



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:

Turley
2 Bond Court
Leeds
West Yorkshire
LS1 2JZ

Application No: ST/0660/15/FUL

Date of Issue: 23/11/2015

FAO: Mr J Brooks

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: Demolition of South Shields Metro Station, 25 East Smithy Street, Keppel Street Post Office/Sorting Office, 3, 5 and 7 Keppel Street and 8, 10 and 12 William Street. Erection of Transport Interchange comprising new interchange building, Metro station, bus station, passenger drop off area and new vehicular crossover to Keppel Street. Erection of two retail units with office accommodation at first and second floors. Application made subject to an Environmental Impact Assessment.

LOCATION: Head Post Office King Street, South Shields Metro Station King Street, 5-7 Keppel Street, 8-12 William Street, 25 East Smithy Street, Burrow Street, Albemarle Street, South Shields

In accordance with your application dated 03 July 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:

Proposed site plan	12569B_045 Rev AJ
Proposed elevations	12569B_061 Rev B
Proposed site sections	12569B_081 Rev A
Proposed ground level layout	12569B_047 Rev N
Proposed platform canopy	12569B_093
Proposed platform Emergency Egress	12569B_089 Rev A
Proposed Retail Building Site Plan	12569B_080 Rev A

Proposed GA ground floor Plan	12569B-(00)001 Rev A
Proposed GA first floor Plan	12569B-(00)002 Rev A
Proposed GA second floor Plan	12569B-(00)003 Rev A
Proposed GA Elevations	12569B-(00)004 Rev B
Proposed Rail Level Layout	12569B_049 Rev L
Proposed Sections	12569B_020 Rev H
Proposed Elevations	12569B_021 Rev K
Proposed Roof Plan	12569B_054 Rev C
Proposed Mezzanine Level Layout	12569B_053 Rev F
Proposed Section across to King Street	12569B_028 Rev D
Proposed GA second floor Plan	12569B-(00)003 Rev A
Proposed fence / Living Wall details	12569B_094

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 details shown on the 'proposed construction phasing' indicative plan, drawing no. NEA1239/BS/CP01, the use of the Transport Interchange by buses shall not commence until a fully detailed phasing plan and timetable showing the proposed highway works and Road Traffic Restrictions (Section 278 works) associated with the Transport Interchange have been submitted to and approved in writing by the Local Planning Authority, and subsequently implemented. The phasing shall indicate the stage at which the Transport Interchange can be brought into use (currently indicative plan phase 2) as well as the completed scheme.

In the interest of highway safety in accordance with South Tyneside Local Development Framework Policy DM1.

- 4 The operation of buses from the Transport Interchange shall not commence until the offsite highway works (section 278 works) shown on drawing no. NEA1239/IS/GL02REV D, shown as works within the grey shaded highway area, outside the application red line boundary and excluding the area hatched in blue , have been completed unless otherwise agreed in writing by the Local Planning Authority.

In order to mitigate the impact of the development on existing bus services and public access ensuring free flow of buses around the town centre in accordance with South Tyneside Local Development Framework Policy DM1.

- 5 Notwithstanding the details already submitted, prior to the commencement of works in connection with each of the architectural features referred to in this condition details and samples for that feature shall be submitted to the Local Planning Authority and approved in writing. Architectural features include samples and details of bricks, cladding, roofing materials, windows and external build finish. 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 South Tyneside Local Development Framework Policy DM1.

- 6 The transport interchange shall not be brought into use until a scheme of soft landscaping including tree and shrub planting have been submitted to and approved in writing by the Local Planning Authority. The submitted scheme shall include the type, height, species and location of all new trees and shrubs. 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).

In order to soften the visual appearance of the development and ensure a satisfactory standard of development in accordance with South Tyneside Local Development Framework Policy DM1.

- 7 No development shall commence until an investigation and risk assessment has been 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'.

In order to ensure that any risks of contamination have been fully assessed in accordance with South Tyneside Local Development Framework Policy DM1.

- 8 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.

In order to ensure that any risks of contamination have been fully assessed in accordance with South Tyneside Local Development Framework Policy DM1.

- 9 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.

In order to ensure that any risks of contamination have been fully assessed in accordance with South Tyneside Local Development Framework Policy DM1.

- 10 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.

In order to ensure that any risks of contamination have been fully assessed in accordance with South Tyneside Local Development Framework Policy DM1.

- 11 Prior to the commencement of the development a final drainage strategy which should include the use of sustainable urban drainage systems shall be submitted to the local planning authority for approval in writing. The strategy should include drawings and calculations detailing exceedance amounts from the drainage for extreme storms including 1 in 30 year event and 1 in 100 year event plus 30% climate change. The strategy shall identify that there will be no flooding from a 1 in 30 year event from the drainage on site. There shall be no internal flooding of any on site buildings and no off site flooding for a 1 in 100 year event plus 30% climate change, safe entry and exit to the site shall be maintained; where exceedances are indicated overland flow plans shall be submitted.

In order to minimise and mitigate localised flood risk in accordance with South Tyneside Local Development Framework Policy DM1.

- 12 Notwithstanding the proposed highway layout shown on drawing no. 12569B_84 Rev.A, an amended layout shall be submitted and agreed in writing by the Local Planning Authority providing sufficient vehicular access, turning and manoeuvring space for large delivery vehicles within the proposed service area accessed from Albermarle Street. The development must then be carried out in accordance with the agreed details.

In order to ensure a satisfactory standard of development in the interest of highway safety in accordance with South Tyneside Local Development Framework Policy DM1.

- 13 The development shall be carried out in accordance with the Flood Risk Assessment submitted.

In order to minimise and mitigate localised flood risk in accordance with South Tyneside Local Development Framework Policy DM1.

- 14 The noise generated by plant and equipment held within the hereby approved plant room within the mezzanine level of the transport interchange building shall meet the criteria of a maximum +3dB at the nearest residential property, when assessed using BS4142:2014

In order to protect residential amenity and ensure a satisfactory standard of development in accordance with South Tyneside Local Development Framework Policy DM1.

- 15 Before the use of the Transport Interchange is commenced, the service area and drop off area shall be constructed and marked out in accordance with the details shown and shall be retained thereafter.

In order to achieve a satisfactory standard of development 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



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.