South Tyneside Council

Reference:	250408
Location:	Vacant Land (Formerly M H Southern) Land East of Church Bank Jarrow NE32 3DZ
Ward:	Bede
Application documents and plans can be found here	Planning Explorer link

Description:	Outline application for the installation of a Battery Energy Storage System and associated infrastructure, all matters reserved.
Applicant:	AMG Utility Solutions Ltd.
Agent:	Johnson Mowat

Reason for bringing the application to Planning Committee:	The development is a major development
Recommendation:	Minded to Grant Permission
Case Officer:	Sean Gallagher
Case Officer Contact No.:	07741109463

List of neighbour representation addresses:
None

Description of the Site

1. This application relates to a vacant parcel of land in Jarrow. The site was formerly used as a timber yard.

2. The site itself predominantly comprises of a concrete pad. The site is predominantly bounded by a timber fence approximately 2m high. There are a number of trees and other vegetation within and adjacent to the site boundaries on all sides.

3. To the east of the site lies land forming the Port of Tyne. To the south of the site lies the A185 Straker Street, to the west lies Church Bank with Jubilee Wood beyond. To the north of the site there is the River Don. Jarrow Bridge (a Grade II listed building) crosses the river to the north of the site and leads to the Village of Jarrow Scheduled Ancient Monument, St Paul's Monastery Scheduled Ancient Monument which contains the Ruins of Jarrow Monastery which in themselves are a Grade I listed building, and the Church of St Paul which is also a Grade I listed building. The land to the immediate north comprising the banks either side of the River Don and the land to the north of the river (containing the above listed buildings/Scheduled Ancient Monuments), and also the land to the west of Church Bank forms part of the St Paul's Conservation Area.

4. Vehicular access is afforded via an existing access which is currently gated in the western boundary and which leads onto Church Bank.

Description of the Proposal

5. This application seeks outline planning permission for the installation of a Battery Energy Storage System and associated infrastructure with all matters reserved.

6. As part of this application, the applicant has not submitted any detailed or indicative layout plans, or elevations of the proposed development. These matters would be dealt with via a reserved matters application.

7. However, the applicant has set out that a scheme could include:

   - Rows of battery container units, auxiliary transformers, switchgear and an on-site control cabin
   - A new internal access spur from the existing port estate road, designed for abnormal-load deliveries

- Secure fencing and native planting around the perimeter to screen the compound and enhance biodiversity
- Sustainable drainage features sized to manage runoff to greenfield rates
- A layout that maintains generous stand-offs to adjoining operational land, ensuring safe access for fire and maintenance vehicles and avoiding conflict with neighbouring uses.

8. Submitted information also states that the development would occupy the central portion of the site and would be set back 10m from all boundaries. There would be an upper height limit of 3.5m for containers and 4.5m for a single control cabin. The applicant has suggested that a landscaping belt of 10m depth could be included along the northern and western boundaries.

9. The applicant has submitted preliminary information relating to flood risk, ecology, noise, ground conditions and archaeology.

Relevant Planning History

10. The planning history of the site is as follows:

Reference	Description	Decision	Date
ST/0095/06/FUL	Proposed erection of steel portal framed building complete with all associated cladding works. Building to be used as a sawmill.	Grant Permission with Conditions	30/03/2006
250364	Application for Prior Approval under Schedule 2 Part 11 of the Town and Country Planning (General Permitted Development) (England) Order 2015 for proposed demolition of 14 buildings situated between the River Don to the north, Don Road to the east, and the A185 to the south and west.	Prior Approval Required & Given	03/07/2025

Summary of Consultation Responses

11. The following responses were received in response to the statutory consultation period which ended on 23/12/2025

12. Historic England
Historic England has no objection to the application on heritage grounds.

13. Northern Gas Network
No objections

14. Northern Powergrid
No objections

15. Northumbrian Water
No objections

16. Northumbria Police
No objections

17. Tyne & Wear Fire & Rescue Service
No objections

18. Tyne & Wear County Archaeologist
No objections raised subject to conditions requiring archaeological trial trenching prior to commencement of development.

19. Lead Local Flood Authority

Flood Risk

- We do not have any knowledge of a history of flooding at the proposed development site.
- It is shown in the Environment Agency's surface water flood risk maps that there are localised areas to the east of the site considered to be at high risk of surface water flooding.
- The area within the red line boundary is identified to be located within Flood Zone 1 in the Environment Agency's Flood Map for Planning.
- Following the identified area of surface water flood risk within the development boundary, we expect flood risk areas to be reflect within development design. This is in accordance with paragraph 170 of the National Planning Policy Framework.

Standards

- Please can we make the applicant aware that on the 19th June 2025, the National Standards for Sustainable Drainage Systems were updated and are now statutory. This includes the addition of rainwater harvesting at the top of the drainage hierarchy.
- We expect all applications to be in accordance with the NE LLFA Local Standards. These local standards are to soon be updated to reflect the changes in the updated National Standards for Sustainable Urban Drainage. We will provide these when finalised.

Discharge

- We expect all surface water to be discharged sustainably and in accordance with the Hierarchy of Discharge, identified in the National Standards and Building Regs Approved Document H.
- Given the proximity to the River Don, we expect surface water to be discharged here.
- We expect all surface water to be discharged at GFRO rate.
- With regard to discharge location, please follow the guidance within the updated National Standards, in particular the requirements of section 4.19 'Discharge to Surface Water'.
- To connect to an existing outfall, we would require an assessment of the hydromorphology of the receiving watercourse, existing outfalls levels and future river levels in relation to different climate change scenarios (see 3.39.2 in National Standards).

SuDS

- Development shall include SuDS features that encompass the 4 pillars of SuDS in its design. This will support the 'SuDS Approach' detailed in the National Standards that all development shall follow.

- Water quality and quantity prior to discharge should be controlled and delivered through an on-site SuDS approach and demonstrate appropriate SuDS measures and attenuation features applicable to the location.
- Water quality measures should be supported with water quality index calculations.
- We will need to see clear consideration of the requirements of Standard 3 within the National Standards (management of extreme rainfall and flooding), and how the proposed drainage will respond to the demands of extreme rainfall and flooding should the outfall be flood locked. Of particular importance during such periods will be the management of surface water flooding from the drainage system within the proposal (sections 3.35 to 3.40 of National Standards).
- We need an assessment to show that during instances of river flooding and a surcharged outfall, the proposal will still meet the National Standards, providing the 1 in 30 requirements (no flooding on any part of the development) and 1 in 100 requirements (no flooding within buildings), and also demonstrate that exceedance flows do not introduce flood risk to the proposal or elsewhere.

