



South Tyneside Council

Reference:	250404
Location:	82-84 Front Street East Boldon NE36 0SG
Ward:	Cleadon and East Boldon
Description:	Conversion of shop to form part of dwelling. Associated alterations.
Recommendation:	Grant Permission with Conditions
Case Officer:	Adam Williamson
Case Officer Contact No.:	0191 4247434 or 07741120747

Description of the Site

The application site consists of a two storey dwelling containing a ground floor retail unit to the left side of the façade, with its own entrance and display window. The building is constructed from red brick under a grey slate roof. The property has timber sash windows with stone cills and lintels. To the front is a small garden enclosed by an approximate 500mm high brick wall with coping above. The adjoining property, 80 Front Street is to the east. To the front of the property is a layby for parking. The application site lies within the East Boldon Conservation Area.

Description of the Proposal

Planning permission is sought for the change of use of the retail unit back to form part of 82-84 Front Street.

The front door and shop front window will be retained with the central glazed area being fitted with a sliding sash window to match the existing.

A slate roofed canopy with timber columns is proposed over this access.

The existing dwelling entrance will be removed and bricked up using salvaged bricks to match the existing. The lobby inside will be removed to create a larger Sitting Room.

All remaining structure will be kept as existing.

Relevant Planning History

None

Summary of Consultation Responses

The following responses were received in response to the statutory consultation period which ended on 12/08/2025.

East Boldon Neighbourhood Forum: No response received.

Summary of Representations

In terms of publicising this planning application, eleven neighbour notification letters were sent (and it was available online for comment). A site notice was also displayed, and the application was advertised in the local press.

In response to this publicity, there has been 1 letter of objection has received from 90 Front Street. The objections can be summarised as follows.

- In Part 10 of the Application Form it is claimed that there are two on site parking spaces. That is not the case: there are no on site parking spaces at 82-84 Front Street. A parking lay-by, open to and used by anyone who cares to leave their car in it, runs in front of the property.

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 East Boldon Neighbourhood Plan and the Council's adopted Local Development Framework (LDF) development plan documents.

The following policies of the East Boldon Neighbourhood Plan are relevant to this planning application:

- EB3 – Design
- EB4 – Heritage Assets

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

DM1 - Management of Development (A, B, and G)
DM6 – Heritage Assets
SPD9 - Householder Developments

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:

- the stage of preparation of the emerging plan (the more advanced its preparation, the greater the weight that may be given);
- 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,

- 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 43 - Development Affecting Designated Heritage Assets (Very Limited Weight)

Policy 47- Design Principles (limited)

Given the weighting of the above emerging local plan policies, they are not expressly cited in the planning assessment.

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:

- Principle of development
- Impact upon visual amenity and upon East Boldon Conservation Area;
- Impact on residential amenity;
- Impact upon highway safety; and
- Biodiversity Net Gain

Principle of development

The host property is not allocated in the South Tyneside LDF as a retail unit, nor does it lie in a local or neighbourhood centre. The proposal would form additional living accommodation for no. 82- 84 Front Street, and as such the proposal is considered acceptable in principle.

The proposed change of use would not result in the loss of an important retail function as there are various other commercial units within close proximity and walking distance to the site on Front Street to serve local need.

Impact upon visual amenity and upon East Boldon Conservation Area

The proposed development site is within the East Boldon Conservation Area; therefore regard must be given to Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 to assess the impact on the character, appearance and significance of the designated heritage asset.

Policy DM1(A) requires development to convey sensitive consideration to its surroundings; and where possible enhance its local setting and reinforce local identity, having particular regard to scale and proportions, alignment, form, use of materials and architectural detailing.

Policy DM6 states that the Council will support development proposals that protect, preserve and where possible enhance the historic, cultural and architectural character and heritage, visual appearance and contextual importance of our heritage assets and their settings, including:

- East Boldon Conservation Area, its historic core, distinctive open spaces and boundary walls.
- Listed Buildings and structures, non-listed buildings and structures included on the council's list of locally significant heritage assets, significant landscape features of local heritage and archaeological value and archaeological deposits and remains.

SPD 15 sets out principles for development which states that the Council will only permit development in, or affecting the setting of, East Boldon Conservation Area that protects, preserves and where possible enhances its character or appearance.

