

Euro Garages Limited  
FAO Mr M Patel  
Euro House  
Beehive Trading Park  
Haslingden Road  
Blackburn  
BB1 2EE

Date: 28/10/2016  
Our ref: ST/1163/15/COND  
Your ref:

Dear Sir

### **Discharge of Planning Conditions**

In pursuance of their powers under the Town and Country Planning Act 1990, South Tyneside Council as Local Planning Authority resolved to **REFUSE** the submitted details as required by a condition of planning permission that was previously granted

**Proposal:** Discharge of Condition 4: Contamination - investigation and risk assessment.  
Relating to previously approved planning application Ref. ST/1116/13/FUL.  
**Location:** Starbucks, Newcastle Road, South Shields, NE34 9QE, , Simonside Service Station,  
Newcastle Road, South Shields, NE34 9QE

In accordance with your application dated 04 December 2015

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### **REASON(S) FOR REFUSAL:**

- 1 The applicant has failed to provide the additional information that was requested by the Local Planning Authority on 27/05/2016 (and that would have been relevant to its consideration of planning conditions 4 to 7 of ST/1116/13/FUL). As a result, insufficient information has been submitted by the applicant to demonstrate that they have complied with requirements of this planning condition (and as per its wording on the planning decision notice reference ST/1116/13/FUL).
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### **For the avoidance of doubt this decision relates to the following plans and/or specifications:**

- ARCADIS (UK) Limited Preliminary Risk Assessment Report (dated September 2010) received 09/12/2015
- ARCADIS (UK) Limited Environmental Site Assessment Report dated April 2011) received 09/12/2015
- E&S Environmental Services Ltd. Tank & Line Test Reports received 09/12/2015
- Geo2 Remediation Ltd. email received 11/03/2016
- Stock Variance Report received 14/03/2016

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Yours faithfully,

A handwritten signature in black ink, appearing to read 'G. Mansbridge', written in a cursive style.

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.

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 the submitted details, as required by a condition of a planning permission previously granted, are 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.