20. STC Environmental Health
No objections.

21. STC Environmental Protection
No objections raised. As a result of the moderate risk, a phase 2 intrusive ground investigation is recommended to further assess contamination levels, ground gas and ground conditions. Conditions recommended regarding the completion of an investigation and risk assessment; the submission of a detailed remediation strategy and verification report; and the reporting of unexpected contamination.

22. STC Countryside Officer
No objections raised subject to pre-commencement conditions securing a Construction Environmental Management Plan (CEMP), CEMP: Biodiversity, Operational Environmental Management Plan (OEMP), Landscape and Ecological Management Plan (LEMP), and the statutory Biodiversity Gain Plan accompanied by a Habitat Management and Monitoring Plan (HMMP).

It is accepted that the outline proposals can deliver mandatory Biodiversity Net Gain in accordance with the ecological mitigation hierarchy and the biodiversity gain hierarchy.

The updated information confirms that the red line boundary lies outside the riparian zone of Ditch D1 and that post-development habitat creation and enhancement would result in an on-site net gain of approximately 6.6%. Accordingly, the residual shortfall to achieve 10% mandatory net gain can be met through the purchase of off-site habitat units or, as a last resort, statutory credits. Finalised UKHab mapping, condition assessment sheets and confirmed BNG metric calculations will be submitted and reviewed at the Reserved Matters/Biodiversity Gain Plan stage.

Elements of the on-site BNG are considered to be significant and will need to be legally secured and monitored. The appropriate monitoring fee will apply and should be secured via a S106 agreement.

No further ecology objection to the outline application is raised, subject to conditions.

23. STC Highway Authority
No objections raised subject to conditions relating to a Demolition/ Construction Method Statement.

24. STC Public Health Team
No objections

25. Historic Environment Officer
No objections

Summary of Representations

26. The application has been publicised by 27no. letters, a site notice and a press notice.

27. No responses have been received.

Relevant planning policy

28. Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that an application for planning permission must be determined in accordance with the adopted development plan, unless material considerations indicate otherwise.

29. The statutory development plan comprises the Council's adopted Local Development Framework (LDF) development plan documents. Those LDF documents of relevance to this application comprise of the Core Strategy 2007, a Development Management Policies Development Plan Document (DPD) 2011 and the Central Jarrow Area Action Plan.

30. The following policies of the South Tyneside Local Development Framework are relevant to this planning application:

- LDF DMP DM1 - Management of Development
- LDF DMP DM2 – Safeguarding Employment Uses
- LDF DMP DM6 – Heritage Assets
- LDF DMP DM7 – Biodiversity and Geodiversity Sites
- LDF CS ST1 - Spatial Strategy for South Tyneside
- LDF CS A1 – Improving Accessibility
- LDF CS EA1 - Local Character and Distinctiveness
- LDF CS EA3 - Biodiversity and Geodiversity
- LDF CS EA5 - Environmental Protection
- LDF CJAAP J4 – Economic Development Opportunities in Jarrow
- LDF CJAAP J10 – Protecting the Built Environment Assets of Jarrow

31. The following guidance is also relevant to this planning application:

- SPD6 - Parking Standards
- SPD13 - St. Paul's Conservation Area Management Plan

32. 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 in accordance with Regulation 22 of the Town and Country Planning (Local Planning) (England) Regulations 2012. The Local Plan has been subject to examination in public hearings in July 2025 and January 2026 and is now progressing towards Main Modifications consultation following receipt of the Inspectors post-hearing letter. Paragraph 49 of the National Planning Policy Framework (2024) states that local planning authorities may give weight to relevant policies in emerging plans according to:

- the stage of preparation of the emerging plan (the more advanced its preparation, the greater the weight that may be given);
- the extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given); and,
- the degree of consistency of the relevant policies in the emerging plan to this Framework (the closer the policies in the emerging plan to the policies in the Framework, the greater the weight that may be given).

33. Whilst the draft Local Plan is now at a more advanced stage of preparation, the weight that can be given to individual Policies in the Plan varies. Relevant Policies are as listed below (with text provided after each Policy regarding the weight that officers consider can be afforded to that Policy):

- SP1 - Presumption in favour of Sustainable Development (Limited Weight)
- SP2 - Strategy for Sustainable Development to meet identified needs (Very Limited Weight)
- SP15 -Climate Change (Limited Weight)
- SP17 – Strategic Economic Development (Very Limited Weight)
- SP19 – Provision of Land for Port and River-Related Development (Very Limited Weight)
- SP21 - Natural Environment (Significant Weight)
- SP22 - Green Infrastructure (Limited Weight)
- SP24 - Heritage Assets (Limited Weight)
- SP26 – Delivering Sustainable Transport (Very Limited Weight)
- Policy 2 - Air Quality (Limited Weight)
- Policy 3 - Pollution (Significant Weight)
- Policy 4 - Contaminated Land and Ground stability (Significant Weight)
- Policy 5 - Reducing energy consumption and carbon emissions (Very Limited Weight)
- Policy 6 - Renewables and Low Carbon Energy Generation (Very Limited Weight)
- Policy 7 - Flood Risk and Water Management (Significant Weight)
- Policy 8 - Flood Risk Assessment (FRA) and Drainage Strategy (Significant Weight)
- Policy 9 - Sustainable Drainage Systems (Significant Weight)
- Policy 11 – Protecting Water Quality (Very Limited Weight)
- Policy 22 – Protecting Employment Uses (Very Limited Weight)
- Policy 33 - Biodiversity, Geodiversity and Ecological Networks (Significant Weight)
- Policy 35 - Delivering Biodiversity Net Gain (Limited Weight)
- Policy 36 – Protecting Trees, Woodland and Hedgerows (Very Limited Weight)
- Policy 43 - Development Affecting Designated Heritage Assets (Very Limited Weight)
- Policy 44 – Archaeology (Significant Weight)
- Policy 47 – Design Principles (Very Limited Weight)

34. National planning policy is also a material consideration in determining this planning application. Relevant national policy comprises the National Planning Policy Framework (NPPF), National Planning Practice Guidance (NPPG), the National Design Guide and the National Model Design Code.

