



**NOTICE OF GRANT OF OUTLINE 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:**

Turley  
2 Bond Court  
Leeds  
West Yorkshire  
LS1 2JZ

**Application No:** ST/0664/15/OUT  
**Date of Issue:** 15/12/2015

FAO Mr J Brooks

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In pursuance of their powers under the above mentioned Acts, South Tyneside Council as Local Planning Authority hereby **GRANT** outline planning permission for the following:

**PROPOSAL:** Outline application with all matters reserved for the redevelopment of three areas within South Shields Town Centre comprising demolition and site clearance and erection of A1 retail units (7,028 sq m), A3 Restaurant and Cafe units (2,060 sq m) and D2 cinema (2,745 sq m), multi storey car park and A1 Foodstore (6,039 sq m) with associated petrol filling station and surface car parking. Application made subject to an Environmental Impact Assessment.

**LOCATION:** South Shields Town Centre, Sites at King Street, Chapter Row, Barrington Street, Garden Lane and land West of Fowler Street

In accordance with your application dated 03 July 2015

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

- 1 In the case of reserved matters, application for approval must be made not later than the expiration of five years beginning with the date of the grant of outline planning permission and the development to which this permission relates must be begun not later than the expiration of two years from the final approval of reserved matters or, in the case of approval of different reserved matters on different dates, the final approval of the last such matter to be determined.

As required by Section 92 of the Town & Country Planning Act 1990 and to ensure that the development is carried out within a reasonable time.

- 2 Before any works are commenced detailed drawings or other specification of the following reserved matters shall be submitted to and approved by the Local Planning Authority:
  - (a) layout;
  - (b) scale;
  - (c) appearance;

- (d) access;
- (e) landscaping

The development shall be undertaken in accordance with the approved details (unless agreed otherwise in writing by the Local Planning Authority).

To ensure a high standard of development in accordance with South Tyneside Local Development Framework Core Strategy policies ST1, ST2, A1, SC1, SC2, EA1, EA5, Site Specific Allocations policies SA5 and SA6, South Shields Town Centre and Waterfront Area Action Plan policies SS1, SS2, SS3, SS4, SS7, SS8, SS9, SS12, SS13 and Development Management policies DM1, DM6, DM7.

- 3 Any submission for the approval of reserved matters under condition 2 shall be in accordance with the Masterplan South Shields 365 Vision Plan ref: 12369M\_Outline\_PP01A hereby approved.

To ensure a high standard of development in accordance with South Tyneside Local Development Framework Core Strategy policies ST1, ST2, A1, SC1, SC2, EA1, EA5, Site Specific Allocations policies SA5 and SA6, South Shields Town Centre and Waterfront Area Action Plan policies SS1, SS2, SS3, SS4, SS7, SS8, SS9, SS12, SS13 and Development Management policies DM1, DM6, DM7.

- 4 The proposed development hereby approved shall not be built in excess of:

- Retail (use class A1) 7,028 sq m
- Restaurants and cafes (use class A3) 2,060 sq m
- Cinema/ Leisure (use class D2) 2,745 sq m
- Food store (Use Class A1) 6,039 sq m

To ensure that control is retained over the proposed amount of development hereby approved in the interests of the proper planning of the area in accordance with South Tyneside Local Development Framework Core Strategy policies ST1, ST2, A1, SC1, SC2, EA1, EA5, Site Specific Allocations policies SA5 and SA6, South Shields Town Centre and Waterfront Area Action Plan policies SS1, SS2, SS3, SS4, SS7, SS8, SS9, SS12, SS13 and Development Management policies DM1, DM6, DM7.

- 5 Before demolition works commence, a demolition method statement including the details proposed to secure the site during and after demolition shall be submitted to and approved in writing by the local planning authority. The approved details shall then be carried out on site.

To minimise disturbance and to safeguard the amenity of the area in which the development will take place in accordance with South Tyneside Local Development Framework Policy DM1.

- 6 No building shall be demolished without an up to date bat survey having first been carried out.

The proposed development is to take place over a number of years and a reassessment of the presence of bats is required to ensure survey data is up to date before demolition works are undertaken, in order to mitigate any harmful effects of development in accordance with South Tyneside Local Development Framework Policy DM7.

- 7 Prior to the commencement of each phase of the hereby approved development, details of the designated route for construction vehicles, construction access/egress, the siting of plant, machinery and building materials, storage areas, site cabins and employee car parking and facilities shall be submitted to and approved in writing by the Local Planning Authority. These works shall be undertaken in accordance with the approved details.

In the interests of safeguarding both the neighbouring amenity and highway safety in accordance with South Tyneside Local Development Framework policy DM1.

