



Mr Michael Hepburn  
Lichfields  
St Nicholas Building  
St Nicholas Street  
Newcastle  
NE1 1RF

Date: 18/02/2021  
Our ref: ST/1070/20/LAA  
Your ref:

This matter is being dealt with by: Christina  
Snowdon  
on (0191) 4247412  
e-mail address:  
planningapplications@southtyneside.gov.uk

Dear Sir

## Screening Opinion of the Local Planning Authority

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

**Proposal:** Erection of commercial office building (use class E) with undercroft car park and associated landscaping and infrastructure  
**Description:** Land at Harton Quay, Mill Dam, South Shields

With reference to your recent planning application for the above received by the Council on 11 December 2020, I hereby notify you of the Council's screening opinion as to whether the proposed development 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 development 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 development falls within Development Category 10 (a) (Urban Development Projects) of Column 1 of Schedule 2 of the regulations, and the area of development exceeds the threshold of 0.5 hectares as stipulated in column 2. The proposed development does not lie within a sensitive area, as defined by the regulations.

Therefore, 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 characteristics of the development must be considered with regard to the size and design of the whole development, the cumulation with other developments, the use of natural resources, the production of waste, pollution and nuisances, the risk of major accidents and the risk to human health.

This planning application is for the erection of a commercial office building (use class E) with an undercroft car park and associated landscaping and infrastructure. It is proposed that the office building would have an internal floorspace of 5,559 square metres and it would provide Grade A office accommodation for established and emerging digital companies. It is proposed that the northern part of the site will be developed for the office building, with the southern part of the site providing landscaped open space.

The proposed office building would have five storeys. An undercroft car park (lower ground floor) would provide 22no. car parking spaces, a space for a motorcycle and cycle storage (with a further cycle stands at the main entrance to the building). The ground floor would accommodate 806 square metres of Net Internal Area (NIA), including co-working space and two office demises. The first, second and third floors provide 946 square metres of Net Internal Area (NIA). The fourth floor has a smaller Net Internal Area (NIA) of 747 square metres. All of the upper floors can be divided into a maximum of four demises. The building would have a height of approximately 23.5 metres. The building facade would be predominantly glazed.

The proposed landscaped public space is located to the south of the site and would be designed with different zones, with planted areas, terraced lawns, terraced planting, seating and rain gardens.

Vehicular access into the site is taken from Harton Quay.

The development will inevitably consume some natural resources during the construction works and it could produce potential construction waste and debris. Potential noise, dust and vibration could also be associated with construction, and construction methods could give rise to accidents, primarily to those working on the site. However, given the nature of the development proposed, it is considered that the proposals will not result in a significant production of waste, pollution or nuisance. Furthermore, it is considered that the proposed development will not result in a significant risk of major accidents or a significant risk to human health.

In terms of cumulative effects, outline planning permission (Ref: ST/0664/15/OUT) was granted in December 2015 for retail units, restaurant and café units, a cinema, a multi-storey car park and a foodstore with an associated petrol filling station and car park within South Shields Town Centre, including sites at King Street, Chapter Row, Barrington Street, Garden Lane and land West of Fowler Street, although work has not yet commenced on these developments.

The Council has recently received a planning application (Application Ref: ST/0318/20/LAA) for a major development to the south of the application site (beyond the Customs House) on land at Hill Street/Nile Street/Commercial Road/Laygate Street/Cone Street/Riverside Court/Woodlands Court/Carpenter Street, South Shields. This application is for "Site enabling works comprising site clearance, major earthworks (including the infilling of a large graving dock) and construction of new riverside structures to create a landform for subsequent development. Public realm works around three retained graving docks and temporary capping."

Nevertheless, it is not considered that significant cumulative impacts will occur.

## 2. The location of the development

The environmental sensitivity of geographical areas likely to be affected by the development must be considered with regard to the existing and approved land use, natural resources in the area and the absorption capacity of the natural environment.

The proposed development would be constructed on previously developed land within the built up area of South Shields. Although there are a number of residential properties in close proximity to the application site, the surrounding areas are predominantly commercial in nature and is therefore not densely populated.

The site slopes quite steeply down from northeast to southwest (with a change in levels of approximately 5 metres). It is generally open, apart from a locally listed brick wall that runs along the length of the eastern boundary (which is a remnant of the former Staith House), a locally listed historic brick chimney (a remnant from the former Swinburne Glassworks) to the south west of the site and a modern electricity substation to the west of the site. The proposals include works to the brick boundary wall to open it up to create permeability between the site and Mill Dam. The proposals also include works to repair the chimney and enhance its setting.

The application site has an area of 5,075sqm. It is located close to the southern bank of the River Tyne (at a distance of approximately 55 metres). The north east corner of the site is located approximately 25 metres from the boundary of South Shields Town Centre. The South Shields pedestrian ferry terminal is located to the north west of the site.