Assessment

35. This is an application for outline planning permission with all detailed matters reserved for later approval. As such the application is only seeking approval regarding the acceptability in principle of a Battery Energy Storage System (BESS) development on the site. Reserved matters are those aspects of a proposed development which an applicant can choose not to submit details of with an outline planning application, (i.e. they can be 'reserved' for later determination). These are defined in Article 2 of the Town and Country Planning (Development Management Procedure) (England) Order 2015 as:

- Access
- Appearance
- Landscaping
- Layout
- Scale

36. As this application seeks outline planning permission with all of the above-mentioned detailed matters reserved for later approval the main issues to consider in the assessment of this application are:

- The Principle of Development on this Site
- Amount of Development/Scale/Layout
- Environmental Impacts
- Impact on Heritage Assets
- Impact on Traffic and Road Safety
- Impact on Residential Amenity

The Principle of Development on this Site

37. Under the Climate Change Act 2008, the government seeks to promote renewable energy production in order to reduce greenhouse gas emissions. Planning Practice Guidance states that renewable and low carbon energy technology will assist climate change mitigation.

38. The proposed development is not directly associated with the production of renewable energy, such as for example, a solar farm. Even so, it is recognised that battery storage facilities are a key component of energy facilities in the UK, since they are able to store excess electricity generated by renewable energy facilities when demand is low and release energy to the grid at periods of high demand, or when electricity generated by renewable sources is low.

39. The UK requires electricity storage facilities in order to balance demand without resorting to fossil fuel generation.

40. The UK Government published its updated 'Overarching National Policy Statement for Energy' in November 2023. Para 3.3.25 states that: Storage has a key role to play in achieving net zero and providing flexibility to the energy system, so that high volumes of low carbon power, heat and transport can be integrated.

41. South Tyneside Council declared a Borough-wide climate emergency in 2019, and have committed to doing everything possible to make South Tyneside Council carbon-neutral by 2030. Furthermore, South Tyneside Council has committed to being a champion for a carbon neutral future for South Tyneside. This includes using our

advocacy role to influence actions that promote carbon reductions, across all our communities and the region. According to the submitted planning statement, the benefits of the proposed development will make a significant contribution to support the delivery of renewable and low carbon energy to achieve targets set locally and nationally.

42. The NPPF (December 2024) paragraph 11 states that ‘Plans and decisions should apply a presumption in favour of sustainable development. … For decision-taking this means:

    c) approving development proposals that accord with an up-to-date development plan without delay;

    As the LDF Policies which are of relevance to this proposal are up to date, weight must be given to the NPPF in this regard.

43. The NPPF encourages Local Planning Authorities to promote renewable energy development and identify appropriate sites for it. In meeting the challenge of climate change, flooding and coastal change, the NPPF states the planning system should support transition to a low carbon future.

44. Chapter 14 of the NPPF seeks to meet the challenge of climate change, flooding and coastal change. Paragraph 157 states that the planning system should support the transition to a low carbon future in a changing climate and support renewable and low carbon energy and associated infrastructure.

45. Planning Practice Guidance (PPG) was updated in August 2023 to reflect that BESS are considered to be categorized within ‘Renewable and low carbon energy’ noting the benefits of BESS developments as being ‘flexibility and decarbonisation of the energy system through grid balancing and maximising solar and wind output’. The proposed development would support the achievement of nationally set renewable energy targets and contribute to the Council’s commitments to achieving ‘Net Zero’.

46. LDF Core Strategy Policy ST1 seeks to ensure the sustainability of our settlements by reducing the emissions which cause climate change and adapting to its effects.

47. The Central Jarrow Area Action Plan identifies the site as in a Predominantly Industrial Area (PIA) in the control of the Port of Tyne Authority. Whilst the proposed BESS development would be categorised as a Sui Generis use rather than the typical employment uses (Use Classes E(g), B2 and B8) which local planning policy seeks to promote on PIA land, Policy J4 of the Central Jarrow Area Action Plan sets out that the economic growth and prosperity of Jarrow will be promoted by supporting the future development needs of the Port of Tyne to enable it to adapt and operate efficiently as a key gateway to trade, where it would not adversely impact on St. Paul’s and its setting.

48. The site is also allocated for port and river related employment use under emerging Local Plan Policy SP19. This Policy states, inter alia, that employment related Sui Generis uses that require port or direct riverside access will also be supported in addition to the above-mentioned typical employment uses.

49. The proposed development would support the future development needs of the Port of Tyne and is therefore considered to accord with LDF Policy J4 as well as emerging Local Plan Policy SP19.

50. Given the above, the proposal is likewise considered acceptable in terms of LDF Policy DM2 and emerging Local Plan Policy 22 which seek to safeguard employment land for employment uses as well as overarching emerging Local Plan Policy SP17 as it would provide long term benefits that would significantly outweigh the loss of land for the above-mentioned typical employment uses.

51. Furthermore, the development would accord with Policy ST1 and the aims of the NPPF in that it would result in environmental benefits in terms of supporting/promoting renewable energy generation and associated carbon reduction.

52. Having regards for the above it is therefore considered that the principle of the development is acceptable.

Amount of Development/Scale/Layout

53. LDF Policy DM1 and emerging Local Plan Policy 47 seek to preserve the visual amenity of the area and promote high quality design and paragraph 131 of the NPPF states that the creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve.

54. Emerging Local Plan Policy 36 seeks to safeguard existing trees.

55. No details of the appearance, landscaping, layout or scale of the proposed development have been provided. The applicant has indicated that the development would occupy the central portion of the site and would be set back 10m from all boundaries, there would be an upper height limit of 3.5m for containers and 4.5m for a single control cabin. The applicant has also suggested that a landscaping belt of 10m depth could be included along the northern and western boundaries. The BNG Report submitted with the application also shows existing habitat within the site that is to be retained as part of the development. This includes an area of existing woodland within the southern central part of the site. No further details have been provided.

56. Whilst details of appearance, landscaping, layout or scale would be the subject of further detailed reserved matters applications, were this outline application to be supported, it is nevertheless considered appropriate to attach a parameters condition to ensure that the reserved matters submitted in due course do align with the above layout and height principles in the interests of visual amenity as well as biodiversity, although some flexibility can be allowed for regarding the eastern site boundary which adjoins the Port of Tyne as that boundary is less sensitive in visual terms and there is also existing tree planting between the eastern site boundary and developed areas of the Port of Tyne site.

Environmental Impacts

Ecology

57. Chapter 15 of the NPPF seeks to conserve and enhance the natural environment, in part by protecting and enhancing valued landscapes, sites of biodiversity or geological value and soils, and minimising impacts on and providing net gains for biodiversity.

58. The NPPF states at paragraph 174 that planning policies and decisions should contribute to and enhance the natural and local environment by:
- protecting and enhancing valued landscapes, sites of biodiversity or geological value and soils (in a manner commensurate with their statutory status or identified quality in the development plan);

- recognising the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services – including the economic and other benefits of the best and most versatile agricultural land, and of trees and woodland;
- maintaining the character of the undeveloped coast, while improving public access to it where appropriate;
- minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures;
- preventing new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of soil, air, water or noise pollution or land instability. Development should, wherever possible, help to improve local environmental conditions such as air and water quality, taking into account relevant information such as river basin management plans; and
- remediating and mitigating despoiled, degraded, derelict, contaminated and unstable land, where appropriate.

