



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:

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Application No: ST/0398/15/VC

Date of Issue: 09/05/2016

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 Town & Country Planning Act 1990 to vary condition 2 of Planning Permission Ref: ST/1631/12/FUL (for the conversion of existing farmhouse and barns to create 7no. residential units, construction of 1no. dwelling including garages, parking and external works) for minor material amendments to replace the approved 4no. garage block with 2no. double garages / storage areas in revised locations and the insertion of eight additional rooflights and first floor windows (west elevation - outer, west elevation - inner, east elevation - outer) to the converted barns.

LOCATION: Laverick Hall Farm, Laverick Lane, West Boldon, NE36 0BY

In accordance with your application dated 30 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 plan(s) as detailed below

Drg no. 12 29 06 B received 10-05-2013
Drg no. 12 29 07-VOC-C(A) received 26-01-2016
Drg no. 12 29 08 B received 10-05-2013
Drg no. 12 29 09-VOC-G (A) received 26-01-2016
Drg no. 12 29 10-VOC-F (A) received 26-01-2016
Drg no. 12 29 11-VOC-B received 09-10-2015
Drg no. 12 29 12 A received 08-07-2013
Drg no. 12 29 13 D received 20-06-2013
Drg no. 12 29 14 E received 07-03-2016
Drg no. 12 29 15 F-B received 07-03-2016
Drg no. 12 29 16 received 20-06-2013

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 Notwithstanding the provision of Article 3 and Class A, B, C, D, E, F, G, of part 1, Class A, B and C of Part 2 and Class C, D, E, F of Part 14 of 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 dwelling(s) 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 development which otherwise would be permitted, in accordance with Local Development Framework, Development Management policy DM1.

- 4 No construction or associated works or deliveries of materials shall take place outside the hours of 7.30am - 6pm Monday to Friday and 8am -1pm Saturdays and no such works or deliveries shall be carried out at any time on Sundays or bank Holidays.

To safeguard the amenity of nearby residents, in accordance with South Tyneside Local Development Framework, Development management policy DM1 and Core Strategy policy EA5.

- 5 The fencing, to British Standard 5837:7 & 8 (or other fencing approved in writing by the Local Planning Authority prior to its use), and notices attached to the fencing, stating 'Protected zone - No access, Disturbance, Storage or Contamination within Protected Area', erected to protect trees to the west boundary within the neighbouring property and erected outside the crown spread of all retained trees on site shall be maintained in position and in good order during the whole period of works on site. Works, including the excavation, removal or deposit of earth or other materials shall not be carried out within any area enclosed by protective fencing without the written prior consent of the local Planning Authority.

To ensure that the health of retained trees is adequately protected within the period of works in accordance with South Tyneside Local Development Framework Development Management policy DM1.

- 6 A (minimum) of 3 No barn swallow nest boxes shall be provided prior to the completion of development works and be retained in accordance with the details set out in the document 'Laverick Hall Method Statement' and the drawing 'Bat / Barn Owl Mitigation Plan, Drawing Number 12 29 16',

To retain nesting sites for wild birds in accordance with Local Development Framework, Core Strategy policy EA3 and Development Management policy DM7.

- 7 Prior to the completion of development works a roost space suitable for void roosting species of bats must be created and retained in accordance with the details set out in 'Laverick Hall Method Statement' and the drawing 'Bat / Barn Owl Mitigation Plan, Drawing Number 12 29 16'. This area must not be accessible

to the subsequent occupiers of the property, and as such should be internally sealed from the rest of the building.

To comply with European protected species legislation and in accordance with Local Development Framework, Core Strategy policy EA3 and Development Management policy DM7.

- 8 The multiple access points suitable for crevice roosting species of bats as detailed within Laverick Hall Method Statement' and the drawing 'Bat / Barn Owl Mitigation Plan, Drawing Number 12 29 16' shall be created prior to the completion of development works and thereafter retained in accordance with these details.

To comply with European protected species legislation and in accordance with Local Development Framework, Core Strategy policy EA3 and Development Management policy 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 **NOTE TO APPLICANT**


A development licence will be required from Natural England; the destruction of bat roosts is otherwise a criminal offence. Development is to be carried out in accordance with any measures required under any bat licence granted by Natural England in relation to the development.

- 4 **NOTE TO APPLICANT**

Barn owls are protected under Schedule 1 of the Wildlife and Countryside Act therefore any disturbance whilst nesting constitutes an offence, regardless of any planning consent.

- 5 **NOTE TO APPLICANT**

Please note that the bird breeding season is between 1st March and 31st August, no development works should commence during this period unless survey work (approved by the Local Planning Authority) confirms that no birds or barn owls are nesting.



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.