



South Tyneside Council

Reference: 250798

Location: 113 Imeary Street

South Shields

NE33 4EW

Ward: Westoe

Application documents and plans can be found here

<https://planning.southtyneside.info/MVM/Online/DM/DocumentViewer.aspx?searchType=Planning%20Application&PK=884198>



Description:	Change of use from a 2 bed first and second floor flat to a House in Multiple Occupation (HMO)(4 bed) and dormer window extension to rear roof slope.
Applicant:	Zen Suku Ltd
Agent:	Beaumont and Partners
Reason for bringing the application to Planning Committee:	Representation has been received from (former) ward member
Recommendation:	Grant Permission with Conditions
Case Officer:	Adam Williamson
Case Officer Contact No.:	0191 4247434 or 07741120747

List of neighbour representation addresses:

Refer to Planning Committee – Former Cllr Paul Brenen (Westoe Ward)

Objections

15 Blagdon Avenue, South Shields
98 East Stainton Street, South
109 Imearly Street, South Shields x2
1 Moffet Villas, Imearly Street, South Shields
29 Mowbray Road, South Shields
12 Ryton Court, South Shields
13 Ryton Court, South Shields
40 Spohr Terrace, South Shields
108 Westoe Road, South Shields

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

Description of the Site

1. The application site consists of a mid-terraced, 2 bedroom first floor flat located on Imearly Street, South Shields. To the front elevation the building is red brick under a grey tiled roof. To the rear, the building has a two storey cat slide roof extension covering the rear 1st floor access to the flat above. The rear yard is bounded by a 1800mm high brick wall and double timber gate to the rear lane.
2. The section of Imearly Street occupied by the application property comprises a terrace of Tyneside Flats with more modern terraced dwellings to the opposite, eastern side. There are marked parking bays to the front of the properties. To the west is Maxwell Hall Church and an area of green open space (Chichester Green). The site lies approximately 790 metres south of South Shields Town Centre.

Description of the Proposal

3. Planning permission is sought for the conversion of the existing first and second floor flat to form a 4-bedroom House in Multiple Occupation (HMO). The proposed plans show that the HMO would contain 3 ensuite bedrooms, 1 bedroom with a separate WC/ shower room and, a shared kitchen and dining area. The HMO would house up to 4 persons.
4. A dormer window has been constructed to the rear roof slope. The dormer window measures 4 metres in width, 2 metres in height, and projects 3.1 metres from the plane of the roof. The dormer has been clad with slate tiles to match the roof and would serve bedroom 4.
5. Two rooflights are proposed to the front elevation roof slope to serve bedroom 3.
6. 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.
7. This application has been amended since its submission. Following the officers site visit and examination of the submitted plans, the dormer window to the rear roof slope was under construction and was not shown on the proposed plans, and the amended plans showed a scheme for a 4 bedroom HMO, not a 3 bedroom HMO as originally stated on the submitted application forms. Neighbouring properties were re-notified in writing about these changes to the proposal.

Relevant Planning History

8. A previous application, ref 250797, for the change of use from a 1 bed ground floor flat to 3-bedroom House in Multiple Occupation (HMO) at 115 Imeary Street (the flat immediately below the application site) was refused by Planning Committee in February 2026. No appeal has yet been submitted as a result of that decision.
9. 250016 Single storey rear extension to no. 115 and alterations to the existing double storey extension to rear of no. 113 to provide access and external stairway. Approved 04/03/2025

Summary of Consultation Responses

Environmental Health (HMO Licensing)

10. As a 4 bedroom HMO, a licence would not be required unless occupied by 5 or more people.
11. Based on the room sizes on the plans, each bedroom would meet the required space standard for double occupancy (>10.22 m), meaning a potential for 8 occupants.

Community Safety Team

12. 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 comings and goings are observed.
- Residents are to be signed up with an Excluded License to Occupy, which includes clauses related to their behaviour such as; Ensuring they are responsible for the conduct of their guests who are generally not to be left unaccompanied.
- Not to allow visitors to cause a nuisance or annoyance to neighbours.
- Not to allow visitors to commit any form of harassment or commit an act which may interfere with the peace and comfort of residents, visitors or neighbours.
- Not to play loud music or use any equipment causing a nuisance to another resident or persons in the neighbourhood. In short there must be specific house rules that cover the topics outlined above.

13. 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.

