

Redcar and Cleveland Borough Council

Planning (Development Management)

APPLICATION NUMBER: R/2023/0800/OOM
LOCATION: LAND NORTH OF THE A1053/A66 TEES DOCK ROAD ROUNDABOUT AND SOUTH OF FORMER LACKENBY WORKS
PROPOSAL: OUTLINE APPLICATION (ALL MATTERS RESERVED) FOR TRANSPORT HUB COMPRISING CAR AND HGV PARKING AREAS; RE-FUELLING STATION; BUS STOPS; SECURITY AND AMENITIES BUILDINGS; ACCESS ROADS, ASSOCIATED FACILITIES AND LANDSCAPING WORK

[Planning Application Details \(redcar-cleveland.gov.uk\)](https://www.redcar-cleveland.gov.uk)

APPLICATION SITE AND DESCRIPTION

Outline permission with (all matters reserved) is sought for a transport hub comprising car and HGV parking areas; re-fuelling station; bus stops; security and amenities buildings; access roads, associated facilities and landscaping work on land north of the A1053/A66 Tees Dock Road roundabout and south of former Lackenby Works.

The applicant within their Design and Access Statement has provided the following summary of the development:

Development Proposals

The subject application seeks outline planning permission for the development of a Transport Hub.

Use

The proposed use is as a Sui Generis Transport Hub including:

- *Car parking spaces*
- *HGV parking spaces*
- *Gatehouses and security buildings*
- *Driver amenity blocks*
- *Bus stops*
- *Footpaths*
- *Roads*
- *Vehicle refuelling station*

Although it is necessary, at this stage, to retain a level of flexibility in terms of the exact site layout, it is envisaged that the proposals could deliver the following:

- Around 150 articulated HGV parking spaces;
- Around 204 car parking spaces; Bus stops;
- Amenity block(s) containing shower and toilet facilities for HGV drivers;
- Hydrogen re-fuelling station;
- Security Fencing with gatehouses controlling onward access into the Lackenby and British Steel sites; and
- Footpath link to enable HGV drivers to gain access to the commercial (retail/leisure) facilities proposed on the adjacent site.

Detailed layouts and designs are not yet available for all these elements, however, parameters can be imposed on any outline permission granted in order to control the scale and impacts of the structures brought forwards as Reserved Matters approval stage.

To enable the outline proposals to be properly assessed, development parameters have been set for the outline area, informed by the baseline site information and an understanding of potential Transport Hub requirements. These are set out in Table 1 below.

Development Parameter	Amount/Use
Site Uses	Sui Generis Transport Hub including: Car parking spaces HGV parking spaces Gatehouses and security buildings Driver amenity blocks (shower/toilet/catering facilities) Bus stops Footpaths Roads Vehicle Refuelling Station
Maximum Floor Space	2,500 m ² / 26,910 sqft
Finished Floor Level	Minimum 10.00m AOD
Maximum Building Height	15 m
Access	Access is reserved and details will be submitted at the Reserved Matter stage of the planning process however 4 indicative vehicular access points are shown on the Parameters Plan.

The application has been accompanied by a location plans and illustrative site plan and illustrative floor plans and elevations of buildings at the site. The application has also been supported by the following technical documents:

- Cover letter
- Transport Statement
- Phase 1 Contaminated Land Assessment
- Habitat Regulations Assessment
- Flood Risk Assessment and Drainage Strategy
- Ecological Impact Assessment

- Arboricultural Impact Assessment

During the consideration of the application discussions have taken place between the applicant, National Highways and the Local Authority. These discussions have resulted in additional information being submitted in support of the application.

Councillor Learoyd has requested that the application be determined by Regulatory Committee in accordance with the provisions set out within the Council Constitution.

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

N1 Landscape

N4 Biodiversity and Geological Conservation

TA1 (Transport and New Development)

TA2 (Improving Accessibility Within and Beyond the Borough)

OTHER POLICY DOCUMENTS

Redcar and Cleveland South Tees Area SPD (2018)

South Tees Regeneration Master Plan (2019)

PLANNING HISTORY

R/2023/0799/FF Alterations to tees dock roundabout to include new leg to provide access to Lackenby development site and widening of existing highway to provide an additional lane on the existing carriageways. Awaiting determination

R/2020/0820/ESM Outline planning application for development of up to 92,903sqm (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)
Approved 08/08/22

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

Environment Agency (16/01/24)

Whilst we have no objection to the above application as submitted, we would like to provide the below advice.

*Control of Major Accident Hazards Regulations (COMAH) – Advice to Applicant
It is unclear from the outline application whether the proposed Hydrogen Refueling entails hydrogen storage. If that is the case, then depending on the mass stored this development may fall under the COMAH regulations and the applicant should contact the Competent Authority to discuss these matters.*

Natural England (28/02/24)

No objection - subject to appropriate mitigation being secured

We consider that without appropriate mitigation the application would:

- have an adverse effect on the integrity of Teesmouth and Cleveland Coast Special Protection Area and Ramsar site, <https://designatedsites.naturalengland.org.uk/>.
- damage or destroy the interest features for which Teesmouth and Cleveland Coast Site of Special Scientific Interest has been notified.

In order to mitigate these adverse effects and make the development acceptable, the following mitigation options should be secured:

- Agreement of a Construction Environmental Management Plan with your authority.

We advise that an appropriate planning condition or obligation is attached to any planning permission to secure these measures.

Northumbrian Water (11/01/24)

Thank you for consulting Northumbrian Water on the above proposed development. In making our response to the local planning authority Northumbrian Water assesses the impact of the proposed development on our assets and assesses the capacity within our network to accommodate and treat

the anticipated flows arising from the development. We do not offer comment on aspects of planning applications that are outside of our area of control.

