



South Tyneside Council

Reference: 260078
Location: 1 Pembroke Terrace
 South Shields
 NE33 4LG
Ward: West Park

Application documents and plans can be found here [MVM Document Viewer](#)



Description: Change of use from first floor dwelling to a 5 bedroom, 5 person HMO, and insertion of front and rear rooflights
Applicant: O'Brien / Nierbos 1 Ltd

Agent:	Maine Blueprints
Reason for bringing the application to Planning Committee:	Representation(s) have been received from ward members and MP
Recommendation:	Grant Permission with Conditions
Case Officer:	Nick Graham
Case Officer Contact No.:	0191 4247427 or 07741108995

List of neighbour representation addresses:

Objections

Cllr Gynn - Refer to Planning Committee
Cllr Yare - Refer to Planning Committee x2
Emma Lewell MP - Refer to Planning Committee x2

32 Armstrong Terrace, South Shields
42 Armstrong Terrace, South Shields
46 Armstrong Terrace, South Shields
48 Armstrong Terrace, South Shields x3
50 Armstrong Terrace, South Shields x2 (separate people)
52 Armstrong Terrace, South Shields
60 Armstrong Terrace, South Shields x2
2 Chapel House, Westoe Village, South Shields
10 Clifton Terrace, South Shields
20 Clifton Terrace, South Shields
48 Dykelands Way, South Shields
2 Pembroke Terrace, South Shields x2
5 Pembroke Terrace, South Shields
6 Pembroke Terrace, South Shields x4
12 - 14 Pembroke Terrace, South Shields
13 Pembroke Terrace, South Shields x2
19 Pembroke Terrace, South Shields
20 Pembroke Terrace, South Shields
22 Pembroke Terrace, South Shields
9 Shrewsbury Terrace, South Shields x2
14 Shrewsbury Terrace, South Shields
27 Shrewsbury Terrace, South Shields
29 Shrewsbury Terrace, South Shields
8 West Park Road, South Shields
24 West Park Road, South Shields
25 West Park Road, South Shields x2

All of the issues raised are summarised in the body of the report

Description of the Site

1. This application site consists of 1 Pembroke Terrace, a first floor flat with a lawful use as a residential dwelling. The site lies within a mainly residential area; however, it is close to Stanhope Road, 100 metres to the east, which is more of a mixed-use area with shops and services. The site is bounded by residential properties to the north and east, and below at 7 Armstrong Terrace. To the north is the highway with further residential properties at Armstrong Terrace. To the west is the highway at Pembroke Terrace with further residential properties at Pembroke Terrace located beyond. To the east lies the rear lane, with a further terrace of residential properties on Shrewsbury Terrace.

Description of the Proposal

2. This application seeks planning permission for the change of use of the property from a residential dwelling (Use Class C3) to a 5 bedroom, 5 person HMO (Use Class C4). Associated external alterations are proposed, which comprise the insertion of three roof windows to the front roof plane and two roof windows to the rear roof plane. Following the receipt of amended plans to remove in-curtilage car parking spaces on the advice of the Highway Authority, neighbours and consultees were re-notified of these amended plans in line with the Council's Statement of Community Involvement (SCI). Further amended plans were subsequently received relating to rooflight re-positioning; given the minor alterations proposed neighbours were not re-notified of these changes.
3. This planning application has been submitted following the making of an immediate Boroughwide Article 4 Direction by the Council in late 2025 to remove permitted development rights for the material change of use of Class C3 dwellinghouses to Class C4 small HMOs. Prior to the coming into force of the Article 4 Direction it would not have been necessary to obtain planning permission from the Council for the proposed change of use of the property.
4. A separate planning application (ref. 260079) has been submitted for the ground floor flat within the building, no.7 Armstrong Terrace, for the change of use to a three bedroom, three person HMO, and where there is a shared rear yard space for the two properties.

Relevant Planning History

5. No relevant planning history.

Summary of Consultation Responses

Environmental Health (HMO licencing)

6. This property would require an HMO licence if occupied by five or more people. From the plan, room sizes would meet the required minimum space standards. The nearest licenced HMO is at 14 Alverthorpe Street, which is approximately 200m from 1 Pembroke Terrace.

