South Tyneside Council

Reference:	260333
Location:	Kelly Road Garages, Kelly Road, Hebburn
Ward:	Hebburn South
Description:	Application for Prior Approval under Schedule 2, Part 11 of the Town and Country Planning (General Permitted Development) (England) Order 2015 for proposed demolition of 3no concrete prefabricated garages at Kelly Road, Hebburn
Recommendation:	Prior Approval Required & Given
Case Officer:	Adam Williamson
Case Officer Contact No.:	0191 4247434 or 07741120747

Description of the Site and Proposal

Before exercising a permitted development right to demolish a building under Part 11 Class B of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) ["the GPDO"], the developer is required to apply to the Local Planning Authority for a determination of whether the prior approval of the authority will be required as to the method of the proposed demolition and any proposed restoration of the site.

The application site is a block of 3 garages located to the rear of Kelly Road, Hebburn. The garages are in a poor condition and present a health and safety risk to the general public.

Submitted details state that for the proposed demolition would be carried out by a combination of a 3.5-ton mini excavator and hand held power tools.

Following the demolition of the buildings, the site would be enclosed by a 2.4-metre-high fence to match existing boundary treatments, which would be subject to a separate planning application.

As required by the GPDO, the applicant was required to erect the appropriate site notice informing the public of the proposed demolition works. A copy of the site notice was submitted with the application, and photographs of the site notices (dated 22.05.2026) have been submitted with the application. The case officer also viewed one of these notices on site on 08/06/2026. It is therefore considered that the application has been appropriately publicised.

Summary of Consultation Responses and Representations

N/A

Assessment

Part 11 Class B of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 2015 (England) (as amended) outlines the need for an applicant to apply to the Local Planning Authority for a determination of whether its prior approval will be required for the proposed method of demolition and any proposed restoration of the site. This gives the Local Planning Authority the means of regulating the details of demolition to minimise the impact on local amenity. This procedure does not allow for the consideration of the principle of demolition or the loss of the buildings, merely the methods of demolition and site restoration.

The proposed method of demolition would be appropriate given the scale of the building. The proposed method of site restoration would also be acceptable, leaving the site in a tidy condition.

It is considered that given the nature and scale of the proposed demolition work that prior approval is required. However, it is considered that the proposed method of demolition and site restoration would be acceptable. It is therefore recommended that although prior approval is required, it is hereby approved.

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 Page 3 of 3 interests, as expressed through third party interests / the Development Plan and Central Government Guidance.

Recommendation

Prior Approval Required & Given (and with the following conditions being included on the decision notice):

1 The demolition is carried out within five years of the date of this decision. As required by Part 11 of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 as amended.

2 The demolition is carried out in accordance with the submitted details, as included within application form received 27/05/2026.

Informatives

The erection of the proposed 2.4-metre-high fence is not consented by the determination of this prior approval application. This is because it is development that will require planning permission, and where that should be sought and granted prior to the erection of the proposed fence.

Case officer: Adam Williamson
Date: 11/06/2026

Authorised Signatory: *G. Simmonette*
Date: 11/06/2026