South Tyneside Council

SLR Consulting Limited
FAO: Chris Rogers, Strategic Resources Director
City Quadrant
11 Waterloo Square
Newcastle upon Tyne
NE1 4DP

Date: 28/10/2025
Our ref: 250336

This matter is being dealt with by:
Garry Simmonette on 0191 4247426 or 07741126918
Email: planning@southtyneside.gov.uk

Dear Chris

Scoping Opinion of the Local Planning Authority

The Town and Country Planning (Environmental Impact Assessment) Regulations 2017 (as amended)

Proposal: Request for an Environmental Impact Assessment (EIA) Scoping Opinion, Under Regulation 15 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017, relating to a proposed extension of time for extraction, extension of time for the restoration scheme and amendments to that scheme, plus a regularisation to the red line boundary at Marsden Quarry.

Location: Marsden Quarry, Coast Road, Whitburn, SR6 7HB

I refer to your request for an EIA Scoping Opinion in relation to the above and where your request was initially accompanied by the following:

- Scoping Opinion Request Report (with PEA and Drawings)

This letter sets out the Local Planning Authority's response to your request.

It has had regard to the above report, consultee responses upon it, plus some subsequent email exchanges between the Council's case officer and Wardell Armstong about the request, the relevant planning history (inc. the previous Environmental Statement [ES]), relevant national and local planning policy, The Town & Country Planning (Environmental Impact Assessment) Regulations 2017 (As Amended) – hereinafter referred to as 'the Regulations' and matters which may or may not be potentially scoped in topics, for EIA.

Scoping consultation carried out by the Local Planning Authority [LPA]

Comments on the EIA scoping request were sought from various statutory and non-statutory consultees.

Appendix 1 to the rear of this letter provides a list of those consultees, with Appendix 2 providing copies of their responses (and where those responses may be subject to some redactions).

They shall be taken into consideration in the undertaking of EIA and the preparation of the ES where a matter has been scoped in as being EIA topic, or, in relation to the preparation of planning application details more generally and where the matter has been scoped out as being an EIA topic.

One consultee did not respond to our consultation, Northumbrian Water [NWL]. You should contact them directly to see if they have any comments that you might need to take into account in preparing an ES / planning application.

Summary of the proposal

The submitted report includes that the proposal would comprise a planning application to be made under section 73 of the Town and Country Planning Act 1990. Section 73 relates to applications for planning permission for the development of land without complying with conditions subject to which a previous planning permission was granted.

The report states the section 73 planning application would be seeking to vary conditions 1, 4 and 31 attached to planning permission ref. ST/1369/02/DM, and which granted mineral extraction, landfilling and all restoration works to be completed at the Quarry by the end of December 2027. The proposed variations to the above conditions would comprise:

- A time extension of 5 years for extraction and 7 years for restoration, complete at the end of 2032 and 2034 respectively.
- A small amendment to the red line boundary to regularise some mineral extraction which occurred beyond the permitted boundary.
- Amendments to the specification of the restoration scheme for the site.

As you will be aware, Section 73 includes that on such an application the LPA shall consider only the question of the conditions subject to which planning permission should be granted, and—

(a) if they decide that planning permission should be granted subject to conditions differing from those subject to which the previous permission was granted, or that it should be granted unconditionally, they shall grant planning permission accordingly, and

(b) if they decide that planning permission should be granted subject to the same conditions as those subject to which the previous permission was granted, they shall refuse the application.

General remarks on the submitted Scoping Report

All numbering in this section is based on the chapter numbering of submitted scoping report.

1 Introduction

Content noted and no specific comments on this section you should specifically consider in preparing an ES.

2 Site Description

Content noted and generally agreed, but it may be appropriate for this matter and 3 below to be combined in the ES and expanded to cover all of the matters referenced in paragraphs 1(a) to 1(d) of the Regulations.

3 The Proposed Development

Content noted and generally agreed, but it may be appropriate for this matter and 2 above to be combined in the ES and expanded to cover all of the matters referenced in paragraphs 1(a) to 1(d) of the Regulations.

4 The EIA Process

Content noted and agreed, plus where the ES will no doubt include specific setting out commentary on the EIA process and team involved in its undertaking (so as to formulate the ES).

5 Planning Policy Context

Content generally noted and accepted.

However, in relation to its commentary on the emerging local plan you should specifically consider the following in preparing an ES:

- On 4 March 2025, the Council was directed by the Secretary of State for the Ministry of Housing, Communities & Local Government to submit the South Tyneside Local Plan for examination by 12 March 2025.
- On 11 March 2025, in accordance with the Secretary of State's direction, the Publication Draft South Tyneside Local Plan (2023 to 2040) was submitted for independent examination.
- Stage one of the examination public hearings took place between 8 and 17 July 2025
- Stage two public hearings will take place between 18 and 27 November 2025.
- You can find out more about the Local Plan examination at https://www.southtyneside.gov.uk/localplanexamination and the latest news section is useful to look at.

The above means that that the weight that can be given to its individual policies varies, depending upon the extent and nature of objections to them. As such, it cannot be assumed and as your report indicates, that all emerging local plan policies are of limited weight.

Additionally, it is suggested that the ES should consider which local policies (whether LDF or emerging local plan) might be relevant to each of the various planning conditions that were imposed on the planning permission and therefore be relevant to the proposed s73 planning application.

6 Landscape and Visual Amenity
7 Air Quality
8 Historic Environment
9 Soils and Agricultural Land
10 Ecology
11 Noise
12 Transport
13 Water Environment
14 Flood Risk and Drainage
15 Climate Change and Resilience
Please note that all of these chapters of the submitted scoping request are considered by the LPA in the next section of this letter.

LPA's response on matters to be scoped in or out, as requiring EIA to be undertaken

For information, any numbers shown in brackets are referring to chapter numbers in the submitted EIA scoping request.

Matters to be scoped in as requiring EIA:

- **Landscape and Visual Amenity (6)**
  Having regard to the Senior Landscape Architect's consultation response, the proposed methodology for this EIA topic is considered to be acceptable, but that is subject to the inclusion of the two additional viewpoints that their response references.
  These were to be taken from the National Coastal Path (Route number 1), from the northeast of the site and the southeast of the site. You have advised that those two additional viewpoints would be acceptable in terms of dealing with this topic.
  The relevant parts of the Natural England consultation response to this topic should also be taken into account.

- **Air quality (7)**
  Having regard to the Environmental Health (Air Quality) consultation response, the proposed methodology for this EIA topic is generally considered to be acceptable.
  Notwithstanding that, their response additionally included some commentary on dust mitigation measures and detail concerning such measures should be included in this ES chapter.
  Additionally, this topic should have regard to Whitburn Neighbourhood Forum's comments about dust and human health (and where it referred to IEMA guidance that includes EIA should consider human health), plus also have regard to the general content of the consultation response from Public Health.

- **Historic Environment (8)**
  Having regard to the consultation responses from Historic England, the Council's Historic Environment Officer and Tyne & Wear Archaeology Officer, the proposed methodology for this EIA topic is considered to be acceptable.
  The relevant parts of the Natural England consultation response to this topic should also be taken into account.

- **Ecology (10)**
  Having regard to the consultation responses from the Natural Environment Manager / Burton Reed Associates, the methodology for this EIA topic is generally considered to be acceptable.
  Notwithstanding that, their response included some commentary that would need to be considered in this production of this topic.
  The Natural England consultation response should also be taken into account.

- **Noise (11)**
  Having regard to the Environmental Health (Noise) consultation response, the proposed methodology for this EIA topic is considered to be acceptable.

- **Transport (12)**
  Having regard to the Local Highway Authority consultation response, the proposed methodology for this EIA topic is considered to be acceptable.
  However, see also the dust management commentary in the Air Quality bullet above, which may be equally relevant to this topic. The Whitburn Neighbourhood Forum response on this topic should be noted (notwithstanding the Local Highway Authority response).

- **Water Environment (13)**
  Having regard to the Environmental Protection responses (whether in relation to contaminated land or as LFFA) and Environment Agency response, the proposed methodology for this EIA topic is considered to be acceptable.
  The Environment Agency comments on the groundwater borehole and a permit should however be noted and taken into consideration.
  As mentioned earlier in this letter, NWL did not respond to their consultation, and you should contact them directly to see if they have any comments that you might need to take into account in preparing an ES / planning application and this topic.

- **Climate Change and Resilience (15)**
  Having regard to the Senior Carbon Reduction & Sustainability Officer consultation response, the proposed methodology for this EIA topic is considered to be acceptable.

- **Vibration and blasting**

The original ES included an EIA topic on these matters, and where their impacts could be significant (notwithstanding your comments that blasting has not been undertaken for some time). With that in mind, and further to email exchanges with the case officer, these matters should remain as an EIA topic. In terms of methodology, it is suggested that the previous ES chapter be used as the basis for undertaking EIA on these matters, and in doing so reviewing / updating that in the context of the permission that was granted (ST/01369/02/DM) plus updates to any guidance/policy/British Standard to which it may refer and that may have been superseded. It was also pointed out in those email exchanges that there may be some crossover with the "noise" and "air quality" EIA topics, and so any EIA work / planning submission would need to consider and deal with that.

General comments on EIA to also be taken into account in production of an ES

For each topic scoped into the ES, technical assessments shall identify direct and indirect effects; positive (beneficial) and negative (adverse) effects; and will seek to identify, as far as possible, the duration of such effects, whether short term, long term, permanent, temporary, periodic, etc.

As well as assessing the environmental effects arising from the proposed development, each topic chapter shall also include, in accordance with paragraph 3 of Schedule 4 of the Regulations, an outline of the likely evolution of the baseline scenario without implementation of the development.

Matters scoped out as requiring EIA:

- **Soils and Agricultural Land (9)**
  Having regard to the information in the submitted request, the Environmental Protection (Contaminated Land) consultation response on that, plus the subsequent emails between you and the case officer, it is agreed that these matters may be scoped out.
  Notwithstanding that, the ES and any potential planning submission must still consider these matters.

  Flood Risk and Drainage (14)
  Having regard to the information in the submitted request and the further email exchanges with the case officer, it is agreed that these two matters can be dealt with as non-EIA topics, and, where there would be done so in within an appendix to the proposed Water Environment EIA topic. They should be undertaken as per the proposed methodologies set out in the scoping request, whilst also having regard to the LFFA consultation response and where you should also contact NWL for any comments that they may have (and as they did not respond to the consultation we sent them).

- **Geological resources**
  Whilst this may have been an EIA topic in the original ES and was not referenced in the scoping request, in email exchanges with the case officer you advised that the potential s73 planning application would not be seeking permission for additional mineral extraction. In that context, this topic is agreed as being scoped out.
  Notwithstanding that, the ES and any potential planning submission must still include some reference to this matter which expressly qualifies and quantifies the extent of the change as a result of the proposed change to the red line and the significance (or otherwise) of that change.

