPPW.

Our Waste, Our Resources: A Strategy for England (2018)

5.46. Linked to the government's 25-year Environmental Plan, which pledges to leave the environment in a better condition for the next generation, this strategy aims to move the UK to a more circular economy, essentially by keeping resources in use for longer and extracting maximum value.

5.47. The strategy is framed by natural capital thinking and guided by two overarching objectives:

- To maximise the value of resource use; and
- To minimise waste and its impact on the environment.

5.48. The proposed BA Facility will have a valuable role within the waste hierarchy, reducing the amount of waste disposed of to landfill. It will help to maximise the value of residual waste as a resource and minimise its impact on the environment.

5.49. The BA Facility will contribute towards meeting the 2018 waste strategy objectives of recovering greater value from residual waste. The application is entirely consistent with the 2018 waste strategy for England.

The development plan

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

- Redcar and Cleveland Local Plan 2015-2032 (2018)
- Tees Valley Joint Minerals and Waste Core Strategy DPD (2011)
- Tees Valley Joint Minerals and Waste Policies and Sites DPD (2011)

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

Redcar and Cleveland Local Plan 2015-2032

5.52. The Redcar and Cleveland Local Plan was adopted in May 2018 and sets out the vision and overall development strategy for the Council's area and how it will be achieved for the plan period until 2032.

5.53. The policies that are relevant to the proposed development are summarised below.

5.54. *SD1: Sustainable Development*. This states that the Council will take a positive approach that reflects the presumption in favour of sustainable development contained in the NPPF. The council will also work proactively with applicants to secure developments that improve the economic, social and environmental conditions in the area and are in accordance with planning policies.

5.55. It has been demonstrated in discussion of the NPPF above, and with reference to the details provided in the supporting documents, that the proposal for the BA Facility is sustainable development and is compliant with the NPPF when read as a whole. This is a significant material consideration that should be afforded weight in support of the proposals. The provision of a BA Facility at the site is therefore also in accordance with policy SD1.

5.56. *SD2: Locational Policy*. This is based on a settlement hierarchy that is used to guide development to the most sustainable locations such as urban areas. The site for the BA Facility is located in an urban area and the proposed development is therefore in accordance with this locational policy.

5.57. *SD3: Development Limits.* This supports development within the development limits defined on the Policies Map. The site for the BA Facility is located within the defined development limits and the proposed development is therefore in accordance with this policy.

5.58. *SD4: General Development Principles* outlines the criteria that will be used by the Council when assessing the suitability of a site or location. Many of these criteria (such as criteria i. to r.) are more appropriate for consideration through a detailed design in a full planning application or a reserved matters application, rather than an outline planning application.

5.59. The proposal for the BA Facility meets criteria a. to h. of policy SD4 because:

- it meets the requirement of the location policy (SD2, as explained above)
- it will not impact amenity of existing or proposed nearby buildings, indeed it is complementary to the proposed ERF on adjacent land, and other potential uses in the area will be of an industrial nature. The nearest existing buildings in the area are also industry related.
- it will not result in the loss or have adverse impacts on important open space or assets important to local environmental quality (see the submitted heritage statement, landscape and visual appraisal, and ecological assessment).
- it does not use agricultural land

- it is not in a location where there would be risks to the environment, human health or safety
- it will not increase flood risk (see the flood risk assessment)
- it will have access to infrastructure and services, the STDC is investing heavily in the regeneration area to provide for its development.
- it will not affect the integrity of a Natura 2000 site. (see the shadow Habitats Regulations Assessment).

5.60. Regarding the design criteria i. to r. of policy SD4, the outline application leaves all matters reserved so these will be addressed in detail through a future reserved matters application to be submitted to RCBC for approval. The parameters plan submitted with the outline planning application provides ample scope for the design criteria to be met.

5.61. *SD5: Developer contributions.* This policy sets out those developer contributions that may be sought in respect of new developments, with reference to the Developer Contributions SPD (see below, paras 5.95 to 5.100). This includes the delivery of local employment and training.

5.62. Pre-application discussion has indicated that RCBC will not seek an agreement or a financial contribution in this respect.

5.63. *SD7: Flood and Water Management.* This states that flood risk will be taken into account at all stages in the planning process to avoid inappropriate development in areas at current or future risk. In addition, all development proposals will be expected to be designed to mitigate and adapt to climate change. The policy also sets out criteria where flood risk assessments will be required to demonstrate that development is not at risk from flooding and that it does not increase flood risk elsewhere in the following circumstances.

