



NOTICE OF GRANT OF PLANNING PERMISSION
Town and Country Planning Act 1990
Town and Country Planning (Development Management Procedure)
(England) Order 2015

Contact Name and Address:

Gleeson Developments Ltd.
FAO Mr C Dodds
3 Lumley Court
Chester-le-Street
Co. Durham
DH2 1AN

Application No: ST/0126/15/FUL

Date of Issue: 29/06/2015

In pursuance of their powers under the above mentioned Acts, South Tyneside Council as Local Planning Authority hereby **GRANT** planning permission for the following:

PROPOSAL: Demolition of existing buildings and erection of 31no. two storey dwellings with new landscaping, boundary treatments and vehicle/pedestrian access/egress from Glen Street.

LOCATION: Tharsus Engineering Ltd., Glen Street, Hebburn, NE31 1NG

In accordance with your application dated 11 February 2015

SUBJECT TO THE FOLLOWING CONDITION(S) AND REASON(S):

- 1 The development to which this permission relates must be commenced not later than 3 years from the date of this permission.

As required by Section 91 of the Town and Country Planning Act 1990 and to ensure that the development is carried out within a reasonable time.

- 2 The development shall be carried out in accordance with the approved plan(s) as detailed below

Drg No. GH44: L: 01D received 17/06/2015
Drg No. GH44: L: 04C received 10/06/2015
Drg No. GH44: L: 03C received 10/06/2015
Drg No. 304/1E received 12/02/2015
Drg No. 302/1G received 12/02/2015
Drg No. 301/1G received 12/02/2015
Drg No. 201/1F received 12/02/2015
Drg No. 307/1A received 12/02/2015
Drg No. 403/1H received 12/02/2015
Drg No. 309/1E received 12/02/2015
Drg No. SD703 Rev A received 12/02/2015
Drg No. SD701 received 12/02/2015
Drg No. SD700 received 12/02/2015
Drg No. SD received 12/02/2015

Drg No. GH 44: L 06B received 20/03/2015
Drg No. STE FFL received 10/06/2015

Any minor material changes to the approved plans will require a formal planning application under S73 of the Town and Country Planning Act 1990 to vary this condition and substitute alternative plans.

In order to provide a procedure to seek approval of proposed minor material change which is not substantially different from that which has been approved.

- 3 The materials to be used to carry out the development hereby approved shall be those stated on the submitted plans (listed in condition 2) unless otherwise agreed in writing by the Local Planning Authority.

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

- 4 Before any work commences on site, excluding the demolition of the existing buildings on site, detailed remediation and verification strategies for the proposed remedial works in respect of land contamination shall be submitted to and approved in writing by the Local Planning Authority. The approved remediation scheme must be carried out in accordance with the approved details prior to the commencement of development other than that required to carry out remediation, unless otherwise agreed in writing by the Local Planning Authority.

To ensure that the site is suitable for the proposed end use in accordance with Core Strategy Policy EA5 and Development Management Policy DM1 of the South Tyneside Local Development Framework.

- 5 Subject to the strategies to be approved by virtue of condition 4, before the proposed development is brought into use, a Remediation Verification Report(s), that demonstrates that the approved remediation measures have been carried out, shall be submitted to and approved in writing by the Local Planning Authority.

To ensure that the site is suitable for the proposed end use in accordance with Core Strategy Policy EA5 and Development Management Policy DM1 of the South Tyneside Local Development Framework.

- 6 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. Sufficient detail should be provided identifying how the unexpected contamination will be dealt with.

To ensure that the site is suitable for the proposed end use in accordance with Core Strategy Policy EA5 and Development Management Policy DM1 of the South Tyneside Local Development Framework

- 7 The approved landscape scheme shall be completed in accordance with the scheme shown on the Planning Layout (Drawing Number GH44:I01D) received by the Local Planning Authority on 17/06/2015 no later than 12 months after the first occupation of any part of the development. Any new trees or shrubs 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).

In order to soften the visual appearance of the development in accordance with Policy DM1 of the South Tyneside Local Development Framework

- 8 The dwellings hereby approved shall not be brought into use until a schedule of landscape maintenance, for a minimum period of 5 years, has been submitted to and approved in writing by the Local Planning Authority. The schedule shall include details of the frequency and operations to be undertaken and arrangements for its implementation with regard to the approved landscape scheme. The approved landscape scheme shall be maintained in accordance with the approved schedule, unless otherwise agreed in writing by the Local Planning Authority.

In order to ensure a satisfactory standard of development in the interests of the amenity of the area in accordance with Development Management Policy DM1 of the South Tyneside Local Development Framework.