- **Landfill gas and odours**
  Whilst this may have been an EIA topic in the original ES and was not referenced in the scoping request, in email exchanges with the case officer you advised the site is being landfilled using inert construction and demolition waste and not household waste so there is no potential for gas or odour emission. In that context, plus having regard to the Environmental Protection (Contaminated Land) consultation response, this topic is agreed as being scoped out.

Notwithstanding that, the ES and any potential planning submission must still consider them.

- **Human Health**
  Having regard to the request and then further email exchanges with the case officer, impacts of proposal on human health are likely to relate to noise, air quality, transport, and the water environment, all of which are scoped in EIA topics / ES chapters as set out above, and any other supporting reports to accompany a planning application beyond that.

  Furthermore, risks to human health through pollution and accidents or disasters are already controlled through relevant environmental permits and regulations (and adherence to those).

  In this overall context, it is considered that this topic may be scoped out as being a standalone EIA topic, as the proposals are not likely to result in significant effects on population and human health, beyond those that are to be captured in and considered within the above-mentioned EIA topics / ES chapters and relative what is already consented at the site.

  Given that and notwithstanding the suggestion in the Public Health response, a Health Impact Assessment would not be expressly required (as the ES and planning submission would generally deal with the points it relates to in any event, and to avoid unnecessary duplication). It is however recommended that you liase with Public Health about the approach being taken to human health, and why (as you have suggested you would).

Other comments

Your attention is drawn to the requirements of Part 5, Regulation 18 of the regulations in relation to an EIA application accompanied by an ES.

Additionally, the ES and the non-technical summary [NTS] and/or the application more generally, should contain an indication of any difficulties encountered in compiling the required information and reasons for that. Furthermore, both the ES and NTS shall include a conclusion section that pulls together the findings from all the individual topic chapters to present an overall summary of residual effects / mitigation and an assessment of intra-development cumulative effect

In terms of consideration of cumulative effects (and having regard to your suggestions), as a minimum the following should be considered:

- ST/1207/14/FUL - Red Barns Quarry, Leam Lane, West Boldon, NE10 8YD
  Deepening and lateral extension of existing brick shale quarry with scheme of phased extraction and restoration and extended quarry completion date. Application accompanied by an Environmental Statement. Importation of brick clay for storage and export, to cease when the mineral extraction works at Red Barns is completed.
  Granted with conditions 08/01/2015

- ST/1172/21/FUL – Land west of the A19 at the International Advanced Manufacturing Park (IAMP) South Tyneside
  Hybrid planning application including demolition works, erection of industrial units (up to 168,000sqm) (Gross Internal Area) for light industrial, general industrial and storage & distribution uses (Class E(g)(iii), B2 and B8) with ancillary office and research & development floorspace (Class E(g)(i) and E(g)(ii) with internal accesses, parking, service yards and landscaping, and associated infrastructure, earthworks, landscaping and all incidental works (Outline, All Matters Reserved); and dualling of the A1290 between the A19/A1290 Downhill Lane Junction and the southern access from International Drive, provision of new access road including a new bridge over the River Don, electricity sub-stations, pumping station, drainage, and associated infrastructure, earthworks,

landscaping and all incidental works (Detailed). Amended and Additional Information received 04 and 08 November 2022 and 03 April 2023.
Granted with conditions - 29/08/2023

- ST/0712/23/FUL - Former Whitburn Lodge Public House, Mill Lane, Whitburn, SR6 7BF
Demolition of existing Whitburn Lodge Public House, vacant structures and associated car park and erection of 32 dwellings including vehicular access from Mill Lane, associated infrastructure and landscaping.
Refused 12/03/2025, and allowed at Appeal 13/08/2025 [PINS Ref APP/A4520/W/25/3365110]

Regard is also be had to the Validation of Planning Applications in Tyneside 2024 publication and its commentary in relation to planning application submissions made under section 73 of the Town and Country Planning Act 1990.

Notes to applicant / agent

You should be aware that the comments made in this letter solely relate to the need, as Local Planning Authority, to issue an EIA Scoping Opinion under the regulations (and where it is issued within an extended timescale to which you have agreed to in writing, and as the regulations allow). As such, they do not represent any views as to the planning merits of the proposal.

Furthermore, this Scoping Opinion does not preclude the Local Planning Authority from subsequently requesting further information from an applicant and that may be additionally required to determine a planning application that is submitted with an environmental statement; and as is permissible under the regulations.

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

If you disagree with this Scoping Opinion, you may request that the Secretary of State makes a “Scoping Direction”. Please refer to the Regulations for further information.

Should you have any questions regarding this letter, please contact the case officer shown on the first page.

Yours sincerely

G.Horsman

Geoff Horsman
Team Manager – Development Management

Appendix 1: List of those consulted on the EIA scoping request.

- Active Travel England
- Environment Agency
- Natural England
- Historic England
- Health & Safety Executive
- Tyne & Wear Archaeology Officer
- Northumbrian Water [NWL]
- Whitburn Neighborhood Forum
- Sunderland City Council
- South Tyneside Council [STC]
    - Environmental Health (i.e. noise and air quality)
    - Environmental Protection (i.e. contaminated land and lead local flood authority [LFFA])
    - Historic Environment Officer
    - Transport Development Officer (local highway authority)
    - Environmental Sustainability (senior carbon reduction and sustainability officer)
    - Countryside Team (natural environment manager)
    - Public Health
    - Landscape (senior landscape architect, commissioned via North Tyneside Council)

Appendix 2: Consultee responses to the EIA scoping request

Please note that redaction may have been applied.

Active Travel England

From: Active Travel England Planning <planning-consultations@activetravelengland.gov.uk>
Sent: 29 May 2025 15:38
To: Planning Applications <planning@southtyneside.gov.uk>
Subject: LPA Reference: 250336 No Comment Response

LPA Reference: 250336

ATE Reference: ATE/25/00755/PREAPP

Site Address: MARSDEN QUARRY Coast Road, Whitburn, SR6 7HB

Proposal: Request for an Environmental Impact Assessment (EIA) Scoping Opinion, Under Regulation 15 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017, relating to a proposed extension of time for extraction and a restoration scheme and a regularisation to the red line boundary at Marsden Quarry.

No comment

1

Dear Sir/Madam,

Thank you for your email

In relation to the above planning consultation and based on the information available, Active Travel England does not wish to make any comments at this time. The views of the local highway authority should be appropriately considered prior to determining this application.

Regards,

Development Management Team

Active Travel England

West Offices Station Rise, York, YO1 6GA

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[ref:a0zTw000004CZEDIA4;376d6acb123a6f4d2d5c08cada8a5296:ref]

Environment Agency

creating a better place
for people and wildlife

Environment Agency

Garry Simmonette
Development Management
South Tyneside Council
Town Hall
Westoe Road
South Shields
Tyne and Wear
NE33 2RL

Our ref: NA/2025/117075/01-L01
Your ref: 250336

Date: 11 June 2025

Dear Garry

REQUEST FOR AN ENVIRONMENTAL IMPACT ASSESSMENT (EIA) SCOPING OPINION, UNDER REGULATION 15 OF THE TOWN AND COUNTRY PLANNING (ENVIRONMENTAL IMPACT ASSESSMENT) REGULATIONS 2017, RELATING TO A PROPOSED EXTENSION OF TIME FOR EXTRACTION AND A RESTORATION SCHEME AND A REGULARISATION TO THE RED LINE BOUNDARY AT MARSDEN QUARRY.
MARSDEN QUARRY, COAST ROAD, WHITBURN, SR6 7HB

Thank you for your letter in respect of the above scoping opinion request, which we received on 28 May 2025. We have the following comments to make.

Groundwater
The scoping report covers information that appears to be reasonable for the proposed time and boundary extensions. The scoping report suggests that the Environment Agency (EA) West Hall Farm monitoring borehole shows a rising trend in groundwater levels due to reduced abstraction from the underlying Coal Measures. This is not the case, with the Coal Measures groundwater/mine water level kept artificially low by continued pumping by the Mining Remediation Authority.

Existing environmental permit on site-advice to LPA/applicant
The EA regulate this site via environmental permit EPR/GB3206CB. The permit was issued on 31 May 2005. The permit is held by O Brien Aggregate Marsden Limited. The site is permitted as an inert landfill site as well as an inert waste transfer station. The environmental permit was varied on 9 May 2016 to increase the annual waste input on the site from 382,500 tonnes per year to 450,000 tonnes per year.

The permit also allows for the treatment of up to 75,000 tonnes of inert waste on the site per year. This is undertaken by the waste transfer station. The treatment

consists of sorting, separation, screening, crushing and blending of inert waste for the recovery of a soil, soil substitute or aggregate.

The site is routinely inspected and audited by the EA.

If the proposal will result in exceeding any limits specified by the existing permit, the applicant will need to apply to the EA to vary their permit.

If you have any questions in respect of the above, please do not hesitate to contact me.

Yours sincerely

Louise Tait
Planning Advisor

Direct dial 02084746523
Direct e-mail louise.tait@environment-agency.gov.uk

Natural England

Date: 16 June 2025
Our ref: 514087
Your ref: 250336

planning@southtyneside.gov.uk
BY EMAIL ONLY

Consultations
Hornbeam House
Crewe Business Park
Electra Way
Crewe
Cheshire
CW1 6GJ

T 0300 060 900

Dear Sir or Madam,

Environmental Impact Assessment Scoping consultation (Regulation 15 (4) of the Town and Country Planning EIA Regulations 2017): Request for an Environmental Impact Assessment (EIA) Scoping Opinion, Under Regulation 15 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017, relating to a proposed extension of time for extraction and a restoration scheme and a regularisation to the red line boundary
Location: Marsden Quarry. MARSDEN QUARRY, Coast Road, Whitburn, SR6 7HB

Thank you for seeking our advice on the scope of the Environmental Statement (ES) in the consultation dated 28 May 2025, received on 28 May 2025.

Natural England is a non-departmental public body. Our statutory purpose is to ensure that the natural environment is conserved, enhanced, and managed for the benefit of present and future generations, thereby contributing to sustainable development.

A robust assessment of environmental impacts and opportunities based on relevant and up to date environmental information should be undertaken prior to a decision on whether to grant planning permission. Annex A to this letter provides Natural England's advice on the scope of the Environmental Impact Assessment (EIA) for the proposed development.

Further guidance is set out in Planning Practice Guidance on environmental assessment, natural environment and climate change.

Should the proposal be amended in a way which significantly affects its impact on the natural environment then, in accordance with Section 4 of the Natural Environment and Rural Communities Act 2006, Natural England should be consulted again.

Please note that Natural England must be consulted on Environmental Statements.

Please send any new consultations or further information on this consultation to consultations@naturalengland.org.uk.