Policy EB3 of the East Boldon Neighbourhood Plan (EBNP) states that development should conserve local distinctiveness by demonstrating high quality design which both respects existing character and responds to the distinctive character of the area, it should take account of the East Boldon Design Code.

Policy EB4 of the EBNP states that Development within or affecting the setting of the East Boldon Conservation Area will be supported where it preserves or enhances the character or appearance of the conservation area and its setting.

The heritage significance of East Boldon Conservation Area is mainly derived from the architectural and historical interest with its wide range of historic buildings illustrating the time depth of the village. The archaeological interest of the area makes a positive contribution to its heritage significance, stemming from the archaeological potential it may hold to inform us of the early origin of the village. The setting makes a positive but minor contribution.

There are two Grade II listed buildings to the west of the application site at 94 and 100 Front Street (approximately 30 metres away).

Although the proposed external works would be visible from the public domain along Front Street, the proposed external materials and detailing are considered to be acceptable. The proposal would preserve the character and appearance of the East Boldon Conservation Area.

A condition is recommended to control that the proposal be constructed in accordance with details as specified in the application. Subject to the compliance with this condition, in relation to its design and visual impact / impact on heritage assets, and having regards to S72 of the Planning (Listed Buildings and Conservation Areas) Act 1990, there is no conflict with policies DM1 and DM6 of the South Tyneside LDF, and the guidance within SPD15 in this respect, and accords with policies EB3 and EB4 of the East Boldon Neighbourhood Plan.

Impact on residential amenity

LDF Policy DM1 (B) seeks to preserve residential amenity.

SPD 9 sets out guidelines for householder developments.

Given the nature of the proposal, and separation distances in relation to neighbouring properties, it is considered that it would have no unacceptable impacts on the amenities of the occupiers of any neighbouring properties in relation to privacy, outlook and over dominance, or overshadowing. It is therefore considered that the proposal would accord with adopted

South Tyneside LDF Development Management Policy DM1 (B) and the associated SPD 9 'Householder Developments'

Having regard to the above, the proposed development is considered to have no significant harm to the residential amenity of neighbouring properties and is considered to be in accordance with LDF Policy DM1 (B).

Impact upon highway safety

NPPF Paragraph 115 states that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

LDF Policy DM1 (G) seeks to ensure that development is acceptable in relation to highway capacity and safety or includes proposals to mitigate any adverse impacts.

Comment has been received that in Part 10 of the Application Form it is claimed that there are two on site parking spaces. That is not the case: there are no on site parking spaces at 82-84 Front Street. A parking lay-by, open to and used by anyone who cares to leave their car in it, runs in front of the property.

It is noted that there is no in curtilage parking to the front of the property, and that off street parking is in the form of public laybys. However the parking demand generated by the proposal will be reduced by the removal of the retail unit, and the current occupier of the property is already aware of parking provisions to the surrounding area, in that residents use the layby provision as a number of the dwellings along Front Street do not benefit from in curtilage parking provision.

It is therefore judged that the proposals would be acceptable in highways terms and would be in accordance with LDF policy DM1 (G).

Biodiversity Net Gain

The applicant has stated the site as a 'de minimus' exemption in terms of Biodiversity Net Gain. It is noted the application site is comprised entirely of building. There is no habitat on the site impacted by the development proposed. It is therefore considered the exemption applies and with no Biodiversity Gain Plan required before development commences. This would fall under de minimus exemption under Regulation 4 of the Biodiversity Gain Requirements (Exemptions) Regulation 2024.

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 East Boldon Conservation Area, the residential amenity of any neighbouring properties or the highway safety of 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

Existing and Proposed Elevations and Floor Plans Drg. No. 09035-1 received 30/06/2025

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 development hereby permitted shall be constructed as specified within the application form (received 08/07/2025) and Existing and Proposed Elevations and Floor Plans Drg. No. 09035-1 received 30/06/2025.

To ensure a satisfactory standard of development, in the interests of visual amenity, and to preserve the character and appearance of the East Boldon Conservation Area in accordance with adopted South Tyneside LDF Development Management Policies DM1 and DM6.

Informatives

- 1 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).

- 2 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

Case Officer: Adam Williamson

Date: 27/08/2025

Authorised Signatory: G. Simmonette

Date: 27/08/2025