

# **Redcar and Cleveland Borough Council**

## **Planning (Development Management)**

APPLICATION NUMBER: R/2021/0432/FFM  
LOCATION: FORMER REDCAR STEELWORKS  
(TEESWORKS) LAND BETWEEN TEES DOCK  
ROAD AND A1085 TRUNK ROAD LACKENBY  
PROPOSAL: DEVELOPMENT OF SOIL TREATMENT AREA  
COMPRISING OF HARD STANDING, WATER  
TREATMENT AREA AND ASSOCIATED  
APPARATUS AND STRUCTURES

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### **APPLICATION SITE AND DESCRIPTION**

Permission is sought for the development of soil treatment area comprising of hard standing, water treatment area and associated apparatus and structures on land within South Tees Development Corporation.

The application site comprises approximately 4.5 ha of land which formed part of the former Redcar Steelworks. The site is largely flat and is accessed via the A1085 Trunk Road from the Lackenby Gate entrance to the Steelworks site.

As part of this proposed works across the Teesworks site, there is a requirement for the remediation of land forms to allow for the creation of suitable development platforms for the redevelopment opportunities. The proposed application will allow for soil within the Teesworks area to be treated and re-used in the re-development of the wider site.

The application has been accompanied by plans of the site including cross-sections. The following documents have also been supported the application;

- Flood Risk Assessment
- Ground Conditions Report
- Ground Investigations Report
- Proposed Surface Water Drainage Arrangements
- Environmental Permit Deployment Application

### **DEVELOPMENT PLAN**

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that applications for planning permission be determined in accordance with the development plan unless material considerations indicate otherwise.

### **NATIONAL PLANNING POLICIES**

National Planning Policy Framework (NPPF)

## **REDCAR & CLEVELAND LOCAL PLAN (2018)**

SD1 Sustainable Development  
SD2 Locational Policy  
SD3 Development Limits  
SD4 General Development Principles  
SD7 Flood and Water Management  
LS4 South Tees Spatial Strategy  
ED6 Promoting Economic Growth

## **OTHER POLICY DOCUMENTS**

South Tees Area Supplementary Planning Document

## **PLANNING HISTORY**

No relevant history relating to the application site and the proposed development

## **RESULTS OF CONSULTATION AND PUBLICITY**

The application has been advertised by means of a press notice, site notice and neighbour notification letters.

As a result of the consultation period no written responses have been received

## **Natural England**

*Natural England has no comments to make on this application.*

## **Environment Agency**

*We have reviewed the submitted proposal and have no objections subject to the following CONDITION.*

### *Condition*

*The development hereby permitted shall not be commenced (or other agreed time trigger) until such time as a scheme to treat and remove suspended solids and possible contamination from surface water run-off during construction works has been submitted to, and approved in writing by, the local planning authority. The scheme shall be implemented as approved.*

### *Reason(s)*

*This condition is required in accordance with paragraph 170 (e) of the National Planning Policy Framework which states that planning decisions should prevent new and existing development from contributing to*

*unacceptable levels of water pollution. Development should, wherever possible, help to improve local environmental conditions such as air and water quality, taking into account relevant information such as river basin management plans. This condition is necessary to protect controlled waters from pollution, including contamination caused by any disturbance to the site as it likely to be contaminated.*

*The Northumbria River Basin Management Plan requires the restoration and enhancement of water bodies to prevent deterioration and promote recovery of water bodies. The proposal could cause pollution and maintain the poor chemical status in the Tees estuary because it may cause rising trends in pollutants in the water body.*

### **Cleveland Police ALO**

*In relation to this application, applicant can contact me for any advice, input they feel I could offer with regards to the proposal.*

### **Northumbrian Water**

Initial Response – 07/07/21

*We note a drainage strategy has been submitted with the application however, the surface water connection point and discharge rate has not been agreed with Northumbrian Water. We would therefore request the following condition:*