Highway Authority

Car Parking

14. SPD6 Car Parking Standards for HMO schemes in urban areas stipulates 1 space per 5 units for residents, plus 1 space per 5 units for visitors. There appears to be no opportunities for in-curtilage car parking provision associated with the development, which would result in any related car parking requirements taking place on the public highway.
15. Given that the proposed HMO use parking requirements are similar or less than the previous C3 residential dwelling use, based on requirements of SPD6 for HMO use, the Highway Authority would have no objections to zero in-curtilage car parking provision associated with the application, with residents and visitors utilising off-site car parking opportunities, as would be the arrangement for the existing use of the site.

Cycle Parking

16. Minimum cycle parking standards for HMO proposals in urban areas require 1 space per unit for residents, plus 1 space per 5 units for visitors. In-curtilage cycle parking identified within the submission shows provision for the parking of 6 bikes on site, which complies with SPD6 Parking Standards (Cycles).
17. Any related cycle parking condition imposed on the planning consent should include that the provision is sheltered and secure, and for the retention of the cycle parking bays in-curtilage to encourage sustainable travel options.

Refuse Storage & Collection

18. Refuse storage is shown within the site curtilage and is acceptable in respect of Highways Development Management interests.

Northumbria Police

19. 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.
20. 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.
21. Though the development does have quite a bit of communal space which will allow the residents to socialise and resolve issues within the dwelling. We still have concerns that the proposal is likely to increase the demand on services and that there is likely to be an increase in calls from and about the address and could cause an increased burden on the police.

Summary of Representations

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

Former Cllr Brenen (Westoe Ward)

23. I wish for the committee to decide the outcome.
24. My reason is I believe it's in the public's interest that these be openly looked at in the public arena of the planning committee.

Neighbour comments

25. 10 representations have been received in objection to the proposal. The issues raised are summarised as follows:
 - Object to an HMO
 - Over concentration of HMO's in the area
 - Parking pressures
 - Increase in anti-social behaviour
 - Overlooking of neighbours
 - Decrease in neighbouring property values
 - Erode community cohesion
 - Would not meet an identified need

Relevant planning policy

26. 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.
27. 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).

28. The following LDF policies are relevant to this planning application:
- A1 - Improving Accessibility (CS)
 - ST1 – Spatial Strategy for South Tyneside (CS)
 - ST2 – Sustainable Urban Living (CS)
 - SC1 - Creating Sustainable Urban Areas (CS)
 - SC3 - Sustainable Housing Provision (CS)
 - SC4 - Housing Needs, Mix and Affordability (CS)
 - EA3 - Biodiversity and Geodiversity (CS)
 - EA5 – Environmental Protection (CS)
 - DM1 - Management of Development (DMP)
 - DM4 Intensive Housing Uses (DMP)
 - DM7 - Biodiversity and Geodiversity Sites (DMP)
29. 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)
30. 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.
31. 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).
32. 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. 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)
33. 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

34. 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

35. 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 combination⁹.'
36. 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.

37. 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.
38. 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.
39. 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.
40. 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

41. 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.
42. 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.
43. 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.
44. 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".
45. 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 4 residents.
46. 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.
47. 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 the

services on Chichester Road and Westoe Road, the bus stops on Imeary Street and Westoe Road, and to Chichester Metro Station.

48. The existing dwelling has 1no. bedroom (potentially 2 bedrooms given the existing study) which would be considered suitable for a small family of around 3 related persons.
49. In respect of the character of the area and concerns relating to the increase in the number of HMO's, it is noted that the immediate area is predominantly occupied by Tyneside flats and terraced dwellings. With regard to the cumulative impact of HMO proposals, emerging Local Plan Policy 16 makes reference to any individual dwelling not being 'sandwiched' between two HMOs on both sides and to the number of HMO dwellings not exceeding 10% of the total number of properties within 100 metres of an application site within the Lawe Top Article 4 Direction area. Whilst this Policy can only be given limited weight at this time (and the 10% criteria 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.
50. It is noted that there are no licenced HMO properties within 100 metres of the application site, the closest licensed HMO's being 194 Westoe Road, approximately 200 metres southeast and 202 Westoe Road, approximately 215 metres away also to the southeast. Therefore, there would be no sandwiching effect and it is considered that the introduction of an additional small HMO in this location would not result in a level of cumulative impact that would be unacceptably detrimental to residential amenity.
51. 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 an HMO but would not be licensable and as such the Council would have no record of these smaller HMO's, as a licence is not required for its operation.
52. Having regard to all of the above, it is considered that the proposed HMO would not 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.
53. Whilst the concerns of residents are noted, it is not considered that the loss of 1no. C3 dwelling would result in significant harm to the housing mix and availability of dwellings in the area. Indeed, it is considered that the addition of the proposed HMO would result in a more varied mix of housing provision in an area that would assist with meeting particular housing needs. It is considered that granting the proposed use would not materially conflict with and undermine the immediate areas overall general character. In this regard it is acknowledged that properties in the immediate vicinity of the site are single household family dwellings. However, as stated above, LDF Policy DM4 does not apply in this instance as this proposal for the property is for a small Use Class C4 HMO.
54. It is therefore considered that, and notwithstanding the objections received that the proposed use would be acceptable in principle in this location and in accordance with LDF Policies ST2 (F), SC1, and DM1 (A).

