DELEGATED REPORT / CASE OFFICER'S ASSESSMENT

Ref No: ST/0556/20/FUL
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

Site Visit Made: 27/10/2020

Relevant policies/SPDs

1 LDF CS EA3 - Biodiversity and Geodiversity

2 LDF CS EA5 - Environmental Protection

3 DM1 (A, B, C, G, K, M) - Management of Development

4 DM7 - Biodiversity and Geodiversity Sites

5 SPD6 - Parking Standards

6 SPD9 - Householder Developments

Description of the site and of the proposals

This planning application is for the conversion of an existing two storey coach house within the grounds of No. 217 Sunderland Road into a to a two storey dwelling with vehicle access from St. Marys Avenue. The development includes the construction of an orangery to the southern (front) elevation of the existing building, a first floor landing window and a ground floor entrance door to the eastern (side) elevation (where there is currently a pedestrian gate), and new velux roof light/windows to the southern (front) elevation.

The application site currently forms part of the curtilage of No. 217 Sunderland Road (a large semi-detached dwelling house) and the proposed development therefore constitutes a plot subdivision. The application site is located within the north east corner of the garden of No. 217 Sunderland Road and it is currently separated from it by existing boundary walls and access gates.

The vehicular access into the site from St Mary's Avenue would utilise an existing vehicular access to the rear of No. 217 Sunderland Road. This vehicular access has an existing metal roller shutter door to the back of the footway.

No. 217 Sunderland Road has an existing vehicular access to the front of that dwelling from Sunderland Road (on the opposite side of the property), which is shared with the adjoining semi-detached house (No. 219 Sunderland Road).

The planning application has been amended to remove the internal access gates between the application site and the rear garden of No. 217 Sunderland Road so that the existing vehicular access from St Mary's Avenue would only serve the proposed dwelling.

The application site is bounded to the north by the terraced residential properties of Nos. 74/76 St Mary's Avenue (which adjoin the existing coach house building), to the east by the highway of St Mary's Avenue (with the Harton Technology College playing fields beyond), and to the south and west by the rear garden of No. 217 Sunderland Road.

There are a number of street trees along St Mary's Avenue, to the east of the application site (some of which overhang the boundary of the application site).There are also a number of trees that are protected by Tree Preservation Orders within the grounds of No. 217 Sunderland Road, including a protected tree that is close to the western boundary of the application site.

The planning application is supported by an Arboricultural Implications Assessment and a Preliminary Bat Roost Assessment.

Publicity / Consultations (Expiry date: 17/11/2020)

1) **Neighbour responses**

None received

2) **Other Consultee responses**

Traffic and Road Safety Team

Initial Comments

There are no changes proposed to the vehicular access/visibility. The application is recommended for approval.

Amended Proposal

No objection to the amendments for the parking access.

Tree Team

Initial Comments

I am uncomfortable with an orangery being built under the canopy of a mature Sycamore tree and I believe the outside living space will be heavily shaded.

T1, T2, T3 and T9 - I believe this group of trees will cause considerable amounts of shade to this property in the summer months.

T3 (Sycamore), currently overhangs the boundary wall and what would be the orangery glazed roof. If this was to be built it would likely lead to requests to prune the tree back to the boundary, as it will overshadow and generally be a nuisance from light blockage, leaf loss in autumn blocking gutters and honeydew dropping onto the glazed roof in the summer causing black mould to cover the glass. It will not only be difficult, but also very expensive to permanently keep the tree pruned back and is likely to be detrimental to the tree's long term health.

I believe it would be beneficial to have some trial holes, to confirm that there are no tree roots from the council owned tree (T1) where the foundations are to be placed.

Further comments

Further to the applicant's comments regarding it not being necessary to dig trial holes, I would be happy if they have an arborist on site monitoring/documenting the excavation when they are digging the foundations, and if they find any larger roots they will need to bridge the roots.

Countryside Officer

My comments on this application relate to its potential to impact on biodiversity including: statutorily and non-statutorily designated sites; statutorily protected species; and priority species and habitats listed in the UKBAP and/or Durham BAP.

The applicant has submitted a 'Preliminary Roost Assessment.

Bats
A preliminary roost assessment for bats was carried out on 19th September 2020 by a suitably qualified ecologist. The internal and external inspection of the property noted only one feature that could possibly be used by bats. Close inspection and the use of an endoscope ruled out current use, though there remains a possibility of future use of this feature by bats. The building was classified as having negligible/low suitability to support roosting bats, and negligible suitability for hibernating bats, thus negating the need for active bat surveys.

