



South Tyneside Council

Reference:	250762
Location:	4 Beaufront Terrace South Shields NE33 5QE
Ward:	Simonside and Rekendyke
Description:	Change of use from C3 Dwellings to C4 HMO (6 persons)
Recommendation:	Refuse Permission
Case Officer:	Emma Thomas
Case Officer Contact No.:	0191 4247593 or 07741105284

Description of the Site

This application relates to a mid-terrace dwelling located along Beaufront Terrace. The terrace comprises 14 residential dwellings, several of which are currently occupied as HMOs or private rentals.

Chichester Metro Station is located to the front (east) of the property on the other side of the road and residential properties are located to the rear (west) of the property. To the south of the terrace is the Stagecoach bus depot and to the north of the terrace is Laygate Community School.

Description of the Proposal

This application seeks a change of use of an existing 4 bed residential dwelling (C3) to a 6 bed House in Multiple Occupation [HMO] (Sui Generis use).

The ground floor would contain 2 no. ensuite bedrooms and a shared kitchen utilising existing openings. The rear yard would be utilised for bin storage and covered, secure bicycle storage for 8 cycles

The first floor would contain 2no. ensuite bedrooms, a bathroom for bedroom 5 and a lounge area, using existing openings.

The second floor would be in the roof space of the building and would contain 2 bedrooms, with bedroom 6 hosting an ensuite. Bedroom 5's bathroom would be on the first floor. Both bedrooms would have 2 no. rooflights.

No external works are proposed other than the addition of a bin store and cycle spaces in the rear yard.

Relevant Planning History

The planning history of the site is as follows:

Ref - ST/1233/16/HFUL

Description - Single storey rear extension, loft conversion with 6no. velux windows. Front and side elevation alterations including new double bay sash windows to front and blocking up of existing side windows. Insertion of new entrance doors with sash windows above to side elevation.

Decision - Grant Permission Householder with Conditions

Decision Date - 28/02/2017

Summary of Consultation Responses

The following responses were received in response to the statutory consultation period which ended on 28/01/2026.

Environmental Health (HMO licencing)

This property will require an HMO licence. From the plans, all rooms sizes appear to meet the required space standard.

Highway Authority

Car Parking –

SPD6 Car Parking Standards for HMO schemes in urban areas stipulates 1 space per 5 units for residents, plus 1 space per 5 units for visitors. There appears to be no opportunities for in-curtilage car parking provision associated with the development, which would result in any related car parking requirements taking place on the public highway.

Given that the proposed HMO use parking requirements are similar or less than the previous C3 residential dwelling use, based on requirements of SPD6 for HMO use, the Highway Authority would have no objections to zero in-curtilage car parking provision associated with the application, with residents and visitors utilising off-site car parking opportunities, as would have been the arrangement for the previous uses of the site.

There is a residents parking permit scheme in place along the site frontage, extending in each direction. The applicant will need to apply for a permit associated with parking for the development, but which is likely to be restricted in number.

The location of the site is well placed being opposite the Chichester Metro Station, which will assist in encouraging use of the metro and less reliance on the car.

Cycle Parking -

Minimum cycle parking standards for HMO proposals in urban areas require 1 space per unit for residents, plus 1 space per 5 units for visitors. In-curtilage cycle parking identified within the submission shows provision for the parking of 8 bikes on site, which complies with SPD6 Parking Standards (Cycles).

Any related cycle parking condition imposed on the planning consent should include that the provision is sheltered and secure, and for the retention of the cycle parking bays in-curtilage to encourage sustainable travel options.

Refuse Storage & Collection -

Refuse storage is shown within the site curtilage, which is acceptable.

Housing Strategy

I don't foresee anything around the conversion itself in terms of the physical side of things but I would also like to see some information on the management side of things;

- Is the HMO to be managed by a Letting / Management Agent or directly by a company / organisation?
- Does the person(s) managing / owning have experience of managing these type of properties elsewhere?
- Who are they aiming the rooms at?
- How they will manage any disruption caused in terms of ASB?
- Is there a management plan for the day to day running of the properties / residents? Will there be onsite day-to-day management?
- Will the owners / management be willing to work with Environmental Health and ASB Teams within the Council on any issues moving forward?

Housing Strategy, and the wider Council, understands the need for a diverse housing choice in the borough, which includes HMOs. It is, however, important to note that given the problems we have experienced in the past with this type of housing, that the owners / management understand the importance of having plans in place for the day to day management of both properties and residents.