Highway Authority

7. Given the HMO use is likely to generate similar traffic numbers to the existing residential dwelling use, there are no objections to zero in-curtilage car parking provision with residents utilising off-site car parking opportunities, as would have been the case for the previous uses of the site. Provision should be sought for 6 cycle parking spaces in accordance with SPD6 standards, and this should be secured by condition. Refuse storage is shown within the site curtilage which is acceptable.

Community Safety Team

8. 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 and 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.
9. 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.

Northumbria Police

10. 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.
11. Even with the small size of the HMO, Northumbria Police have concerns with any new HMO. Any new development where strangers are going to be living in close proximity, has the potential to increase the service demand.
12. We recommend that the locks for each of the bedrooms is to the 3 diamond standard to increase the security for each of the rooms.
13. We request that the rooms are only for single occupancy even with the rooms being above the national standard.
14. 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 a healthy and safe environment in the development.
15. 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.

Housing Strategy Team

16. I do not 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?
17. 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.

Summary of Representations

18. The application has been publicised in the local area.

Representation from Cllr Gynn (Former West Park Ward Cllr)

19. I request that these applications [1 Pembroke Terrace and 7 Armstrong Terrace] are taken to the Planning Committee for consideration as I have been contacted by numerous residents who are concerned.

Two representations from Cllr Yare (Former West Park Ward Cllr)

20. I object to planning application 260078, relating to 1 Pembroke Terrace, South Shields, NE33 4LG, for change of use of the first floor dwelling to a 5-bedroom, 5-person House in Multiple Occupation (Use Class C4) together with the installation of five rooflights and associated works.
21. This proposal cannot sensibly be assessed in isolation, because it relates to the upper unit in a building which also contains a ground floor flat subject to a separate, live HMO conversion application (ref 260079, 7 Armstrong Terrace). The applicant's statement emphasises that the units are independent with separate access, but independence of access does not remove cumulative impact. If both HMOs are approved, the building could accommodate up to 8 unrelated occupiers (5 above and 3 below), resulting in a materially intensified use compared with a typical single household or even a single HMO conversion. The Council should therefore assess the combined impact on the immediate environment, particularly given the terraced street layout and the already constrained conditions described by residents.
22. The cumulative context is strengthened further by the recent approval of a 6-person C4 HMO at 21–22 West Park Road (ref 250764) within the immediate locality. In that case, the Council imposed conditions requiring refuse storage to be available and retained,

covered and secure cycle parking to be provided, and the occupancy to be capped to the approved layout, expressly in the interests of amenity and highway safety. This local decision shows the authority's expectation that intensified HMO uses can require specific controls to avoid harm in comparable settings, and the same discipline should be applied here, particularly when the combined effect of the two live applications is considered.

23. The supporting statement suggests the location supports "car-lite" living due to nearby amenities and public transport, and it refers to shared courtyard parking. However, the application form indicates only one on-site car space for this proposal, while the companion ground-floor application also indicates one car space, raising an immediate question as to whether the courtyard provision is being counted twice or whether there is genuinely sufficient on-site capacity for both proposed HMOs. The proposal would intensify demand in a terraced street environment where kerbside space is limited and already heavily used, increasing the risk of overspill parking, visitor parking, and delivery/servicing pressures. These impacts can have consequences for pedestrian safety and access, and for the ability of refuse and emergency vehicles to operate in already constrained conditions. A robust cumulative assessment is required, rather than reliance on general statements about sustainability and professional occupiers.
24. The applicant's statement argues that a five-person HMO remains comparable to a larger family household and would not cause unacceptable noise and disturbance. That comparison does not adequately reflect the likely pattern where multiple unrelated adults have separate routines, visitors and deliveries, nor does it address the reality that the same building may also accommodate a further three-person HMO below. The Council should test whether the combined intensity of occupation is likely to cause material harm to neighbour amenity through increased comings and goings and day-to-day disturbance, particularly given the close relationship of terraced properties. With reference to physiological modifications, while the applicant asserts the rooflights will not create overlooking and are discreet, the authority should still consider whether the proposed rooflights could contribute to light spill or other amenity impacts, and should ensure any conclusion is properly evidenced in the officer assessment.
25. The statement says refuse storage can be accommodated within the site boundary and bins kept off the highway, but it should be demonstrated that capacity and layout are genuinely adequate for a five-person HMO, and adequate in practice when considered alongside the companion HMO application in the same building. In an area where space is limited and on-street and back lane conditions are already pressured, inadequate refuse storage and presentation arrangements can quickly harm visual amenity and obstruct pedestrian movement. The Council's "no side waste" approach further underlines the importance of getting storage capacity and management right at the outset.
26. The Council's emerging Local Plan policy framework reinforces some of the points raised above. Publication Draft Policy 16 on Houses in Multiple Occupation anticipates that, where planning permission is required, HMOs should not result in over-concentration or harm local character and function, should avoid excessive noise and disturbance, and should provide adequate provision for parking, servicing, refuse and recycling. While the Plan is not adopted and weight is a matter for the decision-maker, the NPPF is clear that relevant policies in emerging plans may be given weight depending on the stage of plan preparation, unresolved objections and consistency with national policy. The Inspector's Stage 2 post-hearings letter identifies Policy 16 for main modifications, including updates to reflect the borough-wide Article 4 Direction, indicating that this policy area is intended to guide decision-making in the post-Article 4 context. This supports the argument that applications of this kind should be assessed rigorously on local impacts, especially cumulatively.

