



South Tyneside Council

Reference: 250670

Location: 1 King Street, 2 Fowler Street and Upper Floors of 4-8 Fowler Street

South Shields

NE33 1DA

Ward: Beacon and Bents

Application documents and plans can be found here

<https://planning.southtyneside.info/MVM/Online/DMS/DocumentViewer.aspx?searchType=Planning%20Application&PK=881818>



Description: Change of use from office and financial services (Class E) to 20 dwellings (Class C3) and 1no. retail unit (Class E).

Applicant: Regal Bifrons Properties Ltd

Agent: CREATE Architecture Ltd

**Reason for bringing
the application to
Planning**

Committee: The development is a major development

Recommendation: Minded to Grant Permission

Case Officer: Seán Gallagher

**Case Officer
Contact No.:** 07741 109463

List of neighbour representation addresses:

None

Description of the Site

1. This application relates to a four storey building on the corner of Fowler Street and King Street within South Shields Town Centre. The property is part Grade II listed, and part locally listed.
2. The property is currently vacant and the most recent use was as a bank on the ground floor whilst the upper floors were vacant. The bank vacated the site in March 2024. The upper floors span over ground floor retail units on Fowler Street which are not part of this property.
3. The property is finished in stone with timber sash windows and the retail unit is accessed from a ramped access on the junction of King Street/Fowler Street and the upper floors are accessed via an entrance door on the Fowler Street elevation.
4. Fowler Street and King Street adjacent to the site are pedestrianised. Surrounding land uses consist of restaurants, pubs, shops and betting shops.

Description of the Proposal

5. This application seeks full planning permission to change the use of the property from a bank with associated offices (Class E) to 20no. dwellings (Class C3) and 1no. retail unit (Class E).
6. The retail unit would be located at ground floor level and would be accessed via the existing ramped access on the junction of King Street/Fowler Street. Storage for the retail unit would be within the basement. The retail unit would have a shared refuse store to the ground floor.
7. The 20no. residential flats would be spread across the upper floors as follows:

1 st Floor	4x 1no. bed apartments
2 nd Floor	6x 1no. bed apartments; 1x 1no. bed studio apartment
3 rd Floor	6x 1no. bed apartments; 1x 1no. bed studio apartment
4 th Floor	2x 2no. bed apartments

8. Each apartment would have a separate lounge and kitchen, and a bathroom, in addition to the bedrooms. The studio apartments would have a large combined bedroom/lounge/kitchen, and a separate bathroom.
9. There would be cycle storage in the basement to serve all apartments. Refuse storage would be shared with the retail unit on the ground floor.

Relevant Planning History

10. There is no planning history relevant to this application.

Summary of Consultation Responses

11. The following responses were received in response to the statutory consultation period which ended on 17/12/2025.
12. STC Countryside Team

Designated Sites

National Sites Network (International Statutory Designated Sites)

13. The Conservation of Habitats and Species Regulations (2017) transposes the Habitats and Birds Directives into English Law and is commonly referred to as the 'Habitats Regulations.' The legislation requires local planning authorities to undertake an assessment to ascertain whether proposed developments could have a likely significant impact on sites under the National Site Network.
14. This proposed development is within 7.2km of the following relevant international sites:
 - Durham Coast Special Area of Conservation (SAC)
 - Northumbria Coast Special Protection Area (SPA) and Ramsar Site
15. Direct Impacts on the sites are not anticipated, given the distance between the proposed development site and the designated sites. However, studies have shown that recreation pressure is likely to increase with new residential growth. Recreational pressure affecting sites included within the National Site Network is predominantly from residents within a 7.2km 'zone of influence' and it is therefore concluded that additional residential development within this zone will contribute to further recreation pressure if not mitigated for. Any residential development within this zone must therefore be the subject of a more detailed assessment, known as an Appropriate Assessment.
16. South Tyneside Council provides the option to contribute to a mitigation strategy rather than provide bespoke mitigation and this can be found in the Interim Supplementary Planning Document 23 and the supporting studies available here: [Interim Supplementary Planning Document 23 - Mitigation Strategy for European Sites - South Tyneside Council](#)
17. The contribution towards the strategic mitigation scheme as set out in the SPD is currently calculated at £403 per dwelling for developments of 10 units or more. For this development the required contribution will therefore be £8060. **If this is the route the applicant decides to follow, the applicant will not need to submit a shadow HRA** - the Case Officer will need to ensure that an Appropriate Assessment is completed for this proposal and the HRA process is recorded.

18. Where a developer chooses not to opt into the Council's mitigation strategy, they must provide enough information on their potential impacts and mitigation proposals, in order to enable South Tyneside Council to undertake an individual HRA. Regulation 61(2) states that:

"A person applying for any such consent, permission or other authorisation must provide such information as the competent authority may reasonably require for the purposes of the assessment or to enable them to determine whether an appropriate assessment is required".

A developer will need to provide enough evidence that their individual mitigation package can effectively mitigate for the recreation pressure generated by their development. South Tyneside Council will need to have certainty, commensurate with the certainty given by the strategic approach, that the individual measures will prevent adverse effects.

Species Protection

19. I have included additional informatives for both bats and breeding birds below due to the residual risk to both.

Bat Informative

20. All British bats are protected by both UK and European legislation. This legal protection extends to any place that a bat uses for shelter or protection whether bats are present or not. Should a bat or signs of bats be discovered at any stage during the works, work must stop immediately, and advice sought from Natural England. Failure to do this may result in an offence being committed, regardless of planning consent, and could lead to prosecution. Natural England Bat Advice Line: 0345 1300 228

Breeding Bird Informative

21. Under UK legislation it is an offence to intentionally or recklessly disturb, damage or destroy an active birds nest. An active nest is one which is in the process of being built or contains eggs / chicks. Activities which may affect nesting birds must be organised and timed to avoid the bird breeding season which is March to August inclusive. Failure to do so may result in an offence being committed, regardless of planning consent, and could lead to prosecution under the Wildlife and Countryside Act 1981.

Biodiversity Enhancement

22. The NPPF states that planning decisions should contribute to and enhance the natural and local environment by minimising impacts on and providing net gains for biodiversity.

Swift Boxes

23. Swift populations have declined over recent decades due to changes in roof design and the choice of materials used to construct our homes and public buildings. This species typically uses existing holes, cracks and crevices to build their nests, especially those in old buildings, so swift boxes are recommended to provide areas for these birds to roost. These boxes provide large internal cavities within the brickwork that can be accessed by horizontally elongated, often downward facing entrance holes. As colony breeders, it is recommended to site multiple swift boxes together, situated with a clear flight path. The boxes should be installed at a minimum height of 5m on a

non-south facing wall away from windows and doors and should have no less than 40cm between entrance holes. Examples of Swift Boxes are shown here [Swift | NHBS Practical Conservation Equipment](#)

24. STC Environmental Health

Air Quality

25. The submitted Air Quality Assessment is generally proportionate to the scale of the development and appropriately identifies that the scheme is unlikely to generate significant traffic-related impacts.
26. The assessment relies on limited monitoring data from a single diffusion tube location and does not explicitly consider potential variations in pollutant concentrations across the site, particularly in a town centre environment where street canyon effects may influence exposure at building facades.
27. Notwithstanding these limitations, available monitoring and background data indicate pollutant concentrations are below relevant air quality objectives, and it is therefore unlikely that future occupants would be exposed to unacceptable levels of air pollution. On this basis, I raise no objection in relation to air quality.

