



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:

Mr Gary Marshall
100 Prince Consort Road
Jarrow
NE32 5XE

Application No: ST/0853/15/VC

Date of Issue: 05/05/2016

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 made under Section 73 of the Town & Country Planning Act 1990 to vary Condition 2 of application ref. ST/1204/13/FUL, which granted permission for the construction of 5no. detached houses, new and refurbished garage blocks, and increased width of existing vehicle access road into the site by 1 metre. Minor material alterations are now sought to this approved scheme comprising the reorientation of the dwellings on Plots 3 and 4, the construction of porches to the front of dwellings at Plots 3 and 4, the re-positioning further forward of dwellings at Plots 1 and 1a, the removal of the approved double garage block and part of the existing garage block to be refurbished, alterations to parking bay provision including re-positioning 2 bays to the front of Plots 3 and 4, a new parking bay to the side of Plot 4 and 2 additional bays at Plot 1, and the provision of a vehicular turning area within the site.

LOCATION: 1-5 Monkton Dene View, Jarrow, Site of Former Cadet Centre/, Land at Belsfield Gardens, Jarrow, NE32 5QB, Vacant Land to Rear of Belsfield Gardens, Jarrow

In accordance with your application dated 24 August 2015

SUBJECT TO THE FOLLOWING CONDITION(S) AND REASON(S):

1 The development shall be carried out in accordance with the approved plan(s) as detailed below

- Drawing No. 502/1 A received 29/10/2013 approved under planning application ST/1204/13/FUL
- Drawing No. 502/2 A received 29/10/2013 approved under planning application ST/1204/13/FUL
- Drawing No. 502/52E received 23/03/2016
- Drawing No. 502-53 received 23/03/2016
- Drawing No. 502/5 A received 28/01/2016
- Drawing No. 502 17 G received 28/01/2016
- Drawing No. 502/6 D received 24/03/2016

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.

- 2 The external surfaces of the development hereby permitted shall be as specified on Drawing No. 502-52 E received 23/03/2016 and in accordance with details specified under planning application ST/1204/13/FUL and approved under application reference ST/0665/15/COND (discharge of Condition 3 - Materials-relating to previously approved planning application ST/1204/13/FUL), 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 adopted South Tyneside Local Development Framework Development Management Policy DM1.

- 3 Prior to the first occupation of the dwellings at Plots 1, 1A and 2 hereby permitted, the 'Detailed Remediation Strategy' by Ian farmer Associates dated 17th December 2015 (received 17/12/2015) must be carried out in accordance with its terms, unless otherwise agreed in writing by the Local Planning Authority. The Local Planning Authority must be given two weeks written notification of commencement of the remediation scheme for these plots.

Following completion of measures identified in the approved remediation scheme, a verification report for Plots 1, 1A and 2 demonstrating the effectiveness of the remediation carried out must be produced, and is subject to the approval in writing of the Local Planning Authority.

In the interests of safeguarding human health and the environment in accordance with adopted South Tyneside Local Development Framework 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.

In the interests of safeguarding human health and the environment in accordance with adopted South Tyneside Local Development Framework Development Management Policy DM1.

- 5 No 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 adopted South Tyneside Local Development Framework Development Management Policy DM1.

- 6 The soft landscaping scheme as approved under application referenced ST/1172/15/COND (discharge of Conditions 8 and 10 attached to planning permission referenced ST/1204/13/FUL), shall be completed not later than 12 months following the first occupation of the entire development.

In the interests of visual amenity in accordance with adopted South Tyneside Local Development Framework Development Management Policy DM1.

- 7 The boundary treatment shall be erected in accordance with details approved under application referenced ST/1172/15/COND (discharge of Conditions 8 and 10 attached to planning permission referenced ST/1204/13/FUL).

In the interests of visual amenity and to ensure a satisfactory form of development in accordance with adopted South Tyneside Local Development Framework Development Management Policy DM1.

- 8 Prior to the first occupation of the development hereby permitted, the wheelie bin standing area, as approved under application referenced ST/1172/15/COND (discharge of Conditions 8 and 10 attached to planning permission referenced ST/1204/13/FUL), shall be constructed in accordance with approved details, and then retained henceforth.

In the interests of visual amenity and to ensure a satisfactory form of development in accordance with adopted South Tyneside Local Development Framework Development Management 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

Guidance for construction working on contaminated land may be found within the document HSE (1991) 'Protection of Workers and the General Public during the Development of Contaminated Land'.

4 NOTE TO APPLICANT

To encourage biodiversity bird boxes to suit the species recorded on site should be installed at appropriate locations on site, and integrated bat boxes should be installed on the southern elevations of the new dwellings, one for each building. The bat boxes should be as close to eaves level of the main roof as possible. The boxes used may be any of the following all made by Schwegler :1FQ; brick box type 27; bat access panel 1FE; bat tube 1FR.

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.

The applicant should be aware that, notwithstanding details shown on Drawing No. 502 17 G received 14/04/2016 (drawing approved under application referenced ST/1172/15/COND - discharge of Conditions 8 and 10 attached to planning permission ST/1204/13/FUL), bins would need to be brought to Belsfield Gardens at times of awaiting collection.



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.