27. For these reasons I request that application 260078 be refused. If the Council is minded to approve, permission should only be granted with robust and enforceable controls, including a strict occupancy cap tied to the approved layout, a requirement that refuse storage be provided and retained prior to first occupation, and conditions securing cycle storage and clarifying the genuine on-site parking arrangement so that provision is not double counted across the two HMOs. Conditions akin to those imposed in the recent local approval at West Park Road would be a sensible baseline, reflecting the Council's own approach to managing amenity and highway safety impacts arising from intensified HMO uses in this part of South Shields.

Two representations from Emma Lewell (Member of Parliament for South Shields)

28. As Member of Parliament for South Shields, and on behalf of constituents who have contacted me on this matter, I echo their concerns and place objections to this application for a number of reasons.
29. In light of the recent decision by South Tyneside Council's Cabinet, to enact an Article 4 Direction across the Borough, this application clearly has an impact on the area in which the building is located. The proposed development would result in the permanent loss of a spacious family home in a quiet residential street, near to local schools and amenities.
30. Residents are concerned about a saturation of HMOs in the area, giving examples of 21-22 West Park Road, an HMO on Alverthorpe Street and another HMO planning application in the same building below 1 Pembroke Terrace at 7 Armstrong Terrace, all within 100 metres of each other. All constituents that have contacted me about this planning application have also raised their concerns about the planning application for 7 Armstrong Terrace.
31. Parking is already an issue in the street and both HMO planning applications combined could lead to a further 8 residents in the street causing significant issues with parking. These HMOs have been advertised as being for young professionals who would likely have the means to have their own car. Residents have already expressed concerns about ASB and safety concerns regarding the HMO on West Park Road, and further HMOs in the same area could escalate unwanted behaviour and disruption.
32. Residents have also raised safety concerns about adapting such a property into a 5 bedroom house, citing that one of the bedrooms is already a box room, and concerns about fitting 2 bedrooms in the small loft space. Residents raised their concerns about fire risk, and lack of escape routes from the property. As this is a terraced property this could then pose a risk to neighbouring properties.
33. I hope that decision is now robustly reflected by the deliberations and decision of the Planning Committee members in support of my constituents who have serious and justified concerns regarding this application.

Neighbour comments

34. 37 representations have been received in objection to the proposal. The issues raised are collectively summarised as follows:
- Comments note a recently approved HMO in West Park Road, and there are concerns that adding another HMO would create an overconcentration, affecting the residential character of the neighbourhood, particularly if the planning application at 7 Armstrong Terrace (ref. 260079) is also approved. Suggestions that this may lead to a form of

imbalance or clustering of similar accommodation types including up to 14 occupants in total.