Noise

28. The proposed development is situated in a busy town centre setting where a heightened level of environmental noise—particularly during evenings and weekends—is an inherent and longstanding feature of the area. In line with the Agent of Change principle, it is important that such new residential schemes in established town centre areas acknowledge the presence of existing commercial and night-time uses. While the development has been designed to achieve appropriate internal noise levels, residents will still experience a level of activity consistent with a town centre location. This should be regarded as an expected characteristic rather than an abnormal disturbance.
29. The assessment has used appropriate methodology to predict noise levels within proposed residential units and has identified appropriate external noise sources such as entertainment noise, passing pedestrians and road traffic. Background noise levels have been measured over a full weekend period to ensure that noise from the time when ambient levels are at their highest will be considered in the assessment.
30. When considering against appropriate noise guidelines, the consultant has concluded that a scheme of mitigation is required to ensure that noise levels within residential units falls under these guideline levels.
31. Table 5 lists the required glazing and ventilation specification and should be conditioned.
32. However, the applicant confirms that an overheating assessment is required to ensure that habitable rooms will not be at heightened risk of overheating under normal summer conditions when windows are closed for noise control.
33. I would recommend that a further condition is added to ensure that an overheating assessment is provided to demonstrate that acceptable thermal comfort can be maintained when windows are likely to be closed to ensure appropriate protection against higher ambient noise levels.

- 34. STC Housing Team
- 35. Given the applicant's justification regarding vacant building credit, no affordable housing will need to be provided.
- 36. STC Historic Environment Officer
- 37. This Grade II Listed Building is currently vacant.
- 38. The development proposal has been accompanied by a robust heritage impact assessment that confirms that original features such as panelled doors, timber screens, fireplaces, architraves, and skirtings can be conserved and retained within the building. In addition, there are no alterations proposed to the original banking hall, which retains its original fluted columns and a decorative plaster ceiling.
- 39. Whilst some internal configuration is being proposed to upper floors, any potential harm to historic fabric is to be mitigated by conserving and retaining original features within the building.
- 40. There is a proposal to install rooflights to the non-listed section of the building facing Fowler Street. The HIA acknowledges these would have a negligible impact on heritage significance, and on balance I have no objections to this element of the application.
- 41. Existing SVPs are being utilised and there are no proposed alterations to the exterior of the Listed Building.
- 42. The property is currently vacant, and sensitive adaptive reuse will allow the building to serve a new function whilst retaining its heritage significance. As such, I am supportive of the application.
- 43. STC Public Health
- 44. No objections raised

45. STC Transport Development Officer

Highway Safety

46. The development site is located in a pedestrianised zone and is considered safe, with no highway safety concerns envisaged.

Parking & Servicing Arrangements

47. Despite outdated parking standards and a zero requirement for parking in the town centre for this scheme, as it is a highly sustainable location, residential developments and non-commercial businesses in town centre locations do place a burden on public car parking areas being used by residents, with a cumulative impact on the town centre parking areas unknown at this time. This reduces the availability of capacity in town centre car parks for businesses and shoppers and potentially reduces the attractiveness and convenience of shopping in the town centre to the point where visitors would rather shop elsewhere. Unfortunately, this problem will not be addressed by this scheme and will require a holistic approach by STC in avoiding the saturation of town centre car parks and/or avoidance of developing car parks nearby into development sites that could be continually used to offset any future shortfall.
48. Given the pedestrianised nature of the street and limited access windows, servicing and deliveries will be challenging. Residents with cars will be wholly reliant on nearby public car parks. Town Centre parking permits are available presently at £36 per month.
49. Vehicular access is restricted to delivery hours only: before 10am and after 4pm. This will present a significant constraint for future residents, particularly for move-in/out, deliveries, and potential maintenance needs.
50. Please clarify how access will be managed, both during construction and for future residents. Consideration should be given to a servicing strategy (e.g. timed deliveries, refuse collection).

Cycle Parking

51. Cycle parking provision is required based on minimum SPD6 cycle parking standards of 1 bike per residential unit.
52. Details of cycle storage provision per residential unit is required to be submitted for approval.

Refuse Storage

53. Refuse storage areas are required to be within the site curtilage red line boundary and not on the highway. Please amend the scheme to include part of the ground floor retail area as bin storage area and not over-burdening or assuming the utilisation of the commercial bin storage area on the highway, which is presently unacceptable to the Highway Authority for this scheme. It is recommended that the application be refused if refuse cannot be stored within the site curtilage.

Highway Works

54. No highway works are envisaged to serve the development, although there may be disruption on the highway during the construction phase. Where any damage caused

to the highway because of the associated construction works, will be required to be made good at the expense of the developer. A construction method statement will be required as part of any approved scheme, should consent be granted by the LPA.

Lead Local Flood Authority

- 55. We do not have any knowledge of a history of flooding at the proposed development site.
- 56. However, we do have knowledge of a history of flooding adjacent to the site, at South Shields Interchange on 10.09.23.
- 57. The proposed development is considered to be at very low risk of flooding from surface water, identified in the Environment Agency's flood risk maps – see link.
- 58. Between 2040-2060 it is projected that as a result of climate change this flood risk changes from very low to low.
- 59. Given our knowledge of flood risk in the area and basement on site, please can we direct the applicant to the Environment Agency's Standing Advice for Vulnerable Development.
- 60. Specifically, please can we direct the applicant to the information on extra flood resistance and resilience measures.
- 61. Northern Gas Network
- 62. No objections raised
- 63. Northumbria Police
- 64. Queries use of basement. This information is needed to fully understand the vulnerability of the basement within the new development.
- 65. *[Case Officer Comment: this has since been clarified by the applicant through the submission of an additional plan]*
- 66. Request further information regarding the security for both the retail and residential elements of the development. Objects to the development until these issues are resolved.
- 67. Northumbrian Water
- 68. No objections raised

Summary of Representations

- 69. The application has been publicised by 38no. letters, a site notice and a press notice.
- 70. No representations have been received in relation to this application.

Relevant planning policy

71. 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.
72. The statutory development plan comprises the Council's adopted Local Development Framework (LDF) development plan documents. Those LDF documents of relevance to this application comprise of the Core Strategy 2007, a Development Management Policies Development Plan Document (DPD) 2011, , and the South Shields Town Centre & Waterfront Area Action Plan (AAP) 2008.
73. The following policies of the South Tyneside Local Development Framework Core Strategy are relevant to this planning application:
- DM1 - Management of Development
 - DM6 – Heritage Assets and Archaeology
 - DM7 - Biodiversity and Geodiversity Sites
 - A1 - Improving Accessibility
 - EA3 - Biodiversity and Geodiversity
 - SC1 – Creating Sustainable Urban Areas
 - SC2 - Reviving our Town Centres and other Shopping Centres
 - SC3 – Sustainable Housing Provision
 - SC4 – Housing Needs, Mix and Affordability
 - ST1 - Spatial Strategy for South Tyneside
 - ST2 - Sustainable Urban Living
 - EA3 – Biodiversity and Geodiversity
 - SSTCW AAP Policy SS1 - Strategic Vision for South Shields Town Centre and Waterfront
 - SSTCW AAP Policy SS11 - Living in South Shields
74. The following policies and guidance are also relevant to this planning application:
- SPD6 - Parking Standards
 - SPD21 - Locally Significant Heritage Assets
 - SPD23 Interim - Mitigation Strategy for European Sites (Recreational Pressure from Residential Development)
75. On 4 March 2025, the Council was directed by the Secretary of State for the Ministry of Housing, Communities & Local Government to submit the South Tyneside Local Plan for examination by 12 March 2025 in accordance with Regulation 22 of the Town and Country Planning (Local Planning) (England) Regulations 2012. The Local Plan has been subject to examination in public hearings in July 2025 and January 2026 and a consultation on proposed Main Modifications has recently closed.
76. Paragraph 49 of the National Planning Policy Framework (2024) states that local planning authorities may give weight to relevant policies in emerging plans according to:
- the stage of preparation of the emerging plan (the more advanced its preparation, the greater the weight that may be given);
 - the extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given);
 - and,

- the degree of consistency of the relevant policies in the emerging plan to this Framework (the closer the policies in the emerging plan to the policies in the Framework, the greater the weight that may be given).

