



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:

Taylor Wimpey North East & Barratt/David Wilson
Homes North East
FAO Mr Neil Brooks
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Wessington Way
Sunderland
SR5 3RL

Application No: ST/0461/15/RES

Date of Issue: 28/09/2015

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 for the approval of reserved matters for the residential development of the site comprising 291 No. dwellings and associated works. Details of layout, scale, appearance and landscaping submitted for consideration (outline consent with all matters reserved except access under reference ST/0947/12/FUL)

LOCATION: Land either side of, Monkton Lane / Lukes Lane, (Known locally as Monkton Fell), Hebburn, NE31 2HB

In accordance with your application dated 18 May 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. 1446.02 rev D - Combined Layout received 23/09/2015
- Drg no. 1446.01 rev P - Planning Layout received 23/09/2015
- Drg no. 1446.033 rev C - Combined Materials Layout received 23/09/2015
- Drg no. 1N/MONK2/SK-01 rev D - Taylor Wimpey Site Layout received 23/09/2015
- Drg no. 1N/MONK2/SK-50 rev C - Refuse vehicle tracking, parking and pedestrian crossing locations received 23/09/2015
- Drg no. 1N/MONK2/SK-51 rev B - Future bus tracking and proposed service routes received 23/09/2015

- Drg no. QD1081-03-01 rev E - Engineering Layout received 23/09/2015
- Drg no. QD1081-20-01 rev C - Road signing and lining received 23/09/2015
- Drg no. 914_01 Rev B - Landscape Strategy received 11/09/2015
- Drg no. 914_10 Rev B - Softworks Sheet 1 of 8 received 14/09/2015
- Drg no. 914_11 - Softworks Sheet 2 of 8 received 14/08/2015
- Drg no. 914_12 Rev B - Softworks Sheet 3 of 8 received 14/09/2015
- Drg no. 914_13 Rev B - Softworks Sheet 4 of 8 received 14/09/2015
- Drg no. 914_14 Rev B - Softworks Sheet 5 of 8 received 14/09/2015
- Drg no. 914_15 - Softworks Sheet 6 of 8 received 14/08/2015
- Drg no. 914_16 Rev B - Softworks Sheet 7 of 8 received 14/09/2015
- Drg no. 914_17 rev B - Softworks Sheet 8 of 8 received 14/09/2015
- Drg no. 914_20 - North Community Garden received 14/08/2015
- Drg no. 914_21 - South Community garden received 14/08/2015
- Drg no. 914_22 - East Corridor received 14/08/2015
- Taylor Wimpey House Type Booklet - The Maples Phase 2, Monkton received 18/05/2015.
- Barratt House Type Pack received 18/05/2015.
- Drg no. 1N/MONK2/SK-03 received 18/05/2015
- Drg no. 1446:04 received 18/05/2015

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 The external materials to be used to carry out the development hereby permitted shall be as those stated within Drg no. 1N/Monk2/SK-01 Rev D received 23/09/2015, and Drg no. 1446.033 rev C - Combined Materials layout received 23/09/2015, (unless alternatives have been previously submitted to and agreed in writing by the Local Planning Authority pursuant to this condition).

To ensure a satisfactory standard of development and in the interests of visual amenity in accordance with the South Tyneside Council Local Development Framework policy DM1(A).

- 4 The development hereby permitted shall be carried out in accordance with the submitted surface water and drainage details Drg no. QD1081-03-01 Rev E received 23/09/2015 and additional information received by e-mail 'A. Lowdon received 08/09/2015 - Basin drain down times' and File ph1 and ph2 29 06 15.mdx Storm Sewer Design, Queensberry Design Ltd received 10/08/2015 and File QD1081 FW 30 07 15.mdx Foul Sewerage Design, Queensbury Design received 10/08/2015. All works shall be carried out in accordance with these details unless otherwise agreed in writing by the local planning authority.

To minimise and mitigate localised flood risk, in accordance with the South Tyneside Local Development Framework Policy DM1(k).

- 5 Notwithstanding information already submitted, prior to the commencement of the sustainable drainage attenuation pond, a detailed scheme for its provision (including date of completion) and maintenance shall be submitted to and agreed in writing by the local planning authority. The sustainable drainage attenuation pond shall be

completed and then maintained thereafter in accordance with the agreed details.

To ensure the Sustainable Drainage attenuation pond is undertaken and maintained to an acceptable standard and to ensure the satisfactory storage and disposal of surface water from the site, in accordance with the South Tyneside Local Development Framework Policy DM1(k).

- 6 Surface water discharge from the total site must not exceed 4.2l/s/ha.

To minimise and mitigate localised flood risk, in accordance with the South Tyneside Local Development Framework Policy DM1(k).

- 7 Notwithstanding the information already submitted, prior to the commencement of development a scheme of tree and hedgerow protection measures, shall be submitted to and agreed in writing by the local planning authority. The approved scheme must then be implemented in full before any construction works, or the delivery of any building plant or materials takes place. Where protective fencing must be erected, this shall be maintained for the duration of the building works.

To ensure a satisfactory standard of development and to protect existing tree and hedgerow stocks within the area in accordance with South Tyneside Local Development Framework Policy DM1(A, and D).