5.64. The requirements of this policy are addressed appropriately in the Flood Risk Assessment submitted with the outline application and will be further addressed in detailed designs at the reserved matters stage.

5.65. *LS4: South Tees Spatial Strategy.* The site is part of the South Tees Development Corporation area, covered by this policy. The policy sets out several aims of the Council and partners with regard to the economy, connectivity and the environment many of which are specific to the STDC area.

5.66. The proposals are in line with these aims, where relevant, specifically c. regarding growing the environmental and recycling sector.

5.67. *ED6: Promoting Economic Growth.* This policy states that land and buildings within existing industrial estates and business parks, as shown on the Policies Map, will continue to be developed and safeguarded for employment uses. The site is located within the South Tees area. Its development for a BA Facility is in line with this policy.

5.68. *N4 Biodiversity and Geological Conservation.* This policy states that support will be given to high quality schemes that enhance nature conservation and

management, preserve the character of the natural environment and maximise opportunities for biodiversity and geological conservation. The council will protect and preserve local, national and international priority species and habitats and promote their restoration, re-creation and recovery.

5.69. The site of the proposed development does not have any natural environment designations. It is part of a wider area that is in the process of being remediated for redevelopment by STDC under an extant planning permission. There is an associated biodiversity strategy that provides for biodiversity enhancements to be provided off site. This biodiversity strategy provides for the redevelopment of the outline application site.

5.70. The site currently hosts stockpiles of material from the remediation of the ERF site on adjacent land. It has little current biodiversity value. As well as the STDC's wider biodiversity strategy, there is also potential to enhance the biodiversity of the site through appropriate planting at the site boundaries. This will be addressed at the reserved matters stage, landscape being a reserved matter.

5.71. A shadow HRA is submitted with the outline planning application, and this demonstrates that there is no impact on the nearby SPA and Ramsar Site.

5.72. *HE2: Heritage Assets.* This policy seeks to protect designated and non-designated heritage assets. The site does not have any such heritage assets, and its heritage interest is related to its former use as in the production of iron and steel. A heritage statement submitted with the outline application provides further details and concludes no impacts on heritage assets.

5.73. *HE3: Archaeological Sites and Monuments* requires development that may affect a known or possible archaeological site, whether designated or non-designated, will require the results of a desk-based assessment to be submitted as part of the planning application.

5.74. A heritage statement has been submitted with the outline application. This concludes that there will be no impacts on heritage assets.

5.75. *TA1: Transport and New Development.* This policy requires the Council and its partners to ensure transport requirements of new development, are relative to the scale and type of development and that sustainable travel is promoted to minimise environmental impacts and support residents' health and wellbeing.

5.76. The outline planning application is accompanied by a Transport Statement. This addresses the requirements of this policy.

Tees Valley Joint Minerals and Waste Development Plan Documents

5.77. Tees Valley Combined Authority (Darlington, Hartlepool, Middlesbrough, Redcar and Cleveland and Stockton-on-Tees Councils) was created in April 2016 to drive economic growth and job creation in the area.

5.78. The combined authority prepared joint Development Plan Documents (DPDs) which include:

- The Minerals and Waste Core Strategy DPD which sets out the long-term spatial vision and strategic policies for minerals and waste developments
- The Minerals and Waste Policies and Sites DPD which identifies specific sites for minerals and waste development and provides policies which will be used to assess minerals and waste planning applications.

5.79. The DPDs were adopted on the 15th September 2011 and set out planning policies and site allocations on minerals and waste developments until 2026.

5.80. The policies from the Minerals and Waste Core Strategy DPD that are relevant to the proposed development are set out below:

5.81. MWC6: Waste Strategy. This seeks to deliver sustainable management of waste arisings through the distribution of waste management sites across the Tees Valley so that facilities are well related to the sources of waste arisings, related industries or the markets for any products created. It aims to recover value from waste and drive waste management up the waste hierarchy. It also seeks to avoid unacceptable impacts on amenity and the environment.

5.82. The proposed BA Facility will be immediately adjacent to a source of BA from the proposed Tees Valley ERF. It will create a saleable product for use in local construction projects and will divert BA from landfill, moving it up the waste hierarchy. The submitted material shows that there will be no unacceptable impacts to amenity or the environment (landscape and visual, heritage, ecology/biodiversity, flood risk and water environment, air quality, noise).

