



Redcar & Cleveland Borough Council
Corporate Directorate for Growth, Enterprise
and Environment
Development Management
Redcar and Cleveland House
Kirkleatham Street
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TS10 1RT

ROYAL HASKONINGDHV
STEVE RAYNER
MARLBOROUGH HOUSE
MARLBOROUGH CRESCENT
NEWCASTLE UPON TYNE
NE1 4EE

Email: planning_admin@redcar-cleveland.gov.uk
Website: www.redcar-cleveland.gov.uk
Direct line: 01287 612546

Our Ref: R/2020/0371/SCP
Your Ref:
Contact: Mr D Pedlow
Date: 22 September 2020

Dear Sir

PROPOSAL: SCOPING OPINION FOR NEW PORT FACILITY TO SUPPORT LANDSIDE PROPOSALS FOR GENERAL INDUSTRY AND STORAGE & DISTRIBUTION USES
LOCATION: SOUTH BANK WHARF
APPLICANT: ROYAL HASKONINGDHV

I am writing with regard to the submitted Scoping Opinion relating to the proposed development of the.

The Scoping Request sets out the content of the Environmental Statement. The proposed list would appear to be a comprehensive list for the proposed development and would provide sufficient scope for the proposed ES.

A number of responses have been received by both internal and external consultees, copies of which are set out below. The responses can also be found on the Council website by using the following link;

<https://planning.redcar-cleveland.gov.uk/Planning/Display?applicationNumber=R%2F2020%2F0371%2FSCP>

Teesside Airport

I can confirm that Teesside International Airport has no safeguarding objections to the proposal in its current form. Should any change, amendment or further application for approval be submitted, we require that we be further consulted so that we may review our position.

Cleveland Police

With regards to this Scoping Application, applicant can contact me for any advice, guidance I can offer.

Environment Agency

Environment Agency position

We have reviewed the submitted scoping report (South Bank Port Facility – Environmental Impact Assessment scoping review, Royal Haskoning DHV, 15 July 2020).

We have considered the recent response we provided to a scoping opinion for a largely similar development in 2019 (R/2019/0331/SCP) which we provided 19 June 2019.

We are in agreement with the topics/constraints to be scoped into the EIA document listed in page 4 of the report. The following comments will ensure that the environmental statement addresses the key environmental issues for this proposal.

Proposal

The proposal has the potential to impact on the water environment in respect to:

- Permanent loss of intertidal priority habitat designated as SSSI and pSPA in an already heavily modified waterbody,
- Impact to intertidal priority habitat designated as SSSI and pSPA not directly associated with the development,
- Dredging of the River Tees,
- Construction and operation,
- Accidental releases,
- Drainage within made ground.

The Environmental Statement should include an assessment of these impacts and specifically

- The requirements of the Water Framework Directive by way of a WFD Assessment,
- The Environment Agency's tidal encroachment policy for use in all estuaries.
- How the development will achieve a biodiversity net gain

Natural England

Thank you for seeking our advice on the scope of the Environmental Statement (ES) in your consultation dated 23 July 2020 which we received on the same day.

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.

Case law¹ and guidance² has stressed the need for a full set of environmental information to be available for consideration prior to a decision being taken on whether or not to grant planning permission. Annex A to this letter provides Natural England's advice on the scope of the Environmental Impact Assessment (EIA) for this development.

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.

We would be happy to comment further should the need arise but if in the meantime you have any queries please do not hesitate to contact us. For any queries relating to the specific advice in this letter only please contact me on 0208 0265533 or andrew.whitehead@naturalengland.org.uk. For any new consultations, or to provide further information on this consultation please send your correspondences to consultations@naturalengland.org.uk.

North East Archaeological Research Ltd

The memorandum entitled 'HaskoningDHV UK Ltd, South Bank port facility – Environmental Impact Assessment scoping review' (Reference PC1084-RHD-SB-EN-NT-EV-1106), proposes the following steps with regard to archaeological assets affected by the development proposal.