Impact on Visual Amenity

55. The NPPF (para. 131) states that the creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process

should achieve, and; that good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.

56. Externally a dormer window has been constructed to the rear roof slope. Paragraph 11.4 of SPD9 states that “...*Dormer extensions should be set in from external walls or property boundaries where near to an attached neighbour, and should not wrap around more than one roof plane. They should always be positioned below the roof ridgeline and set-up from the eaves of the main dwelling...*”. The dormer, as constructed, is set in from the external walls, is below the ridgeline and set above the eaves of the dwelling and is clad in materials to match the existing roof. Given this, the dormer window to the rear roof slope is considered to be an acceptable addition to the building.
57. To the rear yard secure cycle storage is proposed along with an area for bin storage. The rear yard is not visible from any public vantage points and, as such, the proposals would not have a visually detrimental impact upon the surrounding area.
58. Therefore, the proposals are considered acceptable on visual amenity grounds and in this regard accord with LDF Policy DM1 (A) and the NPPF.

Impact on Residential Amenity

59. 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.
60. Policy DM1(B) requires a development to be acceptable in relation to any impact on residential amenity.
61. Policy EA5 (A) requires the council to reduce levels of pollution and nuisance throughout the Borough.
62. Comments have been received that the proposed HMO would lead to an increase in noise and disturbance to neighbouring occupiers.
63. It is proposed that up to 4no. people could live at the property in 4no. bedrooms. There would be a communal kitchen and living room with 3 ensuite bedrooms and a bedroom with separate WC/ shower facility. 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.
64. It is considered that there would be adequate indoor and outdoor space for tenants in terms of amenity and satisfactory outlook from bedrooms within the property.
65. 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 to the character of the area which residents consider is particularly for families. The existing dwelling has 1 no. bedroom with an office which could form a second bedroom, which would be considered suitable for a smaller family of around 3 related persons.
66. Furthermore, the terrace of which the application property forms a part comprises largely Tyneside flats, and it is considered that the proposed maximum number of occupants (4) would be broadly similar to the number of occupants in such a flat.

67. It is considered that the proposed development, with an occupancy level of 4 no. persons would not result in impacts on residential amenity for neighbouring occupiers that would be materially or discernibly greater than the established use fallback position as set out above. This is because there is not considered to be a significantly greater number of comings and goings, noise or disturbance as a result of the proposed development over and above the level that would be experienced by the existing position.
68. Issues of anti-social behaviour and crime are considered later within the report.
69. The proposed HMO would house a maximum of 4 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 within the rear yard of the property in accordance with this requirement as shown on the proposed plans. This will be conditioned.
70. Objection has been raised that the dormer window has led to overlooking of neighbouring properties. The dormer window looks onto the blank side elevation of 2 Ryton Court which is over 28 metres to the west of the application site. Given the relationship between the host dwelling and neighbouring dwellings, the dormer window has not introduced development to the detriment of neighbour's amenity in terms of loss of privacy, overlooking, overshadowing or overbearing impacts.
71. 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 the proposal is also considered acceptable in terms of its impact on the residential amenity of residents in the surrounding locality. A condition has been proposed to restrict the number of occupants to 4 persons.
72. Overall, the proposal is considered to accord with LDF Policy DM1(B) and EA5.

Crime and Anti-Social Behaviour and the fear of crime

73. Paragraph 135(f) of the NPPF states that decisions should create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.
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. Objectors have raised concerns about antisocial behaviour in the area and the potential for HMO residents to exacerbate the situation. The Council's Community Safety Team and Northumbria Police have suggested that further work is progressed regarding proposed tenant management arrangements in respect of the HMO.
76. Whilst the comments of residents 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 considered that there would be adequate indoor space for tenants (particularly given the number of tenants would be limited to 4 people) and it is considered that it is not for the planning system, or the decision-making process on this planning application, to consider the day-to-day operational matters and

management associated with the proposed HMO use (or its tenants). These responsibilities would ultimately rest with the operator of the HMO. The HMO Licensing regime would not apply to this proposal because it is proposed that only 4 persons would occupy the property.

