



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

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**Contact Name and Address:**

Fitz Architects Limited  
FAO Mr C Fitzakerly  
The Place  
Athenaeum Street  
Sunderland  
SR1 1QX

**Application No:** ST/0171/15/FUL

**Date of Issue:** 08/06/2015

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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:** Proposed new detached dwelling. Demolition of existing greenhouse and creation of new opening in North Lane wall.

**LOCATION:** Land to rear of 64 Front Street, East Boldon, NE36 0SQ

In accordance with your application dated 24 February 2015

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**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. AL (90) 0200 Rev A received 23/04/2015

Drg no. AL (0) 0030 Rev A received 23/04/2015

Drg no. AL (0) 0010 received 27/02/2015

Drg no. AL (0) 0013 received 27/02/2015

Drg no. AL (0)0011 received 27/02/2015

Drg no. AL (0)0012 received 27/02/2015

Drg no. AL (0)0100 received 27/02/2015

Drg no. AL (0)0200 received 27/02/2015

Drg no. AL (0)0025 received 27/02/2015

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 Prior to the commencement of the development samples and full details of the following shall be submitted to the local planning authority and approved in writing. All works shall be carried out in complete accordance with the approved details :
- a) All external materials.
  - b) Full details and marked elevations identifying the location of ventilation grilles from bathrooms, kitchens and boiler flue positions.
  - c) All external lighting including details of fittings.
  - d) Sample panel of the random stone walling (minimum 2.5m long by 1.8m high) including mortar pointing using cement free natural hydraulic lime mortar.
  - e) Written and drawn details explaining how the new opening will be formed in the rear boundary lane wall and a sample of making good the reveal in the rear boundary wall.
  - f) Full details of the proposed vehicular drive gate.
  - g) Full details of the living grass roof including specification.
  - h) Full details and samples of hard landscaping materials.
  - i) Full details of any repairs to the existing boundary wall (both sides).

To ensure a satisfactory standard and quality of development in terms of materials and detailing and in the interests of visual amenity in accordance with South Tyneside LDF Development Management Policies DM1 and DM6.

- 4 No development shall take place until a programme of archaeological building recording has been completed of the boundary wall that delineates the northern boundary of the site with North Road, in accordance with a specification provided by the Local Planning Authority. A report of the results shall be submitted to and approved in writing by the Local Planning Authority prior to any development or demolition work taking place.

To provide an archive record of the historic building or structure in accordance with South Tyneside LDF Development Management Policy DM6.

- 5 No groundworks or development shall commence until the developer has appointed an archaeologist to undertake a programme of observations of groundworks to record items of interest and finds in accordance with a specification provided by the Local Planning Authority. The appointed archaeologist shall be present at relevant times during the undertaking of groundworks with a programme of visits to be agreed in writing by the Local Planning Authority prior to groundworks commencing. A report of results for recorded items of interest and finds shall be submitted to and approved in writing by the Local Planning Authority prior to the first occupation of the dwelling.

The site is located within an area identified as being of potential archaeological interest. The observation is required to ensure that any archaeological remains on the site can be preserved wherever possible and recorded in accordance with South Tyneside LDF Development Management Policy DM6.

- 6 Notwithstanding the details submitted, prior to the commencement of development full details for the proposed boundary treatment to the common boundary with 64 and 70 Front Street shall be submitted to and approved in writing by the local planning authority. The details shall include a statement of arboricultural implications in regard to retained tree, TA1, (as identified on Drg no. AMS EX1 and AMS TPP received on 12/03/2015). All works shall be carried out in accordance with the approved details.

To ensure the health of the retained tree in accordance with South Tyneside LDF Development Management Policy DM1.

- 7 The development shall not be commenced until all trees and hedges to be retained (as identified on Drg no. AMS EX1 and AMS TPP received 12/3/2015) have been protected by fencing to British Standard 5837:7 & 8 (or other fencing approved in writing by the Local Planning Authority prior to its use). The protective fencing shall be erected outside the crown spread (or, in the case of a fastigiated tree, erected to enclose an area with a radius of 6 m from the trunk) of all trees on site (including those outside the site but overhanging the site boundary). Notices shall be attached to the fencing, stating 'Protected Zone - No Access, Disturbance, Storage or Contamination within Protected Area'. The Local Planning Authority shall be invited to inspect the fencing and no work (including demolition) shall commence on site until the Local Planning Authority has given approval in writing of the position of the fencing. The protective fencing shall be maintained in position and in good order during the whole period of works on site. Works, including the excavation, removal or deposit of earth or other materials shall not be carried out within any area enclosed by protective fencing without the written prior consent of the Local Planning Authority.

To ensure that the health of retained trees within the site is adequately protected during the period of construction in accordance with South Tyneside LDF Development Management Policy DM1.

- 8 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.

If unexpected contamination is found after development has begun, development must be halted on that part of the site affected by the unexpected contamination to the extent specified by the Local Planning Authority in writing until this condition has been complied with in relation to that contamination.

To protect the future occupiers of the development from any potential contaminants that may exist on site in the interests of environmental safety, residential amenity and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with South Tyneside LDF Development Management Policy DM1.

- 9 The development shall be carried out in accordance with the finished floor and ground level information detailed on drawing no. AL (0)0020 received 27/02/2015.

In order to secure a satisfactory standard of development and preserve the views and setting of neighbouring heritage assets in accordance with South Tyneside LDF Development Management policies DM1 and DM6.

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**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 ALL DEVELOPMENTS WITHIN COALFIELD STANDING ADVICE AREAS

The proposed development lies within a coal mining area which may contain unrecorded coal mining related hazards. If any coal mining feature is encountered during development, this should be reported immediately to The Coal Authority on 0345 762 6848. It should also be noted that this site may lie in an area where a current licence exists for underground coal mining.

Further information is also available on The Coal Authority website at:  
[www.gov.uk/government/organisations/the-coal-authority](http://www.gov.uk/government/organisations/the-coal-authority)

Property specific summary information on past, current and future coal mining activity can be obtained from: [www.groundstability.com](http://www.groundstability.com)

3 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 fulfil 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

4 NOTE TO APPLICANT

No removal of shrubs, brambles, ivy and other vegetation shall take place within the breeding season (1st March and 31st August inclusive), unless a competent ecologist has undertaken a detailed check of vegetation for active birds' nests immediately before the proposed vegetation removal.

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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](mailto: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.