77. Whilst the draft Local Plan is now at an advanced stage of preparation, the weight that can be given to individual Policies in the Plan varies. Relevant Policies are as listed below (with text provided after each Policy regarding the weight that officers consider can be afforded to that Policy):

- SP1 – Presumption in favour of Sustainable Development (limited weight)
- SP2 – Strategy for Sustainable Development to meet identified needs (very limited weight)
- SP3 – Spatial Strategy for sustainable development (very limited weight)
- SP4 – Housing Allocations in the Main Urban Area (very limited weight)
- SP16 – Housing Supply and Delivery (very limited weight)
- SP21 – Natural Environment (significant weight)
- SP24 – Heritage Assets (limited weight)
- SP26 – Delivering Sustainable Transport
- Policy 1 – Promoting Healthy Communities (limited weight)
- Policy 2 – Air Quality (limited weight)
- Policy 3 – Pollution (significant weight)
- Policy 7 – Flood Risk and Water Management (significant weight)
- Policy 18 – Affordable Housing
- Policy 19 – Housing Mix (limited weight)
- Policy 35 – Delivering Biodiversity Net Gain (limited weight)
- Policy 43 – Development Affecting Designated Heritage Assets (very limited weight)
- Policy 45 – Development Affecting Non-Designated Heritage Assets (very limited weight)
- Policy 47 – Design Principles (very limited weight)

78. 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

79. The key issues in the assessment of this planning application are as follows:

- NPPF Tilted Planning Balance
- Principle of Change of Use
- Affordable Housing
- Impact on Residential Amenity
- Impact on Heritage Assets
- Visual Amenity Considerations
- Crime and Anti-Social Behaviour Impacts
- Impact on Highways Safety/Parking
- Biodiversity
- Drainage and Flooding

NPPF Tilted Planning Balance

80. The NPPF (December 2024) paragraph 11 states that ‘Plans and decisions should apply a presumption in favour of sustainable development. ... For decision-taking this means:
- c) approving development proposals that accord with an up-to-date development plan without delay; or*
- d) where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:*
- i the application of policies in this Framework that protect areas or assets of particular importance provides a strong reason for refusing the development proposed; or*
- ii any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole, having particular regard to key policies for directing development to sustainable locations, making effective use of land, securing well-designed places and providing affordable homes, individually or in combination .’*
81. Having regard to NPPF paragraphs 78 and 232, as a consequence of the Council not having a demonstrable 5 year housing land supply plus a 20% buffer and the Council’s Housing Delivery Test results showing that the delivery of housing was substantially below the housing requirement over the previous three years, the tilted balance in NPPF paragraph 11 d) is engaged.
82. This means that greatest weight must be given to the NPPF as a material consideration in deciding this planning application. The NPPF clarifies, at Footnote 7, that the policies referred to in paragraph 11 d) limb (i) are those in the NPPF (rather than those in development plans) relating to: habitat sites and/or designated as SSSI, Green Belt, AONB, National Parks, Heritage Coast, irreplaceable habitats; designated heritage assets and areas at risk of flooding or coastal change.
83. The LPA must under NPPF paragraph 11(d) limb (i) test whether the application of one or more “Footnote 7 policies” provides a strong reason for refusing planning permission. It should be noted that the simple fact that such a policy is engaged is insufficient to satisfy limb (i). Whether or not limb (i) is met depends upon the outcome of applying the relevant “Footnote 7” policies. The application of some “Footnote 7” policies, for example Green Belt, requires all relevant planning considerations to be weighed in the balance. In those cases, because the outcome of that assessment determines whether planning should be granted or refused, there is no requirement to apply limb (ii) in addition to limb (i).
84. In relation to limb (i) it is the Footnote 7 reference to “habitats sites” and “designated heritage assets” that apply to the application / proposal.
85. The LPA must also consider paragraph 11(d) limb (ii) and the matter of whether or not any adverse impacts arising from the development would significantly and demonstrably outweigh the benefits of the proposal when assessed against the NPPF as a whole.
86. This means that greatest weight should be given to the NPPF as a material consideration in deciding this application.

Principle of Change of Use

87. Paragraph 61 of the NPPF notes that it is important that a sufficient amount and variety of land can come forward where it is needed, that the needs of groups with specific housing requirements are addressed.
88. The application site is located within the designated South Shields town centre area, and it involves the re-use of the property for residential accommodation. As such, there is not considered to be any material conflict with either LDF Policy SC1 or SC3. Furthermore, LDF Policy ST1 supports development that reflects the scale and functions of the main towns of South Shields, Jarrow and Hebburn whilst LDF Policy ST2 promotes high quality sustainable urban living.
89. The South Shields Town Centre & Waterfront Area Action Plan sets out at Policy SS11 that the LPA will “promote the provision of a sustainable mix and choice of housing in South Shields town centre...that meets the needs of everyone. Improvements to the quality of residential areas in the town will be encouraged, including proposals for the...reclamation and regeneration of disused sites”.
90. Furthermore, paragraph 128 of the NPPF states that local planning authorities should support proposals to use retail and employment land for homes in areas of high housing demand, provided this would not undermine key economic sectors or sites or the vitality and viability of town centres, and would be compatible with other policies in this Framework.
91. Additionally, paragraph 125 (e) of the NPPF states that planning decisions should support opportunities to use the airspace above existing residential and commercial premises for new homes. In particular, they should allow upward extensions – including mansard roofs – where the development would be consistent with the prevailing form of neighbouring properties and the overall street scene, is well-designed (including complying with any local design policies and standards), and can maintain safe access and egress for occupiers.
92. In terms of the Council’s emerging Local Plan, Policy SP16 seeks to encourage the conversion and change of use of properties by working with landowners to deliver South Tyneside’s overall housing requirement.
93. The town centre hosts a number of vacant units at the time of assessment and as such it is not considered that the change of use of the upper floors of the former bank to a residential use would result in significant harm to the vitality or viability of South Shields Town Centre. Indeed, it is considered that the addition of residential properties into this area would have a positive impact upon the businesses in the town centre, whether that be supermarkets, high street shops, pubs or the many restaurants along King Street and other surrounding streets such as Fowler Street and Ocean Road. Furthermore, the proposed dwellings would contribute to reducing the Council’s housing land supply and delivery deficiencies. Having regard to this it is considered that the proposed use of the site would be acceptable in principle.
94. The use of the ground floor as a retail unit would not constitute a change of use. This would be acceptable nonetheless.
95. Overall the proposed use of the site is considered acceptable in principle and in accord with the above-referenced LDF Policies and the NPPF.

Affordable Housing

96. LDF Policy SC4 sets out that a range and choice of good quality, energy-efficient and affordable homes will be provided for all. It requires that a minimum of 25% of all new dwellings are genuinely affordable and sets out that this applies to all developments of 15 dwellings or more. This target will, however, be negotiable within reason between sites to ensure genuine affordability and to reflect local housing needs.
97. The emerging Local Plan Policy 18 sets out that to meet the borough-wide need for affordable housing, developments of new housing of 10 or more dwellings will be required to deliver affordable housing, where appropriate and viable.
98. Paragraph 65 of the NPPF sets out that the provision of affordable housing should not be sought for residential developments that are not major developments, other than in designated rural areas (where policies may set out a lower threshold of 5 units or fewer). To support the re-use of brownfield land, where vacant buildings are being reused or redeveloped, any affordable housing contribution due should be reduced by a proportionate amount.
99. National policy provides an incentive for brownfield development on sites containing vacant buildings. Where a vacant building is brought back into any lawful use, or is demolished to be replaced by a new building, the developer should be offered a financial credit equivalent to the existing gross floorspace of relevant vacant buildings when the local planning authority calculates any affordable housing contribution which will be sought. Affordable housing contributions may be required for any increase in floorspace.
100. The vacant building credit applies where the building has not been abandoned. The courts have held that, in deciding whether a use has been abandoned, account should be taken of all relevant circumstances, such as:
 - the condition of the property;
 - the period of non-use;
 - whether there is an intervening use; and,
 - any evidence regarding the owner's intention
101. Each case is a matter for the collecting authority to judge. The policy is intended to incentivise brownfield development, including the reuse or redevelopment of empty and redundant buildings. In considering how the vacant building credit should apply to a particular development, local planning authorities should have regard to the intention of national policy.
102. In doing so, it may be appropriate for authorities to consider:
 - whether the building has been made vacant for the sole purposes of re-development; and,
 - whether the building is covered by an extant or recently expired planning permission for the same or substantially the same development
103. The applicant has set out that the former commercial property has been vacant for a number of years and accordingly the applicant asserts that the development qualifies for vacant building credit.