59. NPPF paragraph 179 states that to protect and enhance biodiversity and geodiversity, plans should:
    - Identify, map and safeguard components of local wildlife-rich habitats and wider ecological networks, including the hierarchy of international, national and locally designated sites of importance for biodiversity; wildlife corridors and stepping stones that connect them; and areas identified by national and local partnerships for habitat management, enhancement, restoration or creation; and
    - promote the conservation, restoration and enhancement of priority habitats, ecological networks and the protection and recovery of priority species; and identify and pursue opportunities for securing measurable net gains for biodiversity.

60. NPPF paragraph 193 states that when determining planning applications, local planning authorities should apply the following principles:
    - if significant harm to biodiversity resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused;
    - development on land within or outside a Site of Special Scientific Interest, and which is likely to have an adverse effect on it (either individually or in combination with other developments), should not normally be permitted. The only exception is where the benefits of the development in the location proposed clearly outweigh both its likely impact on the features of the site that make it of special scientific interest, and any broader impacts on the national network of Sites of Special Scientific Interest;
    - development resulting in the loss or deterioration of irreplaceable habitats (such as ancient woodland and ancient or veteran trees) should be refused, unless there are wholly exceptional reasons63 and a suitable compensation strategy exists; and
    - development whose primary objective is to conserve or enhance biodiversity should be supported; while opportunities to improve biodiversity in and around developments should be integrated as part of their design, especially where this can secure measurable net gains for biodiversity or enhance public access to nature where this is appropriate.

61. NPPF paragraph 182 states that the presumption in favour of sustainable development does not apply where the plan or project is likely to have a significant effect on a habitats site (either alone or in combination with other plans or projects), unless an appropriate assessment has concluded that the plan or project will not adversely affect the integrity of the habitats site.

62. LDF Policy EA3 seeks to optimise conditions for wildlife including enhancing the biodiversity value of wildlife corridors.

63. LDF Policy DM7 seeks to protect and enhance the important environmental assets of the borough, including part of the most northerly outcrops of magnesian limestone in the country. It states that high quality schemes that enhance nature conservation and management, preserve and restore historic and natural environmental character, and maximise benefits for geological conservation and the enhancement of biodiversity in line with the Durham Biodiversity Action Plan targets will be supported.

64. Policy 33 of the draft Local Plan sets out that:
   1. To ensure the protection and enhancement of biodiversity, geodiversity, and ecological networks, development shall:
      i) Avoid and minimise adverse impacts upon priority species and habitats and geodiversity in accordance with the mitigation hierarchy
      ii) Secure effective compensation for unavoidable impacts and residual losses
   2. For development which is likely to adversely affect priority species and habitats and/or geodiversity, planning conditions and/or obligations will be sought to secure the provision, maintenance and monitoring of appropriate mitigation, compensation and/or enhancement measures.

65. Policy 35 of the draft Local Plan sets out that:
   1. Biodiversity Net Gain shall be secured and delivered in accordance with the statutory framework and shall maximise opportunities for the enhancement of ecological networks within South Tyneside and/or the South of Tyne and Wear Local Nature Recovery Strategy Area, and, where appropriate, support nature-based solutions to climate change.
   2. Where ecologically appropriate Biodiversity Net Gain is demonstrated not to be deliverable onsite, the applicant shall prioritise the delivery of Biodiversity Net Gain off-site in accordance with the following locational hierarchy:
      a) Within the strategic nature recovery network within South Tyneside.
      b) Within South Tyneside, outside of the strategic nature recovery network.
      c) Within the wider South of Tyne and Wear Local Nature Recovery Strategy Area.
      d) Within Gateshead or Sunderland, outside the strategic nature recovery network
      e) Within a neighbouring Local Nature Recovery Strategy area, preferentially within the strategic nature recovery network.
      f) Within a neighbouring National Character Area

66. To accompany this application the applicant has submitted an Ecological Impact Assessment (EcIA), a Biodiversity Impact Assessment and a Biodiversity Metric.

67. The submitted information confirms that the riparian zone of Ditch D1 is not within the red line boundary and that post-development habitat creation and enhancement would result in an on-site net gain of approximately 6.6%. Accordingly, the Countryside Team have noted that residual shortfall to achieve 10% mandatory net gain can be met through the purchase of off-site habitat units or, as a last resort, statutory credits.

68. Elements of the on-site BNG are considered to be significant and will need to be legally secured and monitored. The appropriate monitoring fee will apply and can be secured

via a S106 agreement. Given that 3.18 habitat units are to be delivered on site the monitoring fee would be £3770.

69. It is accepted that the outline proposals can deliver mandatory Biodiversity Net Gain in accordance with the ecological mitigation hierarchy and the biodiversity gain hierarchy. Finalised UKHab mapping, condition assessment sheets and confirmed BNG metric calculations will need to be submitted to discharge the mandatory/Biodiversity Gain Plan condition in due course were the application to be supported.

70. The Council's Countryside team have raised no objections to the proposed development subject to pre-commencement conditions securing a Construction Environmental Management Plan (CEMP); a Biodiversity, Operational Environmental Management Plan (OEMP), a Landscape and Ecological Management Plan (LEMP), and the mandatory Biodiversity Gain Plan accompanied by a Habitat Management and Monitoring Plan (HMMP). It is considered that the HMMP can address the matters that would be covered by the LEMP.

71. Having regard for the above it is therefore considered that the proposed development would result in no significant harm to ecology and biodiversity and would accord with the NPPF, LDF Policies EA3 and DM7 and relevant emerging Local Plan Policies subject to conditions and a Section 106 Agreement to secure a BNG monitoring contribution in respect of significant habitat

Flooding & Drainage

72. Criterion 'K' of Policy DM1 seeks to ensure that developments are designed to minimise and mitigate localised flood risk.

73. Policy 7 of the draft Local Plan states that to reduce flood risk and ensure appropriate water management, development proposals shall:
    1. Follow the sequential approach, directing new development to areas at lowest risk of flooding
    2. Ensure opportunities to contribute to the mitigation of flooding elsewhere are taken
    3. Prioritise the use of sustainable drainage systems (SuDs), where appropriate
    4. Comply with the Water Framework Directive by contributing to the Northumbria River Basin Management Plan
    5. Maximise the use of permeable surfaces and green infrastructure where practicable
    6. Not culvert or build over watercourses
    7. Remove existing culverts and other hard engineering structures where possible and incorporate natural flood management measures where practicable
    8. Where appropriate, take a coordinated approach to flood risk management between multiple sites and/or water management schemes
    9. Make greater use of nature-based solutions that take a catchment led approach to managing the flow of water to improve resilience to both floods and droughts.