4.7. Marine and terrestrial archaeology

An archaeological desk-based assessment will be undertaken to establish the nature and extent of known and potential archaeological resource within the marine environment (submerged prehistory, maritime and aviation archaeology). This will draw from the findings of the studies undertaken as part of the landside EIA, as well as information from publicly available studies previously undertaken for consented schemes in the Tees. The findings of an archaeological review of vibrocore / borehole logs will inform the assessment.

A settings assessment will be undertaken to determine any impacts to heritage receptors as a result of the proposed quay infrastructure, drawing from the findings of the landscape and visual impact assessment (LVIA) (detailed in Section 4.13).

We understand that built heritage was scoped out of the landside EIA and therefore we propose to liaise with RCBC planning department to confirm if the same approach can be undertaken for the landside parts of the marine EIA.

Consultation with Historic England and RCBC will be undertaken to confirm that the potential for harm to the significance of heritage assets is appropriately assessed and that mitigation recommendations are both appropriate and proportionate to the level of potential impact.

This follows consultation on scoping of the EIA with the MMO.

In general we agree with the statement within the memorandum that marine heritage is likely to be limited by dredging within the immediate area of the proposed dock facilities. Archaeological review of borehole logs is welcome, as part of the heritage assessment. (This is an issue that we mentioned in our response to consultation on the landside proposal – although in that instance in relation to identification of archaeological potential of former mudflats and marsh, rather than the currently existing marine and quayside environment.)

In addition, the archaeological desk-based assessment should indicate in relation to wreck sites whether these are situated within an area of proposed new dredging (either for construction or on-going channel maintenance).

Northumbrian Water

Having assessed the proposed development against the context outlined above we have the following comments to make:

The Developer should develop their Surface Water Drainage solution by working through the Hierarchy of Preference contained within Revised Part H of the Building Regulations 2010. Namely:-

- Soakaway
- Watercourse, and finally
- Sewer

We recommend that the developer contact Northumbrian Water to agree allowable discharge rates and points into the public sewer network. This can be done by submitting a pre-planning enquiry directly to us. Full details and guidance can be found at <https://www.nwl.co.uk/developers/predevelopment-enquiries.aspx> or telephone 0191 419 6559.

Network Rail

In relation to the above scheme, as outlined on page 9 of the scoping document, Network Rail would be keen to ensure that there was no impact on railway assets from construction traffic associated with the site. Any Environmental Impact Assessment should include details of the haulage routes in the Transport Assessment and a traffic management plan associated with the marine construction works.

Middlesbrough Borough Council

No comments to make

Redcar and Cleveland Borough Council Natural Heritage Manager

I would have no objections

Redcar and Cleveland Borough Council Environmental Protection (Nuisance)

No objection

Redcar and Cleveland Borough Council Environmental Protection Contamination

No objection

Redcar and Cleveland Borough Council Conservation Advisor

The proposed approach to heritage matters appears appropriate and provides a rare opportunity to increase knowledge on seaward historic assets.

Redcar and Cleveland Borough Council LLFA

The LLFA would offer no additional comments, the contents of the scoping report in relation to flood risk shall be provided with any planning application.

Other Comments

With regard to cumulative developments I can advise that there are a number of major developments currently being considered in proximity to the site, while others have been consented. The following reference numbers are relevant applications but not an executive list as applications are being submitted regularly in this area. The details of the application can be found by inserting the reference number into the link below;

R/2020/0465/FFM
R/2020/0411/FFM
R/2020/0357/OOM
R/2020/0318/FFM
R/2020/0270/FFM
R/2020/0302/PND
R/2020/0283/PND
R/2020/0281/PND
R/2019/0427/FFM

<https://planning.redcar-cleveland.gov.uk/Search/Planning/Advanced>

I hope the above is helpful in progressing the application however if you require anything further please contact me.