*CONDITION: Development shall not commence until a detailed scheme for the disposal of foul and surface water from the development hereby approved has been submitted to and approved in writing by the Local Planning Authority in consultation with Northumbrian Water and the Lead Local Flood Authority. Thereafter the development shall take place in accordance with the approved details.*

*REASON: To prevent the increased risk of flooding from any sources in accordance with the NPPF.*

Final Response – 06/10/21

*We would have no issues to raise with the above application, provided the application is approved and carried out within strict accordance with the submitted documents entitled “Water Treatment Prairie Excavations”, “TSWK-STDC-LAC-ZZ-DR-C-0018” and “Flood Risk Assessment & Drainage Strategy”. In these documents it states the surface water flows shall be conveyed from the soil treatment area by tanker to a water treatment plant. The surface water flows shall be processed and treated before ultimately being pumped to the public combined sewer network at manhole 7902. The surface water discharge rate to the public sewerage network shall not exceed 10l/sec, as agreed by the Trade Effluent consent, only 5l/sec of this restriction shall be accounted for by this development.*

*We would therefore request that the following condition be attached to any planning approval, so that the development is implemented in accordance with this document:*

*CONDITION: Development shall be implemented in line with the drainage scheme contained within the submitted documents entitled “Water Treatment Prairie Excavations”, “TSWK-STDC-LAC-ZZ-DRC- 0018” and “Flood Risk Assessment & Drainage Strategy”. The drainage scheme shall ensure that surface water discharges to the combined sewer at manhole 7902. The surface water discharge rate shall not exceed the available capacity of 10 l/sec that has been identified in this sewer. The final surface water discharge rate shall be agreed by the Lead Local Flood Authority.*

*REASON: To prevent the increased risk of flooding from any sources in accordance with the NPPF.*

**Redcar and Cleveland Borough Council (Development Engineers)**

*No objection*

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

Initial Response – 10/08/21

*A final discharge point has not been identified, therefore insufficient information submitted to fully assess the application. In principle no objection but still concerns regarding the proximity of the site to Tees Dock Road (South west of site) where significant flooding occurs during certain events. As such a suitable scheme will be agreed prior to any works commencing on site and therefore the LLFA require standard 1, 2 & 3 conditions.*

Final Response – 06/10/21

*The LLFA are happy to support the recommendation of condition by NWL (dated 5<sup>th</sup> Oct. 21.)– allowing the withdrawal of the LLFA previously requested conditions.*

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

*No objection*

**Redcar and Cleveland Borough Council (Environmental Protection)  
(Nuisance)**

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

*I note that a deployment supporting information document has been submitted in support of this application.*

*The document includes monitoring plans for noise, odour, dust and sets out schemes to monitor and actions to take if levels exceed any trigger levels. The monitoring plans are generally satisfactory but would add my comments as follows.*

*Noise –the document states that this is to be carried out in accordance with British Standard BS4142: 2014,*

*Emission Level: Not more than 5 dB above background noise.*

*Noise at work trigger level of 80db*

*To be in accordance with BS4142: 2014 Methods for rating and assessing industrial and commercial sound*

- Instrumentation should conform to BS EN 61672-1, Class 1, for free-field applications.*
- Background sound levels should be taken in the absence of the specific sound*

*that is under consideration at times when the specific sound source(s) is intended to be operated. Background measurements should comprise continuous measurements of normally not less than 15 min intervals, which can be contiguous or disaggregated.*

- Staff carrying out monitoring should be competent and have a full understanding of BS4142: 2014*
- Monitoring Measurements should not be less than 15 min intervals*

*There is no stated Action plan if the emission level is greater than 5dB above background noise*

*Odour*

- All transportation of materials to the site shall be covered.*
- Reference should be made to EA guidance H4 Odour Management 2011 and IAQM Guidance on The Assessment of Odour for Planning 2018*
- Monitoring should be increased to respond to any unforeseen or unusual odour emission episodes.*

## *Dust*

*Dust emissions from the proposal has the potential to impact local air quality.*

- *All routes and hard surfaces and roadways in normal use and any other area where there is regular movement of vehicles should have a consolidated surface capable of being cleaned.*

