



South Tyneside Council

Reference:	250659
Location:	Site Of Former Frankies Ph South Promenade South Shields NE33 2LD
Ward:	Horsley Hill
Description:	Reserved Matters Application for the access, appearance, landscaping, layout & scale of beach huts, retail pods, wc's, office, waste store & landscaping as approved under outline application ST/0689/23/OUT.
Recommendation:	Grant Permission with Conditions
Case Officer:	Sean Gallagher
Case Officer Contact No.:	07741109463

Description of the Site

This application relates to the site of the former Frankie's Café located upon the South Shields Foreshore to the east of the Colman's Seafood Temple restaurant which is now vacant land. The café was demolished in the late 20th Century and all that remains are the floor plate and part of the boundary walling. There is a steel shipping container located within the application site at present however the applicant has confirmed that this would be removed.

To the northeast of the site lies the hard surfaced promenade and beyond that, the beach. To the southeast lies the South Shields Surf School and beyond that there are sand dunes. To the southwest of the site is public open space and to the northwest lies Colman's Seafood Temple restaurant with an associated seating area to the north.

Description of the Proposal

Outline planning permission (reference: ST/0689/23/OUT) was granted on 12/01/2024 for the following development:

"Outline planning permission with all matters reserved for beach huts with changing place facility, wc's, office, waste store, hard and soft landscaping with integrated seating, infrastructure, new boundary enclosures and commercial pods that would fall within use Class E of the town and country planning (use Classes order) 1987 (as amended)."

This application seeks approval of these reserved matters, consisting of Access, Appearance, Landscaping, Layout and Scale.

An indicative layout plan was submitted at the outline application stage to identify the amount and form of development that could be accommodated on the site. The proposed amount and form of the development does not differ substantially from the indicative layout that was submitted with the outline application. However there would now be three rows of huts. Parallel to the promenade to the eastern side of the site in a north/south orientation would be 20 beach huts in two rows of ten. Perpendicular to the beach huts to the north there would be a row of huts containing 1x retail unit, 2x W/Cs, 2x stores and 2x offices. 9no. retail units would be located to the western side of the site grouped into three groups of three huts in a north/south orientated row. To the south of this row would be a waste storage area.

There would be soft landscaping within the site contained in planters in the middle of the buildings, and the rest of the site would be hard landscaped as public space.

Each hut would be 3m in height to the ridge of its pitched roof.

Relevant Planning History

ST/0689/23/OUT

“Outline planning permission with all matters reserved for beach huts with changing place facility, wc's, office, waste store, hard and soft landscaping with integrated seating, infrastructure, new boundary enclosures and commercial pods that would fall within use Class E of the town and country planning (use Classes order) 1987 (as amended).”

Grant Permission with Conditions - 12/01/2024

Summary of Consultation Responses

The following responses were received in response to the statutory consultation period which ended on 18/12/2025.

STC Countryside Team

This planting scheme is acceptable as long as the plants are retained in the planters and when any gardening activities are carried out – that all arisings are removed from the site and treated in an appropriate way away from the coast.

STC Transport Development Officer

No objections raised

Northern Gas Network

No objections raised

Northumbria Water

No objections raised

Northumbria Police

- Recommend changes to the access and the erection of lighting to prevent vulnerability of the site.
- Recommend that pods have locks
- Recommend a management plan is put in place

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
- DM7 - Biodiversity and Geodiversity Sites
- LDF CS EA1 - Local Character and Distinctiveness
- LDF CS EA2 - The Coastal Zone
- LDF CS EA3 - Biodiversity and Geodiversity
- SSTCW AAP Policy SS1 - Strategic Vision for South Shields Town Centre and Waterfront
- SSTCW AAP Policy SS5 - Tourism and Culture in South Shields
- SSTCW AAP Policy SS13 - Protecting the Natural Environment Assets of South Shields

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

- LDF CS ST1 - Spatial Strategy for South Tyneside
- Supplementary Planning Document 6 (Parking Standards)

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 Local Plan has been subject to examination in public hearings in July 2025 and January 2026 and is now progressing towards Main Modifications consultation subject to receipt of the Inspector's post-hearing letter. 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 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 SP3 Spatial Strategy for sustainable development
- Policy SP13 Foreshore Improvement Area
- 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:

- The Principle of Development
- Access
- Appearance, Layout and Scale
- Landscaping

The Principle of Development

The principle of the development has been established through the grant of outline planning permission. Outline planning permission was approved subject to a number of planning conditions including materials, soft landscaping and refuse. Any decision regarding the current proposed reserved matters submission will not affect these existing planning conditions. An informative is recommended detailing that the outline planning conditions remain valid.

