



South Tyneside Council

Reference:	250764
Location:	21-22 West Park Road South Shields NE33 4LB
Ward:	West Park
Description:	Change of use from C3 Dwellings to C4 HMO (6 persons)
Recommendation:	Grant Permission with Conditions
Case Officer:	Emma Thomas
Case Officer Contact No.:	0191 4247593 or 07741105284

Description of the Site

This application relates to an end-terrace dwelling located on the corner of West Park Road and Pembroke Terrace. The site is located within a residential area of South Shields. No. 23 Pembroke Terrace is attached to the applicant property to the rear (north), no. 19-20 West Park Road is the attached property to the side (east) and to the west on the other side of Pembroke Terrace is no. 22-23 West Park Road. To the front of the property is West Park.

Description of the Proposal

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

No external works are proposed other than the addition of a bin store and cycle spaces in the rear yard. Internally, the existing rooms would be reconfigured 6 bedrooms, all with en-suites, and a kitchen/ dining room and a lounge on the ground floor.

Relevant Planning History

The planning history of the site is as follows:

Ref - ST/0822/17/HFUL

Description - Loft conversion creating two en-suite bedrooms with dormer windows to front and rear elevations

Decision - Refuse Householder Permission (The proposed front dormer extensions would result in a development that would be damaging to the character of the property, the street scene, and the visual amenity of the area).

Decision Date - 08/12/2017

Summary of Consultation Responses

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

No response received.

Northumbria Police

Northumbria Police have concerns with regard to the number of HMO applications in the South Tyneside area, and the reduction of the number of family homes available.

We would recommend that the development is single occupancy for the rooms and let to same sex occupants to reduce as much as possible any VAWG incidents (Violence against Women and Girls). We recommend this under NPPF section 96 (C) and 135 (F), to promote an healthy and safe environment in the development.

Having reviewed the provided the proposed dwelling has large rooms but little communal area, which may increase the likelihood of inter resident issues and apart from the kitchen there is no neutral space within the dwelling for social interaction.

We have concerns that the increase in the number of strangers residing in the new development has the potential to cause an increased demand on the local services including the police with regard to inter resident conflict as well as domestic abuse, this is why we

have mentioned the VAWG in our reply and hope that this is considered in the approval or refusal for the application.

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

The application has been publicised by means of letters of notification to neighbouring properties and 1 no. site notice was displayed adjacent to the premises along West Park Road.

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

- Unacceptable impact on the residential area - The proposed 6- bedroom HMO will lead to 24/7 comings and goings, increasing noise to a residential street due to the number of occupants living there.
- Lower the tone of the area.
- Concerned about the safety of children who walk past the property to go to school, the property is opposite the park with children's playground and there's a nursery at the bottom of the street.
- Building work/modifications began in October 2024 but the application was submitted in December 2025. Surely planning permission should be acquired prior to this work being carried out or where would that leave the developers should permission be granted?
- Depreciate the house prices in the area.
- Concerns over sufficient car parking in the area and increased traffic.

- Concerns over the occupants of the HMO.
- Conflicts with South Tyneside Local Plan – Policy 16: Houses in Multiple Occupation
The proposed HMO, in this residential neighbourhood, would significantly increase occupancy intensity, with an unacceptable shift away from the established family housing character. The property overlooks a children’s play park and is surrounded by family homes, schools and nurseries – an environment that is unsuitable for the high turnover and occupancy levels associated with HMOs.
- An unwarranted conversion to an HMO would be contrary to Local Plan Policy 19 objective by putting undue strain on local services and altering the housing mix in a way that is not supported by the Local Plan evidence base.

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 2011 (DMP).

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 subject to 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 dependent upon the extent and nature of objections to those Policies. In this regard, it is considered that certain significant weight in assessing this planning application. 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 development
- Impact on visual amenity
- Impact on residential amenity
- Crime and anti-social behaviour and the fear of crime
- HRA and biodiversity net gain
- Highway safety
- Drainage and flood risk
- Conditions
- 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 Development -

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. The NPPF (at Paragraph 73(d)) positively supports the development of windfall sites such as this for new housing, as would the LDF in terms of policies ST1 and SC1.

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.

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.

For the purposes of this planning assessment, an HMO can represent providing someone with a home and a place to live. As an HMO use is essentially residential in nature, it is not, as a matter of general planning land use principles, considered to be an inappropriate use within a largely residential setting.

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 Stanhope Road.