It should also be noted that, following the transfer of private drains and sewers in 2011, there may be assets that are the responsibility of Northumbrian Water that are not yet included on our records. Care should therefore be taken prior and during any construction work with consideration to the presence of sewers on site. Should you require further information, please visit <https://www.nwl.co.uk/developers.aspx>.

At this time the planning application does not provide sufficient detail with regards to the management of surface water from the development for Northumbrian Water to be able to assess our capacity to treat the flows from the development. It is noted that the preferred intention would be to direct surface water flows to a nearby local watercourse, but that if this proves unfeasible the applicant would seek to direct surface water to the public network. We therefore request the following condition in that instance:

CONDITION: Development shall not commence until a detailed scheme for the disposal of 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.

Cleveland Police Designing Out Crime Officer (11/01/24)

With regards to your recent outline planning application R/2023/0800/OOM for a Transport Hub, A1053/A66 Middlesbrough.

I would like to make you aware that Cleveland Police operate the “Secured By Design” initiative. This is a scheme which promotes the inclusion of architectural crime prevention measures into new projects and refurbishments. I recommend applicant actively seek Secured By Design accreditation, full information is available within the SBD Commercial 2023 Guide at www.securedbydesign.com

I would also recommend Park Mark Accreditation is actively sought for the site through the Safer Parking Scheme, including Park Mark Freight. Full information on both schemes is available at www.britishparking.co.uk The Regional Manager for the scheme is Ryan Davey who is contactable at ryand@britishparking.co.uk

I encourage contact from applicant/agent at earliest opportunity, if SBD Certification is not achievable you may incorporate some of the measures to reduce the opportunities for crime and anti-social behaviour.

Once a development has been completed the main opportunity to design out crime has gone. The local Designing Out Crime Officer should be contacted at the earliest opportunity, prior to submission and preferably at the design stage.

- *The National Planning Policy Framework 2023 paragraph 92(b), which states that Planning policies and decisions should aim to achieve healthy, inclusive and safe places which are safe and accessible, so that crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion...*
- *The National Planning Policy Framework 2023, paragraph 130(f) which states that "Planning policies and decisions should ensure that developments create places that are safe, inclusive and accessible... and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience".*
- *Redcar & Cleveland Local Planning Policy also states within SD4 (General Development Principles) part m. create a healthy, active, safe, and secure environment, and Policy ED1 part e. enhancing the appearance, safety, and environmental quality of the centre.*
- *Another material consideration is Section 17 of The Crime and Disorder Act 1998.*

Further information on the Secured By design initiative can be found on www.securedbydesign.com.

Although not an SBD requirement, Redcar & Cleveland along with many other areas nationwide suffers from offences of metal theft. These include copper piping, boilers, cables, and lead flashing. Buildings under construction are particularly vulnerable. I recommend that alternative products be utilized where possible. Many new builds are now using plastic piping where building regulations allow and alternative lead products.

Strong consideration should also be given in relation to the provision of On- Site Security throughout the lifespan of the development. There is information contained within the Construction Site Security Guide 2021 also on the SBD website that may assist.

Cleveland Police Counter Terrorism Security Advisor (12/01/24)

At this early stage of the application I do not have any specific Counter Terrorism (CT) observations to offer, though this may change as the site develops. However, I would concur with Steve Cranston's comments in respect of the site seeking Secured by Design accreditation and Park Mark accreditation including Park Mark Freight.

National Highways

(26/01/24)

Recommend that planning permission not be granted for a specified period until 26th April 2024

(17/04/24)

Further to the provision of additional information from the applicant team and a period of consideration of the information, I provide here National Highways' response to the consultation regarding the above application.

Accordingly, I enclose a National Highways Planning Response (NHPR 24-01) – Formal Recommendation to an Application for Planning Permission, dated 17 April 2024, recommending that conditions should be attached to any planning permission that may be granted.

The conditions, as detailed in the NHPR 24-01, align with the general discussions we have had in relation to recent applications in this area and our review of the application, but in summary cover the requirement for:

- a Construction Traffic Management Plan; and
- a monitoring scheme and consideration of trip levels in the morning and evening peak periods at the A1053 (Greystone Road) / A1085 (Trunk Road) and A174/A174/A1053 (Greystone Road) / High Street.

In relation to the trip level condition, we have entered the proposed impacts of this development into the 'Trigger Calculator' (as attached) based upon the figures within the latest information received from Systra.

In addition, and on the basis of which we have been able to reach the above outcome, the parties (National Highways, the applicants planning consultant team and yourself) have agreed that there is an additional commitment to complete further actions in relation to the current applications being pursued in this area. These will be fully detailed and agreed in a Memorandum of Understanding (MoU), but will cover:

- Upon approval of the three planning applications (this application, the Commercial Development (R/2023/0482/OOM) and the Electric Arc Furnace (R/2023/0793/ESM)), a commitment to submit S.96A applications to amend the conditions associated with the five outline Teesworks permissions (R/2020/0819/ESM, R/2020/0820/ESM, R/2020/0821/ESM, R/2020/0822/ESM and R/2020/0823/ESM). These S.96A applications would seek to reference the full collection of applications referred to here with a view to the consideration of trip levels in the morning and evening peak periods at the A1053 (Greystone Road) / A1085 (Trunk Road) and A174/A174/A1053 (Greystone Road) / High Street.
- A commitment to develop, at the earliest opportunity, a mechanism that enables reference to the consideration of trip levels in the morning and evening peak periods at the A1053 (Greystone Road) / A1085 (Trunk Road) and A174/A174/A1053 (Greystone Road) / High Street, outside of the planning applications themselves. This would overcome the planning

challenges faced on the current set of applications and would provide a more efficient way of dealing with applications in the future.