- 8 Prior to the commencement of each phase of the development a final drainage strategy which should include the use of sustainable urban drainage systems shall be submitted to and approved in writing by the Local Planning Authority. The strategy should include drawings and calculations detailing exceedance amounts from the drainage for extreme storms including a 1 in 30 year event and 1 in 100 year event plus 30% climate change. The strategy shall identify that there will be no flooding from a 1 in 30 year event from the drainage on site. There shall be no internal flooding of any on site buildings and no off site flooding for a 1 in 100 year event plus 30% climate change. Where exceedances are indicated overland flow plans shall be submitted. The agreed details must then be carried out and retained thereafter.

To minimise and mitigate localised flood risk in accordance with South Tyneside Local Development Framework policy DM1.

- 9 Full details of any petrol tank/s including the method of installation with excavation depths, pipework, surrounds and method of monitoring shall be submitted to, and approved in writing by, the local planning authority. If the tank/s are potentially below the water table the scheme must include measures to mitigate the risk. The agreed scheme shall be fully implemented and subsequently maintained.

To minimise and mitigate pollution risk arising from the proposed development of petrol filling station on a secondary aquifer in accordance with South Tyneside Local Development Framework Policy DM1.

- 10 No demolition/development shall take place until a programme of building recording in relation to properties 83-87 King Street, Douglas Vaults PH, 14 Barrington Street, Orangegrass 7 Mount Terrace, Mambos 3 St Hilda's Street, 44-46 Charlotte Street and 106-142 Fowler Street has been completed, in accordance with a specification provided by the Local Planning Authority. A report of the results shall be submitted to and approved in writing by the Local Planning Authority prior to any development or demolition work taking place.

To provide an archaeological record of the heritage asset in accordance with South Tyneside Local Development Framework Policy DM6.

- 11 No groundworks or development shall commence until a programme of archaeological fieldwork where required (to include evaluation and where appropriate mitigation excavation) together with a timetable for the submission of the final report of the results of the area of fieldwork for each phase of development to the local planning authority has been completed. This shall be carried out in accordance with a specification provided by the Local Planning Authority. The final report shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the development.

The site is located within an area identified as being of potential archaeological interest. The investigation is required to ensure that any archaeological remains on the site can be preserved wherever possible and recorded, in accordance with South Tyneside Local Development Framework Policy DM6.

- 12 No development shall commence until a programme of air quality assessments has been completed in accordance with a specification provided by the Local Planning Authority. The report of the results shall be submitted to and approved in writing by the Local Planning Authority.

In order to assess the impact of the development on air quality and to inform future decision making in terms of the need to reduce pollution through additional traffic management measures in accordance with South Tyneside Local Development Framework policy DM1.

- 13 Prior to the commencement of each phase of development, a detailed scheme for the disposal of foul water from the development hereby approved has been submitted to and approved in writing by the Local Planning Authority in consultation with Northumbrian water. Thereafter the development shall take place in accordance with the approved details.

To minimise and mitigate localised flood risk in accordance with South Tyneside Local Development Framework policy DM1(K).

- 14 Drainage from the car park areas discharging to a surface watercourse must be passed through an oil interceptor. Drainage to soakaway from car parking areas for greater than 50 spaces should be passed through an oil interceptor before discharging to ground.

In order to minimise and mitigate the risk of pollution to ground and /or surface waters in accordance with South Tyneside Local Development Framework policy DM1.

- 15 The total indoor floorspace of all proposed buildings within the Health and Safety Executive consultation distance around the South Shields Holder Station (HSE consultation zones plan dated July 2012) shall be less than 250sqm within the inner zone and shall be less than 5,000sqm within the middle zone.

To retain control over the amount of development falling within close proximity of the South Shields Holder Station, which is classed as a major hazard site by the Health and Safety Executive. In the interests of safeguarding the health and safety of the occupiers of the development in accordance with South Tyneside Local Development Framework Policy DM1.

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## **NOTES TO APPLICANT:**

**For the avoidance of doubt this decision relates to the following plans and/or specifications:**

Buildings Demolished - Outline Application Drg No. 12569M\_1012 received 07/07/2015

Illustrative Masterplan Drg No. 12569M\_1002 Rev S received 07/07/2015

Outline Masterplan Application Boundary Drg No. 12569M\_1005 Rev C received 07/07/2015

Parameter Plan 5 Vehicle Routes Drg No. 12569M\_Outline\_PP 05A received 07/07/2015

- 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.
- 2 ALL DEVELOPMENTS WITHIN COALFIELD STANDING ADVICE AREAS

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. It should also be noted that this site may lie in an area where a current licence exists for underground coal mining.

Further information is also available on The Coal Authority website at:  
[www.gov.uk/government/organisations/the-coal-authority](http://www.gov.uk/government/organisations/the-coal-authority)

Property specific summary information on past, current and future coal mining activity can be obtained from: [www.groundstability.com](http://www.groundstability.com)

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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 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.

## **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.