5.83. The proposed development is therefore fully in accordance with policy MWC6.

5.84. MWC8: General Locations for Waste Management Sites sets out specific locations for large waste management facilities, these include:

- south of the River Tees - land located around Teesport, Smiths Dock Road and the eastern end of Dockside Road (Middlesbrough and Redcar and Cleveland).

5.85. The proposed BA Facility is located in this area and is in accordance with policy MWC8.

5.86. MWC10: Sustainable Transport requires proposals for minerals and waste development to prioritise the use of non road-based transport for the movement of minerals and waste resources. Where transportation cannot be provided by non-road means, evidence must be provided that the proposed traffic movements can be accommodated on the strategic road network and that the site can be accessed in a safe manner.

5.87. It is proposed that approximately 100,000 tonnes of BA per annum will be delivered directly to the site either by a direct conveyor link or access from the adjacent Tees Valley ERF site. This may remove the traffic associated with taking this material from the ERF site to a remote facility for processing or disposal, unless it is bought across by road, in which case there would be no change

5.88. The proposed BA Facility at this site is therefore in accordance with policy MWC10 by making use of non road-based transport. Road based transport will

be used for export of the processed BAA and for imports of additional BA from other sources, but, in line with the policy, evidence is provided that the traffic movements can be accommodated on the strategic road network (see the submitted Transport Statement).

5.89. One policy from The Minerals and Waste Policies and Sites DPD is specifically relevant to the proposed development. This is policy MWP8 (South Tees Eco-Park (Redcar and Cleveland)).

5.90. This states that a site of approximately 27 hectares is allocated for development and is expected to recover value from 450,000 tonnes of municipal solid waste and commercial and industrial waste annually. The policy states that appropriate development for the site includes large-scale waste management facilities.

5.91. The proposed BA Facility is in this allocated area.

South Tees Area Supplementary Planning Document (SPD)

5.92. South Tees Area (SPD) was adopted in May 2018. It has been prepared to support adopted planning policies to guide and inform future planning applications that will support both the expansion of existing business operators and future employment opportunities who wish to locate to the South Tees Area.

5.93. Polices contained within the SPD seek to achieve the comprehensive redevelopment of the South Tees Area in order to realise an exemplar world class industrial business park. It sets out an Economic Development Strategy to support the economic development of the South Tees Area for specialist industries, in accordance with Local Plan Policies LS4 and ED6. It seeks to protect and, where appropriate, enhance designated and non-designated sites of biodiversity and geodiversity value and interest within the South Tees Area.

5.94. The proposals for the BA Facility, being in accordance with the adopted policies of the development plan, are also in line with all of the relevant policies of the SPD.

Developer contributions Supplementary Planning Document (SPD)

5.95. The developer contributions SPD was adopted by RCBC in 2014. It sets out RCBCs approach to securing developer contributions from new developments requiring planning permission and is a material consideration when assessing planning applications within the Borough.

5.96. Contributions will only be sought where there is a need to mitigate any negative impact or to secure additional benefits necessary as a result of development. Depending on the characteristics of the development, contributions may be sought towards open space, education and community facilities, drainage and flood prevention, local labour and training, transport, public realm, and sustainable design and construction.

5.97. It is considered that the proposed BA Facility does not trigger a contribution to any of these other than potentially local labour and training.

5.98. The SPD has the following thresholds for entering an agreement with the Council to maximise local labour during the construction and (where applicable) occupation phases of the development:

- all residential developments comprising a net increase of 50 or more dwellings (or a site area of 2.5 ha or more);
- non-residential developments with a floor space of 2,000 m2 or more; or
- developments that will require 25 or more full time equivalent employees.

5.99. The proposed BA Facility falls into the second category. The SPD requires that a Local Employment Agreement be entered into. The Local Employment Agreement should relate to both the construction and occupation phases of development and could include:

- a targeted recruitment and training method statement setting out targets for recruitment of local residents and setting out actions that will achieve this;
- the provision of recruitment and/or training facilities;
- a financial contribution that can be used to support targeted recruitment; and
- other measures which will help support access to jobs.

5.100. It is noted that the outline permission for the ERF on the adjacent site already has such an agreement in place. In pre-application discussion with RCBC it was agreed that as the BA Facility will be linked closely to the ERF then a further agreement or any financial contribution is not necessary.

South Tees Regeneration Master Plan (November 2019)

5.101. 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.

5.102. The proposed BA site is located within the Master Plan's South Industrial Zone (SIZ) and the outline planning application is consistent with the Master Plan.

5.103. 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.

