



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:

Mario Minchella Ltd.
Unit 4, Witney Way
Hi-Tech Village
Boldon Business Park
NE35 9PE

Application No: ST/0342/15/VC

Date of Issue: 19/11/2015

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: Construction of two storey (22no. bedroom) extension to existing Windsor Nursing Home, with associated parking, landscaping and boundary treatments. Application under Section 73A of the Town and Country Planning Act 1990 for minor material amendments to vary Condition 2 of existing planning permission Ref: ST/1118/13/FUL, to allow extensions and internal alterations to create 10no. additional bedrooms (totalling 32no. bedrooms within extension), with alterations to the elevations, car parking layout and pedestrian access. (Retrospective).

LOCATION: Windsor Nursing Home, Victoria Road East, Hebburn, NE31 1YQ

In accordance with your application dated 14 April 2015

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

- 1 The development hereby approved shall adhere to the Scheme for the Disposal of Surface and Foul Water (including Drawing Number 22313/002 Rev C - Drainage Layout) received on 04/03/2015 and approved on 24/03/2015 (Application Ref: ST/0230/15/COND).

To prevent the increased risk of flooding in accordance with Policy DM1 (K) of the South Tyneside Local Development Framework.

- 2 The 0.9 metre high close-boarded timber fence enclosing the areas of soft landscaping shown in blue on Remediation Plan Drawing Number C-11 Revision F received on 11 November 2015 and the 1.8 metre high close-boarded timber fence enclosing the tarmac and concrete hard standing areas shown in red on Remediation Plan Drawing Number C-11 Revision F received on 11 November 2015 shall be retained and maintained on site, and these enclosed areas of land shall not be used as part of the care home, until such time as the land has either been remediated in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority, or the land has been redeveloped in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority.

To protect the occupiers of the development from any potential contaminants that may exist on site in the interests of environmental safety in accordance with policies EA5 and DM1 (M) of the South Tyneside Local Development Framework.

- 3 Within 28 days from the date of this permission, the car parking bays shall be marked out and the proposed cycle parking shall be implemented as shown on Drawing Number C-01 Revision A received on 11 November 2015.

To ensure there is sufficient on site car and cycle parking available in accordance with Policy DM1 of the South Tyneside Local Development Framework.

- 4 The proposed boundary treatment shall be provided in accordance with the proposed boundary details submitted and approved as part of Planning Application Ref ST/1118/13/FUL (Drawing Number C-10 Rev A received 28 January 2014).

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

NOTES TO APPLICANT:

For the avoidance of doubt this decision relates to the following plans and/or specifications:

Drg No C-01 Rev A received 11/11/2015
Drg No C-05 received 11/11/2015
Drg No C-06 received 14/04/2015
Drg No C-09 received 14/04/2015
Drg No C-10 received 14/04/2015
Drg No C-11 Rev F received 11/11/2015
Drg No 2853 C-04 Rev F received 09/11/2015

- 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.



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 your local planning authority to refuse permission for the proposed development or to grant it subject to conditions, then you can appeal to the Secretary of State under section 78 of the Town and Country Planning Act 1990.

If you want to appeal against your local planning authority's decision then you must do so within 6 months of the date of this notice.

Appeals must be made using a form which you can get from the Secretary of State at Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 6PN (Tel: 0303 444 5000) or online at <https://acp.planninginspectorate.gov.uk>

The Secretary of State can allow a longer period for giving notice of an appeal but will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.

The Secretary of State need not consider an appeal if it seems to the Secretary of State that the local planning authority could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.

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.