The site is bounded to the west by the highway of Harton Quay (with Harton Quays Park and the River Tyne beyond). It is bounded to the north by the highway of Harton Quay (with a four storey office building known as One Harton Quay beyond). The site is bounded to the east by the highway of Mill Dam and the eastern part of the Mill Dam Conservation Area, with terraces of commercial and residential properties. The site is bounded to the south by the highways of Mill Dam and Harton Quay (and a pedestrianised area in between) with the Customs House Theatre beyond.

Part of the application site (to the east and south of the site) is located within the Mill Dam Conservation Area, with the larger part of the Conservation Area being located to the east and south of the site. There are two locally listed structures within the Conservation Area that are located within the application site, namely the brick wall to the east and the chimney to the south west of the site.

There are a number of Grade II Listed buildings in close proximity to the application site, including No 27 Mill Dam (an early 19<sup>th</sup> century two storey building known as the Steamboat), No. 23 Mill Dam (a two storey building that contains a former shop front) and the Customs House (the former Mercantile Marine Offices).

There are also a number of locally listed buildings, including the Waterfront Public House at 9-11 Mill Dam, Holborn House at No. 53 Mill Dam, the Quadrant at Nos. 55-67 Mill Dam, Unity Hall at No. 71 Mill Dam, the Merchant Navy Memorial, Mill Dam Jetty and the Dalton Lane Workshops.

The site is dominated by ephemeral/short perennial vegetation with areas of poor semi improved grassland and no priority habitats were recorded. The site is within close proximity to the River Tyne Local Wildlife Site (LWS).

Historic maps indicate that the site has previously been used for industrial uses. Earliest mapping (1857) shows that the site was occupied by Swinburne's Glass Works and a Stone Yard. The glass works were demolished by 1915 and railway lines were extended across the site by the 1950's. By 1993 the works and railway lines were removed. However, part of a

chimney remains on the site and the area was levelled to create a hardstanding /grassed area.

Having regard to the existing land uses, natural resources in the area and the absorption capacity of the natural environment, it is considered that the proposed development would not have an unacceptable impact on the surrounding areas.

### 3. Characteristics of the potential impact

The likely significant effects of the development on the environment must be considered in relation points 1 and 2 above, with regard to the magnitude and spatial extent of the impact (eg geographical area and size of population), nature of impact, transboundary nature, intensity and complexity of impact, probability of impact, the expected onset, duration, frequency, and reversibility of the impact, the cumulation of the impact and the possibility of reducing the impact.

The planning application is accompanied by a Design and Access Statement, a Planning Statement, a Sustainability Statement, a Heritage Impact Assessment, a Historic Wall Survey, an Archaeological Desk Based Assessment, a Written Scheme of Investigation – Archaeological Trial Trench Evaluation, a Transport Assessment, a Travel Plan, a Flood Risk Assessment and Outline Drainage Strategy, an Interim Site Investigation Statement, a Phase I Preliminary Risk Assessment (Desk Top Study), Landscaping Details, an Ecological Impact Assessment, a BREEAM Credit Tracker and a Noise Assessment.

With regard to drainage and flood risk, the applicant's Flood Risk Assessment and Outline Drainage Strategy has indicated that the site would be at low risk from flooding. However, the Council's Environmental Protection Team, as Lead Local Flood Authority, has advised that further information is required to demonstrate that the site is able to adequately drain under surcharged outfall conditions. Any planning permission will require conditions with regard to the submission of a detailed drainage design that includes Sustainable Urban Drainage System (SuDS) and the completion of the approved scheme. As such, it is considered that the impacts of the proposed development on drainage and flood risk would be acceptable.

With regard to land contamination, the Phase I Preliminary Risk Assessment (desk top study) indicates that there may be underground features as a result of the historic industrial developments at the site, as well as UXO from WWII bombing.

The conceptual site model identifies that the risk from made ground posed to the site's end-users and construction workers is considered to be Moderate due to the historical industrial land use of the site since pre-1850s. The risk presented to groundwater and surface water receptors is considered to be Moderate/Low and Low respectively due to no abstraction points within 1km and the site being located in a heavily industrialised area. The risk posed to site end-users from ground generating gases arising from made ground on or near the site is considered to be Moderate.

The report recommends further work, including intrusive ground investigations (with soil sampling and gas monitoring as well as a risk assessment) and this should be done following a UXO assessment. The presence or absence of asbestos within the soils should be confirmed and quantified if present. The Council's Environmental Protection Team has advised that any planning permission will require conditions regarding the submission of a Site Investigation and Risk Assessment, a Remediation Strategy, a Verification Report and the treatment of any unexpected contamination. As such, it is considered that the impact of the proposed development with regard to ground contamination will be acceptable.

With regard to the impact of the development on biodiversity, the Ecological Impact Assessment states that overall, habitats on site are considered to be of low value, with ephemeral habitats being of local value. The Council's Countryside Officer has advised that the proposed landscaping scheme will be required to compensate for any habitats that will be lost and further information has been requested to demonstrate that there will be no net loss of biodiversity.

Given the nature of the development and the location, no impacts on the River Tyne Local Wildlife Site (LWS) are anticipated beyond the risk of pollution impacts during construction works.

