



South Tyneside Council

Reference: 260104

Location: 88 Albert Road, Jarrow, South Tyneside, NE32 5AG

Ward: Primrose

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



Description:	Change of use from C3 Dwelling to C4 HMO - House in Multiple Occupation (5 persons)
Applicant:	Mr William Rowe
Agent:	Beaumont and Partners
Reason for bringing the application to Planning Committee:	Representation(s) have been received from a former ward member
Recommendation:	Grant Permission with Conditions
Case Officer:	Casey Scott

**Case Officer Contact
No.:**

0191 4246780 or 07442 655446

List of neighbour representation addresses:

Referral to Planning Committee David Kennedy – Former Ward Councillor for Primrose (this application was referred to committee prior to the local elections).

Objections

Petition (viewable here: [Petition · Stop the HMO in Albert Road - Jarrow, United Kingdom · Change.org](#)). As of the 12.05.2026, the petition has 142 signatures dated

86 Albert Road, Jarrow x3

90 Albert Road, Jarrow

92 Albert Road, Jarrow (x2 - separate people)

94 Albert Road, Jarrow

104 Albert Road, Jarrow

108 Albert Road, Jarrow

109 Albert Road, Jarrow (x2)

110 Albert Road, Jarrow

41 Bede Burn Road, Jarrow

2 Connaught Terrace, Jarrow

6 Connaught Terrace, Jarrow

8 Connaught Terrace, Jarrow

13 Connaught Terrace, Jarrow

15 Kent Street, Jarrow

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

Description of the Site

1. This application relates to 88 Albert Road, a mid-terrace, 2 storey property with an existing lawful use as a residential dwelling (Use Class C3). The site is bounded by neighbouring terraced dwellings to the immediate east and west, and there are further terraces of residential properties to the north, south and east, with intervening areas of highway and open space. The locality within which the site lies is predominantly residential in character although there are some properties further to the west on Albert Road in use as a GP practice and as retail premises.
2. The site includes private amenity space with a rear yard, enclosed by high brick walls with pedestrian access to the rear service lane, which serves the application site and neighbouring properties within the terrace of Albert Road and Connaught Terrace to the north. There is no in curtilage parking within the application site. On-street car parking is available on Albert Road to the front of the property.

Description of the Proposal

3. This application seeks full planning permission for the conversion and change of use of the existing 3-bedroom residential dwelling (Use Class C3) to a 5 bedroom, 5 person house in multiple occupation (HMO) (Use Class C4). The proposed plans show that the ground floor would contain a shared kitchen dining area, with access to a shared enclosed rear yard and two ensuite bedrooms. The first floor would contain two ensuite bedrooms and one additional bedroom with an off-suite adjacent to the bedroom. One of the ensuite bedrooms does not have an ensuite shower and therefore would need to share the off-suite space with another bedroom on that floor. The proposal would include a total of 5 bedrooms across the two floors. No external alterations are proposed to the building, except for the provision of a bin store area and the installation of eight cycle parking spaces within the enclosed rear yard. The property currently has no in curtilage parking and none is proposed as part of this application.
4. 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.

Relevant Planning History

5. The planning history of the site is as follows:

Reference	Description	Decision	Date
ST/0351/83//DM	Kitchen and bathroom extension at ground floor level at dwelling house	Grant Permission with Conditions	03-11-1983

Summary of Consultation Responses

Community Safety Team

6. 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 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.
7. 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 tenancy revoked resulting in their immediate removal from the Property.

- If residents breach their tenancy 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.

Environmental Health – Private Sector Housing

8. As a five person HMO, a licence will be required for this property. From the plans, rooms sizes are compliant with space standards. The nearest licenced HMO is approximately 0.4 mile away at 56 Salem Street and is the only other licenced HMO in the Primrose Ward.

Highway Authority

9. *Car Parking*

SPD6 Car Parking Standards for HMO schemes in urban areas require 1 space per 5 units for residents, plus 1 space per 5 units for visitors. There are 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 to the existing 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 be the arrangement for the existing/previous use of the site.

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 provision identified within the submission shows 8 parking spaces for 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.

Housing Strategy Team

10. 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;
- Does the person(s) managing / owning have experience of managing these type of properties elsewhere?
 - How they will manage any disruption caused in terms of ASB?
 - Will the owners / management be willing to work with Environmental Health and ASB Teams within the Council on any issues moving forward?

Housing Strategy, and the wider Council, understands the need for a diverse housing choice in the borough, which includes HMOs. It is, however, important to note that given the problems we have experienced in the past with this type of housing, that the

owners / management understand the importance of having plans in place for the day to day management of both properties and residents.

Northumbria Police

11. 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 a healthy and safe environment in the development.

