



# South Tyneside Council

Mr Terry Maughan  
Fram Park  
Longframlington  
Morpeth  
NE65 8DA

Date: 24/08/2017  
Our ref: ST/0477/17/FUL  
Your ref:

This matter is being dealt with by:  
**David Rogerson on 0191 4247404**  
e-mail address:  
planningapplications@southtyneside.gov.uk

Dear Mr. Maughan

## Screening Opinion of the Local Planning Authority

### Town and Country Planning (Environmental Impact Assessment) Regulations 2017

**Proposal:** Change of use from a pub/restaurant to hotel  
**Description:** Marsden Grotto  
Coast Road  
South Shields  
NE34 7BS

With reference to your planning application for the above received by the Council on the 25/05/2017, I hereby notify you of the Council's screening opinion as to whether the proposed change of use requires an Environmental Impact Assessment to be carried under the above regulations and the submission of an Environmental Statement.

The consideration of whether a particular development requires an Environmental Impact Assessment depends upon whether it is classed as Schedule 1 or Schedule 2 development, as defined by the regulations. I am satisfied that the proposed change of use is not a development that falls within Schedule 1 and as such would not automatically require the submission of an Environmental Statement.

With respect to Schedule 2 development the Council, as Local Planning Authority, is duty bound to consider whether any part of the development falls within a 'sensitive area', as defined by the regulations, or whether any applicable threshold or criterion in the corresponding part of Column 2 of Schedule 2 is exceeded, or met, in relation to the development proposed.

The proposed change of use lies within a sensitive area, as defined by the regulations. It is located within a European designated site (designated under the European Habitats Directive 92/43/EEC) – the Durham Coast Special Area of Conservation (SAC) and within the nationally designated Durham Coast Site of Special Scientific Interest (SSSI). It is also positioned in close proximity (approximately 480 metres) to the European designated site the Northumbria Coast Special Protection Area (SPA) (also designated under the worldwide Ramsar Convention).

Paragraph 032 Reference ID: 4-032-20140306 of National Planning Policy Guidance (NPPG) states that all development in, or partly in, sensitive areas should be screened as to whether it would require Environmental Impact Assessment. It provides guidance regarding sensitive areas and when an Environmental Impact Assessment would be required (if it would affect the features for which they were designated). It states that it will be necessary to judge whether the likely effects on the environment of that particular development would be significant in that particular location.

Given the position of the application site within sensitive sites (and in close proximity to others), it is considered that the Council must adopt a screening opinion and consider whether there would be any significant effects on the environment, be they positive or negative and Schedule 3 of the regulations outlines the three criteria that must be taken into account in making this decision.

### 1. The characteristics of the development

The proposed change of use would be to operate Marsden Grotto as a hotel instead of the existing pub / restaurant. Only the first floor would be used as a hotel of approximately 8-10 bedrooms, with the ground floor remaining as a hotel bar / restaurant. No external works are proposed, although internal works would likely be required after the change of use has been granted planning permission.

The development site comprises the Marsden Grotto pub / restaurant building only, which is partly dug into the cliff face with a more conventional building opening onto the beach. Access to the existing bar / restaurant is by lift from the car park off the Coast Road, or by a zig zag stair case on the cliff at the side of the building.

There would be no construction works associated with the proposed change of use. When occupied it is anticipated that any waste produced would not be unusual to that which would be produced by any other hotel development, and would likely be less than the waste generated by the existing larger bar / restaurant.

Potential noise or other pollution would likely be from the comings and goings to the hotel (and associated ground floor bar / restaurant), as well as from the general use and operation of the hotel (and associated bar/ restaurant).

### 2. The location of the development

#### *The existing land use*

The development site comprises the existing Marsden Grotto bar / restaurant. It is understood to have a capacity of 180-200 people, and is licensed to open from 1000 hours until 0100 hours during the week and up to 0400 hours at weekends. The site is sensitive to change given its location within the European designated Durham Coast SAC, and the nationally designated Durham Coast SSSI.

#### *Position within Coastal Zone*

The development site is located within the Coastal Zone. The Council seeks to conserve and enhance the character of the 'undeveloped coast' as a high quality natural environment and resource for biodiversity and outdoor space. It is considered that a proposal of this nature within an existing commercial building would not have an impact on the character of the 'undeveloped coast'.

#### *Proximity to European designations and worldwide Ramsar site*

There are two European designated sites in South Tyneside (designated under the European Habitats Directive 92/43/EEC); the Durham Coast SAC, and the Northumbria Coast SPA which is also designated

under the worldwide Ramsar Convention. The development site is positioned within the SAC and approximately 480 metres from the SPA (and Ramsar site).