Yours faithfully

Mr D Pedlow
Principal Planning Officer



Marine Management Organisation

Marine Licensing
Lancaster House
Hampshire Court
Newcastle upon Tyne
NE4 7YH

T +44(0)300 123 1032
F +44 (0)191 376 2681
www.gov.uk/mmo

Mr Steve Reynar
Royal HaskoningDHV
Marlborough House
Marlborough Crescent
Newcastle upon Tyne
NE1 4EE

Our reference: ENQ/2020/00103

By email only

17 September 2020

Dear Mr Reynar,

SOUTH BANK WHARF DEVELOPMENT - ENQ/2020/00103

Thank you for your enquiry on the demolition of an existing timber wharf and two jetties, capital dredging (to deepen the Tees Dock turning circle and approach channel and to create a berth pocket), offshore disposal of dredged sediments and construction and operation of a new quay. Please see our response below, which has been compiled following our review of the proposed scope of environmental assessment for the EIA (The South Bank Port Facility – Environmental Impact Assessment scoping review) and the scoping discussion we had on 26 August 2020.

Your feedback

We are committed to providing excellent customer service and continually improving our standards and we would be delighted to know what you thought of the service you have received from us. Please help us by taking a few minutes to complete the following short survey (<https://www.surveymonkey.com/r/MMOMLcustomer>).

If you require any further information please do not hesitate to contact me using the details provided below.

Yours sincerely,

Emmanuel Mulenga
Marine Case Officer

☎ 02085654573 | 📞 07798637536

✉ emmanuel.mulenga@marinemanagement.org.uk



INVESTORS
IN PEOPLE

Bronze



Marine Management Organisation

1. Description of the project

- 1.1. South Tees Development Corporation (STDC) is proposing to construct a new port facility at South Bank wharf (Tees estuary) to support the offshore wind industry. The proposed scheme will require works in both the marine and terrestrial environments and will require Environmental Impact Assessment (EIA) in support of a marine licence application to the Marine Management Organisation (MMO) and a planning application to Redcar and Cleveland Borough Council (RCBC) under the Town and Country Planning (Environmental Impact Assessment) Regulations 2017.
- 1.2. The 'marine' parts of the proposed scheme comprise demolition of an existing timber wharf and two jetties, capital dredging (to deepen the Tees Dock turning circle and approach channel and to create a berth pocket), offshore disposal of dredged sediments and construction and operation of a new quay (to be set back into the riverbank, on land).

2. MMO advice

- 2.1. An EIA scoping opinion was provided by the MMO for a scheme that was previously proposed for the site in August 2019 under the Marine Works (Environmental Impact Assessment) (EIA) Regulations 2007 as amended (reference EIA/2019/00017).
- 2.2. The MMO notes that two separate EIA's are proposed for the scheme: one covering the marine elements being prepared by Royal HaskoningDHV and another covering the terrestrial elements of the scheme being prepared by Lichfields. The MMO advise that both EIAs should consider the scheme as a whole ensuring that all environmental impacts of the proposed scheme are taken account of. The two proposed EIAs should demonstrate that the whole scheme has been assessed.
- 2.3. The MMO is satisfied with the information presented in Sections 3, 3.1 and Table 2 in the note submitted (The South Bank Port Facility – Environmental Impact Assessment scoping review) on relevant information from the previous MMO and RCBC Scoping Opinions, and confirms that the topic areas and key issues identified are appropriate for the proposed EIA for the development.