No further surveys are required and there are no anticipated impacts on protected species from this proposed development. However, as bats are highly mobile species, should planning permission be granted an informative is suggested which sets out suitable actions to be taken should bats be unexpectedly encountered during works.

Birds
No active birds nests were recorded, however a historic nest was noted. The roof void and wall tops were considered to have the potential to support breeding birds, with the most likely species being house sparrow. The house sparrow is red listed as being a species of the highest conservation priority, it is also a priority species within the Durham Biodiversity Action Plan. Without mitigation, the potential impacts of this proposal are the loss of the nesting site for a bird of conservation concern, and the risk of destruction of an active birds nest should building works commence when nesting birds are present, which is in contravention of wildlife legislation.
To avoid and/or mitigate these adverse impacts, planning consent for this proposal should only be granted subject to a conditions that no works to the building shall take place during the bird breeding season between 1st March and 30th August inclusive, unless a competent ecologist has undertaken a detailed check for active birds' nests and confirmed in writing that no birds will be harmed and/or that there are appropriate measures in place to protect nesting bird interest on site. A condition is also requested that prior to the occupation of the proposed dwelling, details of the specification and location of a durable (not wood) bird box suitable for use by nesting house sparrows is submitted and approved to mitigate for the loss of a nest site. These conditions are required to ensure that breeding birds are protected from harm during construction. All British birds, their nests and eggs (with certain limited exceptions) are protected by Section 1 of the Wildlife and Countryside Act 1981

Net Gains
The NPPF states that planning decisions should contribute to and enhance the natural and local environment by minimising impacts on and providing net gains for biodiversity. Section 7.1.1 of the submitted report recommends that a hanging bat box, of durable material (not wood) be installed in the apex of the eastern elevation of the building to fulfil this requirement and this should be secured.

Habitats Regulations Assessment
The legal protection for habitats and species of European Importance is set out in the Directive 92/43/EEC – 'The Conservation of Natural Habitats and Wild Fauna and Flora', known as the

'Habitats Directive'. The Directive includes a duty on European Member States to establish a European ecology network known as 'Natura 2000' (N2K) sites, which comprise of Special Areas of Conservation (SAC) and, in accordance with the 'Birds Directive' (79/409/EEC & 2009/147/EC); Special Protection Areas (SPA). The Directives includes Annexes of habitats and species for which SACs should be designated and SPAs classified in order to further their conservation. Member states must therefore take necessary measures to guarantee the conservation of these habitats and species and avoid their deterioration. The Conservation of Habitats and Species Regulations (2017) transposes the Habitats and Birds Directives into English Law, and is commonly referred to as the 'Habitats Regulations.'

This proposed development is within 6km of the following relevant European sites:

- Durham Coast Special Area of Conservation
- Northumbria Coast Special Protection Area and Ramsar Site

Studies have shown that recreation pressure on the European sites is likely to increase with new residential growth, which is also likely to apply to increased tourism and visitors to the Borough. Recreational pressure affecting the European Sites is predominantly from residents within a 6km 'zone of influence' and it is therefore concluded that additional residential development within this zone will contribute to further recreation pressure if not mitigated for.
The applicant can be directed to SPD 23 and the supporting documents to explain the requirement to mitigate impacts on the European designated sites.

The SPD advises that residential developments within the 6km zone are likely to have a significant effect on the European sites, and draws on the strategic HRA and mitigation strategy work to conclude that adverse effects on site integrity can be ruled out where developments of 10 or more dwellings make a proportionate contribution to a carefully designed package of mitigation measures.

The requirements of the SPD provide a robust solution to the need to comply with the requirements of the Habitats Regulations. The SPD is not an additional burden placed on developers, rather it provides a solution for developers to comply with the HRA requirements without having to undertake their own extensive evidence gathering to demonstrate that their mitigation measures are fit for purpose. The SPD has been put in place to prevent project level delays, difficulties in demonstrating effective mitigation, and evidence burdens on the developer. Natural England, the statutory nature conservation body, has confirmed that a strategic approach to mitigating for increased recreation pressure at the coast is the most favourable way forward.

The contribution towards the strategic mitigation scheme as set out in the SPD is calculated at £403 per dwelling for developments of 10 units or more. This proposal is for 1 unit and so would not attract the tariff, but the requirement for a project level HRA remains.

An Appropriate Assessment should be completed for this proposal.

<u>Environmental Protection Team</u>

Land Contamination

The conversion of this coach house includes the addition of a small orangery.
Although I would not suggest that any site investigation etc. is done on this given its size as a small orangery, I would suggest that the unexpected contamination condition be applied given the sensitivity of the end use of this building. Early historic maps are not clear for this particular area therefore it is unclear what may be beneath the hardstanding currently there.

