DELEGATED REPORT / CASE OFFICER'S ASSESSMENT

Ref No: ST/0583/18/COND
Proposal: Discharge of Condition 12: Landscaping scheme. Relating to previously approved planning application Ref. ST/0322/17/FUL.
Location: 151-161 (odd) Whitburn Road & 1-12 Sandpiper View
East Boldon

Land at the junction and bounded by Whitburn Road and Moor Lane
East Boldon

(Vacant formerly Vinci Construction UK Ltd Moor Lane)

Relevant policies/SPDs

1 DM1 - Management of Development

2 DM7 - Biodiversity and Geodiversity Sites

3 LDF CS EA3 - Biodiversity and Geodiversity

Description of the site and of the proposals

Planning permission for the demolition and clearance of existing vacant industrial buildings/infrastructure and the erection of 18 residential properties with associated access, open space and landscaping was granted consent on 24 November 2017. This permission was granted subject to a number of planning conditions. This report relates to the submission of details in respect of condition 12.

Condition 12 stated:
Notwithstanding the indicative details shown on drawing number GEN/60A/015 rev p3 received 27/07/2017 before the first occupation of any dwelling hereby permitted, a detailed hard landscaping scheme including permeable paving specifications and a soft landscaping planting plan/specification including the type, height, species and location of all new trees and shrubs as well as any proposed seeding or turfing, topsoil depths and planting specification for the rain garden / raised planters shall be submitted to and approved in writing by the Local Planning Authority. The plan/specification shall include details of the phasing of the landscaping scheme to secure its completion before respective dwellings are occupied.

Development shall be carried out in accordance with the approved details.

Any trees or plants, which within a period of 5 years of planting, die, are removed, or become seriously damaged or diseased, shall be replaced with others of similar size and species not later than the next planting season after the loss or damage has occurred (unless otherwise agreed in writing by the Local Planning Authority).

To ensure a satisfactory standard of development in the interests of visual amenity and ecology in accordance with Policy DM1, DM7 and EA3 of the South Tyneside Local Development Framework.

The initial proposals have been revised to address consultation comments and matters of concern.

The applicant has submitted the following amended details to discharge this condition:

Drg No. CLXX(90)1002 rev E received 24/07/2018
Drg No. 1434-14-50 Rev B received 24/07/2018
Drg No. CLXX(90)1001 Rev A received 02/05/2018
Drg No. CLXX(95)5001 Rev A received 02/05/2018

Publicity / Consultations

1) Neighbour responses

N/A

2) Other Consultee responses
(e.g. relevant comments from consultees such as archaeologist, EA, Historic buildings officer etc)

Countryside Officer :-

Initial comments:

The planting plan includes cotoneaster horizontalis and Crocosmia Lucifer, Crocosmia 'Carmine Brilliant' and Crocosmia 'George Davidson'.

Cotoneaster horizontalis and crocosmia x crocosmiiflora are both listed in schedule 9 of the Wildlife and Countryside Act 1981 and as such they are considered invasive species which it is an offence to plant or otherwise to allow to grow in the wild.

Cotoneaster horizontalis produces berries which can spread by being eaten by birds and the seeds dispersed in their droppings. As such I think it is an inappropriate species for this site which is immediately adjacent to Boldon Flats LWS, known for its bird life.

Crocosmia 'George Davidson' and Crocosmia 'Carmine Brilliant' are cultivars within crocosmia x crocosmiiflora and as such I think it is an inappropriate species for this site which is immediately adjacent to Boldon Flats LWS. These species can grow out of control an some of the 'urban effects' of developments is the risk of people throwing garden waste over the back wall onto neighbouring land, or indeed actively planting out unwanted plants from their gardens because they don't want to kill the plants.

Unable to identify whether Crocosmia Lucifer is one of the crocosmia x crocosmiiflora cultivars – perhaps Josephine (Landscape) can advise? If it is or we are not sure then I would again advise that this should not be included in the planting plan due to the proximity to a LWS.

Final comments:

Previous concerns regarding the planting scheme have been addressed and am satisfied with the revised plan.

Environmental Health (Lead Local Flood Authority):

Only observation would be that the plants need to be pretty hardy to tolerate being inundated with water during rain events from time to time due to the nature of the drainage design.

Landscape:

Initial comments:

The planting scheme as a whole has quite a lot of herbaceous planting – I've no real concerns about this given the site will be privately maintained, but this could pose a challenge to some residents.

I would advise asking for the species specified for the rain gardens to be re-thought. The flush rain gardens could be vulnerable to trampling. Some residents may not look after or know how to care for this extent of herbaceous planting. Although I can understand what they are trying to achieve, some more hardy, evergreen shrubs need to be added to provide year round cover that will survive harsh conditions/neglect.

I would advise omitting all the Crocosmia – much as I like this plant, it is suitable only in a garden with keen gardeners who know how to control it. Root barriers or root directors for trees adjacent to the adopted footpaths are also required.

Final comments:

They have made some amendments to the planting.

Some reservations as to how likely the rain gardens will be maintained, however Council not be adopting or taking on any maintenance for this development – will be a private management issue.

Therefore I have no further comments and agree the condition can be discharged

Traffic and Road Safety:

No issues with the landscaping plan.

Assessment

In assessing this application due regard has been had to the requirement of section 149 of the Equality Act 2010.

The main issue relevant to the assessment of the details of the condition is whether the proposed scheme would satisfy the requirements of condition 12.

The reason for the condition was to protect visual amenity and ecology, ensuring that the planting is appropriate to the setting and environment and be compatible with the adjacent Local Wildlife Site. Furthermore, the landscaping scheme includes for details of the rain garden / raised planters, which form part of the drainage strategy for the site.

Following amendments to the scheme, and following consultation with Countryside, Landscape, Traffic and Road Safety and Environmental Health, the details are considered to be acceptable and it is therefore recommended that Condition 12 be discharged.

In assessing this application due regard has been had to the requirement of section 149 of the Equality Act 2010.

Recommendation

Approve Details of Condition

Informatives

1 In dealing with this application the Council has implemented the requirements of the National Planning Policy Framework to seek to approve applications for sustainable development where possible.

2 NOTE TO APPLICANT

For the avoidance of doubt, this decision relates to the following drawings:

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Drg No. 1434-14-50 Rev B received 24/07/2018
Drg No. CLXX(90)1001 Rev A received 02/05/2018
Drg No. CLXX(95)5001 Rev A received 02/05/2018

List of approved plans for standard note

Plan Reference

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Drg No. 1434-14-50 Rev B received 24/07/2018

Drg No. CLXX(90)1001 Rev A received 02/05/2018

Drg No. CLXX(95)5001 Rev A received 02/05/2018

Case officer: Helen Lynch
Signed:
Date: 17/08/2018

Authorised Signatory:
Date:

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