- 2.4. The MMO is broadly satisfied with the information presented in Section 4 of the note submitted by Royal HaskoningDHV (The South Bank Port Facility – Environmental Impact Assessment scoping review) on environmental assessment requirements in support of a marine licence and planning application for the ‘marine’ elements of the proposed scheme. The assessments identified are sufficient to inform the required EIA. However, should the applicant request it the MMO would be prepared to consult with the Centre for Environment, Fisheries and Aquaculture Science (CEFAS) on the proposed assessments.
- 2.5. For activities licensable under S66 of The Marine and Coastal Access Act 2009, the MMO advises that it is for the applicant to determine which activities will take place below the level of MHWS and will therefore require a marine licence. However, from the information provided the MMO advises that the following activities are likely to require a licence under S66 of the Marine and Coastal Access Act 2009.
- demolition of the existing timber wharf and jetties,
 - capital dredging (to deepen the Tees Dock turning circle and approach channel and to create a berth pocket),
 - offshore disposal of dredged sediments
 - construction of a new quay (to be set back into the riverbank).

3. Conclusion

- 3.1. The MMO is broadly satisfied with the information presented in Section 4 of the note submitted by Royal HaskoningDHV (The South Bank Port Facility – Environmental Impact Assessment scoping review) on environmental assessment requirements in support of a marine licence and planning application for the ‘marine’ elements of the proposed scheme. The assessments identified are sufficient to inform the required EIA.
- 3.2. The MMO is satisfied with information presented in Sections 3, 3.1 and Table 2 in the note submitted (The South Bank Port Facility – Environmental Impact Assessment scoping review) on relevant information from the previous MMO and RCBC Scoping Opinions, and confirms that the topic areas and key issues identified are appropriate for the proposed EIA for the development.
- 3.3. The MMO is satisfied that the piling activity identified in the report will not require a marine licence as it is taking place on dry land above existing MHWS.

From: [Newby, Caitlin](#)
To: [Steven Rayner](#)
Subject: RE: NA/2020/115083/01-L01 - South Bank
Date: 16 September 2020 07:51:09
Attachments: [image002.png](#)

Good morning Steven,

I spoke with the Marine team about this and the best course of action for your team. The concern they had was in relation to juvenile fish and associated species that may use the structure as shelter – the degree of this they couldn't be certain on as would need a better look at the structure. We discussed that if it was inaccessible that it may not be possible to survey and that they could not think of way to get around this.

I think the best way forward would be to base an assessment on an assumption that these structures will have a habitat/species value or provide a reasonable justification why you do not think this is the case.

I hope this helps

Many thanks

Caitlin

From: Steven Rayner [<mailto:steven.rayner@rhdhv.com>]
Sent: 14 September 2020 13:57
To: Newby, Caitlin <Caitlin.Newby@environment-agency.gov.uk>
Subject: RE: NA/2020/115083/01-L01 - South Bank

Hi Caitlin

Thanks for this – did you get a response from your colleague to our query?

Regards
Steve

From: Newby, Caitlin <Caitlin.Newby@environment-agency.gov.uk>
Sent: 09 September 2020 10:41
To: Steven Rayner <steven.rayner@rhdhv.com>
Subject: RE: NA/2020/115083/01-L01 - South Bank

Hi Steve,

I'm just raising this with my colleague this morning. I've been on leave and will clarify this asap

Caitlin

From: Steven Rayner [<mailto:steven.rayner@rhdhv.com>]
Sent: 07 September 2020 11:09
To: NA NE, Planning <planning.nane@environment-agency.gov.uk>
Cc: Newby, Caitlin <Caitlin.Newby@environment-agency.gov.uk>
Subject: FW: NA/2020/115083/01-L01 - South Bank
Importance: High

Hi

Please can anyone assist with the email below in Caitlin's absence?

Regards

Steve

From: Steven Rayner

Sent: 07 September 2020 11:07

To: caitlin.newby@environment-agency.gov.uk

Cc: Matt Simpson <matt.simpson@rhdhv.com>; Jamie Ellis <jamie.ellis@rhdhv.com>

Subject: NA/2020/115083/01-L01 - South Bank

Importance: High

Hi Caitlin

We have received a copy of the Environment Agency's letter with regard to the proposed South Bank new port facility (reference of your letter above).

