



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:

Blake and Hopkinson
22A Union Quay
North Shields
NE30 1HJ

Application No: ST/0382/15/FUL

Date of Issue: 23/11/2015

FAO Mr J Walton

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 9no. residential dwellings including 8no. semi-detached properties and 1no. detached property with associated road, car parking and landscaping at former school kitchen site adjacent to North Road, Boldon Colliery.

LOCATION: Land Former School Kitchens, North Road, Boldon Colliery

In accordance with your application dated 01 April 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 plans as detailed below:

Drg No. AMSTPP received 23/04/2015.

Drg No. TPP received 23/04/2015.

Drg No. 300-03 (4 bed house type) received 23/04/2015.

Drg No. 300-03 (3 1000sqft house type) received 23/04/2015.

Drg No. 300-04 (3 bed 850sqft house type) received 23/04/2015.

Drg No. 300-04 (3 bed 1045sqft house type) received 23/04/2015.

Drg No. 300-05 received 13/07/2015.

Drg No. 200/01 Rev 7 received 26/08/2015.

Drg No. 200/02 Rev 6 received 20/11/2015.

Drg No. 200/03 Rev 4 received 26/08/2015.

Drg No. 200/10 Rev 3 received 26/08/2015.

Drg No. 01 received 03/09/2015.

Drg No. 02 received 03/09/2015.

Drg No. 03 received 03/09/2015.

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 construction work being undertaken on the hereby approved dwellings, samples and details of all external materials shall be submitted to, and approved in writing by, the Local Planning Authority. All works shall be carried out in accordance with the approved details.

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

- 4 Prior to construction work being undertaken on the hereby approved dwellings, detailed drawings or other specification relating to existing and proposed site levels, and finished floor levels of the proposed new dwellings and those of adjacent dwellings shall be submitted to, and approved in writing by, the Local Planning Authority. All works shall be carried out in accordance with the approved details.

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

- 5 An investigation and risk assessment must be completed in accordance with a scheme to assess the nature and extent of any contamination on the site, whether or not it originates on the site. The investigation and risk assessment must be undertaken by competent persons and a written report of the findings must be produced. The written report should be submitted to and approved in writing of the Local Planning Authority. The report of the findings must include:

- (i) a survey of the extent, scale and nature of contamination (including groundwater);
- (ii) an assessment of the potential risks to human health, property (existing or proposed); and
- (iii) an appraisal of remedial options, and proposal of the preferred option(s). This must be conducted in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11'.

To ensure that the site is suitable for the proposed end use in accordance with Core Strategy Policy EA5 and Development Management Policy DM1 of the South Tyneside Local Development Framework.

- 6 A Detailed Remediation Strategy for the proposed remedial works shall be submitted to, and approved in writing by, the Local Planning Authority prior to commencing remedial works. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

To ensure that the site is suitable for the proposed end use in accordance with Core Strategy Policy EA5 and Development Management Policy DM1 of the South Tyneside Local Development Framework.

- 7 Following completion of measures identified in the approved Remediation Strategy, a Verification Report that demonstrates the effectiveness of the remediation carried out must be produced, and is subject to the approval in writing of the Local Planning Authority prior to the site being occupied.

To ensure that the site is suitable for the proposed end use in accordance with Core Strategy Policy EA5 and Development Management Policy DM1 of the South Tyneside Local Development Framework.

- 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.

To ensure that the site is suitable for the proposed end use in accordance with Core Strategy Policy EA5 and Development Management Policy DM1 of the South Tyneside Local Development Framework.

- 9 Prior to construction work being undertaken on the hereby approved dwellings a landscape scheme, including details of both hard and soft landscaping, shall be submitted to and approved in writing by the Local Planning Authority. The submitted scheme shall include details of the materials proposed for the hard surfaced areas and the type, height, species and location of all new trees and shrubs as well as any proposed seeding, turfing and the formation of any banks or slopes etc. The approved landscape scheme shall be completed not later than 12 months after the first occupation of the development. Any trees or plants, 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 safeguard the visual amenity of the area in which the development would form a part in accordance with Policy DM1 of the South Tyneside Local Development Framework.

- 10 Prior to construction work being undertaken on the hereby approved dwellings a detailed drainage strategy for both foul and surface water shall be submitted to, and approved in writing by, the Local Planning Authority. The drainage strategy shall include drawings, calculations detailing exceedances, for a 1 in 30 year event and 1 in 100 year event plus 30% climate change. The drainage strategy should consider the use of Sustainable Drainage Systems (SuD's) within the development to reduce the water entering the River Don. The agreed details must then be implemented on site prior to the first occupation of the development and retained henceforth.

To minimise and mitigate localised flood risk in accordance with Policy DM1 of the South Tyneside Local Development Framework.

- 11 The scheme of proposed bird and bat boxes, and bat bricks, as shown in the Wildlife Enhancement document received on 12/08/2015, and as shown on Drg No. 200/10 Rev 3 received on 26/08/2015, shall be completed on site before the occupation of each of the dwellings to which they will be attached and retained henceforth.

To mitigate against any adverse impact on the bird and bat habitat in accordance with Core Strategy Policy EA3 and Development Management Policy DM7 of the South Tyneside Local Development Framework.

- 12 Prior to construction work being undertaken a working methodology to safeguard the otter and water vole habitat within the vicinity of the site shall be submitted to and agreed in writing by the Local Planning Authority. The method plan should include checking surveys, precautionary working methods to avoid compaction of banks, measures to avoid / minimise disturbance to nearby otter and water vole. The agreed details must then be carried out.

To avoid any adverse impact upon the otter and water vole habitat caused by drainage works in accordance with Core Strategy Policy EA3 and Development Management Policy DM7 of the South Tyneside Local Development Framework.

- 13 The hereby approved development shall not be occupied until a road Traffic Regulation Order has been introduced prohibiting waiting and loading to both sides of the proposed access on North Road.

To provide a satisfactory standard of development in the interests of highway safety, in accordance with Development Management Policy DM1 of the South Tyneside 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 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 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 All British bats are protected by both UK and European legislation. This legal protection extends to any place that a bat uses for shelter or protection whether bats are present or not. Should bats or signs of bats (such as droppings or dead bats) be discovered at any stage during the proposed demolition works, work must stop immediately and advice sought from Natural England. Failure to do this may result in an offence being committed, regardless of planning consent, and could lead to prosecution.
- 5 Site clearance should only take place between September and February inclusive which is outside the bird breeding season. This is to avoid offences under the Wildlife and Countryside Act 1981.
- 6 There is a public bridleway to the south of the site and care must be taken not to damage or obstruct the bridleway either during, or as a result of the development as failure to do so may constitute a criminal offence. It is the developer's responsibility to ensure that the safety of users of these Public Rights of Way is not compromised as a result of the development.

Any drainage works affecting the public bridleway to the south of the site must receive prior written approval of the Council's Public Rights of Way Officer as a formal stopping up / diversion may be required for a temporary period.



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.