- 9 The development hereby permitted must be carried out in accordance with the submitted Drainage Assessment (February 2015) received 12 February 2015, which states that foul water will discharge at 1.426 litres per second into the existing combined sewer within the rear lane of Glen Street and surface water will be restricted to a maximum discharge rate of 45.31 litres per second via manholes 6501 and 7504.

To prevent flooding in accordance Development Management Policy DM1 of the South Tyneside Local Development Framework.

- 10 Notwithstanding the details already provided, prior to the commencement of the development a final drainage strategy, including drawings and calculations detailing exceedances from the drainage for extreme storms including a 1 in 30 year event and a 1 in 100 year event plus 30% allowance for climate change, shall be submitted to and approved in writing by the Local Planning Authority. The strategy shall identify that there will be no flooding from a 1 in 30 year event from the drainage on site. There shall be no internal flooding of any on site buildings and no off site flooding for a 1 in 100 year event plus 30% climate change; where exceedances are indicated overland flow plans shall be submitted.

To prevent flooding in accordance with Development Management Policy DM1 of the South Tyneside Local Development Framework.

- 11 No dwelling hereby approved shall be brought into use until a noise barrier is constructed at an effective height of 2.5 metres in its entirety and with a mass of 10-12 kg/sq metre to the boundary with the Tyne and Wear Metro Line as shown on Drawing Number GH44: L 04C received 10/06/2015 has been installed in its entirety. The acoustic fence shall be retained thereafter.

To ensure a satisfactory standard of development in the interests of residential amenity in accordance with Development Management Policy DM1 of the South Tyneside Local Development Framework.

12 Notwithstanding the details already submitted, no dwelling hereby approved shall be brought into use until the following proposed glazing specification has been installed to all windows:

i) Plots 18 and 19 - all habitable room windows - increased glazing specification to 10mm/16mm argon/9.1mm Pilkington optiphon, or an equivalent glazing which provides 45Rw (40Ctr) sound insulation, the details of which shall be submitted to and approved in writing by the Local Planning Authority prior to installation;

ii) Plots 6-15 - all habitable room windows facing the Tyne and Wear Metro Line - increased glazing specification to 4 / 6 to 20mm / 4, or an equivalent glazing which would provide the equivalent sound insulation, the details of which shall be submitted to and approved in writing by the Local Planning Authority prior to installation; and

iii) acoustic trickle vents to be provided in all habitable room windows to plots 18 and 19 and in all habitable room windows facing the Tyne and Wear Metro Line to plots 6-15.

This form of glazing, including the proposed trickle vents, shall be retained thereafter.

To ensure a satisfactory standard of development in the interests of residential amenity in accordance with Development Management Policy DM1 of the South Tyneside Local Development Framework.

13 No demolition, construction or associated works or deliveries of materials shall take place outside of the hours of 8am - 6pm Monday to Friday and 9am - 1pm on Saturdays and no such works or deliveries shall be carried out at any time on Sundays or public holidays.

To safeguard the amenity of the nearby residents, in accordance with Policy DM1 (B) of the South Tyneside Local Development Framework.

14 The mobile stone crusher shall be sited in the location identified in the Construction Management Plan (18 May 2015) received 22 May 2015 and shall not be used outside of the hours of 10am - 4pm Monday to Friday and shall not be used at any time on Saturdays, Sundays or public holidays.

To safeguard the amenity of the nearby residents, in accordance with Policy DM1 (B) of the South Tyneside Local Development Framework.

NOTES TO APPLICANT:

- 1 In dealing with this application the Council has implemented the requirements of the National Planning Policy Framework (paragraphs 186 & 187) to seek to approve applications for sustainable development where possible.
- 2 The Council requires the developer to provide to each unit before first occupation a 240l refuse bin and a 240l recycling bin to the Council's specification in order that the council can fulfill its obligation to collect and dispose of household waste. Details of the Council's specifications can be obtained from Waste Services at South Tyneside Council

- 3 All British bats are protected by both UK and European legislation. This legal protection extends to any place that a bat uses for shelter or protection whether bats are present or not. Should bats or signs of bats (such as droppings or dead bats) be discovered at any stage during the proposed demolition works, work must stop immediately and advice sought from Natural England. Failure to do this may result in an offence being committed, regardless of planning consent, and could lead to prosecution.
- 4 Before any mobile stone crusher is located on site with regard to the demolition works, the appropriate Environmental Permit for the equipment should be submitted to the Council's Environmental Protection Section.
- 5 The applicant should contact the Northumbria Police Architectural Liaison Officer to ensure that the development complies with the Secured by Design Guidance.