The site is currently a vacant but previously-developed parcel of land located adjacent to the South Shields Promenade. The site is located within the 'Foreshore and Developed Coast' as defined by the South Shields Town Centre and Waterfront Area Action Plan.

Policy SS1 of the South Shields Town Centre and Waterfront Area Action Plan seeks to enhance the natural and built environment, infrastructure, and range and quality of attractions along the foreshore, making it a destination of choice for visitors and tourists.

The proposed development would comprise of 18 beach huts, 6 retail pods, 1 office, 1 changing places facility, 1 waste store and 2 toilets. The development would be 'mixed use' however the retail pods would fall within Use Class E of the Town and Country Planning (Use Classes Order) 1987 (as amended). The NPPF therefore defines that retail pods would be a 'main town centre use'. The site is not classed as within a town centre.

Paragraph 91 of the NPPF states that local planning authorities should apply a sequential test to planning applications for main town centre uses which are neither in an existing centre nor in accordance with an up-to-date plan. Main town centre uses should be located in town centres, then in edge of centre locations; and only if suitable sites are not available (or expected to become available within a reasonable period) should out of centre sites be considered.

However, paragraph 94 of the NPPF states that when assessing applications for retail and leisure development outside town centres, which are not in accordance with an up-to-date plan, local planning authorities should require an impact assessment if the development is over a proportionate, locally set floorspace threshold (if there is no locally set threshold, the default threshold is 2,500m² of gross floorspace). This should include assessment of:

- A) the impact of the proposal on existing, committed and planned public and private investment in a centre or centres in the catchment area of the proposal; and
- B) the impact of the proposal on town centre vitality and viability, including local consumer choice and trade in the town centre and the wider retail catchment (as applicable to the scale and nature of the scheme).

Policy SS5 of the South Shields Town Centre and Waterfront Area Action Plan seeks to promote Tourism and Culture in South Shields by enabling the development of new seafront attractions and the expansion of existing facilities along the foreshore, and at limb (d) seeks to enable the development of new seafront attractions and the expansion of existing facilities along the foreshore, where they will enhance its special character and role as a major all-year-round leisure and visitor attraction.

It is considered that the proposed development would be in accordance with the aims of Policy SS5 and as such it is not considered that a Town Centre Use Assessment would be required in accordance with paragraph 94 of the NPPF. Furthermore, given the relatively modest scale of the development, and the small scale of the proposed units, it is not considered that the proposed development would result in significant harm to the vitality of the town centre to warrant refusal.

It is considered that the proposed development would enhance and contribute to the visitor attraction offering of South Shields foreshore and as such would accord with Policy SS1 of the South Shields Town Centre and Waterfront Area Action Plan.

The proposed public space would create additional public open space that would contribute to the aims of Policy SS10 of the South Shields Town Centre and Waterfront Area Action Plan which seeks to improve the quality of the public realm and the provision of publicly accessible recreational open spaces throughout the South Shields foreshore area.

It is therefore considered that the proposal would be acceptable in principle, the principle having been established through the outline planning application, and so it would accord with the NPPF and the policies contained within the South Shields Town Centre and Waterfront Area Action Plan, the adopted South Tyneside Local Development Framework (LDF) Core Strategy.

Access

LDF Policy DM1 (G) sets out that the impact of the development should be acceptable in relation to highway capacity and safety or includes proposals to mitigate any adverse impacts. LDF Policy A1 seeks to improve accessibility in the borough. SPD6 sets out car parking standards for the borough.

It is proposed that vehicle access would be afforded from the Promenade to the east of the site. Vehicles would transit from Sea Road, through South Promenade Car Park, and along the promenade. In terms of pedestrian access, this could be afforded in the same way, or via pedestrian entrances to surrounding public areas, including the paved area between the application site, the Seafood Temple, and the Sand Dancer pub. The Council's transport Development Officer has raised no objections to the proposal.