5.104. The remediation works carried out to date include remediation of the adjacent ERF site . The new roundabout/access roads that are under construction will provide the access to the ERF site.

5.105. The eastern arm of the roundabout will be extended by STDC to provide access along the southern boundary of the BA Facility site (subject to a future planning application for the extension of the road, and its subsequent approval). There may also be a road along the eastern boundary of the site.

Planning policy conclusions

5.106. National and local planning policies and strategies on sustainable waste management, focus on the waste hierarchy and the circular economy, a concept that aims to keep resources in use for as long as possible, extracting the maximum value from them whilst in use, then recover and regenerate products and materials at the end of service life.

5.107. The proposed BA Facility will make a positive contribution to sustainable waste management in the North East in line with the waste hierarchy and the circular economy.

5.108. The proposals will increase the recovery of the value from the North East's residual waste stream by processing the BA from the Tees Valley ERF into BAA and recovered metals, diverting waste from landfill. This is in line with the waste hierarchy and circular economy, national, local planning policies and strategies, and the current and the emerging Tees Valley Joint Waste Management Strategy (JWMS).

5.109. The proposed development is in line with waste strategy and waste planning policies, MWC6 and MWC7 of the Minerals and Waste Core Strategy DPD, and Policy 5 of the JWMS (Headline Strategy).

5.110. The proposed BA Facility has been suitably sited within the STDC area 'Grangetown Prairie', 'South Zone 1' which has Enterprise Zone status, on land allocated within the Minerals and Waste Policies, Core Strategy and Policies Sites DPD documents (policy MWC8 and MWP8), specific to large-scale waste management facilities. In terms of appropriate land use, the development is in accordance with the NPPF.

5.111. The location of the site within the industrial area means the existing landscape character has the capacity and qualities to accommodate the proposed development in line with local and national landscape character policies.

5.112. The proposed site also has local plan allocations, LS4 and ED6 supporting the development and economic regeneration of this redundant brownfield site.

5.113. The development of the site for an BA Facility is in line with all polices of the South Tees Area Supplementary Planning Document (SPD). It will create job opportunities whilst growing the 'recycling sector' in line with policies LS4, ED6 and other sustainable development and locational polices SD1, SD2, SD4.

5.114. Given the proximity of the site to nearby sensitive sites, including Teesmouth and Cleveland Coast Special Protection Area (SPA) and Ramsar and the underlying Teesmouth and Cleveland Coast Site of Special Scientific Interest (SSSI),

appropriate ecological and habitat assessments have been undertaken and are reported in the submitted shadow Habitat Regulations Assessment report.

5.115. A Flood Risk Assessment has been undertaken, which concluded the proposed development at this location (Flood Zone 1) is acceptable. An outline surface water drainage strategy is also proposed, with further details to be provided at reserved matters stage. The proposals will be in accordance with policy SD7.

5.116. The proposals are unlikely to cause a significant impact to the road network, in accordance with local plan policy TA1.

5.117. Overall, the development of an BA Facility at the site is entirely in accordance with national and local planning policies.

Environmental studies

5.118. The applicant has considered whether Environmental Impact Assessment (EIA) is required and hence whether an Environmental Statement should be submitted with the outline planning application. Screening has been carried out by the applicant, and a draft screening report was discussed with the planning authority prior to the application being submitted.

5.119. The screening report concludes that the proposed development will not generate significant environmental effects. In pre-application discussions it was indicated by RCBC that the findings appeared robust, although this would need to be confirmed on formal submission of the application and the screening information. This information is provided with the outline planning application.

5.120. Whilst EIA is not required, a series of environmental studies have been carried out and the reports are provided in support of the outline planning application. The findings are summarised as follow.

Traffic & Transport

5.121. A Transport Statement (TS) was commissioned in order to assess the potential transport impact of the proposal. The TS was prepared in accordance with the National Planning Policy Framework and Planning Practice Guidance 'Travel Plans, Transport Assessments and Transport Statements, and sets out the traffic generation and movements associated with the development.

5.122. The TS considered the trip generation of the proposed development and the subsequent net change in vehicle movements arising between the proposed BA Facility and the adjacent Tees Valley ERF.

5.123. The predicted staff and HGV movements during the construction phase would include on average a daily total of 51 car movements (including a total of 44 staff vehicle movements) and 40 HGV/LGV movements, approximately 4 HGV movements an hour throughout the day.

5.124. During the operational phase it is anticipated that there will be a total of 90 daily vehicle movements (86 HGV and 4 light vans).