Although the site is within 6km of the Durham Coast Special Area of Conservation and Northumbria Coast Special Protection Area and Ramsar Site European sites, direct impacts on the sites are not anticipated, given the distance between the proposed development site and the designated sites. Recreational pressure is not anticipated from any office development, particularly given the distance of over 1km from the European Sites.

With regard to the impact of the development on heritage assets, given the separation distance between the proposed office development and the nearby heritage assets (including the Mill Dam Conservation Area, listed buildings and locally listed buildings), it is considered that the proposed development would not result in any significant impacts upon them. However, the applicant will be required to carry out archaeological building recording, archaeological excavation works and recording. As such, it is considered that the impact of the proposed development on heritage assets would be acceptable.

A Transport Assessment and a Travel Plan have been submitted in support of the planning application. The Transport Assessment concludes that the application site is within a sustainable location with excellent opportunities for it to be accessed by sustainable travel modes, particularly walking and public transport. The site is located approximately 400 metres from the recently developed Transport Interchange (for the Tyne and Wear Metro and buses) and has bus stops nearby.

A trip generation exercise has been undertaken using the TRICS database which shows that the development will generate approximately 84 vehicle trips in the morning peak and 74 in the evening peak.

The applicant's Transport Assessment also states that the junction modelling exercise has demonstrated that the surrounding highway network can accommodate the additional traffic generated by the development without significant queuing or delay. The document concludes that the proposed development is unlikely to be detrimental to highway safety.

Given the scale of the development, the provision of 22 car parking spaces, and the anticipated traffic generation, it is considered that the potential increase in traffic will not have a significant impact.

The proposed development has the potential to cause pollution at both the construction stage and once the offices are occupied. During the construction phase it is considered that pollution could occur primarily as a result of dust and noise nuisance, although any complaints would be investigated to ensure that best practicable means are being employed for noise and dust escape, using statutory nuisance legislation. Furthermore, good site practice would help minimise any nuisance.

Given the nature of the development and the proposed use, it is considered that the proposed office development would not have unacceptable impacts on residential amenity.

With regard to the use of natural resources and the production of waste, the Sustainability and Energy Statement states that sustainability shall be achieved by the following measures:

- The development is targeting net zero carbon using the UK Green Building Council's (UKGBC) framework;
- The building shall incorporate U-values that are similar to those used in Passive House Buildings to minimise the heating and cooling demand;
- Heat recovery shall be incorporated into the ventilation systems to minimise heat loss due to fresh air requirements;
- All lighting shall be extremely efficient LED type luminaires;
- Lighting shall be linked to occupant and daylight sensors to only provide artificial lighting when required;
- Ventilation shall be linked to CO2 sensors so that the fans only run when required;
- A detailed life cycle assessment (LCA) shall be undertaken to minimise embodied carbon involved in the construction and building services;
- Net zero carbon for the construction shall also be targeted via the UKGBC's framework;
- The development is targeting BREEAM "outstanding" which represents the highest rating achievable;
- A site waste management plan shall be produced to minimise waste during construction;
- Water shall be reduced through low flow sanitaryware and automatic shut off valves in WC areas to avoid leaks;
- As the site shall be served by electricity there shall be no impact on local air quality due to combustion; and
- A PV array shall be installed on the roof to generate a proportion of the building's energy demand.

A breakdown of the energy analysis indicates significant saving with regard to energy demand from energy efficiency and renewable energy. In addition, the detailed operational energy modelling demonstrates that the proposed design shall far exceed a typical baseline building and is in line with UKGBC's stretch scenario which represents predicted good practice in 2030.

With regard to the risk of accidents associated with the construction works, the duration of these potential impacts would be limited to a period starting with the commencement of site preparation works through to the completion of construction work and good site management and adherence to good practice will minimise this risk.

The potential impacts of the development are considered to be generally isolated to the application site and its immediate surroundings. This represents both a limited geographical area and affected population. Potential impacts are not anticipated to extend to a wider area or population.

Although the Environmental Impact Assessment Regulations do not provide a definition of what constitutes a "significant effect", it is considered that significance reflects the relationship between firstly the sensitivity, importance or value of the affected receptor, and secondly the nature, magnitude or severity of the impact.

"Significant effects" would therefore be judged to occur where valuable or sensitive receptors are subject to effects of considerable magnitude. Effects are therefore unlikely to be judged significant where low value or non-sensitive receptors are subject to minor effects.

Whilst some effects are envisaged as described above, no significant environmental impact is envisaged.

Particular regard has been had to the magnitude, spatial extent, nature and transboundary impact of the development, together with the intensity, complexity, probability, expected duration and reversibility of the impact.

Critically, it is considered that the proposed amendments to the previously approved application are unlikely to give rise to significant environmental effects.

In view of the above, the proposed development is considered to be of no more than local importance, not located at a significantly environmentally sensitive or vulnerable location, and it would not have any unusually complex or potentially hazardous environmental effects.

### Conclusion

It is the Council's opinion that the proposed development, whilst being a Schedule 2 development under the above regulations, 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 development 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 South Tyneside Local Development Framework.

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

Yours faithfully

  
Peter Cunningham  
Operations Manager - Development Management