## **Redcar and Cleveland Borough Council (Natural Heritage Manager)**

*No objection*

## **CONSIDERATION OF PLANNING ISSUES**

The main considerations in the assessment of the application are;

- The principle of development
- The impacts on the character and appearance of the area
- The impacts on neighbour amenity
- The impacts on highways safety

### **The principle of development**

The application site is located within the development limits and within a predominantly industrial/commercial area. The principle of a site to facilitate the remediation of the wider Teesworks site is acceptable and the proposal accords with the aims of policy SD3 of the Redcar and Cleveland Local Plan.

The application site is allocated under Local Plan Policy ED 6 (Promoting Economic Growth) for employment uses and suitable employment related sui generis uses, with specific policy support for proposals which positively contribute towards growth and regeneration. The application is to support the remediation works to allow for the preparation of the site to facilitate future development across the Teesworks site. It is therefore considered that the proposed development would contribute towards industrial development in the short to medium term and compliance with Policy ED6.

The development proposal is in accordance with South Tees SPD and it will facilitate the delivery of significant investment in the economy of the borough, which meets the vision and policy objectives of the Local Plan.

The principle of the development is acceptable and the proposal accords with the aims of policies SD3 ED6 and LS4 of the Redcar and Cleveland Local Plan and the South Tees SPD.

### **The impacts on the character and appearance of the area**

The application site is surrounded almost entirely by existing industrial land and various commercial uses. The proposed works mainly involve the storage and processing of soils. Given that the proposed works are to be low

level, the use of the site is considered suitable for future location of the site and is considered to have limited impacts on the character and appearance of the area.

It is accepted that the development will alter the appearance of the site in the short term during the operations associated with the works, however, the changes are not considered to be so significant or detrimental to the area that would require planning permission to be refused.

The proposal is suitable in relation to the proportions, size, scale and the application would respect the character of the site and its surroundings. The application accords with part j of policy SD4 of the Redcar and Cleveland Local Plan.

### **The impacts on neighbour amenity**

The application site is surrounded almost entirely by existing industrial land and various commercial uses. Given the nature of the proposed development it is considered that there are limited receptors whose amenity might be affected by the proposed development.

The development would not have a significant adverse impact on the amenity of occupiers of existing buildings and the proposal accords with part b of policy SD4 of the Redcar and Cleveland Local Plan.

### **The impacts on highways safety**

The application has been considered by the Council's development engineers with regard to the impact of the development on the local highway network. No objection has been received from the development engineers with regard to the principle of the proposed development.

Clarification was sought during the consideration of the application as to the number of vehicle movements in establishing the site and the delivery of materials to the site. These responses received were acceptable to the Council's development engineers.

The application raises no issues in terms of highways safety and the application accords with part p of policy SD4 and policy TA1 of the Redcar and Cleveland Local Plan.

### **The impacts on Flood Risk**

The application has been considered by both NWL and the LLFA. Initially comments were made by both consultees that there was insufficient information to consider the drainage associated with the development without the need of a condition requiring further information prior to implementation. The applicant as a result has submitted additional information in the form of documents entitled "Water Treatment Prairie Excavations", "TSWK-STDC-LAC-ZZ-DR-C-0018" and "Flood Risk Assessment & Drainage Strategy". This information has been considered by both NWL and the LLFA, who are now satisfied with the information provided. A condition has been recommended

that ensures the development is carried out in accordance with the submitted information. This condition has been agreed with the applicant in advance of the application being determined.

The development would not have a significant adverse impact on flood risk and the proposal accords with policy SD7 of the Redcar and Cleveland Local Plan subject to the imposition of the proposed condition.

### **The impacts on Ground Conditions and Contamination**

The application has been considered by the Council's environmental protection section with regard to both contamination and nuisance.

The application has been supported by a Ground Conditions Report and a Ground Investigation Report. No objections have been raised to these documents. Comments have also been received from the EA with regard to the how contaminants may be dealt with to avoid impacting on surface water runoff. A condition has been suggested that has been agreed with the applicant prior to the application being determined.

