



South Tyneside Council

Reference:	260535
Location:	D A F Developments 2 Shaftesbury Avenue South Shields NE34 9PH
Ward:	Bede
Description:	Change of use from a mixed Class B1 (Business) and Class B8 (Storage and Distribution) use to Class E(g)(i) (Office) for use as an accountancy practice. New access door to front.
Recommendation:	Grant Permission with Conditions
Case Officer:	Adam Williamson
Case Officer Contact No.:	0191 4247434 or 07741120747

Description of the Site and Proposal

The application site relates to the building known as 'Factory Shop' which was demolished and replaced with this two storey replacement building in 2022, and is adjacent to 'Visage House', at 2 Shaftesbury Avenue in South Shields.

The building is accessed from Shaftesbury Avenue. The site is located within Simonside Industrial Estate which allocated within Policy SP14 of the Local Plan for class E(g)/B2 and B8 uses.

The application proposals seek the Change of use of the site from a mixed Class B1 (Business) and Class B8 (Storage and Distribution) use to Class E(g)(i) (Office) for use as an accountancy practice, and the provision of a new access door to front.

Relevant Planning History

The planning history of the site is as follows:

ST/0103/21/FUL Demolish existing commercial building and clear site. Thereafter construct a two storey commercial unit of a mixed use for a building company with vehicle and material storage on the ground floor and with offices above. Development to include ancillary kitchen area for staff to the ground floor. Approved 09/12/2021.

Summary of Consultation Responses

The following responses were received in response to the statutory consultation period which ended on 11/09/2026.

Transport Development Officer: No objections.

Business Investment Team: No objections.

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 South Tyneside Local Plan 2023-2040. Relevant policies are listed below:

- SP14: Employment Land for General Economic Development
- Policy 47: Design Principles

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:

Principle of the proposed use / use of allocated employment land

The land is allocated employment land under Policy SP14 of the Local Plan. Policy SP14 of the Local Plan states that the Council will consider the use of planning conditions for applications which are for offices, research and development or light industrial uses (Use Class E[g]) to ensure that they remain in that use in perpetuity on land allocated for general economic development.

The application form and plans indicate that the proposal would be a Class E(g)(i) (Office) for use as an accountancy practice. The existing first floor office accommodation will be retained with no changes. Part of the ground floor, currently used for commercial storage, will be reconfigured to provide a reception area, meeting room, boardroom and ancillary office space to support the accountancy practice.

No extension to the building or increase in floorspace is proposed

The proposed Class E(g) use is an employment use supported by policy SP14 of the Local Plan. The Council's Business Investment Manager was consulted on the proposals and has raised no concerns regarding the proposed change of use.

It is considered that the proposed employment use will not have a materially adverse impact on the predominantly industrial area, or the function of surrounding businesses within the wider industrial estate. In this regard a condition restricting the use of the site for a use set out within Class E(g) (as has been applied for in this case) of the Use Classes Order is recommended to ensure the availability of employment land in the Borough.

Design and Impact on Visual Amenity

It is proposed to install a pedestrian access door behind the existing roller shutter door to provide a client access. This would be of a design, scale and appearance that is befitting of the site's location within an industrial area. It is considered that the proposals would convey sensitive consideration of the surroundings and would accord with Local Plan policy 47.

Impact on neighbouring residential amenity

The application site is located within a well-established industrial area, which is allocated for industrial/employment uses within the development plan. There is also a lack of any residential properties within close proximity of the site (the closest residential property is approximately 150 metres from the location of the proposed building).

It is not considered that the proposed building or land use would result in material harm to neighbouring amenity through unacceptable noise or disturbance; and accords with Policy 47 of the Local Plan, and the requirements of the NPPF, which seeks to ensure a good standard of amenity for all existing and future occupants of land and buildings.

Conclusion

For the reasons outlined in the report, the proposed development is judged to be in accordance with relevant development plan policies and the requirements of the National Planning Policy Framework.

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.

Recommendation

Grant Permission with Conditions

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

Proposed Ground Floor Layout received 17/08/2026
Smith Window Drawings and Spec received 18/08/2026
Proposed Front Elevation received 17/08/2026

To define this permission and for purposes relating to section 73 of the Town and Country Planning Act 1990.

3. The application site shall only be used for a Class E(g) use, and for no other purpose including any other purpose in Class E of the Schedule to the Town and Country Planning (Use Classes) Order 1987, as amended (or in any provision equivalent to those classes in any statutory instrument revoking and/or re-enacting that Order with or without modification), unless a further planning permission has been granted by the Local Planning Authority in respect of such a use.

To protect the employment function of the allocated employment site in accordance with Policy SP14 of the Local Plan.

Informatives

1. Approval of a Biodiversity Gain Plan NOT 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.

However, based on the information available, this permission is considered to be one which will not require the approval of a biodiversity gain plan before development is begun because one or more 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. The proposed development lies within a coal mining area which may contain unrecorded coal mining related hazards. If any coal mining feature is encountered during development, this should be reported immediately to the Mining Remediation Authority on 0345 762 6846 or if a hazard is encountered on site call the emergency line 0800 288 4242.

Further information is also available on the Mining Remediation Authority website at: Mining Remediation Authority - GOV.UK

Case officer: Adam Williamson
Date: 11/09/2026

Authorised Signatory: *G. Simmonette*
Date: 11/09/2026