74. Policy 8 of the draft Local Plan states that
    1. Development proposals shall demonstrate that they are not at risk from flooding and would not increase flood risk elsewhere. When a site-specific Flood Risk Assessment (FRA) and Drainage Strategy is required, they should accord with the latest relevant national and local guidance.
    2. Development proposals must demonstrate that they pass the Sequential Test and if necessary, the Exceptions Test in Flood Zones 2 and 3.

3. Development shall not impede the flow of water within Flood Zone 3b nor shall it reduce the volume available for storage of flood water
4. Development within Flood Zone 3b will only be permitted in exceptional circumstances such as for essential infrastructure, which must still pass the Exception Test, or where development is water compatible
5. Surface water and runoff from the development will be disposed of in the most sustainable manner that is appropriate for the development and its location in accordance with the discharge hierarchy

75. The site is entirely located in Flood Zone 1. There are localised areas of surface water flood risk along the eastern edge of the boundary however the proposal would manage this risk through the use of SuDS.

76. In terms of discharge, all surface water discharge on site would need to be carried out in accordance with the Hierarchy of Discharge, identified in the National Standards and Building Regs Approved Document H. The Lead Local Flood Authority have commented that this would be into the River Don which would be acceptable.

77. The applicant has submitted a Flood Risk Assessment to accompany this application. The LLFA are satisfied that all elements of flooding have been considered within the application submission, and appropriate mitigation methods have been suggested to be implemented as part of the development.

78. In terms of drainage, the LLFA have commented that a drainage strategy incorporating SUDS would be required to be submitted and a condition is recommended in this regard.

79. Having regard to the above it is considered that the proposed development would not result in significant harm in terms of flooding or drainage and as such is considered acceptable subject to a condition regarding drainage details.

Land Contamination

80. Policy EA5 of the South Tyneside LDF seeks to control new development so that it focuses the treatment of contaminated and derelict land so as to achieve a balance between:
    - the management of risk approach in its Contaminated Land Strategy; and
    - the regeneration of the riverside corridor

81. Criterion ‘M’ of Policy DM1 seeks to ensure that any risks of contamination have been fully assessed and, where necessary, remediation measures, appropriate to the intended use of the land, are included as part of the development proposals.

82. Policy 4 of the draft Local Plan states that development proposals that would be affected by contamination or ground stability issues or where contamination may present a risk to the water environment shall carry out investigations to assess the nature and extent of contamination or ground stability issues and the effect this may have on the development and its future users, biodiversity, the natural and built environment.

83. The applicant has submitted a Phase 1 Desk Study to accompany this application. The Council’s Environmental Protection Officer has raised no concerns with the proposed development however has advised that a phase 2 site investigation be carried out and a condition has been recommended to this end. Given the site’s location and former use, conditions are recommended regarding the completion of an investigation and

risk assessment; the submission of a detailed remediation strategy and verification report; and the reporting of unexpected contamination.

84. Having regard to the above, subject to conditions it is considered that the development would be acceptable in terms of land contamination.

Impact on Heritage Assets

85. NPPF paragraph 207 sets out that in determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets' importance and no more than is sufficient to understand the potential impact of the proposal on their significance. As a minimum the relevant historic environment record should have been consulted and the heritage assets assessed using appropriate expertise where necessary. Where a site on which development is proposed includes, or has the potential to include, heritage assets with archaeological interest, local planning authorities should require developers to submit an appropriate desk-based assessment and, where necessary, a field evaluation.

86. NPPF paragraph 208 sets out that local planning authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) taking account of the available evidence and any necessary expertise. They should take this into account when considering the impact of a proposal on a heritage asset, to avoid or minimise any conflict between the heritage asset's conservation and any aspect of the proposal.

87. NPPF paragraph 212 sets out that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.

88. NPPF paragraph 213 sets out that any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification. Substantial harm to or loss of:
a) grade II listed buildings, or grade II registered parks or gardens, should be exceptional;
b) assets of the highest significance, notably scheduled monuments, protected wreck sites, registered battlefields, grade I and II* listed buildings, grade I and II* registered parks and gardens, and World Heritage Sites, should be wholly exceptional.

89. NPPF paragraph 214 states that where a proposed development will lead to substantial harm to (or total loss of significance of) a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or total loss is necessary to achieve substantial public benefits that outweigh that harm or loss, or all of the following apply:

a) the nature of the heritage asset prevents all reasonable uses of the site; and
b) no viable use of the heritage asset itself can be found in the medium term through appropriate marketing that will enable its conservation; and
c) conservation by grant-funding or some form of not for profit, charitable or public ownership is demonstrably not possible; and d) the harm or loss is outweighed by the benefit of bringing the site back into use

90. Paragraph 215 states that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use

91. NPPF paragraph 218 sets out that local planning authorities should require developers to record and advance understanding of the significance of any heritage assets to be lost (wholly or in part) in a manner proportionate to their importance and the impact, and to make this evidence (and any archive generated) publicly accessible. However, the ability to record evidence of our past should not be a factor in deciding whether such loss should be permitted.

92. LDF Policy DM6 Heritage Assets and Archaeology (LDF Development Management Policies) relates to the protection, preservation and enhancement of the Borough's heritage assets and their settings.

93. Policy J10 of the Jarrow AAP states that the built environment and heritage assets of the Jarrow town centre, riverside and Bede's World areas will be protected, together with their settings. Schemes and proposals that protect, preserve and enhance the historic, cultural and architectural character and heritage, particularly where associated with the Venerable Bede and Jarrow's industrial past will be encouraged and promoted. Development proposals should especially seek to protect and enhance the contextual importance, character and visual appearance, through views to, from and within, the existing designated heritage assets.

94. Policy 43 of the draft Local Plan states that (in relation to this application):

1. Development proposals involving designated heritage assets shall be accompanied by a Heritage Statement that includes an adequate description of the heritage significance of those heritage assets affected.

2. Proposals that help to ensure a sustainable future for heritage assets, especially those identified as being at greatest risk of loss or decay, will be supported. The removal of harmful additions and reinstatement of features that have been lost will be actively encouraged.

3. Development involving the alteration, extension or change of use of a designated heritage asset or construction of any structure within its curtilage will only be permitted if the proposal:

   i. Preserves or enhances its significance as a heritage asset

   ii. Protects existing historically significant hard and soft landscaping, including trees, hedges, walls, fences, and surfaces

   iii. Retains historic plot boundaries and layouts

   iv. Ensures the sensitive and viable use of the building.

