South Tyneside Council

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:
AMCA Architects
FAO Mr Hamish Black
Castlecroft Business Centre
Tom Johnston Road
Dundee
DD4 8XD

Application No: ST/0780/17/VC
Date of Issue: 23/11/2017

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: Application made under Section 73 of Town & Country Planning Act 1990 to vary Condition 2 of planning permission Ref. ST/0593/16/FUL to allow minor alterations including: the relocation of the security door from the north to west elevation, the increase in the height of the single storey rear extension to match the existing parapet height, relocation of the external plant (except compressor pack) to the first floor terrace further away from the nearest noise receptor, and the screening of the external plant with a 2.3 metre high close boarded timber fence. Additional gate to yard timber fence to the west as fire route escape.

LOCATION: The Mariner, Mortimer Road, SOUTH SHIELDS, NE34 0RU

In accordance with your application dated 10 August 2017

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

1 The development to which this permission relates must be commenced not later than 03/10/2019.

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:

Drawing no. PL_004 Rev H received 10/10/2017
Drawing no. PL_005 Rev F received 29/09/2017

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.

3 Prior to the first occupation of the hereby approved development, the proposed scheme of external lighting shown on drawing nos. MR_081117_CG_004 (External Lighting Layout) and MR_081117_CG_004 (External Lighting Calculation) submitted on 10/11/2017 shall be completed on site.

In the interests of residential amenity in accordance with South Tyneside Local Development Framework Policy DM1.

4 The agreed scheme of hard and soft landscaping shall be completed on site and maintained in accordance with the details and 'times of year for planting specifications', as shown on drawing nos. S3_001 Rev D and S3_001L Rev D, (approved by the Local Planning Authority on 16/11/2017).

Any newly planted tree or shrub that is removed, dies or becomes seriously damaged or diseased within a period of 5 years from the completion of the total scheme shall be replaced not later than the next planting season after the loss or damage has been identified, by others of similar size and species (unless otherwise agreed in writing by the Local Planning Authority).

To compensate for the loss of the street tree at the vehicle entrance to the site from Mortimer Road and to achieve a satisfactory standard of development in accordance with South Tyneside Local Development Framework Policy DM1.

5 The proposed works to widen the existing vehicle access/egress from Mortimer Road as shown on drawing no. Drawing no. PL_004 Rev H received 10/10/2017 shall be completed in full on site to coincide with the first occupation of the hereby approved development.

In the interests of safeguarding the highway safety of the area in which the development would form part in accordance with South Tyneside Local Development Framework Policy DM1.

6 The following works shall be completed on site prior to the first occupation of the hereby approved development, in accordance with drawing numbers PL_004 Rev H received 10/10/2017 and PL_005 Rev F received 29/09/2017:
i) a new close boarded timber fence 2.4 metres high, with a surface density of not less than 10kg/m2 with no gaps, constructed to enclose the site adjacent to the common boundaries and the external yard area, and
ii) a new close boarded timber fence 2.3 metres high, with a surface density of not less than 10kg/m2 with no gaps, constructed to enclose the first floor plant area to the rear elevation of the property.

This close boarded timber fencing shall then be retained and maintained henceforth.

To accord with the recommendations of the applicant's acoustic report received 09/11/2017 and to safeguard neighbouring amenity in accordance with South Tyneside Local Development Framework Policy DM1.

7 Notwithstanding the information already submitted full details of a canopy with acoustic properties to enclose the proposed external yard area and the external access to this yard area from the delivery bay, as shown on drawing PL_004 Rev H received 10/10/2017, shall be submitted to and approved in writing by the Local Planning Authority. The approved details must then be implemented in full prior to the occupation of the building, in accordance with the approved details and they shall then be retained and maintained henceforth.

In the interests of residential amenity, particularly in terms of the need to mitigate against any significant noise pollution issues relating to the activities associated with the external yard area and associated deliveries, in accordance with South Tyneside Local Development Framework Policy DM1.

8 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/alterations will form part. Unless otherwise agreed in writing by the Local Planning Authority pursuant to this condition.

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

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 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 Notwithstanding this planning approval a Section 278 agreement under the Highways Act 1980 is required in order to carry out construction works within the highway network and you must therefore contact South Tyneside Council Highways and Infrastructure team on 0191 427 2541 prior to such works being undertaken.



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.