Northumbria Police

Northumbria Police are concerned with the number of HMO applications for the South Tyneside area and the impact that they could have on local amenity and demand on services.

Northumbria Police understand the need for such developments but this should not come at the cost of family homes in the South Tyneside area.

From the supplied plans the size of the rooms on the ground and first floors are above the minimum even for dual occupancy, but the second floor plans show the size but does not show the break down of the area which is below the 1.5m from the roof slant and how much this affects the usable space in these rooms. Can we request that this is plans are revised to show the usable square meter size with the roof space rooms 5 and 6.

Until these plans are refined and the provided Northumbria Police will be objecting to the application under The Prescribed Description Order 2018 also deals with the passporting of licences granted under additional and selective licensing schemes into the mandatory licensing regime. This is covered in more detail in chapter 2.

A second statutory instrument, the Licensing of Houses in Multiple Occupation (Mandatory Conditions of Licences) (England) Regulations 2018 ('the Mandatory Conditions Regulations 2018') amends Schedule 4 of the Act, introducing new conditions that must be included in licences that have been granted under Part 2 of the Act. These are:

- mandatory national minimum sleeping room sizes; and
- waste disposal provision requirements

The minimum sleeping room floor area sizes (subject to the measurement restrictions detailed in the paragraphs below) to be imposed as conditions of Part 2 licences are:

- 6.51 m² for one person over 10 years of age
- 10.22 m² for two persons over 10 years
- 4.64 m² for one child under the age of 10 years

It will also be a mandatory condition that any room of less than 4.64 m² may not be used as sleeping accommodation and the landlord will need to notify the local housing authority of any room in the HMO with a floor area of less than 4.64 m².

The measurement is one of wall to wall floor area where the ceiling height is greater than 1.5m. No part of a room should be included in the measurement where the ceiling height is less than 1.5m.

Can we please request that any decision on the application is deferred until the request for amended plans are provided.

Community Safety Team

In terms of crime and disorder risk minimisation, we would feel more reassured if a robust management plan was in place and submitted with this planning application covering the following points;

- The property must be continually covered by fully monitored CCTV cameras monitoring the front and rear doors so that all coming and goings are observed.
- Residents are to be signed up with an Excluded License to Occupy, which includes clauses related to their behaviour such as; Ensuring they are responsible for the conduct of their guests who are generally not to be left unaccompanied.
- Not to allow visitors to cause a nuisance or annoyance to neighbours.
- Not to allow visitors to commit any form of harassment or commit an act which may interfere with the peace and comfort of residents, visitors or neighbours.
- Not to play loud music or use any equipment causing a nuisance to another resident or persons in the neighbourhood. In short there must be specific house rules that cover the topics outlined above.

Additionally, the Landlord must;

- Have a robust Anti-Social Behaviour Procedure, which sets out an escalating series of warning and behaviour agreements until finally a resident runs the risk of having a notice served on them and their licence revoked resulting in their immediate removal from the Property.
- If residents breach their license conditions and cause nuisance to other residents or neighbours the landlord will ask them to leave
- In cases of violence or threats of violence to other residents at the Property or to surrounding neighbours the landlord will ask the resident to leave immediately without notice.

Summary of Representations

7 no. representations have been received in objection to the proposal. The issues raised are summarised as follows

- Overconcentration of HMOs already on the street / area.
- The property has already been converted internally and appears to be in use as a HMO.
- Undermine the character, stability, and liveability of the local community.
- Concerns over anti-social behaviour from occupants living in HMO property as this already happens from a nearby HMO.
- Increase in antisocial behaviour in and around Chichester Metro Station, outside the Chichester Arms, and in surrounding streets. The further introduction of an HMO on

Beaufront Terrace is likely to exacerbate these issues, increasing noise, disturbance, and negatively affecting residents' sense of safety and wellbeing.

- Lack of parking in the area – already extremely limited for existing residents. The introduction of a HMO would further pressure the parking provisions.
- Road safety concerns - Parking and exiting the street can become very difficult and congested during peak time. The issuing of a HMO license will further exasperate the problem.
- Fly tipping is a persistent ongoing problem in the alleyways behind Beaufront Terrace. An increase in the number of occupants associated with another HMO is likely to worsen this issue and place additional strain on local waste management and enforcement resources.
- Works began in March 2025 without planning permission. Approving this application would legitimise retrospective development and fundamentally undermine the purpose of Article 4 controls.