77. As set out above, it is considered that matters of day-to-day management of tenants would be most appropriately addressed by the landowner and there is no evidence that a HMO operating from this property 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 it is considered that police powers and the statutory nuisance powers of the Council's Environmental Health service 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 considered that it would not be reasonable to refuse planning permission for these reasons. Furthermore, it is considered that there would not be a proliferation of HMOs within the immediate locality surrounding the application site such that it would result in the proposal being unacceptable due to cumulative impacts related to residential amenity or community safety. It is also noted there are no licenced HMOs within the immediate vicinity of the site (any HMO within the locality would be unlicensed if four residents or less).
78. The comments from Northumbria Police relating to the HMO rooms to be let to same sex occupants to reduce as much as possible any VAWG incidents (Violence against Women and Girls) are noted, however, it is considered that a planning condition restricting the use of the building to same sex occupants would not be reasonable under the tests for conditions set out within Paragraph 55 of the NPPF. Those responsibilities ultimately rest with the operator of the HMO.
79. Having regard to the above, it is considered that the proposed development would be acceptable in planning terms in respect of the matters of crime and anti-social behaviour in the area and in light of this, it is likewise considered that refusal would not be justified on the grounds of fear of crime.
80. The proposal would, therefore, comply with LDF Policy ST2 (F) 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-minimis 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.

Impact on Highway Safety

84. STC Policy A1 Improving Accessibility seeks to support public transport, cycling and walking by ensuring that new developments are easily accessible. Parking standards will apply to new development, as set out in SPD6.
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. Comments have been received that the proposal would lead to an increase in parking issues in the area.
88. 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.
89. This application site and proposal (as mentioned previously) would be located within a sustainable location with a number of amenities within walking distance and there are several public transports links within a reasonable walking distance of the property. The property is located a 6-minute walk from the Chichester Metro Station (with services to Sunderland and Newcastle every 20 minutes). Bus services on Imear Street and Westoe Road are less than 100 metres from the application site (services approximately every 7 minutes to South Shields Interchange, every 30 minutes to Sunderland, and every 15 minutes to Newcastle). There is unrestricted on-street car parking in the immediate area. It is, therefore, considered that the shortfall in on-site parking is acceptable.
90. Additionally, the Highway Authority have advised that the parking requirements for the proposed use would be slightly less than the existing use of the residential flat and therefore they have no objections to the proposed use using the on-carriageway parking facilities on Imear Street and in the surrounding area.
91. In terms of cycle parking, minimum cycle parking standards for HMO proposals in urban areas require 1 space per unit for residents, plus 1 space per 5 units for visitors. In-curtilage cycle parking identified within the submission shows capacity for 6 cycles, which accommodates residents and visitor provision and therefore meets SPD cycle parking standards. The Highway Authority has advised that the proposal cycle parking provision meets the requirements of SPD6.
92. Conditions are suggested in relation to the rear yard area being kept available for refuse and cycle storage.
93. Having regard to the above, the proposal is considered to accord with LDF Policies A1, and DM1 (G, H and I).

Drainage and Flood Risk

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, 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. Comment has been made that the use would devalue neighbouring properties. This is not a material planning consideration.
96. 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.
97. 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

98. 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.
99. 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.
100. In terms of benefits, the proposal would provide social and economic gains by contributing to reducing the current shortfall in terms of housing supply.
101. 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.
102. There are, therefore, no adverse impacts arising that would significantly and demonstrably outweigh the benefits of the development.
103. The proposal would represent an acceptable form of development and therefore benefits with the presumption in favour of sustainable development being applicable in this instance. There are no material considerations which indicate that a decision should be taken otherwise than in accordance with the development plan and, therefore, the application is recommended for approval.

Recommendation

Grant Permission with Conditions

- 1 The development to which this permission relates must be commenced not later than 3 years from the date of this permission.

As required by Section 91 of the Town and Country Planning Act 1990 and to ensure that the development is carried out within a reasonable time.

- 2 The development shall be carried out in accordance with the approved plan(s) as detailed below

Existing and Proposed Floor Plans Drg No 02 Rev A received 27/04/2026

Proposed Elevations Drg No 03 Rev A received 27/04/2026

Proposed Second Floor Plan and Section Drg No 05 Rev A received 27/04/2026

Site and Location Plans Deg. No. 01 Rev A received 27/04/2026

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 four persons and the provision of 4 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(G).

