South Tyneside Council

Reference:	ST/0678/23/COND
Location:	1-128 (excl 13) Swan Close Hebburn Land East of Lukes Lane Hebburn NE31 2BJ
Ward:	Fellgate and Hedworth
Description:	Discharge of Conditions 20 - Hard and Soft Landscaping - and 21 - Habitat Management and Monitoring Plan - relating to previously approved Planning Application ST/0775/23/VC.
Recommendation:	Approve Details of Condition
Case Officer:	Emma Thomas
Case Officer Contact No.:	0191 4247593 or 07741105284

Assessment

Planning permission ST/0775/23/VC was granted on 01/02/2024 for a variation of conditions 2, 18 and 20 of previously approved planning application ST/0882/21/FUL – which was for the removal of hedge alongside Lukes Lane to allow for implementation of approved access details and planting of replacement hedgerow, pumping station position amended following the request of National Grid due to the proximity of the overhead cables, minor changes to layout, house type and boundary treatments and amendment of surface water discharge rate from SUDS system.

The applicant is seeking a full discharge of conditions 20 and 21 –

Condition 20 of the planning permission states:

No dwelling hereby permitted shall be occupied unless and until full details of hard and soft landscaping and on-site biodiversity enhancement measures have been submitted to and approved in writing by the Local Planning Authority. These details shall include:

a) planting plans, written specifications and schedules of plants (noting species, plant sizes and proposed planting densities where appropriate),
b) details of integrated roosting features for birds and bats (with each such type of feature being provided to at least 20% of the approved dwellings),
c) details regarding the specification and location of 3 dog waste bins adjacent to the access points to the site from Lukes Lane and within the trim trail area,
d) details of the trim trail area,
e) hard surfacing details across the proposed development including such details in respect of formalising the route of the public right of way that crosses the site from the railway/metro line to Leam Lane and

f) timing details regarding implementation thereof.

The submitted details shall accord with approved drawing no. c-1918-11 rev D Landscape Masterplan received 29/01/2024 and OS Ecology Technical Note - The Maples Phase 3 received 20/12/2023 with existing trees/hedgerows retained as shown on drawing no.2035.01 Rev.A20 Planning Layout received 31/10/2023.
Thereafter landscaping works and biodiversity enhancement measures shall be implemented as approved in accordance with the approved timing details.

In the interests of visual and residential amenity, biodiversity and railway safety in accordance with South Tyneside LDF Policies EA3 and DM1(B,C) and the NPPF.

Condition 21 of the planning permission states:

No dwelling hereby permitted shall be occupied unless and until a Habitat Management and Monitoring Plan has been submitted to and approved in writing by the Local Planning Authority. The contents of that plan shall accord with the requirements of 'BS 8683:2021 - Process for designing and implementing Biodiversity Net Gain - Specification' including details in respect of, but not restricted to, the following:

a) the project's biodiversity baseline assessment against which BNG outcomes are assessed and monitored;
b) the project's BNG targets;
c) the number of years to achieve and then maintain the BNG targets which shall comprise a continuous period of at least 30 years from first occupation of the development;
d) a programme detailing the long-term phases of the management and monitoring activities;
e) a monitoring plan to inform decisions about management, whether assessing progress towards the BNG targets is on track and whether changes to management are required to achieve the targets;
f) the roles, responsibilities and required competencies of those involved with implementing and monitoring the BNG design during the implementation and postimplementation stages;
g) details in respect of how the retained grassland to the east of the site will be managed to increase its value for biodiversity including the prevention of public access to this area of the site
h) details on how habitat associated with the existing watercourses within the site will be managed to improve the condition of those watercourses; and
i) provision for any approved landscaping that is removed, dies or becomes seriously diseased within the agreed timescales for achieving and maintaining the BNG targets to be replaced in the next planting season with landscaping of similar size and species to that which it replaces.

Thereafter the Habitat Management & Monitoring Plan shall be carried out/implemented as approved and in accordance with the approved timetables.

In the interests of biodiversity in accordance with South Tyneside LDF Policies EA3 and DM1(C) and the NPPF.

This application seeks to approve the required details required by condition 20 and 21.

The Council's Environmental Protection Officer has been consulted on this application and now considers that the submitted details are acceptable.

Therefore, it is considered that the information required by condition 20 and 21 are acceptable, having regard to the Environmental Protection Officer's consultation response in regard to the information submitted, and that the proposal would accord with Policies EA3 and DM1 (B & C) of the South Tyneside Local Development Framework.

Recommendations

Approve Details of Condition

List of plans for standard note

- Drg. No. c-1918-11 Rev D - Landscape Masterplan - Received 29/01/2024
- Sheet 1 of 4 Drg. No. c-1918-12 Rev D - Received 29/01/2024
- Sheet 2 of 4 Drg. No. c-1918-13 Rev B - Received 29/01/2024
- Sheet 3 of 4 Drg. No. c-1918-14 Rev D - Received 29/01/2024
- Sheet 4 of 4 Drg. No. c-1918-15 Rev B - Received 29/01/2024
- Landscape Ecological Management Plan (LEMP), Land off Luke's Lane, Monkton, South Tyneside. Project number 21018 V9, February 2025 by OS ecology
- Biodiversity Net Gain Assessment (BNG), Land off Luke's Lane, Monkton, South Tyneside. Project number 21018 V13, February 2025 by OS ecology
- 21018 - Biodiversity Metric 3.0 V8 – Received 05/02/2025

Case officer: Emma Thomas
Signed: *Emma Thomas*
Date: 16/04/2025

Authorised Signatory: Seán Gallagher
Date: 16/04/2025