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 Local Development Framework (LDF) development plan documents. Those LDF documents of relevance to this application comprise of the Core Strategy 2007 (CS), and a Development Management Policies Development Plan Document (DPD) 2011.

The following LDF policies are relevant to this planning application:

- A1 – Improving Accessibility (CS)
- ST1 - Spatial Strategy for South Tyneside (CS)
- ST2 - Sustainable Urban Living (CS)
- SC1- Creating Sustainable Urban Areas (CS)
- SC3 - Sustainable Housing Provision (CS)
- SC4 - Housing Needs, Mix and Affordability (CS)
- EA3 – Biodiversity and Geodiversity (CS)
- EA5 – Environmental Protection (CS)
- DM1 - Management of Development (A, B, and G) (DMP)
- DM4 - Intensive Housing Uses (DMP)
- DM7 - Biodiversity and Geodiversity Sites(DMP)

The following Council planning guidance documents are also relevant to this planning application:

- SPD6 - Parking Standards
- SPD9 - Householder Developments
- SPD23 Interim - Mitigation Strategy for European Sites (Recreational Pressure from Residential Development)

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 is now progressing towards Main Modifications consultation following receipt of the Inspectors post-hearing letter.

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).

Whilst the draft Local Plan is now at a more 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):

- Policy SP1: Presumption in favour of Sustainable Development (limited)
- Policy 1: Promoting Healthy Communities (limited)
- Policy 3: Pollution (significant)
- Policy SP16: Housing Supply and Delivery (very limited)
- Policy 16: Houses in Multiple Occupation (limited)
- Policy SP21: Natural Environment (significant)
- Policy 35: Delivering Biodiversity Net Gain (limited)
- Policy 47: Design Principles (limited)
- Policy SP26: Delivering Sustainable Transport (very limited)

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:

- NPPF tilted planning balance;
- Principle of change of use / residential amenity;
- Impact on visual amenity;
- Crime and anti-social behaviour and the fear of crime;
- HRA and biodiversity net gain;
- Highway safety;
- Drainage and flood risk;
- Other matters

NPPF Tilted Planning Balance -

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.'

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.

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.

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.

In relation to limb (i) it is the Footnote 7 references to "Habitat Sites" (and in relation to Habitat Regulations Assessments) that applies to the application / proposal.

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.

Principle of Change of Use / Residential Amenity/Impact on character of the area -

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, and that the needs of groups with specific housing requirements are addressed.

Policy SC1 of the Core Strategy seeks to deliver sustainable communities by focusing and promoting development proposals within the built-up areas. The application site is located within a built-up area and as such the proposal would accord with LDF Policy SC1.

Policy SC3 of the Core Strategy supports the delivery of sustainable housing provision. This will be achieved by a combination of site allocations within Area Action Plans and the Site-Specific Allocations document, as well as 'windfall' developments on previously developed land.

NPPF paragraph 135(f) states that planning policies and decision should ensure that developments create places which promote health and wellbeing, with a high standard of amenity for existing and future users.

Policy DM1 (B) requires a development to be acceptable in relation to any impact on residential amenity.

A "smaller HMO" is a C4 class use, defined within the Use Classes Order 1987 (as amended) as the "Use of a dwellinghouse by not more than six residents as a "house in multiple occupation".

Consequently, the assessment of the application against Policy DM4 is not considered appropriate as it relates specifically to larger HMOs, unlike the application proposal which is for a smaller HMO for occupation by up to 6 residents.

The site constitutes previously developed land and is located within a built-up area. Both the LDF (in terms of policy SC1) and NPPF support the re-development of such sites. It is also considered to be located within a sustainable location, close to Chichester Metro and the bus stops on Dean Road and Chichester Road.

The Emerging Local Plan Policies carry limited weight in the decision-making process, however Policy 16: Houses in Multiple Occupation is of relevance to this application. This emerging Policy seeks to give greater control on the location of HMOs and states that *'applications for HMOs will be permitted where;*

- 1) the building is suitable for the number of proposed units and the accommodation provides a good standard of living space and amenity for the occupiers;*
- 2) the proposal would not result in an over concentration of HMOs within one area of the borough, or lead to HMOs becoming the dominant dwelling type, or adversely impact on the functionality and characteristics for the area;*
- 3) the proposal does not result in any residential property (C3) being directly sandwiched between two HMOs on both sides;*
- 4) the proposal would not have a detrimental impact on the amenities of surrounding properties by causing excessive noise or disturbance and 5) the proposal would provide adequate provision for parking, servicing, refuse and recycling.'*

The emerging Local Plan policy is supported by the Houses in Multiple Occupation Topic Paper (2024).