- 4 No part of the development hereby approved shall be brought into use until the cycle storage and bin storage to serve the development as shown on Site and Location Plans Deg. No. 01 Rev A received 27/04/2026, has been provided and made available for such use. Such cycle and bin storage shall be retained thereafter so long as the development hereby permitted remains in use.

To ensure the provision of off-street parking, adequate bicycle parking and waste disposal provision, in accordance with the NPPF and Policies A1 and DM1(G) of the South Tyneside LDF.

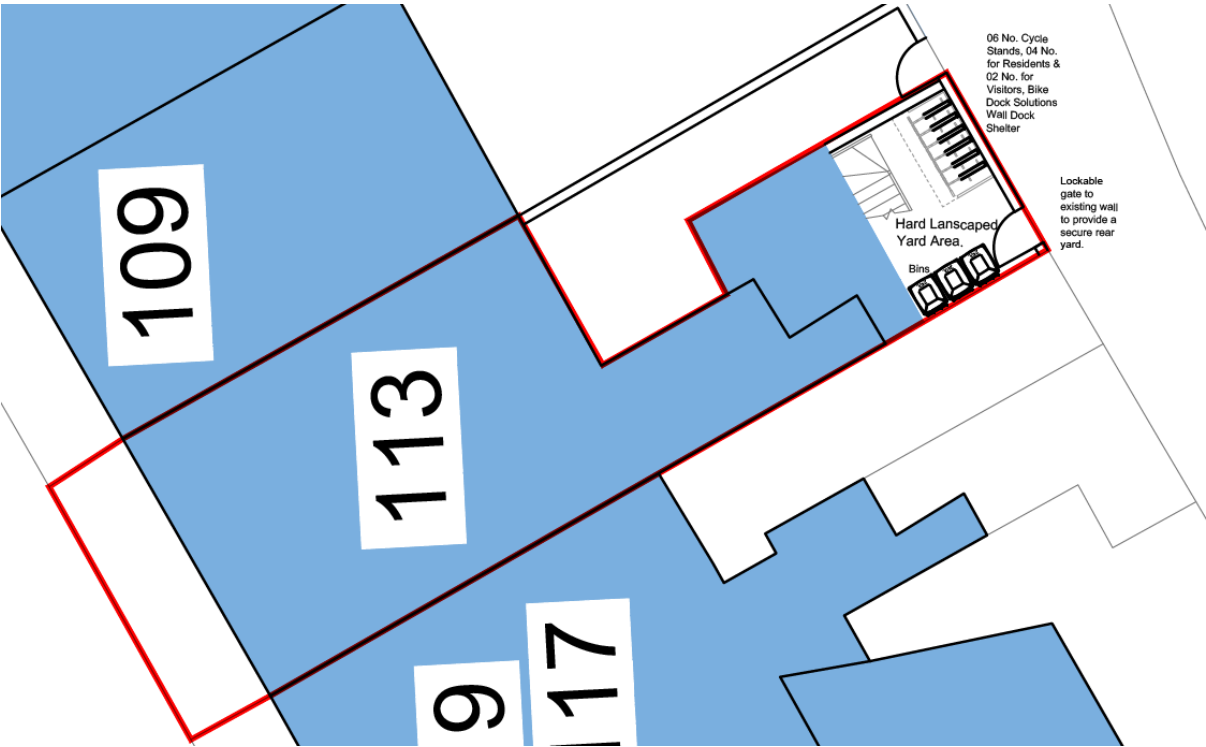
- 5 Bedroom no.3 in the roof space shall not be occupied in respect of the HMO use of the property hereby permitted unless and until all the roof windows to that bedroom as shown on the plans listed in Condition 2 have been installed at a cill height of no more than 1.4 metres above the floor level of that bedroom. Thereafter such roof windows shall remain in place at all times.

In the interests of the residential amenity of future occupiers in accordance with Policy DM1 of the South Tyneside Local Development Framework and the NPPF.