I trust that the above and attached are clear and sufficient for your requirements. Please do not hesitate to contact me should you have any queries.

Redcar and Cleveland Borough Council (Development Engineers)
(14/06/24)

1. *The application is an outline planning consent, with all matters reserved, for the formation of a Transport Hub. The site is bounded by;
North – Lackenby development phase;
South – A1053 / A66 / Tees Dock Road roundabout;
East – Vacant land subject to a live planning application (R/2023/0482/OOM); and,
West – Tees Dock Road, the primary access to Teesport.*
2. *The outline consent is not prescriptive although at this stage it is proposed to create:*
 - *Approximately 150 articulated HGV parking spaces,*
 - *Approximately 204 car parking spaces,*
 - *Bus stops,*
 - *Amenity block(s) containing shower and toilet facilities for HGV drivers,*
 - *A hydrogen re-fuelling station,*
 - *Security Fencing with gatehouses controlling onward access into the Lackenby and British Steel sites,*
 - *A footpath link to enable HGV drivers to gain access to the commercial (retail/leisure) facilities proposed on the adjacent site, and*
 - *Access roads*
3. *A transport statement has been submitted as part of the application with all matters reserved including site access. The statement references the committed development that would be served by the Hub with the committed development traffic generated by them being of material consideration to this application. The statement argues that the Hub, in itself, does not generate significant trip making, rather that it re-distributes trips associated with other developments. It is recommended that this argument is fully evidenced by condition as traffic will enter the strategic highway network at different locations and possibly at different times to the scenarios used in the traffic forecasts submitted under previous applications (9 nos). An example would be a driver going to or from a nearby site, say Lackenby, making an additional call at the Hub. Evidence will also be required to demonstrate that the Hub has sufficient capacity for the level of demand expected to use it including parking provision for heavy goods vehicles and amenity facilities.*
4. *No travel plan has been submitted as part of the application as it is argued that the Hub is essentially ancillary to previously consented developments that have travel plans. However, given the location on the strategic highway network it is recommended that a travel plan is prepared to update*

previously approved documentation and account for any additional movements linked to the Hub.

- 5. There is no definite information in the application about the layout of the internal road network and how traffic flows from linked development(s) within Teesworks may impact the operation of the strategic road network. As the planning application is for outline consent, with all matters reserved, we recommend a suitable condition to ensure that detailed analysis and design is in accordance with planning and acceptable to the highway authority. It is noted that consideration of an additional fourth arm to the Tees Dock Roundabout is within a separate planning application.*
- 6. As the application is an outline consent, with all matters reserved, and with further detailed analysis to be provided (in combination with technical notes 'SYS_TN_DIST_001' and 'SYS_TN_240325_02' issued to the Council on 13/06/2024) we recommend approval of the outline application subject to conditions.*

Conditions:

- (1) Any subsequent application for Reserved Matters consent that seeks approval for 'access' and/or 'layout' shall include evidence that the submitted layout plans have been developed, whilst having regard to the requirement to provide access to, through and from the site to those not using motorised vehicles, i.e. by foot and cycle. The submission shall demonstrate that the development makes reasonable endeavours to provide links and all reasonable opportunities have been taken to provide appropriate links. The submission shall include full details of the links and routes, including surface materials, levels and associated infrastructure e.g. lighting.*

REASON: To ensure that the site is attractive to users, other than those using motorised vehicles, in the interests of sustainability and inclusivity.

- (2) Prior to the development first coming into use, a Travel Plan shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be implemented in accordance with the approved Travel Plan, unless otherwise agreed in writing.*

REASON: to ensure that the end users can make an informed choice as to the method of sustainable transport.

- (3) Any subsequent application for Reserved Matters consent that seeks approval for 'access' and/or 'layout' must be accompanied by a highway capacity assessment setting out the predicted peak hour (For the purposes of interpreting 'peak hour': the "AM peak hour" is defined as the busiest hour between 07.00-10.00; the "PM peak hour" is defined as the busiest hour between 16.00 – 19.00) two way vehicle trips at the A1053 (Greystone Road) / A1085 (Trunk Road) [NZ556209] and A174 / A174 /*

A1053 (Greystone Road) / High Street [NZ568193] from the proposed development, for approval by the Local Planning Authority.

REASON: To inform the design of any necessary highway improvements.

- (4) All traffic impact assessments submitted to the Local Planning Authority pursuant to condition 3 shall identify the extents of off-site highway works required to cost effectively mitigate to an acceptable degree the effects of the development on the operation of the highway network. Unless otherwise agreed in writing the development hereby approved shall not become operational unless and until the aforementioned highway works have been implemented to the satisfaction of the Highway Authority.*

REASON: To ensure that any significant impacts from the development on the transport network (in terms of capacity and congestion), or on highway safety, are cost effectively mitigated to an acceptable degree.

- (5) No development pursuant to this permission shall become operational until a scheme for monitoring traffic generated by the development at A1053 (Greystone Road) / A1085 (Trunk Road) [NZ556209] and A174 / A174 / A1053 (Greystone Road) / High Street [NZ568193] has been submitted to and approved by the Local Planning Authority in consultation with National Highways. The monitoring scheme shall thereafter be implemented.*

REASON: To inform the design of any necessary highway improvements.