104. The ground floor unit was previously occupied by Barclays Bank, who vacated the premises on 8th March 2024. The unit has been vacant since. The upper floors of the building have been unoccupied and unused by the bank for a number of years prior to the bank's vacation of the ground floor. Therefore, the overall site has been vacant for over two years and it is considered that the development would be able to benefit from vacant building credit.
105. Applying the Government formula for Vacant Building Credit to this particular scheme generates a full exemption from having to provide affordable housing units.
106. The Council's Housing Strategy Team, are content with the justification provided by the applicant regarding vacant building credit and agree that in this case affordable housing would not need to be provided.

Impact on Residential Amenity

107. LDF Policy DM1 (B) seeks to safeguard residential amenity.
108. Emerging Local Plan Policies 1, 2, 3 and 4 seek to ensure that proposals are acceptable in terms of creating healthy communities, air quality, other forms of pollution such as noise pollution and addressing contaminated land issues.
109. With regard to the impacts upon the residential amenity of future occupiers, given the town centre location, the impact of noise and disturbance from nearby sources must be considered as the surrounding area contains a number of public houses, restaurants and shops.
110. In terms of noise pollution, the applicant has submitted a noise assessment which concludes that a scheme of mitigation is required to ensure that noise levels within residential units falls under these guideline levels. The mitigation includes insulation between the ground floor retail units at 4-8 Fowler Street and the proposed 1st floor apartments, and the installation of acoustic mitigation to the windows.
111. Having considered this assessment, the Council's Environmental Health officer has raised no objection to the scheme subject to a condition requiring the implementation of the mitigation measures as set out in the noise assessment, and subject to the submission of an overheating assessment to demonstrate that acceptable thermal comfort can be maintained when windows are closed.
112. With regards to the works to the windows, the Noise Assessment sets out two options, either installing new double glazing window units, or installing secondary glazing. The applicant has confirmed via email that this would take the form of secondary glazing in most instances, as to preserve the existing Georgian style sliding sash windows which contribute significantly to the listed building's aesthetic and architectural significance. However, the exact works have not been set out explicitly in the submitted documentation or subsequently via additional information and as such a condition is recommended regarding the submission of full details of works to windows, accompanied by a revised Noise Assessment, prior to the first occupation of the residential units.
113. Subject to the above conditions it is considered that there would be no harm to future occupants in terms of noise pollution.
114. In terms of air quality and odours, the applicant has submitted an Air Quality Assessment to accompany this application which indicates that pollutant concentrations are below

relevant air quality objectives, and it is therefore unlikely that future occupants would be exposed to unacceptable levels of air pollution. Having assessed this Air Quality Assessment, the Council's Environmental Health officer has raised no objection to the scheme.

115. The layouts of the flats provide acceptable levels of natural light to bedrooms and other habitable rooms, satisfactory outlook and adequate space generally.
116. The nearest residential properties to the application site are located approximately 37m to the south on the upper floors of 22 Fowler Street (the lower floor of which is Riddicks Sports Bar). The proposed flats would also not overlook any other residential properties to an unacceptable extent.
117. Whilst no on-site external amenity space is provided, the site is in close proximity to a number of outdoor recreational spaces within South Shields such as Bents Park, North & South Marine Park and the wider coast/foreshore.
118. In terms of the internal circulation space, each flat would be accessed from a central landing on each floor. The landings would be accessed from staircases providing access to doors on Fowler Street. The basement would be accessed via a staircase from the ground floor. It is considered that the access layouts throughout the building would be acceptable.
119. It is considered that the property is of a suitable size to accommodate the proposed use and is also acceptable in terms of impact on both the future occupants of the property and the amenity of neighbouring occupants in the surrounding locality. Overall, the proposal is considered acceptable in respect of residential amenity matters and in accord with the above-referenced LDF Policies and the NPPF.

Impact on Heritage Assets

120. LDF Policy DM6 Heritage Assets and Archaeology relates to the protection, preservation and enhancement of the Borough's heritage assets and their settings.
121. Policy SS12 Protecting the Built Environment Assets of South Shields seeks to protect the heritage assets of South Shields town centre, riverside and foreshore areas and their settings and will promote and encourage schemes and proposals to protect, preserve and enhance these.
122. Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that in considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.
123. Emerging Local Plan Policies SP24, 43 and 45 seek to ensure that proposals have an acceptable impact on designated and non designated heritage assets.
124. 1 King Street and 2 Fowler Street is a Grade II listed building. The listing description is as follows:

1. 5102 KING STREET (south side) No 1 (Barclays Bank) NZ 3667 SW 4/34 II GV 2. Includes No 2 Fowler Street. 1909 J H Morton Architect. Ashlar. Three storeys and 7 bays. Quadrant plan linking King Street to Fowler Street. Ground floor heavily rusticated above a high plain plinth. Windows, central entrance and door from Fowler Street have

semi-circular hooded openings with scrolled keystones. First floor openings have architraves and alternating triangular and segmental pediments. Continuous cill band and cast iron balconies. Second floor windows have moulded architraves. All crowned by an entablature with modillion cornice and a balustraded parapet. Each end bay broken forward to form a pavilion. Ionic pilasters rising above ground floor support open pediments. The tympanum of each pediment contains a cartouche. A good example of early C20 "Bankers Classical" in South Shields standing in a prominent position.

125. SPD21 recognises non-designated assets so that they can be properly considered when development proposals are submitted to the Council. Nos. 4 – 8 Fowler Street are locally listed non-designated heritage assets as set out within SPD21, noted as a “substantial 19th Century building”.
126. The only physical works proposed are the addition of 3no. roof lights to the east and south east roof slopes. The roof lights would be situated on parts of the building that are not Grade II listed but are locally listed. These roof lights would benefit from being able to be constructed under permitted development rights (Class A of Part 7 to Schedule 2 of the GDPO). Nevertheless, it is considered that the roof lights would have a negligible impact on heritage significance.
127. The proposed change of use is considered desirable in heritage terms in that it would secure viable re-use of these currently vacant listed and locally listed buildings.
128. The Council's Historic Environment Officer raises no objections to the scheme and considers the above-mentioned physical works to be acceptable.
129. Works are also proposed internally which do not require Planning Permission, but which do require Listed Building Consent and these are subject to a separate application for such consent which will be decided by officers under delegated powers (ref: 250673).
130. Having regard to the above, it is therefore considered that the proposed development would preserve these buildings and their features of architectural and historic interest and would accord with the above-referenced LDF Policies and the NPPF.

Visual Amenity Considerations

131. LDF Policy DM1 (A) seeks to preserve the visual amenity of the area.
132. Emerging Local Plan Policy 47 concerning design principles seeks to promote high quality design. In this regard development proposals should consider matters of context/identity, built form, movement, nature, public spaces, homes/buildings and lifespan.
133. External changes would consist of the addition of 3no. roof lights to the east and south east roof slopes. It is considered that the roof lights would not result in significant harm to the visual amenity of the area and the proposals are considered acceptable on visual amenity grounds and in this regard accord with LDF Policy DM1 (A) and the NPPF.

Crime and Anti-Social Behaviour Impacts

134. LDF Policy ST2 sets out that high quality in sustainable urban living will be promoted by ensuring that the need to design out crime and eliminate the fear of crime has been addressed.

135. Northumbria Police's Designing Out Crime Officer was consulted on the application and has raised concerns regarding the use of the basement and the security measures of the retail and residential elements.
136. The layout and use of the basement have since been clarified with this part of the building to be used only for storage associated with the retail unit and cycle parking for the proposed flats. Such use of the basement is considered acceptable. The basement areas, stairwells and ground floor refuse storage area are shared by the retail and residential elements. It is considered that the concerns of Northumbria Police around the details of how access between the residential and commercial elements would be controlled could be addressed by means of a planning condition.
137. Having regard to the above and subject to the referenced planning condition it is not considered that the proposed development would, in and of itself, result in an increase of crime and anti-social behaviour in the area to such an extent as to warrant refusal of this application. The proposal would therefore comply with LDF Policy ST2 (F) in this regard.

