



NOTICE OF REFUSAL OF PLANNING PERMISSION

Town and Country Planning Act 1990
Town and Country Planning (Development Management Procedure)
(England) Order 2015

Contact Name and Address:

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Application No: 250712

Date of Issue: 21/01/2026

In pursuance of their powers under the above mentioned Acts, South Tyneside Council as Local Planning Authority **REFUSE** planning permission for the following development:

Proposal: Proposed Change of Use from Class E to Sui Generis Hot Food Takeaway (Dominos Pizza).

Location: Plot A3, Land South West of Telephone Exchange, Claypath Lane, South Shields, NE33 4PG

REASON(S) FOR REFUSAL:

- 1 The Local Planning Authority considers that the proposed hot food takeaway would introduce a further such use in an area where Year 6 obesity levels (National Child Measurement Programme) significantly exceed the 10% threshold set out in HFT1 of the Council's Local Development Framework Supplementary Planning Document 22: 'Hot Food Takeaways and Health'. Furthermore, the application site lies in close proximity to a school. As such, the proposed hot food takeaway would be contrary to the National Planning Policy Framework and associated National Planning Practice Guidance with regard to health and well-being and it would also fail to accord with policy contained within the Council's Local Development Framework Supplementary Planning Document 22: 'Hot Food Takeaways and Health' HFT1 which supports the Council's strategic aims in tackling unhealthy lifestyles and obesity.
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NOTES TO APPLICANT:

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

Location Plan Drg. no. 22402-IMA-ST-00-DR-A-61006 Rev C06 received 19/01/2026
Proposed Site Plan Drg. no. 224020-IMA-ST-00-DR-A-61006 Rev C 06 received 19/11/2025
Proposed Floor Layout Drg. no. C5452-FS2A received 19/11/2025

In accordance with Article 35(2) of the Town and Country Planning (Development Management Procedure) (England) Order 2015, the Local Planning Authority has, without prejudice to a fair and objective assessment of the proposals, issues raised and representations received, sought to work with the applicant in a positive and proactive manner with the objective of delivering high quality sustainable development to improve the economic, social and environmental conditions of the area in accordance with the NPPF (National Planning Policy Framework).

A Inch

Andrew Inch
Senior Manager Planning

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 but if the local planning authority's decision was to refuse planning permission for a minor commercial application then you must do so within 12 weeks of the date of this notice unless:

- If this is a decision on a planning application relating to the same or substantially the same land and development as is already the subject of an enforcement notice [reference no. if applicable], if you want to appeal against your local planning authority's decision on your application, then you must do so within 28 days of the date of this notice; or
- If an enforcement notice is served relating to the same or substantially the same land and development as in your application and if you want to appeal against your local planning authority's decision on your application, then you must do so within 28 days of the date of service of the enforcement notice, or within 6 months, or 12 weeks in the case of a minor commercial appeal, of the date of this notice, whichever period expires earlier.

Appeals should be made online via [Appeal a planning decision](#). If someone does not have access to the internet and needs help completing the appeal digitally, they should contact the Planning Inspectorate customer service team on 0303 444 5000 who will provide details of support options available.

Before making an appeal, you may find it helpful to review guidance and watch a video explaining the appeals process at [Make an appeal to the Planning Inspectorate and associated guidance](#).

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.

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](#).

PURCHASE NOTICES

- 2 If permission to develop land is 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.