



NOTICE OF GRANT OF PLANNING PERMISSION
Town and Country Planning Act 1990
Town and Country Planning General Regulations 1992
Town and Country Planning (Development Management Procedure)
(England) Order 2015

Contact Name and Address:

CEAD Architects
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Quayside
Newcastle upon Tyne
NE1 2DF

Application No: ST/1258/16/LAA

Date of Issue: 07/08/2017

In pursuance of their powers under the above mentioned Acts and Regulations, South Tyneside Council as Local Planning Authority hereby resolve for the purposes of Regulation 3 of the Town and Country Planning General Regulations 1992 to **GRANT** planning permission for the following development:

PROPOSAL: Erection of 20no. new dwellings comprising 6 apartments, 10 bungalows and 4 houses including associated parking, landscaping and highways improvements.

LOCATION: Land adjacent to Salcombe Avenue, Jarrow, NE32 3SN

In accordance with your application dated 23 December 2016

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

1 Time Limit

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 Approved Plans

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

- Drg. No. SA. SP.02 Rev H (Proposed Site Layout Plan) received 01 June 2017
- Drg. No. SA. SP.04 (Bungalow - Proposed Roof Plan) received 08 February 2017
- Drg. No. SA. EL.05 (Bungalow - Proposed Elevations) received 08 February 2017
- Drg. No. SA. PL.05 (Bungalow - Proposed Ground Floor Plan) received 08 February 2017

- Drg. No. SA. SC.10 (Bungalow - Proposed Section) received 23 December 2016
- Drg. No. SA. EL.06 Rev A (Terraced Houses - Proposed Elevations) received 08 February 2017
- Drg. No. SA.PL.07 Rev A (Terraced Houses - Proposed Floor Plans) received 08 February 2017
- Drg. No. SA.PL.06 Rev A (Terraced Houses - Proposed Roof Plan) received 08 February 2017
- Drg. No. SA.SC.10 Rev A (Terraced Houses - Proposed Section) received 05 June 2017
- Drg. No. SA.EL. 03 (Apartment Plots 1-4 Front and Rear Elevations) received 08 February 2017
- Drg. No. SA.EL. 05 Rev A (Apartment Plots 1-4 Gable Elevations) received 27 April 2017
- Drg. No. SA.PL.02 (Apartment Plots 1-4 Roof Plan) received 08 February 2017
- Drg. No. SA.PL. 09 Rev A (Apartment Plots 1-4 Proposed Floor Plans) received 27 April 2017
- Drg. No. SA.EL. 07 (Apartment Plots 19-20 - Proposed Elevations) received 05 June 2017
- Drg. No. SA.PL. 08 (Apartment Plots 19-20 - Proposed Roof Plan) received 08 February 2017
- Drg. No. SA.SC. 10 (Apartment Plots 19-20 - Proposed Section) received 23 December 2016
- Drg. No. PG.PL.09 Rev A (Apartment Plots 19-20 - Proposed Floor Plans) received 05 June 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.

External Materials

- 3 Notwithstanding the details already submitted, the development shall not be commenced until samples and details of all external materials for the dwellings and hard surface areas hereby approved have been submitted to and approved in writing by the Local Planning Authority. All works shall be carried out in accordance with the approved details.

To ensure a satisfactory standard of development in the interests of visual amenity in accordance with Development Management Policy DM1 of the South Tyneside Local Development Framework.

Contaminated Land

- 4 Notwithstanding the details already submitted, a Site Investigation and risk assessment shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of any construction works on site. The Site Investigation and risk assessment shall be completed in accordance with a scheme to assess the nature and extent of any contamination on the site, whether or not it originates on the site, and it shall be undertaken by competent persons. The written report of the findings must include (i) a survey of the extent, scale and nature of contamination (including groundwater); (ii) an assessment of the potential risks to human health, 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 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.

- 5 A Detailed Remediation Strategy for the proposed remedial works shall be submitted to, and approved in writing 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. 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. Where remediation of gas has been identified as necessary by the site investigation a gas 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 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.

- 6 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 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.

- 7 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.

Flood Risk

- 8 The development hereby approved shall be carried out in complete accordance with the detailed drainage proposals included within the 'Flood Risk Assessment and Drainage Strategy' (December 2016) Revision B received 31/03/2017. As such, foul flows must discharge to the combined sewer within Salcombe Avenue and surface water must discharge at a capacity rate not exceeding 5l/sec to the surface water sewer at manhole 6302. Any amendments to these approved drainage proposals shall be submitted to and approved in writing by the Local Planning Authority in consultation with Northumbrian Water.

To ensure that the development is designed to minimise and mitigate localised flood risk in accordance with Development Management Policy DM1 (K) of the South Tyneside Local Development Framework.

- 9 The Sustainable Urban Drainage Systems (SUDs) pond/bio-retention basin hereby approved shall be carried out and maintained in complete accordance with the detailed drainage proposals included within the 'Flood Risk Assessment and Drainage Strategy' (December 2016) Revision B received 31/03/2017 and retained thereafter. Any amendments to these approved drainage proposals shall be submitted to and approved in writing by the Local Planning Authority in consultation with Northumbrian Water.

To ensure that the development is designed to minimise and mitigate localised flood risk in accordance with Development Management Policy DM1 (K) of the South Tyneside Local Development Framework.

