



NOTICE OF GRANT 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: 250237

Date of Issue: 19/08/2025

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

Proposal: Demolition of existing north west rear extension; change of use of part of ground floor of former Marsden Inn from public house/restaurant to Use Class E(a) retail store incorporating a rear single storey extension, new retail entrance/additional doorways, widening of vehicle entrance and egress points and other external works.

Location: Part of ground floor of former Marsden Inn, 143 Marsden Lane, South Shields. , NE34 7HN

SUBJECT TO THE FOLLOWING CONDITION(S) AND REASON(S):

- 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

Drg. no. C-06 rev. H - Proposed Site Plan received 21/07/2025

Drg. no. C-07 rev. A - Proposed Ground Floor Plan received 01/04/2025

Drg. no. C-08 rev. B - Proposed Elevations received 01/04/2025

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 external surfaces of the development hereby permitted shall be as detailed on the planning application form received 17/04/2025 and Drg. no. C-08 rev. B - Proposed

Elevations received 01/04/2025.

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

- 4 The retail shop hereby permitted shall be open for business only between the hours of 06:00 and 23:00 on any day.

In the interests of the amenities of nearby residential properties and to safeguard them from undue noise and disturbance in accordance with the NPPF and South Tyneside LDF Development Management Policy DM1.

- 5 No deliveries to the retail shop hereby permitted, with the exception of newspapers, shall take place outside the hours of 07:00 to 20:00 on any day.

In the interests of the amenities of nearby residential properties and to safeguard them from undue noise and disturbance with the NPPF and South Tyneside LDF Development Management Policy DM1.

- 6 All plant associated with the hereby approved use shall be in compliance with the appropriate noise guidelines as detailed within the Noise Impact Assessment by DACS received 17/04/2025.

In the interests of the amenities of nearby residential properties and to safeguard them from undue noise and disturbance with the NPPF and South Tyneside LDF Development Management Policy DM1.

- 7 The retail shop hereby permitted shall be used only as a convenience retail store and in that regard the floorspace within the shop shall be used primarily for the sale of convenience goods (including food, drink, tobacco, newspapers, magazines, household cleaning goods and flowers) and no more than 20% of the shop's retail sales area shall be used for the sale of comparison goods (including clothing, footwear, furniture, furnishings, DIY goods, garden plants/goods, electrical goods/appliances, toys, books/stationary, medicines/toiletries, pet goods, jewellery, carpets/floor coverings, motor vehicle/cycle accessories and sports/leisure goods).

To minimise the likelihood of the retail shop drawing customers from a wider than local catchment area which it is considered would be contrary to Policy SA5 of the South Tyneside LDF and the NPPF which seek to direct such retail shops to Defined Centres in order to safeguard their vitality and viability.

- 8 Notwithstanding the details submitted, the development shall not be brought into use unless and until amended and complete specification details in respect of the following off-site highway works and a timetable for implementation of these works in relation to construction/occupation of the development, has been submitted to and approved in writing by the Local Planning Authority:

- a. Widening and re-construction of 2 no. vehicular accesses (Marsden Lane and Redwell Lane), together with associated works;
- b. Provision of a reinstated pedestrian access from Marsden Lane footway, making good any damage to the highway areas; and
- c. A scheme to provide parking restrictions on both sides of Marsden Lane carriageway

between the bus stops west of the site entrance, leading eastward to the Redwell Lane/Prince Edward Rd East/Lizard Lane roundabout, together with associated Traffic Regulation Order and provision and installation of signage and road markings.

Thereafter those off-site highway works shall be undertaken in full accordance with the specification and timetable details approved by the Local Planning Authority.

In the interests of highway and pedestrian safety and accessibility for disabled persons in accordance with the NPPF and South Tyneside LDF Policy DM1 (G,H,I).

- 9 The development shall not be brought into use unless and until car parking spaces as shown on Drg. no. C-06 rev. H - Proposed Site Plan received 21/07/2025, have been clearly delineated and provided, including the accessible and electric vehicle charging spaces, in full accordance with the locations shown on the approved plans. Thereafter, all such car parking shall remain in place and be available for such use at all times.

In the interests of highway and pedestrian safety, in accordance with the NPPF and South Tyneside LDF Policy DM1 (G,H) and SPD6 Parking Standards.

- 10 The development shall not be brought into use unless and until the cycle parking in respect of the development, as shown on Drg. no. C-06 rev. H - Proposed Site Plan received 21/07/2025, has been provided. Thereafter, the cycle parking shall be retained in accordance with the approved plans and shall be kept available for the parking of cycles at all times.

In the interests of highway and pedestrian safety and to secure sustainable development in accordance with the NPPF and South Tyneside LDF Policy DM1 (G,H) and SPD6 Parking Standards.

- 11 The development shall not be brought into use unless and until refuse storage facilities for the development have been provided in accordance with the approved details as shown on Drg. no. C-06 rev. H - Proposed Site Plan received 21/07/2025. Thereafter, the refuse storage facilities shall be retained, including the route for service vehicles through the site.

