



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:

P+HS Architects
FAO Mr B Garfitt
The Old Station
Station Road
Stokesley
North Yorkshire
TS9 7AB

Application No: ST/1015/15/FUL

Date of Issue: 17/03/2016

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: Construction of a car park on land adjacent to Harton Lane providing 39 additional parking spaces.

LOCATION: South Tyneside District Hospital, Harton Lane, South Shields, NE34 0PL

In accordance with your application dated 14 October 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. 000/00/SKT/E/001 Rev P01 (External Lighting) received 15/02/2016

Drg No. 2442-D-90-010 (Proposed Additional Car Park) received 14/10/2015

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 development hereby approved shall adhere to the Proposed Drainage Layout (Drawing No. 14T638-110 Rev P1) received on 08/12/2015, which states that surface water from the proposed development will discharge at a restricted rate of 5l/sec.

To prevent the increased risk of flooding in accordance with Policy DM1 (K) of the South Tyneside Local Development Framework.

- 4 The development shall not be commenced and there shall be no deliveries of plant or building materials brought to the site, until the submitted scheme of tree protective fencing has been carried out to British Standard 5837:7&8 in the positions marked on the Tree Protection Plan (Drg No. TPP.NHS.Harton Lane. No2) contained within the Arboricultural Implications Assessment Report received on 15/02/2016. The protective fencing shall be maintained in position and in good order during the whole period of construction works on site. Works, including the excavation, removal or deposit of earth or other materials shall not be carried out within the area enclosed by protective fencing without the written prior consent of the Local Planning Authority.

To ensure that the health of the protected trees to be retained on the adjoining site is adequately protected during the period of construction in accordance with British Standard 5837:7&8 and Policy DM1 of the South Tyneside Local Development Framework.

- 5 Any excavations within the vicinity of the 2no. trees to be retained (as shown on the Tree Protection Plan Drg No. TPP.NHS.Harton Lane. No2 contained within the Arboricultural Implications Assessment Report received on 15/02/2016) shall be undertaken in accordance with the special construction measures specified in the Arboricultural Implications Assessment Report received on 15/02/2016.

To ensure that the health of the trees to be retained is maintained in accordance with Policy DM1 of the South Tyneside Local Development Framework.

- 6 The development shall not be commenced until a landscape scheme, including details of both hard and soft landscaping, has 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 (including replacement tree planting) and shrubs as well as any proposed seeding, turfing and hard surfacing materials. 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 in accordance with Policy DM1 of the South Tyneside Local Development Framework.

- 7 No development shall take place 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 in the interests of the amenity of the area in accordance with Policy DM1 of the South Tyneside Local Development Framework.

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 Under the Wildlife and Countryside Act 1981, as amended (section 1), it is an offence to remove, damage or destroy the nest of any wild bird while that nest is in use or being built. Planning consent for a development does not provide a defence against prosecution under this act.

Trees and scrub are likely to contain nesting birds between 1st March and 31st August inclusive. Trees and scrub are present on the application site and are to be assumed to contain nesting birds between the above dates, unless a recent survey has been undertaken by a competent ecologist to assess the nesting bird activity on site during this period and has shown it is absolutely certain that nesting birds are not present.



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.