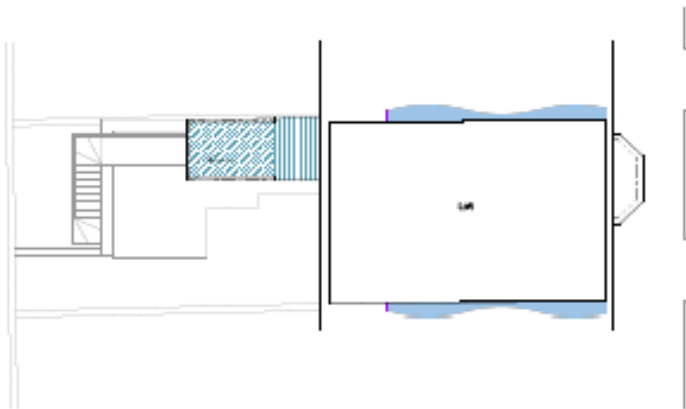
Plan 1 Site Location Plan



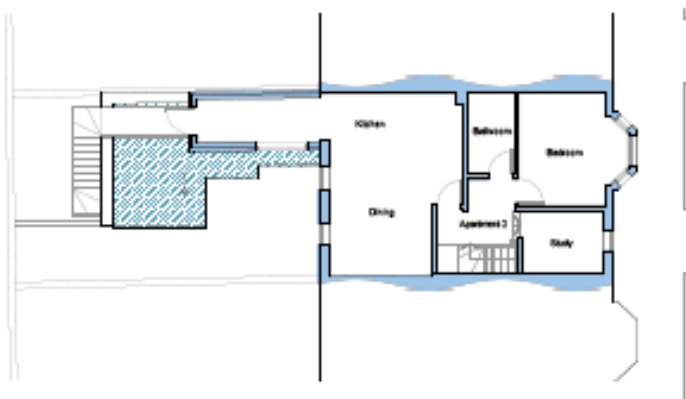
Plan 2 Proposed Site Plan



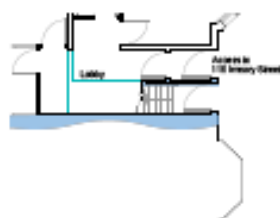
Plan 3 Existing Floor Plans



Existing Second Floor



Existing First Floor

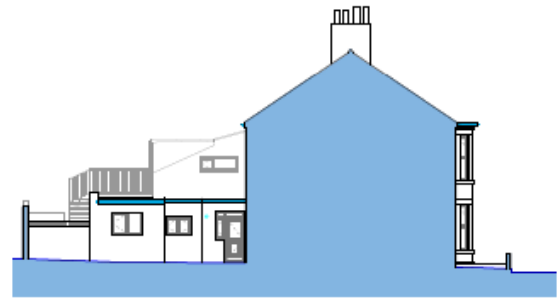


Existing Ground Floor

Plan 4 Existing Elevations



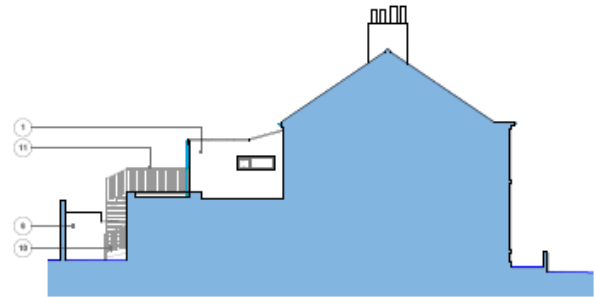
Existing Southwest Elevation



Existing Northwest Adjacent Courtyard Elevation



