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 Gareth Hughes
1 Whinfell Avenue
Eaglescliffe
Stockton on Tees
TS16 0HY

Application No: ST/0556/20/FUL
Date of Issue: 29/01/2021

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: Existing Coach House conversion to form new dwelling with vehicle access from St. Marys Avenue
Location: Land to the rear of 217 Sunderland Road, South Shields, NE34 6AQ

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 202 (Proposed General Arrangement Elevations) received 23/07/2020
Drg No 201 Rev D (Proposed General Arrangement Floor Plans) received 25/01/2021
Drg No 200 Rev A (Existing and Proposed Site Plans) received 25/01/2021

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 as specified on Drawing Number 202 (Proposed General Arrangement Elevations) received 23/07/2020. 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 LDF Development Management Policy DM1.

4 Prior to the first occupation of the dwelling hereby permitted, the window in the western elevation (WG01) facing the common boundary with No. 217 Sunderland Road shall be glazed with obscure glass to a level sufficient to protect the privacy of neighbouring occupiers and the window shall be non-opening. The form of window 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 South Tyneside LDF Development Management Policy DM1.

5 Prior to the first occupation of the dwelling hereby permitted, the existing access gates between the application site and No. 217 Sunderland Road shall be removed and replaced with a close boarded fence as shown on Drg No 200 Rev A (Existing and Proposed Site Plans) received 25/01/2021 and Drg No 201 Rev D (Proposed General Arrangement Floor Plans) received 25/01/2021. The boundary fence shall be retained thereafter, unless otherwise agreed in writing by the Local Planning Authority.

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

6 Construction works shall be carried out in accordance with the document entitled Arboricultural Implications Assessment (Issue Date 09/12/2020) and the Arboricultural Impact Assessment Tree Protection Plan (Drawing Number ACP.217SR.No1) received 16/12/2020, with the exception that the foundations shall be dug under arboricultural supervision and if any larger roots are found, the roots shall be bridged.

To ensure that the health of the trees to be retained within and adjoining the site is adequately protected during the period of construction in accordance with British Standard 5837 and 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 adopted South Tyneside LDF Core Strategy Policy EA5 and adopted South Tyneside LDF Development Management Policy DM1.

8 Prior to the occupation of the dwelling hereby approved, details of the specification and location of a durable (not wood) bird box suitable for use by nesting house sparrows shall be submitted to and approved in writing by the Local Planning Authority. The approved details shall be carried out in full prior to occupation of the dwelling.

To mitigate for the loss of a nest site and ensure that breeding birds are protected from harm, in the interests of biodiversity and in accordance with Core Strategy Policy EA3 and Development Management Policy DM7 of the South Tyneside Local Development Framework.

9 Prior to the occupation of the dwelling hereby approved, details of the specification and location of a durable (not wood) hanging bat box to be installed in the apex of the eastern elevation of the building shall be submitted to and approved in writing by the Local Planning

Authority. The approved details shall be carried out in full prior to occupation of the dwelling.

In the interests of biodiversity and to provide biodiversity net gain in accordance with the NPPF, Core Strategy Policy EA3 and Development Management Policy DM7 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 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 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 All British bats are protected by both UK and European legislation. This legal protection extends to any place that a bat uses for shelter or protection whether bats are present or not. It is the responsibility of the Applicant to inform the Principal Contractor of the potential of roosting bats above the window of the west aspect of the surveyed building. It is recommended that the Principal Contractor be provided a copy of the Preliminary Roost Assessment Report prior to the start of the proposed works. Should bats or signs of bats (such as droppings or dead bats) be discovered at any stage during the works, work must stop immediately and advice sought from Natural England and your project ecologist. Failure to do this may result in an offence being committed, regardless of planning consent, and could lead to prosecution.

5 The Council's Countryside Officer has advised that all British birds, their nests and eggs (with certain limited exceptions) are protected by Section 1 of the Wildlife and Countryside Act 1981, as amended. To ensure that breeding birds are protected from harm during construction, no works to the building, including the blocking up or closure of the open front of the building, shall take place during the bird breeding season between 1 March and 30 August inclusive, unless a competent ecologist has undertaken a careful, detailed check for active birds' nests immediately before building work commences and has provided The Council's Countryside Officer with written confirmation that no birds will be harmed and/or that there are appropriate measures in place to protect nesting bird interest on site.



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.