DELEGATED REPORT / CASE OFFICER'S ASSESSMENT

Ref No: ST/0853/23/COND
Proposal: Partial Discharge of Condition 6: Fish Rescue Process - record of results, in relation to previously approved Planning Application ST/0318/20/LAA.
Location: Land at Hill Street/Nile Street/Commercial Road/Laygate Street/Cone Street/Riverside Court/Woodlands Court/Carpenter Street South Shields
(Holborn Enabling Works)

Site Visit Made: N/A

Relevant policies/SPDs

1 LDF CS EA3 - Biodiversity and Geodiversity

2 DM7 - Biodiversity and Geodiversity Sites

Description of the site and of the proposals

Planning permission ST/0318/20/LAA was granted on 30/08/2021, for what can be summarily described as the Holborn Enabling Works.

Condition 6 relates to the submission of a fish rescue process and depletion methodology, to be then carried out and results recorded and be submitted (in consultation with the Environment Agency).

> *Before any works commence to any of the four docks, details of fish rescue process together with a depletion methodology for the [fish] rescue shall be submitted to and agreed in writhing by the Local Planning Authority (in consultation with the Environment Agency). Development shall be carried out in accordance with the approved details. All fish captured during the fish rescue process shall be recorded and on completion of the fish rescue process the recorded details shall be submitted to and agreed by the Local Planning Authority (in consultation with the Environment Agency).*
> *To ensure that a fish rescue process takes place and to mitigate effects on fish in accordance with South Tyneside Local Development Framework Policies EA3 and DM7.*

As background, a partial discharge (ref. ST/0367/22/COND) has been approved (on 28/06/2022) and it related to the 'Fish Rescue Process together with a Depletion Methodology for the fish rescue' part of the condition.

The partial request being considered by this report deals with the Fish Rescue Process - record of results part of the planning condition. The following report has been submitted and contains those details:

- Fish rescue in Dock 4 at Holborn Enabling Works, South Shields (by Ecospan Environmental Ltd. Report Number: ER23-531), received 11/12/2023.

Publicity / Consultations

1) **Neighbour responses:** N/A

2) **Other Consultee responses:**

   Environment Agency: We have reviewed the "Fish rescue in Dock 4 at Holborn Enabling Works, South Shields" report and we are satisfied with the survey approach used and the information provided in the report. We, therefore, recommend the partial discharge of condition 6.

Assessment

Having regard to the submitted details and the consultation response from the Environment Agency in relation to them, it is considered that sufficient information has been submitted to enable this partial discharge request to be approved; in accordance with LDF Policies EA3 and DM7.

This partial request means that all parts of the condition 6 of ST/0318/20/LAA have been dealt with, noting the history included on page one of this report; and an informative is suggested to reflect this.

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

List of approved details for standard note on decision

- Fish rescue in Dock 4 at Holborn Enabling Works, South Shields (by Ecospan Environmental Ltd. Report Number: ER23-531), received 11/12/2023.

Informative note to applicant: For information, a previous partial discharge of condition has been approved and that dealt with the "Fish Rescue Process together with a Depletion Methodology for the fish rescue" part of this planning condition – ref. ST/0367/22/COND. That plus this partial discharge decision is such that all parts of the planning condition have now been subject to approval.

Case officer initials: G.S.
Date: 01/02/2024

Authorised Signatory: G.Horsman
Date: 02/02/2024

«END»