South Tyneside Council

CERTIFICATE OF LAWFUL USE OR DEVELOPMENT

Town and Country Planning Act 1990: Section 191 and 192
(as amended by Section 10 of the Planning and Compensation Act 1991)
Town and Country Planning (Development Management Procedure)
(England) Order 2015: Article 35

Simulations Ltd.
FAO: Mr. Roger Vila
The Old Forge
Seaton Lane
Seaham
SR7 0LS

South Tyneside Council hereby certify that on 16/11/2023 the use described in the First Schedule to this certificate in respect of the land specified in the Second Schedule to this certificate and edged red on the plan attached to this certificate would have been lawful within the meaning of section 192 of the Town and Country Planning Act 1990 (as amended) for the following reasons:

1 The change of use of the site from a retail shop (use class E) to an off licence (use class E) is not development for planning purposes as the uses described are for a purpose falling within the same use class and does not require planning permission by virtue of the provisions of the Town and Country Planning (Use Classes) Order 1987 (as amended).

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Signed:(Council's authorised officer)

On behalf of South Tyneside Council

Date: 10/10/2025

Application No: 250553

FIRST SCHEDULE

Application for a Lawful Development Certificate for the proposed use of existing retail shop to become an off-licence.

SECOND SCHEDULE

177-179 Prince Edward Road
South Shields
NE34 8PL

NOTES TO APPLICANT:

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

Existing and proposed ground floor plan Drg. No. 225.06/ 02 A received 29/08/2025

Your attention is drawn to the attached schedule of notes which form part of this notice

NOTES

1 This certificate is issued solely for the purpose of section 192 of the Town and Country Planning Act 1990 (as amended).

2 It certifies that the operations specified in the First Schedule taking place on the land described in the Second Schedule would have been lawful, on the specified date and, thus, would not have been liable to enforcement action under section 172 of the 1990 Act on that date.

3 This certificate applies only to the extent of the operations described in the First Schedule and specified in the Second Schedule and identified on the attached plan. Any operations which are materially different from those described or which relate to other land may render the owner or occupier liable to enforcement action.

4 The effect of the certificate is also qualified by the proviso in section 192(4) of the 1990 Act, as amended, which states that the lawfulness of a described use or operation is only conclusively presumed where there has been no material change, before the use is instituted or the operations begun, in any of the matters relevant to determining such lawfulness.

5 **Only the applicant possesses the right to appeal**

If you are aggrieved by the decision of the Local Planning Authority to refuse the application (in whole or in part) then you may appeal to the Secretary of State for Communities and Local Government in accordance of section 195 of the Town and Country Planning Act 1990. Please note that your appeal will be turned away if an effective Enforcement Notice is in force. The Secretary of State need not consider an appeal if it seems to the Secretary of State that the certificate could not have been granted by the Local Planning Authority, having regard to the statutory requirements, to the provisions of the development order, and to any directions given under the order.

If you want to appeal against your local planning authority's decision there is no time limit for making an appeal in relation to section 191 and section 192 appeals, although any appeal made under section 26K (Listed Building and Conservation Areas Act) must be received within 6 months of the date of the LPA decision notice or within 6 months of the expiry of 6 week period following receipt of a valid s26H application.

If you intend to submit an appeal that you would like examined by inquiry then you must notify the Local Planning Authority and Planning Inspectorate (inquiryappeals@planninginspectorate.gov.uk) at least 10 days before submitting the appeal. Further details are on GOV.UK.

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

Location Plan
Site Address: **Stantons Stationery Shop, 177-179, Prince Edward Road, South Shields, NE34 8PL**

PlanningPortal

Date Produced: **29-Aug-2025**

Scale: **1:1250 @A4**



Planning Portal Reference: **PP-14268979v1**

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