**Redcar and Cleveland Borough Council (Local Lead Flood Authority)
(22/01/24)**

The LLFA have reviewed the application for the outline application for the Transport Hub of Tees Dock Road, Lackenby. We would require upon submission of the full application that all the LLFA standard conditions 1,2 & 3 are met. The information provided is limited and contradictory as well not accurately describing the flood conditions of the site currently. Approval would be subject to an agreed a detailed scheme for the disposal of surface water for development and should also include exceedance routes from the site in extreme events accurately modelled and agreed. The site is currently a source of flooding that has off site affects flooding Tees Dock Road. The LLFA are happy to be contacted to further discuss all these issues prior to the full application being submitted to provide an accurate history of issues to guide the most appropriate design for the development surface water management.

**Redcar and Cleveland Borough Council (Environmental Protection)
(Contaminated Land) (11/01/24)**

I note that a phase 1 desk study has been carried out in support of this application. From the preliminary conceptual model and qualitative risk assessment the Site has been found to contain eight potential contaminant linkages of concern with regards to both on-site and off-site historical and

current land uses including operation as part of an iron and steelworks (substations, railways) and soil treatment area.

This together with identified data gaps including characterisation of both groundwater and surface water a ground investigation is warranted prior to development commencing to confirm current ground conditions.

In order to minimise the environmental impact I would recommend the inclusion of the Councils Standard Contaminated Land condition onto any planning permission which may be granted.

Reason : To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

**Redcar and Cleveland Borough Council (Environmental Protection)
(Nuisance) (11/01/24)**

No objections

Redcar and Cleveland Borough Council (Natural Heritage Manager)

I would support the comments from the Consultant Report, but would hope for some mitigation in terms of tree/shrub planting within the Ward

**Redcar and Cleveland Borough Council (Health and Food Safety)
(22/12/23)**

No objection

**Redcar and Cleveland Borough Council (Place Investment Team)
(23/01/24)**

No observations

**Redcar and Cleveland Borough Council Archaeology Consultant (NEAR)
(23/01/24)**

1. The site is within an area previously assessed under an EA application made by South Tees Development Corporation (R/2020/0820/ESM). The relevant ES does not have a chapter in relation to the below ground archaeological heritage, however the submitted Site Description Document of the ES refers to the site in relation to the settings of the nearest listed buildings and conservation areas.

2. The ES notes that "There are no designated or undesignated heritage assets within the site or within the immediate vicinity." (at paragraph B2.13), and goes on to note, correctly, as follows.

“The nearest listed building is the Grade II listed Baptist Church at South Bank (List UID: 1160408), which is located 1.7km to the west of the site. The site is not visible from the listed building as it physically and visually separated from South Bank by intervening industrial developments, trees and the A66” and*

“The nearest conservation area is the Wilton Conservation area, which is approximately 2.1km to the south east of the site and is physically and visually separated from it by the Wilton International industrial area.” (at B3.22)

3. As historic mapping shows, the current application site is undeveloped until at least the last decade of the nineteenth century, after which (the mid twentieth century) it then became almost entirely built over for heavy industrial use. The Historic Environment Record maintained by the Council does not record any sites of archaeological interest within the area of the application. We are therefore of the view that there are no archaeological remains of significance evident within the area of the proposed site.

4. Recommendation: No archaeological mitigation is necessary in this instance.

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 impacts on ground conditions and nuisance
- The impacts on drainage

The principle of development

The application site is located within the development limits and within a predominantly industrial/commercial area. The broad principle of the proposed development in this location is acceptable and the proposal accords with the aims of policy SD3 of the Redcar and Cleveland Local Plan.

Policy LS 4 (South Tees Spatial Strategy) of the Local Plan sets out a series of key economic, environmental and connectivity objectives for the South Tees area. Those of particular relevance to the proposed development include:

‘a. deliver significant economic growth and job opportunities through the South Tees Development Corporation and Tees Valley Enterprise Zone at Wilton International and South Bank Wharf;

b. support the regeneration of the South Tees Development Corporation area through implementing the South Tees Area Supplementary Planning Document;

f. improve existing employment areas and provide a range of modern commercial premises that meet contemporary business requirements including the target sectors of the South Tees Area Supplementary Planning Document;

The proposed transport hub facility will provide facilities including HGV and other vehicle parking and associated facilities that will help serve the wider Teesworks site and contribute to and help to achieve the above objectives and, therefore, comply with the wider spatial strategy for the area and Policy LS 4 of the Local Plan.

Policy ED 6 (Promoting Economic Growth) of the Local Plan protects land within existing industrial estates and business parks, including 'Land at South Tees', which includes the application site, for employment uses. The policy expects proposals within the STDC Area to have regard to the South Tees Area SPD, and states that *"Proposals which positively contribute towards growth and regeneration will be supported"*. Policy ED6 also states that *"suitable employment related sui-generis uses will be supported"*.

The proposed development will support Policy ED 6, contributing towards the regeneration of the Teesworks area, providing a use that is complementary to employment and industrial uses proposed across the wider Teesworks site.

Taking the above into consideration the proposed development is considered to comply with Policy SD3 LS4 and ED6.

The impacts on the character and appearance of the area

The application site, as detailed earlier in the report, is situated within the wider Teesworks site, and is bordered to the north by the site which benefits from outline planning permission known as 'Lackenby'. The location of the site and the prevailing built form is industrial, with a number of buildings and structures of significant scale in the surrounding area.

The application has been made in outline with all matters reserved for future consideration. While the application has been supported with indicative layouts, detailed consideration of matters including scale, appearance and layout of the site will be considered through any Reserved Matters application. Notwithstanding the fact the application is in outline, it is considered that any development based on the parameters supporting the application when considered in the context of the site location and surroundings is capable of being in keeping with the existing and future character of the area.