Impact on Highways Safety/Parking

138. LDF Policy DM1 (G) seeks to preserve highway safety.
139. Emerging Local Plan Policy SP26 seeks to ensure that development supports sustainable transport and improves accessibility.
140. Fowler Street and King Street adjacent to the application property are pedestrianised streets (except for allowing deliveries, accessed via Ocean Road, from 7am-10am and 4pm-7pm). Keppel Street to the south is subject to TROs however there is a loading bay set 25m from the site which allows loading throughout the day.
141. There are a number of public car parks located within close proximity to the site within the town centre such as Thomas Street, Denmark Centre, Saville Street, Winchester Street and Charlotte Street.
142. The proposed development does not provide for any in-curtilage parking spaces, which would not differ from the currently approved use where customers would need to use parking elsewhere.
143. SPD6 sets out the maximum car parking standards across the Borough. For dwellinghouses and flats within South Shields Town Centre, SPD6 sets out that there should be a maximum provision of 1 space per dwelling. However, there is no automatic expectation that any parking provision should be provided as part of residential schemes in these town centre areas, which are by definition exceptionally well served by public transport, cycling and footpath links. It should be noted that these are maximum car parking standards and there are no minimum car parking standards. Indeed, it would not generally be expected for residential developments in town centre locations to provide car parking.
144. The application site lies in a highly sustainable location with many amenities within walking distance and there are also a number of public transport links within walking distance of the property. The property is located 2 minutes' walk to South Shields Interchange which offers a plethora of frequent bus services to various destinations and also Metro services to Newcastle every 12 minutes.

145. As a result of the above it is not considered necessary to require the development to provide car parking. Furthermore it would not be feasible for the applicant to provide in curtilage spaces due to the site layout and constraints. In terms of the future residents of the development, the lack of on site car parking would be known prior to the occupation and therefore residents could plan accordingly (using the above-mentioned car parks' locations or other transport modes). Residents would be able to load/unload goods via the loading bay on Keppel Street set 25m from the site entrance. It should also be noted that the current bank has no associated car parking.
146. In terms of cycle parking, it is proposed that parking for 20 bicycles would be provided in the basement. SPD 6 parking standards sets out that the provision should be 1 space per dwelling, and 3no. spaces for the retail unit, and encourages secure storage. 20 cycle spaces are proposed for the use of the residential units which would comply with the requirements of SPD6. A condition is proposed to secure provision of these cycle parking spaces.
147. In terms of the proposed retail use, two cycle parking spaces are shown on the submitted proposed basement plan. This is slightly below the SPD6 requirement for 3 spaces for this element but is considered acceptable. In this regard it needs to be borne in mind given that the retail unit in and of itself does not require planning permission as it would fall within the same planning Use Class as the current lawful Class E use of the building and therefore it would be unreasonable to seek to condition the provision of cycle parking for the retail unit..
148. Waste storage is proposed within a bin storage area on the ground floor, which would be shared between the residential use and the retail unit. A condition is suggested in relation to these areas being kept available for refuse storage.
149. The Council's Transport Development Officer has recommended that a Construction Method Statement be submitted to minimise impacts upon the highway. However, given the nature of the development which predominantly comprises of internal works, the existence of loading/unloading space close to the site on Keppel Street and parking restrictions elsewhere around the site it is not considered necessary to require this.
150. Having regard to the above, the proposal is considered acceptable in respect of highway safety and parking and in accordance with LDF Policies A1 and DM1 (G, H and I).

Biodiversity

151. LDF Policy EA3 seeks to optimise conditions for wildlife
152. LDF DMP Policy DM7 states that the Council will protect and enhance the important environmental assets of the Borough
153. Turning to the NPPF, paragraph 187 states that planning decisions should contribute to and enhance the natural and local environment by protecting sites of biodiversity value (in a manner commensurate with their statutory status or identified quality in the development plan) and minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures.
154. Emerging Local Plan Policies SP21, 33, 34 and 35 seek to safeguard the natural environment, including existing biodiversity and designated sites as well as securing the delivery of Biodiversity Net Gain.

155. The Countryside Team have reviewed the application and have commented that there are no significant ecological impacts associated with this proposal. They have noted that there is a residual risk of impacts on bats and nesting birds, however these can be addressed through informatives on any planning permission granted.
156. In terms of biodiversity net gain (BNG), given the nature of the proposed development it would not trigger a need for mandatory 10% BNG as the de minimis exemption would apply due to the application site being wholly occupied by a building. However, in order to secure some BNG as per NPPF paragraph 187, it is suggested that Swift nesting boxes are affixed to the building and this could be secured by condition.
157. As the proposal is a form of residential development within the 6km zone of influence of the Durham Coast SAC and the Northumbria Coast SPA & Ramsar Site (identified within the Interim HRA and SPD23), consideration must be given to the potential indirect effects on these sites through additional recreational pressure pursuant to The Conservation of Habitats and Species Regulations 2017.
158. SPD23 provides a mechanism for implementing a package of mitigation measures to avoid or mitigate for increased recreation pressure that would otherwise occur as a result of new residents within the development. The applicant has agreed to a contribution of £403 per dwelling (i.e. £8,060) in accordance with Interim SPD23 to mitigate the impacts of increased recreational disturbance at the coast arising from the proposed development. This will be secured via a S106 agreement.
159. Subject to the above, the proposal is considered to accord with Policies EA3 and DM7 of the South Tyneside Local Development Framework, SPD23 and the NPPF.

Drainage and Flooding

160. LDF Policy DM1 (K) seeks to minimise and mitigate localised flood risk.
161. Emerging Local Plan Policy 7 seeks to reduce flood risk and ensure appropriate water management.
162. The site lies within Environment Agency Flood Zone 1 and is therefore considered to be at low risk of fluvial flooding.
163. The LLFA advise that surface water flood risk has been identified elsewhere in the area (although not at the site itself).
164. Northumbrian Water have raised no objections to the scheme.
165. The residential development would be at first floor and above and so would not be at risk of flooding. Furthermore, the use of the basement would be subject to the requirements of the building regulations and these cover areas such as fire escape routes, ventilation, ceiling height, damp proofing, electrical wiring and water supplies.
166. Matters regarding drainage would be subject to the requirements of the building regulations.
167. In conclusion it is considered that the proposed development would not result in any significant harm in terms of drainage or flood risk and therefore accords with LDF Policy DM1(K).

Other Matters

168. 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.
169. 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.

Conclusion

170. In term of the overall planning balance, significant benefits arise from the proposed development. These comprise its contribution to addressing the Council's current, acute housing land supply/delivery deficiencies and the economic benefits arising from the proposed development in terms of increased footfall for local businesses which would support the vitality and viability of the town centre. Further benefit arises in terms of securing the viable re-use of currently vacant listed and locally listed buildings.
171. NPPF Paragraph 11 states that decisions on planning applications should apply a presumption in favour of sustainable development. The tilted balance in NPPF paragraph 11 applies in respect of determination of this application. This means in respect of this application approving development proposals that accord with an up-to-date development plan without delay or where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed or any adverse impacts of granting permission would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole.
172. The areas or assets of particular importance referenced in footnote 7 to paragraph 11 which apply in respect of this site are the nearby internationally designated coastal habitats sites and designated heritage assets and as stated above the proposals are considered acceptable in terms of their impact on such assets.
173. Overall, the application of policies in the NPPF that protect internationally designated coastal habitats sites and designated heritage assets do not in this instance provide a clear reason for refusing the development proposed. Furthermore, there are not considered to be adverse impacts which would significantly and demonstrably outweigh the substantial benefits arising from the proposed development. As such, it is considered that the application should be supported.
174. The proposed development would be acceptable in principle, and in terms of the impact on residential amenity, heritage assets, visual amenity, crime and anti-social behaviour, highway safety and parking, biodiversity, drainage and flooding.

