



**NOTICE OF REFUSAL 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:**

OTEC  
FAO Mr Steve Owen  
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East Street  
Whitburn  
SR6 7BY

**Application No:** ST/0860/15/FUL

**Date of Issue:** 15/01/2016

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

**PROPOSAL:** Three storey extension to Henry Nelson Street and rear lane comprising cafe, lounge and bedrooms. Kitchen/utility extension to rear yard with lounge above and ensuite bathrooms with landing area on the second floor.

**LOCATION:** Clifton Hotel, 101 Ocean Road, South Shields, NE33 2JL

In accordance with your application dated 24 August 2015

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**REASON(S) FOR REFUSAL:**

- 1 The application relates to side and rear extensions to a large and prominent corner property, previously 101 Ocean Road and 2 Henry Nelson Street. The proposed two storey extension to part of the front of the property facing Henry Nelson Street will extend beyond the uniform established building line along Henry Nelson Street to the back of footpath on this prominent corner site. As extended, the building will provide a flat, two storey elevation to the along the back edge of footpath to Henry Nelson Street, which is characterised by a series of terraced properties with projecting bay windows and a 2m front garden set back from a low boundary wall. This arrangement has a detrimental visual impact on the streetscape in the context of the residential street and the wider area and is not in accordance with South Tyneside Local Development Framework Policy DM1 which requires that extensions convey sensitive consideration of surroundings.
- 2 The proposed extensions to the rear and east of the property are at ground, first and second floor levels and extend out to the rear lane boundary. The proposed two storey extension projects out 9.5m to the rear lane from the boundary with no. 103 Ocean Road and includes 2 lounge windows at first floor level facing no. 103 Ocean Road. The second floor extension is set in from this elevation by approximately 2 metres and also extends out to the back lane boundary. The adjoining property (no. 103 Ocean Road) has habitable rooms windows in the rear elevation at ground, first and second floor levels and facing the application site in the rear offshot at ground and first floor levels. Given the juxtaposition of the two properties and the height and depth of the proposed extension, it is considered that the proposed rear extensions will have a detrimental impact on the adjoining property no. 103 in terms of

dominance, privacy, outlook and light. The development is not in accordance with South Tyneside Local Development Framework policy DM1 which requires that development is acceptable in relation to any impact on residential amenity.

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**NOTES TO APPLICANT:**

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

Drwg No. 310715/5 Rec 08/09/2015  
Drwg No. 310715/4 Rev A Rec 09/09/2015  
Drwg No. 310715/3 Rec 09/09/2015  
Drwg No 310715/2 Rev B Rec 09/09/2015

- 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. However, the proposed development is contrary to the policies referred to in the reason(s) for refusal and it has not been possible to reach an agreed solution in this case.

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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

### **APPEALS TO THE SECRETARY OF STATE**

#### **1 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 but if the local planning authority's decision was to refuse planning permission for a minor commercial application 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 6 months, or 12 weeks in the case of a minor commercial appeal, 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**

- 2 If permission to develop land is refused, 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.