5.125. In conclusion, the proposed development is unlikely to have a material impact on the operation of the local highway network during a typical operational day due to the estimated low vehicle movements. Similarly, the average construction vehicle movements are not anticipated to be significant and will be temporary. A construction traffic management plan will also be in place to minimise any impacts, which can be secured in an appropriately worded planning condition.

5.126. The proposed development is well located in relation to the strategic road network. It will have safe access arrangements and the surrounding highway network will be able to accommodate traffic flows without resulting in an adverse impact on the environment or local community. The proposal is in accordance with local plan transport policies.

Biodiversity & Appropriate Assessment

5.127. An ecological impact assessment and a shadow Habitats Regulations Assessment (HRA) were commissioned in order to assess the impact of the proposed development on biodiversity. The ecology assessments consider the ecology impacts from the construction phase and the operation phase on the designated sites and protected species within the vicinity of the development.

5.128. The ecological impact assessment identifies that the site is of nature conservation importance at up to site level and identifies appropriate mitigation and enhancement measures. These include a landscape scheme including appropriate planting at site boundaries, and a CEMP. Following the implementation of the mitigation and enhancements, negative impacts on biodiversity will be minor and temporary, limited to the construction phase, and will be of benefit to biodiversity in the long term.

5.129. The HRA report concludes that with the incorporation of mitigation measures, the BA recycling Facility will not compromise the conservation objectives of Natura 2000 sites, and there will be no adverse effect on site integrity. It is therefore considered that the development will not give rise to significant adverse impacts upon national and international designated sites or local wildlife sites and is in accordance with the associated local plan policies.

Flood risk and water

5.130. A Flood Risk Assessment (FRA) was commissioned to assess the predicted effects of the development on the water environment, the risk of flooding to and from the development, and the management of rainfall and leachate within the site. In accordance with the latest guidance, the assessments take into account increases in rainfall intensity, peak river flows and sea level rise arising from the effects of climate change.

5.131. The site is situated within Flood Zone 1 and is at a low risk of flooding from rivers and the sea. The risk of groundwater flooding at the surface is low to medium depending on local elevation and specific ground composition. This risk is not expected to increase as a result of the proposed development. The risk of surface water flooding is low and should remain low assuming a drainage strategy is implemented to manage the increase in runoff discharge resulting from the additional impermeable surface cover. Given the site is situated in Flood Zone 1,

the Sequential Test and Exception Test are not required under the NPPF and the proposed development is considered suitable.

5.132. The outline surface water drainage strategy proposes to attenuate runoff discharge on site and to discharge surface waters to the Holme Beck. A total storage requirement of 4,400 m^3 is estimated to achieve greenfield rate for a 1 in 100-year scenario. Specific forms of SuDS and attenuation will be included in the detailed design of the site at reserved matters stage.

5.133. The proposed development is therefore considered to be in accordance with the relevant local plan policies.

Noise

5.134. The Noise report considers noise effects during the construction phase, together with noise arising from the operation of the proposed facility. Noise effects from construction and operational traffic on the public highway are also assessed. It is concluded that noise effects at noise sensitive receptors would be of negligible significance. It is also concluded that the development would not adversely impact on adjacent commercial and industrial operations. The report recommends mitigation measures in the form of a CEMP for the construction phase of the development. During operation, the report states that noise generation will be limited by way of the Environmental Permitting Regulations (EPR).

Air Quality

5.135. The Air Quality report assessed the potential for dust impacts on neighbouring sensitive receivers. The assessment has considered the impact of dust emissions from construction, earthworks and trackout activities during the construction phase, dust emissions from operational phase activities, and vehicle emissions during the construction and operational phases, using guidance from the IAQM.

5.136. The assessment of the impact of dust generating activities during the construction takes into account the type of activities undertaken and the number of sensitive human and ecological receptors within set distances from these activities. The overall risk of dust impacts from construction phase activities has been assessed as ‘low risk’. Mitigation measures have been recommended appropriate for the risk rating of the works in accordance with the IAQM methodology. With the implementation of these recommended measures the residual effect is deemed to be ‘not significant’.

5.137. The impact of dust generating activities during the operational phase has been undertaken using the same principles. The design of the proposed development includes a number of dust mitigation measures to suppress dust generation. With the implementation of these measures, the residual impact of dust emissions will be negligible. As the area around the proposed development is of ‘low sensitivity’ to dust impacts, the overall effect of dust emissions during the operational phase is ‘not significant’, either alone or in-combination with other plans and projects.

