Property

34 Alnwick Road

South Shields

NE34 0LB



Applicant

Mr Yaz Akram, AA Sutton Property Ltd.

Agent

Beaumont & Partners

Case Officer

Casey Scott

Date Refused

16/03/2026

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1.0 Introduction

Reason for refusal

REASON(S) FOR REFUSAL: 1 The Local Planning Authority considers that the proposed change of use to a House in Multiple Occupation would, as a result of the cumulative effects of such uses in the area, adversely impact on the character of the area and upon the amenity of existing occupiers, and have an unacceptable impact on parking and highway safety in the area, contrary to Policy DM1 of the South Tyneside Local Development Framework, Policy 16 of the South Tyneside Publication draft Local Plan and Paragraphs 116 and 135(f) of the NPPF.

Basis of Appeal.

This appeal challenges South Tyneside Council's refusal (16 March 2026) of permission to convert the existing house into a six-person HMO. The scheme involves no extensions, retains the property's residential character and includes controls on occupancy and management.

The scheme was already under construction through permitted development before the council announced an Article 4, without the normal timetable to ensure situations like these need not arise.

Officers recommended approval; the Committee refused for reasons relating to alleged cumulative impact. The refusal is not supported by objective evidence and does not identify any actual planning harm.

2.0 Site and Proposal.

Site description

The application site is located at 34 Alnwick Road, within the administrative area of South Tyneside Council. The site is located within an established residential area, as outlined in red on the location plan attatched.

The existing building is a Class C3 residential dwelling. A range of everyday services are located within easy walking distance including Tyne Dock metro station. There are parks and other amenity spaces within 2 or 3 streets of the property.

Parking is allowed on both sides of the street with no restrictions, as seen below.



The location is highly sustainable.

The proposal

Change of use from C3 to C4 for up to five residents.

Five bedrooms, each above minimum space standards and with en-suite facilities.

Shared kitchen of generous size; no building extensions.

Full HMO licensing and management regime will apply.

We produce high quality living spaces that respond to the needs of the local area. We manage the lettings and ongoing maintenance of the properties ensuring continuity of service and management of the property and its inhabitants.









Whilst there are plenty of parking spaces on the street, our own findings on running lots of these properties over the region is that the majority of users don't own or run a car and hence why locations withing walking distance of facilities and the Metro are paramount for us.

3.0 Planning View.

Initial Discussions.

When the council announced the Article 4 we arranged a meeting with Andrew Inch and Geoff Horsman to discuss an amicable way forward for the properties currently between purchase and full HMO letting.

It was clear from that meeting that the council did not have a clear planning policy for dealing with their new Article 4 situation. Other councils with the same policy have a clear guideline for where a planning permission can be granted within the Article 4 area. It was noted in that meeting that there was currently a small article 4 zone near the city centre where the rules were broadly no more than 10% of the housing stock could be converted into HMO's. Using this guidance, we reviewed the property and found no HMO properties within the guide of 100m of our property.

Planning officer findings

The officer's report concluded the development:

- Is acceptable in principle;
- Would not cause unacceptable harm to residential amenity;
- Would not create an unacceptable concentration of HMOs;
- Raises no highway safety objection (Highway Authority consulted);
- Complies with the development plan and NPPF; and
- Should be approved subject to conditions.

The reason for refusal was change of use to a House in Multiple Occupation would, as a result of the cumulative effects of such uses in the area, adversely impact on the character of the area and upon the amenity of existing occupiers

However, the planning officers report states in his report

38. *With respect to the character of the area and concerns relating to the increase in the number of HMO's, it is noted that the area is predominantly occupied by residential dwellings, primarily terraced dwellings.*

39 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 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. Within the HMO register there are 3 HMOs currently registered in the locality. The nearest of these

at 20 Brabourne Street is 50 metres north west of the application site, with further HMOs at 382 and 455 Stanhope Road 146 and 165 metres respectively to the north. There are also two separate further current (and undetermined) planning applications for HMOs in the local area at 10 Belle Vue Crescent (reference 250805, approximately 200 meters from the application site) and 410 South Eldon Street (reference 250775, 780 meters from the application site).

40. Should planning permission be granted for these two schemes, the current application for 34 Alnwick Road, would be in accordance with emerging Policy 16 and consequently, it is not considered that the proposed development, in the context of existing HMOs and current HMO applications in the locality, would give rise to significant harm in terms of cumulative impact to the character of the area.

41. 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.

42 Comments provided by Environmental Health – HMO Licensing state they are aware of a planned HMO at 4 Alnwick Street. Given the introduction of the Article 4, planning permission would be required for this HMO. At present, the LPA does not have a planning application for a HMO at this address.

43 Whilst the concerns of residents are noted, it is not considered that the loss of 1no. C3 dwelling would 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.

44. It is, therefore, considered, hat the proposed use would be acceptable in principle in this location and in accordance with the above referenced LDF Policies and the NPPF.

Grounds of Appeal

As noted above the planning officers report refutes the reason for refusal.

Cumulative impact and character – as noted above the planning officer makes the clear argument that this is not the case in this situation.

The Committee's reason does not identify or quantify any harmful concentration or explain the mechanism of harm. With the planning officer referencing the same guidance as we were given at the original meeting to discuss the potential way forward.

The proposal would not "sandwich" the site between HMOs.

The proposal should not produce more than 10% of HMO's within a 100m radius.

We clearly pass both those tests as evidenced by the planning officers report to committee.

Emerging Local Plan Policy 16 (limited weight) does not show conflict; thresholds cited are not breached.A five-person C4 remains a residential use comparable, in land-use terms, to a large family dwelling.

No objective evidence has been put forward to show material harm to local character.

Residential amenity

The intensity increase is limited, and the property is suitably sized for six occupants.

All bedrooms are well above minimum sizes and include en-suites, reducing demand on shared spaces and likelihood of disturbance.

There are no extensions, no additional overlooking, no loss of light and no material change to the street scene.

The refusal fails to identify any specific, evidence-based amenity harm or a causal link between the proposal and adverse impacts.

Parking and highway safety

The Highway Authority raised no objection.

The likely trip generation is comparable to the existing lawful use; public transport accessibility is excellent, and a public car park is available immediately to the rear.

Secure cycle parking is provided (eight spaces) in accordance with SPD6.

4.0 Conclusion

Planning balance

The Council cannot demonstrate a five-year housing land supply, engaging the tilted balance in NPPF paragraph 11(d).

The proposal delivers sustainable housing, reuses an existing building, and brings a vacant property back into use.

No strong reasons or policy protections exist that would outweigh these benefits, and the decision does not demonstrate that adverse impacts would significantly and demonstrably outweigh them.

Conclusion and requested outcome The refusal is unsupported by objective evidence and inconsistent with the professional advice set out in the officer's report. The development:

Is acceptable in principle;

Would not cause demonstrable harm to character, amenity or highway safety;

Is compliant with the development plan when read as a whole and with the NPPF. The appellant asks that the appeal be allowed and planning permission granted.