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**

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**Contact Name and Address:**
Space Architects
FAO Mr Chris Holmes
Spaceworks
Benton Park Road
South Gosforth
Newcastle upon Tyne
NE7 7LX

**Application No:** ST/0955/20/FUL
**Date of Issue:** 05/03/2021

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:** Two storey extension to the existing school building, to provide 6 new teaching classrooms and additional dining space. Ancillary storage, plant, circulation and W.C.s to be provided internally. Externally the current covered walkway is to be removed and the current catering pod to be relocated to the edge of the Memorial Garden. Hard landscaping is to be provided, to enable external dining and existing paths to be widened and re-alignment of fence lines. Some existing soft landscaping is to be removed but re-provided in planters and borders.

**Location:** St Wilfrids RC College, Temple Park Road, South Shields, NE34 0QA

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**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

- Drawing No. ZZ-00-DR-A-010001 Rev P8 'General Arrangement Plan - Ground Floor' received 10/11/2020
- Drawing No. ZZ-01-DR-A-010001 Rev P7 'General Arrangement Plan - First Floor' received 10/11/2020
- Drawing No. ZZ-RF-DR-A-010001 Rev P1 'General Arrangement Plan - Roof Plan' received 10/11/2020
- Drawing No. ZZ-00-DR-A-010002 Rev P3 'General 3D Views' received 10/11/2020
- Drawing No. ZZ-XX-DR-A-020000 Rev P1 'Existing and Proposed Elevations' received 10/11/2020
- Drawing No. ZZ-XX-DR-A-020001 Rev P5 'General Arrangement Elevations - Sheet 1' received 10/11/2020

- Drawing No. ZZ-XX-DR-A-020011 Rev P2 'General Arrangement Elevations - Sheet 2' received 10/11/2020
- Drawing No. ZZ-XX-DR-A-030001 Rev P5 'General Arrangement Sections - Sheet 1' received 10/11/2020
- Drawing No. ZZ-XX-DR-A-030002 Rev P5 'General Arrangement Sections - Sheet 2' received 10/11/2020
- Drawing No. ZZ-XX-DR-A-900001 Rev P3 'Proposed Landscape' received 13/01/2020

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 materials of the development hereby permitted shall be as specified within / on the following:

- Section 7 of the planning application form received 10/11/2020;
- The Design and Access Statement Rev P1 (dated November 2020) received 10/11/2020;
- Drawing No. ZZ-00-DR-A-010001 Rev P8 'General Arrangement Plan - Ground Floor' received 10/11/2020;
- Drawing No. ZZ-RF-DR-A-010001 Rev P1 'General Arrangement Plan - Roof Plan' received 10/11/2020;
- Drawing No. ZZ-XX-DR-A-020001 Rev P5 'General Arrangement Elevations - Sheet 1' received 10/11/2020; and
- Drawing No. ZZ-XX-DR-A-020011 Rev P2 'General Arrangement Elevations - Sheet 2' received 10/11/2020.

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 adopted South Tyneside LDF Development Management Policy DM1.

4 No construction or associated works or deliveries of materials shall take place outside the hours of 8am - 6pm Monday to Friday and 9am - 1pm Saturdays and no such works or deliveries shall be carried out at any time on Sundays or Bank Holidays, without the prior written agreement of the local planning authority.

To safeguard the amenity of the nearby residents, in accordance with adopted South Tyneside LDF Development Management Policy DM1.

5 Prior to the first occupation of the development hereby permitted, the existing school travel plan dated May 2017 (approved under application Ref: ST/0645/17/COND which discharged Condition 7 attached to planning permission Ref: ST/0949/15/FUL) shall be updated to incorporate the development, and submitted for the approval in writing by the Local Planning Authority. Thereafter, the approved Travel Plan shall continue to be implemented, monitored and updated on an annual basis in accordance with approved details.

In the interests of securing sustainable travel patterns in accordance with adopted South Tyneside LDF Core Strategy Policy ST2.

6 Prior to the first occupation of the development hereby permitted, thirteen cycle parking spaces (Sheffield cycle stands as specified in an e-mail received 15/02/2021), in the position as shown on Drawing No. ZZ-XX-DR-A-910003 Rev P3 'Proposed Site Plan' received 09/02/2021, shall be constructed / installed and made available for use. The cycle parking spaces 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.

7 Notwithstanding details submitted, the development hereby permitted must not commence until an investigation and risk assessment has been completed in accordance with a scheme to assess the nature and extent of any contamination on the site, whether or not it originates on the site. The investigation and risk assessment must be undertaken by competent persons and a written report of the findings must be produced. The written report is subject to the approval in writing of the Local Planning Authority. The report of the findings must include:
(i) a survey of the extent, scale and nature of contamination;
(ii) an assessment of the potential risks to human health and property (existing or proposed); and
(iii) an appraisal of remedial options, and proposal of the preferred option(s).
This must be conducted in accordance with DEFRA and the Environment Agency's 'Land Contamination : Risk Management'.

To ensure that risks from land contamination to the future users of the land are minimised, and to ensure that development can be carried out safely without unacceptable risks to workers, neighbours and other off-site receptors, in accordance with adopted South Tyneside LDF Core Strategy Policy EA5 and adopted South Tyneside LDF Development Management Policy DM1.

8 The development hereby permitted must not commence until a detailed remediation strategy for the proposed remedial works, deemed necessary by the investigation and risk assessment, has been submitted to and approved in writing by the Local Planning Authority. The remediation scheme 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 must be submitted for the proposed gas protection measures. The remediation scheme 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 that risks from land contamination to the future users of the land are minimised, and to ensure that development can be carried out safely without unacceptable risks to workers, neighbours and other off-site receptors, in accordance with adopted South Tyneside LDF Core Strategy Policy EA5 and adopted South Tyneside LDF Development Management Policy DM1.

9 Following completion of measures identified in the approved remediation scheme under Condition 8, a verification report that demonstrates the effectiveness of the remediation carried out must be produced, and is subject to the approval in writing of the Local Planning Authority prior to the development hereby permitted being occupied / brought into use.

To ensure that risks from land contamination to the future users of the land are minimised, in accordance with adopted South Tyneside LDF Core Strategy Policy EA5 and adopted South Tyneside LDF Development Management Policy DM1.

10 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 risks from land contamination to the future users of the land and neighbouring land are minimised, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors, in accordance with adopted South Tyneside LDF Core Strategy Policy EA5 and adopted South Tyneside LDF Development Management Policy DM1.

11 Prior to the development hereby permitted being brought into use, the drainage strategy as shown on Drawing No. C0001 Rev T02 'Below Ground Drainage Layout' received 13/01/2021 shall be implemented. It shall then be maintained and retained henceforth, unless otherwise agreed in writing by the Local Planning Authority pursuant to this condition.

To prevent flooding by ensuring the satisfactory disposal of surface water from the site, in accordance with adopted South Tyneside LDF Development Management Policy DM1.

12 The soft landscape scheme shall be completed in accordance with the scheme shown on the Drawing No. ZZ-XX-DR-A-900001 Rev P3 'Proposed Landscape' received 13/01/2021 not later than 12 months after the first occupation of the development. 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 with others of similar size and species not later than the next planting season after the loss or damage has occurred (unless otherwise agreed in writing by the Local Planning Authority).

In order to soften the visual appearance of the development, in the interests of visual amenity in accordance with adopted South Tyneside LDF Development Management Policy DM1.

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**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

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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.