



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:

Lichfields
Saint Nicholas Building Floor 3
Saint Nicholas Street
Newcastle Upon Tyne
NE1 1RF

Application No: ST/0170/21/FUL

Date of Issue: 19/07/2021

FAO: Alex Kennedy

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: Erection of operations and maintenance base and warehouse with associated access, parking, landscaping and engineering operations.

Location: Former McNultys Quay, Corstorphine Town, South Shields, NE33 1RZ

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 plans as detailed below

- DOGB-RYD-00-ZZ-DR-A-20000 Rev. P4 (Proposed site plan) received 12/02/2021
- DOGB-RYD-ZZ-00-DR-A-210000 Rev. P2 (Landscape site plan) received 12/02/2021
- DOGB-RYD-ZZ-00-DR-A-210100 Rev. P1 (Landscape courtyard) received 12/02/2021
- DOGB-RYD-ZZ-00-DR-A-210200 Rev. P1 (Security strategy) received 12/02/2021
- DOGB-RYD-00-ZZ-DR-A-36000 Rev. P6 (GA elevations) received 12/02/2021
- DOGB-RYD-00-00-DR-A-30000 Rev. P13 (GA floor plan - level 00) received 12/04/2021
- DOGB-RYD-00-01-DR-A-30001 Rev. P9 (GA floor plan - level 01) received 12/04/2021

- DOGB-RYD-00-R01-DR-A-30002 Rev. P1 (GA floor plan - roof level) received 12/02/2021
- DOGB-RYD-00-ZZ-DR-A-38000 Rev. P3 (O&M base and Equinor building GA sections) received 12/02/2021
- DOGB-RYD-01-ZZ-DR-A-38100 Rev. P3 (O&M base and warehouse GA sections) received 12/02/2021
- DOGB-RYD-01-ZZ-DR-A-39100 Rev. P5 (O&M base detail section A) received 10/05/2021
- DOGB-RYD-01-ZZ-DR-A-39101 Rev. P3 (O&M base detail sections) received 12/02/2021
- DOGB-RYD-01-ZZ-DR-A-39102 Rev. P5 (O&M base detail section E) received 10/05/2021
- DOGB-RYD-02-ZZ-DR-A-39200 Rev. P3 (Equinor building detail sections) received 12/02/2021
- DOGB-RYD-02-ZZ-DR-A-39201 Rev. P3 (Equinor building detail sections) received 12/02/2021

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 Construction and Environmental Management Plan

Prior to commencement of the development hereby permitted, a Construction and Environment Management Plan [CEMP] (to pre-plan and manage traffic, noise, dust and vibrations associated with the construction works) shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the approved CEMP shall be implemented and complied with throughout the works associated with the construction of the development.

To mitigate the effects of construction activities in accordance with South Tyneside Local Development Framework Policies DM1(B &G).

4 Contaminated Land - Remediation Strategy

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. It 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 gas verification plan shall be submitted for the proposed ground gas protection measures. The Remediation Strategy 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 South Tyneside Local Development Framework Policies EA5 and DM1(M).

5 Contaminated Land - Verification Report

Following completion of measures identified in the approved Remediation Strategy, a Verification Report that demonstrates the effectiveness of the remediation carried out (including any ground gas protection measures) 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 South Tyneside Local Development Framework Policies EA5 and DM1(M).

6 Reporting and dealing with unexpected contamination

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 the site is suitable for the proposed end use in accordance South Tyneside Local Development Framework Policies EA5 and DM1(M).

7 External lighting

Prior to their use in the carrying out of the development hereby permitted, full details (including drawings and/or specifications) of any external lighting shall be submitted to and approved in writing by the Local Planning Authority (in consultation with the Police Designing Out Crime Officer and Countryside Officer); and thereafter development shall be carried out in accordance with the approved details.

In the interests of both visual amenity and ecology in accordance with South Tyneside Local Development Framework Policies DM1(A), EA3 and DM7.

8 CCTV

Prior to their use in the carrying out of the development hereby permitted, full details (including drawings and/or specifications) of any external CCTV shall be submitted to and approved in writing by the Local Planning Authority (in consultation with the Police Designing Out Crime Officer); and thereafter development shall be carried out in accordance with the approved details.

In the interests of visual amenity in accordance with South Tyneside Local Development Framework Policy DM1(A).

9 Soft landscaping and associated hard landscaping features

Notwithstanding the information shown on the submitted plans and before the hereby approved development is commenced on-site, full details of the proposed soft landscaping and associated hard landscaping features shall be submitted to and approved in writing by the Local Planning Authority; and thereafter development shall be carried out in accordance with the approved details.

Any new trees or shrubs which within a period of 5 years of planting die, are removed or become seriously damaged or diseased, shall be replaced within replacement planting of similar species not later than the next available planting season after the loss or damage occurred (unless otherwise agreed in writing by the Local Planning Authority).