In respect of 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 a mix of Tyneside flats and terraced dwellings. With regard to the cumulative impact of HMO proposals, emerging Local Plan Policy 16 makes reference to any individual dwelling not being 'sandwiched' between two HMOs on both sides and to the number of HMO dwellings not exceeding 10% of the total number of properties within 100 metres of an application site within the Lawe Top Article 4 Direction area. Whilst this Policy can only be given limited weight at this time (and the 10% criteria applies to the Lawe Top Article 4 Direction area and so wouldn't apply in this area) it does give an indication as to the tipping point at which the number of HMOs within an area may not be acceptable in terms of cumulative impact. A search of the HMO register reveals that the nearest existing HMOs comprise a 6 bedroom HMO at 230 Dean Road (approximately 330 metres north west of the application site), a 15 bedroom HMO at 257 Stanhope Road (approximately 400 metres south of the application site), and a 5-bedroom HMO at 257 Stanhope Road (approximately 800 metres to the south).

It is also important to note that smaller HMO's of up to 4 people (from two or more unrelated households) in a property that are sharing facilities (normally bathing and kitchen facilities) would still be a C4 HMO but it would not be licensable and, as such, the Council would have no record of these smaller HMO's. Having regard to all of the above, it is not considered that the proposed HMO would be unacceptable in terms of cumulative impact considerations.

Whilst the concerns of residents are noted, it is considered that the loss of 1no. C3 dwelling would not result in significant harm to the housing mix and availability of dwellings in the area. Indeed, it is considered that the addition of the proposed HMO would result in a more varied mix of housing provision in an area that would assist with meeting particular housing needs. It is not considered that granting the proposed use would materially conflict with and undermine the immediate areas overall general character.

It is, therefore, considered, notwithstanding the objections received, that the proposed use would be acceptable in principle in this location and in accordance with LDF Policies ST2 (F) SC1, and DM1 (A).

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 no alterations are proposed to the property to facilitate the change of use to an HMO. 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.

Impact on Residential Amenity -

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.

Policy EA5 (A) requires the council to reduce levels of pollution and nuisance throughout the Borough.

Comments have been received that the proposed HMO would lead to an increase in noise and disturbance to neighbouring occupiers.

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. There would be some overlooking from the rear window of bedroom 4 into the rear yard of no. 23 Pembroke Terrace, however, bedroom 4 is an existing bedroom window within the residential property. It is therefore not considered sufficiently substantial as to warrant refusal of the application.

The proposed use would be residential in nature and would be located adjacent to other residential properties. Residents have raised objections to the application on the basis that it would lower the tone of the area with an unacceptable shift away from the established family housing character. The existing dwelling has 4no. bedrooms which would be considered suitable for a larger family of around 6 related persons.

Furthermore, there are several pairs of Tyneside flats in the vicinity, and it is considered that the proposed maximum number of occupants (6) would be broadly similar also to the number of occupants in such a pair of flats.

The proposed use of the property as an HMO with a maximum of 6 occupiers would not be materially dissimilar to that of a family dwelling or a pair of Tyneside flats. The pattern of movement within the dwelling and to and from the dwelling may be different owing to the individual lives being led rather than a family unit, but this would not, it is considered, be of a such magnitude so as to cause substantial harm. As stated above, it is not considered that significant harm arises in terms of cumulative impact having regard to the distance of other existing HMOs from the application site.

It is considered that given the nature of the area and the fact that the property has been used as a 4 bedroom dwelling, there would be no significant harm to the residential amenity of neighbouring occupiers of the proposed development from external factors as to warrant refusal. Issues of anti-social behaviour and crime are considered later within the report.

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. This will be conditioned.

Objectors have stated that the property is on the main thoroughfare for children walking to school / college. The site is located over 244 metres from the nearest nursery (West Park Kindergarten), 489 metres from the nearest primary school (Stanhope Primary School) and 350 metres from the nearest college (Mortimer Community College). It is not considered that the proposed residential use would be incompatible with the mixed-use nature of the area.

Notwithstanding the objections and having regard to the above, it is considered that the proposals are acceptable in terms of their impact on residential amenity. 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 the residential amenity of residents in the surrounding locality. Conditions are proposed to restrict the number of occupants to 6 people, as set out within the submitted application form and to secure refuse storage. Overall, the proposal is considered to accord with LDF Policies DM1(B) and EA5(A) and emerging Local Plan Policies 1, 3 and 16 with regard to residential amenity issues.

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.

As set out earlier in this report and for the purposes of this planning assessment, an HMO can represent providing someone with a home and a place to live. As an HMO use is essentially residential in nature, it is not, as a matter of general planning land use principles, considered to be an inappropriate use within a mixed-use area such as this.

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.

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. Furthermore, it is not considered that there is a proliferation of HMOs within the immediate locality surrounding the proposal that would result in it being unacceptable due to cumulative impacts related to residential amenity or community safety.

It is considered that there would be adequate indoor and outdoor space for tenants in terms of amenity and outlook from bedrooms within the application site and it is considered that it is not for the planning system, or the decision-making process on this planning application, to consider the day-to-day operational matters and management associated with the proposed HMO use (or its tenants).

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 the HMO element to a maximum of six people.