4. Development should protect those features of a designated heritage asset's immediate setting that contribute to its significance, including the space(s) around the heritage asset and the historically significant hard and soft landscaping, including trees, hedges, walls, fences, and surfacing.

5. Where a development will lead to the substantial harm or total loss of a designated heritage asset, applications will be assessed in accordance with National Policy.

95. Policy 44 of the draft Local Plan states that

1. Development that would affect a known or potential archaeological site, whether designated as a Scheduled Monument or non-designated, will require the results of a desk-based assessment to be submitted as part of the planning application. An archaeological evaluation may also be required to identify the most appropriate course of action. Proposals on sites where archaeological interest has been established by a previous find recorded in the Historic Environment Record will not be determined until the potential impact of the proposed development on archaeological deposits and remains has been adequately assessed and evaluated, and any adverse impacts can be avoided, minimised, or mitigated. In the absence of adequate information, applications will be refused.

2. Opportunities for information gain and investigations as part of proposed development will be maximised and added to the Historic Environment Record.

96. Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that in considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

97. Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that in the exercise (with respect to any buildings or other land in a conservation area) of any functions special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.

98. The application site is in close proximity to a number of heritage assets. These consist of:

- The Village of Jarrow (Scheduled Ancient Monument)
- St Paul's Monastery (Scheduled Ancient Monument)
- The Ruins of Jarrow Monastery (Grade I listed building)
- The Church of St Paul (Grade I listed building)
- Jarrow Bridge (Grade II listed building)

99. In addition to the above, the land to the immediate north comprising the banks either side of the River Don and the land to the north of the river (containing the above listed buildings/Scheduled Ancient Monuments), and also the land to the west of Church Bank forms part of the St Paul's Conservation Area.

100. The applicant has provided an archaeological desk-based assessment for the site. The assessment concludes that there might be potential for survival of buried remains dating from the early-medieval to the post-medieval period but that the proposed development does not (based on current plans) involve any excavation and as such any archaeological finds, features or deposits which may be present would be preserved *in situ*.

101. The County Archaeologist has been consulted on this proposed development. They have not raised any objections to the proposed development however have set out

that given the site's location in close proximity to the above heritage assets, trial trenching would be required prior to the commencement of development, and conditions are recommended in this regard.

102. In terms of the impact upon the nearby heritage assets and their settings, as the layout, scale and appearance of the development is not known, this is something that would be assessed in greater detail at reserved matters stage. However, having regard to the landscape and built development parameters referenced earlier in this report and the existence until very recently of substantial commercial buildings on the site, it is considered that whilst the proposals would result in a greater amount of built development on the application site this would be less substantial in height terms than the buildings previously on site.

103. Having regard to the above, subject to a condition requiring future reserved matters details to accord with the above-mentioned landscape and built development parameters, it is considered that the development would preserve the settings of nearby heritage assets.

<u>Impact on Traffic and Road Safety</u>

104. LDF Policy DM1 (G) seeks to preserve highway safety and SPD6 sets out parking standards for the borough.

105. Policy A1 states that the Council will support public transport, walking and cycling initiatives that maximise the accessibility of new development being focused at regeneration areas along the riverside corridor, including South Shields, Jarrow and Hebburn town centres.

106. Policy SP26 of the draft Local Plan supports the delivery of sustainable transport and states that the needs of pedestrians, cyclists, bus and rail users, should be prioritised to reduce the need for travel by private vehicle. It states that new development should promote sustainable transport and accessibility by:

i) Delivering or facilitating sustainable transport modes, including public transport, footpaths and cycle routes that are fully integrated into existing networks;
ii) Having regard to the walking and cycling networks as defined in the Local Cycling and Walking Infrastructure Plan (LCWIP) by ensuring that development has suitable active travel links to the wider network and protecting the integrity of strategic cross-boundary cycling and walking routes
iii) Provide or contribute towards the provision of new and/or improved sustainable travel infrastructure where the predicted number of additional trips will lead to a cumulative increase in car-based trips
iv) Where appropriate, improve locations that are less attractive to pedestrians, cyclists, and equestrians, including crossing points at road
v) Ensure sufficient conveniently sited and secure cycle spaces are provided
vi) Protect and where possible enhance access to Public Rights of Way including the King Charles II England Coast Path National Trail. Proposals that would result in the loss of, or deterioration in the quality of, existing Public Rights of Way will not be permitted unless equivalent alternative provision of a suitable standard is made. Where diversions are required, new routes should be direct, convenient, and attractive, and must not have a detrimental impact on environmental or heritage assets.

107. This application is for outline planning consent with all matters reserved and as such matters relating to access are reserved. However, in accordance with Article 5(3) of

The Town and Country Planning (Development Management Procedure) (England) Order 2015, the submitted application documentation includes a Highways Supporting Statement that shows the area where access to the proposed development will be situated which is in a similar position to the existing site access on Church Bank.

108. The Highway Authority have been consulted on this application and raises no concerns in principle to the development.

109. Whilst no details of car or cycle parking, or vehicular access have been provided, these are matters that would be dealt with at reserved matters stage.

110. Having regard for the above, it is considered that the proposed development can, in principle, be accommodated without any significantly harmful effects on highway safety in accordance with adopted South Tyneside LDF Development Management Policy DM1 (G). As this is an outline application, this would be subject to further assessment at reserved matters stage.

Impact on Residential Amenity

111. LDF Policy DM1 seeks to preserve residential amenity.

112. Policy 3 of the draft Local Plan states that:

1. Development that may cause pollution of water, soil, or air through noise, vibration, odour, light, fumes, dust, or other pollutants, either individually or cumulatively, shall incorporate measures to prevent or reduce pollution to an acceptable standard to avoid negative impacts on people, the environment or biodiversity
2. Development which could lead to significant pollution, either individually or cumulatively, shall be accompanied by a detailed assessment of the likely impacts. Development proposals where pollution levels are assessed as being unacceptable will only be permitted where mitigation measures can be introduced to provide an acceptable living or working environment in relation to all existing or potential future occupants of the land.
3. Where the Council considers it likely that the proposal will result in significant adverse environmental effects during the construction phase a Construction Environmental Management Plan (CEMP) will be required.

113. The nearest residential properties to the site are located approximately 250m to the southwest of the site, separated by industrial buildings on Bede Industrial Estate and also the Tyne & Wear Metro line.

114. Residential properties are also located approximately 350m to the north west on St Paul’s Road, separated by Jubilee Wood and the Jarrow Oil Rail Freight Terminal.