Flood Risk/Drainage

No comments in terms of flood risk/drainage

Environmental Health Team

I have no comments or objections to place for this application.

Waste Services

There are no concerns. However, space would be required to accommodate up to 4no. 240 litre wheeled bins.

Assessment

In determining this application the main issues to be considered are:

- The principle of the development;
- Whether the proposed development would be acceptable in terms of the visual and residential amenities of the area (including the impact of the development on existing nearby trees);
- Whether the proposed access and parking arrangements are acceptable;
- Whether the development is acceptable with regard to its impact on biodiversity.

Principle of Development

The application site is not identified within the Local Development Framework Site Specific Allocations document for any specific purpose. However, the site is located in a residential area within the built up area of South Shields. As such, it is considered that the site would be appropriate in principle for residential development.

Impact of Development on Visual and Residential Amenity

Development Management Policy DM1 (Management of Development) states:

In determining all applications under the planning Acts we will ensure that, where relevant:

A) the development, including new buildings, is designed to convey sensitive consideration of its surroundings, and where possible enhance its local setting and reinforce local identity, having particular regard to scale and proportions, alignment, form, use of materials and architectural detailing;

B) the development is acceptable in relation to any impact on residential amenity;

C) the development protects existing soft landscaping, including trees and hedges, where possible or provides replacement planting where necessary;

With regard to residential amenity, paragraph 2.13 of Policy DM1 states we will assess impact on residential amenity in relation to:

- overlooking and privacy within the dwelling;
- outlook from dwellings, to the extent that structures in close proximity to windows (and to a lesser extent from outdoor spaces) can be considered visually overdominant; and

- overshadowing within the dwelling by proposed structures and, to a lesser extent, within private outdoor spaces.

SPD9 (Householder Developments) provides guidance on assessing the impact of developments with regard to overdominance, outlook, overlooking and privacy and overshadowing. In addition, SPD9 provides guidance with regard to plot subdivision, where one or more separate dwellings are proposed within the existing curtilage of a property. Para 17.1 states that proposals will be allowed where:

- The site has its own separate and independent vehicular access which does not infringe on the amenities of the adjoining dwellings or harm the highway system;
- The development does not result in an unacceptable loss of privacy, outlook, space, or overshadowing for adjoining residents and future occupiers;
- The design is sympathetic to the character of the area and the development does not lead to a loss of amenity for the area; and
- The setting and character of the original dwelling is not eroded.

Visual Amenity

The existing coach house outbuilding is a two storey red brick structure that sides onto the highway of St Mary's Avenue and adjoins the terraced residential properties of Nos. 74/76 St Mary's Avenue. The surrounding area comprises predominantly two storey terraced properties. The proposed external alterations to the existing building, including the alterations to the windows and doors, together with the construction of a single storey orangery, are relatively minor in nature and would not in themselves have a significant or harmful impact on the visual amenities of the area.

The existing roller shutter to the vehicular access and the associated brick pillars would remain unchanged.

The application details state that proposed materials would be facing brick to match the existing coach house bricks (with the existing boundary wall built up to form the side elevation wall of the proposed orangery), an insulated timber clad panel, aluminium sliding patio doors, aluminium windows, velux roof lights, a composite entry door, and artstone/concrete capping to the parapet walls. It is considered that the alterations to the existing building would be in keeping with the appearance of the original coach house and would be acceptable with regard to their impact in the visual amenities of the area.

A condition is suggested requiring the details of all external materials to be as specified on the Elevations drawing. Subject to such a condition, it is considered that the proposed development would be acceptable with regard to its impact on the visual amenities of the area, including the streetscene of St Mary's Avenue, and would be in accordance with Policy DM1 (A) of the South Tyneside Local Development Framework.

There are a number of street trees along St Mary's Avenue, to the east of the application site (including a Sycamore T3 and a Swedish Whitebeam T1). There are also a number of trees within the grounds of No. 217 Sunderland Road that protected by Tree Preservation Orders (including those to the west of the application site).These trees offer considerable value to the visual amenities of the area.

The applicant's Arboricultural Impact Assessment Report states that the proposed development will not require the removal of any trees. The report states that no groundworks or building works are proposed within the trees' Root Protection Areas, and therefore no special construction techniques are required. The report states that the existing wall foundations and hardstanding act as root barriers and aerial barriers between the trees and the development, and this allows for normal construction within the rooting area of the trees and negates the need for protective fencing. The report concludes that providing the appropriate protective measures and construction techniques are enforced during development the trees would be retained and would provide amenity benefits.

