

Our ref: MM/LH/GEN.40

14<sup>th</sup> July 2021

Mr David Pedlow  
Redcar and Cleveland Borough Council  
Redcar and Cleveland House  
Kirkleatham Street  
Redcar and Cleveland  
TS10 1RT

[David.Pedlow@redcar-cleveland.gov.uk](mailto:David.Pedlow@redcar-cleveland.gov.uk)

Dear Sir

**Planning Application - R/2021/0465/FFM**

**Land at South Bank**

**Erection of 3,396SQM OF B2/B8 floorspace including waste storage area, installation of sprinkler tank and associated plant, creation of hardstanding and landscape works**

PD Teesport Limited as the Statutory Harbour Authority and owner of adjoining land as well as the private road network would comment as follows in relation to the above planning application lodged by South Tees Development Corporation. Please accept our apologies for the delayed response, albeit within the public consultation deadline, but we have only just become aware of the application, having not been notified either as a neighbour nor as a statutory consultee.

Whereas we do not wish to object at this time, it is imperative that the information submitted by the applicant is sufficient to allow proper and full consideration of the impact of the proposed development. Unfortunately, we do not believe this is the case at present.

Our concerns relate to the following:

- Highway safety and traffic generation intended through the private roads within the Teesport Estate;
- Lack of highway safety and traffic generation assessments where access is not acceptable through the private roads belonging to PD Teesport but instead directly onto the public highway network;
- Failure to ensure the drainage from the site has been properly considered;
- Procedural failure to consult with or serve notice on all the relevant parties to the application;
- Misleading labelling on drawings used to support the application;
- Failure within the application pro-forma to properly delineate a planning boundary showing the public highway in relation to the application boundary.

We understand that Redcar and Cleveland Borough Council will make a planning decision based upon the information in the application. That said the above application is made with reliance on a Transport Assessment prepared in 2020 which contains material errors.

[www.pdports.co.uk](http://www.pdports.co.uk)

The application is accompanied by a report prepared by ARUP dated 9<sup>th</sup> June 2021, subject "LM Wind – Transport Briefing Note" (TBN). This note refers to a Transport Assessment (TA) dated 3<sup>rd</sup> July 2020 prepared for the planning application made by the same Applicant on the South Industrial Zone in July 2020 (planning ref. no. R/2020/0357/OOM). As the evidence collected and conclusions reached in 2020 are being transferred and relied upon within the current planning application, we have reviewed and noted material errors with the information used to support the highways data.

## **1. Highways**

- 1.1. According to the Transport Assessment, it is proposed that vehicular access to the South Industrial Zone development site be served by two access / egress locations; the first on the western boundary off Dockside Road and the second on the eastern boundary via Tees Dock Road. It is important that the drawings submitted in the Transport Assessment are corrected and that the boundary between the public and private road network is properly labelled.
- 1.2. Only part of Tees Dock Road is a publically adopted highway. The adoption boundary ends before the roundabout on the entrance to the Teesport Estate. Teesport Estate is owned by PD Teesport Limited (PD). From the Teesport Estate entrance roundabout running parallel to the western boundary is No. 1 Quay Road. The boundary between the adopted highway, Tees Dock Road, and the private highway, No. 1 Quay Road, is not shown or referred to in the ARUP TBN. Figure 4 of the TA incorrectly identifies No 1 Quay Road as Tees Dock Road. Figure 4 also labels No 1 Quay Road as "Local highway network" when in fact it is a private road. The private road owned by PD runs for approximately 1km from the applicants land boundary to the public highway.
- 1.3. Within the Teesport Estate, all roads and other services including street lighting, drainage and road maintenance are within the full operational control of PD. No 1 Quay Road is a private operational roadway belonging to PD. It is used to access the Bulks Terminal, No 1 Container Terminal and storage area, the Bulks Rail Siding, the Intermodal Rail facility, the MGT power plant, as well as PD staff welfare / engineering / operations / health & safety / operational accounts / pilot station. Port cargo is transported over No. 1 Quay Road using mobile plant and the private rail line crosses the road. Use of No. 1 Quay Road is outside of public highway regulations.
- 1.4. Table 8 in the TA shows that 44% of traffic generated by the outline development will access from the east i.e. via Tees Dock Road and No 1 Quay Road and that a further 26% will use either Tees Dock Road or Smiths Dock Road. Of the traffic generated 82% will be cars. Noting further that the South Industrial Zone development intends to employ 3,870 full time employees, we consider it remiss for the Applicant to make no reference to the existing and planned traffic generation on No. 1 Quay Road by PD and the existing traffic patterns of customers and tenants of PD across the Teesport Estate. Recognition of the cumulative impact on the highways network of permitted development in the vicinity should be considered by the applicant and all necessary mitigation works undertaken.
- 1.5. If it is the intention of the development to access over the private Teesport Estate then Highways England and RCBC Highways Engineers will need confirmation from PD that this is acceptable. The Applicant states that over 50% of the trip distribution by LM Wind would be on No. 1 Quay Road. It can only be assumed that this Applicant had either not considered or had ignored the fact that LM Wind / GE does not have rights to access the No. 1 Quay Road.



