South Tyneside Council

Reference:	260470
Location:	1 Harton Quay, South Shields, NE33 1SJ
Ward:	Beacon and Bents
Description:	Non-Material Amendment relating to previously approved Planning Application 250287 – proposed internal layout changes to the central atrium area and south wing.
Recommendation:	Approve Non-Material Change
Case Officer:	Helen Lynch
Case Officer Contact No.:	0191 4247408 or 07741106225

Description of the Site and proposals

This application seeks a non-material amendment to application ref: 250287 granted on 21/07/2025 for the conversion of a vacant office building to provide student accommodation and associated works.

Consent was granted for the change of use and conversion works, including internal amendments to the layout alongside some minor alterations to the external elevations. The consented development comprises 125 bed spaces, provided through a series of cluster flats (12 no. in total across 4 floors) and 9 no. self-contained studio flats. The cluster flats comprised individual bedrooms with en-suite shower/toilet facilities and shared kitchen/dining/lounge areas. At ground floor level, in addition to student accommodation, a communal area, reception/lobby area (with lifts) and administrative /CCTV security space was proposed.

This application seeks to amend the internal layout to the student accommodation located within the cluster flats to the south wing and changes to the central atrium at ground floor level and the central linking section (connecting the two wings) at the remaining floor levels. No changes are proposed to the north wing, where student accommodation within the cluster flats (all ensuite bedrooms with communal areas) would remain as previously approved. The proposed changes can be summarised as follows:

- Ground floor: Removal of all ensuite facilities to bedrooms and proposed introduction of communal super suites (bathroom spaces for students). Revised internal layout with amended locations for communal lounges and dining /kitchen space in relation to bedrooms. Resultant loss of 3 no. bedrooms.
- Ground floor: Removal of Security / CCTV and administration offices, increased floor area to reception / lobby space.
- First floor: Removal of all ensuite facilities to bedrooms and proposed introduction of communal super suites (bathroom spaces for students). Revised internal layout with amended locations and changes (increased floor areas) for communal lounges and dining /kitchen space in relation to bedrooms. Resultant loss of 4 no. bedrooms.

- First Floor: Removal of 3 no. studio flats (no.'s 1, 2 and 3) and relocation of Security/ CCTV and administrative offices.
- Second floor: Removal of all ensuite facilities to bedrooms and proposed introduction of communal super suites (bathroom spaces for students). Revised internal layout with amended locations and changes (increased floor areas) for communal lounges and dining /kitchen space in relation to bedrooms. Resultant loss of 3 no. bedrooms.
- Second Floor: Removal of 3 no. studio flats (no.'s 4, 5 and 6) and proposed additional communal zone.
- Third Floor: Removal of all ensuite facilities to bedrooms and proposed introduction of communal super suites (bathroom spaces for students). Revised internal layout with amended locations and changes (increased floor areas) for communal lounges and dining /kitchen space in relation to bedrooms. Resultant loss of 3 no. bedrooms.
- Third Floor: Removal of 3 no. studio flats (no.'s 7, 8 and 9) and proposed additional communal zone.

Overall, there would be a reduction in the total bedroom accommodation from 125 to 103, a reduction of 22no. bed spaces - 13 no. bedrooms and 9 no. self-contained studios.

In addition to that described above, the building also has a lower ground floor (undercroft area) with further amenities including laundry facilities, staff area, stores/plant, refuse storage and car/cycle parking. No changes are proposed to this area as part of this current application. It should also be noted that no external amendments to the external elevations of the building would be required to facilitate the proposed internal layout changes and reduced bed space accommodation.

The LPA has received a recent application (ref: 260414) for proposed external alterations to the existing facades – with amendments proposed to the existing curtain walling system, which would be generally retained with new sandstone panels replaced. This application is still currently being assessed.

Assessment

Section 96A of the Town and Country Planning Act 1990 states 'that the local planning authority may make a change to any planning permission if they are satisfied that the change is not material…In deciding whether a change is material a local planning authority must have regard to the effect of the change, together with any previous changes made under this section, on the permission as originally granted.'

The legislation and government guidance does not define what changes may be treated as being nonmaterial. The Council's 'protocol for non-material amendments following a grant of planning permission' (December 2010) seeks to explain the non-material amendment process and set out the procedures involved in considering such changes across Tyne and Wear. This protocol provides guidance criteria to assess such applications.

Accordingly, the key issues in the assessment of this planning application are as follows:

Is the proposed change significant in terms of its scale in relation to the original approval;
Would the proposed change result in a detrimental impact either visually or in terms of amenity; and
Would the interests of any third party or body who participated in or were informed of the original decision be disadvantaged in any way

The Tyne and Wear Non Material Amendments Protocol notes that if the answer to any of the above questions is “yes”, then the proposed change cannot be accepted as ‘non material’.

The proposed changes set out in this NMA, and while having regard to them in the context of the previously approved application and current planning application 260414, are considered to have no material effect upon the design quality of the overall proposed development, are not considered to materially affect wider visual amenity, and the amenities of others or the interests of third parties that had made representations about the planning application.

Conclusion and Recommendations

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.

Consequently, proposed changes sought are considered to be non-material and so this application is recommended for approval.

As this is not a new planning consent, it is not considered necessary to repeat the conditions. However, the revised plans for relevant conditions (specifically condition 2) are set out in the note below.

Recommendation

Approve Non-Material Change

List of plans etc. for standard note on decision

Condition 2 is hereby altered to refer to the following:

- Proposed Ground Floor Plan Drg. no. CAS016-CDL-S4-00-DR-A-2051 Rev P02 received 06/07/2026
- Proposed First Floor Plan Drg. no. CAS016-CDL-S4-01-DR-A-2052 Rev P02 received 06/07/2026
- Proposed Second Floor Plan Drg. no. CAS016-CDL-S4-02-DR-A-2053 Rev P02 received 06/07/2026
- Proposed Third Floor Plan Drg. no. CAS016-CDL-S4-04-DR-A-2054 Rev P02 received 06/07/2026

Additional note: Any reference in other conditions of the planning permission to specified plans or those as referenced as listed in condition 2 may be taken to read as relating to the relevant plan(s) cited above in this non-material amendment.

Case officer: Helen Lynch

Signed: Helen Lynch

Date: 14/07/2026

Authorised Signatory: G.Horsman

Date: 16/07/2026