- Concerns regarding increases in noise and disturbance, late-night activity and comings/goings and a general reduction in neighbours' ability to enjoy their homes.
- Concerns that an HMO typically generates more vehicles than a single-family dwelling with fears about increased parking pressure on residential streets and potential safety risks in an area where parking is already difficult.
- Concerns about feeling unsafe particularly for women, families and elderly residents. Concerns that increased activity could adversely affect their wellbeing, security, and health.
- Concerns about overflowing bins, visual and hygiene issues and potential for pest problems.
- Frequent tenant turnover associated with HMOs seen as potentially undermining long-established community relationships, and fears that transient occupancy could reduce neighbourhood stability including being near nurseries, schools and a children's park.
- Concerns raised regarding the quality of management by a landlord based outside the area, the long-term maintenance and upkeep of the property and concerns that poor management may lead to crime, anti-social behaviour or property neglect, based on issues with other nearby properties.
- Concerns regarding devaluation of property prices.
- Concerns regarding use of loft space and fire safety and escape route issues.
- Request a site visit by the decision makers.

Relevant planning policy

35. 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.

36. 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).

37. The following LDF policies are relevant to this planning application:

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)
A1 – Improving Accessibility (CS)
DM1 - Management of Development (A, B, and G) (DMP)
DM4 - Intensive Housing Uses (DMP)
DM7 - Biodiversity and Geodiversity Sites (DMP)

38. 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)

39. 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 a consultation on proposed Main Modifications has recently closed. 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).

40. 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)

41. 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

42. 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

NPPF tilted planning balance

43. 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.'
44. 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.
45. 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.
46. 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.
47. 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.
48. 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

49. The scheme proposes a 5 bedroom HMO (use class C4) as a change of use from the existing dwelling (use class C3).
50. 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.

51. 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 shops and services at Stanhope Road, and transport links with regular bus services nearby.
52. 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.
53. 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.
54. LDF Policy DM4 provides the planning policy context for the consideration of intensive housing uses including guest and boarding houses, hostels and larger houses in multiple occupation.
55. 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".
56. 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 5 residents.
57. 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.
58. The immediately surrounding locality is characterised by single household family housing.
59. 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 would not 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. Objectors have stated that there is already an approved HMO in the nearby area. The Council's Environmental Health HMO Team have confirmed the closest licenced HMO is at no.14 Alverthorpe Street (approximately 200 metres east of the application site). There has also been a 6 bedroom HMO approved at no. 21-22 West Park Road (ref. 250764) in February 2026, approximately 50 metres south-west of the application site.
60. Overall, given the distance of other licensed (and approved) HMOs from the application site, and the mix of surrounding land uses, and noting the property is an end / corner terrace, it is not considered that there would be significant harm in terms of cumulative impact to the character of the area by the creation of a 5 bedroom HMO at this location, and the property is considered suitable and of an appropriate size for such a use. Additionally, should this application and the application for an HMO at no.7 Armstrong Terrace both be approved, given the number of properties within 100 metres of the

application sites, it is not considered significant harm by way of cumulative impact would occur.

61. Overall, the proposed HMO is considered acceptable, in principle, and to accord with the above referenced LDF Policies and the NPPF.

Impact on Visual Amenity

62. Part 12 of the NPPF promotes good design and sets out that the planning system should contribute to and enhance the natural and local environment.
63. Policy DM1 states that in determining all applications we will ensure that, where relevant: A – the development, including new buildings, extensions and alterations to existing buildings, are designed to convey sensitive consideration of its surroundings, and where possible enhance its local setting and reinforce local identity, having particular regard to scale and proportions, alignment, form, use of materials and architectural detailing.
64. The only alterations externally would include the inclusion of rooflights. In visual amenity terms these alterations are considered acceptable and in accordance with LDF Policy DM1 (A) and the NPPF.

