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:
Mr Lee Pescod
20 West Avenue
Whitburn
SR6 7LE

Application No: ST/0447/20/FUL
Date of Issue: 22/10/2020

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 from florist to micro pub/micro brewery.
Location: 38 Front Street, Cleadon, SR6 7PG

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 micro pub hereby permitted shall only be open for business between 1200 hours and 2300 hours Monday to Saturday and between 1200 hours and 2200 hours on Sundays.

To safeguard the amenities of the occupiers of nearest residential properties from undue noise disturbances in accordance with adopted South Tyneside LDF Development Management Policy DM1.

3 The external area to the front of the building shall only be available for customers to consume drinks and food between the hours of 1200 hours and 2200 hours on any given day.

To safeguard the amenities of the occupiers of nearest residential properties from undue noise disturbances in accordance with adopted South Tyneside Local Development Framework Policy DM1.

4 The micro-brewery element of the development hereby permitted shall be restricted to the floor area shown on Drawing no. 3079 Revision B received 01/10/2020.

To retain control over any intensification in brewing activities at the site in the interests of safeguarding the amenities of the occupiers of nearest residential properties from undue noise and odour disturbances in accordance with adopted South Tyneside LDF Development Management Policy DM1.

5 Prior to the development hereby permitted being brought into use, space shall be made within the application site to the rear of the building to accommodate a commercial 1100 litre refuse bin. Refuse shall only be placed outside of the curtilage of the premises on days of awaiting collection.

To ensure a satisfactory form of development in the interests of amenity, in accordance with South Tyneside LDF Development Management Policy DM1.

6 The development hereby permitted shall not be brought into use until the car parking bays, as shown on Drawing No. 3079 Revision B received 01/10/2020, have been made available for use. The car parking bays shall then be retained henceforth for their designated purpose.

To ensure a satisfactory standard of sustainable development, in the interests of amenity and highway safety in accordance with adopted South Tyneside LDF Development Management Policy DM1.

7 The development hereby permitted shall not be brought into use until the two bicycle stands, as shown on Drawing No. 3079 Revision B received 01/10/2020, have been constructed / installed and made available for use. The bicycle stands shall then be retained henceforth for their designated purpose.

To ensure a satisfactory standard of sustainable development in accordance with adopted South Tyneside LDF Core Strategy Policy A1.

NOTES TO APPLICANT:

For the avoidance of doubt this decision relates to the following plans and/or specifications:

Drg No 3079 Rev B Rec 01/10/2020

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 NOTE TO APPLICANT

The applicant is advised that any new signage may require advertisement consent. For further guidance the applicant should visit the planning portal: https://www.planningportal.co.uk/info/200130/common_projects/4/adverts_and_signs

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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.