In the interests of both visual amenity and ecology in accordance with South Tyneside Local Development Framework Policies DM1(A), EA3 and DM7.

10 Ringed plover - mitigation measures

Before the hereby approved development is commenced on-site, full details (including drawings and/or specifications) of a scheme to mitigate and compensate for the loss of habitat that provides nesting opportunities for Ringed Plover, alongside its maintenance and phasing for its completion; shall be submitted to and agreed in writing by the Local Planning Authority (in consultation with the Countryside Officer). The approved details shall be carried out and they shall be retained and maintained thereafter as per the approved details (so long as the development permitted remains in-situ).

In the interests of ecology in accordance with South Tyneside Local Development Framework Policies EA3 and DM7.

11 Surface water / foul water drainage

The development hereby permitted shall be carried out in accordance with the surface water / foul water drainage details contained within following drawings, all received 25/06/2021:

139078/2001 Rev. F
139078/2002 Rev. D
139078/2003 Rev. D
139078/2004 Rev. C
139078/2005 Rev. C
139078/2007 Rev. D
139078/2010 Rev. B
139078/2015 Rev. -

To ensure the discharge of surface / foul water from the site does not increase the risk of flooding in accordance with South Tyneside Local Development Framework Policies ST2 and DM1(K).

12 Surface water drainage - yellow shaded land

Notwithstanding the previous condition, should any additional surface water drainage be proposed in the land shaded yellow (to the northern side of the development hereby permitted) and over and above that indicated drawings 139078/2002 Rev. D and 139078/2005 Rev. C both received 25/06/2021; its details shall be submitted and approved in writing by the Local Planning Authority (in consultation with the Lead Local Flood Authority); and thereafter development shall be carried out in accordance with the approved details.

To ensure the discharge of surface from the site does not increase the risk of flooding in accordance with South Tyneside Local Development Framework Policies ST2 and DM1(K).

13 Piling methodology

Piling shall be only undertaken using Continuous Flight Auger [CFA] methodology, unless otherwise previously agreed in writing by the Local Planning Authority (in consultation with The Environment Agency) and pursuant to this planning condition.

To mitigate the effects of piling on migratory fish species that use the River Tyne in accordance with South Tyneside Local Development Framework Policies EA3 and DM7.

14 Finished floor levels

The development shall be carried out in accordance with the submitted flood risk assessment (ref Dogger Bank O&M Base - Port of Tyne, Flood Risk Assessment, January 2020) and the following mitigation measures it details:

- Finished floor levels shall be set no lower than 5 metres above Ordnance Datum (AOD)

These mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the scheme's timing/phasing arrangements. The measures detailed above shall be retained and maintained thereafter throughout the lifetime of the development.

To reduce the risk of flooding to the proposed development and future occupants in accordance with South Tyneside Local Development Framework Policy DM1(K).

15 Building facing materials

The external facing materials to be used to carry out the building hereby permitted shall be as those stated upon drg. no. DOGB-RYD-00-ZZ-DR-A-36000 Rev. P6 received 12/02/2021 (and as illustrated in the Design and Access Statement received 25/06/2021), unless otherwise agreed in writing by the Local Planning Authority pursuant to this condition.

In the interests of visual amenity in accordance with South Tyneside Local Development Framework Policy DM1(A).

16 Construction etc. working timings

No construction or associated works or deliveries of materials shall take place outside the hours of 7:00am - 6:00pm Monday to Saturday and 8:00am - 1:00pm on Sunday and no such works or deliveries shall be carried out at any time on Public Holidays (unless otherwise exceptionally agreed in writing by the Local Planning Authority).

To safeguard the amenity of the nearby residents in accordance with South Tyneside Local Development Framework Policy DM1(B).

NOTES TO APPLICANT:

- 1 In dealing with this application the Council has implemented the requirements of the National Planning Policy Framework to seek to approve applications for sustainable development where possible.
- 2 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

3 UNIQUE NOTE TO APPLICANT

A Northumbrian Water sewer asset crosses the site and may be affected by the proposed development. Northumbrian Water does not permit a building over or close to our apparatus. Northumbrian Water will work with the developer to establish the exact location of our assets and ensure any necessary diversion, relocation or protection measures required prior to the commencement of the development. This informative is included so that awareness is given to the presence of Northumbrian Water assets on site. For further information is available at <https://www.nwl.co.uk/services/developers/>

4 UNIQUE NOTE TO APPLICANT

Notwithstanding the planning conditions, it is recommended that construction works are carried out in accordance with the general ecology mitigation requirements set out in section H1 of the amended Ecological Appraisal (by E3 Ecology Ltd).



Peter Mennell
Head of Regeneration and Housing

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.

If you intend to submit an appeal that you would like examined by inquiry then you must notify the Local Planning Authority and Planning Inspectorate (inquiryappeals@planninginspectorate.gov.uk) at least 10 days before submitting the appeal. [Further details are on GOV.UK.](#)

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.