115. The Council’s Environmental Health Officer has not raised any concerns regarding noise and disturbance, or regarding pollution.

116. It is considered that the proposed use of the site would not be a significant source of noise and/or pollution given the nature of the proposed development.

117. Given the comments of the Environmental Health Officer, and also given the distances to the nearest residential properties and the land uses between the site and those residential properties, and also given the largely industrial nature of the surrounding area, it is considered that the proposed development would not result in significant harm to the residential amenity of any properties.

Other Matters

118. In deciding whether to grant planning permission the Council must have due regard to the 3 equality aims contained in Section 149 of the Equality Act 2010 (the public sector equality duty). A preliminary assessment of the potential equality impacts of any grant of planning permission in this case has been undertaken. There are no apparent equality impacts of the proposed development which give rise to the need to undertake a more detailed equality impact assessment.

119. The development has been assessed against the provisions of the Human Rights Act, and in particular Article 1 of the First Protocol and Article 8 of the Act itself. This Act gives further effect to the rights included in the European Convention on Human Rights. In arriving at this recommendation, due regard has been given to the applicant's reasonable development rights and expectations which have been balanced and weighed against the wider community interests, as expressed through third party interests / the Development Plan and Central Government Guidance.

Conclusion

120. In conclusion, it is considered that the proposed development would be acceptable in principle and in terms of the amount of development, the scale and layout, environmental impacts, its impact upon heritage assets, traffic and road safety, and residential amenity.

121. Having regard to the above assessment, it is recommended that Planning Committee be minded to grant approval of this planning application subject to a Section 106 Agreement and the list of conditions as set out below.

Recommendation

Minded to Grant Permission subject to:

1) the completion of a Section 106 Agreement to secure a BNG monitoring contribution of £3770;
2) With the Senior Manager – Planning being authorised to issue the outline planning permission following completion of the Section 106 Agreement, subject to the recommended planning conditions below (and subject to any minor drafting or typographical amendments to these being delegated to the Senior Manager – Planning, if necessary).

Conditions

1	Approval of the details of the layout, scale, appearance of the building(s), access and landscaping of the site, hereinafter called “the reserved matters” shall be obtained from the Local Planning Authority. To comply with Section 51 of the Planning and Compulsory Purchase Act 2004.
2	Application for the approval of the reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission. To comply with Section 51 of the Planning and Compulsory Purchase Act 2004 .

3	The development hereby permitted shall be begun before the expiration of two years from the date of approval of the last of the reserved matters to be approved. To comply with Section 51 of the Planning and Compulsory Purchase Act 2004.
4	The reserved matters details to be submitted under condition 1 above, excluding any site access points to/from the site to the surrounding locality, shall include soft landscaped strips at least 10 metres wide to the entirety of the north, south and west application site boundaries, provide for the retention of existing habitat as shown on Figure 2 contained within the Futures Ecology Biodiversity Impact Assessment Report Ref: FE568/BIA01 dated October 2025 forming part of the submitted application documentation and provide for buildings/structures with a height that is no higher than 4.5 metres above finished ground levels. In the interests of visual amenity and biodiversity and to preserve the setting of nearby designated heritage assets in accordance with Policies DM1, DM6, DM7, EA1, EA3 and J10 of the South Tyneside Local Development Framework and the NPPF.
5	The reserved matters to be submitted under condition 1 above shall include details showing the proposed finished ground levels of the hereby approved development and the existing ground levels. In the interests of visual amenity and to preserve the setting of nearby designated heritage assets in accordance with Policies DM1, DM6, EA1 and J10 of the South Tyneside Local Development Framework and the NPPF.
6	Development shall not commence until a Construction Environment Management Plan (CEMP) in respect of the developement, together with a supporting plan, has been submitted to and approved in writing by the Local Planning Authority. The approved CEMP shall be adhered to throughout the construction period in respect of the development. The CEMP and supporting plan shall provide for: a) routing of construction related vehicle traffic including details of any abnormal loads; b) details of the disposal of surface water from the development site for the duration of the construction phase(s); c) contractor and visitor parking and site compound arrangements, including areas for loading and unloading of plant/materials and turning vehicles (proven by swept path analysis); d) vehicle cleaning facilities and/or measures to ensure that the public highway is cleansed of debris from the construction vehicles; e) temporary traffic management and site access arrangements and control measures (including temporary/permanent traffic regulation orders); f) temporary boundary treatments, vehicular/pedestrian gates, visibility splays; g) site security and contact details; h) a highway condition/dilapidation survey of the approach roads to the development area. i) storage of plant and materials used in constructing the development; j) Construction build route arrangements; k) A noise assessment to identify sensitive receptors throughout the demolition and construction stage; l) Details of working hours, which unless otherwise agreed with the Local Planning Authority shall be limited to 08.00 to 18.00 Monday to Friday and 08.00 to 13.00 on Saturdays);

	m) Procedures for maintaining good public relations including complaint management, public consultation and liaison; n) Mitigation measures as defined in BS 5228: Parts 1 and 2: 2009 Noise and Vibration Control on Construction and Open Sites; o) Temporary drainage arrangements during construction works; p) Details regarding temporary external lighting; q) Air quality mitigation measures including mitigation measures in respect of dust, asbestos, road traffic emissions and other matters; r) Refuse storage & collection arrangements; s) Measures to treat and mitigate the risk of spread of invasive non-native species; t) Measures to safeguard nesting birds, bats, mammals and priority/protected species during demolition and construction works. Thereafter construction works shall be undertaken in full accordance with the approved Construction Environment Management Plan. In the interests of biodiversity in accordance with Policies DM1, DM7, EA3 and EA5 of the South Tyneside LDF and the NPPF.
7	Development shall not commence until an Operational Environmental Management Plan (OEMP) in respect of the developement, together with a supporting plan, has been submitted to and approved in writing by the Local Planning Authority. The OEMP and supporting plan shall provide for: a) Measures to control pollution on site b) Measures to control surface and ground water protection c) Schedules of maintenance and inspection of the site d) a fire emergency response plan containing site specific information regarding the hazards, locations of hydrants, and electrical isolators, measures to be taken during an incident, and responses required post incident and e) Water supplies available for manual fire-fighting. Thereafter the approved Operational Environment Management Plan shall be adhered to for the duration of the operational phase of the development. In the interests of biodiversity and public safety in accordance with Policies DM1, DM7, EA3 and EA5 of the South Tyneside LDF and the NPPF.
8	No development shall take place until a Construction Environmental Management Plan (Biodiversity) (CEMP: Biodiversity) has been submitted to and approved in writing by the local planning authority. The CEMP (Biodiversity) shall include the following: a) Risk assessment of potentially damaging construction activities b) Identification of biodiversity protection zones c) Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (including a detailed working method statements for species/species groups and control of invasive non-native species (INNS) d) The location and timing of sensitive works to avoid harm to biodiversity features e) The times during construction when specialist ecologists need to be present on site to oversee works f) Responsible persons and lines of communication