The proposed development would respect the character of the site and the surroundings and the application accords with National Policy in the NPPF and policy SD4 (b)(i)(j) and (k) of the Redcar and Cleveland Local Plan

The impacts on neighbour amenity

The application site, as detailed earlier in the report, is situated within the wider Teesworks site. There are therefore currently limited neighbouring commercial

occupiers that would be impacted upon by the scale and appearance of any future development, while there are no residential developments that directly abut or adjoin the application site.

The application has been made in outline, with matters relating to scale and appearance reserved for future consideration. Notwithstanding the fact the application is in outline, it is considered that any development based on the parameters supporting the application when considered in the context of the site location and surroundings is capable of being designed to ensure there are no adverse impact with regard to the amenity of any neighbouring occupier.

The development would not have a significant adverse impact on the amenities of occupiers of existing or proposed buildings and the application accords with part b of policy SD4 of the Local Plan.

The impacts on highways safety

The application has been considered by the Council's highway engineers and National Highways, with a number of discussions taking place between the applicant, their highway consultants, National Highways and the Local Authority. As a result of these discussions additional supporting information has been provided.

With regard to the strategic highway network, National Highways originally responded requesting that the application not be determined until further information is provided to ensure that the A1053 trunk route continues to serve its purpose as part of a national system of routes for through traffic.

A number of meetings have taken place between the applicant, National Highways and the Local Authority, resulting in two technical notes being provided addressing the information required by National Highways. Following the receipt of the additional information, National Highways advised that they have no objection to the proposed development subject to the imposition of two conditions. The conditions relate to a Construction Traffic Management Plan and a monitoring scheme for trip levels in the morning and evening peak periods at the A1053 (Greystone Road) / A1085 (Trunk Road) and A174/A174/A1053 (Greystone Road) / High Street. The wording of the proposed conditions have been agreed with the applicant in advance of the preparation of the report.

With regard to the Local Road network, the application has been considered by the Council's highway engineers.

As with National Highways, a number of meetings have taken place between the applicant and the Local Authority to discuss the development in relation to the local highway network. The Council engineers have provided the following assessment of the proposed development based on the information supporting the application:

The outline consent is not prescriptive although at this stage it is proposed to create:

- *Approximately 150 articulated HGV parking spaces,*
- *Approximately 204 car parking spaces,*
- *Bus stops,*
- *Amenity block(s) containing shower and toilet facilities for HGV drivers,*
- *A hydrogen re-fuelling station,*
- *Security Fencing with gatehouses controlling onward access into the Lackenby and British Steel sites,*
- *A footpath link to enable HGV drivers to gain access to the commercial (retail/leisure) facilities proposed on the adjacent site, and*
- *Access roads*

A transport statement has been submitted as part of the application with all matters reserved including site access. The statement references the committed development that would be served by the Hub with the committed development traffic generated by them being of material consideration to this application. The statement argues that the Hub, in itself, does not generate significant trip making, rather that it re-distributes trips associated with other developments. It is recommended that this argument is fully evidenced by condition as traffic will enter the strategic highway network at different locations and possibly at different times to the scenarios used in the traffic forecasts submitted under previous applications (9 nos). An example would be a driver going to or from a nearby site, say Lackenby, making an additional call at the Hub. Evidence will also be required to demonstrate that the Hub has sufficient capacity for the level of demand expected to use it including parking provision for heavy goods vehicles and amenity facilities.

No travel plan has been submitted as part of the application as it is argued that the Hub is essentially ancillary to previously consented developments that have travel plans. However, given the location on the strategic highway network it is recommended that a travel plan is prepared to update previously approved documentation and account for any additional movements linked to the Hub.

There is no definite information in the application about the layout of the internal road network and how traffic flows from linked development(s) within Teesworks may impact the operation of the strategic road network. As the planning application is for outline consent, with all matters reserved, we recommend a suitable condition to ensure that detailed analysis and design is in accordance with planning and acceptable to the highway authority. It is noted that consideration of an additional fourth arm to the Tees Dock Roundabout is within a separate planning application.

As the application is an outline consent, with all matters reserved, and with further detailed analysis to be provided (in combination with technical notes 'SYS_TN_DIST_001' and 'SYS_TN_240325_02' issued to the Council on 13/06/2024) we recommend approval of the outline application subject to conditions.

As detailed above in the engineers report, the application has been made in outline with all matters reserved including access and layout. These details

would be further assessed in terms of highway capacity and safety when any future Reserved Matters applications are submitted. In response to the comments above from engineers, a suite of planning conditions have been agreed between the applicant and the Local Authority as set out in the engineers formal response.

The application subject to the imposition of the conditions detailed above raises no issues in terms of highways safety and would be a benefit to the wider network. The proposal accords with policies SD4, TA1 and TA2 of the Local Plan.

The impacts on ground conditions and nuisance

The application has been considered by the Council's environmental protection section with regards to nuisance and contaminated land.

With regard to contamination, no objection is raised to the principle of the proposed development. The environmental protection officers have advised the following based on the information supporting the application:

A phase 1 desk study has been carried out in support of this application. From the preliminary conceptual model and qualitative risk assessment the Site has been found to contain eight potential contaminant linkages of concern with regards to both on-site and off-site historical and current land uses including operation as part of an iron and steelworks (substations, railways) and soil treatment area.

This together with identified data gaps including characterisation of both groundwater and surface water a ground investigation is warranted prior to development commencing to confirm current ground conditions.

In order to minimise the environmental impact I would recommend the inclusion of the Councils Standard Contaminated Land condition onto any planning permission which may be granted.