Impact on Residential Amenity

65. 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.
66. Policy DM1 (B) requires a development to be acceptable in relation to any impact on residential amenity.
67. Policy EA5 (A) requires the council to reduce levels of pollution and nuisance throughout the Borough.
68. The physical alterations to the property are not considered to adversely impact to a significantly harmful extent on any neighbouring property by way of loss of daylight/sunlight, visual intrusion or overlooking.
69. Whilst the proposed HMO would have a larger number of bedrooms than the existing dwelling that currently occupies the site, the increase in bedroom numbers from 2 to 5 is considered to be suitable and of an appropriate size for the proposed HMO use. Furthermore, as stated above, the wider locality is characterised by a mix of both single household family housing but also commercial properties at Stanhope Road. As such, it is considered that the proposed use could operate from this site without significantly harmful residential amenity impacts arising in terms of noise and disturbance having regard to the existing lawful use of the property. Separate concerns relating to crime and anti-social behaviour and the fear of crime are set out below.
70. In terms of the amenity of proposed residents, two bedrooms lie within the roof space (annotated as bedrooms 7 and 8). Given the number and position of rooflights to each of these bedrooms, and where each of the windows to the western roofplane would be positioned between 1100mm and 1800mm above the floor level of these rooms, and to the eastern roofplane between 1400mm and 1800mm above the floor level of these rooms daylight to, and outlook from, these rooms is considered acceptable and where these western rooflights particularly would permit views available out of those windows over the surrounding locality. The submitted floor plans show that all of the five bedrooms would

have satisfactory outlook and natural light, as would the shared space for cooking and eating. A small yard at the rear of the property provides some private external amenity space [shared with no.7 Armstrong Terrace] and the application site is within walking distance of West Park to the south of the site.

71. In regard to waste storage, the proposed HMO would house a maximum of 5 persons, and therefore 1x 240 litre recycling wheeled bin and 1x 240 litre domestic waste wheeled bin would be required, along with 1x 7 litre indoor food caddy, 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 in the yard to the rear of the property in accordance with this requirement, as shown on the proposed plans. This would be conditioned should approval be granted.
72. Overall, subject to a waste storage condition the proposal would be considered compliant with the NPPF, LDF policies DM1(B) and EA5 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

73. Paragraph 135(f) 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.
74. 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.
75. Concerns have been raised in respect of anti-social behaviour, a potential increase in general noise and disturbance. 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.
76. 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 residential area such as this.
77. Whilst the concerns in representations received from neighbours and consultees are noted, including those from Northumbria Police in relation to same sex occupancy, 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 users of HMOs and in relation to the consideration of residential amenity anti-social behaviour, or fear of crime.
78. 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 five people.

79. 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, community safety or highway safety.
80. 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, antisocial behaviour and the fear of crime. The proposal would therefore comply with relevant LDF Policies and the NPPF in this regard.

HRA and Biodiversity Net Gain

81. 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 policy in relation to these designated "habitat sites" and as such there is no strong reason to refuse it in the context of NPPF para. 11 d i and its footnote 7.
82. 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.
83. 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.

Highway Safety

84. LDF 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.
85. 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.
86. SPD6 Parking Standards - sets out the parking standards used in assessing proposals for new development.

87. Objections have been received relating to car parking. The amended site plan shows no in-curtilage car parking space, at the request of the Highway Authority for visibility reasons to and from accessing the site.
88. Based on the above SPD6 standards for use class C4 (small HMOs), the maximum car parking provision required would be 2 spaces, and for cycle parking provision, the minimum number of spaces required would be 6 spaces. In respect of the current lawful use as a dwelling, the SPD6 maximum car parking provision suggested would be 2 spaces and 1 cycle parking space would be sought.
89. It is noted that the Highway Authority considers the proposed use would likely generate the same and less parking requirements than the existing use. Given this, along with the availability of on-street parking within the surrounding streets, the accessibility of the site to local services and the close proximity of bus services, the proposal is considered acceptable in terms of car parking provision.
90. Covered and secure parking for 6 cycles for residents is proposed to the rear of the building. SPD6 cycle parking standards requires a minimum of 6 cycles, and subject to details of this being secured by condition and for a minimum of 6 cycles, this would be considered acceptable.
91. NPPF Paragraph 116 states that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network, following mitigation would be severe, taking into account all reasonable future scenarios.
92. However, the Highway Authority raise no objections to the proposal on highways grounds and as such the nature and scale of development proposed is considered acceptable in highway safety terms and in respect of its impact on the highway network subject to the recommended condition relating to the cycle parking provision being provided and retained.
93. Overall, the proposals are considered acceptable in terms of transportation matters subject to conditions and accord with LDF policies, SPD6 and the NPPF in this regard.

