



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:

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Application No: ST/1018/15/HFUL

Date of Issue: 19/04/2016

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: Single storey lounge extension to the rear elevation and two storey annex side extension.

LOCATION: Michaelford, Dipe Lane, East Boldon, NE36 0PQ

In accordance with your application dated 21 September 2015

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

- 1 The development shall be carried out in accordance with the approved plans:
 - RES/419 100-05 rev 4 received on 15 January 2016.
 - RES/419 100-06 rev 4 received on 15 January 2016.
 - RES/419 100-07 rev 5 received on 15 January 2016.
 - RES/419 100-09 rev 2 received on 15 January 2016.
 - RES/419 100-10 rev 2 received on 15 January 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 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.

- 3 The external surfaces of the development hereby permitted shall be of similar appearance to those used in the construction of the exterior of the existing building on which the extension will form part.

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 The hereby approved two storey side annexe extension shall not be occupied at any time other than for purposes ancillary to the existing residential use of the site.

To retain control of the future use of the two storey side annexe extension in the interests of safeguarding neighbouring amenity under Policy DM1 of the South Tyneside Local Development Framework.

- 5 The hereby approved two storey side annexe extension must be constructed on site in accordance with the recommendations of the applicant's Structural Engineers report (letter from Dayes Kenyon Associates Limited dated 1 October 2015 and received 15 October 2015). This report recommends a no dig/non excavated system of sub structure/building foundations and the use of a piled foundation solution for the extension.

To avoid damage to the roots of the Copper Beech tree which lies within close proximity of this development and which is the subject of a Tree Preservation Order in the interests of amenity and in accordance with Policy DM1 of the South Tyneside Local Development Framework.

- 6 There shall be no works commenced upon the hereby approved two storey side annexe extension until the proposed tree pruning and crown raising works to the protected Copper Beech tree, as set out within the applicant's Pre Development BS5837 Arboricultural Implications Assessment entitled 'Michaelford T3 Pruning Requirements' received 3 March 2016, have been completed on site.

To provide the necessary clearance for the proposed extension and to avoid damage to the Copper Beech Tree, which is protected by a Tree Preservation Order, in the interests of amenity and in accordance with Policy DM1 of the South Tyneside Local Development Framework.

- 7 No development on the hereby approved two storey side extension shall commence until the suggested tree protective fencing and tree root ground protection measures, as set out within the applicant's Pre Development BS5837 Arboricultural Implications Assessment V2 entitled 'Michaelford September 2015' received 15 October 2015, have been completed on site. Once installed these tree protection measures must then be retained for the duration of site works.

To avoid damage to the roots of the Copper Beech tree which lies within close proximity of the development and which is the subject of a Tree Preservation Order in the interests of amenity and 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



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 for any other purpose. Applications should be made for any other permission, approval or consent required from South Tyneside Council (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.

APPEALS TO THE SECRETARY OF STATE

6 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.

As this is a decision to refuse planning permission for a householder application, if you want to appeal against your local planning authority's decision then you must do so within 12 weeks 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 12 weeks 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

- 7 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.