175. Having regard to the above assessment, the proposal is considered acceptable subject to a S106 agreement to secure the above-mentioned ecology coastal mitigation contribution and the conditions as set out below.

Recommendation

That Planning Committee be minded to Grant Planning Permission, subject to:

- (1) The completion of a legal agreement pursuant to s106 of the Town and Country Planning Act 1990 (as amended) to secure a financial contribution of £8060, in accordance with Interim SPD23 to mitigate the impacts of increased recreational disturbance at the coast arising from the proposed development; and
- (2) With the Senior Manager – Planning being authorised to issue the planning permission following completion of the Section 106 Agreement, subject to the recommended planning conditions below (and subject to any minor drafting or typographical amendments to these being delegated to the Senior Manager – Planning, if necessary).

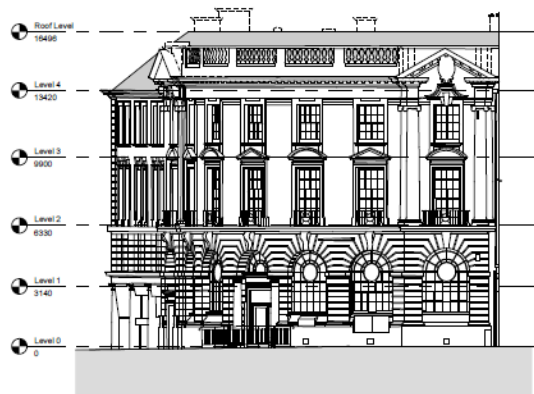
Conditions

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 Basement GA Plan Drg No 00_0001 Rev P1 received 15/04/2026 Proposed Ground Floor GA Plan Drg No 00_003 Rev P2 received 15/04/2026 Proposed First Floor GA Plan Drg No 00_006 Rev P1 received 28/10/2025 Proposed Second Floor GA Plan Drg No 00_009 Rev P1 received 28/10/2025 Proposed Third Floor GA Plan Drg No 00_012 Rev P1 received 28/10/2025 Proposed Fourth Floor GA Plan Drg No 00_015 Rev P2 received 15/04/2026 Proposed Roof GA Plan Drg No 00_018 Rev P2 received 10/06/2025 Proposed GA Elevations Drg No 00_020 Rev P2 received 10/06/2025 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	No residential unit hereby permitted on those upper floor areas which share a floor/ceiling interface with a ground floor commercial unit(s) shall be occupied unless and until the acoustic treatment of the floor/ceiling interface area between that unit and ground floor commercial units has been implemented in full accordance with the details contained within the Residential Noise Assessment ref: NP-012419 received 28/10/2025 forming part of the submitted application documentation. Thereafter such noise mitigation measures shall remain in place at all times. In the interests of residential amenity in accordance with Policies EA5 and DM1 of the South Tyneside LDF and the NPPF.
4	No residential unit hereby permitted shall be occupied unless and until a scheme of acoustic mitigation measures in respect of that residential unit comprising acoustic glazing and ventilation has been implemented in full in accordance with details, including a further Noise Assessment, to be submitted to and approved in writing by the Local Planning Authority. Thereafter such noise mitigation measures shall remain in place at all times. In the interests of residential amenity in accordance with Policies EA5 and DM1 of the South Tyneside LDF and the NPPF.
5	No residential property hereby permitted shall be occupied until an overheating assessment has been submitted to and approved in writing by the Local Planning Authority and any recommendations in that assessment regarding overheating mitigation measures have been implemented in full. Thereafter such mitigation measures shall remain in place at all times. In the interest of the residential amenity of future occupiers and in accordance with Policy DM1 of the South Tyneside LDF.
6	Prior to the first occupation of the residential dwellings hereby approved, the cycle parking and bin storage areas for those dwellings as shown on Proposed Basement GA Plan Drg No 00_0001 Rev P1 received 15/04/2026 and Proposed Ground Floor GA Plan Drg No 00_003 Rev P2 received 15/04/2026 shall be implemented in full and shall be retained as such at all times thereafter. To promote sustainable transport choices and in the interests of visual amenity in accordance with South Tyneside Local Development Framework Policies DM1 and A1, the Council's SPD6 Parking Standards and the NPPF.
7	Prior to the first occupation of the residential properties hereby approved, a scheme of swift boxes shall be incorporated into the development in full accordance with siting and specification details to be submitted to and approved in writing by the Local Planning Authority. Thereafter, those swift boxes shall remain in place at all times. In the interests of biodiversity in accordance with Policies DM7 and EA3 of the South Tyneside LDF and the NPPF.
8	At all times following the first occupation of any of the residential properties hereby permitted access between residential communal spaces and commercial elements of the scheme at ground floor and basement levels shall be controlled in full accordance with details to be submitted to and approved in writing by the Local Planning Authority.

	In the interests of safety and security in accordance with Policy DM1 of the South Tyneside LDF and the NPPF.
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Plan 1 – Proposed Elevations