Yours faithfully

Georgia Egerton
Consultations Team

Annex A – Natural England Advice on EIA Scoping

General Principles

Schedule 4 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017, sets out the information that should be included in an Environmental Statement (ES) to assess impacts on the natural environment. This includes:

- A description of the development – including physical characteristics and the full land use requirements of the site during construction and operational phases
- Expected residues and emissions (water, air and soil pollution, noise, vibration, light, heat, radiation etc.) resulting from the operation of the proposed development
- An assessment of alternatives and clear reasoning as to why the preferred option has been chosen
- A description of the aspects of the environment likely to be significantly affected by the development including biodiversity (for example fauna and flora), land, including land take, soil, water, air, climate (for example greenhouse gas emissions, impacts relevant to adaptation, cultural heritage and landscape and the interrelationship between the above factors
- A description of the likely significant effects of the development on the environment – this should cover direct effects but also any indirect, secondary, cumulative, short, medium, and long term, permanent and temporary, positive, and negative effects. Effects should relate to the existence of the development, the use of natural resources (in particular land, soil, water and biodiversity) and the emissions from pollutants. This should also include a description of the forecasting methods to predict the likely effects on the environment
- A description of the measures envisaged to prevent, reduce and where possible offset any significant adverse effects on the environment
- A non-technical summary of the information
- An indication of any difficulties (technical deficiencies or lack of know-how) encountered by the applicant in compiling the required information

Further guidance is set out in Planning Practice Guidance on environmental assessment and natural environment.

Cumulative and in-combination effects

The ES should fully consider the implications of the whole development proposal. This should include an assessment of all supporting infrastructure.

An impact assessment should identify, describe, and evaluate the effects that are likely to result from the project in combination with other projects and activities that are being, have been or will be carried out. The following types of projects should be included in such an assessment (subject to available information):

a. existing completed projects;
b. approved but uncompleted projects;
c. ongoing activities;
d. plans or projects for which an application has been made and which are under consideration by the consenting authorities; and
e. plans and projects which are reasonably foreseeable, i.e. projects for which an application has not yet been submitted, but which are likely to progress before completion of the development and for which sufficient information is available to assess the likelihood of cumulative and in-combination effects.

Environmental data

Natural England is required to make available information it holds where requested to do so. National datasets held by Natural England are available at http://www.naturalengland.org.uk/publications/data/default.aspx.

Detailed information on the natural environment is available at www.magic.gov.uk.

Natural England's SSSI Impact Risk Zones are a GIS dataset which can be used to help identify the potential for the development to impact on a SSSI. The dataset and user guidance can be accessed from the Natural England Open Data Geoportal.

Natural England does not hold local information on local sites, local landscape character, priority habitats and species or protected species. Local environmental data should be obtained from the appropriate local bodies. This may include the local environmental records centre, the local wildlife trust, local geo-conservation group or other recording society.

Biodiversity and Geodiversity

General principles

The National Planning Policy Framework (paragraphs 192-196) sets out how to take account of biodiversity and geodiversity interests in planning decisions. Further guidance is set out in Planning Practice Guidance on the natural environment.

The potential impact of the proposal upon sites and features of nature conservation interest and opportunities for nature recovery and biodiversity net gain should be included in the assessment.

Ecological Impact Assessment (EcIA) is the process of identifying, quantifying, and evaluating the potential impacts of defined actions on ecosystems or their components. EcIA may be carried out as part of the EIA process or to support other forms of environmental assessment or appraisal. Guidelines have been developed by the Chartered Institute of Ecology and Environmental Management (CIEEM).

Local planning authorities have a duty to conserve and enhance biodiversity as part of their decision making. Conserving biodiversity can include habitat restoration or enhancement. Further information is available here.

Designated nature conservation sites
International and European sites

The development site is within or may impact on the following **European/internationally designated nature conservation site(s):**

- Durham Coast Special Area of Conservation (SAC)
- Northumbria Coast Ramsar
- Northumbria Coast Special Protection Area (SPA)
- Teesmouth and Cleveland Coast Ramsar
- Teesmouth and Cleveland Coast SPA (SPA)

European site conservation objectives are available at http://publications.naturalengland.org.uk/category/6490068894089216

The ES should thoroughly assess the potential for the proposal to affect nationally and internationally designated sites of nature conservation importance, including marine sites where relevant. European sites (Special Areas of Conservation (SAC) and Special Protection Areas (SPA) fall within the scope of the Conservation of Habitats and Species Regulations 2017 (the 'Habitats

Regulations'). In addition paragraph 187 of the National Planning Policy Framework (NPPF) requires that potential SPAs, possible SAC, listed or proposed Ramsar sites, and any site identified or required as compensatory measures for adverse effects on habitat (European) sites, potential SPAs, possible SACs and listed or proposed Ramsar sites have the same protection as classified sites (NB. sites falling within the scope of regulation 8 of the Conservation of Habitats and Species Regulations 2017 are defined as 'habitats sites' in the NPPF). Under Regulation 63 of the Habitats Regulations, an appropriate assessment must be undertaken in respect of any plan or project which is (a) likely to have a significant effect on a European site (either alone or in combination with other plans or projects) and (b) not directly connected with or necessary to the management of the site. The consideration of likely significant effects should include any functionally linked land outside the designated site. These areas may provide important habitat for mobile species populations that are qualifying features of the site, for example birds and bats. This can also include areas which have a critical function to a habitat feature within a designated site, for example by being linked hydrologically or geomorphologically.

Should a likely significant effect on a European/Internationally designated site be identified (either alone or in-combination) or be uncertain, the competent authority (in this case the Local Planning Authority) may need to prepare an appropriate assessment in addition to the consideration of impacts through the EIA process. Further guidance is set out in Planning Practice Guidance on appropriate assessment
https://www.gov.uk/guidance/appropriate-assessment

This should also take into account any agreed strategic mitigation solution that may be being developed or implemented in the area to address recreational disturbance, nutrients, or other impacts.

Nationally designated sites

The development site is within or may impact on the following **Site of Special Scientific Interest:**

- Durham Coast SSSI
- Cleadon Hill SSSI

Sites of Special Scientific Interest are protected under the Wildlife and Countryside Act 1981 and paragraph 186 of the NPPF. Further information on the SSSI and its special interest features can be found at www.magic.gov .

Natural England's SSSI Impact Risk Zones can be used to help identify the potential for the development to impact on a SSSI. The dataset and user guidance can be accessed from the Natural England Open Data Geoportal.

The Environmental Statement should include a full assessment of the direct and indirect effects of the development on the features of special interest within the SSSI and identify appropriate mitigation measures to avoid, minimise or reduce any adverse significant effects. The consideration of likely significant effects should include any functionally linked land outside the designated site. These areas may provide important habitat for mobile species populations that are interest features of the SSSI, for example birds and bats. This can also include areas which have a critical function to a habitat feature within a site, for example by being linked hydrologically or geomorphologically.

Regionally and Locally Important Sites

The ES should consider any impacts upon local wildlife and geological sites, including local nature reserves. Local Sites are identified by the local wildlife trust, geoconservation group or other local group and protected under the NPPF (paragraph 192 and 193). The ES should set out proposals for mitigation of any impacts and if appropriate, compensation measures and opportunities for enhancement and improving connectivity with wider ecological networks. Contact the relevant local body for further information.

Protected Species

The conservation of species protected under the Wildlife and Countryside Act 1981 and the Conservation of Habitats and Species Regulations 2017
is explained in Part IV and Annex A of Government Circular 06/2005 *Biodiversity and Geological Conservation: Statutory Obligations and their Impact within the Planning System.*

The ES should assess the impact of all phases of the proposal on protected species (including, for example, great crested newts, reptiles, birds, water voles, badgers and bats). Natural England does not hold comprehensive information regarding the locations of species protected by law. Records of protected species should be obtained from appropriate local biological record centres, nature conservation organisations and local groups. Consideration should be given to the wider context of the site, for example in terms of habitat linkages and protected species populations in the wider area.

The area likely to be affected by the development should be thoroughly surveyed by competent ecologists at appropriate times of year for relevant species and the survey results, impact assessments and appropriate accompanying mitigation strategies included as part of the ES. Surveys should always be carried out in optimal survey time periods and to current guidance by suitably qualified and, where necessary, licensed, consultants.

Natural England has adopted standing advice for protected species, which includes guidance on survey and mitigation measures. A separate protected species licence from Natural England or Defra may also be required.

District Level Licensing for Great Crested Newts

District level licensing (DLL) is a type of strategic mitigation licence for great crested newts (GCN) granted in certain areas at a local authority or wider scale. A DLL scheme for GCN may be in place at the location of the development site. If a DLL scheme is in place, developers can make a financial contribution to strategic, off-site habitat compensation instead of applying for a separate licence or carrying out individual detailed surveys. By demonstrating that DLL will be used, impacts on GCN can be scoped out of detailed assessment in the Environmental Statement.

Priority Habitats and Species

Priority Habitats and Species are of particular importance for nature conservation and included in the England Biodiversity List published under section 41 of the Natural Environment and Rural Communities Act 2006. Most priority habitats will be mapped either as Sites of Special Scientific Interest, on the Magic website or as Local Wildlife Sites. Lists of priority habitats and species can be found here. Natural England does not routinely hold species data. Such data should be collected when impacts on priority habitats or species are considered likely.

Consideration should also be given to the potential environmental value of brownfield sites, often found in urban areas and former industrial land. Sites can be checked against the (draft) national Open Mosaic Habitat (OMH) inventory published by Natural England and freely available to download. Further information is also available here.

An appropriate level habitat survey should be carried out on the site, to identify any important habitats present. In addition, ornithological, botanical, and invertebrate surveys should be carried out at appropriate times in the year, to establish whether any scarce or priority species are present.

The Environmental Statement should include details of:

- Any historical data for the site affected by the proposal (e.g. from previous surveys)
- Additional surveys carried out as part of this proposal

- The habitats and species present
- The status of these habitats and species (e.g. whether priority species or habitat)
- The direct and indirect effects of the development upon those habitats and species
- Full details of any mitigation or compensation measures
- Opportunities for biodiversity net gain or other environmental enhancement

Ancient Woodland, ancient and veteran trees

The ES should assess the impacts of the proposal on any ancient woodland, ancient and veteran trees, and the scope to avoid and mitigate for adverse impacts. It should also consider opportunities for enhancement.

Natural England maintains the Ancient Woodland Inventory which can help identify ancient woodland. The wood pasture and parkland inventory sets out information on wood pasture and parkland.

The ancient tree inventory provides information on the location of ancient and veteran trees.

Natural England and the Forestry Commission have prepared standing advice on ancient woodland, ancient and veteran trees.

Biodiversity net gain

Paragraph 193 of the NPPF states that decisions should contribute to and enhance the natural and local environment by minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures.

Biodiversity Net Gain is additional to statutory requirements relating to designated nature conservation sites and protected species.