5.138. The trip generation estimation for both the construction and operational phases of the proposed development falls well below the IAQM criteria for progressing with an assessment. Therefore, the impact on air quality of the operational phase

transport emissions is deemed to be negligible and 'not significant', either alone or in-combination with other plans and projects.

5.139. This assessment has demonstrated that with the appropriate level of mitigation for dust emissions during construction and operational phase activities, the proposed development would not result in a significant air quality impact. Therefore, there should be no air quality constraint to granting planning permission for the proposed development.

Contaminated Land

5.140. Ground investigation indicates that the potential risks to human health and controlled waters with respect to ground contamination are generally comparable with those of the wider Grangetown Prairie site (with lower risk to off-site receptors due to the increased distance to such receptors from the site). The remediation works specified in the current remediation plans being implemented by STDC across the wider Grangetown Prairie site are considered to be appropriate to the remediation of the site for a generic commercial land use.

5.141. A verification report presenting evidence of remediation of the wider Grangetown Prairie (and by extension the application site) will be completed by STDC in accordance with the requirements of the approved Remediation Strategy and submitted to RCBC.

Landscape & Visual

5.142. A Landscape & Visual Appraisal (LVA) was commissioned to predict and evaluate the landscape and visual effects that may arise from the proposed development. The report assessed the qualities and value of the existing landscape resource and the visual amenity of the site and its surrounding area.

5.143. In terms of landscape effects, the development will have no direct impacts upon any valued landscape elements. The development will not be of a scale or nature that is uncharacteristic of the receiving landscape, hence it is anticipated that any impacts upon the character of the site and wider industrial area will be minor or negligible, and potentially beneficial given the change from an empty brownfield site to a developed site.

5.144. The context of the surrounding large-scale industrial landscape and especially adjacent the ERF, the visual impact of the BA Facility will, for the most part, be barely discernible.

5.145. In summary the LVA concludes that the proposed development will result in only minimal impact upon visual amenity and local landscape character. The proposal is therefore considered to be in accordance with relevant local plan policies. Page intentionally blank

6.0 SUMMARY AND CONCLUSION

6.1 Recycling of BA represents an important stage of resource recovery, diverting waste from landfill and recycling it into a reusable product (BAA) and recovered metals. Recycling of BA is in accordance with circular economy principles (extracting maximum value from resources and keeping them in use as long as possible).

6.2 The proposed development will serve the adjacent Tees Valley ERF, contributing to the Tees Valley authorities' self-sufficiency in waste management and consistent with the Proximity Principle (enabling waste to be recovered in one of the nearest appropriate installations). It will provide a site of the required size, near the source of material to be handled and markets for its re-use, in a setting compatible with surrounding uses. It will be in a location that benefits from suitable highway network infrastructure and capacity.

6.3 The proposal is considered to be in accordance with local and national planning policy and is not predicted to result in any unacceptable adverse social, economic or environmental impacts. A presumption in favour of sustainable development contained within the National Planning Policy Framework therefore applies.

6.4 The principle of development is acceptable in context of the local plan. The proposed BA Facility:

- makes a significant contribution towards meeting national, regional and local waste policy by providing efficient and modern facilities for the recycling of BA on a site identified as suitable for waste management use
- reduces the amount of waste that is disposed of to landfill (the least sustainable solution), contributing positively to achieving landfill diversion targets and zero waste to landfill
- provides an integrated and efficient waste management solution, incorporating both ERF and BA recovery/recycling at one location
- helps to ensure that waste is dealt with in proximity to where it arises as part of a national, regional and local network of facilities
- 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
- 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)
- uses a site that is allocated for specialist employment uses under Policy ED6 of the Local Plan, with such specialist uses including waste and energy
- 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. Large-scale waste management facilities are listed as appropriate developments in the Park
- is compatible with the general industrial development allowed under outline planning permission for Dorman Point
- is compliant with Policy LS4 (South Tees Spatial Strategy), which requires economic growth and regeneration within the STDC area
- assessment shows it is capable of meeting 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).

6.5 The BA Facility will recover value from the region's residual waste and divert this from landfill and therefore is in accordance with the waste hierarchy and circular economy, national, local planning policies and strategies, and other relevant waste strategies.

6.6 The proposals will not give rise to any unacceptable environmental impacts and are in line with planning policy when considered against the development plan as a whole and taking account of relevant material considerations. For these reasons, the outline planning application should be approved.