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:
Gary Craig Architectural Services Ltd
10 Fulmar Walk
Whitburn
SR6 7BW

Application No: ST/0956/21/HFUL
Date of Issue: 18/07/2022

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: Replacement of the existing upvc windows with timber sash windows, demolish existing single storey kitchen extension and construct new rear part single storey/part 2 storey kitchen/dining room, sun lounge, w.c., bathroom and ensuite extension with 7no. rooflights and cream render finish. Associated alterations to existing door and window arrangements. Demolish existing detached garage, increase height of rear boundary wall and provide new black wood-grain effect shutter door and arched timber gate

Location: 1 Ashleigh Villas, East Boldon, NE36 0LA

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

1:200 Site/Roof Plan Drg No 2 received 09/09/21
Drg No 1 received 09/09/21
Drg No 2 received 09/09/21
Drg No 4 received 09/09/21
Drg No 0753/9763/677 Rev A received 09/09/21
Sash Window Specification for 1 Ashleigh Villas received 11/07/22

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 roof of the development hereby permitted shall be natural slate of a similar appearance to the slate used in the construction of the exterior of the building on which the extensions will form part. All other external materials, colour finishes and details shall be as stated on Drg No 1 received 09/09/21 and Drg No 0753/9763/677 Rev A received 09/09/21. The proposed rear boundary wall to be reclaimed brick as specified on page 4 of 'REPLY TO PLANNERS FOR 1 ASHLEIGH VILLAS ST/0956/21/HFUL' received 19/01/22. 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 and the character and appearance of the East Boldon Conservation Area in accordance with South Tyneside LDF Development Management policies DM1 and DM6.

4 The proposed rear and side extensions hereby approved shall not be commenced until mitigation methods detailed in section 5 of the Arboricultural Impact Assessment (AIA), produced by Dendra (Report ref: GCAS_1Ashleigh_AIA1.1) received 09/09/21 have been completed under the supervision of a suitably qualified arboricultural professional. The protective fencing referred to in 5.2.3 of the AIA shall be put in place prior to the start of construction and shall remain in place during the whole period of construction works on the site.

To adequately protect that the health of trees adjacent to the site during the period of construction and in the interests of visual amenity and the character and appearance of the East Boldon Conservation Area, in accordance with East Boldon Neighbourhood Plan policies EB3 (Design) and EB4 (Heritage Assets), and South Tyneside LDF Development Management policies DM1 and DM6.

5 The proposed works to the branches of the tree identified as T2 (Sycamore) within the Arboricultural Impact Assessment (AIA), produced by Dendra (Report ref: GCAS_1Ashleigh_AIA1.1) received 09/09/21, shall be limited to those shown on page 16 of 'REPLY TO PLANNERS FOR 1 ASHLEIGH VILLAS ST/0956/21/HFUL' received 19/01/22.

For the avoidance of doubt and to adequately protect that the health of trees adjacent to the site in the interests of visual amenity and the character and appearance of the East Boldon Conservation Area, in accordance with East Boldon Neighbourhood Plan policies EB3 (Design) and EB4 (Heritage Assets), South Tyneside LDF Development Management policies DM1 and DM6.

6 The proposed sash windows shall be implemented in accordance with the details as specified within 'Sash Window Specification for 1 Ashleigh Villas' received 11/07/22.

In the interests of visual amenity and the character and appearance of the property and the East Boldon Conservation Area, in accordance with East Boldon Neighbourhood Plan policies EB3 (Design) and EB4 (Heritage Assets), and South Tyneside LDF Development Management policies DM1 and DM6.

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 Your attention is drawn to the Party Wall Etc. Act 1996, which provides a framework for preventing and resolving disputes in relation to party walls, boundary walls and excavations near neighbouring buildings.

A building owner proposing to start work covered by the Act must give adjoining owners notice of their intentions in the way set down in the Act. Adjoining owners can agree or disagree with what is proposed. Where they disagree, the Act provides a mechanism for resolving disputes.

The Act is separate from obtaining planning permission or building regulations approval and you can find out more about it at: https://www.gov.uk/party-wall-etc-act-1996-guidance

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. Should a bat or signs of bats be discovered at any stage during the works, work must stop immediately and advice sought from Natural England. Failure to do this may result in an offence being committed, regardless of planning consent, and could lead to prosecution. Natural England Bat Advice Line: 0345 1300 228

5 Under UK legislation it is an offence to intentionally or recklessly disturb, damage or destroy an active birds nest. An active nest is one which is in the process of being built or contains eggs / chicks. Activities which may affect nesting birds must be organised and timed to avoid the bird breeding season which is March to August inclusive. Failure to do so may result in an offence being committed, regardless of planning consent, and could lead to prosecution under the Wildlife and Countryside Act 1981.

6 The National Planning Policy Framework encourages development proposals to provide a net gain for biodiversity. The following enhancements have been suggested by South Tyneside Council's Countryside Team. It is encouraged that these measures are included as part of the development:

An integrated Swift Brick (an example of which can be found here: https://www.nhbs.com/manthorpe-swift-brick) in the build itself following the below criteria:

- Under the eaves on the northern aspect
- A clear flight line must be available to the nest
- Not placed directly above windows or doors

L Sloan

Louise Sloan
Senior Development Services Manager

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 for any other purpose. Applications should be made for any other permission, approval or consent required from South Tyneside Council (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.

APPEALS TO THE SECRETARY OF STATE

6 **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 this is a decision to refuse planning permission for a householder application and if you want to appeal against your local planning authority's decision then you must do so within 12 weeks 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 12 weeks 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

7 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.