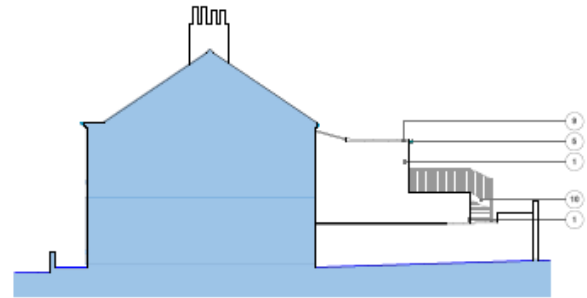
Existing Northeast Elevation



Existing Northwest Elevation

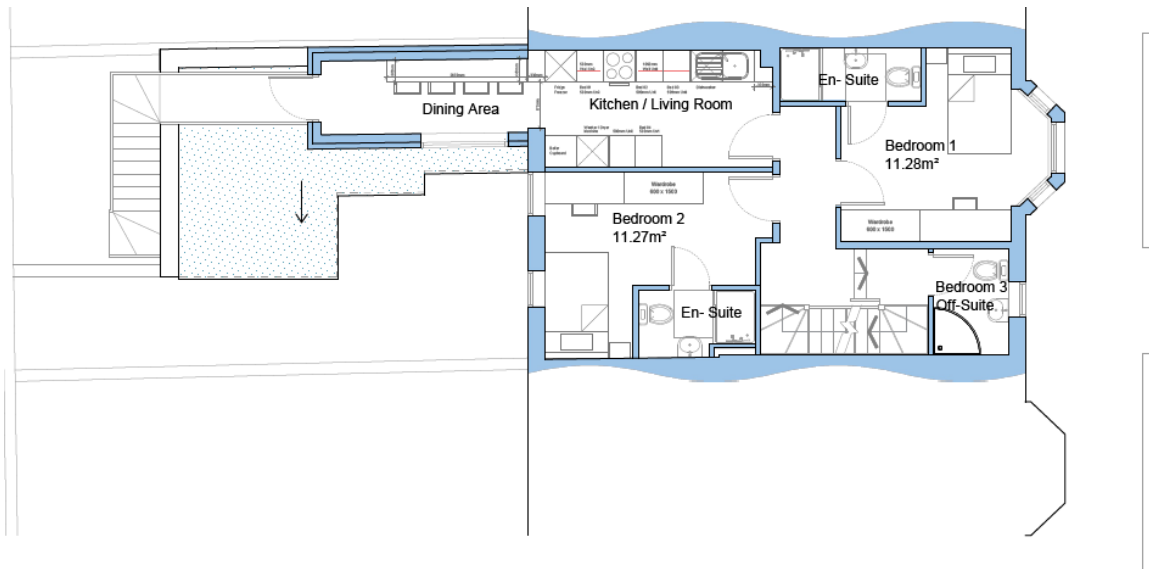


Existing Northeast Street Elevation

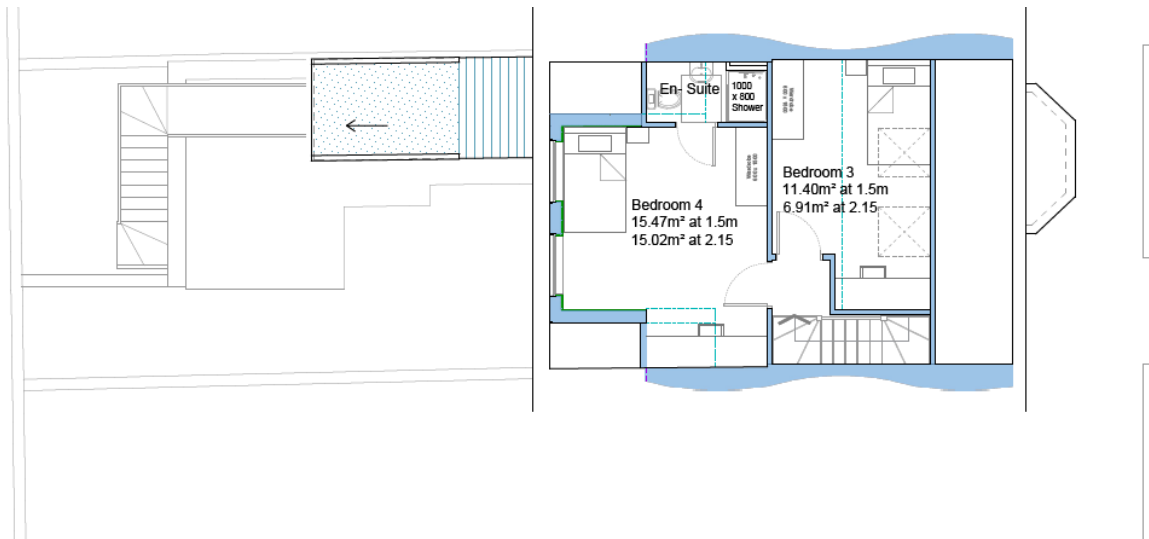


Existing Southeast Neighbouring Elevation

Plan 5 Proposed Floor Plans

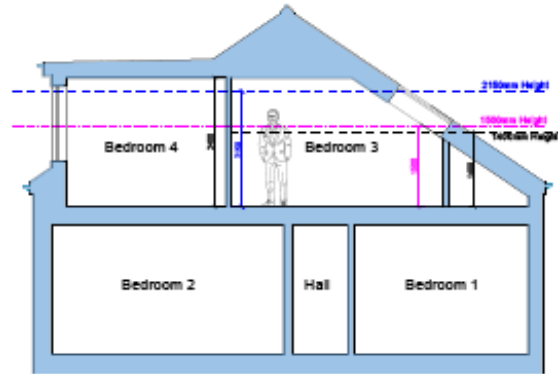


Proposed First Floor

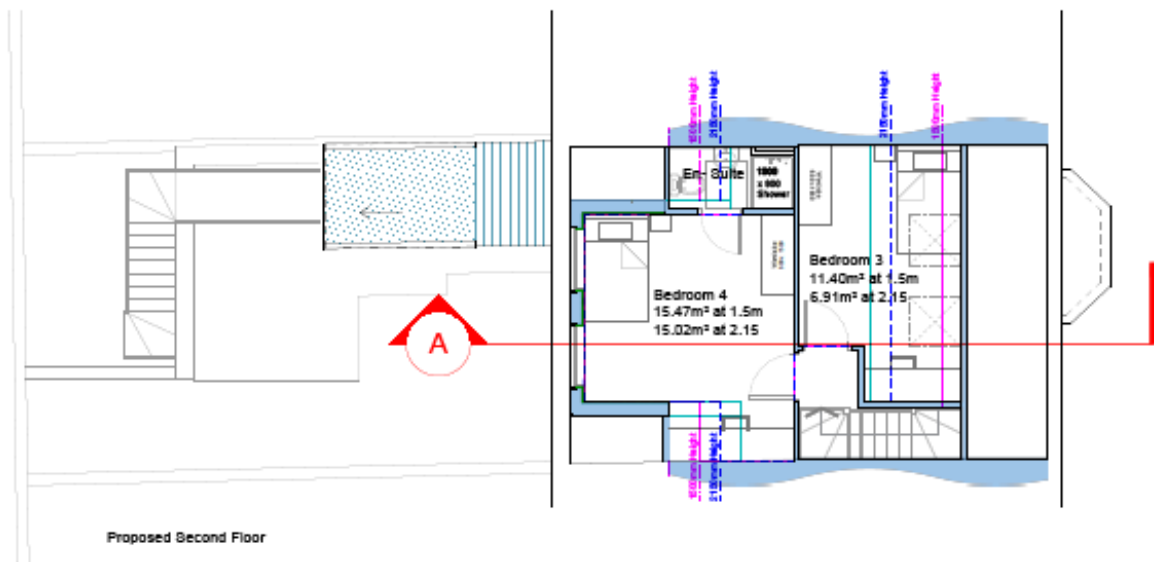


Proposed Second Floor

Plan 6 Proposed Second Floor Section



Proposed Second Floor Section A-A