As a result of the above comments, the applicant has agreed to the inclusion of a condition relating to contaminated land and the need for further survey and assessment work.

With regard to nuisance, no objection is raised due to the location and scale of the proposed development and the proposed end use.

The proposed development is therefore not considered to present a risk to human health during the construction and operational phases subject to the imposition and subsequent discharge of the relevant conditions, therefore the proposal is in accordance with Policy SD 4 of the Redcar and Cleveland Local Plan.

The impacts on drainage

The application has been considered by the Council as Local Lead Flood Authority and Northumbrian Water.

The application has been supported by a flood risk assessment that has been considered. The LLFA have questioned the description of flood conditions at the site. Notwithstanding this, the LLFA have advised, the principle of the development is one that is acceptable subject to consideration of further details either at Reserved Matters or through the discharge of conditions. The application has agreed to the conditions proposed from the LLFA in advance of the report being finalised. The LLFA have also advised that they would be happy to discuss matter relating to drainage with the applicant in advance of any future application being submitted. Northumbrian Water have also stated that based on the information provided future clarity will need to be provided with regard to the management of surface water. It is noted a condition has been recommended by NWL, however it is considered that the conditions proposed by the LLFA meet the requirement sought by NWL and therefore the condition will not be duplicated.

The application subject to the conditions outlined above is considered to accord with policy SD7 of the Redcar and Cleveland Local Plan.

Other matters

The application raises no issues in terms of crime prevention and accords with part m of policy SD4 of the Local Plan.

The application has been considered by the Council's archaeology consultant (NEAR). The advice offered by NEAR states that the application site falls within 'Lackenby' which benefits from outline planning permission under application R/2023/0820/ESM. The ES supporting the outline application noted that;

"There are no designated or undesignated heritage assets within the site or within the immediate vicinity." (at paragraph B2.13), and goes on to note, "The nearest listed building is the Grade II listed Baptist Church at South Bank (List UID: 1160408), which is located 1.7km to the west of the site. The site is not visible from the listed building as it physically and visually separated from South Bank by intervening industrial developments, trees and the A66" and "The nearest conservation area is the Wilton Conservation area, which is approximately 2.1km to the south east of the site and is physically and visually separated from it by the Wilton International industrial area." (at B3.22). As historic mapping shows, the current application site is undeveloped until at least the last decade of the nineteenth century, after which (the mid twentieth century) it then became almost entirely built over for heavy industrial use. The Historic Environment Record maintained by the Council does not record any sites of archaeological interest within the area of the application. We are therefore of the view that there are no archaeological remains of significance evident within the area of the proposed site.*

Based on the advice offered above, it is considered that no conditions are required for archaeological mitigation in respect of the proposed development. The development is therefore considered to comply with Policy HE3 of the Redcar and Cleveland Local Plan

The application has been supported by both a shadow Habitat Regulations Assessment and an Ecological Impact Assessment. The application has been considered by Natural England with regard to the potential for the development to impact on designated sites. Natural England have advised that based on the information provided and subject to the imposition of a condition for a Construction Environmental Management Plan (CEMP) they have no objection to the proposed development. This is considered to be consistent with the recommendations set out within the submitted ecological documents. The applicant has agreed to the proposed condition prior to the report being finalised.

The submitted Ecological Impact Assessment also highlights the potential for compensatory measures in the form of replacement bio-diversity units. These are summarised as 34.6 Habitat Units and 0.98 River Units of which all but 0.44 River Units will be lost to the development. A condition is proposed to provide the required compensatory units and this has been agreed with the applicant in advance of the report being finalised.

The application pre-dates the need for mandatory bio-diversity net gain (BNG) as the application was submitted before 12 February 2024.

The application has been considered by Cleveland Police who have no objection to the proposed development. They have made recommendations to the applicant with regard to future design of the development and have advised that consideration should be given to Secure by Design standards.

The application falls outside of scope for requiring additional information / assessment in relation to nutrient neutrality.

CONCLUSION

For the reasons outlined above the proposal is considered acceptable. The application has been made in outline with all matters reserved for future consideration at Reserved Matters stage. The principle of the development is one that is acceptable as the site is situated within the defined limits of development and allocated for uses associated with promoting economic growth, which the proposed development is considered to meet.

The application raises no issues in terms of neighbour amenity, crime prevention, ecology or flood risk. Matters relating to highway safety have been considered by both National Highways and the Council's highway engineers. The development does not raise any highway safety concerns.

A number of conditions are proposed by consultees. These have been agreed with the applicant in advance of the report being finalised.

The proposal accords with policies SD1 (Sustainable Development), SD2 (Locational Policy), SD3 (Development Limits), SD4 (General Development Principles), LS4 (South Tees Spatial Strategy), ED6 (Promoting Economic Growth), HE3 (Archaeological Sites and Monuments), TA1 (Transport and New Development) and TA2 (Improving Accessibility Within and Beyond the Borough)

RECOMMENDATION

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

GRANT OUTLINE PERMISSION subject to the following conditions:

1. Details of the access, appearance, landscaping, layout and scale, (hereinafter called "the reserved matters") shall be submitted to and approved in writing by the Local Planning Authority before the expiration of three years from the date of this permission.

REASON: To reserve the rights of the Local Planning Authority with regard to these matters and required to be imposed pursuant to Sections 91 and 92 of the Planning & Compulsory Purchase Act 2004.

2. The development hereby permitted shall be begun not later than the expiration of two years from the final approval of the reserved matters or, in the case of approval on different dates, the final approval of the last of the reserved matters to be approved, whichever is later.