The SAC is designated for the biodiversity value of the vegetated sea cliffs - the only example of vegetated sea cliffs on magnesian limestone exposures in the UK. The conservation objective for the SAC as set by Natural England is as follows:

*“Ensure that the integrity of the site is maintained or restored as appropriate, and ensure that the site contributes to achieving the Favourable Conservation Status of its Qualifying Features, by maintaining or restoring;*

- *The extent and distribution of qualifying natural habitats*
- *The structure and function (including typical species) of qualifying natural habitats, and*
- *The supporting processes on which the qualifying natural habitats rely”*

The SPA (and Ramsar Site) is designated for its internationally important coast bird population namely Purple Sandpiper and Turnstone (non-breeding) and Little Turn (breeding). The conservation objective for the SPA as set by Natural England is as follows:

*“Ensure that the integrity of the site is maintained or restored as appropriate, and ensure that the site contributes to achieving the aims of the Wild Birds Directive, by maintaining or restoring;*

- *The extent and distribution of the habitats of the qualifying features*
- *The structure and function of the habitats of the qualifying features*
- *The supporting processes on which the habitats of the qualifying features rely*
- *The population of each of the qualifying features, and,*
- *The distribution of the qualifying features within the site.”*

Given the position of the development site within the SAC and its proximity to the SPA, it is possible that these European designated sites could be affected by the proposed change of use.

#### Proximity to nationally designated Durham Coast SSSI

The development site is located within the Durham Coast SSSI. Such national designations are notified under Section 28 of the Wildlife and Countryside Act, 1981 (as amended) for their special interests by reason of their flora, fauna, or geological or physiographical features. SSSIs are conserved not only for their intrinsic nature conservation and/or earth science value but also for their role in the network of nationally important sites.

The Durham Coast SSSI is of considerable biological, geological and physiographic interest. It contains most of the paramarine Magnesian Limestone vegetation in Britain (unique in the mix of plant communities which it contains), as well as a species-rich dune system, and supports nationally important numbers of wintering shore birds and breeding little terns which contribute to the internationally important populations of the North East coast. The geology of the Durham Coast is characterised by the extensive cliff and foreshore exposures of the dolomites and limestones of later Permian age.

Given the position of the development site within the SSSI, it is possible that it could be affected by the proposed change of use.

#### Proximity to local biodiversity designations / other ecological impacts

The Leas Local Wildlife Site is located adjacent to the application site. Other local wildlife sites are also located in close proximity, namely Marsden Lime Kilns Local Wildlife Site (within 200 metres), Lizard Lane Cutting Local Wildlife Site (within 300 metres), and Marsden Old Quarry Local Nature Reserve and Local Wildlife Site (within 300 metres). There is a local wildlife corridor positioned to the east.

Given the proximity of these to the development site, it is possible that the proposed change of use could have some impact on these local designations.

### Proximity to landscapes of historical, cultural or archaeology significance

The Marsden Grotto building is on the Council's list of locally significant heritage assets.

### 3. Characteristics of the potential impact

In relation to criteria 1 and 2 above, the potential impact of the proposed change of use is considered to be largely isolated to the site and its immediate surroundings. This represents both a limited geographical area and population. Potential impacts are not anticipated to extend to a wider area or population.

The proposed change of use would not generate any waste, dust, noise, vibration and other potential disturbances over and above the existing use of the building. The same assessment applies in relation to the risk of accidents occurring.

The domestic waste associated with the end use of the site is not considered to be either unusual or complex in nature and would not give rise to significant environmental effects.

Given that the proposal change of use would relate to the building only which is within an existing commercial use, it would have no unacceptable impacts on the 'undeveloped coast' location or upon the fact that the building is a local heritage asset. The magnitude and complexity of any impact on these matters would be negligible and assessed under a planning application.

Proposed highways and transportation implications of the proposed change of use are matters to be considered under a planning application. The magnitude and complexity of this impact would be relatively low.

In terms of flood risk and drainage issues, the proposed change of use would have no greater impacts over and above the existing situation.

Significantly the reason why the proposed change of use requires an Environmental Impact Assessment screening opinion is because of its position within European and nationally designated sites of biodiversity importance – the Durham Coast SAC and Durham Coast SSSI which are 'sensitive areas'. However, the proposal would be to change the use of the building only – to a use that would result in the building having a reduced capacity (less customers to the bar / restaurant which can currently operate over two floors). It is considered that the magnitude of impacts on the conservation objectives of the sensitive areas would be low and likely be a reduction to the existing use. It is considered that the low magnitude and complexity of any impacts on the conservation objections of these sensitive areas would not be significant to trigger the need for an Environmental Impact Assessment. Consultation responses to planning application Ref: ST/0477/17/FUL received from both Natural England and the Council's Countryside Officer support this conclusion (both have raised no objections to the proposal).

Overall it is considered that the proposed change of use would have no significant environmental effects upon existing land uses, natural resources, or the natural environment to trigger the need for an Environmental Impact Assessment.

### Conclusion


It is the Council's opinion that the proposed change of use, whilst being within sensitive areas, would not, on the basis of all the information provided, have significant environmental impacts for it to require the

carrying out of an Environmental Impact Assessment and the submission of an Environmental Statement.

You should be aware that the comments made regarding the likely environmental impacts of the proposed change of use relate only to the Council's need to issue a screening opinion under the above regulations. They do not represent the Council's views as to the planning merits of any planning application, or its conformity with development plan policies within the Local Development Framework.

A copy of this Screening Opinion has been placed on the planning register.

Yours faithfully

 George Mansbridge  
Head of Development Services

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