Proposals for mandatory biodiversity net gain should be in line with the Environment Act 2021 and supporting regulations. Further information on biodiversity net gain, including draft Planning Practice Guidance, can be found here

The statutory biodiversity metric, together with ecological advice, should be used to calculate the change in biodiversity resulting from proposed development and demonstrate how proposals can achieve a net gain.
The metric should be used to:
• assess or audit the biodiversity unit value of land within the application area
• calculate the losses and gains in biodiversity unit value resulting from proposed development
• demonstrate that the required percentage biodiversity net gain will be achieved

Biodiversity Net Gain outcomes can be achieved on site, off-site or through a combination of both. On-site provision should be considered first. Delivery should create or enhance habitats of equal or higher value. When delivering net gain, opportunities should be sought to link delivery to relevant plans or strategies e.g. Green Infrastructure Strategies or Local Nature Recovery Strategies.

Opportunities for wider environmental gains should also be considered.

Landscape
Landscape and visual impacts

The environmental assessment should refer to the relevant National Character Areas. Character area profiles set out descriptions of each landscape area and statements of environmental opportunity.

The ES should include a full assessment of the potential impacts of the development on local landscape character using landscape assessment methodologies. We encourage the use of Landscape Character Assessment (LCA), based on the good practice guidelines produced jointly by the Landscape Institute and Institute of Environmental Assessment in 2013. LCA provides a sound basis for guiding, informing, and understanding the ability of any location to accommodate change and to make positive proposals for conserving, enhancing or regenerating character.

A landscape and visual impact assessment should also be carried out for the proposed development and surrounding area. Natural England recommends use of the methodology set out in *Guidelines for Landscape and Visual Impact Assessment 2013 (*(3rd edition) produced by the Landscape Institute and the Institute of Environmental Assessment and Management. For National Parks and AONBs, we advise that the assessment also includes effects on the 'special qualities' of the designated landscape, as set out in the statutory management plan for the area. These identify the particular landscape and related characteristics which underpin the natural beauty of the area and its designation status.

The assessment should also include the cumulative effect of the development with other relevant existing or proposed developments in the area. This should include an assessment of the impacts of other proposals currently at scoping stage.

To ensure high quality development that responds to and enhances local landscape character and distinctiveness, the siting and design of the proposed development should reflect local characteristics and, wherever possible, use local materials. Account should be taken of local design policies, design codes and guides as well as guidance in the National Design Guide and National Model Design Code. The ES should set out the measures to be taken to ensure the development will deliver high standards of design and green infrastructure. It should also set out detail of layout alternatives, where appropriate, with a justification of the selected option in terms of landscape impact and benefit.

Heritage Landscapes

The ES should include an assessment of the impacts on any land in the area affected by the development which qualifies for conditional exemption from capital taxes on the grounds of outstanding scenic, scientific, or historic interest. An up-to-date list is available at www.hmrc.gov.uk/heritage/lbsearch.htm.

Connecting People with nature

The ES should consider potential impacts on access land, common land, public rights of way and, where appropriate, the England Coast Path and coastal access routes and coastal margin in the vicinity of the development, in line with NPPF paragraph 105. It should assess the scope to mitigate for any adverse impacts. Rights of Way Improvement Plans (ROWIP) can be used to identify public rights of way within or adjacent to the proposed site that should be maintained or enhanced.

Measures to help people to better access the countryside for quiet enjoyment and opportunities to connect with nature should be considered. Such measures could include reinstating existing footpaths or the creation of new footpaths, cycleways, and bridleways. Links to other green networks and, where appropriate, urban fringe areas should also be explored to help promote the creation of wider green infrastructure. Access to nature within the development site should also be considered, including the role that natural links have in connecting habitats and providing potential pathways for movements of species.

Relevant aspects of local authority green infrastructure strategies should be incorporated where appropriate.

Soils and Agricultural Land Quality

Soils are a valuable, finite natural resource and should also be considered for the ecosystem services they provide, including for food production, water storage and flood mitigation, as a carbon store, reservoir of biodiversity and buffer against pollution. It is therefore important that the soil resources are protected and sustainably managed. Impacts from the development on soils and best and most versatile (BMV) agricultural land should be considered in line with paragraphs 187 and 188 of the NPPF. Further guidance is set out in the Natural England Guide to assessing development proposals on agricultural land.

As set out in paragraph 223 of the NPPF, new sites or extensions to sites for peat extraction should not be granted planning permission.

The following issues should be considered and, where appropriate, included as part of the Environmental Statement (ES):

- The degree to which soils would be disturbed or damaged as part of the development
- The extent to which agricultural land would be disturbed or lost as part of this development, including whether any best and most versatile (BMV) agricultural land would be impacted.

This may require a detailed Agricultural Land Classification (ALC) survey if one is not already available. For information on the availability of existing ALC information see www.magic.gov.uk.

- Where an ALC and soil survey of the land is required, this should normally be at a detailed level, e.g. one auger boring per hectare, (or more detailed for a small site) supported by pits dug in each main soil type to confirm the physical characteristics of the full depth of the soil resource, i.e. 1.2 metres. The survey data can inform suitable soil handling methods and appropriate reuse of the soil resource where required (e.g. agricultural reinstatement, habitat creation, landscaping, allotments and public open space).
- The ES should set out details of how any adverse impacts on BMV agricultural land can be minimised through site design/masterplan.
- The ES should set out details of how any adverse impacts on soils can be avoided or minimised and demonstrate how soils will be sustainably used and managed, including consideration in site design and master planning, and areas for green infrastructure or biodiversity net gain. The aim will be to minimise soil handling and maximise the sustainable use and management of the available soil to achieve successful after-uses and minimise off-site impacts.

Further information is available in the Defra Construction Code of Practice for the Sustainable Use of Soil on Development Sites and
The British Society of Soil Science Guidance Note Benefitting from Soil Management in Development and Construction.

The following additional guidance is provided for minerals and waste development. The ES should consider and, where appropriate, include the following:

- The methods and equipment to be used for the protection, recovery, storage, and sustainable re-use of the different types of topsoil and subsoil, including consideration of any required phasing to minimise soil handling and maximise the sustainable management of the soil.

- The method of assessing whether soils are in a suitably dry condition to be handled (i.e. dry and friable), and the avoidance of soil handling, trafficking, and cultivation during the wetter winter period.

- A description of the restoration criteria, including the proposed soil horizon depths and soil characteristics; normally to an overall depth of 1.2 m over an evenly graded overburden layer (or, in the case of waste reclamation, an evenly graded capping layer), suitable for the proposed end-use, including the restored ALC Grade.

- The effects on land drainage, agricultural access, and water supplies, including other agricultural land in the vicinity. The impacts of the development on farm structure and viability, and on other established rural land use and interests, both during the site working period and following its reclamation.

- The restoration and aftercare of the site, in line with Chapter 17 'Facilitating the Sustainable Use of Minerals' of the NPPF.

- A detailed Restoration Plan illustrating the restored soil profile characteristics, landform and the intended standard of restoration including ALC Grade(s), together with details of surface features; water bodies; the availability of outfalls to accommodate future drainage requirements; and aftercare.

Further guidance is contained in the Defra Guidance for Successful Restoration of Mineral and Waste Sites and the Natural England guidance note Planning and aftercare advice for reclaiming land to agricultural use. Reference could also usefully be made to the Institute of Quarrying (2021) Good Practice Guide for Handling Soils in Mineral Workings which comprises separate sections, describing the typical choice of machinery and methods for handling soils at various phases. The techniques described by Sheets A-D are appropriate for the successful reinstatement of higher quality agricultural land. The Natural England Guide to reclaiming mineral extraction and landfill sites to agriculture also contains useful background information.

Air Quality

Air quality in the UK has improved over recent decades but air pollution remains a significant issue. For example, approximately 85% of protected nature conservation sites are currently in exceedance of nitrogen levels where harm is expected (critical load) and approximately 87% of sites exceed the level of ammonia where harm is expected for lower plants (critical level of 1µg) [1].A priority action in the England Biodiversity Strategy is to reduce air pollution impacts on biodiversity. The Government's Clean Air Strategy also has a number of targets to reduce emissions including to reduce damaging deposition of reactive forms of nitrogen by 17% over England's protected priority sensitive habitats by 2030, to reduce emissions of ammonia against the 2005 baseline by 16% by 2030 and to reduce emissions of NOx and SO_2 against a 2005 baseline of 73% and 88% respectively by 2030. Shared Nitrogen Action Plans (SNAPs) have also been identified as a tool to reduce environmental damage from air pollution.

The planning system plays a key role in determining the location of developments which may give rise to pollution, either directly, or from traffic generation, and hence planning decisions can have a significant impact on the quality of air, water and land. The ES should take account of the risks of air pollution and how these can be managed or reduced. This should include taking account of any strategic solutions or SNAPs, which may be being developed or implemented to mitigate the impacts on air quality. Further information on air pollution impacts and the sensitivity of different habitats/designated sites can be found on the Air Pollution Information System (www.apis.ac.uk).

[1] Report: Trends Report 2020: Trends in critical load and critical level exceedances in the UK - Defra, UK

Information on air pollution modelling, screening and assessment can be found on the following websites:

- SCAIL Combustion and SCAIL Agriculture - http://www.scail.ceh.ac.uk/
- Ammonia assessment for agricultural development https://www.gov.uk/guidance/intensive-farming-risk-assessment-for-your-environmental-permit
- Environment Agency Screening Tool for industrial emissions https://www.gov.uk/guidance/air-emissions-risk-assessment-for-your-environmental-permit
- Defra Local Air Quality Management Area Tool (Industrial Emission Screening Tool) – England http://www.airqualityengland.co.uk/laqm

Water Quality

The planning system plays a key role in determining the location of developments which may give rise to water pollution, and hence planning decisions can have a significant impact on water quality, and land. The assessment should take account of the risks of water pollution and how these can be managed or reduced. A number of water dependent protected nature conservation sites have been identified as failing condition due to elevated nutrient levels and nutrient neutrality is consequently required to enable development to proceed without causing further damage to these sites. If your planning application is affected by Nutrient Neutrality, the ES needs to take account of any strategic solutions for nutrient neutrality or Diffuse Water Pollution Plans, which may be being developed or implemented to mitigate and address the impacts of elevated nutrient levels. These solutions or plans should be relevant to the specific planning consultation site.
Further information can be obtained from the Local Planning Authority.

Climate Change

The ES should identify how the development affects the ability of the natural environment (including habitats, species, and natural processes) to adapt to climate change, including its ability to provide adaptation for people. This should include impacts on the vulnerability or resilience of a natural feature (i.e. what's already there and affected) as well as impacts on how the environment can accommodate change for both nature and people, for example whether the development affects species ability to move and adapt. Nature-based solutions, such as providing green infrastructure on-site and in the surrounding area (e.g. to adapt to flooding, drought and heatwave events), habitat creation and peatland restoration, should be considered. The ES should set out the measures that will be adopted to address impacts.

Further information is available from the Committee on Climate Change's (CCC) Independent Assessment of UK Climate Risk, the National Adaptation Programme (NAP), the Climate Change Impacts Report Cards (biodiversity, infrastructure, water etc.) and the UKCP18 climate projections.