Drainage and Flood Risk

94. In terms of drainage, this will utilise existing connections at the property. In terms of flood risk, the site is considered to be at low risk of flooding from surface water, being 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

95. 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). There are no apparent equality impacts of the proposed development which give rise to the need to undertake a more detailed equality impact assessment.
96. 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

97. 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.
98. As advised earlier 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, the 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.
99. 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 proposal would bring a currently vacant building back into use.
100. 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.
101. Overall, in this instance there are no identified adverse impacts arising from the proposal that would significantly and demonstrably outweigh the benefits of the development.
102. 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 Planning Permission subject to 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

Proposed Elevations and Plans Drg. No. 003 Rev. 2 received 13/05/2026
Existing and Proposed Site Plan Drg. No. 004 Rev. 2 received 09/04/2026

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 permitted shall be limited to a maximum occupancy at any one time of five persons and the provision of 5no. 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 DM1.

- 4 The HMO use hereby approved shall not commence until bin storage for that use 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, such bin storage shall be available for use at all times and shall be retained in perpetuity thereafter in accordance with those approved details.

To safeguard the amenity of the future residents in accordance with South Tyneside Local Development Framework Policy DM1(B).

- 5 The HMO use hereby approved shall not commence until covered and secure cycle parking for a minimum of 6no. 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.