Landscape

- 10 The development hereby approved shall not be commenced above ground level, with the exception of any contaminated land remediation works, until a soft landscaping scheme has been submitted to and approved in writing by the Local Planning Authority. The submitted scheme shall include details of the type, height, species, densities, tree pits, root protection barriers, topsoil depths and location of all new trees and shrubs as well as any proposed seeding/ turfing. 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 (C) of the South Tyneside Local Development Framework.

- 11 Residential Amenity

No dwelling hereby approved shall be occupied until the proposed glazing and ventilation specification as indicated within Table 1 and Figure 1 of the Noise Survey and Facade Acoustic Design Strategy Report Version B received 19 April 2017 have been installed to all habitable rooms. Once installed, this glazing and ventilation specification shall be retained henceforth.

To ensure a satisfactory standard of development in the interests of residential amenity in accordance with Development Management Policy DM1 of the South Tyneside Local Development Framework.

- 12 No dwelling hereby approved shall be occupied until the proposed 1.8 metre high close boarded timber fencing with a mass of no less than 10 kg/ m² continuous to the ground has been completed in full on site in accordance with Drawing Number SABB01 Revision B (Proposed Boundary Treatment/Acoustic Fencing) received 01 June 2017. Once completed this 1.8 metre high boundary treatment shall be retained thereafter.

To ensure a satisfactory standard of development in the interests of residential amenity in accordance with Development Management Policy DM1 of the South Tyneside Local Development Framework.

- 13 Prior to the first occupation of the apartments at plots 1/2 and 19/20 hereby approved, the first floor windows within the side elevations of the proposed apartments at plots 1/2 facing towards the existing dwelling at No. 74 Salcombe Avenue and at plots 19/20 facing towards the proposed dwelling at plot 18, 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 Development Management Policy DM1 of the South Tyneside Local Development Framework.

- 14 No construction or associated works or deliveries of materials shall take place outside the hours of 8am - 6pm Monday to Friday and 9am - 1pm 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 the nearby residents, in accordance with Development Management Policy DM1 (B) of the South Tyneside Local Development Framework.

Levels

- 15 Notwithstanding the details already submitted, details of the existing and proposed site levels and the finished floor levels fixed to a datum point off-site, shall be submitted to and approved in writing by the Local Planning Authority. The development shall then be completed entirely in accordance with the approved details.

To safeguard the amenities of the occupiers of existing neighbouring dwellings in accordance with Development Management Policy DM1 of the South Tyneside Local Development Framework.

Removal of Permitted Development Rights - Boundary Treatment

- 16 Notwithstanding the provisions of Article 3 and Class A of Part 2 of Schedule 2 of the Town & Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that order with or without modification), no gate, fence, wall or other means of enclosure shall be erected within the curtilage of the dwellings hereby approved, or along any boundary of the property, without an application for planning permission having first been made to and approved in writing by the Local Planning Authority.

To prevent the loss of amenity which might be caused by developments which otherwise would be permitted, in accordance Development Management Policy DM1 of the South Tyneside Local Development Framework.

Cycle Parking

- 17 Prior to the occupation of the dwellings hereby approved details of proposed covered cycle storage for each dwelling shall be submitted to and approved in writing by the Local Planning Authority and the approved cycle storage shall be carried out on site for each dwelling prior to the occupation of that dwelling and be retained thereafter.

In the interests of sustainable development and in accordance with Core Strategy Policy ST2 of the South Tyneside Local Development Framework.

NOTES TO APPLICANT:

- 1 This notice of grant of planning permission should be read in conjunction with the associated planning obligations (s106) agreement between (1) The Council of the Borough of South Tyneside and (2) South Tyneside Housing Ventures Trust Limited dated 07/08/2017.
- 2 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.
- 3 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.
- 4 The Council's Public Rights of Way Officer and the Council's Road Safety Team have advised that the developer will need to temporarily close and divert the footpaths while the development is being constructed. The Council have a 4-6 week lead in for this and there is a charge to the developer. Also as the development is crossing the footpaths, the footpaths will need to be formally diverted. This can be carried out through the Town and Country Planning Act S257 process. The new diverted footpaths should be the same construction (tarmac), width and street lit.
The legal order must be made and confirmed before the development is significantly complete.
- 5 Northumbrian Water have advised that a public sewer crosses the site and may be affected by the proposed development. Northumbrian Water do not permit a building over or close to their apparatus and need to establish the exact location of their assets and ensure any necessary diversion, relocation or protection measures required prior to the commencement of the development.
- 6 The Northumbria Police Architectural Liaison Officer has advised that there is no reference to the proposed security of the proposed dwellings themselves and recommends that they are built in accordance with the specifications set out in SBD Homes 2016, details of which can be found at www.securedbydesign.com.
- 7 The Road Safety Team has advised that street lighting columns that require relocation will need to be carried out at the applicant's expense.
- 8 The Council's Landscape Section has advised that, in order to protect the existing tree belt to the west of the application site, the proposed development shall not be commenced, and there shall be no plant, machinery or building materials brought on to the site, until the tree belt to the west of the application site has been protected by fencing as specified in the document Arboricultural Impact Assessment Version 1.2 and the accompanying Tree Protection Plan received 01/06/2017. The protective fencing shall be maintained in position during the carrying out of the operational development. Works, including the excavation, removal or deposit of earth or other materials shall not be carried out within any area enclosed by protective fencing.
To ensure that the health of retained trees within the site is adequately protected during the period of construction in accordance with Policy DM1 of the South Tyneside Local Development Framework.

- 9 The Road Safety Team has advised that visitor parking spaces adjacent to residential bays should be in a contrasting colour and marked up with a painted Visitor Parking sign.
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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.

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.