The Natural England and RSPB Climate Change Adaptation Manual (2020) provides extensive information on climate change impacts and adaptation for the natural environment and adaptation focussed nature-based solutions for people. It includes the Landscape Scale Climate Change Assessment Method that can help assess impacts and vulnerabilities on natural environment features and identify adaptation actions. Natural England's Nature Networks Evidence Handbook (2020) also provides extensive information on planning and delivering nature networks for people and biodiversity.

The ES should also identify how the development impacts the natural environment's ability to store and sequester greenhouse gases, in relation to climate change mitigation and the natural environment's contribution to achieving net zero by 2050. Natural England's Carbon Storage and Sequestration by Habitat report (2021) and the British Ecological Society's nature-based solutions report (2021) provide further information.

Contribution to local environmental initiatives and priorities

The ES should consider the contribution the development could make to relevant local environmental initiatives and priorities to enhance the environmental quality of the development and deliver wider environmental gains. This should include considering proposals set out in relevant local strategies or supplementary planning documents including landscape strategies, green infrastructure strategies, tree and woodland strategies, biodiversity strategies or biodiversity opportunity areas.

Historic England

Historic England

Mr Garry Simmonette
Minerals and Waste Planning Team
South Tyneside Council
Town Hall & Civic Offices
Westoe Road, South Shields,
Tyne & Wear
NE33 2RL

Our ref: PL00798999

Your ref: 250336
Telephone: 0191-403-1653

Date: 16th June 2025

By Email

Dear Mr Simonette

Re: Request for an Environmental Impact Assessment (EIA) Scoping Opinion, Under Regulation 15 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017, relating to a proposed extension of time for extraction and a restoration scheme and a regularisation to the red line boundary at MARSDEN QUARRY, Coast Road, Whitburn, SR6 7HB

Thank you for your letter of 28th May 2025 consulting Historic England about the above EIA Scoping Report.

This development could, potentially, have an impact upon five designated heritage assets and their settings in the area around the site. In line with the advice in both the National Planning Policy Framework (NPPF) and National Planning Practice Guidance (NPPG), we would expect the Environmental Statement to contain a thorough assessment of the likely effects which the proposed development might have upon those elements which contribute to the significance of these assets.

Known Heritage Assets

Our initial assessment agrees with the list of designated heritage assets set out in section 8.2.17 of the scoping report. These are (and we would draw your attention to the first one):

- Marsden lime kilns (NHLE1005911), Scheduled Monument;
- Lizard Lane Heavy Anti-Aircraft Battery (NHLE1419998), Scheduled Monument;
- Souter Point Lighthouse and Attached Buildings(NHLE1185593), listed Grade II*;
- Walls Extending from Mill Lane Around the Lighthouse and Linked Buildings (NHLE1185616) , listed Grade II; and
- Souter Point Lighthouse Foghorn to East of Lighthouse and Steps and Walls to East of Lighthouse (NHLE1355068), listed Grade II.

We would also expect the Environmental Statement to consider the potential impacts which the proposals might have upon those heritage assets which are not designated, defined in tne NPPG as "a building, monument, site, place, area or landscape positively identified as having a

Historic England, Bessie Surtees House, 41-44 Sandhill, Newcastle-upon-Tyne NE1 3JF
Telephone 0191 403 1635 | historicengland.org.uk

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Historic England

degree of significance meriting consideration in planning decisions". These should also be included as heritage assets, designated or otherwise, as they are valued components of the historic environment. This information is available via the local authority Historic Environment Record (www.heritagegateway.org.uk) and relevant local authority staff.

We would strongly recommend that you involve the Conservation Officer of your authority and the archaeological advisor (Tyne & Wear Archaeology Advisor) at Newcastle City Council in the development of this assessment. They are best placed to advise on: local historic environment issues and priorities; how the proposal can be tailored to avoid and minimise potential adverse impacts on the historic environment; the nature and design of any required mitigation measures; and opportunities for securing wider benefits for the future conservation and management of heritage assets.

It is important that the assessment is designed to ensure that all impacts are fully understood. The assessment should also take account of the potential impact which associated activities (such as construction, servicing and maintenance, and associated traffic) might have upon perceptions, understanding and appreciation of the heritage assets in the area. The assessment should also consider, where appropriate, the likelihood of alterations to drainage patterns that might lead to in situ decomposition or destruction of below ground archaeological remains and deposits, and can also lead to subsidence of buildings and monuments.

Scoping Report

Historic England are reassured that the Scoping Report has adequately set out the known heritage assets, the potential for impact to their setting and significance and the necessary methodology for assessing this. We agree that heritage and archaeology should be scoped in, and a suitable heritage statement should be included in the EIA.

If you have any queries about any of the above, or would like to discuss anything further, please contact me.

Yours sincerely

Lee McFarlane
Inspector of Ancient Monuments
Lee.mcfarlane@HistoricEngland.org.uk

cc: Planning Team at South Tyneside Council; and [redacted] at Wardell Armstrong [redacted]@wardell-armstrong.com)

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Health & Safety Executive

From: LUP enquiries <LUPenquiries@hse.gov.uk>
Sent: 29 May 2025 10:52
To: Planning Applications <planning@southtyneside.gov.uk>; Planning Applications <planning@southtyneside.gov.uk>
Subject: Fw: 250336

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Dear Sir/Madam,

Thank you for your EIA scoping opinion request for any comments regarding 250336 dated 28 May 2025 - Request for an Environmental Impact Assessment (EIA) Scoping Opinion, Under Regulation 15 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017, relating to a proposed extension of time for extraction and a restoration scheme and a regularisation to the red line boundary at Marsden Quarry.

Town and Country Planning (Environmental Impact Assessment) Regulations 2017, Regulation 4(4) - the vulnerability of the proposed development to major accidents relevant to the development

- HSE's response is limited to our role in the land use planning system for the control of major industrial hazards involving hazardous substances.
- HSE is not responding in our regulatory role in the health and safety system

1. The proposed development, is not a development type that would store or process hazardous substances in quantities relevant to the potential for industrial major accidents with respect to The Planning (Hazardous Substances) Regulations 2015.

2. The development is not located within a safeguarding zone of an Explosives site licensed under the Explosives regulations 2014 or the Dangerous goods in harbour area regulations 2016.

3. The development is not located within HSE's land-use-planning consultation zones for major-accident-hazard pipelines and hazardous substances consented sites (licensed explosives sites are covered in the previous paragraph).

Due to the above 3 points, there appears to be no need to consult HSE.

4. If there is a major accident hazard establishment with no HSE consultation zones, in the vicinity of the proposed development, and you are concerned that the proposed development might increase the risk or consequences of a major accident at the existing establishment then please directly consult the operator of the establishment, as appropriate.

5. General health and safety at work
HSE realises that Environmental Risk Assessments are not expected to include general health and safety at work however we take this opportunity to point out that it may be beneficial for employer(s) to undertake a risk assessment as early as possible to satisfy themselves that their design and operation will meet requirements of relevant health and safety legislation as the project progresses.

Kind regards,
Kathryn Deakin

HSE's Land Use Planning Support Team

Health and Safety Executive | Chemicals, Explosives and Microbiological Division 5

lupenquiries@hse.gov.uk

Tyne & Wear Archaeology Officer

From: Cockcroft, David <David.Cockcroft@newcastle.gov.uk>
Sent: 10 June 2025 11:15
To: Planning Applications
Cc: Garry Simmonette
Subject: 250336 - Marsden Quarry, Coast Road

Categories: Consultee response

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Thank you for the consultation on this application.

The applicant has provided an Environmental Impact Assessment Scoping Report, which has indicated that a heritage statement incorporating an archaeological desk based assessment will accompany any planning application as a technical appendix for an Environmental Statement. The scoping report includes a section on Archaeology which concludes that there remains a potential for significant effects to designated heritage receptors and should be scoped into the Environmental Impact Assessment on this basis. I agree with this conclusion.

Yours sincerely,

Dr David Cockcroft, ACIfA
Tyne and Wear Archaeology Officer

Planning, Newcastle City Council, 9th Floor, Civic Centre, Newcastle upon Tyne, NE1 8QH
Telephone 0191 211 6473
[redacted]
Website https://www.newcastle.gov.uk/services/planning-building-and-development/historic-environment-urban-design-and-landscape-1
Online Tyne and Wear Historic Environment Record www.twsitelines.info

Please read our Privacy Notice which sets out how we use information in the course of our work as a Local Planning Authority. Further guidance on how Newcastle has responded to the covid-19 pandemic is available here. Any statements, views or opinions within this e-mail are those of the author and are informal; they do not prejudice any decision that may be later taken by Newcastle City Council as Local Planning Authority.

Whitburn Neighborhood Forum

From: Whitburn Neighbourhood Forum <whitburnforum@gmail.com>
Sent: 18 June 2025 20:43
To: Planning Applications <planning@southtyneside.gov.uk>
Subject: Comments on planning ref 250336

Application Number: 250336
Application Type: Request for EIA scoping opinion
Addresses: MARSDEN QUARRY, Coast Road, Whitburn, South Tyneside, SR6 7HB

Dear Andrew Inch,

Whitburn Neighbourhood Forum provides the following comments to the EIA scoping request for an extension in time to operate and infill Marsden Quarry.

We have found that there are gaps in the scoping report, and that the proposed list of topics to be part of the EIA and Environmental Statement is incomplete.

The scoping report submitted with the application proposes to include the following topics in an EIA:

- Landscape and Visual
- Air quality

- Traffic and Transport
- Noise
- Ecology
- Heritage and Archaeology
- Water resources
- Climate change

We agree that these should be included, but that also human health should be added to the list. The scoping report does not include any discussion or assessment of human health, while IEMA guidance states that an EIA scoping report should always include a section on human health, to meet statutory requirements to consider potential likely significant effects on human health from the project. The scoping report needs to be amended to include this, as there is potential for effects on local residents from dust, air quality and other impacts.

We would also like to point out that a Landscape and Visual Assessment is a requirement within the landscape policy of the Whitburn Neighbourhood Plan.

We also note that the report states that there is no Dust Management Plan for the quarry currently, and ask that the local authority will request one from the applicant. The current dust mitigation measures are inadequate, as even with the tire washing facility and road sweeper the A183 is regularly covered in dust and the Forum has received complaints from residents about this.

We also disagree with the transport section in the report. The report recommends that a detailed assessment of air quality impacts from vehicle emissions is not needed as the vehicle count is under 200 Annual Average Daily Traffic. However, the report also states that the quarry operates with maximum daily two-way HGV traffic level of 394, and average daily two-way level of 304. Taking the average, this is equivalent to 260 AADT (based on the quarry being in operation 6 days a week). We find that a detailed assessment of emissions is required. We are not aware of any such assessment having been carried out in the past, and it is unclear whether current policy and legal requirements on air quality are being met.

