



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:

Fitz Architects Limited
FAO Mr P McDonnell
The Place
Athenaeum Street
Sunderland
SR1 1QX

Application No: ST/0298/15/VC

Date of Issue: 04/06/2015

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: Application under Section 73 of the Town and Country Planning Act 1990 to vary Condition 1 of approved planning application ref. ST/0773/13/FUL (proposed demolition of two neighbouring dwellings and associated garage. Proposed erection of new extension to existing Sandfield dwelling and new garage), to re-orientate internal driveway to access rear of property and to relocate proposed garage to rear of property with external stairs.

LOCATION: Sandfield, Downhill Lane, West Boldon, NE36 0AX

In accordance with your application dated 23 March 2015

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

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

- Drawing no. AL (0) 0310 received 09/07/2013
- Drawing no. AL (0) 0300 received 09/07/2013
- Drawing no. AL (0) 0320 received 09/07/2013
- Drawing no. AL (0) 0340 received 09/07/2013
- Drawing no. AL (0) 0330 received 09/07/2013
- Drawing no. AL (0) 0220 received 09/07/2013
- Drawing no. AL (0) 0200 received 09/07/2013
- Drawing no. AL (0) 0210 received 09/07/2013
- Drawing no. AL (0) 0350 received 09/07/2013
- Drawing no. AL (30) 0200 received 01/06/2015
- Drawing no. AL (0) 0400 Revision A received 24/03/2015
- Drawing no. A 0137c Received 01/06/2015

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.

- 2 The external surfaces of the development (excepting the driveway and alterations to boundary treatment) hereby permitted shall be of similar appearance to those used in the construction of the exterior of the existing building.

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

- 3 The alterations to the boundary treatment hereby permitted shall be as specified on Drawing No. AL (30) 0200 received 01/06/2015, 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 South Tyneside LDF Development Management Policy DM1

- 4 The bat roost boxes (Schwegler 2FR type built into Sandfield, and Schwegler 1FF type located in trees), details of which were approved under condition 5 (referenced ST/0301/14/COND) attached to planning permission ST/0773/13/FUL, shall be erected not later than one month of the date of completion of the extension to Sandfield. The applicant shall notify the Local Planning Authority in writing of the date of completion for this purpose.

To avoid disturbance and risk of injury / death of a European protected species in accordance with South Tyneside LDF Policies DM7 and EA3.

- 5 Notwithstanding the details illustrated on Drawing No. CA-SA-EX-02 Revision 1 received 04/06/2015, full details of the external lighting scheme proposed in relation to the hereby approved development must be submitted to and approved in writing by the Local

To ensure that advice provided by the Bat Conservation Trust is followed in respect of safeguarding bat populations in accordance with South Tyneside LDF Policies DM7 and EA3.

- 6 Prior to the commencement of development hereby permitted, the tree protection fencing shall be erected as illustrated on tree protection plan Drawing No. 735.Figure 4 C received 01/06/2015, to British Standard 5837:2012 (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 and root protection area (RPA) of these trees. Notices shall be attached to the fencing, stating 'Protected Zone - No Access, Disturbance, Storage or Contamination within Protected Area'. The protective fencing shall be maintained in position and in good order during the whole period of works on site. The development hereby permitted, and that approved under planning permission ST/0773/13/FUL, shall be constructed in accordance with the scheme of tree protection, illustrated on tree protection plan Drawing No. 735.Figure 4 C received 01/06/2015, and approved under Condition 7 (referenced ST0302/14/COND) and Condition 8 (referenced ST/0303/14/COND) attached to planning permission ST/0773/13/FUL and part superseded by the tree survey by ajt Environmental Consultants received 01/06/2015, unless otherwise agreed in writing by the Local Planning Authority.

To safeguard the trees during the construction works in the interests of visual amenity in accordance with South Tyneside LDF Development Management Policy DM1 and DM7.

- 7 The tree planting scheme as detailed on Drawing No. A0137c received 01/06/2015, shall be implemented within 12 months from the development hereby permitted being brought into use. The approved tree planting scheme shall be maintained for a period of 5 years from the date of implementation. Any new trees 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.

To ensure a satisfactory and healthy appearance and promote establishment of new landscaping in the interests of amenity and in accordance with Policies with South Tyneside LDF Policies DM1 and DM7.

- 8 No ground excavations for installation of services associated with the proposed development or re-leveling works as part of the construction or subsequent garden landscaping shall be undertaken within the root protection area of any retained tree unless the details have previously been agreed in writing by the Local Planning Authority.

To safeguard trees to be retained on site in accordance with South Tyneside LDF Policies DM1 and DM7.

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

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

- 3 PROTECTED SPECIES ADVICE

Bats are roosting within the Sandfield dwelling and were also within the now demolished High Cross dwelling, and these roosts are legally protected under the

Conservation of Habitats and Species (amendment) Regulations 2012.

Therefore no works affecting these bat roost may be undertaken without a European Protected Species (EPS) licence being firstly obtained. This licence must be sought from Natural England.

4 NOTE TO APPLICANT

It is an offence to disturb birds' nests whilst they are occupied. Tree or shrub removal should take place outside of the bird nesting season (March and August inclusive) to avoid potential impacts on nesting birds.

5 NOTE TO APPLICANT

Long-term habitat management and maintenance of the site should take into account the high usage of the site by bats for foraging, to ensure the wider population is minimally affected by any changes to foraging resources. Any landscaping should take into account the need to provide foraging sources for bats with planting consisting of native species of local provenance.

6 NOTE TO APPLICANT

Replacement tree and shrub planting and the provision of bird nesting boxes is encouraged in the proposed subsequent garden landscaping works.

7 NOTE TO APPLICANT

The applicant is advised that proposed pedestrian and vehicle access gates should open into the application site and not open out over the adopted highway.



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.