



**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  
6 Pier Point  
Marine Walk  
Roker  
Sunderland  
SR6 0PP

**Application No:** ST/0370/15/FUL

**Date of Issue:** 20/01/2016

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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:** Conversion of existing barns/outbuildings into 3 no. residential units. Demolition of existing garage and conservatory, new vehicular access arrangements, erection of garage block, boundary treatments, landscaping and visitor parking

**LOCATION:** Sunnyside Farm, Sunnyside Lane, Cleadon, NE34 8DZ

In accordance with your application dated 21 April 2015

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

- 1 The development shall be carried out in accordance with the approved plans as detailed below

Drawing no. AL(9) 0001 received 21.4.15

Drawing no. AL(0) 0020 received 21.4.15

Drawing no. AL(0) 0003 received 21.4.15 Revision C

Drawing no. AL(0) 0002 received 21.4.15 Revision C

Drawing no. AL(0) 0011 received 21.4.15 Revision C

Drawing no. AL(0) 0012 received 21.4.15

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 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.

- 3 3. No development shall commence before a detailed specification has been submitted to and approved in writing by the local planning authority of the following details:
  - Proposed conservation rooflights
  - Joinery details for any new timber windows and doors(including garage doors)
  - Proposed aluminium frame windows, door and glazed arches
  - Meter cupboards
  - Ventilation grilles, boiler flues and external lighting
  - New cast iron guttering and rainwater pipes

The approved details shall be used in the implementation of the development.

In order to ensure that the details of the conversion works are appropriate to the character and appearance of the existing farm buildings in accordance with Local Development Framework policies DM1, DM6 and Cleadon Hills Conservation Area Management Plan Policy CA-CH4

- 4 Prior to the commencement of development, details of the proposed lime mortar mix to be used for any repointing/rebuilding shall be submitted to and approved in writing by the local planning authority . A sample of the proposed mortar mix shall be made available on site for approval and the agreed mix shall then be used in the development works.

In order to ensure that the new mortar matches the existing for use in the conversion works and is appropriate to the appearance of the farm buildings in accordance with Local Development Framework policies DM1, DM6 and Cleadon Hills Conservation Area Management Plan Policy CA-CH4

- 5 Notwithstanding the details submitted to date, prior to occupation of the new residential units, full details of the height , alignment and type of any boundary treatment or alterations to existing boundary treatments shall be submitted to and approved in writing by the local planning authority and subsequently implemented.

In order to ensure that the boundary treatments are appropriate to the appearance of the farm buildings in accordance with Local Development Framework policies DM1, DM6 and Cleadon Hills Conservation Area Management Plan Policy CA-CH4

- 6 Prior to the construction of the new access road/driveway, a detailed section to show the height of the proposed retaining wall and the materials for its construction and the materials for the construction of the driveway and visitor parking bays shall be submitted to and approved in writing by the local planning authority and subsequently implemented.

In order to ensure that the materials are appropriate to the appearance of the farm building complex in accordance with Local Development Framework policies DM1, DM6 and Cleadon Hills Conservation Area Management Plan Policy CA-CH4

- 7 No development shall take place until a programme of archaeological photographic building recording has been completed of the interior of the farm buildings, 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 inside of the buildings in accordance with Local Development Framework Policy DM6.

- 8 Prior to the implementation of any drainage works, a surface water drainage layout plan shall be submitted to and approved by the local planning authority and subsequently implemented.

In order to minimize and mitigate any flood risk in accordance with Local Development Framework Policy DM1

- 9 Before the new residential units are occupied, details of the proposed bin storage arrangements shall be submitted to and approved in writing by the local planning authority and subsequently implemented.

In order to ensure adequate arrangements for bin storage and collection in accordance with Local Development Framework Policy DM1

- 10 The development works shall be carried out in full accordance with the Method Statement - Buildings at Sunnyside Farm, Cleadon as set out in the 'Bat and Owl surveys for the Outbuildings at Sunnyside Farm, Cleadon dated August 2015.

In order to ensure no that there is no adverse impact on biodiversity arising from the development in accordance with Local Development Framework Policy DM7.

- 11 No construction work shall commence before the tree protection fence to the BS Standard BS5837 has been erected on site as per the tree protection drawing no. TPP-A received 21.4.15. Before any work is carried out within the root protection area of any retained trees, a method statement shall be submitted to and approved in writing by the local planning authority explaining the excavation and special construction measures that will ensure that there is no damage to the trees.

To ensure that the health of the trees retained on site is adequately protected during the period of construction in accordance with Local Development Framework policy DM1

- 12 Prior to occupation of any new residential unit, a detailed planting plan shall be submitted to and approved in writing by the local planning authority which shall include the following details:
- Topsoil depths
  - Hedge species
  - Tree species, including replacement trees for the trees lost on site as a result of the development works
  - Size and density of planting
  - Proposed treatment of the bank between the undercroft garages and the new driveway.

The planting shall be completed as approved not later than 12 months after the first occupation of the development.

To ensure that the appearance and character of the development is protected within the rural landscape in accordance with Local Development Framework policy DM1.

- 13 Prior to the first occupation of the dwellings hereby permitted, the dining room window of unit 1, the kitchen and dining room windows of unit 3, and the utility and kitchen window of the existing dwellinghouse, unit 4, as shown on the approved plan no. AL (0) 0002 rev C shall be glazed with obscure glass to a level sufficient to protect the privacy of neighbouring occupiers. The form of windows and obscure glazing shall be retained thereafter.

To ensure the protection of privacy for neighbouring occupiers, and in the interests of residential amenity, in accordance with Local Development Framework Policy DM1

- 14 Notwithstanding the provisions of Article 3 and Class A, B, C, D, E, G and H of Part 1 of the Schedule 2 of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that order with or without modification) no enlargement, improvement or other alteration shall be carried out nor shall any structure be erected within, or on the boundary of the curtilage of the dwellings hereby approved, without an application for planning permission having first been made to and approved in writing by the Local Planning Authority.

To prevent the loss of amenity to occupiers of neighbouring dwellings and loss of visual amenity which might be caused by developments which otherwise would be permitted, in accordance with Local Development Framework Policy DM1.

- 15 Notwithstanding the provisions of Article 3 and Class A of Part 2 of the Schedule 2 of the Town & Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that order with or without modification), no gate, fence, wall or other means of enclosure shall be erected within the curtilage of the dwellings hereby approved, or along any boundary of these properties, without an application for planning permission having first been made to and approved in writing by the Local Planning Authority.

To prevent the loss of amenity to occupiers of neighbouring dwellings and loss of visual amenity which might be caused by developments which otherwise would be permitted, in accordance with Local Development Framework Policy DM1.

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**NOTES TO APPLICANT:**

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

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

The proposal requires the removal of a small number of trees. No removal of hedgerows, trees or shrubs that may be used by breeding birds should take place between 1st March and 31st August inclusive unless a competent ecologist has carried out a detailed check for active bird nests immediately beforehand.

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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 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 unless:

- If this is a decision on a planning application relating to the same or substantially the same land and development as is already the subject of an enforcement notice [reference no. if applicable], if you want to appeal against your local planning authority's decision on your application, then you must do so within 28 days of the date of this notice; or
- If an enforcement notice is served relating to the same or substantially the same land and development as in your application and if you want to appeal against your local planning authority's decision on your application, then you must do so within 28 days of the date of service of the enforcement notice, or within 6 months of the date of this notice, whichever period expires earlier.

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.