



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:
Aspire Properties North East Ltd.
FAO Mr Kourosh Rezai
156 Edgehill
Darras Hall
Ponteland
NE20 9JN

Application No: ST/1015/16/FUL
Date of Issue: 24/02/2017

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: Change of use and extension/alteration of the existing 20 bedroom guest house and adjoining dwelling house to provide a 43 bedroom hotel with on-site car parking for 11 cars. Associated vehicle access crossing from the highway and works to amend the existing resident parking scheme to accommodate the on-site parking at the front of the property.

LOCATION: 3-5 Lawe Road, South Shields, NE33 2JN

In accordance with your application dated 03 October 2016

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. S4-105 Rev B received 23/01/2017
Drg no. S4-201 Rev D received 13/02/2017
Drg no. S4 -202 received 18/10/2017
Drg no. S4 -203 received 18/10/2017
Drg no. S4 -204 received 18/10/2017
Drg no. S4-205 Rev B received 23/01/2017
Drg no. S4-206 Rev C received 23/01/2017

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 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 bin store detail as shown on Drg no. S4-201Rev D received 13/02/2017 shall be completed and made available for use prior to first use and occupation and thereafter retained as such. No refuse or returnable containers for the storage of refuse or recycling shall be stored outside the curtilage of the property except when awaiting collection.

In the interests of residential amenity and to secure a satisfactory standard of development in accordance with South Tyneside LDF Development Management policy DM1.

- 5 The development and of use hereby approved shall be limited to a maximum of 43 bedrooms for guests.

To safeguard the occupiers of adjacent properties from undue noise and traffic generation arising from the use of the premises in accordance with South Tyneside LDF Development Management policy DM1.

- 6 The application site shall be used as a guest house / hotel only within use class C1 of the Town and Country Planning (Use Classes) Order 1987 (as amended) and shall be used for no other purpose.

The Local Planning Authority would wish to carefully examine any alternative use of the building to assess whether the development would be acceptable in terms of highway safety and amenity, in accordance with South Tyneside LDF Development Management Policy DM1.

- 7 Prior to the first use of the premises as a guest house / hotel the car parking layout and vehicle access crossings from the adopted highway including the amendments to the Traffic Regulation Order as detailed on Drg no. S4-206 Rev C received 23/01/2017 shall be completed and formally marked out in accordance with the approved plans. The car parking shall be used and maintained in such a manner as to ensure its availability at all times for the standing of private motor vehicles in association with the guest house / hotel use hereby approved.

In the interests of highway safety, to ensure that an adequate supply of off-street car parking is provided and maintained in accordance with South Tyneside LDF Development Management policy DM1.

- 8 No piling works shall commence until a piling scheme methodology has been submitted to and approved in writing by the local planning authority. The methodology shall include the details of the type of piling to be carried out (given the close proximity of local residents), the consideration given to noise and ground borne vibration as a result of the method of piling and the size of piles and expected depth. The methodology shall also include details for neighbour notification in respect of making residents aware of any timescales for piling to minimise the impact on amenity. All works shall be carried out in accordance with the approved details

To safeguard the amenity of nearby residents in accordance with South Tyneside LDF Development Management Policy DM1.

- 9 No piling shall take place at the weekend or outside of the hours of 9:00am and 5.00pm Monday to Friday.

To safeguard the amenity of nearby residents in accordance with South Tyneside LDF Development Management Policy DM1.

- 10 No construction or associated works or deliveries of materials in association with the development works to facilitate the hereby permitted change of use, shall take place outside the hours of 8.00am - 6.00pm Monday to Friday and 9.00am to 1.00pm on Saturdays 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 South Tyneside LDF Development Management Policy DM1.

- 11 An investigation and risk assessment must be completed in accordance with a scheme to assess the nature and extent of any contamination on the site. The investigation and risk assessment must be undertaken by competent persons and a written report of the findings must be produced. The written report is subject to the approval in writing of the Local Planning Authority. The report of the findings must include (i) a survey of the extent, scale and nature of contamination; (ii) an assessment of the potential risks to human health (including ground gas), property (existing or proposed) and (iii) an appraisal of remedial options, and proposal of the preferred option(s). This must be conducted in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11'.

To ensure that the site is suitable for the proposed end use in accordance with Core Strategy Policy EA5 and Development Management Policy DM1 of the South Tyneside Local Development Framework.

- 12 A Detailed Remediation Strategy for the proposed remedial works shall be submitted to, and approved by the Local Planning Authority prior to commencing remedial works. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. Where remediation of gas has been identified as necessary by the site investigation a verification plan shall be submitted for the proposed gas protection measures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

To ensure that the site is suitable for the proposed end use in accordance with Core Strategy Policy EA5 and Development Management Policy DM1 of the South Tyneside Local Development Framework.

- 13 Following completion of measures identified in the approved Remediation Strategy, a Verification Report that demonstrates the effectiveness of the remediation carried out must be produced, and is subject to the approval in writing of the Local Planning Authority prior to the site being occupied.

To ensure that the site is suitable for the proposed end use in accordance with Core Strategy Policy EA5 and Development Management Policy DM1 of the South Tyneside Local Development Framework.

- 14 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 the site is suitable for the proposed end use in accordance with Core Strategy Policy EA5 and Development Management 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 NOTE TO APPLICANT

The works within the adopted highway shall be carried out by South Tyneside Council Highways Department.

- 3 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.

Further information is also available on the Coal Authority website at:
www.gov.uk/government/organisations/the-coal-authority



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.