



**NOTICE OF GRANT OF PLANNING PERMISSION**  
**Town and Country Planning Act 1990**  
**Town and Country Planning General Regulations 1992**  
**Town and Country Planning (Development Management Procedure)**  
**(England) Order 2015**

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**Contact Name and Address:**

South Tyneside Homes  
FAO Mr Colin Kennedy  
Unit 4 Heddon Way  
South Shields  
Ne34 0NT

**Application No:** ST/0571/15/LAA

**Date of Issue:** 13/08/2015

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In pursuance of their powers under the above mentioned Acts and Regulations, South Tyneside Council as Local Planning Authority hereby resolve for the purposes of Regulation 3 of the Town and Country Planning General Regulations 1992 to **GRANT** planning permission for the following development:

**PROPOSAL:** Change of use from public highway to a mixed use that retains the land as public highway but also includes the use of the land for a retail market (the siting and use of market stalls).

**LOCATION:** Paved open space between St Hildas Church, Job Centre & TSB Bank, Barrington Street/Chapter Row, South Shields

In accordance with your application dated 12 June 2015

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**SUBJECT TO THE FOLLOWING CONDITION(S) AND REASON(S):**

- 1 The use hereby granted is limited to a temporary period expiring 12 months from the date of this decision. On or before this date the use shall be discontinued, unless an application for renewal or permanent retention has been submitted to and approved in writing by the Local Planning Authority.

In order to allow for an assessment of the continued use of the site and the siting of the market stalls in accordance with Policy DM1 of the South Tyneside Local Development Framework.

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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 (paragraphs 186 & 187) to seek to approve applications for sustainable development where possible.

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George Mansbridge  
Head of Development Services

**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 the Local Planning Authority to grant permission subject to conditions, then you may appeal to the Secretary of State for Communities and Local Government in accordance of section 78 of the Town and Country Planning Act 1990 within six months of the date of this notice. The Secretary of State has power to allow a longer period for the giving of a notice of appeal but he will not normally be prepared to exercise this power unless there are special circumstances, which excuse the delay in giving notice of appeal. The Secretary of State is not required to entertain an appeal if it appears to him that permission for the proposed development could not have been granted by the Local Planning Authority without the conditions they imposed, having regard to the statutory requirements, to the provisions of the development order, and to any directions given under the order.

Appeals can be made online using the Planning Inspectorates planning appeal service through the Planning Portal at <http://www.planningportal.gov.uk/planning/appeals/online/makeanappeal>. You must use a standard Planning Appeal Form when making your appeal. Please be aware that details of planning appeals are available on the internet and may include a copy of the original planning application form and relevant supporting documents supplied to ourselves, either by you, or your agent, together with the completed appeal form, and information that you submit to the Planning Inspectorate. Please ensure that you only provide information, including personal information belonging to you that you are happy will be made available to others in this way. If you supply personal information belonging to a third party please ensure you have their permission to do so. More information about data protection and privacy matters is available on the planning portal website.

Alternatively if you do not wish to submit your appeal electronically, a form is obtainable from The Planning Inspectorate, Customer Support Unit, Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 6PN. Email: [enquiries@planning-inspectorate.gsi.gov.uk](mailto:enquiries@planning-inspectorate.gsi.gov.uk) or telephone 0303 4440000. Please note that you must state the appeal form that you require.