



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:
Gary Craig Building Services Ltd.
10 Fulmar Walk
Whitburn
SR6 7BW

Application No: ST/0746/15/FUL
Date of Issue: 01/02/2016

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: Demolition of the vacant public house and the construction of 7 no. apartments which will include the use of part of the existing cellar area as living accommodation, with front boundary railings and light wells (and the stopping up of part of the adopted highway). The provision of 3no. parking bays and a refuse collection area.

LOCATION: The Beacon Public House, 100-101 Greens Place, South Shields, NE33 2AQ

In accordance with your application dated 22 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 plan(s) as detailed below

- Site / Roof Plan Rev B received 30/11/2015
- Drg No. 2 Rev C received 30/11/2015
- Drg No. 3 Rev C received 30/11/2015
- Drg No. 4 Rev E received 08/12/2015
- Drg No. 5 received 30/11/2015
- Drg No. 6 Rev B received 30/11/2015
- Drg No. 7 Rev B received 30/11/2015
- Drg No. 8 Rev B received 30/11/2015
- Drg No. 9 Rev B received 30/11/2015

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 surfaces of the development hereby permitted shall be as specified on Drg No. 4 Rev E received 08/12/2015 unless otherwise agreed in writing by the Local Planning Authority.

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

- 4 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 risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with South Tyneside LDF Development Management Policy DM1.

- 5 The development hereby permitted shall not commence until a detailed scheme for the disposal of foul water from the proposed basement has been submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall take place in accordance with the approved details.

To ensure that an appropriate method of connection to the existing sewerage network is achieved, and to prevent the increased risk of flooding from any sources, in accordance with South Tyneside Local Development Framework Policy DM1.

- 6 The development hereby permitted shall not be occupied until the car parking as shown on Drg No. 2 Rev C received 30/11/2015 has been completed/marked out in full on site and made available for use. The car parking shall then be retained on site for its designated purpose.

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

- 7 Notwithstanding the cycle storage details submitted as part of this application, full details of a secured and covered cycle storage area, in the position shown on the Site / Roof Plan Rev B received 30/11/2015 and Drg No. 2 Rev C received 30/11/2015, shall be approved in writing by the Local Planning Authority. The approved details must then be completed on site before the first occupation of the hereby approved development and retained henceforth.

To ensure a satisfactory standard of sustainable development in accordance with South Tyneside Local Development Framework Policy DM1.

- 8 The development hereby permitted shall not be occupied until the refuse area shown on Drg No. 2 Rev C received 30/11/2015 has been completed in full and made available for use. It shall then be retained thereafter for its designated purpose.

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

- 9 The development hereby permitted (including demolition) shall not commence until a programme of archaeological building recording has been completed, 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.

To provide an archive record of the historic building in accordance with South Tyneside Local Development Framework Policies SS12 and DM6.

- 10 The development hereby permitted (excluding demolition) shall not commence until a programme of archaeological fieldwork (to include evaluation and where appropriate mitigation excavation) has been completed. This shall be carried out in accordance with a specification provided by the Local Planning Authority.

The site is located within an area identified as being of potential archaeological interest. The investigation is required to ensure that any archaeological remains on the site can be preserved wherever possible and recorded, in accordance with South Tyneside Local Development Framework Policies SS12 and DM6.

- 11 The building hereby permitted shall not be occupied until a final report of the results of the archaeological fieldwork undertaken in pursuance of Condition 10, in a form suitable for publication in a suitable and agreed journal, has been submitted to and approved in writing by the Local Planning Authority.

The site is located within an area identified as being of potential archaeological interest. The investigation is required to ensure that any archaeological remains on the site can be preserved wherever possible and recorded, in accordance with South Tyneside Local Development Framework Policies SS12 and DM6.

- 12 No demolition works, construction or associated works, or deliveries of materials, shall take place outside the hours of 8am - 6pm Monday to Friday and 9am - 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

Prior to starting work on this development, the adopted highway within the application site (the area to the front of the existing building) MUST be formally stopped up under Section 247 of the Town & Country Planning Act 1990. This process can take up to six months and it is the responsibility of the applicant to seek this stopping up. To obtain the relevant application form and guidance notes please contact:

The National Transport Casework Team
Tyneside House
Skinnerburn Road
Newcastle Business Park
Newcastle upon Tyne
NE4 7AR

Telephone 0207 944 4115

Any existing utilities located within the adopted highway may need to be relocated prior to the highway being formally stopped up.

The adopted highway should not be blocked off prior to it being formally stopped up.

4 NOTE TO APPLICANT

In order to discharge Condition 5 relating to a detailed scheme for the disposal of foul water from the basement development, the applicant is advised to liaise with Northumbrian Water's Planning Team - (0191) 419 6767 or by e-mail at planning@nwl.co.uk to discuss this matter further. This would be to agree a satisfactory method of connection from the basement to the public sewerage system. This could include assessment of sewer depths to inform the viability of connection to an existing sewer. This may require the provision of a foul water pumping system.

5 NOTE TO APPLICANT

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

6 NOTE TO APPLICANT

The applicant is advised that they should follow the working method statement in Section 6.3 of the Ecology Report by Dendra Consulting Ltd received 30/09/2015.

7 NOTE TO APPLICANT

The applicant is advised that part of the Lawe Top was built up using ballast material, notably from Lawe Road eastwards. The applicant should therefore ensure that ground conditions at the site are suitable to accommodate the proposal.



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.