REASON: Required to be imposed pursuant to Sections 91 and 92 of the Planning & Compulsory Purchase Act 2004.

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

Proposed Parameters Plan (Dwg No. P-10.02) received by the Local Planning Authority on 28/11/23

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

4. Prior to the construction of the final surface treatment, for any hard surfaced areas, details of the materials to be used shall have first been submitted to, and approved in writing by the Local Planning Authority. The development shall be completed in accordance with the approved details.

REASON: To ensure that the appearance of the development would respect the site and the surroundings in accordance with policy SD4 of the Local Plan.

5. Prior to any development above damp proof course details of the external materials to be used in the carrying out of this permission (including

samples) shall have first been submitted to, and approved in writing by the Local Planning Authority. The development shall be completed in accordance with the approved details.

REASON: To ensure that the appearance of the development would respect the site and the surroundings in accordance with policy SD4 of the Local Plan.

6. Prior to the first use of the development, hereby approved, boundary walls and fences shall have been erected in accordance with a scheme that has first been submitted to and agreed in writing with the Local Planning Authority. The boundary walls and fences shall thereafter be maintained unless the express consent of the Local Planning Authority is given.

REASON: To ensure that any boundary treatments would accord with policy SD4 of the Redcar and Cleveland Local Plan by respecting the character of the site and the surroundings and raising no significant adverse impact on neighbouring occupiers.

7. No development shall take place until a Construction Environmental Management Plan (CEMP) for the development has been submitted to and approved in writing by the Local Planning Authority. The approved CEMP shall be adhered to throughout the construction period. The CEMP shall set out and include the following details:

- i The method to be used to control the emission of dust, noise and vibration from construction works, including any details of any mitigation measures required;
- ii Measures to control the deposit of mud and debris on adjoining public highways
- iii Site fencing and security
- iv Temporary contractors' buildings, plant, storage of materials, lighting and parking for site operatives
- v The use of temporary generators
- vi The arrangement or turning of vehicles within the site so that they may enter and leave in forward gear
- vii A risk assessment of construction activities with potentially damaging effects on local ecological receptors including any measures to protect those receptors during construction
- viii Roles and responsibilities for the implementation of the CEMP requirements and measures.

REASON: In the interest of neighbour amenity, highways safety and protection of sites of ecological value in accordance with policies SD4 and N4 of the Redcar and Cleveland Local Plan.

REASON FOR PRE-COMMENCEMENT: The information is required prior to any works commencing on site as it relates to construction details which are often the first works on site and relate to site preparation.

8. Prior to the development hereby approved becoming operational, a landscaping scheme shall be submitted to, and approved in writing by, the Local Planning Authority. The details shall include size, type and species and a programme of work. The development shall be completed in accordance with the approved details.

REASON: To ensure that the development would respect the site and the surroundings in accordance with policy SD4 of the Local Plan.

9. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried in accordance with the approved programme of work, and any trees or plants which within a period of ten years from the completion of the development die, are removed, or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species unless the Local Planning Authority gives written consent to any variation.

REASON: To ensure the satisfactory implementation of the approved scheme in the interests of the visual amenities of the locality.

10. Unless otherwise agreed by the Local Planning Authority in writing, development other than that required to be carried out as part of an approved scheme of remediation must not commence until parts (a) to (c) have been complied with. If unexpected contamination is found after development has begun, development must be halted on that part of the site affected by the unexpected contamination to the extent specified by the Local Planning Authority in writing until condition (d) has been complied with in relation to that contamination.

(a) Site Characterisation

An investigation and risk assessment, in addition to any assessment provided with the planning application, must be completed in accordance with a scheme to assess the nature and extent of any contamination on the site, whether or not it originates on the site. The contents of the scheme are subject to the approval in writing of the Local Planning Authority. The investigation and risk assessment must be undertaken by competent persons and a written report of the findings must be produced. The written report is subject to the approval in writing of the Local Planning Authority. The report of the findings must include:

(i) a survey of the extent, scale and nature of contamination;

(ii) an assessment of the potential risks to:

- human health,
- property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes,
- adjoining land,
- groundwaters and surface waters,
- ecological systems,

- archeological sites and ancient monuments;

(iii) an appraisal of remedial options, and proposal of the preferred option(s).

This must be conducted in accordance with Environment Agency's Land Contamination Risk Management Guidance

(b) Submission of Remediation Scheme

A detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment must be prepared, and is subject to the approval in writing of the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

(c) Implementation of Approved Remediation Scheme

The approved remediation scheme must be carried out in accordance with its terms prior to the commencement of development other than that required to carry out remediation, unless otherwise agreed in writing by the Local Planning Authority. The Local Planning Authority must be given two weeks written notification of commencement of the remediation scheme works.

Following completion of measures identified in the approved remediation scheme, a verification report that demonstrates the effectiveness of the remediation carried out must be produced, and is subject to the approval in writing of the Local Planning Authority.

(d) Reporting of Unexpected Contamination

In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with the requirements of part (a) and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of part (b), which is subject to the approval in writing of the Local Planning Authority. Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority.

REASON : To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to

controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

REASON FOR PRE-COMMENCEMENT: The information is required prior to any works commencing on site it relates to land contamination details which are often the first works on site and relate to site preparation.