With regard to the generation of any nuisance, consideration has been given to the generation of noise, dust and vibration from the proposed works. It has been agreed that these matters are being suitably dealt with through the Environmental Permit Deployment Application which has been submitted in support of the application.

The proposed development subject to the implementation of the suggested condition, accords with parts b d and n of policy SD4 of the Redcar and Cleveland Local Plan.

### **Other matters**

The draft conditions have been sent to the applicant for consideration and they have agreed to these.

### **CONCLUSION**

The application proposes the use of the site to allow soil within the Teesworks area to be treated and re-used in the re-development of the wider site to provide a suitable development platform within the South Tees Development site.

The works are considered to be of a scale and design that area suitable for the site and its surroundings. The site is within an area allocated for employment related development in the Local Plan and it is considered the works will help facilitate future developments at the STDC site.

The application raises no issues in terms of highway safety or impacts from traffic generation as a result from the works.



The proposed development is therefore considered to comply with policies within the NPPF and policies SD1 SD3 SD4 SD7 LS4 ED6 N4 TA1 of the Redcar and Cleveland Local Plan.

## **RECOMMENDATION**

Taking into account the content of the report the recommendation is to:

GRANT PLANNING PERMISSION subject to the following conditions:

1. The development shall not be begun later than the expiration of THREE YEARS from the date of this permission.

REASON: Required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990.

2. The development hereby permitted shall be carried out in accordance with the following approved plans:

Location Plan (Dwg No. TSWK-STDC-LAC-ZZ-DR-C-0011) received by the Local Planning Authority on 25/05/21

Original Ground Levels (Dwg No. JSH024) received by the Local Planning Authority on 25/05/21

Pavement Layout Plan received by the Local Planning Authority on 25/05/21

Pavement Cross Sections received by the Local Planning Authority on 25/05/21

General Arrangement Plan (Dwg No. TSWK-STDC-LAC-ZZ-DR-C-0012) received by the Local Planning Authority on 25/05/21

Soil Treatment Hospital Area Sections (Dwg No. TSWK-STDC-LAC-ZZ-DR-C-0013) received by the Local Planning Authority on 25/05/21

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

3. Development shall be implemented in line with the drainage scheme contained within the submitted documents entitled "Water Treatment Prairie Excavations", "TSWK-STDC-LAC-ZZ-DRC- 0018" and "Flood Risk Assessment & Drainage Strategy". The drainage scheme shall ensure that surface water discharges to the combined sewer at manhole 7902. The surface water discharge rate shall not exceed the available capacity of 10 l/sec that has been identified in this sewer.

REASON: To prevent the increased risk of flooding from any sources in accordance with the NPPF.

4. The development hereby permitted shall not be commenced (or other agreed time trigger) until such time as a scheme to treat and remove suspended solids and possible contamination from surface water run-off during construction works has been submitted to, and approved in writing


by, the local planning authority. The scheme shall be implemented as approved.

REASON: This condition is required in accordance with paragraph 170 (e) of the National Planning Policy Framework which states that planning decisions should prevent new and existing development from contributing to unacceptable levels of water pollution. Development should, wherever possible, help to improve local environmental conditions such as air and water quality, taking into account relevant information such as river basin management plans. This condition is necessary to protect controlled waters from pollution, including contamination caused by any disturbance to the site as it likely to be contaminated.

### STATEMENT OF COOPERATIVE WORKING

Statement of Co-operative Working: The Local Planning Authority considers that the application as originally submitted is a satisfactory scheme and therefore no negotiations have been necessary.

| Case Officer        |                                     |
|---------------------|-------------------------------------|
| Mr D Pedlow         | Acting Development Services Manager |
| <i>David Pedlow</i> | 7 October 2021                      |

| Delegated Approval Signature  |                                  |
|---|----------------------------------|
| Adrian Miller   | Head of Planning and Development |
|  | 7 October 2021                   |