



**NOTICE OF GRANT OF PLANNING PERMISSION**  
**Town and Country Planning Act 1990**  
**Town and Country Planning (Development Management Procedure)**  
**(England) Order 2015**

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**Contact Name and Address:**

Fitz Architects Limited  
FAO Mr Craig Fitzakerly  
6 Pier Point  
Marine Walk  
Sunderland  
SR6 0PP

**Application No:** ST/0893/15/FUL

**Date of Issue:** 09/03/2016

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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 existing bungalow and erect two storey dwelling  
**LOCATION:** 21 Sunderland Road, Cleadon, SR6 7UR

In accordance with your application dated 01 September 2015

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**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

Drawing Number: AL (90) 0100 Revision B received 02/02/2016  
Drawing Number: AL (0) 0055 Revision B received 02/02/2016  
Drawing Number: AL (0) 0010 Revision B received 04/03/2016  
Drawing Number: AL (0) 0011 Revision B received 04/03/2016  
Drawing Number: AL (0) 0012 Revision B received 04/03/2016  
Drawing Number: AL (0) 0013 Revision B received 04/03/2016  
Drawing Number: AL (0) 0110 Revision A received 07/03/2016  
Drawing Number: AL (0) 0100 Revision A received 02/02/2016

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.

- 3 Prior to the commencement of the development samples and details of all external materials shall be submitted to the local planning authority and approved in writing. 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 Policy DM1(A) of the South Tyneside Local Development Framework.

- 4 Prior to the commencement of the development a Drainage Strategy shall be submitted to and approved in writing by the Local Planning Authority. This Drainage Strategy shall include the measures proposed to address the risk of flooding on the site, along with an explanation as to how the proposed scheme will avoid increasing the risk of localised surface water flooding beyond the site. The measures approved shall then be implemented in full prior to the first occupation of the new dwelling and shall be retained thereafter.

In order to ensure that the development will minimise the risk of surface water flooding both on the site and elsewhere in accordance with Policy DM1(K) of the South Tyneside Local Development Framework.

- 5 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 policies EA5 and DM1(M) of the South Tyneside Local Development Framework.

- 6 No demolition, construction or associated works or deliveries of materials shall take place outside the hours of 8am - 6pm Monday to Saturday 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 Policy DM1(B) of the South Tyneside Local Development Framework.

- 7 Prior to the first occupation of the development hereby permitted, the first floor side windows of the development facing the common boundary with 23 Sunderland Road, shown serving a bedroom and en-suite bathroom, shall be glazed with obscure glass to a level sufficient to protect the privacy of neighbouring occupiers. The form of windows and obscure glazing shall be retained thereafter.

To ensure the protection of privacy for neighbouring occupiers, and in the interests of residential amenity, in accordance with Policy DM1(B) of the South Tyneside Local Development Framework.

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## **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](http://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](http://www.groundstability.com)

## **3 NOTE TO APPLICANT**

In order to protect the health and wellbeing of adjacent trees belonging to the neighbour at 19 Sunderland Road, prior to the commencement of any works or deliveries, the tree protection measures advised in the Arboricultural Implications Assessment document received by the Local Planning Authority 8 September 2015 (produced by Woodsman Arboricultural Consultancy and submitted as part of this application) should be implemented in full and should then be retained on site for the duration of works.

## **4 NOTE TO APPLICANT**

A precautionary approach to demolition works should be adopted in accordance with the Bat Survey and Risk Assessment submitted in support of the application. The applicant and all those working on site should be aware that, although there were no bats or signs of bats found within the Bat Survey that was submitted, all 16 species of bats in the UK are protected by both UK and European legislation. This legal protection extends to any place that a bat uses for shelter or protection whether bats are present or not. Therefore should bats, or signs of bats, be found during the course of these redevelopment works, work must stop immediately and advice sought from English Nature (tel: 0845 1300 228). Failure to do this may result in the law being broken and in England and Wales, the CRoW Act makes bat offences arrestable and can result in the imposition of fines and / or a prison sentence.

## 5 NOTE TO APPLICANT

As it is intended to import soil to site the applicant should ensure that this soil comes from a chemically clean source. Further information regarding this is available within the document entitled 'Technical Guidance for Developers, Landowners and Consultants' (Yorkshire and Humberside Pollution Advisory Council, Version 3.2, October 2014) which is available on the Internet.

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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.