MAINE BLUEPRINTS

FROM CONCEPT TO COMPLETION

Appeal Against Refusal of Planning Permission

Site Address:
10 Belle Vue Crescent
South Shields
NE33 4RD

Local Planning Authority:
South Tyneside Council

Application Reference:
250805

Proposal:
Change of use from dwellinghouse (Use Class C3) to a 6-bedroom, 6-person House in Multiple Occupation (Use Class C4) with associated rooflights.

Appellant:
Northcrest Estates Ltd

Agent:
Maine Blueprints

1. Introduction

This statement has been prepared on behalf of the appellant in support of an appeal against the refusal of planning permission by South Tyneside Council.

The application sought permission for the change of use of an existing dwelling (Use Class C3) to a small House in Multiple Occupation (Use Class C4) accommodating a maximum of six occupants.

The proposal also included minor external alterations comprising rooflights to the front and rear roof slopes.

Importantly, the application was recommended for approval by the Council's professional planning officer, who concluded that the proposal represented an acceptable form of development in accordance with both local and national planning policy.

However, the application was subsequently refused by the Planning Committee, contrary to officer recommendation.

The appellant considers that the refusal is not supported by the evidence presented within the officer report, nor by relevant planning policy, and that the proposal represents sustainable development which should be granted planning permission.

2. Site and Surroundings

The appeal site comprises an end-terraced residential property located at 10 Belle Vue Crescent, South Shields.

The site lies within a built-up area close to Boldon Lane District Centre and is surrounded by a mixture of residential and commercial uses.

Key characteristics of the site include:

- End-terraced residential property
- Small front garden and rear yard
- Located adjacent to Boldon Lane and Stanhope Road
- Close proximity to local services and transport links

The surrounding area contains:

- Residential terraced housing
- Local commercial uses along Stanhope Road
- Public transport infrastructure

The site is particularly well served by sustainable transport options, including:

- Tyne Dock Metro Station approximately 160 metres away
- Bus stops located nearby
- Shops and services within walking distance

This represents a highly sustainable location for residential accommodation.

3. The Proposed Development

The proposal sought to convert the existing dwellinghouse into a 6-bedroom House in Multiple Occupation (C4).

Key elements of the proposal include:

- Six single occupancy bedrooms
- En-suite bathroom facilities for each bedroom
- Communal kitchen facilities
- Secure cycle storage within the rear yard
- Dedicated bin storage area
- Minor external alterations limited to rooflights

The accommodation has been designed to meet or exceed the South Tyneside HMO space standards.

Bedroom sizes are as follows:

- Bedroom 1 – approx. 16m²
- Bedroom 2 – approx. 14.3m²

- Bedroom 3 – approx. 11.1m²
- Bedroom 4 – approx. 11.9m²
- Bedroom 5 – approx. 10.2m²
- Bedroom 6 – approx. 13.4m²

The proposal provides high-quality accommodation suitable for working professionals or key workers.

4. Planning Policy Context

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires planning applications to be determined in accordance with the development plan unless material considerations indicate otherwise.

Relevant development plan policies include:

South Tyneside Local Development Framework

- ST1 – Spatial Strategy
- ST2 – Sustainable Urban Living
- SC1 – Creating Sustainable Urban Areas
- SC3 – Sustainable Housing Provision
- DM1 – Management of Development

Emerging South Tyneside Local Plan

- Policy 16 – Houses in Multiple Occupation

However, as acknowledged within the Council's own officer report, this policy can currently only be given limited weight.

National Planning Policy Framework (NPPF)

The NPPF is a significant material consideration in this appeal.

The officer report confirmed that the Council cannot currently demonstrate a five-year housing land supply.

As a result, the NPPF tilted balance applies.

Paragraph 11(d) of the NPPF states that where development plan policies are out of date, permission should be granted unless:

1. Specific protected policies provide a strong reason for refusal, or
2. The adverse impacts significantly and demonstrably outweigh the benefits.

The officer report concluded that no such adverse impacts arise in this case.

5. Principle of Development

A small HMO for up to six residents falls within **Use Class C4**.