- 8 No dwelling hereby approved shall be occupied until a scheme of wildlife mitigation and compensation measures together with a timescale for their completion on site, to accord with paragraph D4 of the applicant's report entitled 'An Extended Phase 1 and Protected Species Survey of Monkton Fell' received 29 June 2012, and paragraph 6.4 of the applicant's Bird Breeding Bird Survey received 29 June 2012, have been agreed in writing by the Local Planning Authority. The approved scheme must then be implemented in full.

To ensure the protection and enhancement of the important environmental assets of the borough in accordance with Policy DM7 of the South Tyneside Local Development Framework.

- 9 The Landscaping scheme, shall be carried out in accordance with Drg no. 914_01 Rev B - Landscape Strategy received 11/09/2015, Drg no. 914_10 Rev B - Softworks Sheet 1 of 8 received 14/09/2015, Drg no. 914_11 - Softworks Sheet 2 of 8 received 14/08/2015, Drg no. 914_12 Rev B - Softworks Sheet 3 of 8 received 14/09/2015, Drg no. 914_13 Rev B - Softworks Sheet 4 of 8 received 14/09/2015, Drg no. 914_14 Rev B - Softworks Sheet 5 of 8 received 14/09/2015, Drg no. 914_15 - Softworks Sheet 6 of 8 received 14/08/2015, Drg no. 914_16 Rev B - Softworks Sheet 7 of 8 received 14/09/2015, Drg no. 914_17 rev B - Softworks Sheet 8 of 8 received 14/09/2015, Drg no. 914_20 - North Community Garden received 14/08/2015, Drg no. 914_21 - South Community garden received 14/08/2015, and Drg no. 914_22 - East Corridor received 14/08/2015, (unless alternatives have been previously submitted to and agreed in writing by the Local Planning Authority pursuant to this condition).

No dwelling hereby approved shall be occupied until details of the phasing of landscape works, to secure completion of planting, on a plot by plot, basis has been submitted to and approved in writing by the local planning authority. The approved details shall then be carried out.

Any newly planted tree or shrub that is removed, dies or becomes seriously damaged or diseased within a period of 5 years following the completion of the planting shall be replaced not later than the next planting season after the loss or damage has been identified, by others of similar size and species (unless otherwise agreed in writing by the Local Planning Authority).

To ensure a satisfactory standard of development and to provide any appropriate screening in accordance with South Tyneside Local Development Framework Policy DM1(A, and D).

- 10 No dwelling hereby approved shall be occupied until a schedule of landscape maintenance, for a minimum period of 5 years, has been submitted to and approved in writing by the Local Planning Authority. The schedule shall include details of the frequency and operations to be undertaken and arrangements for its implementation. The approved landscape scheme shall be maintained in accordance with the approved schedule.

In order to ensure a satisfactory standard of development within the public realm in the interests of the amenity of the area in accordance with South Tyneside Local Development Framework Policy DM1.

- 11 Within 3 months of the commencement of development, a phasing plan setting out the timescale for the proposed works to upgrade the public rights of way and bridleways across the application site, as shown on drawings 2127-D-00-14 Rev J received 04/02/2013, and 1N/MONK/02-21 Rev. A received 22/10/2012, shall be submitted to and agreed in writing by the local planning authority. The agreed details shall then be implemented in full on site.

To achieve a satisfactory standard of development, and in the interests of highway safety, in accordance with South Tyneside Local Development Framework Policy DM1.

- 12 Notwithstanding the information already submitted (Indicative layout shown on plan Drg no. QD1081-20-01 Rev C received 23/09/2015), prior to the occupation of the first dwelling hereby approved details including a timescale for completion on site, of a scheme of highway improvement works to Monkton Lane and Lukes Lane (including Traffic Regulation Orders, traffic calming /physical works) shall be submitted to and approved in writing by the Local Planning Authority. The approved details shall then be carried out.

To achieve a satisfactory standard of development, and in the interests of highway safety, in accordance with South Tyneside Local Development Framework Policy DM1.

- 13 Notwithstanding the information already submitted regarding the potential for ground contaminants 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. The investigation and risk assessment must be undertaken by competent persons and a written report of the findings must be produced. The written report is subject to the approval 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; (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 protect the future occupiers of the development from any potential contaminants that may exist on site in the interests of environmental safety and residential amenity in accordance with South Tyneside Local Development Framework Policy DM1(m).

- 14 A Detailed Remediation Strategy for the proposed remedial works shall be submitted to, and approved 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 protect the future occupiers of the development from any potential contaminants that may exist on site in the interests of environmental safety and residential amenity in accordance with South Tyneside Local Development Framework Policy DM1(m).

- 15 Following completion of measures identified in the approved Remediation Strategy, a Verification Report (also known as a validation 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. Unless otherwise agreed in writing by the Local Planning Authority.

To protect the future occupiers of the development from any potential contaminants that may exist on site in the interests of environmental safety and residential amenity in accordance with South Tyneside Local Development Framework Policy DM1(m).

- 16 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 protect the future occupiers of the development from any potential contaminants that may exist on site in the interests of environmental safety and residential amenity in accordance with South Tyneside Local Development Framework Policy DM1(m).

- 17 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 the nearby residents, in accordance with South Tyneside Local Development Framework Policy DM1.

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

An agreement under Section 278 and Section 38 of the Highway Act is required from the Council as Highway Authority before the proposed highway works may be undertaken.

- 4 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



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 4445000. 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.