George Mansbridge
Head of Development Services

Your attention is drawn to the attached schedule of notes which form part of this notice

NOTES

- 1 This certificate is issued under the Town and Country Planning Acts, Regulations and Orders and does not constitute a permission, approval or consent by South Tyneside Council for any other purpose whatsoever. Applications must therefore be made to the appropriate Departments of the Council for any other permission, approval or consent (including Building Regulations approval or approval of South Tyneside Council as ground landlord where appropriate) which may be necessary in connection with the proposed development or anything incidental thereto, or the use to be made of the premises which form the subject of such development.
- 2 You may also require permissions, approvals or consents under other legislation, or from bodies other than South Tyneside Council. This could include works affecting a public sewer, gas main, or electricity line, works within the adopted highway, works affecting a public right of way, property covenants, legislation relating to disabled persons, land drainage consent, waste management consent, scheduled monument consent or works affecting protected habitats or species.
3. Any non-material change to the approved plan(s) that form part of this permission would require the submission of an application for a non-material change under section 96A of the Town and Country Planning Act 1990. Whether changes to a proposed development are considered non-material is a matter for Planning Authority discretion.
- 4 The approved development should be implemented in strict compliance with all of the planning conditions, and in particular any which require details to be approved prior to the commencement of the development. Failure to do so may result in any commencement of development being unauthorised, which could be liable to enforcement action.
- 5 If you wish to change, or not comply with, any of the planning conditions attached to the permission, then you will need to submit a new application for planning permission under section 73 of the Town and Country Planning Act 1990. This does not affect your statutory rights of appeal against any of the planning conditions. This includes if you wish to not comply with a condition attached to a permission which details the approved plan(s), so as to make a minor material change to the approved plan(s). A minor material change is defined as one whose scale and nature results in a development that is not substantially different from that which has been approved.
- 6 Your attention is drawn to your responsibilities under the Chronically Sick and Disabled Persons Act 1970 and the Disability Discrimination Act 1995 relating to disabled persons, to ensure that adequate attention has been paid to their needs. If the proposed development involves new or existing buildings to which the public are to be admitted, or offices, shops, railway premises, factories or educational buildings, provision should be made for the means of access, parking and sanitary conveniences to meet the needs of disabled people. In addition, appropriate signposting of the facilities should be provided. In carrying out these statutory obligations your attention is drawn to the "Code of Practice for Access for the Disabled to Buildings" (BS5810:1979). You are advised to seek professional advice to ensure that you meet your legal obligations under the Disability Discrimination Act 1995, especially with regard to Part III thereof.

APPEALS TO THE SECRETARY OF STATE

7 Only the applicant possesses the right of appeal.

If you are aggrieved by the decision of the Local Planning Authority to grant permission subject to conditions, then you may appeal to the Secretary of State for Communities and Local Government in accordance of section 78 of the Town and Country Planning Act 1990 within six months of the date of this notice. The Secretary of State has power to allow a longer period for the giving of a notice of appeal but he will not normally be prepared to exercise this power unless there are special circumstances, which excuse the delay in giving notice of appeal. The Secretary of State is not required to entertain an appeal if it appears to him that permission for the proposed development could not have been granted by the Local Planning Authority without the conditions they imposed, having regard to the statutory requirements, to the provisions of the development order, and to any directions given under the order.

Appeals can be made online using the Planning Inspectorates planning appeal service through the Planning Portal at <http://www.planningportal.gov.uk/planning/appeals/online/makeanappeal>. You must use a standard Planning Appeal Form when making your appeal. Please be aware that details of planning appeals are available on the internet and may include a copy of the original planning application form and relevant supporting documents supplied to ourselves, either by you, or your agent, together with the completed appeal form, and information that you submit to the Planning Inspectorate. Please ensure that you only provide information, including personal information belonging to you that you are happy will be made available to others in this way. If you supply personal information belonging to a third party please ensure you have their permission to do so. More information about data protection and privacy matters is available on the planning portal website.

Alternatively if you do not wish to submit your appeal electronically, a form is obtainable from The Planning Inspectorate, Customer Support Unit, Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 6PN. Email: enquiries@planning-inspectorate.gsi.gov.uk or telephone 0303 4440000. Please note that you must state the appeal form that you require.

PURCHASE NOTICES

- 8 If permission to develop land is granted subject to conditions, whether by South Tyneside Council as local planning authority or by the Secretary of State for Communities and Local Government, the owner may claim that he can neither put the land to a reasonably beneficial use in its existing state nor render the land capable of reasonably beneficial use by the carrying out of any development which has been or would be permitted. In these circumstances the owner may serve a purchase notice on the Council, requiring the Council to purchase his interest in the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990.