Such uses are residential in nature and are commonly located within residential areas.

The officer report clearly concluded that:

- HMOs provide a legitimate form of residential accommodation
- The proposal would contribute to housing supply
- The site is located within a sustainable built-up area

The report further concluded that:

> "The proposed HMO is considered acceptable in principle."

Therefore the principle of development is clearly supported.

6. Visual Amenity

The proposal involves only minor external alterations.

These comprise the installation of rooflights to the front and rear roof slopes.

The officer report concluded that these alterations are visually acceptable and would not harm the character or appearance of the property or surrounding area.

No objections were raised by officers in relation to design or visual impact.

7. Residential Amenity

The proposal would not result in significant harm to neighbouring residential amenities.

Key points include:

- No extensions or additional built form
- No increased overlooking
- No loss of light to neighbouring properties

While the number of bedrooms increases from three to six, the property remains within a small-scale residential use accommodating a maximum of six people.

A household of six individuals is not materially different in activity levels from a large family household.

The officer report concluded that the development could operate without significant harm to neighbouring amenity.

8. Crime and Anti-Social Behaviour

Concerns were raised by objectors regarding crime and anti-social behaviour.

However, the officer report correctly notes that planning decisions must consider land use rather than the personal characteristics of potential occupants.

Furthermore:

- The property would require an HMO licence
- Licensing imposes strict management requirements
- The Council retains enforcement powers in relation to nuisance or anti-social behaviour

A detailed HMO Management Plan was also submitted with the application outlining:

- Tenant referencing procedures

- Behavioural expectations
- Property management arrangements
- Neighbour liaison processes

There is therefore no evidence that the proposal would lead to unacceptable levels of crime or disturbance.

9. Highway Safety and Parking

The refusal reason references concerns regarding parking and highway safety.

However, these concerns are not supported by technical evidence.

The Highway Authority raised no objection to the proposal.

The officer report confirmed that:

- The development would likely generate similar or lower parking demand than the existing dwelling.
- A public car park is located immediately to the rear of the property.
- On-street parking exists in surrounding streets.
- Secure cycle parking is proposed on site.

Paragraph 116 of the NPPF states that development should only be refused on highways grounds where impacts would be severe.

No such impacts were identified.

10. HMO Concentration

Objectors raised concerns regarding the concentration of HMOs.

However, the officer report confirmed that:

- Only three licensed HMOs exist within the ward.

- The nearest HMO is located approximately 60 metres away.

The report concluded that the proposal would not result in harmful clustering or overconcentration of HMOs.

The property is also located on a corner/end terrace, further reducing any potential cumulative impact.

11. Planning Balance

The officer report assessed the proposal against the NPPF tilted balance.

It concluded that the proposal would deliver the following benefits:

- Contribution to housing supply
- Provision of affordable accommodation
- Re-use of an existing building
- Sustainable residential development in a well-connected location

The report further concluded that no adverse impacts were identified that would significantly and demonstrably outweigh these benefits.

Therefore the presumption in favour of sustainable development applies.

12. Response to Refusal Reason

The Council refused planning permission for the following reason:

> "The cumulative impact of HMOs in the area would harm the character of the area and residential amenity, and would have an unacceptable impact on parking and highway safety."

The appellant respectfully submits that this reason is not supported by the evidence presented within the officer report, which concluded that:

- There is no harmful HMO concentration.

- There would be no significant residential amenity impacts.
- The Highway Authority raised no objections.
- The proposal complies with relevant planning policy.

The refusal therefore appears to rely largely on perceived impacts rather than demonstrable planning harm.

13. Conclusion

The appeal proposal represents a sustainable form of residential development within an appropriate urban location.

The development:

- Was recommended for approval by planning officers
- Provides high-quality accommodation
- Raises no technical objections from statutory consultees
- Complies with both local and national planning policy

The refusal reason is not supported by the evidence contained within the officer report, and the proposal clearly accords with the presumption in favour of sustainable development set out within the NPPF.

For these reasons, the appellant respectfully requests that the Planning Inspectorate allows the appeal and grants planning permission.