- 1.6. In the attached correspondence dated 7<sup>th</sup> October 2020 the Applicant was informed that any proposals to access the private Teesport Estate and associated infrastructure would need to be formalised, with PD Teesport considering amongst other things, security, health and safety and internal road capacity issues for the Teesport Estate, in addition to the wider public access beyond the private road network. Any proposal to access our private network as a means to access the public highway would involve consideration of the implications on road capacity for our own estate and the public highway infrastructure beyond. We have still not received any formal request from the applicant nor any further details in order to consider this further.
- 1.7. In the course of legal proceedings between the Applicant and PD Teesport (in which the Applicant is being represented by Forsters LLP of Mayfair and Jonathan Seidler QC of Wilberforce Chambers), the Applicant has admitted that any tenants of the proposed development would not have rights over No. 1 Quay Road. It is important that the correct position on access is recorded on this application along with the various other planning applications and associated studies for the larger South Bank site.
- 1.8. If it is proposed that access / egress to the application site only comes via Dockside Road, then the traffic generation should be modeled with 100% of the traffic using this route and all routes from the west i.e. from the A19 and A66. An understanding of the impact on the junction of the A66 and B1513 (Old Station Road) has not been provided and should be provided particularly given the scale of the associated manufacturing at the site.

## 2. Drainage

- 2.1. We note that there is no detail or clarification on how surface water and foul drainage will be disposed of from the site. We note a drawing submitted with the application entitled South Bank Parameters Plan Site Overlay Sheet 1 shows a "proposed culvert route" running towards the Teesport Estate. We ask that full details of the proposed drainage from the development be submitted prior to determination to ensure that full consideration is understood on any potential impact caused on the neighbouring land at Teesport and the River Tees and mitigation is provided, subject to works licence and owners consent.

We wish to offer our support of the efforts currently being made to remediate the area of South Bank under the control of Teesworks / South Tees Development Corporation. We do however urge caution guard against a single blinkered agenda for potential development which does not appropriately consider the position of major economic drivers and employers for the Tees Valley and beyond.

Yours faithfully



**Michael McConnell**  
**Group Property Director**

cc. Chris Bell, Operations Directorate  
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Our ref: MM/LH/GEN.40  
Your ref: R/2020/0357/OOM

7<sup>th</sup> October 2020

Redcar & Cleveland Borough Council  
Corporate Directorate for Growth, Enterprise  
and Environment  
Development Management  
Redcar and Cleveland House  
Kirkleatham Street  
REDCAR  
TS10 1RT

Dear Sir/Madam

**PROPOSAL:** OUTLINE PLANNING APPLICATION FOR DEMOLITION OF EXISTING STRUCTURES ON SITE AND THE DEVELOPMENT OF UP TO 418,000 SQM (GROSS) OF GENERAL INDUSTRY (USE CLASS B2) AND STORAGE OR DISTRIBUTION FACILITIES (USE CLASS B8) WITH OFFICE ACCOMMODATION (USE CLASS B1), HGV AND CAR PARKING AND ASSOCIATED INFRASTRUCTURE WORKS ALL MATTERS RESERVED OTHER THAN ACCESS

**LOCATION:** LAND AT SOUTH TEES DEVELOPMENT CORPORATION EAST OF SMITHS DOCK ROAD AND WEST OF TEES DOCK ROAD SOUTH BANK

**APPLICANT:** SOUTH TEES DEVELOPMENT CORPORATION

Thank you for your letter of 16<sup>th</sup> September 2020. We would comment as follows:

#### General

PD Teesport Limited ("PD Teesport") as the Statutory Harbour Authority for the port of Tees and Hartlepool is supportive of the proposal for port related industrial development at South Bank the site of the application being in close proximity to the River Tees and major port infrastructure with the prospect of further port infrastructure being developed.

#### Industrial Estate or Strategic Port Related Regeneration Project

Whilst the current application relates to General Industry (Use Class B2), Storage or Distribution Facilities (Use Class B8) and Office Accommodation (Use Class B1), the Statutory Harbour Authority believes the site presents a once in a generation opportunity to deliver new port related economic activity and job creation particularly in the light of the emerging offshore wind sector at Dogger Bank. The recent announcements by Able UK in relation to signed documents relating to the creation of 120 jobs on the north bank of the Tees and 400 jobs on the Humber provide recent examples of the economic regeneration opportunities and private sector investment that Dogger Bank is now delivering.



