



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:
NorFad Developments
156 Beach Road
South Shields
NE33 2NN

Application No: ST/0232/15/FUL
Date of Issue: 13/05/2015

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: Conversion of former care home into 22no. apartment complex with internal and external alterations and associated site works, including bin stores and enlargement of the car park.

LOCATION: Vacant Formerly Brydan Court Nursing Home, Galsworthy Road, South Shields, NE34 9HN

In accordance with your application dated 15 March 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

Dwg. No. 002A received 15/04/2015

Dwg. No. 004A received 16/03/2015

Dwg. No. 006A received 16/03/2015

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 Cycle parking

Notwithstanding Dwg. No. 002A (listed in condition 2), full details/specifications of all of the cycle racks and the secure cycle shelter, shall be submitted to and approved in writing by the Local Planning Authority.

The approved details must then be completed in full on site prior to the development being first brought into use and shall then be retained on site for their designated purpose.

To ensure a satisfactory standard of sustainable development in accordance with Policy DM1 of the Local Development Framework.

4 Soft landscaping

Notwithstanding Dwg. No. 002A (listed in condition 2), a detailed soft landscaping scheme shall be submitted to and approved in writing by the Local Planning Authority. The submitted scheme shall include the type, height, species and location of all proposed trees and shrubs as well as any proposed seeding / turfing or the formation of any banks or slopes. The approved landscape scheme shall be completed no later than 12 months after the first occupation of any part the development (unless pursuant to this condition the Local Planning Authority has previously agreed in writing to any changes to the scheme or to the timing of its completion).

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

5 Materials - alterations to the building

The external alterations to the building, as shown on Dwg. No. 006A (listed in condition 2) shall be carried with materials of a similar appearance to those used in the construction of the exterior of the existing building of which they will form part.

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

6 Car parking

The development hereby permitted shall not be occupied until the car parking as shown on Dwg. No. 002A (listed in condition 2) has been completed/marked out in full on site and made available for use. The car parking shall then be retained on site for its designated purpose.

To ensure a satisfactory standard of development in the interests of highway safety in accordance with Policy DM1 of the Local Development Framework.

7 Bin stores

The development hereby permitted shall not be occupied until the bin stores as shown Dwg. No. 002A (listed in condition 2) have been completed in full on site and made available for use. The bin stores shall then be retained on site for their designated purpose.

To ensure the bin stores are provided and provide a satisfactory standard of development in accordance with Policy DM1 of the 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 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
- 3 **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

Property specific summary information on past, current and future coal mining activity can be obtained from: www.groundstability.com



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.