As the application is for a new HMO the plans show that the rooms are all but one below the size for dual occupancy (all rooms on plan show double beds), and with the size of the dwelling (5 bedrooms) and lack of communal/outside area will not give the residents a high quality of life and will force the residents into their small rooms, or out into the surrounding street. We do not believe that the plans will give the quality of life afforded by section 135(F) and 96(A) of the NPPF.

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.

We would ask that the plan of the development is re looked at with respect to our comments and the National Planning Policy Framework.

At this time with the current provided plans Northumbria Police will be objecting to the proposed plans because of the size of the rooms and the lack of communal space both within and outside the dwelling, we have come to this conclusion as the plan is in conflict with section 135(F) and 96(A) of the NPPF.

Summary of Representations

12. The application has been publicised in the local area.
13. 1no. representation has been received from David Kennedy prior to the local elections when he was a local ward councillor for Primrose and this requested that the application be called into planning committee for consideration.
14. 18no. individual representations have been received in objection to the proposal as well as an online petition bearing 142 signatures which was created in November 2025 prior to submission of this planning application in February 2026. The issues raised are summarised as follows:
 - Parking concerns as a result of additional residents
 - Potential crime and anti-social behaviour
 - Increased traffic
 - Loss of a family home from the local housing market
 - Concerns for who the final user would be
 - Negative impact on property value
 - Increased noise as a result of additional residents
 - Impact upon the character of the street and community cohesion

- Potential to set a precedent for development, leading to an overconcentration of HMOs in the area
- Insufficient living space
- Impact on local infrastructure such as schools and medical services)
- Issues with waste management

Relevant planning policy

15. 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.
16. 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).
17. 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)
18. 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 Planning Committee 9 February 2026)
19. 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.
20. 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).
21. Whilst the draft Local Plan is now at an advanced stage of preparation, the weight that can be given to individual Policies in the Plan varies. Local Plan policies subject to Main Modifications consultation may still be subject to objection and, therefore very limited weight should be given to those policies. Policies not subject to Main Modifications can generally be afforded greater weight. 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
 - Policy 3: Pollution
 - Policy 16: Houses in Multiple Occupation (limited)
 - Policy SP16: Housing Supply and Delivery (very 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)
22. 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

23. 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
- Other matters

NPPF Tilted Planning Balance

24. 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.'

25. 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.
26. 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.
27. 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.
28. 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.
29. 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

30. 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.
31. 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.
32. 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.

33. 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.
34. 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".
35. 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, which as set out above is for occupation by up to 5 residents.
36. 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.
37. 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, located approximately 250m from the A185 with access to bus routes, and 290 metres from Jarrow Metro Station. The site is also around 300 metres from Jarrow Town Centre, with its shops and local services.
38. In respect of the character of the area and concerns relating to the increase in the number of HMOs, it is noted that the site is located in an area which is predominantly occupied by terraced dwellings and Tyneside flats.
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. A search of the HMO register reveals that the nearest licensed HMOs comprise of 6 bed HMOs at 56 Salem Street and 45 Wansbeck Road. These are around 400 and 560 metres respectively from the application property. It should be noted that there was a planning application for a 6 bedroom HMO at 195 Albert Road (reference 250772) determined earlier this year, which was refused planning permission at Planning Committee. This decision is currently the subject of an appeal, but the appeal remains undecided at this time.
40. 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 HMOs. Having regard to all of the above it is not considered that the proposed HMO would be unacceptable in terms of cumulative impact considerations and there is no evidence to suggest there is an unacceptable concentration of such uses in the immediate area.

41. Whilst the concerns of the 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 within the area. Indeed, it is considered that the addition of the proposed HMO would result in a more varied mix of housing provision in the area that would assist with meeting a particular housing need. It is not considered that granting the proposed use would materially conflict with and undermine the immediate areas overall character.
42. 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) and the NPPF.

Impact on Visual Amenity

43. 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.
44. 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.
45. Externally, no development works are proposed to the property to facilitate the change of use. Within the rear yard, bin storage and cycle parking is proposed but these would not be visible from the public realm.
46. Therefore, in visual amenity terms the application proposals are considered acceptable and in accordance with LDF Policy DM1 (A) and the NPPF.

Impact on Residential Amenity

47. 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.
48. Policy DM1 (B) requires a development to be acceptable in relation to any impact on residential amenity.
49. Policy EA5 (A) requires the council to reduce levels of pollution and nuisance throughout the Borough.
50. Comments have been received that the proposed HMO would lead to an increase in noise and disturbance to neighbouring occupiers.
51. It is proposed that up to 5no. people could live at the property in 5no. bedrooms which would be secured via condition. There would be a communal kitchen / dining room facility and two en-suite bedrooms on the ground floor, and an additional two en-suite bedrooms at first floor and a fifth bedroom with an off-suite. 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 each of the bedrooms would utilise existing window openings and is considered acceptable.

