

## Redcar and Cleveland Borough Council

### Planning (Development Management)

APPLICATION NUMBER: R/2022/0096/CD  
LOCATION: LAND AT SOUTH BANK TEES DOCK ROAD  
GRANGETOWN REDCAR AND CLEVELAND  
LACKENBY  
PROPOSAL: DISCHARGE OF CONDITION 16 ON PLANNING  
APPROVAL FOR THE DEMOLITION OF  
EXISTING STRUCTURES ON SITE AND THE  
DEVELOPMENT OF UP TO 418,000 SQM  
(GROSS) OF GENERAL INDUSTRY (USE  
CLASS B2) AND STORAGE AND  
DISTRIBUTION FACILITIES (USE CLASS B8)  
WITH OFFICE ACCOMMODATION (USE CLASS  
B1), HGV AND CAR PARKING AND  
ASSOCIATED INFRASTRUCTURE WORKS ALL  
MATTERS RESERVED OTHER THAN ACCESS.

---

### APPLICATION SITE

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

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

### CONDITION DETAILS

The following information has been submitted for partial discharge of condition 16

*16. Prior to the commencement of the development, or in accordance with the phasing plan agreed through discharge of condition 4, further site investigation shall be carried out and reported to the Local Planning Authority. Thereafter the development shall be implemented in accordance with the approved details and mitigation measures therein, unless otherwise agreed in writing.*

*REASON: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised.*

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

**Enabling Earthworks and Remediation Strategy Report (REPORT NO. 10035117-AUK-XX-XX-RP-ZZ-0408-02-Rem\_Strat\_South\_Bank\_West\_Rev01 January 2022)**

**Detailed Quantitative Risk Assessment (Doc Ref 10035117-AUK-XX-XX-RP-ZZ-0331-02-SB\_DQRA Revision: 02 September 2021)**

**Remediation Strategy Plan received by the Local Planning Authority on 08/02/22**

## **CONSULTATION RESPONSES**

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

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

*I note that an Enabling Earthworks and Remediation Strategy Report has been submitted in support of this application to partially discharge condition 16 on planning approval R/2020/0357/OOM.*

*The overarching aim of the works is to deliver a sustainable ground remediation strategy for the contract sites which is compliant with regulatory needs (Local Authority and Environment Agency) and has their approval in principle. The strategy has been produced to identify an applicable remediation strategy for the site, and on the assumption that any redevelopment of the site will be for a generic commercial industrial end use.*

*The remediation strategy report refers to Draft South Bank Former Steelworks Redcar, Detailed Quantitative Risk Assessment, 10035117-AUK-XX-XX-RP-ZZ-0331-02-SB\_DQRA, prepared by Arcadis for South Tees Development Corporation, dated September 2021 [Arcadis 2021c] which supersedes Detailed Quantitative Risk Assessment South Bank Area A, 10035117-AUK-XX-XX-RP-ZZ-0270-01-SBA\_DQRA.*

*For Human Health the DQRA reports that GQRAs undertaken for SBA, SBB and SBC, were that concentrations of arsenic, lead, benzene, dibenzofuran, 1,2 dichloroethane and PAHs were measured exceeding the Generic Assessment Criteria (GAC) in soil, however the DQRA suggests that in relation to human health, the GQRA undertaken is considered to provide an appropriate level of assessment based on what is known of the planned redevelopment scenario and therefore, human health assessment is not included further within the scope of the DQRA.*

*The Enabling Earthworks and Remediation Strategy Report for Human health s2.7 however, reiterates the review of the previously conducted ground investigations identifying concentrations of lead, benzene, cyanide, dibenzofuran, NAPL and PAHs measured in excess of the Generic Assessment Criteria (GAC) in soil, driven by direct contact exposure and dust inhalation with respect to the risk to human*

*health will be needed as part of the remedial strategy but states that these will need to be further considered in the remedial strategy for the site.*

*The conclusions of the GQRA undertaken were that concentrations of arsenic, lead, benzene, dibenzofuran, 1,2 dichloroethane and polycyclic aromatic hydrocarbons (PAHs) were measured exceeding the GAC in soil for the protection of human health. It was recommended that risks to human health are considered at the design stage of any proposed redevelopment with regards to dermal, ingestion and inhalation pathway.*

*Given that, the DQRA is principally concerned with controlled waters I would recommend that the report is forwarded to the Environment Agency for any comments they may wish to make on the controlled waters element of the DQRA report*

*Materials identified for reuse will be required to be tested prior to placement to demonstrate compliance with the reuse criteria.*

*The strategy report states that a reassurance monitoring plan and program will be developed and implemented for asbestos air monitoring will be prepared as a component of the CEMP. Baseline data will be collected as part of this plan to allow the impact of the works on the surrounding environment to be determined and allow the success of control measures undertaken to protect the site workforce and neighbouring receptors to be assessed.*

*Section 5 Reporting -This section states the information that will be submitted when the remedial works have been carried out with verification reports submitted for approval as stated in the strategy reports.*

*Provided that risks to Human health during the enabling and remedial works are managed including air monitoring, as detailed in the enabling and remediation strategy and that all information stated in section 5 is reported to the LA on completion of the enabling works; the approach and methodology in principle is satisfactory to partially discharge condition 16.*

## **PLANNING CONSIDERATIONS**

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

The current application for discharge of condition 16 relates to the area shaded red on plan (Drg No. 10035117-AUK-XX-XX-DR-ZZ-0409-01-South\_Bank\_est\_Setting), and the submission is therefore considered on the basis of a partial discharge.

The submitted information has been considered by the Council's Environmental Protection team. Discussions have taken place between the EHO and the applicants agents and consultants during the consideration of this application and other associated condition discharge applications relating to remediation of the wider site.

Given the current position in terms of available information supporting the application, no objection has been raised to the proposed works. It is however noted that within the memo there will be the need for further submissions to the Council once more information is available. The applicant is to be made aware of these requirements on the decision notice.

It is noted that comments have been made by the EHO with regard to controlled waters and the need for the EA to be consulted. Given the condition was not one requested by the EA they would not seek to comment on the application. It is noted that there are other conditions attached to the original outline approval requested by the EA that offer the level of control/management that they considered necessary at the time the application was determined.

Given the response from the EHO it is considered that condition 16 can be partially discharged in so far as it relates to the area shaded red on plan (Drg No. 10035117-AUK-XX-XX-DR-ZZ-0409-01-South\_Bank\_est\_Setting) submitted in support of this application.

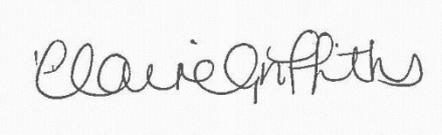
### RECOMMENDATION

Taking into account the content of the report the recommendation is condition 16 can be **partially discharged** in so far as it relates to the area shaded red on plan (Drg No. 10035117-AUK-XX-XX-DR-ZZ-0409-01-South\_Bank\_est\_Setting) submitted in support of this application.

### INFORMATIVE NOTE

Informative Note: The applicant is advised that Section 5 of the Enabling Earthworks and Remediation Strategy Report (REPORT NO. 10035117-AUK-XX-XX-RP-ZZ-0408-02-Rem\_Strat\_South\_Bank\_West\_Rev01) requires reporting to be undertaken. The applicant should ensure that all requirements of this section of the report are adhered to.

Case Officer	
Mr D Pedlow	Principal Planning Officer
<i>David Pedlow</i>	28 June 2022

Delegated Approval Signature	
Claire Griffiths	Development Services Manager
	28/06/2022