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:
National Trust
F.A.O Mrs Natasha Rowland
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City Road
Newcastle
NE1 2AS

Application No: ST/0664/23/FUL
Date of Issue: 19/04/2024

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: Resurfacing of existing car park at Souter Lighthouse
Location: Souter Lighthouse, National Trust, Coast Road, Whitburn, SR6 7NH

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

Proposed Engineering Layout Drg. no. C-DR-200 Rev P1 received 16/02/2024.

Proposed Layout Plan Drg. no. Souter-CarPark-Resurface-02 Rev A received 22/02/2024

Proposed Construction Details Drg. no. Souter-CarPark-Resurface-05 Rev0 received 14/09/2023

Proposed Drainage and Level Drg. no. Souter-CarPark-Resurface-03 Rev A received 22/02/2024

Proposed Drainage Details Drg no. Souter-CarPark-Resurface-04 Rev 0 received 14/09/2023

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 development hereby permitted shall be carried out in accordance with the drainage details contained within Proposed Drainage and Level Drg. no. Souter-CarPark-Resurface-03 Rev A received 22/02/2024 and Proposed Engineering Layout Drg. no. C-DR-200 Rev P1 received 16/02/2024.

To ensure that the discharge of surface water from the site does not increase the risk of flooding in accordance with Whitburn Neighbourhood Plan policies, WNP3 and WNP12, the NPPF, and South Tyneside Local Development Framework policies ST2 and DM1.

4 The development hereby permitted shall be carried out in accordance with the document titled Revised Ecology Comments and Method Statement received 07/12/2023. Unless otherwise exceptionally agreed in writing by the Local Planning Authority pursuant to this condition.

To ensure no adverse impacts in the integrity of the Durham Coast Special Area of Conservation, the Northumbria Coast Special Protection Area (and worldwide Ramsar Site) and Durham Coast Site of Special Scientific Interest, and to ensure that the development does not harm habitats and encourages biodiversity in accordance with Whitburn Neighbourhood Plan policies WNP3, WNP5, WNP6, and WNP7, the NPPF and South Tyneside Local Development Framework policies EA3, DM1 and DM7 and the Wildlife and Countryside Act 1981.

5 No development shall take place until the following details have been submitted to and approved in writing by the local planning authority:
1. A risk assessment to detail the methodology, timings and frequency (in relation to the time of year), for drains to be checked for any species that may have become trapped.

All works shall be carried out in accordance with the approved details.

If species are found to be trapped, this must be reported in writing immediately to the local planning authority and within 4 weeks of this written notification, full details for a scheme of risk reduction, including timescale for implementation, shall be submitted to and approved in writing by the local planning authority. All works shall be carried out in accordance with the approved details.

To ensure the development does not harm habitats and encourages biodiversity in accordance with Whitburn Neighbourhood Plan policies WNP3, WNP5, WNP6, and WNP7, the NPPF and South Tyneside Local Development Framework policies EA3, DM1 and DM7 and the Wildlife and Countryside Act 1981.

NOTES TO APPLICANT:

In accordance with Article 35(2) of the Town and Country Planning (Development Management Procedure) (England) Order 2015, the Local Planning Authority has, without prejudice to a fair and objective assessment of the proposals, issues raised and representations received, sought to work with the applicant in a positive and proactive manner with the objective of delivering high quality sustainable development to improve the economic, social and environmental conditions of the area in accordance with the NPPF (National Planning Policy Framework).

1 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

2 NOTE TO APPLICANT

Any ramp to be used to reduce the risk of entrapment, should be no less than 300mm in width and angled no greater than 45°. The ramp must be made of a non-slip material such as wood.

3 NOTE TO APPLICANT

Whilst this car park is remote from the adopted highway the dropped kerb detail shows a 10mm face of kerb, which does not comply with Inclusive Mobility / Equality Act 2010 compliance for disabled users and is required to be 0-6mm.

A Inch

Andrew Inch
Senior Manager Planning

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 Equalities Act 2010 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 Equalities Act 2010, 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://www.gov.uk/appeal-planning-decision

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.