In terms of car parking, SPD6 sets out car parking standards for the borough. It is noted that no car parking is proposed as part of the proposal. Given the unique nature of the proposal, the parking standards as set out in SPD6 do not cover such a type of development.

However, it is considered that there would be ample car parking in the area to accommodate users of the proposed development given there are a number of large public car parks in the area such as those at South Promenade (approximately 30m away) and Trow Quarry (approximately 200m away). Furthermore, the roads in the immediate area are subject to TRO (double yellow lines) and so it is considered that these would adequately control car parking.

The proposed development does not propose any cycle parking, and as such a condition is recommended that details of cycle parking be submitted prior to first occupation of the development.

Having regards to the above, it is therefore considered that the development would be acceptable in terms of access, having regards to LDF Policies A1 and DM1(G), and also SPD6.

Appearance, Layout and Scale

LDF Policy DM1 seeks to preserve the visual amenity of the area and paragraph 131 of the NPPF states that the creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve.

Indicative plans were submitted with the outline application to show that 18 beach huts, 6 retail pods, 1 office, 1 changing places facility, 1 waste store and 2 toilets were proposed. Those indicative drawings showed that the beach huts would form one row adjacent to the promenade along the site's northeastern side. The other buildings would form a row to the site's southwestern side. The indicative plans showed that there would be soft landscaping within the site between the two rows of buildings, and that the rest of the site would be hard landscaped as public space. Indicative elevations that were submitted showed that each beach hut would be 3.1m in height to the ridge of its pitched roof and would be 2m in width. The indicative elevations showed that the other buildings would be of a similar height.

The plans submitted to accompany this application now set out that there be three rows of huts. Parallel to the promenade to the eastern side of the site in a north/south orientation would be 20 beach huts in two rows of ten. Perpendicular to the beach huts to the north there would be a row of huts containing 1x retail unit, 2x W/Cs, 2x stores and 2x offices. 9no. retail units would be located to the western side of the site grouped into three groups of three huts in a north/south orientated row. To the south of this row would be a waste storage area.

There would be soft landscaping within the site contained in planters in the middle of the buildings, and the rest of the site would be hard landscaped as public space.

Each hut would be 3m in height to the ridge of its pitched roof.

In terms of appearance and scale, it is considered that the proposed design of the huts and the proposed materials would be acceptable and in keeping with this sea front location which hosts a variety of building styles and materials. They would be lightweight in construction and would not result in a prominent addition to the area.

It is considered that the layout of the proposed development would be acceptable having regards to the site location and context of the surrounding land uses. The spacing of the units would be acceptable in relation to each other and the surrounding land uses. The thoroughfares between the units and the proposed landscaping to the centre of the site

would be adequately designed. As set out above, the layout of the site is acceptable in terms of access and highway safety considerations. Northumbria Police have raised concerns regarding the layout in terms of safety. They have recommended that the access layout is changed and that lighting is erected to prevent vulnerability on site. No details of a scheme of lighting and no details of means of enclosure of the site have been provided. It is considered that in order to ensure a sufficient level of safety within the site, and to deter crime, particularly when the site is not operational, that the site should be secured by means of enclosure such as gates. Furthermore it is noted that the development may operate in hours of darkness and as such a scheme of lighting is considered necessary to facilitate safe operation.

As such conditions are recommended that these are provided prior to first occupation of the development. Subject to these conditions and suitable means of enclosure and lighting, it is considered that the layout of the site is acceptable and would not result in significant harm in terms of safety.

Furthermore Northumbria Police have recommended that the huts have locks and that a management plan is put into place. The day to day management of the site, and the locking of the individual units are not matters for the planning system to consider.

Having regards to the above it is therefore considered that the proposed development would be acceptable in terms of appearance, layout and scale.

Landscaping

LDF Policy DM1 (C) sets out that development should protect existing soft landscaping, including trees and hedges, where possible or provide replacement planting where necessary. LDF Policy EA3 sets out that development should maintain, enhance, restore and add to biodiversity and geological conservation interests.

It is proposed that an area of landscaping is planted in planters in the centre of the site, along with a thin strip to the eastern boundary. The applicant has submitted a landscaping plan which sets out the proposed species, and it is considered that this would be acceptable.

Having regards to the comments of the Council's Countryside Team, who raise no objections to this scheme, it is considered that the proposed landscaping would be acceptable and would be in accordance with LDF Policy DM1 (C).