Objectors have stated that the proposal would not be in keeping with the character of the street or surrounding area. Comments have also been made that there are too many HMO's in the immediate area around the application site. Beaufront Terrace is a street of predominantly single householder family housing, consisting of terraced dwellings.

In its existing form, the dwellinghouse has 4 bedrooms. It could therefore be used to accommodate a reasonably large family that could consist of several people (of various ages).

It is proposed that up to 6no. people could live at the property in 6no. bedrooms as stated on the application form. There would be a communal kitchen and living room facilities on the ground floor with ensuite bedrooms across the ground and first floor. The proposed bedrooms are considered to be of an adequate size to provide suitable accommodation for future occupiers, all of which would meet the size requirements for an HMO licence. Outlook for the bedrooms would utilise existing window openings and is considered acceptable.

In respect of the impact on the amenity of nearby residents, the character of the area and concerns relating to the increase in the number of HMO's, it is noted that the area around the application site is predominantly occupied by terraced dwellings. With regard to the cumulative impact of HMO proposals, emerging Local Plan Policy 16 makes reference to whether the

proposal would result in an over concentration of HMOs within one area, or lead to HMOs becoming the dominant dwelling type, or adversely impact on the functionality and characteristics for the area.

Within Beaufront Terrace itself, there are a number of properties within very close proximity to no. 4 which are being used as HMOs – no. 5, 6 and 7. No. 5 has been in use as a HMO since October 2020 and the HMO license expired October 2025. No. 6 is listed on the HMO register with the current HMO license ranging from May 2023 to May 2028. No.7 has held a HMO license since February 2015 but expired in 2025 and it is believed they may still be operating but with fewer people than requires a licence (up to 4 people). No. 3 is also advertised online for short term holiday/contractor rental which would fall within the lawful C3 use class. Regardless of whether they are currently licensed or not, nos. 5,6 and 7 are very close to one another and can be lawfully used in terms of the planning legislation as C4 HMOs and the proposed HMO at no. 4 would add a further HMO along this terrace resulting in 4 HMOs in a row on the street in very close proximity to one another and neighbouring single family dwellings.

It is also important to note that there may be smaller lawful C4 HMO's occupied by up to 4 people in the area which were occupied and in use prior to the Article 4 Direction and are not subject to mandatory licensing and where the Council would have no record of these smaller HMO's.

It is considered that the proposal would, therefore, result in an over-concentration of HMOs within Beaufront Terrace. As outlined in Local Plan Policy 16, this application should only be permitted if the proposal would not result in an overconcentration of HMOs within one area, and in this case, approving this application would result in this particular area of the street becoming overly dominated by HMOs as the dwelling type, and adversely impact on the character of the local area and the amenity of nearby residents as a result of increased comings and goings arising within the immediate locality as a result of the cumulative impact of a sizeable number of HMOs.

For the reasons given above and on balance and having consideration to the concerns raised, it is considered that the proposed additional HMO would result in an overall level / intensity of occupation among the 4 HMOs that would be cumulatively and materially harmful to the amenity of the occupiers of the remaining single family household (C3 use) properties in the street. This is contrary to policies DM1(B) of the South Tyneside Local Development Framework and Policy 16: Houses in Multiple Occupation of the Emerging Local Plan.

Impact on Visual Amenity -

The NPPF (para. 131) states that the creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve, and; that good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.

Externally, the only alterations that are proposed to facilitate the change of use to an HMO are rooflights to both the front and rear roof pitches and no other alterations are proposed to the property. However, to the rear yard, secure cycle storage is proposed along with an area for bin storage. The rear yard is not visible from any public vantage points and, as such, would not have a visually detrimental impact upon the surrounding area. Therefore, 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 and the Fear of Crime -

Paragraph 135(f) of the NPPF states that decisions should create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.

Policy ST2 (F) requires high quality in sustainable urban living by ensuring that the need to design out crime and eliminate the fear of crime has been addressed.

Objectors have raised concerns about antisocial behaviour in the area and the potential for HMO residents to exacerbate the situation. The Council's Community Safety Team, and Northumbria Police have suggested that further work is progressed regarding proposed tenant management arrangements in respect of the HMO.

