



## South Tyneside Council

**Reference:** 260209

**Location:** 161 Wansbeck Road  
Jarrow  
South Tyneside  
NE32 5SR

**Ward:** Monkton

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



**Description:** Change of use from dwelling (Use Class C3) to 6 bed, 6 person House in Multiple Occupation [HMO] (Use Class C4) and insertion of rooflights

**Applicant:** Mr Rupert Waspe

|                                                                   |                                                 |
|-------------------------------------------------------------------|-------------------------------------------------|
| <b>Agent:</b>                                                     | Beaumont and Partners                           |
| <b>Reason for bringing the application to Planning Committee:</b> | Representation has been received from a Member. |
| <b>Recommendation:</b>                                            | Grant Permission with Conditions                |
| <b>Case Officer:</b>                                              | Nick Graham                                     |
| <b>Case Officer Contact No.:</b>                                  | 0191 4247427 or 07741108995                     |

#### **List of neighbour representation addresses:**

##### Objections

Cllr Geraldine Kilgour - Refer to Planning Committee  
Cllr Sheryl Jones

Petition in Objection - 600+ signatures

27 Abbey Drive, Jarrow  
10 Beaumont Terrace, Jarrow  
41 Bede Burn Road, Jarrow (x2)  
156 Bede Burn Road Jarrow  
160 Bede Burn Road, Jarrow (x2)  
186 Bede Burn Road, Jarrow  
188 Bede Burn Road, Jarrow  
200 Bede Burn Road, Jarrow  
14 Coquet Street, Jarrow  
19 Coquet Street, Jarrow  
20 Coquet Street, Jarrow  
23 Coquet Street, Jarrow  
37 Coquet Street, Jarrow  
6 Crusade Walk, Jarrow  
23 Crusade Walk, Jarrow  
6 Ettrick Road Jarrow  
20 Ettrick Road, Jarrow  
28 Ettrick Road, Jarrow  
36 Haswell Close, Gateshead  
46 Kent Street, Jarrow  
44 Olwen Drive Hebburn  
34 Sherburn Grange North, Jarrow  
30 Sherburn Grange South, Jarrow  
7 South View, Jarrow  
35 Springwell Road, Jarrow  
9 Suffolk Street, Jarrow (x2)  
17 Turner Avenue, Jarrow  
3 Wansbeck Road, Jarrow  
7 Wansbeck Road, Jarrow  
21 Wansbeck Road, Jarrow  
72 Wansbeck Road, Jarrow  
98 Wansbeck Road, Jarrow  
116 Wansbeck Road, Jarrow

|                                                  |
|--------------------------------------------------|
| 120 Wansbeck Road, Jarrow                        |
| 124 Wansbeck Road, Jarrow                        |
| 126 Wansbeck Road, Jarrow (x2)                   |
| 130 Wansbeck Road, Jarrow (x2)                   |
| 132 Wansbeck Road, Jarrow                        |
| 141 Wansbeck Road, Jarrow                        |
| 143 Wansbeck Road, Jarrow (x2 - separate people) |
| 145 Wansbeck Road, Jarrow (x2)                   |
| 151 Wansbeck Road, Jarrow                        |
| 153 Wansbeck Road, Jarrow (x2 - separate people) |
| 161 Wansbeck Road, Jarrow                        |
| 163 Wansbeck Road, Jarrow (x3 - separate people) |
| 165 Wansbeck Road, Jarrow                        |
| 167 Wansbeck Road, Jarrow (x2)                   |
| 169 Wansbeck Road, Jarrow                        |
| 171 Wansbeck Road, Jarrow                        |
| 173 Wansbeck Road, Jarrow (x3)                   |

### **Description of the Site**

1. This application site consists of 161 Wansbeck Road, a two-storey mid-terraced property with a lawful use as a residential dwelling. The site lies within a mainly residential area and is bounded by residential properties to the north and south at Wansbeck Road. To the east is the highway and then further residential properties at Wansbeck Road. To the west is the rear lane and then residential properties at Coquet Street.

### **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 6 bedroom, 6 person HMO (Use Class C4). Associated external alterations are proposed, which comprise the insertion of two roof windows to the front roof plane and one roof window to the rear roof plane.
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. An amended site location plan was received to include the front of the site, and an amended description was agreed to clarify the proposed works; given the nature of the amendments, re-notification was not considered to be required in line with the Council's Statement of Community Involvement (SCI).

### **Relevant Planning History**

5. No relevant planning history.

## **Summary of Consultation Responses**

### **Environmental Health (HMO licencing)**

6. From the floor plan, room sizes appear to meet the required space standard for the proposed number of occupants.
7. The nearest licenced HMO is 45 Wansbeck Road approximately 200m from this address and is one of two licenced HMOs in the Monkton Ward, the other being 10 North View, Jarrow.

### **Highway Authority**

8. 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 8 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**

9. 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.
10. 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**

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.