52. 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 result in a change in the character of the area. The existing dwelling has 3no. bedrooms which would be considered suitable for a family of around 4 related persons.
53. The proposed use of the property as a HMO with a maximum of 5 occupiers would not be materially dissimilar to that of a family dwelling. 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 such a magnitude so as to cause substantial harm having regard to the number of occupiers proposed. 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.
54. It is considered that given the nature of the area and the fact that the property has been used as a 3 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
55. In respect of external amenity space and provision / access to open space, a small yard at the rear of the property would provide some private external amenity space within the curtilage of the property and furthermore, the application site is nearby to West Park, which is approximately 350m from the site to the south-west.
56. 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 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 will be conditioned.
57. 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. Subject to planning conditions to restrict the number of occupants to 5 people and to secure refuse storage, the proposal is considered compliant with the NPPF, LDF policies DM1(B) and EA5 and emerging Local Plan Policies1, 3 and 16 with regard to residential amenity issues.

Crime and Anti-Social Behaviour and the fear of crime

58. 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.
59. 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.
60. Concerns have been raised in respect of anti-social behaviour, a potential increase in general noise and disturbance. Northumbria Police and the Council's Community

Safety Team have suggested that further work is progressed regarding proposed tenant management arrangements in respect of the HMO.

61. 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 users of HMOs and in relation to the consideration of residential amenity anti-social behaviour, or fear of crime.
62. 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 5 people.
63. 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.
64. Furthermore, no evidence has been presented that existing crimes reported in the locality are directly linked to HMO occupiers.
65. 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 LDF Policy ST2 (F) and the NPPF in this regard.

HRA and Biodiversity Net Gain

66. 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.

67. 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.
68. 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

69. 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.
70. 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.
71. SPD6 Parking Standards - sets out the parking standards used in assessing proposals for new development.
72. Objections have been received relating to car parking, stating that the proposals would lead to an increase in parking and highway safety issues in the locality. The property at present has no in-curtilage parking. The proposed plans do not include for any in-curtilage car parking.
73. 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.
74. Secure parking for 8 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, this would be considered acceptable.
75. It is noted that the Highway Authority considers the proposed use would likely generate similar parking requirements to 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 in the nearby town centre and the close proximity of bus and metro services, the proposal is considered acceptable in terms of car parking provision.
76. 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.
77. 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.

78. 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 Flooding

79. 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

80. Concerns have been raised in respect of devaluation of neighbouring properties. This is not a material planning consideration.
81. 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.
82. 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

83. 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.
84. 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, 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.
85. 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.

86. 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.
87. 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.
88. 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

Drawing number 01 Revision A Site Location Plan and Existing and Proposed Site Plans - received 20.02.2026

Drawing number 02 Revision B Existing and Proposed Floor Plans - received 20.02.2026

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 5 persons and the provision of 5 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 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 the details shown on the following plan: Drawing number 01 Revision A Site Location Plan and Existing and Proposed Site Plans - received 20.02.2026. 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 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.