To ensure the provision of adequate and appropriate bin storage facilities in accordance with the NPPF and Policy DM1 of the South Tyneside LDF policy DM1.

- 12 The development shall not be brought into use unless and until a Service Management Plan (for the hereby approved retail use and Marsden Inn uses) is submitted to and approved in writing by the Local Planning Authority. The Service Management Plan shall include (but not be limited to) details for the service vehicle types and sizes (to accord with the Transport Statement received 19/06/2025); location of unloading areas; routing of service vehicles through the site; and timings of deliveries. Thereafter the use(s) shall operate in accordance with the approved details.

In the interests of highway and pedestrian safety, to ensure that reversing manoeuvres do not take place through the vehicular site accesses and that the retail development service traffic retains vehicular rights for all delivery vehicles using the one-way route through the retained Marsden Inn car park area, exiting onto the highway at the roundabout to the east; and ensure that the Marsden Inn retains its rights of vehicular access for patrons, visitors and servicing, through the retail site and western vehicular access to/from Marsden Lane, given the remaining vehicular access/egress options available to the Marsden Inn, in accordance with the NPPF and South Tyneside LDF Policy DM1 (G,H).

- 13 Prior to the development being brought into use, full details of the proposed electric vehicle charging units (as shown on Drg. no. C-06 rev. H - Proposed Site Plan received 21/07/2025) shall be submitted to, and approved in writing by, the Local Planning Authority. The agreed details shall thereafter be implemented prior to the development being brought into use and retained in perpetuity thereafter.

In the interests of visual amenity in accordance with the NPPF and South Tyneside LDF Development Management Policy DM1.

- 14 All works, including demolition, ground works, site clearance and construction shall be undertaken in accordance with the findings and recommendations of the submitted Preliminary Ecological Appraisal (Ecosurv Ltd, dated 28 February 2025) received 01/04/2025 in respect of avoidance, mitigation and enhancement measures for bats and nesting birds, ecological watching brief, precautionary working methods and landscaping.

In the interests of biodiversity in accordance with the NPPF and South Tyneside LDF policies EA3, DM7 and DM1.

- 15 No construction or associated works or deliveries of materials shall take place outside the hours of 8am - 6pm Monday to Friday and 9am - 1pm Saturdays and no such works or deliveries shall be carried out at any time on Sundays or Bank Holidays.

To safeguard the amenity of the nearby residents, in accordance with adopted South Tyneside LDF Development Management Policy DM1.

- 16 Notwithstanding the roller shutter details indicated on Drg. no. C-06 rev. H - Proposed Site Plan received 21/07/2025 and Drg. no. C-08 rev. B - Proposed Elevations received 01/04/2025 and as clarified by email dated 23/05/2025, no external roller shutters shall be installed to the exterior of the building.

To secure a satisfactory standard of development and to ensure no resultant visual harm to the building (a locally listed heritage asset) in accordance with the NPPF and South Tyneside LDF Development Management policies DM1 and DM6.

- 17 Prior to installation, details for the means of enclosure to the bin store and plant as detailed on Drg no. C-06 rev. H - Proposed Site Plan received 21/07/2025 shall be submitted to and approved in writing by the Local Planning Authority. All works shall be carried out and thereafter retained in accordance with the approved details.

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

- 18 Prior to the installation of any external lighting, including security lighting, details including specifications, elevations and location(s) shall be submitted to and approved in writing by the local planning authority. All works shall be carried out and thereafter retained in accordance with the approved details.

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

NOTES TO APPLICANT:

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).

1 Approval of a Biodiversity Gain Plan 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.

The planning authority, for the purposes of determining whether to approve a Biodiversity Gain Plan in respect of this permission would be South Tyneside Council.

Based on the information available this permission is considered to be one which will require the approval of a biodiversity gain plan before development is begun because none 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 If the onsite habitat includes irreplaceable habitat (within the meaning of the Biodiversity Gain Requirements (Irreplaceable Habitat) Regulations 2024) there are additional requirements for the content and approval of Biodiversity Gain Plans. The Biodiversity Gain Plan must include, in addition to information about steps taken or to be taken to minimise any adverse effect of the development on the habitat, information on arrangements for compensation for any impact the development has on the biodiversity of the irreplaceable habitat. The planning authority can only approve a Biodiversity Gain Plan if satisfied that the adverse effect of the development on the biodiversity of the irreplaceable habitat is minimised and appropriate arrangements have been made for the purpose of compensating for any impact which do not include the use of biodiversity credits.

Commencing a development which is subject to the biodiversity gain condition without an approved Biodiversity Gain Plan could result in enforcement action for breach of planning control.

3 NOTE TO APPLICANT

The CCTV system should be to the standard of BS EN 62676:2014 (Video surveillance systems for use in security applications) and comply with Data Protection Act (1998). Recommended that the cameras cover the external doors including the fire exits and the interior, including storage areas, to ensure good coverage to reduce the blind spots to a minimum within the sales area especially around the desirable items (meats, alcohol beauty products).

Roller shutters to be installed internally and should be to the standard of LPS 1175 issue Sr2 C5.