Within the letter, we note the following:

The structure itself will likely be used by numerous species as a shelter, including for juvenile fish. EA survey data will not cover this location due to its inaccessibility, so we advise that this is included into any monitoring survey design being carried out.

Our scope of survey does not currently include for survey below the structure, for the same reason that the Agency does not survey below it (i.e. that it is unacceptable). We have commenced discussions with a survey contractor to see if we can address this issue, but given its current dilapidated condition and inaccessible nature, there may be very limited options available to recover data from underneath it. Are you able to liaise with the party that provided the comment and discuss if they had any thoughts on how we could survey it, and exactly what the concern is (is it just juvenile fish that we would need to survey for, if there is a safe method of doing so)?

We are hoping to get onto site imminently, and therefore we would appreciate a response / discussion about this today or tomorrow if possible.

Regards

Steve

Steven Rayner BSc, MIEMA, CEnv
Senior Consultant, Environment

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From: [Sebastian Chesney](#)
To: michael.gent@redcar-cleveland.gov.uk
Cc: [Steven Rayner](#); neil.westwick@lichfields.uk; David.Pedlow@redcar-cleveland.gov.uk
Subject: RE: South Bank New Port Facility
Date: 14 August 2020 12:18:00

Dear Mick

Thanks again for the phone conversation just now.

To confirm – you are in agreement with our approach for the noise elements for the project; however, you would like us to consider the construction noise levels at nearby commercial premises, namely South Tees Business Park and Teesport Commerce Park.

If you have any other concerns please feel free contact me on the details below.

Kind Regards

Sebastian Chesney MSc, MIOA
Acoustic Consultant, Industry & Buildings Europe

T +44 1133 600548 | **E** sebastian.chesney@rhdhv.com | **W** www.royalhaskoningdhv.com

From: Sebastian Chesney
Sent: 12 August 2020 16:59
To: michael.gent@redcar-cleveland.gov.uk
Cc: Steven Rayner <steven.rayner@rhdhv.com>; neil.westwick@lichfields.uk
Subject: South Bank New Port Facility

Dear Michael

We, Royal HaskoningDHV, have been appointed as the noise consultants to support the planning application and marine licence application for a proposed new port facility in the Tees Estuary – please find the attached figures. In summary, the proposed scheme comprises demolition of existing infrastructure (the dilapidated timber wharf and jetties), capital dredging within the estuary and offshore disposal of dredged material, construction of a combi-piled quay wall (approximately 1,035m in length) and operation of the facility.

We have held an initial consultation meeting with David Pedlow and we understand that you are the appropriate contact within the Council to advise on noise and vibration matters. We are in the process of undertaking an EIA to support applications and the information below relates to the proposed scope of noise and vibration assessment as part of the EIA. We understand that RCBC will be providing a formal scoping opinion in due course, however we are keen to progress with work where we can in advance of the scoping being received, and therefore we are seeking some early views from yourself to inform the noise and vibration assessment.

Due to the separation distance between the site and the nearest residential receptors (approximately 1.2km as shown in the attached figures), we propose to scope out both noise and vibration impacts to residential receptors associated with construction and operational phases of the development. Our transport consultants have indicated that the increase in traffic along the

local road networks during construction and operation is not expected to be significant in the context of background traffic flows and are proposing a Transport Statement rather than a full Transport Assessment; therefore, we also propose to scope out noise impacts associated with road traffic.

However, we will be considering the above water noise impacts associated with construction and operational phases at sensitive ecological receptors due to the location of the proposed scheme within and adjacent to the Teesmouth and Cleveland Coast SPA, Ramsar site and SSSI. We propose to undertake a baseline noise survey at the surrounding ecological receptor sites and will liaise with Natural England regarding the survey details.

Please can you confirm if you are in agreement with the above (particularly scoping out noise and vibration impacts to residential receptors), and advise if you have any specific requirements for the noise assessment.

Kind Regards

Sebastian Chesney MSc, MIOA
Acoustic Consultant, Industry & Buildings Europe

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