



South Tyneside Council

Reference:	250362
Location:	McDonalds 3-5 King Street South Shields NE33 1DA
Ward:	Beacon and Bents
Description:	Refurbishment of shopfront to include the redecoration of the fascia panels, window frames and doors, with associated works.
Recommendation:	Grant Permission with Conditions
Case Officer:	Drewe Russell
Case Officer Contact No.:	0191 4247445 or 07765649865

Description of the Site

This application relates to 3-5 King Street specifically the unit is currently occupied by McDonalds.

Description of the Proposal

This application seeks full planning permission for refurbishment of shopfront to include the redecoration of the fascia panels, window frames and doors, with associated works.

The proposal relates to the refurbishment of the shopfront of the existing McDonald's restaurant at 3–5 King Street, South Shields. The works are limited to external redecoration and do not involve any structural alterations or extensions. Specifically, the application seeks to redecorate the fascia panels, window frames, and doors in accordance with McDonald's updated corporate identity. The proposed colour for the redecoration is Umbra Grey (RAL 7022), which would be applied to the existing shopfront frames and columns to match the new fascia. The refurbishment affects two elevations: one fronting King Street and the other fronting Smithy Street. There are no proposed changes to the upper levels of the building. Although signage forms part of the overall rebranding, it is being considered under a separate application. It is noted that the revised signage suite will result in a reduction in the overall level of signage.

Relevant Planning History

The planning history of the site is as follows:

ST/1360/13/FUL- New shop front to King Street elevation. Granted 2014

ST/1365/13/ADV- Proposed replacement of existing signage with 6No internally illuminated signs-Granted 2014

Summary of Consultation Responses

No responses received

Summary of Representations

No responses received

Relevant planning policy

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that an application for planning permission must be determined in accordance with the adopted development plan, unless material considerations indicate otherwise.

The statutory development plan comprises the Council's adopted Local Development Framework (LDF) development plan documents. Those LDF documents of relevance to this application comprise of the Core Strategy 2007, a Development Management Policies Development Plan Document (DPD) 2011, a Site Specific Allocations Development Plan Document DPD 2012, and the South Shields Town Centre & Waterfront Area Action Plan (AAP) 2008.

The following policies of the South Tyneside Local Development Framework Core Strategy are relevant to this planning application:

- DM1- Management of Development
- DM6 Heritage Assets and Archaeology

The following policies and guidance are also relevant to this planning application:

- LDF CS SC2 - Reviving our Town Centres and other Shopping Centres
- SSTCW AAP Policy SS7 - Retailing Opportunities in South Shields Town Centre

On 4 March 2025, the Council was directed by the Secretary of State for the Ministry of Housing, Communities & Local Government to submit the South Tyneside Local Plan for examination by 12 March 2025 in accordance with Regulation 22 of the Town and Country Planning (Local Planning) (England) Regulations 2012. The Plan has now been submitted and is at the examination stage. Paragraph 49 of the National Planning Policy Framework (2024) states that local planning authorities may give weight to relevant policies in emerging plans according to:

1. the stage of preparation of the emerging plan (the more advanced its preparation, the greater the weight that may be given);
2. the extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given); and,

3. the degree of consistency of the relevant policies in the emerging plan to this Framework (the closer the policies in the emerging plan to the policies in the Framework, the greater the weight that may be given).

Whilst the draft Local Plan is now at a more advanced stage of preparation, the weight that can be given to individual Policies in the Plan varies dependent upon the extent and nature of objections to those Policies. In this regard, it is considered that certain Policies can only be afforded very limited or limited weight whilst others can be afforded significant weight in assessing this planning application. Relevant Policies are as listed below (with text provided after each Policy regarding the weight that officers consider can be afforded to that Policy):

- Policy SP1: Presumption in favour of Sustainable Development (limited)
- Policy 1: Promoting Healthy Communities (limited)
- Policy 47 Design Principles (very limited)

National planning policy is also a material consideration in determining this planning application. Relevant national policy comprises the National Planning Policy Framework (NPPF), National Planning Practice Guidance (NPPG), the National Design Guide and the National Model Design Code.

Assessment

The key issues in the assessment of this planning application are as follows:

- Visual Amenity
- Impact upon Heritage Assets

Impact upon Visual Amenity

LDF Policy DM1 seeks to preserve visual amenity. Given the prevalence in advertisements in this commercial area, the proposal would not result in significant harm to visual amenity.

Impact upon Heritage Assets

LDF Policy DM6 seeks to preserve the heritage assets of the borough. Whilst the site is adjacent to the former Barclays Bank which is a Grade II listed building, and other listed buildings in the surrounding area, it is considered that the proposed development would not result in any significant harm to these assets.

Conclusion

In deciding whether to grant planning permission the Council must have due regard to the 3 equality aims contained in Section 149 of the Equality Act 2010 (the public sector equality duty). A preliminary assessment of the potential equality impacts of any grant of planning permission in this case has been undertaken. There are no apparent equality impacts of the proposed development which give rise to the need to undertake a more detailed equality impact assessment.

The development has been assessed against the provisions of the Human Rights Act, and in particular Article 1 of the First Protocol and Article 8 of the Act itself. This Act gives further effect to the rights included in the European Convention on Human Rights. In arriving at this recommendation, due regard has been given to the applicant's reasonable development rights and expectations which have been balanced and weighed against the wider community

interests, as expressed through third party interests / the Development Plan and Central Government Guidance.

Having regard for the above it is considered that the proposal would result in no significant harm to the visual amenity of the area or the heritage assets in the area.

As a result, it is considered that the proposed development complies with all relevant local and national planning policy and guidance. Consequently, this application is recommended for approval.

Recommendation

Grant Permission with Conditions

Conditions

- 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

Block Plan Drg No P21-050-0254-02 Rev A 050625.pdf

Existing and Proposed Elevations and Floor Plans Drg No P21-050-0254-05 Rev A received 05.06.25

Heritage Statement received 12.06.25

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 external surfaces of the development hereby permitted shall be as set out on the plans as listed in condition 2.

To ensure a satisfactory standard of development and in the interests of visual amenity in accordance with South Tyneside LDF Development Management Policy DM1.

Informatives

- 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 Mining Remediation Authority on 0345 762 6846 or if a hazard is encountered on site call the emergency line 0800 288 4242.

Further information is also available on the Mining Remediation Authority website at: Mining Remediation Authority - GOV.UK

- 2 Approval of a Biodiversity Gain Plan NOT REQUIRED before development commences

The effect of paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990 is that planning permission granted for the development of land in England is deemed to have been granted subject to the condition "(the biodiversity gain condition)" that development may not begin unless:

- (a) a Biodiversity Gain Plan has been submitted to the planning authority, and
- (b) the planning authority has approved the plan.

However, based on the information available, this permission is considered to be one which will not require the approval of a biodiversity gain plan before development is begun because one or more of the statutory exemptions or transitional arrangements are considered to apply - please refer to Biodiversity net gain: exempt developments - GOV.UK (www.gov.uk).

Case officer: Drewe Russell

Signed: DR

Date: 08/08/2025

Authorised Signatory: Seán Gallagher

Date: 08/08/2025