11. Prior to the commencement of the development, or in such extended time as may be agreed in writing with the Local Planning Authority, details shall be submitted and approved of the surface water drainage scheme and the development shall be completed in accordance with the approved scheme. The design of the drainage scheme shall include;
 - (i) Restriction of surface water greenfield run-off rates (QBAR value) with sufficient storage within the system to accommodate a 1 in 30 year storm.
 - (ii) The method used for calculation of the existing greenfield run-off rate shall be the ICP SUDS method. The design shall also ensure that storm water resulting from a 1 in 100 year event, plus climate change surcharging the system, can be stored on site with minimal risk to persons or property and without overflowing into drains, local highways or watercourses.
 - (iii) Full Micro Drainage design files (mdx files) including a catchment plan
 - (iv) The flow path of flood waters for the site as a result on a 1 in 100 year event plus climate change

REASON: To ensure the development is supported by a suitably designed surface water disposal infrastructure scheme and to minimise the risk flooding in the locality.

REASON FOR PRE-COMMENCEMENT: The information is required prior to any works commencing on site it relates to drainage details which are often the first works on site and relate to site preparation.

12. Prior to the commencement of the development, or in such extended time that may be agreed with the Local Planning Authority, details of a Surface Water Drainage Management Plan shall be submitted and approved by the Local Planning Authority. The Management Plan shall include;
 - (i) The timetable and phasing for construction of the drainage system
 - (ii) Details of any control structure(s)
 - (iii) Details of surface water storage structures
 - (iv) Measures to control silt levels entering the system and out falling into any watercourse during the construction processThe development shall, in all respects, be carried out in accordance with the approved Management Plan.

REASON: To ensure the development is supported by an appropriately designed surface water disposal infrastructure scheme and to minimise the risk of increased flooding and contamination of the system during the construction process.

REASON FOR PRE-COMMENCEMENT: The information is required prior to any works commencing on site it relates to drainage details which are often the first works on site and relate to site preparation.

13. The development shall not become operational until a Management & Maintenance Plan for the surface water drainage scheme has been submitted to and approved by the Local planning Authority; the plan shall include details of the following;

- (i) A plan clearly identifying the sections of surface water system that are to be adopted

- (ii) Arrangements for the short and long term maintenance of the SuDS elements of the surface water system

REASON: To ensure that the surface water drainage infrastructure is maintained to minimise the risk flooding in the locality.

14. Any subsequent application for Reserved Matters consent that seeks approval for 'access' and/or 'layout' shall include evidence that the submitted layout plans have been developed, whilst having regard to the requirement to provide access to, through and from the site to those not using motorised vehicles, i.e. by foot and cycle. The submission shall demonstrate that the development makes reasonable endeavours to provide links and all reasonable opportunities have been taken to provide appropriate links. The submission shall include full details of the links and routes, including surface materials, levels and associated infrastructure e.g. lighting.

REASON: To ensure that the site is attractive to users, other than those using motorised vehicles, in the interests of sustainability and inclusivity.

15. Prior to the development first coming into use, a Travel Plan shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be implemented in accordance with the approved Travel Plan, unless otherwise agreed in writing.

REASON: To ensure that the end users can make an informed choice as to the method of sustainable transport.

16. Any subsequent application for Reserved Matters consent that seeks approval for 'access' and/or 'layout' must be accompanied by a highway capacity assessment setting out the forecast with development peak hour operation (For the purposes of interpreting 'peak hour': the "AM peak hour" is defined as the busiest hour between 07.00-10.00; the "PM peak hour" is defined as the busiest hour between 16.00 – 19.00) and two way vehicle trips at the A1053 (Greystone Road) / A1085 (Trunk Road) [NZ556209] and A174 / A174 / A1053 (Greystone Road) / High Street [NZ568193] from the proposed development, for approval by the Local Planning Authority.

REASON: To inform the design of any necessary highway improvements.

17. All traffic impact assessments submitted to the Local Planning Authority pursuant to condition 15 shall identify the extents of off-site highway works required to cost effectively mitigate to an acceptable degree the effects of the development on the operation of the highway network. Unless otherwise agreed in writing the development hereby approved shall not become operational unless and until the aforementioned highway works have been implemented to the satisfaction of the Highway Authority.

REASON: To ensure that any significant impacts from the development on the transport network (in terms of capacity and congestion), or on highway safety, are cost effectively mitigated to an acceptable degree.

18. No development pursuant to this permission shall become operational until a scheme for monitoring traffic generated by the development at A1053 (Greystone Road) / A1085 (Trunk Road) [NZ556209] and A174 / A174 / A1053 (Greystone Road) / High Street [NZ568193] has been submitted to and approved by the Local Planning Authority in consultation with National Highways. The monitoring scheme shall thereafter be implemented.

REASON: To inform the design of any potential future highway improvements.

19. Prior to the commencement of development, a construction traffic management plan shall be submitted to and agreed in writing with the Local Planning Authority. The scheme hereby approved shall then be implemented in accordance with the construction traffic management plan unless first agreed in writing with the Local Planning Authority.

REASON: To ensure that the development does not have an adverse impact on the highway network in accordance with policy SD4 of the Redcar and Cleveland Local Plan.

REASON FOR PRE-COMMENCEMENT: The information is required prior to any works commencing on site as the information relates to construction activity and site preparation.

20. Within 12 months of the grant of this planning permission, an Environment and Biodiversity Strategy shall be prepared and submitted to the local planning authority that confirms the feasibility of providing compensatory habitat equivalent to 34.6 Biodiversity and 0.98 River Units, within the site and / or off-site, and the mechanisms for its provision and on-going management. That Strategy shall be approved by the local planning authority. Thereafter, and where compensatory provision is demonstrated within the Strategy to be feasible and deliverable, it shall be carried out in accordance with the Strategy prior to the development becoming operational.

REASON: In the interest of the ecological value and long-term maintenance of the site in accordance with policies SD4 and N4 of the Redcar and Cleveland Local Plan.

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.