The report recommends a transport statement to be completed. However, we find that a full transport assessment will be needed. The original application and ES are over 20 years old, and since then background levels of traffic and air pollution have likely increased. The legal and policy landscapes have also changed regarding planning, health and impacts of air quality, and targets for air quality.

Therefore, even if there is no increase in HGV movements compared to the current situation, the outdated nature (or lack of) of previous air quality, emissions and transport assessments, and the fact that the quarry will potentially remain open for seven more years with possible significant effects on residents, means that these assessments should be required.

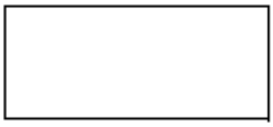
Furthermore, the current permission for the quarry includes a condition that HGVs should use a predetermined route as agreed with the local authority, as per policy DM9 of the development framework. This route, of which we have the map, shows that HGVs can only go through Whitburn if they are heading to Hendon Docks. We have found that HGVs that do not end their trip at Hendon Docks are also using this route. No assessment of subsequent impacts on traffic, residents and air quality in Whitburn has been made, while we have received concerns from residents about the number of HGVs going past primary schools and through the village. The Transport Assessment and ES should consider the need for measures to better enforce the agreed routing strategy.

Kind regards,

--
Whitburn Neighbourhood Forum

Website: whitburnforum.co.uk
Social media: Facebook, Twitter and Instagram

Working for a better Whitburn



3

Sunderland City Council

Sunderland City Council

Garry Simmonette
South Tyneside Council

Date: 18.06.2025
Our ref: 25/01072/CAA
Your ref: 250336

This matter is being dealt with by Mrs Marie Haworth, Senior Planning Officer, E-mail: marie.haworth@sunderland.gov.uk

Dear Garry Simmonette,

RE: Request for an Environmental Impact Assessment (EIA) Scoping Opinion, Under Regulation 15 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017, relating to a proposed extension of time for extraction and a restoration scheme and a regularisation to the red line boundary at Marsden Quarry.

I refer to your enquiry regarding the above matter and would like to offer the following comments.

The site is located approximately 0.75km to the south of Marsden, a residential suburb of South Shields, and approximately 0.45km north of properties that form the outskirts of Whitburn and approximately 2.6km (as the crow flies) to the Boundary of Sunderland.

The Scoping Report sets out that 'the opinion' relates to a proposed extension of time for the extraction of mineral and for the restoration of the quarry as follows:

- Extension of time to allow for the mineral to be extracted from the site up until December 2032 with an additional two-year period to allow for restoration works (extension of time for site operations and restoration for 7 years from 2027 to 2034).
- A small amendment to the red line boundary to regularise the extraction which occurred beyond the permitted boundary.
- A regularisation to the restoration scheme as per the phase of the current workings and infill volumes at the site.

The Scoping Opinion Report (SO) sets out that the current permitted output from Marsden Quarry is approximately 250,000 tonnes per annum. Up to 250,000 tonnes of inert waste and up to 60,000 tonnes of construction/demolition waste is permitted to be imported per annum and it is proposed that the extraction proposed to continue at a rate of 125,000 tonnes per year over the extended period which aligns with the currently approved extraction rates.

The nearest designation habitat sites are the Durham Coast Special Area of Conservation and Durham Coast Site of Special Scientific Interest. Consideration should be given to the continued protection of the SAC and SSSI and the wildlife corridors which extend south from Whitburn to ensure that the extended development would not adversely affect the nature conservation interest of the SAC and SSSI or wildlife corridor, either directly or indirectly

It is noted that the application is seeking an extension of time to the existing land use for quarrying operations. The SO details the current existing vehicle movements, in this regard, all vehicle trips, including HGV movement are already established on the road network. In respect of continued and extended operations of the site, it would be useful to understand any cumulative impact and if there are any future plans to intensify the use which may include landfill or restoration works.

The site will already have a management plan and mitigation measures in place in regard to any potential public health matters. It is considered that the proposed development is sufficiently distanced from the closest residents within the Sunderland boundary that any additional impacts which may occur as a result of the extended works would be considered low. That being said, the cumulative impacts of the development in respect of this matter, should be considered.

I trust that the advice set out above proves to be of assistance. However, should you have any queries about anything contained in this letter, please do not hesitate to contact my Planning Officer named above.

Yours sincerely,

PP *DRO*

Peter McIntyre
Executive Director

South Tyneside Council [STC] Environmental Health (air quality)

From:	Kevin Burrell
Sent:	08 July 2025 09:00
To:	Garry Simmonette
Subject:	250336 - EIA Scoping request - Marsden Quarry - Air Quality
Categories:	Consultee response

Hi Garry

An EIA will be submitted for application 250336, relating to a proposed extension of time for extraction and a restoration scheme and a regularisation to the red line boundary at Marsden Quarry.

The applicant has confirmed that this will include an air quality chapter, with a detailed description provided in the scoping opinion outlining the proposed methodology.

Two sources of potential air quality impacts have been identified – vehicle emissions and disamenity dust as a result of operational activities within the quarry.

Vehicle emissions.

The applicant has explained that it is anticipated that any increase in vehicle trips will not be substantial and not require a detailed assessment of air quality impact due to vehicle emissions. The closest monitoring locations to the application site are identified in our annual air quality status report as DT1 – Sunderland Road Whitburn and DT33 – Sunderland Road South Shields and I would assert that any increase in vehicle trips as a result of this application would not impact on the yearly levels found at these two monitoring locations which are both well below the annual objective guideline for air quality. It is expected that if the applicant, following further consultation with their transport teams does believe that vehicle trips will significantly increase, a detailed assessment is provided to ensure that air quality impacts are accurately assessed to the years as required by the extension of extraction and restoration time.

Disamenity dust.

The applicant has confirmed that an assessment will be carried out under the IAQM minerals guidance to assess the likelihood of impact as are result of disamenity dust, the dust leaving the site due to operational activity. The consultant will also be able to take into consideration the monitoring that the Quarry has in place, whereby dust gauges are placed in strategic locations close to residential receptors to assess levels of dust. These reports are collated monthly, and the Council receives copies of all assessments which continually show dust levels below the air quality objectives. This is a practice that is appreciated.

The methodology for the air quality assessment is accepted and I look forward to receiving the final assessment.

The applicant has requested details on any dust related complaints that have been received over the last 5 years to the Local Authority.

The complaints that we have received can be characterised into two categories. Alleged dust leaving the site and landing on vehicles and residential properties, and also, dust leaving the road as a result of the staining and dirt that occurs from vehicles transporting quarry material away from the site.

We have received intermittent complaints where the complainants have alleged that dust leaving the site from operations activities has impacted their properties. We have engaged with the quarry who have been able to provide there own evidence from the aforementioned frisbee dust gauges, to show that levels are within guidelines.

These complaints are of course dependent on weather factors, and we have not received such a complaint for a prolonged period of time.

We also receive complaints from residents to the East of the site, who have been able to evidence dust at their properties given the distance from the quarry, and the continued evidence provided from the quarry operators with regards to monitoring in the area, it is possible that this dust occurs when heavy staining occurs on the road and associated waste from quarry vehicles lands on the road and is then disturbed by the passing traffic. I am aware that there is a significant road cleaning regime in place, however it would be appreciated if this application could reopen the conversation around this, as there continues to be periods when the roads in the vicinity become heavily stained, likely resulting in the transient dust that has been evidence at residential properties close to the Souter Lighthouse.

Thank you

Kevin

South Tyneside Council
Kevin Burrell
Technical Officer
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kevin.burrell@southtyneside.gov.uk
www.southtyneside.gov.uk
Town Hall and Civic Offices, Westoe Road, South Shields, NE33 2RL



STC Environmental Health (noise)

From: Kevin Burrell
Sent: 03 July 2025 19:02
To: Garry Simmonette
Subject: 250336 - EIA Scoping request - Marsden Quarry - Noise

Categories: Consultee response

Hi Garry

An EIA will be submitted for application 250336, relating to a proposed extension of time for extraction and a restoration scheme and a regularisation to the red line boundary at Marsden Quarry.

The applicant has confirmed that this will include a noise chapter, with a methodology to be agreed on in advance with myself and the applicants noise consultant.

The scoping opinion provides some brief information on the methodology to be employed for the assessment. This appears to be satisfactory in the main, however I would ask for some clarification on the locations that have been identified in the noise monitoring location plan (Figure 11.1). Locations ST2, 3 and 4 all appear to be be a little distance away from the residential receptors in those locations, and clarification would be appreciated on the purpose of this.

For information, we do not and have not received complaints relating to noise from the quarry for a number of years now.

I look forward to liaising with the noise consultant in due course.

Thank you

Kevin

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STC Environmental Protection (contaminated land)

From: Amy Ridgeon
Sent: 05 June 2025 14:01
To: Garry Simmonette
Subject: RE: RE: MARSDEN QUARRY, Coast Road, Whitburn, SR6 7HB - Ref: 250336

Categories: Consultee response

Afternoon Garry,

Yes, I can confirm that I agree that 'Soils and Agricultural Land' can be scoped out of the EIA.

Many thanks
Amy

From: Garry Simmonette <Garry.Simmonette@southtyneside.gov.uk>
Sent: 05 June 2025 12:25
To: Amy Ridgeon <Amy.Ridgeon@southtyneside.gov.uk>
Subject: RE: RE: MARSDEN QUARRY, Coast Road, Whitburn, SR6 7HB - Ref: 250336

Hi Amy

As this is an Environmental Impact Assessment Scoping request, I think you are agreeing that 'Soils and Agricultural Land' can be *scoped out* from requiring EIA, as per what the report is suggesting?

They may still have to consider them as part of any planning application however, but not via undertaking EIA to do that.

Thanks
Garry

From: Amy Ridgeon <Amy.Ridgeon@southtyneside.gov.uk>
Sent: 05 June 2025 11:12
To: Garry Simmonette <Garry.Simmonette@southtyneside.gov.uk>
Subject: FW: RE: MARSDEN QUARRY, Coast Road, Whitburn, SR6 7HB - Ref: 250336

Good morning Garry,

I have reviewed the report in relation to land contamination and have the following comments.
Section 9 on 'Soils and Agricultural Land' states that no soils will be disturbed during the proposed extension time and as a result soils can be screened out of the assessment.
I agree with the report and that contamination will not be an issue during the extension time.

Kind regards
Amy

STC Environmental Protection (lead local flood authority [LFFA])

From: Connie Gerono
Sent: 07 July 2025 10:16
To: Garry Simmonette
Subject: RE: RE: MARSDEN QUARRY, Coast Road, Whitburn, SR6 7HB - Ref: 250336

Categories: Consultee response

Hi Garry,

Apologies for the delay.

We have reviewed the following documents:

- 250336 Scoping Opinion Request PEA and Drawings 190525.pdf

We have the following comments to make:
The proposal for the time extension includes a time extension of 5 years for the extraction and 7 years for the restoration (complete at the end of 2032 and 2034), an amendment to the red line boundary to regularise the extraction beyond the permitted boundary and a regularisation to the restoration scheme as per the phase of current workings and infill volumes at the site.

