



Department
for Transport

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Your Ref:

Our Ref: NATTRAN/NE/S247/2431

Date: 26 June 2017

Dear Mr Quigley

TOWN AND COUNTRY PLANNING ACT 1990 – SECTION 247

**PROPOSED STOPPING UP OF HIGHWAY AT SOUTH SHIELDS TOWN CENTRE
REGENERATION, SOUTH SHIELDS, NE33 1BU
OS GRID REFERENCE: E:436399, N:567145**

SECRETARY OF STATE'S DECISION – ORDER TO BE MADE

1. In accordance with Section 247 of the Town and Country Planning Act 1990, the Secretary of State for Transport (the Secretary of State) has decided that the application made by JMP Consultants Ltd (the Applicant) for a stopping up Order (the Order), should be approved with modifications.

CONSIDERATIONS FOR DECISION

2. The application was referred to the Secretary of State for a decision as 5 non-statutory objections, remained outstanding. It was decided that a local Public Inquiry should be held for the purposes of hearing those objections on 13 December 2017 at Conference Room G33, One Trinity Green, Eldon Street, South Shields, Tyne and Wear, NE33 1SA before Bridget M Campbell BA(Hons) MRTPI an independent Inspector appointed by the Secretary of State.
3. The inquiry was held in conjunction with The Council of the Borough of South Tyneside (Barrington Street, Coronation Street, East Street, Keppel Street and King Street) Compulsory Purchase Order 2016. A separate decision letter will be issued by the Secretary of State for the Department of Communities and Local Government in relation to the Compulsory Purchase Order.
4. The Inspector considered all representations and objections about the Order during the Inquiry and has since submitted a report to the Secretary of State, a copy of which is

enclosed with this letter. The Secretary of State has given careful consideration to the Inspector's report and also to a number of other relevant issues, in reaching his final decision on this Order. Namely;

- Whether there is a valid planning permission
- Whether the area in question is public highway
- Whether the closure is necessary to allow development to take place in accordance with the planning permission
- Whether any disadvantages arising as a result of the stopping up outweigh the advantages of making the order

CONCLUSION

5. Overall, the Secretary of State is satisfied that the advantages of removing the highway rights, to enable the re-development of South Shields Town Centre, conferred by the Order, would outweigh the disadvantages which have been put forward by the objectors.
6. The Secretary of State notes the Inspector's conclusions and agrees with the recommendation that this Order be made with modifications. This is to enable the permitted development to be carried out, for which planning permission was granted by South Tyneside Council, under reference ST/0660/15/FUL and ST/0664/15/OUT.
7. The approved Order entitled "The Stopping up of Highways (North East) (No.24) Order 2017" will be issued under separate cover.
8. In making the Order, the Secretary of State has relied on the information that the parties have provided, as contained in the application and related plans, diagrams, statements and correspondence, as being factually correct.
9. A copy of this letter has been sent to the objectors. Copies will be placed on deposit for public inspection when the Order is advertised and copies will also be made available, on request, to any other persons directly concerned. Any person entitled to a copy of the Inspector's report may apply to the Secretary of State to view any document appended to this report. This must be done by writing to the above address within 6 weeks of receipt of this letter.
10. In accordance with section 287 of the Act, any person aggrieved by or desiring to question the validity of any provision within the Order, on the grounds that it is not within the powers of the above Act or that any requirement or regulation made has not been complied with, may within 6 weeks of when the Order is advertised, apply to the High Court for the suspension or quashing of the Order or of any provision included.

Yours sincerely,



DAVE CANDLISH

Authorised by the Secretary of State for Transport
to sign in that behalf