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, as noted above, there are no licenced HMO's within approximately 200m of the application site, there is not a proliferation of HMOs within the immediate area around the application site that would result in the proposed development being unacceptable due to cumulative impacts related to residential amenity or community safety.

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 sets out that HMOs 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 this, 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. Therefore 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 Stanhope Road and a 10 minute walk from Chichester Metro Station (with services to South Shields 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.

A condition is suggested to secure provision of the cycle parking and refuse storage in the rear yard area.

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 -

Concerns have been raised in respect of devaluation of neighbouring properties. This is not a material planning consideration.

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 does 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.

As set out above, greatest weight in deciding this application needs to be given to the NPPF as opposed to local planning policy, given that the application includes housing development and the Council's housing land supply/delivery deficiencies. In particular, NPPF Paragraph 11 d) ii) also applies, which sets out that permission should be granted unless any adverse

impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the policies in the Framework taken as a whole.

In terms of benefits, the proposal would provide social and economic gains by contributing to reducing the current shortfall in terms of housing supply and providing a form of affordable accommodation that meets an identified housing need. In terms of environmental benefits, the proposals would bring a currently vacant building back into use.

No significant harm or adverse impacts have been identified in respect of visual and residential amenity, biodiversity, highway safety, or in respect of crime/anti-social behaviour/fear of crime and flood risk/drainage. As such, there are no identified adverse impacts arising from the proposal that would significantly and demonstrably outweigh the benefits associated with the development.

The proposal would represent an acceptable form of development with the presumption in favour of sustainable development being applicable in this instance. There are no material considerations which indicate that a decision should be taken otherwise than in accordance with the development plan and, therefore, the application is recommended for approval.

Recommendation

Grant Permission with Conditions

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
 - Existing and Proposed Floor Plans Drg. No. 02 Rev A - Received 12/12/2025
 - Existing and Proposed Site Plan and Location Plan Drg. No. 01 Rev A - Received 12/12/2025

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 The HMO use hereby approved shall not commence until the refuse storage provision, as shown on the drawings as listed in condition 2, is available for use, and this refuse storage provision shall be retained in perpetuity thereafter.

To safeguard the amenity of the future residents in accordance with South Tyneside Local Development Framework Policy DM1(B) and pursuant to section 197 of the Town and Country Planning Act 1990.

- 4 The HMO use hereby approved shall not commence until covered and secure cycle parking for a minimum of 8no. cycles has been provided within the application site in

full accordance with details to be submitted to, and approved in writing by, the Local Planning Authority. Thereafter, this approved cycle parking shall be available at all times and shall not be used for any purpose other than the parking of cycles associated with the use.

To ensure cycle parking is accommodated within the site and retained available for use, in the interests of highway safety and promoting sustainable transport choices, in accordance with the NPPF and policy DM1 (G) of the South Tyneside LDF and SPD6 parking standards and pursuant to section 197 of the Town and Country Planning Act 1990.

- 5 The HMO use hereby permitted shall be limited to a maximum occupancy at any one time of six persons and the provision of 6 no. bedrooms as shown on the drawings as listed in condition 2.

In order to both define and limit the number of bedrooms and occupants authorised for the use hereby permitted in the interests of local amenity and highways safety, in accordance with the NPPF and South Tyneside LDF Policy DM4.

Informatives

1. Approval of a Biodiversity Gain Plan NOT REQUIRED before development commences. The effect of paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990 is that planning permission granted for the development of land in England is deemed to have been granted subject to the condition "(the biodiversity gain condition)" that development may not begin unless:

- (a) a Biodiversity Gain Plan has been submitted to the planning authority, and
- (b) the planning authority has approved the plan.

However, based on the information available, this permission is considered to be one which will not require the approval of a biodiversity gain plan before development is begun because one or more of the statutory exemptions or transitional arrangements are considered to apply - please refer to Biodiversity net gain: exempt developments - GOV.UK (www.gov.uk).

2. The proposed development lies within a coal mining area which may contain unrecorded coal mining related hazards. If any coal mining feature is encountered during development, this should be reported immediately to the Mining Remediation Authority on 0345 762 6846 or if a hazard is encountered on site call the emergency line 0800 288 4242.

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

3. Reminder to not store building material or equipment on the highway: Building materials or equipment shall not be stored on the highway unless otherwise agreed in writing. You are advised to contact Highways@SouthTyneside.gov.uk for Skips and Containers licences.
4. The proposal will require a house in multiple occupation (HMO) licence. For further details please contact Environmental Health by calling 0191 427 7000 or visit <https://www.southtyneside.gov.uk/article/7302/Apply-for-renew-or-change-an-HMO-licence>

Case officer: Emma Thomas
Signed: Emma Thomas
Date: 11/02/2026

Authorised Signatory: Seán Gallagher
Date: 12/02/2026