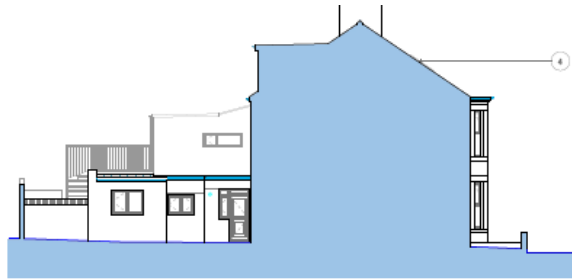


Proposed Second Floor

Plan 7 Proposed Elevations



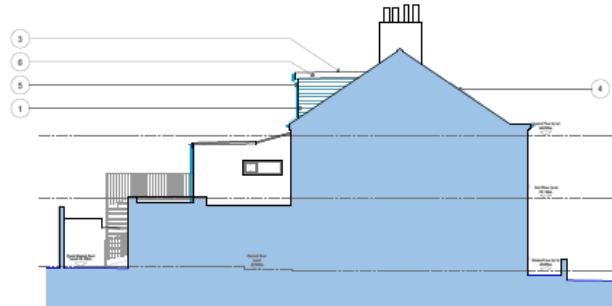
Proposed Southwest Elevation



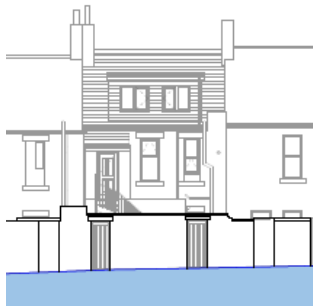
Proposed Northwest Adjacent Courtyard Elevation



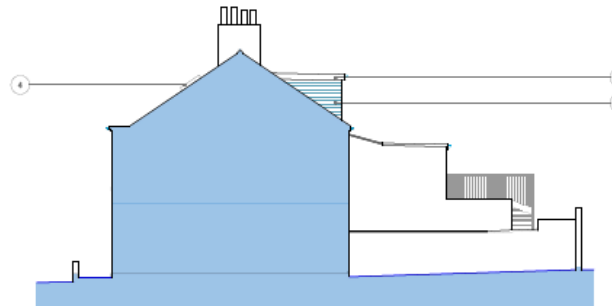
Proposed Northeast Elevation



Proposed Northwest Elevation



Proposed Northeast Street Elevation



Proposed Southeast Neighbouring Elevation

Photographs 1 and 2