When reviewing flood maps for this location, it is observed that there are localised areas within the development boundary identified to be at medium and high flood risk from surface water. Additionally, as identified in the scoping opinion report, the site is located entirely within Flood Zone 1, with an area 0.1km to the east of the site located within Flood Zone 3.

It is proposed that the water environment is included within the Environmental Statement (ES), with the inclusion of a Flood Risk Assessment within the appendix of the water environment ES. This is to ensure that the proposed development does not increase flood risk elsewhere, an assessment of increased groundwater levels and increased risk of pollution to groundwater and surface water. We believe this to be appropriate.

With regard to the focus questions, we do not have any data on groundwater flooding within the vicinity of the development or hold any borehole records recording long-term groundwater levels. We believe the spatial extent of 2km for the study area is appropriate.

Kind regards

Connie

South Tyneside C
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Town Hall and Civic Offices, Westoe Road, South Shields, NE33 2RL



STC Historic Environment Officer

From: Lucy Routledge
Sent: 18 June 2025 11:39
To: Garry Simmonette
Cc: Planning Applications
Subject: 250336 Marsden Quarry

Categories: Consultee response

Hi Garry,

I am in agreement with the comments provided by Historic England and the Tyne and Wear Archaeologist and have nothing further to add.

Kind regards,

Lucy

South Tyneside Council

Lucy Routledge
Historic Environment Officer

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Any statements, views or opinions within this e-mail are those of the author and are informal and do not prejudice any decision that may be later taken by South Tyneside Council as Local Planning Authority.

STC Transport Development Officer (local highway authority)

South Tyneside Council

Highway Authority

Planning Application Consultation Response

Planning Application No: 250336 **Case Officer:** GH

Description of Development: Request for an Environmental Impact Assessment (EIA) Scoping Opinion, Under Regulation 15 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017, relating to a proposed extension of time for extraction and a restoration scheme and a regularisation to the red line boundary at Marsden Quarry

Location: Marsden Quarry, Coast Road, Whitburn, SR6 7HB

Date: 7th July 2025

RECOMMENDATION:

Material consideration: An important issue that the local planning authority is advised to consider in determining the application.

Assessment of proposal:

General Highways Comments

The Highway Authority has considered the scoping report provided and has no objection to the draft scope of the Transport Statement, including methodology and conclusion mentioned in the Transport section of the report.

STC Environmental Sustainability

From: Michael Vasey
Sent: 18 June 2025 17:28
To: Planning Applications
Cc: Garry Simmonette
Subject: Planning application 250336: Marsden Quarry time extension

Categories: Consultee response

Hello,

regarding the above application, I can confirm that I have reviewed the proposed methodology to assess impacts on and vulnerability to climate change, with the use of 'Environmental impact assessment guide to assessing greenhouse gas emissions and evaluating their significance' (2022) as a guidance document.

The proposed methodology is suitable for this development, with a satisfactory range of topics identified. I am supportive of this methodology.

Kind regards,

Michael Vasey (he/him)
Senior Carbon Reduction and Sustainability Officer
South Tyneside Council
Environmental Sustainability Team
Town Hall & Civic Offices
Westoe Road
South Shields
Tyne and Wear
NE33 2RL

http://www.southtyneside.info



Countryside Team (natural environment manager)

OFFICIAL

BURTON REID ASSOCIATES	CONSULTATION RESPONSE Planning Response **Ecology** (Burton Reid Associates on behalf of South Tyneside Council)	South Tyneside Council

PROPOSAL	Request for an Environmental Impact Assessment (EIA) Scoping Opinion, Under Regulation 15 of the Town and County Planning (Environmental Impact Assessment Regulations 2017, relating to a proposed extension of time for extraction and restoration scheme and a regularisation to the red line boundary at Marsden Quarry.
LOCATION	Marsden Quarry Coast Road Whitburn SR6 7HB
APPLICANT	Wardell Armstrong LLP (Part of SLR)
REFERENCE	250336
APPLICATION TYPE	Request for EIA Scoping Opinion
DATE	19/06/2025
FROM	Chrissy Mason MCIEEM, Burton Reid Associates
TO	Garry Simmonette
DECISION	Please see comments below

Additional comments by Clare Rawcliffe, Natural Environment Manager at South Tyneside Council are in red text.
Our comments on this enquiry relate to the proposed development's potential to impact biodiversity including: designated sites; statutorily protected species; priority species and habitats listed in the UKBAP and/or Durham BAP.

The applicant has submitted the following documents relating to ecology to inform their application:

- Wardell Armstrong LLP (part of SLR) (May 2025) Marden Quarry Time Extension Scoping Report
- Wardell Armstron LLP (part of SLR) (February 2025) Marsden Quarry Extension of Time Preliminary Ecological Appraisal

Site description
Marsden Quarry is an operational site extracting limestone and dolomite for agricultural lime and aggregate production.

The quarry is broadly split into two areas of operation with restoration progressively undertaken via importation of inert landfill. Remaining reserves of limestone for extraction are located within the south east corner of the quarry void, beneath the area occupied by the quarry offices, weighbridge and car park. The current permitted output from Marsden Quarry is approximately 250,000 tonnes per annum. Up to 250,000 tonnes of inert waste and up to 60,000 tonnes of construction/demolition waste is permitted to be imported per annum.

Surrounding land uses include a number of amenities including Whitburn Golf Course, allotments, dog park, car park, NT Souter Lighthouse, the Leas Coastal Park, agricultural land, North Lizard Riding School and residential Arthur Street. The site is within Green Belt, South Tyneside's Council Landscape Character Area 35 and Cleadon Hills, within the Urban/Rural fringe.

Policy
The site is located within the Whitburn Neighbourhood Plan (2021 to 2036) forming part of the statutory Development Plan for South Tyneside. Within the Neighbourhood Plan the site is allocated within the Wildlife Network and Green Infrastructure Corridor WNP6. Land immediately to the east and south of the site are identified as Local Wildlife Sites (WNP5) and allotments (WNP9f). Immediately north of the site is Local Geodiversity Site (WNP5). The Local Geodiversity Site comprises part of a long-abandoned and partially overgrown, limestone quarry together with a group of large disused lime kilns.

Under the draft Local Plan Policies Map the site is allocated under Mineral Infrastructure Policy 56 and includes designations under Local Wildlife Site Policy 34. The scoping opinion request draws on policy guidance SPD1 Sustainable Construction and Development (August 2007), APD 3 Green Infrastructure Strategy (February 2013) and SPD3 Green Infrastructure technical appendices (February 2013).

Proposed Development
The proposal seeks the approval of a seven-year extension to the existing permission, allowing for an additional 5 years of extraction from December 2027 to December 2034, followed by a 2-year period for site restoration from December 2032 to December 2034.

The proposed development includes a minor regularisation to the red line boundary to account for extraction which occurred beyond the permitted boundary line behind Hill House. Condition 1 of the extant permission includes the approved restoration masterplan showing the approved redline boundary. The proposals will include a revised list of documents to include the amended red line for restoration.

Restoration at the site has not yet reached the stage anticipated as per the approved restoration scheme due to several factors including delays due the pandemic and a change in site operator. Condition 31 of the extant permission allows for revisions to the restoration scheme and specifications. The scheme will be updated to account for these delays. Proposals include the continued import of 350,000 tonnes per year of inert landfill annually over the extended time period (10.22 years) with restoration completed at the start of 2035.

Ecology Baseline
A Preliminary Ecological Appraisal (PEA) has been undertaken (Wardell Armstrong (WA))to update the baseline data for the site (WA, February 2025). Please note that in the submission, the ecologists who have undertaken the work should be named along with their qualifications and competencies. The UKHab Habitat Results plan is provided as Dwg No. NT16974-002. Previous ecological surveys were undertaken in 1992/2002 (WA, 2002) to support a planning application for extraction and inert landfill operations. As part of this process a restoration plan has been prepared.

The Preliminary Ecological Appraisal (PEA) Report is included as an Appendix to the EIA Scoping Opinion Request Report.

Adjacent land use includes the A1837 Coast Road to the east, Lizard Lane to the west and Marsden golf course to the north. To the south are arable/grassland fields and horse pastures. The application area comprises an open cast limestone/dolomite quarry, The site supports a large open quarry void with steep cliff or benched sides with large expanses of bare ground and current active works. The open disturbed areas of the quarry are located to the south and east, with areas of landfill to the north and west. An active processing plant and recycling facility is present within the active parts of the quarry.

A desk study included information provided by ERIC-NE and a 2km internet search, extended to 10km for designated sites.

An Extended UK Habitat Classification Survey was carried out by Wardell Armstrong on 22nd December 2024. Ecological constraints and opportunities were identified using a red, amber, green traffic light system. Assessments and survey methods were undertaken with reference to BS42020 and survey guidelines.

Limitations
The PEA identifies the habitat survey was undertaken in December, outside the optimal survey period and is considered provisional at this stage. The Preliminary Ecological Appraisal Report provides an overview of likely effects and specialist surveys may be required to fully investigate effects and/or to support and Ecological Impact Assessment (EcIA).

Designated Sites
The following features are identified and scoped within the EIA Scoping Opinion Request informed by the PEA :

- The Durham Coast SSSI, a component of Durham Coast SAC (scoped out) lies within 20m of the eastern site boundary separated by the A187. This has been scoped out of the Scoping Opinion Request Report as no direct impacts are anticipated. Dust impacts will be avoided through containment and suppression measures. Dust / pollution impacts from vehicle movements will need to be considered.
- Northumbria Coast SPA (scoped out): quarry infrastructure will be1.3km from the SPA. It is considered the application site does not include suitable supporting habitat for SPA birds.
- Northumbria Coast Ramsar (scoped out): quarry infrastructure will be 1.3km from the designated site and is not functionally linked due to lack of farmland/coastal habitat. No indirect effects are anticipated from dust deposition given distance from site.
- Durham Coast SSSI (scoped out): no direct habitat loss will occur, indirect impacts from dust deposition are controlled through safe working practice. No additional impacts are anticipated. Dust / pollution impacts from vehicle movements will need to be considered.
- Cleadon Hill SSSI (scoped out): All infrastructure will be 1.3km from the designated site. No direct habitat loss will occur, indirect impacts from deposition will be controlled through safe working practice. No additional impacts are anticipated
- Harton Hill Down Hill SSSI (scoped out) The site is 1.4km from the site and not hydrologically linked. No further assessment is considered necessary.
- Marsden Old Quarry LNR (scoped out). The site is 280m from the LNR. No direct habitat loss will occur. No indirect effects from dust deposition are anticipated and avoided through control measures
- Whitburn Point LNR, Harton Down Hill LNR and Cleadon Hill Down LNR are scoped out due to separation from site by residential areas and roads. No indirect effects to qualifying species are considered above and beyond current conditions.