	g) The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person h) Use of protective fences, exclusion barriers and warning signs. The approved CEMP: Biodiversity shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details, unless otherwise agree in writing by the local planning authority. In the interests of biodiversity in accordance with Policies DM7 and EA3 of the South Tyneside LDF and the NPPF.
9	No development shall take place until a Landscape and Ecological Management Plan (LEMP) has been submitted to, and approved in writing by the Local Planning Authority. The LEMP shall include details of: • Long-term habitat management • Management of woodland, grassland, scrub • Invasive Non Native Species plan • Landscape Planting • Bat/bird/invertebrate boxes • Hedgehog measures • On site lighting • Monitoring measures • The implementation and maintenance of Biodiversity Net Gain landscaping The approved LEMP shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details, unless otherwise agree in writing by the local planning authority. In the interests of biodiversity in accordance with Policies DM7 and EA3 of the South Tyneside LDF and the NPPF.
10	No development shall take place until a habitat management and monitoring plan prepared in accordance with the approved Biodiversity Gain Plan has been submitted to and approved in writing by the Local Planning Authority. The habitat management and monitoring plan shall include details of: a) the project's biodiversity baseline assessment against which BNG outcomes are assessed and monitored; b) the management measures to maintain habitat in accordance with the approved Biodiversity Gain Plan for a period of 30 years from the first beneficial use of the development; c) the roles and responsibilities of those involved with implementing and monitoring the BNG design during the implementation and post-implementation stages; d) 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; e) 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; and f) an Invasive Non-Native Species (INNS) Management Plan. The development shall be carried out in accordance with the approved details. Notice in writing shall be given to the Council when the habitat creation and enhancement

	works as set out in the habitat management and monitoring plan have been completed in accordance with its approved timescales. In the interests of biodiversity in accordance with Policies DM7 and EA3 of the South Tyneside LDF and the NPPF.
11	Development must not commence until an investigation and risk assessment, in addition to any assessment provided with the planning application, has been completed in accordance with a scheme to assess the nature and extent of any contamination on the site, whether or not it originates on the site. The contents of the scheme are subject to the approval in writing of the Local Planning Authority. The investigation and risk assessment must be undertaken by competent persons and a written report of the findings must be produced. The written report is subject to the approval in writing of the Local Planning Authority. The report of the findings must include: (i) a survey of the extent, scale and nature of contamination; (ii) an assessment of the potential risks to: human health, property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes, adjoining land, groundwaters and surface waters, ecological systems, archaeological sites and ancient monuments; (iii) an appraisal of remedial options, and proposal of the preferred option(s). This must be conducted in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11'. To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with policy EA5 of the adopted South Tyneside Local Development Framework Core Strategy.
12	Development must not commence until a detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment must be prepared, and is subject to the approval in writing of the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation. To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with Policy EA5 of the adopted South Tyneside Local Development Framework Core Strategy.

13	The remediation scheme approved under Condition 12 (Submission of Remediation Scheme) must be carried out in accordance with its terms prior to the commencement of development other than that required to carry out remediation, unless otherwise agreed in writing by the Local Planning Authority. The Local Planning Authority must be given two weeks written notification of commencement of the remediation scheme works. Following completion of measures identified in the approved remediation scheme, a verification report (referred to in PPS23 as a validation report) that demonstrates the effectiveness of the remediation carried out must be produced, and is subject to the approval in writing of the Local Planning Authority. To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with Policy EA5 of the adopted South Tyneside Local Development Framework Core Strategy.
14	In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with the requirements of condition 11 (Site Characterisation), and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of condition 12 (Submission of Remediation Scheme), which is subject to the approval in writing of the Local Planning Authority. Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority in accordance with condition 13 (Implementation of Approved Remediation Scheme). To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with Policy EA5 of the adopted South Tyneside Local Development Framework Core Strategy.
15	No groundworks or development shall commence until a programme of archaeological fieldwork (to include evaluation and where appropriate mitigation excavation) has been completed. This shall be carried out in accordance with a specification provided by the Local Planning Authority. The site is located within an area identified as being of potential archaeological interest. The investigation is required to ensure that any archaeological remains on the site can be preserved wherever possible and recorded, in accordance with paragraph 218 of the NPPF and Policy DM6 of the South Tyneside Local Development Framework.

16	The development shall not be brought into use until the final report of the results of the archaeological fieldwork undertaken in pursuance of condition 15 has been submitted to and approved in writing by the Local Planning Authority. The site is located within an area identified as being of potential archaeological interest. The investigation is required to ensure that any archaeological remains on the site can be preserved wherever possible and recorded, in accordance with paragraph 218 of the NPPF and Policy DM6 of the South Tyneside Local Development Framework.
17	The development shall not be brought into use until a report detailing the results of the archaeological fieldwork undertaken has been produced in a form suitable for publication in a suitable and agreed journal and has been submitted to and approved in writing by the Local Planning Authority prior to submission to the editor of the journal. The site is located within an area identified in the Unitary Development Plan a being of potential archaeological interest and the publication of the results will enhance understanding of and will allow public access to the work undertaken in accordance with paragraph 218 of the NPPF and Policy DM6 of the South Tyneside Local Development Framework.
18	No development shall take place until a detailed surface water drainage scheme for the site has been submitted to and approved in writing by the local planning authority. The submitted details shall include: a) hydraulic calculations, a detailed development layout, and civil engineering details including for all drainage and SuDS features and the outfall into the River Don; b) a full method statement and implementation timetable for the installation of that system; c) a management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public authority or statutory undertaker, and any other arrangements to secure the operation of the scheme throughout its lifetime; and d) provide information about the measures taken to prevent pollution of the receiving groundwater and/or surface waters, including from water used for fire-fighting. The development shall be carried out in accordance with the approved details. The sustainable drainage system shall be managed and maintained thereafter in accordance with the approved management and maintenance plan. To safeguard against flood risk in accordance with Policy DM1 of the South Tyneside Local Development Framework and the NPPF.
19	The development shall not be brought into use until a verification report evidencing the completion of the approved sustainable drainage system, including its installation methodology, evidence of depths and dimensions, and supporting images from installation, has been submitted to and approved in writing by the local planning authority. To safeguard against flood risk in accordance with Policy DM1 of the South Tyneside Local Development Framework and the NPPF.

Plan 1

Photo 1

Photo 2