4 NOTE TO APPLICANT

Section 278 Agreement and works in adopted highway:

You are advised that offsite highway works required in connection with this permission are under the control of the Council's Highway and Infrastructure Team and will require an Agreement under section 278 of the Highways Act 1980. These works are required to be technically approved and satisfactorily completed before the development is first brought into use. The technical approval of highway related drawings is required to be finalised before any submission of discharge of conditions application to avoid delays and disappointment at that stage. You should contact the Highway and Infrastructure Team at: HighwaysPlanning@SouthTyneside.gov.uk to progress this matter.

5 NOTE TO APPLICANT

Traffic Regulation Order (TRO) - Parking Restrictions:

You should note that a Traffic Regulation Order (TRO) is required in respect of parking restrictions on Marsden Lane. The TRO processes can take in excess of 15 weeks to secure. Please contact: Highways@SouthTyneside.gov.uk to discuss the extent of the Order (relative to specific highway concerns for the scheme) and commence the necessary procedures well in advance of implementation.

6 NOTE TO APPLICANT

Reminder to not store building material or equipment on the highway:

Building materials or equipment shall not be stored on the highway unless otherwise agreed in writing. You are advised to contact Highways@SouthTyneside.gov.uk for Skips and Containers licences.

7 NOTE TO APPLICANT

The applicant should be aware of the potential implications of restrictions to the site entrances/use and roads adjacent when the Great North Run takes place every year. This includes, the site being almost inaccessible for the whole day and Prince Edward Road / Coast Road is closed and forms part of the run, with limited or no access into Marsden Road or Lizard Lane via car.

8 NOTE TO APPLICANT

Widening the vehicular access (egress) adjacent to the roundabout will necessitate the relocation of an existing pub sign, which is located inside the site, adjacent to the access. Advertisement consent will be required for the relocation of the signage. Visibility for exiting drivers will need to be considered when relocating the sign to ensure visibility is not obstructed.

9 NOTE TO APPLICANT

Advertisement consent may be required for signage associated with the hereby permitted use, including the totem sign as detailed on Drg. no. C-06 rev. H - Proposed Site Plan received 21/07/2025.

10 NOTE TO APPLICANT

The applicant is directed to the Environment Agency's Standing Advice for Vulnerable

Development. Specifically, to the information on finished floor levels and extra resistance and resilience measures - <https://www.gov.uk/guidance/flood-risk-assessment-standing-advice#standing-advice-for-vulnerable-developments>

A Inch

Andrew Inch
Senior Manager Planning

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

NOTES

- 1 This certificate is issued under the Town and Country Planning Acts, Regulations and Orders and does not constitute a permission, approval or consent by South Tyneside Council for any other purpose whatsoever. Applications must therefore be made to the appropriate Departments of the Council for any other permission, approval or consent (including Building Regulations approval or approval of South Tyneside Council as ground landlord where appropriate) which may be necessary in connection with the proposed development or anything incidental thereto, or the use to be made of the premises which form the subject of such development.
- 2 You may also require permissions, approvals or consents under other legislation, or from bodies other than South Tyneside Council. This could include works affecting a public sewer, gas main, or electricity line, works within the adopted highway, works affecting a public right of way, property covenants, legislation relating to disabled persons, land drainage consent, waste management consent, scheduled monument consent or works affecting protected habitats or species.
3. Any non-material change to the approved plan(s) that form part of this permission would require the submission of an application for a non-material change under section 96A of the Town and Country Planning Act 1990. Whether changes to a proposed development are considered non-material is a matter for Planning Authority discretion.
- 4 The approved development should be implemented in strict compliance with all of the planning conditions, and in particular any which require details to be approved prior to the commencement of the development. Failure to do so may result in any commencement of development being unauthorised, which could be liable to enforcement action.
- 5 If you wish to change, or not comply with, any of the planning conditions attached to the permission, then you will need to submit a new application for planning permission under section 73 of the Town and Country Planning Act 1990. This does not affect your statutory rights of appeal against any of the planning conditions. This includes if you wish to not comply with a condition attached to a permission which details the approved plan(s), so as to make a minor material change to the approved plan(s). A minor material change is defined as one whose scale and nature results in a development that is not substantially different from that which has been approved.
- 6 Your attention is drawn to your responsibilities under the Chronically Sick and Disabled Persons Act 1970 and the Equalities Act 2010 relating to disabled persons, to ensure that adequate attention has been paid to their needs. If the proposed development involves new or existing buildings to which the public are to be admitted, or offices, shops, railway premises, factories or educational buildings, provision should be made for the means of access, parking and sanitary conveniences to meet the needs of disabled people. In addition, appropriate signposting of the facilities should be provided. In carrying out these statutory obligations your attention is drawn to the "Code of Practice for Access for the Disabled to Buildings" (BS5810:1979). You are advised to seek professional advice to ensure that you meet your legal obligations under the Equalities Act 2010, especially with regard to Part III thereof.

APPEALS TO THE SECRETARY OF STATE

7 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 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 of the date of this notice, whichever period expires earlier.

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://www.gov.uk/appeal-planning-decision>

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

- 8 If permission to develop land is granted subject to conditions, 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.