Other Matters

It should be noted that in the case of outline planning permission for the development of land in England, the development to which the permission relates must be begun not later than the expiration of two years from the final approval of the reserved matters or, in the case of approval on different dates, the final approval of the last such matter to be approved. All remaining reserved matters have been submitted with this application and as such development will need to commence within 2 years from the date permission is granted (date to be detailed on the decision notice). A condition is recommended in this regard.

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 be acceptable in principle and would be acceptable in terms of access; appearance, layout and scale; and landscaping.

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 2 years from the date of this permission.

To comply with the requirements of Section 92 of the Town and Country Planning Act 1990 (as amended).

- 2 The development shall be carried out in accordance with the approved plan(s) as detailed below

Proposed Ground Floor Plan Drg No 1627-BDN-XX-00-DR-A-(05)3012 Rev P1 received 23.10.2025

Proposed Roof Plan Drg No 1627-BDN-XX-XX-DR-A-(05)3013 Rev P2 received 06.02.2026

Proposed Site Elevations Drg No 1627-BDN-XX-XX-DR-A-(05)3021 rev P2 received 06.02.2026

Proposed Site Plan Drg No 1627-BDN-XX-XX-DR-A-(05)3011 Rev P1 received 23.10.2025

Proposed Elevations Drg No 1627-BDN-XX-XX-DR-A-(05)3029 Rev P1 received 23.10.2025

Proposed Bin Store Drg No 627-BDN-XX-XX-DR-A-(05)3030 rev P1 received 06.02.2026

Proposed Pedestrian Access Drg No 1627-BDN-XX-XX-DR-A-(05)3023 Rev P1 received 23.10.2025

Proposed Vehicle Access Plan Drg No 1627-BDN-XX-XX-DR-A-(05)3024 rev P3 - received 29.01.2026

Proposed Landscaping Plan Drg No L1262-ONE-ZZ-XX-DR-L-0201-revision P02 received 29.01.2026

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 in the plans as listed in condition 2 pursuant to this decision, and the submitted application form.

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

- 4 Prior to the first use of the development hereby permitted, the soft landscaping as detailed on drawing number L1262-ONE-ZZ-XX-DR-L-0201-revision P02 received 29.01.2026, shall be completed in accordance with the approved details.

Any such landscaping, which within a period of 5 years of planting, dies, is removed, or becomes seriously damaged or diseased, shall be replaced with landscaping of a similar size and species not later than the next planting season after the loss or damage has occurred (unless otherwise agreed in writing by the Local Planning Authority).

To ensure a satisfactory standard of development in the interests of visual amenity and ecology in accordance with Policy DM1 and EA3 of the South Tyneside Local Development Framework.

- 5 The development hereby permitted shall not be occupied unless and until covered and secure cycle parking has been provided within the application site in full accordance with siting and specification details submitted to and approved in writing by the Local Planning Authority. Thereafter, such cycle parking shall remain in place and be available for such use at all times.

To promote sustainable transport choices in accordance with South Tyneside Local Development Framework Policy A1, the Council's SPD6 Parking Standards and the NPPF.

- 6 Prior to the first use of the development hereby approved, a scheme of external lighting for the development shall be installed in full accordance with details to be submitted to and approved in writing by the Local Planning Authority. Thereafter, such external lighting shall remain in place for the lifetime of the development hereby permitted.

In the interests of both visual amenity and prevention of crime in accordance with South Tyneside Local Development Framework Policies DM1.

- 7 Prior to the first use of the development hereby approved, the courtyard area encompassed by the approved buildings shall be secured by means of enclosure that are in full accordance with details to be submitted to and approved in writing by the Local Planning Authority. Thereafter, such means of enclosure shall remain in place for the lifetime of the development hereby permitted.

In the interests of both visual amenity and prevention of crime in accordance with South Tyneside Local Development Framework Policies DM1.

Informatives

1 NOTE TO APPLICANT

The applicant's attention is drawn to the conditions attached to the grant of outline planning permission (reference: ST/0689/23/OUT) and the requirements contained therein, including conditions requiring formal discharge.

Case officer: Sean Gallagher

Signed: SG

Date: 04/02/2026

Authorised Signatory: G.Horsman

Date: 06/02/2026