We are mindful that substantial public expenditure has already gone into the site of the outline application in recent years including the purchase/relocation of various property and business interests and the public procurement of demolition/site clearance/clean up contracts. PD Teesport would hope that this strategic regeneration site, in close proximity to the commercial heart of the river, would be utilised as a port related facility rather than merely a general industrial estate which may compete with other non river based industrial areas such as Kirkleatham Business Park.

It is felt that a general industrial estate, if developed, which may “turn its back” on the river would be a lost opportunity to generate new long term private sector investment utilising the asset which is the River Tees and one of the largest commercial ports in the UK. The development of a general industrial estate may merely result in displacement of other local employment from other neighbouring estates. In contrast in recent years PD Teesport has attracted hundreds of millions of pounds of private sector investment and major new long term private sector employment to the region through for example the Asda and Tesco Port Centric Warehouses and the MGT Power Station development. The MGT biomass power station development alone has seen over £625m of private funding invested in the immediate locality in the last 4 years.

A non port related general industrial estate could be an “easy win” rather than something which could be in the best long term strategic interests of the area which would attract new long term private sector funding and employment in industries which could benefit from the assets and opportunities provided by one of the leading commercial Ports in the UK.

It is noted the application is outline for demolition and B1, B2 and B8 uses, with all matters reserved other than access. There is no commitment within the application to develop the quay facilities and in fact this is specifically excluded from the application. There is a strong local policy link to the site being used for port related development activity though the general conclusion made by the applicant within the planning statement accompanying the application is that the proposed development should be permitted as it falls within the “B Class” employment uses.

It is noted The South Industrial Zone Planning Statement, July 2020, accompanies the outline planning application R/2020/0357/OOM, with the following statements being included:

“Para 1.11           A separate planning application is being prepared by STDC for a quay on the River Tees adjoining the development site. It is expected this application will be submitted to RCBC in Autumn 2020 and it will facilitate the transportation of goods and materials to and from the development site by ship.”

“Para 2.4           It is located within the STDC area and it lies between land operated by PD Ports for its industry and commerce park”.

“Para 2.36           RCBC issued an Environmental Impact Assessment (EIA) Scoping Opinion on 27<sup>th</sup> June 2019 for a proposed port-based development for the offshore marine energy sector (offshore wind turbines)”.

“Para 3.5           The [design] parameters have also been designed in accordance with a separate application, currently being prepared by STDC, for the development of a new quay at the north of the site. This will create the opportunity to transport goods and materials to and from the site via ship. For the purpose of this application however it is assumed that there will be no opportunities for deliveries via ships.

“Para 4.2           The relevant statutory development plan comprises:

- Redcar and Cleveland Local Plan (May 2018)
- South Tees Area SPD (May 2018)”

Para 4.28 Within the South Industrial Zone [identified in the SPD] the Council, in partnership with the STDC, will encourage development proposals for port related uses, including port based fabrication, offshore energy industries, including manufacturing, materials processing and manufacturing, contract fabrication and energy generation and, potentially rig and large equipment decommissioning."

Whilst the above statements provide an indication that a port related proposal may follow, there is no commitment to port related development, noting of course an outline or full planning application does not necessarily lead to any development taking place.

#### Access

It is noted the layout provides two main access routes, one at Smiths Dock Road and the other at Tees Dock Road within the Teesport Estate, with a road running through the middle of the area of the application area. This route largely replicates the Dockside Road/Teesport Link Road Scheme, being designed as an alternative access between Bran Sands and Teesport to Dockside Road.

Paragraph 2.23 states "The development site is located directly to the east of Smiths Dock Road and directly to the west of Tees Dock Road. These roads provide connectivity to the wider local road network via the A66."

The proposal appears to be for the industrial estate to access the private Teesport Estate and road network, before linking onto the Public Highway network at Tees Dock Road leading to the A66. It is noted that Highways England has objected to the proposal pending further information on highways matters.

Any proposals to access the private Teesport Estate and associated infrastructure would need to be formalised with PD Teesport considering, amongst other things, security, health and safety and internal road capacity issues for the Teesport Estate in addition to the wider public highway access beyond the private road network. In recent years PD Teesport has invested its own capital in upgrading the public highway network outside the Teesport Estate. Any proposal by third parties to access our own private road network as a method to access the public highway network will involve consideration of the implications on road capacity both for our own estate and the public highway infrastructure, and we would wish to reserve our position to comment further on those matters whenever the applicant has provided the necessary detail.

As the Statutory Harbour Authority for the River Tees we would thank you for the opportunity to comment on this outline application.

Yours faithfully



**Michael McConnell**  
**Group Property Director**