The Council's Tree Team has been consulted on the proposed development and they have also considered the accompanying Arboricultural Impact Assessment Report, Constraints Plan and Tree Protection Plan. Although the report states that no special construction techniques or arboricultural supervision are required, the Council's Tree Team have requested that an arborist is present on site to monitor/document the excavation works for the foundations to ensure that if any larger roots are found they will be bridged to protect the tree. The applicant has agreed to this request and a condition is therefore suggested with regard to this matter.

Subject to such a condition, it is considered that the proposed development would be acceptable with regard to its impact on nearby trees, including the street trees along St Mary's Avenue, and would be in accordance with Policy DM1 (C) of the South Tyneside Local Development Framework.

Residential Amenity

Consideration must be given to the impact of the proposed development on the residential amenities of the occupants of both the nearby residential dwellings and the proposed dwelling itself, with regard to matters such as over-dominance, outlook, overshadowing and privacy.

The proposed development relates to the conversion of an existing building to a dwelling, with minor external works to the northern and eastern boundaries of the site. As such, it is considered that the proposed development would not have an unacceptable impact on the residential amenities of the occupants of the nearest residential properties (the adjoining residential properties at Nos. 74/76 St Mary's Avenue to the north of the site) with regard to overdominance, outlook, overshadowing and privacy.

Given the separation distance between the proposed dwelling and the existing dwelling at No. 217 Sunderland Road, it is considered that the proposed development would be acceptable with regard to its impact on the residential amenities of No. 217 Sunderland Road in relation to overdominance, outlook and overshadowing. There is an existing window in the side (western) elevation of the building, which is on the boundary with the retained garden of No. 217 Sunderland Road. It is proposed that this existing window is replaced with a double glazed aluminium window. However, to ensure that the proposed development does not result in harm to either the occupants of No. 217 Sunderland Road or the future occupants of the proposed dwelling, it is suggested that a planning condition is included with regard to this window being obscurely glazed.

With regard to the residential amenities of the occupants of the proposed dwelling, the Council's Tree Team have raised concerns regarding the impact of the existing street trees along St Mary's Avenue would have on the residential amenities of the occupants of the proposed dwelling in terms of overshadowing, particularly in the summer months. They have advised that the proposed orangery would be located beneath the canopy of the mature Sycamore (T3) and that the outside space will be heavily shaded. Whilst it is considered that these trees will result in some overshadowing of the proposed dwelling in the mornings, particularly during the summer when the trees are in leaf, the main ground floor windows are on the western side of the development, away from the trees. The first floor bedroom windows are relatively narrow and the nearest window is located approximately 3.0 metres from the eastern boundary of the site. As such, it is considered that any overshadowing cause by existing trees would not be so excessive as to warrant the refusal of the planning application.

SPD9 provides guidance with regard to plot subdivision, where a separate dwelling is proposed within the existing curtilage of a property. Para 17.1 states, amongst other things, that proposals will be allowed where:

- The site has its own separate and independent vehicular access which does not infringe on the amenities of the adjoining dwellings or harm the highway system;

- The development does not result in an unacceptable loss of privacy, outlook, space, or overshadowing for adjoining residents and future occupiers;

The proposed vehicular access to the development utilises an existing vehicular access from St Mary's Avenue that currently provides vehicular access to the rear garden of No. 217 Sunderland Road. There are existing access gates between the application site and the retained part of the rear garden of No. 217 Sunderland Road, suggesting that the existing vehicular access from St Mary's Avenue currently provides vehicular access No. 217 Sunderland Road across the application site. No. 217 Sunderland Road also has a vehicular access directly from Sunderland Road to the front of that dwelling (which is shared with the adjoining semi-detached house - No. 219 Sunderland Road).

The original proposals showed the existing internal access gates between the application site and the rear garden of No. 217 Sunderland Road retained. This would have resulted in the potential for the vehicular access to be used by the occupants of No. 217 Sunderland Road. As the access would be in very close proximity to the proposed dwelling, it was considered that this access arrangement could have an unacceptable impact on the residential amenities of the future occupants of the proposed dwelling in terms of privacy and noise disturbance.

The applicant has therefore submitted amended proposals that include the removal of the internal access gates between the existing and proposed dwelling and the provision of a close boarded fence which would be the same height as the existing boundary walls that it would adjoin. A condition is suggested requiring the existing access gates to be removed and replaced with the proposed fence prior to the occupation of the proposed dwelling. As such, it is considered that the proposed development would result in an acceptable standard of residential amenity for the future occupants of the proposed dwelling.