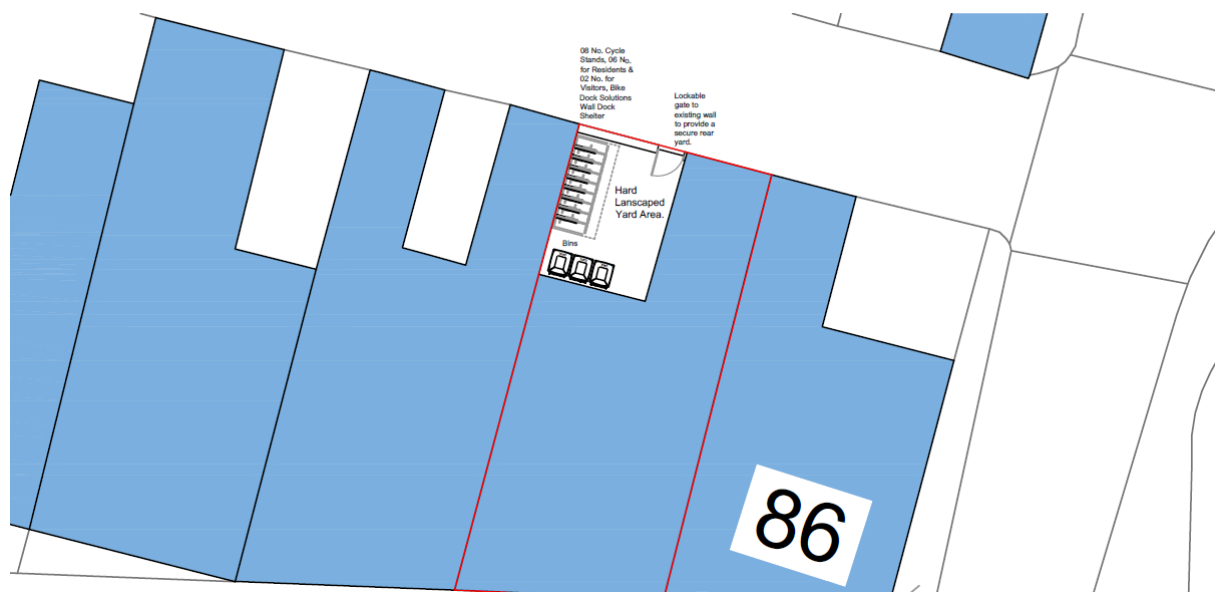
Appendices

Please note none of the plans are to scale. Scaled plans are available on our website.

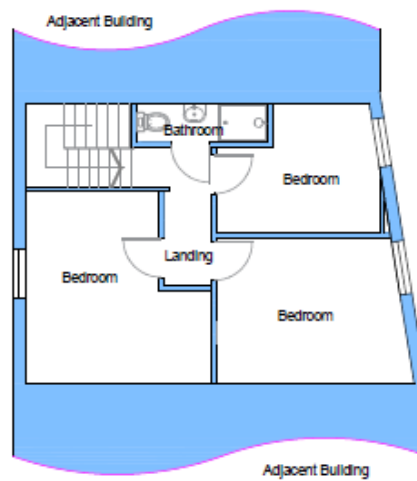
Appendix 1: Site Location Plan / Existing Site Plan



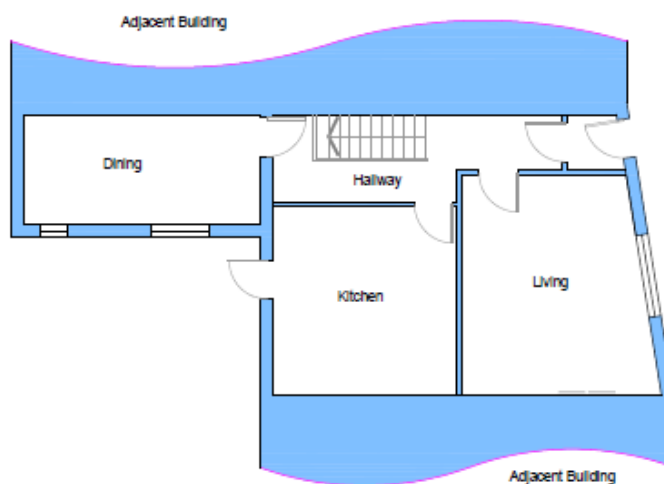
Appendix 2: Proposed Site Plan



Appendix 3: Existing Floor Plans

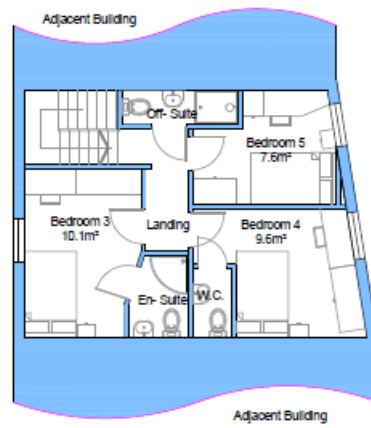


First Floor Plan

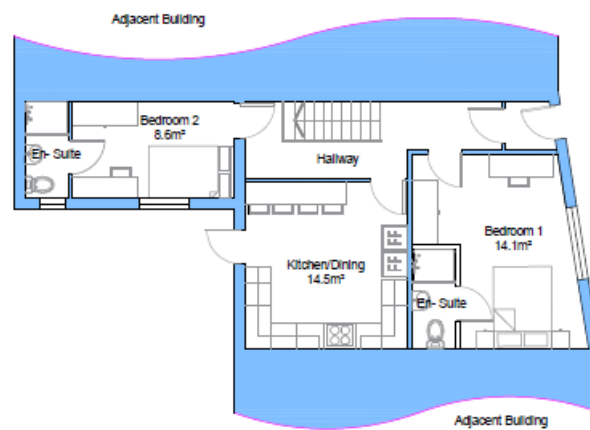


Ground Floor Plan

Appendix 4: Proposed Floor Plans



First Floor Plan



Ground Floor Plan

Appendix 6: Site Photos: Front Elevation



Appendix 7: Site Photos – Rear of Property



Appendix 8: Site Photo – Wider Streetscene