North Elevation - Proposed
1 : 100

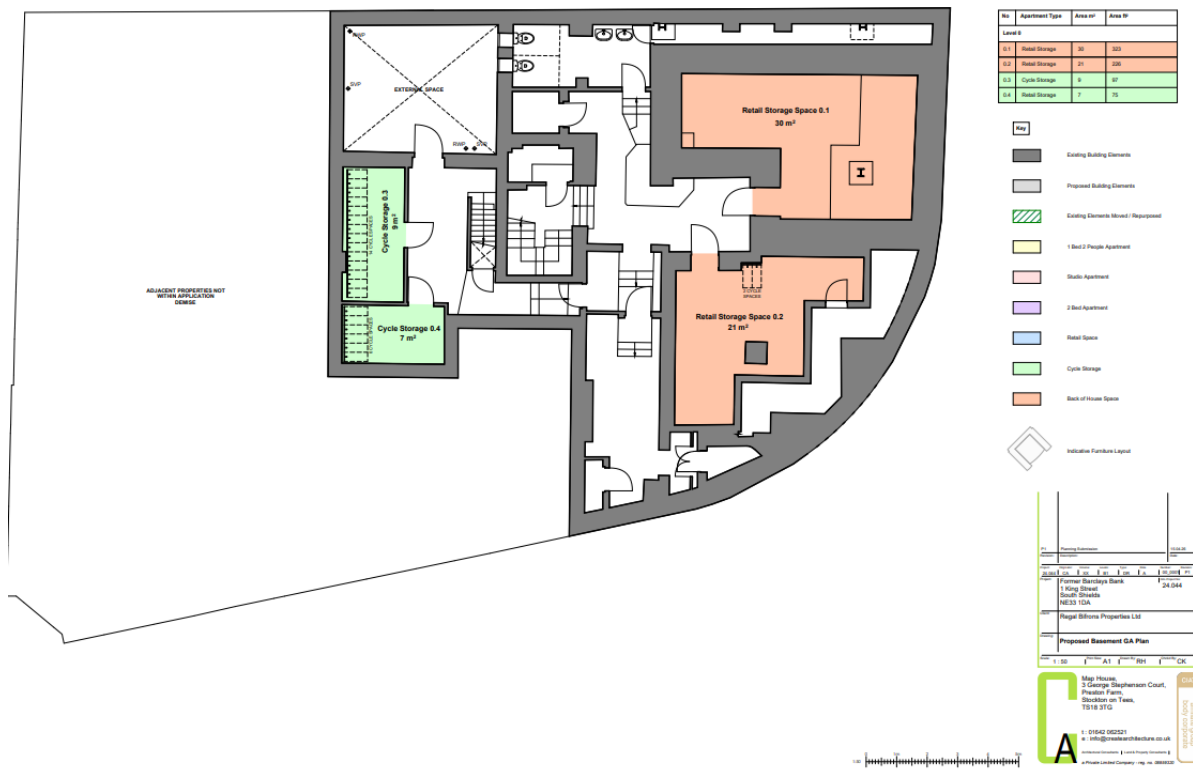


South Elevation - Proposed
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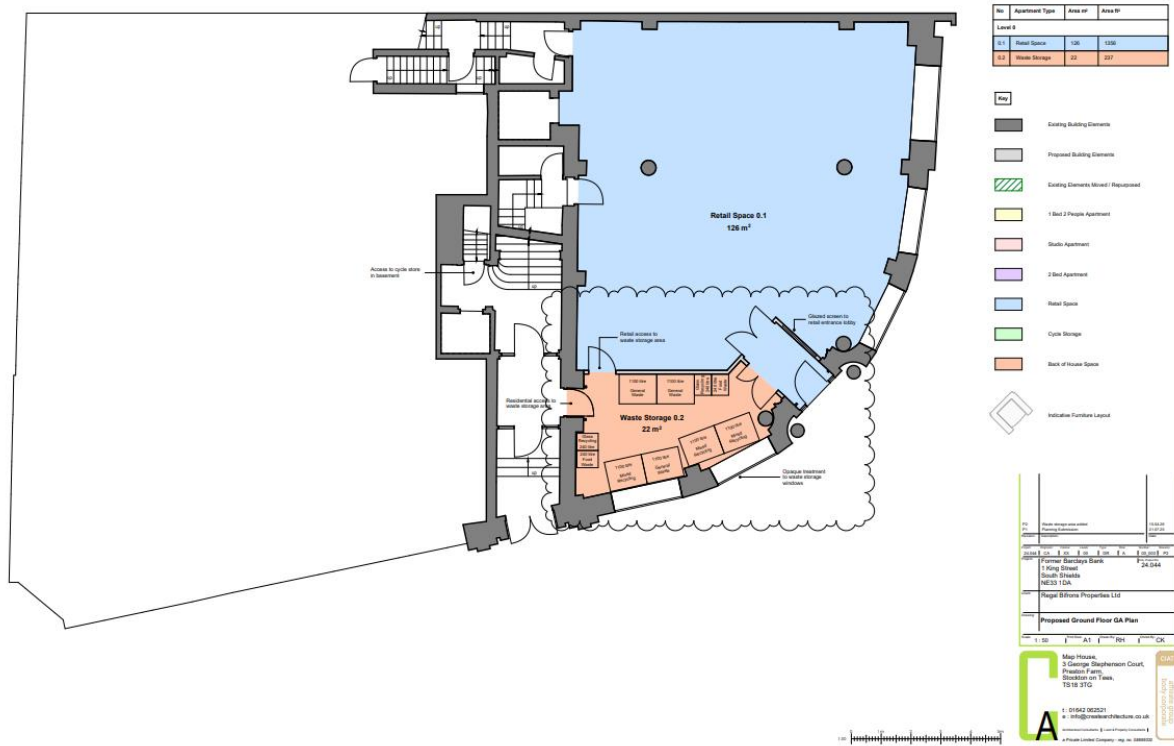


East Elevation - Proposed
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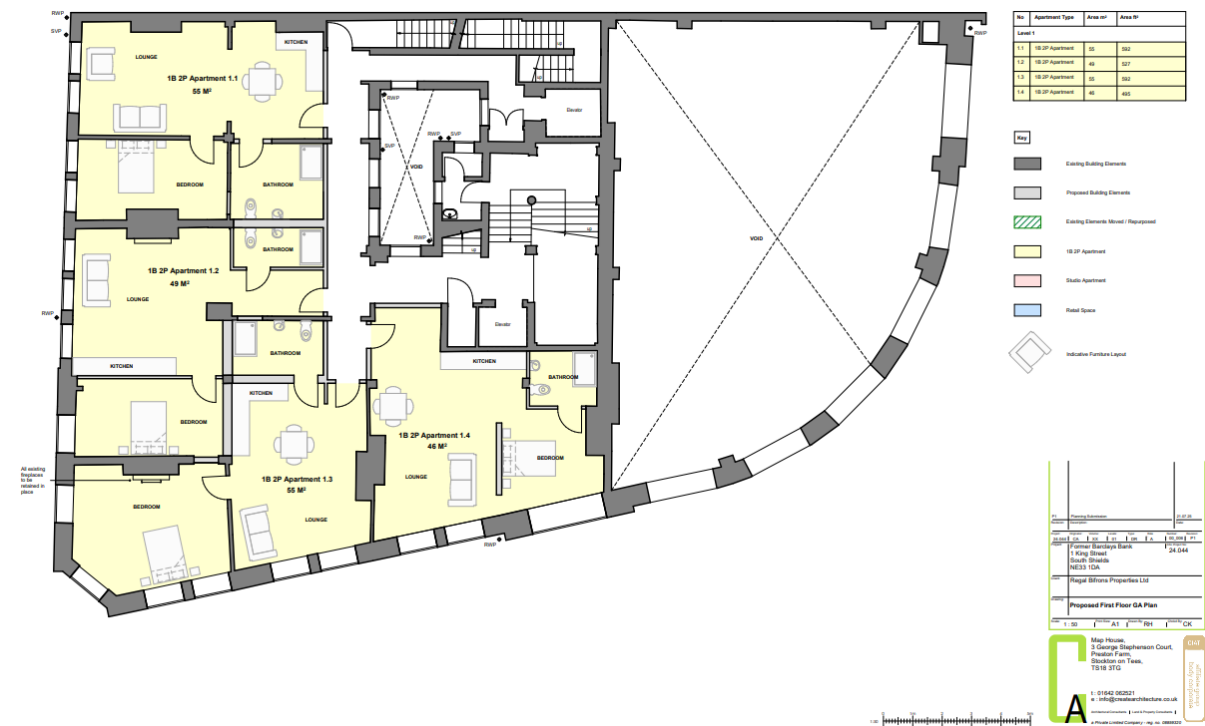
Plan 2 – Proposed Basement Plan



Plan 3 – Proposed Ground Floor Plan

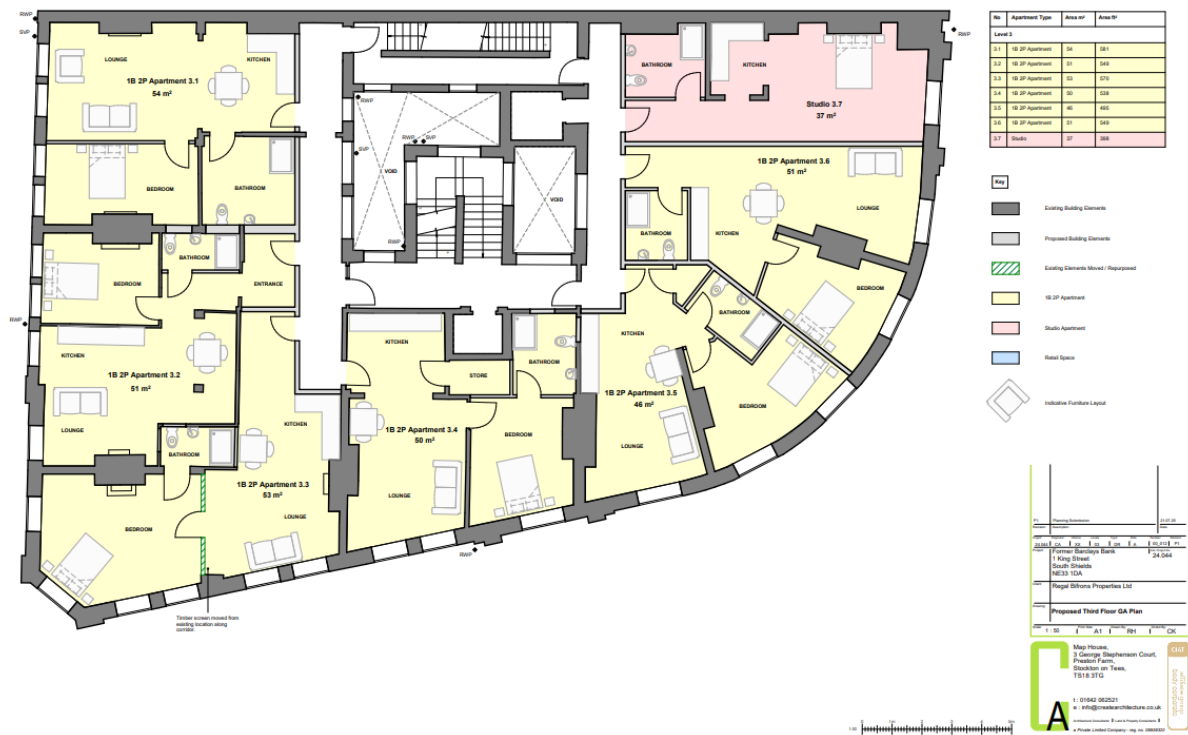


Plan 4 – Proposed First Floor Plan





Plan 6 – Proposed Third Floor Plan



Accommodation Schedule

No.	Apartment Type	Area m ²	Area ft ²
Level 4			
4.1	2 Bed Apartment	68	732
4.2	2 Bed Apartment	63	679