Habitats
The PEA notes Priority Habitat open mosaic habitat is recorded on the MAGIC. The UKHab surveys noted these habitats were heavily disturbed, and appear to be colonising the inert fill materials on site alongside bare ground (active worked quarry habitat). Habitats on site are not considered to reflect Section 41 Priority Habitat status although their transient nature may have influenced their MAGIC classification.

Calcareous grassland/magnesium grassland habitat is present around the margins of the quarry to the north and east, with areas of neutral/calcareous grassland, tall ruderal,

scattered scrub and ephemeral/short perennial within the quarry on bunds and inert landfill areas. Due to the disturbed nature of the Site, this vegetation supports more competitive species. Certain habitats are identified as Priority Mosaic habitats, although it is acknowledged MAGIC data is provisional and limited in accuracy. The on-site habitats are not currently considered by the applicant's ecologist a reflection s41 Priority Habitat status. However, surveys were undertaken at a suboptimal time of year. Surveys at the correct time of year will be needed to inform a robust impact assessment.

The site contains a number of waterbodies and an open mosaic habitat in the western void.

Seven waterbodies are identified within 500m of the Site (WB1-WB7) shown on Dwg. No. NT16974/014. Four water bodies are present within the site boundaries (one permanent silt washing lagoon and 3 temporary pools) and a further three water bodies are located within 250m of the site.

The following habitats present on site are scoped out of the EIA either because of their low ecological value or for higher value habitats, the absence of impacts:

- Bare ground (inland rock -s1/s1d)
- Calcareous/magnesium grassland (Lowland Calcareous grassland -g2a)
- Waterbodies (r1g)
- Other neutral grassland (g3c)/other calcareous grassland (g2d).
- Scrub
- Tall ruderal – other neutral vegetation (g3c)
- Artificial Unvegetated Unsealed Surface (u1c)
- Ephemeral/short perennial vegetation (inland rock – s1)

Species

The following species are scoped into the EIA:

- Breeding Birds – the site supports a range of breeding birds mostly associated with the boundary habitats and areas of grassland over the inert landfill area. Further surveys are recommended given the age of data (>20 years) and the proximity of coastal habitats, to establish breeding bird assemblage including identification of peregrine nesting site.
- Great Crested Newts (GCN) - further survey and assessment are required to consider impacts
- Priority Species – Common toad – precautionary working methods to be adopted
- Priority Species – Brown hare, hedgehog and butterfly species Dingy skipper, Wall brown, Small heath and Grayling. Limited habitat present within open void, suitable habitat around periphery to be retained. Habitat restoration to secure habitats in long-term.

- The following species are scoped out of the EIA:

- Bats – no negative effects anticipated
- Water Vole – considered not to be present
- Otter – considered not to be present
- Reptiles – species considered not to be present
- Badger – No evidence of species identified therefore impacts considered negligible

Further survey work

Further survey work is recommended within the EIA Scoping Opinion Request Report and PEA for the following species groups at an appropriate time of year:

- Great Crested Newts (eDNA surveys of waterbodies)
- Breeding Bird survey (including Peregrine nesting site)
- Pre-works Badger surveys

In addition, the habitat surveys were undertaken at a suboptimal time of year, so habitats should be re-surveyed at the optimal time of year to inform the impact assessment.

Proposed Mitigation, Compensation and Enhancements
Section 10.7 sets out a number of mitigation measures. Additional measures may be required following further baseline surveys:

- Retention of peripheral habits (calcareous/magnesian grassland) around the top of the void during operations.
- Production of a Construction Ecological Management Plan (CEMP) to set out protection of retained habitats and protected species during construction activities
- Re-creation of magnesian limestone grassland and calcareous grassland will be undertaken across the site as part of the restoration plan as well as hedgerow and tree planting.
- A comprehensive dust management programme to be continued during operation and incorporated into CEMP.
- Timing of works within locality of Peregrine nesting within the breeding season (February to August inclusive).
- Precautionary working methods to avoid incidental harm to Common toads
- Measures to prevent amphibians entering water extraction equipment
- Management of habitats to be detailed within a LEMP to be secured by planning condition
- Vegetation clearance to be undertaken outside of the bird breeding season or under ecological supervision
- Opportunities for ecological enhancement are set out within section 4 of the PEA and include provision of a conservation based restoration scheme, provision of hibernaculum for common reptile, amphibians and hedgehogs.
- Updated Landscape and Ecology Management Plan (LEMP) in view of updated baseline and to include habitat creation, management and monitoring of the site, replacing habitats like for like or better, reflective of local area.

Significance of impacts
No significance of effect assessment has been undertaken as part of the Ecology scoping. It is understood this will be carried out following further baseline surveys.

Biodiversity Net Gain
The PEA report acknowledges that as a variation of an extant permission the application is exempt from mandatory Biodiversity Net Gain. The revision of the restoration scheme shall aim to enhance the site for biodiversity in keeping with the natural area and increase connectivity across the site. If the proposals change such that a new permission is required, then mandatory Biodiversity Net Gain will apply. Pre-application advice will be encouraged.

General Comments and Recommendations:
We consider the applicant's proposals to scope out statutory designated sites, habitats and the majority of species groups are broadly acceptable – with exceptions as highlighted in this response. We welcome proposed mitigation and enhancement measures subject to a detailed Ecological Impact Assessment and restoration plan informed by the recommended additional survey work. The ES should clearly explain how potential impacts on ecological receptors have been considered and why significant effects are not anticipated and cross reference made to inter-related topics such a as noise, dust and vibration.

Although paragraph 5.3.3 acknowledges the Wildlife Network and nearby Local Wildlife Sites, these non-statutory designated sites are not identified within the Table 10.1 or the PEA. They will need to be included within the assessment in view of their ecological importance.

Given their presence within and adjacent to the application site – we consider these features are 'scoped in' the EIA and a detailed assessment informed by robust baseline surveys at an appropriate time of year will need to be included within the ES to determine significance of effects on these receptors.

Local Wildlife Sites locations should be mapped within the zone of influence and an impact assessment of the proposal undertaken:

Marsden Quarry LWS:
The site covers a narrow band that skirts the southern and western edges of Marsden Quarry. Designated for its Magnesian limestone grassland, the 1.5 ha site, has records of yellow-wort, at its northern limit in Britain, and sea plantain – reflecting maritime influences present. A site survey carried out in 2005 included a number of Magnesian limestone grassland indicator species including Eyebright, Yellow-wort, Rough hawkbit, Bird's-foot trefoil and wild basil. The site was designated a Magnesian Limestone Grassland Site in the UDP in 1999. The northern section of the Site has since been lost to quarrying.

Marsden Lime Kilns LWS:
The site borders the northern edge of the application site. Habitats includes species-rich Magnesian limestone grassland, a rare habitat in the north east of England. A 2005 survey recorded a number of magnesian limestone grassland indicator species including: Bird's-foot trefoil, Wild thyme, Kidney vetch, Harebell, Carline thistle, Greater knapweed, Eyebright, Ladies bedstraw, Fairy flax, Salad burnet, Small scabious, Orchid sp., Cowslip and Devil]s-bit scabious. The site encompasses Whitburn Golf Course Site of Nature Conservation Importance which was included in the LWS designation incorporating Marsden Lime Kilns and connecting strips of land.

Durham Coast SAC/Northumbria Coast SPA/Ramsar
Whilst we agree there is a lack of supporting habitat present on-site for designated site features, we consider the negative effects of the extension of time, in view of an increase in duration and magnitude of impacts needs further assessment. This is in particular regard to effects such as noise, dust and vibration impacts associated with quarry operations including vehicle movements to and from the site. This assessment should include impacts on supporting habitat within the locality such a farmland adjacent to quarry vehicle routes.

Although outside the EIA legal framework, we also recommend the applicants submit Information to Inform a Habitats Regulations Assessment (HRA) to ascertain the EoT application would not adversely affect designated site integrity alone or in-combination with other plans or projects. This should be cross-referenced to other assessment chapters within the ES including air quality, traffic and transport, noise, water resources and climate change

Recommendations:

- Local Wildlife Sites and priority habitats Magnesian Limestone grassland should be scoped into the EIA, informed by botanical surveys at an appropriate time of year and fully considered within the revised restoration plan
- The ES should include a summary of the EcIA process referencing any relevant documentation.
- Both the EcIA and HRA process is cross-referenced within the ES where relevant.
- Justification of scoping out Ecology and Biodiversity receptors is clearly presented within the ES.
- The inter-dependence of ecological and biodiversity receptors is made clear when considering other relevant topics within the EIA process (e.g. landscape, air quality, climate change, noise and vibration, water environment, ground conditions (including waste management) geology and hydrogeology.

- The ES should confirm that cumulative effects on Ecology and Biodiversity receptors have been considered in combination with similar EIA developments in accordance with the EIA Regulations.

EcIA Considerations

Notwithstanding EIA requirements, the applicant will need to include detailed information on designated sites, habitats and protected and priority species supported by robust ecological surveys, impact assessment and mitigation (EcIA Report) covering all impacts of the proposed development on ecology receptors, direct and indirect. All ecology survey and reporting should be in accordance with BS 42020: 2013 *Biodiversity - Code of practice for planning and development* and the CIEEM Guidelines for Ecological Impact Assessment in the UK and Ireland. This should be informed by a records search from the local records centre.

STC Public Health

Logged 12/06/2025 Officer: Garry Simmonette

Comment Received via Planning Explorer

250336 **MARSDEN QUARRY**
Coast Road
Whitburn
SR6 7HB

Mary Fairfield
Town Hall, , Westoe Road, , South Shields, NE33 2RL

Comments

STC Public Health notes the request for an Environmental Impact Assessment (EIA) Scoping Opinion relating to a proposed extension of time for extraction and restoration and a regularisation to the red line boundary at Marsden Quarry.

We believe the undertaking of the EIA would lead to the production of an Environmental Statement (ES) that could come in with a Section 73 planning application.

We suspect the original planning application did not have a Health Impact Assessment (HIA), but the site does fulfil the HIA criteria as outlined in the Validation of Planning Applications in Tyneside 2024, by being an employment site of 10 hectares or more. Therefore, Public Health would like to know if there are now opportunities to seek a HIA as part of this process.

Landscape (commissioned via North Tyneside Council, for and on behalf of STC)

From: Andrew Scambler <Andrew.Scambler@northtyneside.gov.uk>
Sent: 03 July 2025 11:38
To: Garry Simmonette
Subject: Re: Re. 250336 - EIA Scoping request - Marsden Quarry - consultation response outstanding

Categories: Consultee response

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Hi Garry

Apologies for the delay in responding to this.

The landscape team have reviewed information submitted in the EIA scoping request. We can confirm that Landscape and Visual should be an EIA topic. With regards to the proposed methodology this is considered to be acceptable. Proposed viewpoint locations are also considered to be acceptable however we would request that additional viewpoints are included from the National Coastal Path (Route number 1) from the northeast of the site and the southeast of the site.

Regards

Andrew Scambler
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