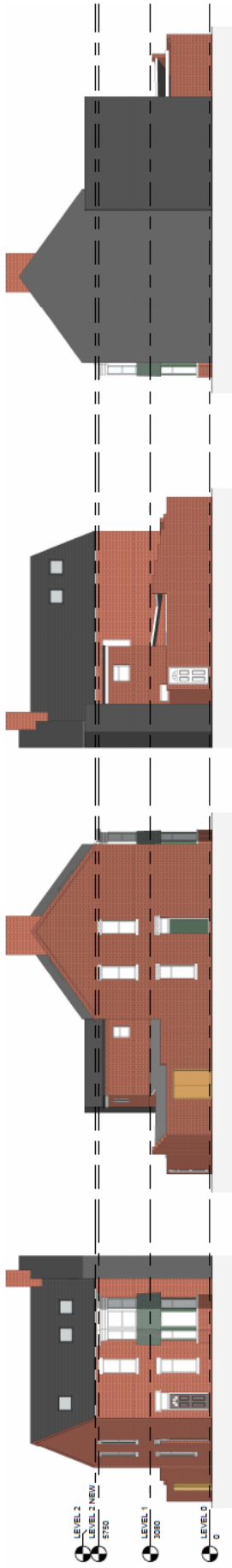
Plan 1



Plan 2



Plan 3



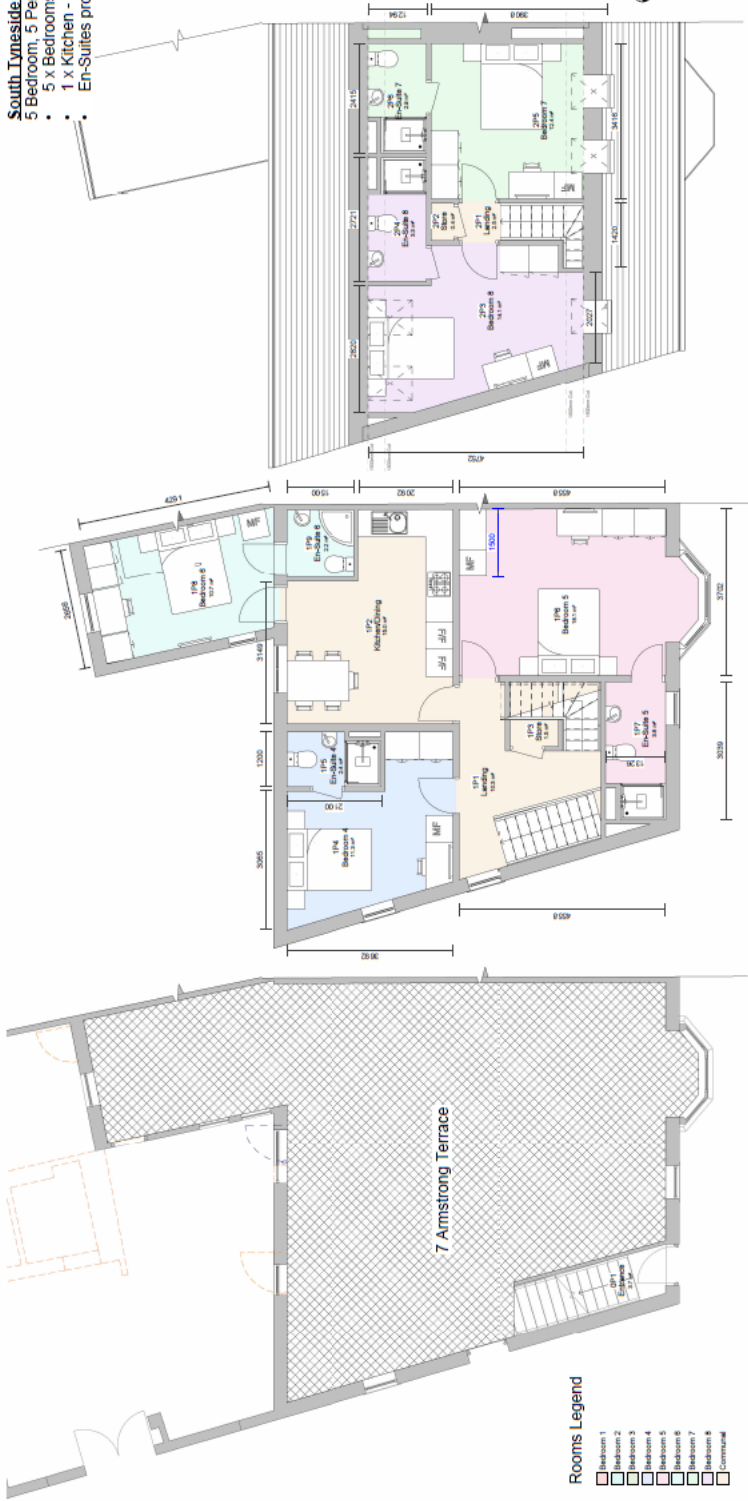
④ Front - Proposed
1:100

⑤ Left Side - Proposed
1:100

⑥ Rear - Proposed
1:100

⑦ Right Side - Proposed
1:100

South Tyneside HMO Space Standards (min.)
5 Bedroom, 5 Person
• 5 x Bedrooms (No Additional Communal) - Min. 10m²
• 1 x Kitchen - Used by 3-5 Persons - Min. 7m²
• En-Suites provided to all bedrooms

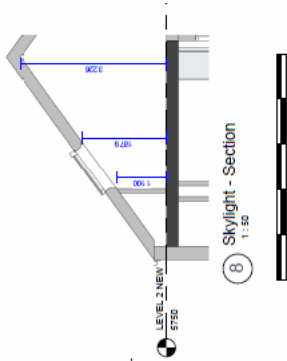


① Level 0 - Proposed
1:50

② Level 1 - Proposed
1:50

③ Level 2 New - Proposed
1:50

Schedule - Room - Proposed			
Level	Number	Name	Area
LEVEL 0	0P1	Entrance	3.7 m ²
LEVEL 1	1P1	Landing	10.3 m ²
LEVEL 1	1P2	Entrance	10.3 m ²
LEVEL 1	1P3	Store	1.5 m ²
LEVEL 1	1P4	Bedroom 4	11.3 m ²
LEVEL 1	1P5	En-Suite 4	2.4 m ²
LEVEL 1	1P6	Bedroom 5	18.1 m ²
LEVEL 1	1P7	En-Suite 5	2.4 m ²
LEVEL 1	1P8	Bedroom 6	10.3 m ²
LEVEL 1	1P9	En-Suite 6	2.2 m ²
LEVEL 2 NEW	2P1	Landing	2.5 m ²
LEVEL 2 NEW	2P2	Store	0.4 m ²
LEVEL 2 NEW	2P3	Bedroom 7	10.3 m ²
LEVEL 2 NEW	2P4	En-Suite 7	3.3 m ²
LEVEL 2 NEW	2P5	Bedroom 8	12.4 m ²
LEVEL 2 NEW	2P6	En-Suite 8	2.3 m ²



⑧ Skylight - Section
1:50

Plan 4



1
Site - Existing
1 : 200

2
Site - Proposed
1 : 200

Photo 5



Photo 6