Whilst the concerns in representations received from neighbours and consultees are noted, the planning system is concerned with land use in the public interest, rather than the individual users of that land use. It is, therefore, considered that it is not for the planning system, or the decision-making process on this planning application for an HMO of the scale proposed, to pick up and deal with the day-to-day operational matters and management associated with the proposed HMO use (or its tenants, and who those tenants might be). Those responsibilities ultimately rest with the operator of the HMO. This has relevance in the context of the various representations about impacts arising from potential occupants of HMOs and in relation to the consideration of residential amenity, anti-social behaviour, or fear of crime.

Whilst these responsibilities ultimately rest with the operator of the HMO, it is specifically noted that HMO Licensing would also apply to this proposal. Any such licence would (if granted) place obligations on the license holder to (amongst other things) maintain the property and to manage their tenants; and, furthermore, it would specify the occupancy level for each bedroom. It is, however, still considered appropriate in this particular instance (and on balance) to condition the occupancy of to a maximum of 6 people as per the submission and as recommended by Northumbria Police in their consultation response.

It is considered that matters of day-to-day management of tenants would be most appropriately addressed through the Council's HMO licensing regime and by the landowner and there is no evidence that an authorised HMO operating from this property within the remit of the Council's HMO licensing regime would generate harmful levels of crime and anti-social behaviour. The concerns of objectors relating to the fear of crime have also been assessed by officers but again it is considered that the licensing regime would provide safeguards against crime and anti-social behaviour with both the Council and the Police having powers that could be used to address any issues in this regard should they arise. It is not considered reasonable to refuse planning permission for these reasons.

Whilst residents' concerns are noted, there is insufficient evidence that an HMO use would increase antisocial behaviour or levels of crime in the locality, and it is therefore not considered reasonable to refuse the application for these reasons.

Furthermore, no evidence has been presented that existing crimes reported in the locality are directly linked to HMO occupiers.

Having regard to the above, it is considered that the proposed development would be acceptable in planning terms in respect of the matters of crime and anti-social behaviour and in light of this it is likewise not considered that a refusal would be justified on the grounds of fear of crime. The proposal would, therefore, comply with LDF Policy ST2 (F) in this regard.

HRA and Biodiversity Net Gain -

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), Habitats Regulations Assessment [HRA] pursuant to The Conservation of Habitats and Species Regulations 2017 is a consideration. The Appropriate Assessment undertaken has concluded that the proposal is compliant with these Regulations having regard to the Interim HRA and SPD23. The proposal is therefore considered to accord with the NPPF in relation to these designated “habitat sites” and, as such, there is no strong reason to refuse it in the context of NPPF paragraph 11 d(i) and its footnote 7.

In terms of Biodiversity Net Gain, the proposed development would impact less than 25 square metres of on-site habitat. This would fall under the de-minimus exemption under the Biodiversity Gain Requirements (Exemptions) Regulation 2024 and, therefore, the proposal would be exempt from having to provide for mandatory 10% BNG.

Therefore, based on the above, the development would be in accordance with Policy EA3 of the LDF Core Strategy and the NPPF with respect to ecology.

Impact on Highway Safety -

STC Policy A1 Improving Accessibility seeks to support public transport, cycling and walking by ensuring that new developments are easily accessible. Parking standards will apply to new development, as set out in SPD6.

Policy DM1 (G, H and I) Management of Development, seeks to ensure acceptable impact (or mitigation) of developments in relation to highway capacity and safety, that convenient and safe routes are facilitated, and the needs of all users are considered.

SPD6 Parking Standards - sets out the parking standards used in assessing proposals for new development.

Comments have been received that the proposal would lead to an increase in parking issues in the area.

SPD6 Car Parking Standards for HMO schemes in urban areas require 1 space per 5 units for residents, plus 1 space per 5 units for visitors. There appears to be no opportunities for usable in-curtilage car parking provision associated with the development, which would result in any related car parking requirements having to be accommodated on the highway in the vicinity of the site.

It is noted that the Highway Authority considers the proposed use would likely generate less parking requirements than the existing use. Given that the HMO use is likely to generate similar or less traffic than the established C3 residential use, the Highway Authority has no objections to the absence of in-curtilage car parking provision associated with the proposal, with residents utilising off-site car parking opportunities, as would have been the arrangement for the existing use of the site. No adverse impact of parking on the public highway is envisaged because of the development. There is a residents parking permit scheme in place along the site frontage, extending in each direction and a parking permit would need to be applied for with parking for the development, but which is likely to be restricted in number.