Key

- [Dark Grey Box] Existing Building Elements
- [Light Grey Box] Proposed Building Elements
- [Green Hatched Box] Existing Elements Moved / Reappointed
- [Yellow Box] 1 Bed 2 People Apartment
- [Pink Box] Studio Apartment
- [Purple Box] 2 Bed Apartment
- [Blue Box] Retail Space
- [Green Box] Cycle Storage
- [Orange Box] Bank of House Spine
- [Diamond Symbol] Indicative Furniture Layout

Proposed Fourth Floor GA Plan

Scale: 1:50 | A1 | R1 | OK

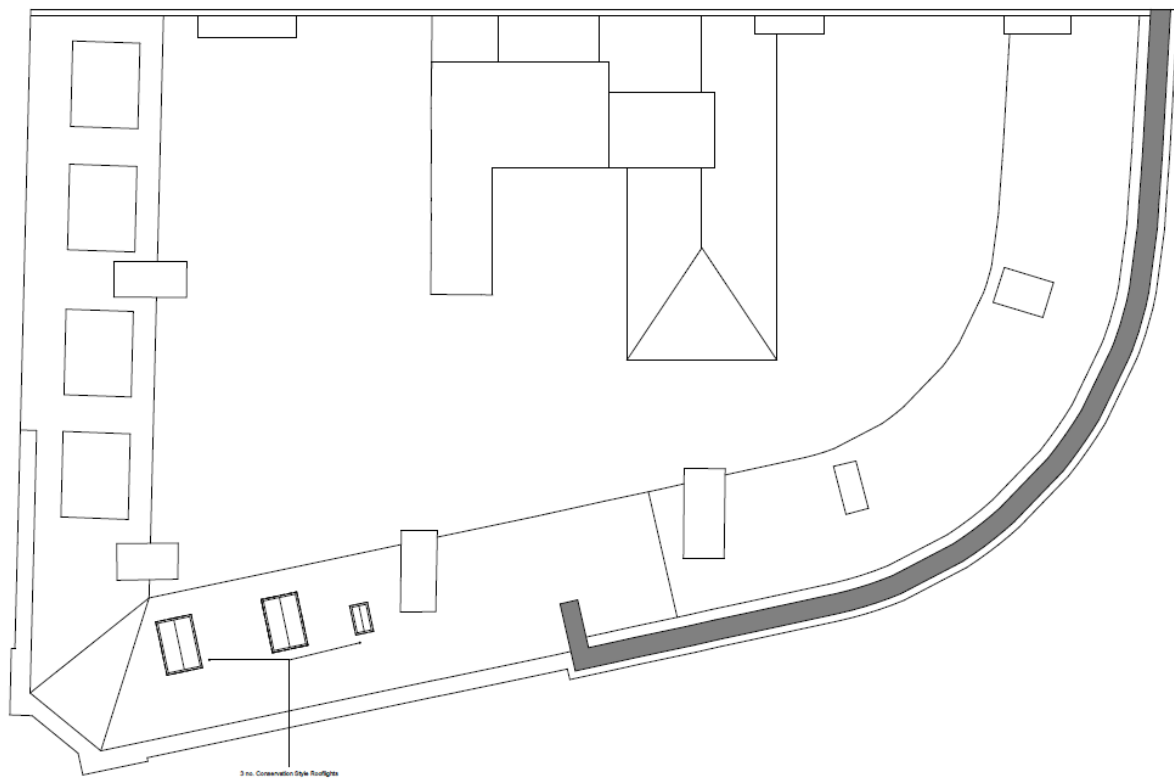
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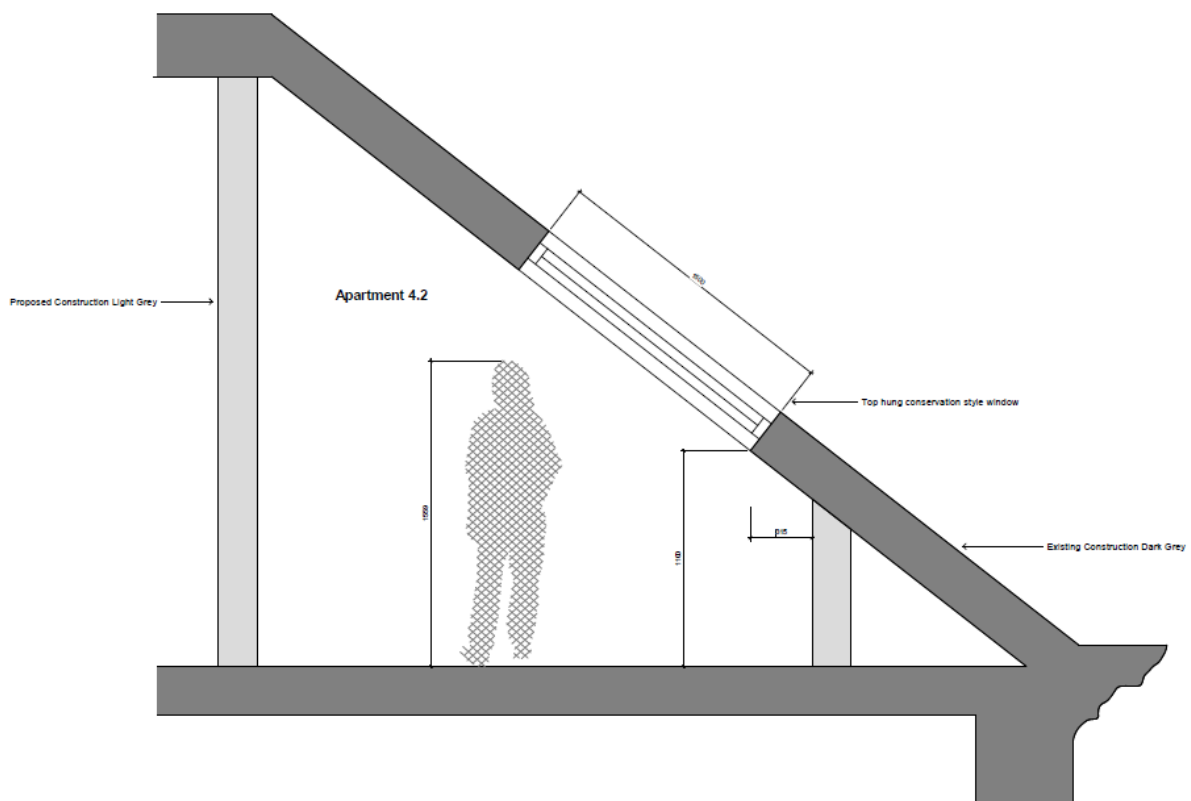
Approved by: [Signature]
 Approved by: [Signature]

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Plan 8 – Proposed Roof Plan



Plan 9 – Typical Roof Light Outlook



Typical Rooflight Outlook
1:10

Photograph 1



Photograph 2