Subject to the suggested conditions, it is considered that the proposed development would be acceptable with regard to its impact on residential amenity and would be in accordance with Policy DM1 (B) of the South Tyneside Local Development Framework and the guidance contained within SPD9.

Access and Parking

Development Management Policy DM1states:

In determining all applications under the planning Acts we will ensure that, where relevant:

G) the development is acceptable with regard to highway safety;

The proposed development is for a single dwelling and any additional traffic generation will therefore be limited. The use of the existing vehicular access from St Mary's Avenue has been assessed by the Council's Traffic and Road Safety Team and is considered to be acceptable with regard to visibility and highway safety.

The proposed development includes a vehicle hardstanding on the existing access road with sufficient space for the parking of a vehicle. There is also on-street parking available on St Mary's Avenue. Sufficient parking provision is therefore proposed on site to accommodate the occupants of the dwelling in line with SPD6. It is therefore considered that the proposed development should not have a harmful impact on parking provision in the area.

The proposed alteration to the existing vehicular access arrangements to the rear of No. 217 Sunderland Road has been assessed by the Council's Traffic and Road Safety Team and is considered to be acceptable as that property will retain an existing vehicular access from Sunderland Road, together with parking and turning facilities.

As such, it is considered that the proposal is in accordance with Policy DM1 (G) of the South Tyneside Local Development Framework and the guidance contained within SPD6.

Plot Subdivision

The application site has its own separate and independent vehicular access from St Mary's Avenue. As discussed above, it is considered that the development would not result in an unacceptable loss of privacy, outlook, space, or overshadowing for adjoining residents and future occupiers.

It is considered that the design is sympathetic to the character of the area and that the development would not lead to a significant loss of amenity for the area. As such, it is considered that the proposed development would be in accordance with the guidance contained within SPD9 with regard to plot subdivision.

Biodiversity

LDF Core Strategy Policy EA3 (Biodiversity and Geodiversity) and Development Management DM7 (Biodiversity and Geodiversity Sites) seeks to optimise conditions for wildlife and ensure the protection and enhancement of the important environmental assets in the borough.

The Council's Countryside Officer has requested that an informative is included with regard to the protection of bats during the construction works and this has been included.

In addition, the applicant's Preliminary Roost Assessment Report recommends that a hanging bat box, of durable material (not wood) be installed in the apex of the eastern elevation of the building to ensure the development provides biodiversity net gain in accordance with the requirements of the NPPF, and the Council's Countryside Officer has requested that this provided. A planning condition is therefore suggested with regard to this matter.

The Countryside Officer has also requested that a condition is included with regard to the provision of a bird box suitable for use by nesting house sparrows and this has also been included.

The Countryside Officer has also requested a planning condition be included preventing works from taking place during the bird breeding season (between 1st March and 30th August), unless a competent ecologist has undertaken a check for active birds' nests to ensure that breeding birds are protected from harm during construction. However, it is considered that this would be more appropriately dealt with as an informative.

Habitats Regulations Assessment

The proposed development would be located approximately 1.7 kilometres from the Durham Coast SAC, Northumbria Coast SPA & Ramsar Site European sites. As it is located within the 6 kilometre zone of influence identified within the South Tyneside Council's Interim Habitats Regulations Assessment for these European sites and the associated Interim Supplementary Planning Document 23, the development has been screened with regard to its likely significant effect on a European Site and an appropriate assessment has been carried out. This concluded that the proposal, in-combination with other plans and projects, will not have an adverse effect on the integrity of the Durham Coast SAC and the Northumbria Coast SPA & Ramsar Site.

Other Matters

Contaminated Land and Drainage/Flood Risk

Development Management Policy DM1 states:

In determining all applications under the planning Acts we will ensure that, where relevant:

K) the development is designed to minimise flood risk; and
M) the risks of contamination have been fully assessed.

The proposed development has been assessed by the Council's Environmental Protection Team, who have no objections in terms of drainage/flood risk or land contamination. However, they have advised that given the sensitivity of the end use of this building, a condition is suggested regarding the means of dealing with any unexpected contamination found.

As such, it is considered that the proposal would be suitable for its proposed residential end use in accordance with Policies EA5 and DM1 (M) of the South Tyneside Local Development Framework.

Conclusion

It is considered that the proposed development of the site for 1 no. dwelling complies with the relevant policies contained within the South Tyneside Local Development Framework and is acceptable subject to the schedule of conditions.

In assessing this application due regard has been had to the requirement of section 149 of the Equality Act 2010.

Recommendation

Grant Permission with Conditions

Conditions

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.

Informatives

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.

Case officer:
Signed:
Date:

Authorised Signatory:
Date:

«END»