However, this application site and proposal (as mentioned previously) would be located within a sustainable location with a number of amenities within walking distance and there are several public transport links within a reasonable walking distance of the property. The property is located a 5-minute walk from the bus stops on Dean Road and Chichester Road

and a 10 minute walk from Chichester Metro Station (with services to Sunderland and Newcastle every 12 minutes). It is therefore considered that the shortfall in on-site parking is acceptable.

In terms of cycle parking, minimum cycle parking standards for HMO proposals in urban areas require 1 space per unit for residents, plus 1 space per 5 units for visitors. In-curtilage cycle parking identified within the submission shows capacity for 8 bikes, which accommodates residents and visitor provision and meets SPD cycle parking standards. The Highway Authority has confirmed that the proposal cycle parking provision meets the requirements of SPD6.

Refuse storage is proposed in the rear yard and would therefore be stored clear of the highway and within the site. The proposed HMO would house a maximum of 6 persons, and therefore 1x 240 litre recycling wheeled bin and 1x 240 litre domestic waste wheeled bin would be required as set out in the Landlords Guide to Standards for Houses in Multiple Occupation by the Council's HMO licensing team (2025). Waste storage would be provided to the yard to the rear of the property in accordance with this requirement as shown on the proposed plans.

Secure provision of the cycle parking and refuse storage in the rear yard area could be secured by means of a planning condition.

Having regard to the above, the proposal is considered to accord with LDF Policies A1, and DM1 (G, H and I)

Drainage and Flood Risk -

In terms of drainage, the proposed development would utilise existing connections at the property. In terms of flood risk, the site is considered to be at very low risk of flooding from surface water, identified in the Environment Agency's flood risk maps as lying within Flood Zone 1. As such, the proposal is considered to be in accordance with LDF Policy DM1 (M) in this regard.

Other Matters -

Comment has been made that the application is retrospective. It is noted that works to facilitate the change of use have been undertaken but this was prior to the introduction of the Article 4 Direction when planning permission from the Council would not have been required for this small HMO use. Notwithstanding this, in advance of such a use commencing, the carrying out in and of themselves of the internal alterations referenced in this application would in terms of the planning legislation not constitute development that requires planning permission. The use of the property as a C4 HMO has not commenced and therefore no planning breach exists at present.

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.

Conclusion -

Paragraph 11 (d) i) of the NPPF is applicable to this application and sets out that permission should be granted unless the application of policies in the NPPF that protect areas or assets of particular importance [those relating to Habitats Sites in this instance], provide a strong reason for refusing the development. It is not considered this matter provides a strong reason for refusal.

The proposal would make a positive contribution to housing delivery and supply with associated social and economic benefits during the period of construction and once the rooms are occupied. However, the contribution of such HMO accommodation to meeting housing need in South Tyneside through a more efficient use of land in an urban area and the associated benefits are limited by the scale of development proposed.

The proposal is not considered to have a detrimental impact in terms of visual amenity, ecological impacts, or in terms of crime and anti- social behaviour.

The proposal is considered to result in an over-concentration of HMOs within Beaufront Terrace. In turn, this would have an unacceptable adverse impact on the living conditions of surrounding local residents. This is contrary to policies DM1(B) of the South Tyneside Local Development Framework and Policy 16: Houses in Multiple Occupation of the Emerging Local Plan.

In the particular circumstances of this case, it is considered that these adverse impacts would significantly and demonstrably outweigh the benefits when assessed against the policies of the NPPF as a whole.

Recommendation

Refuse Permission

1. The application property is situated in a locality comprised of predominantly single household family housing. Having regard to this, the presence of three existing Houses in Multiple Occupation (HMOs) within Beaufront Terrace and the close proximity of the application property to neighbouring dwellings, it is considered in terms of cumulative impact that the increased comings and goings from residents, visitors and deliveries and the increased level of activity within the application site itself arising from this HMO use taken together with activity generated by existing HMOs in the vicinity would be harmful to the residential amenity of neighbouring occupiers and the character of the locality. This would be contrary to Policy DM1 of the South Tyneside Local Development Framework, Policy 16 of the South Tyneside Publication Draft Local Plan and paragraph 135(f) of the NPPF.

List of plans etc. for standard note on decision

Plan Reference

Existing and Proposed Site Plans and Location Plan Drg No.01 Rev A received 12/12/2025;
Existing and Proposed Floor Plans Drg No.02 Rev C received 04/03/2026;
Second Floor Plan and Section Drg No. 03 Rev A received 04/03/2026.

Case officer: Emma Thomas

Signed: *E. Thomas*
Date: 27/03/2026

Authorised Signatory: G.Horsman
Date: 09/04/2026