12. 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.
13. Though the application is for 6 bedrooms and is not of a large size and all of the bedrooms are above the national requirements for dual occupancy, and because of this there is the potential for up to 12 extra vehicles in an already crowded narrow street, and even with the bike stands, this may not reduce the number of vehicle as the location of the HMO is not within easy walking distance of major public transport (Metro Station). Also the number of visitors that attend the address could also increase the demand on the parking, which could increase the tensions in the street and cause incidents, as well as the strangers living together could increase domestic incidents as well as inter resident conflict.
14. As the applicant is not from the South Shields area we would require a comprehensive management plan for the development to cover:
  - Maintenance of the property
  - Asb policy for requirements of residents
  - Reporting of incidents to management company for both residents and neighbours
  - Maximum length of residence allowed via booking.
  - Parking policy.
  - Waste management
  - Noise prevention
  - Inspections
15. We request that the management plan is supplied before the application is granted as well as a local management company is endorsed to manage the property in the local area.
16. 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, as well as the parking issues which will occur because there is no formal or informal, as well as illegal parking.
17. Northumbria Police would like the parking issues to be addressed as well as the request for the management plan for the HMO.

#### Housing Strategy Team

18. I don't 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?

19. 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**

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

#### **Representation from Cllr Kilgour (Fellgate and Hedworth Ward)**

21. I wish to call in the application at 161 Wansbeck Rd for reasons such as incongruous use class, an overdevelopment of the property, the parking issues and lack of community cohesion given the transient nature of such a provision.

#### **Representation from Cllr Jones (Monkton Ward)**

22. I wish to object to this planning application as the proposal would contribute to an overconcentration of HMOs in the area, undermining the balanced residential character of the neighbourhood and increased intensity of occupation is likely to result in additional noise and disturbance detrimental to neighbouring residential amenity. Existing on-street parking is already under pressure and the proposal would further exacerbate congestion and parking difficulties. This would result in parking in the back lane where children currently play thus a potential danger to them. There will be a further burden on refuse collection, waste disposal and sewerage. The scale and nature of the proposed use would be out of keeping with the predominantly family-residential character of the area. Increased comings and goings associated with multi-occupancy use would negatively affect nearby residents' quality of life.
23. The proposal risks creating cumulative impacts when considered alongside existing HMOs within the locality. There is a property at 33 Coquet Street which is directly to the rear of 161 Wansbeck Road which has applied for an HMO and which I believe is currently operating as an Air B&B. The intensified use of the property could lead to increased litter, refuse overflow, and harm to the appearance of the street scene. For these reasons, I respectfully request that the application be refused.
24. 63 representations have been received in objection to the proposal. The issues raised are collectively summarised as follows:
- Concerns regarding the proposal changing the character of the area which is considered to be a long-established, quiet, family-oriented community with many elderly and vulnerable residents. The development is considered out of character with the surrounding residential environment and would adversely impact on the residential amenity and quality of life for neighbouring properties, and to nearby sensitive uses including schools, a children's home, sheltered housing and elderly person's accommodation.
  - Concerns that the HMO would harm community cohesion, safety, and the established neighbourhood feel due to the transient nature of the residents. Overdevelopment of the property would lead to poor living conditions and inadequate amenity space.
  - Concerns regarding an overconcentration of HMOs in the area creating a cumulative impact.

- Concerns regarding parking pressures which already exist in the area and would be exacerbated, with a risk of reduced access to emergency vehicles due to increased on-street parking.
  - Concerns regarding possible increases in noise, disturbance, and comings-and-goings associated with multiple occupants. Concerns regarding a potential rise in anti-social behaviour and reduced sense of security.
  - Concerns regarding waste management, bin storage, litter and pest problems.
  - Concerns regarding a lack of long-term investment / management in the property by non-local companies.
  - Concerns regarding impacts on local infrastructure, including drainage, refuse services, GP surgeries, schools, and other facilities.
  - Potential negative impact on property values and demand for family housing.
  - Previous similar applications nearby (e.g. Coquet Street) have been refused, so consistency is expected.
  - Reports of alleged unauthorised works and disturbance during construction prior to the submission of this application.
  - Belief that alternative, more suitable locations should be considered for HMOs.
25. A petition in objection with over 600 signatures has also been submitted with objections concerning impact on local character and community balance, proximity to vulnerable residents, noise and residential amenity issues, parking and highway safety issues, and waste and hygiene issues, and noting the refusal of planning permission for a 6 bedroom HMO at 33 Coquet Street earlier this year.

### **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:
- 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)
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 in March/April 2026. On 29 June, the Council received the Inspectors Final Report, which concluded that with recommended main modifications, the South Tyneside Local Plan is sound.
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. As the draft Local Plan has now been found sound, subject to recommended main modifications, significant weight can now be afforded to all of the policies. Relevant policies are listed below:
- Policy SP1: Presumption in favour of Sustainable Development  
Policy 1: Promoting Healthy Communities  
Policy 3: Pollution  
Policy 8: Flood Risk and Water Management  
Policy SP16: Housing Supply and Delivery  
Policy 16: Houses in Multiple Occupation  
Policy SP21: Natural Environment  
Policy 35: Delivering Biodiversity Net Gain  
Policy 47: Design Principles  
Policy SP26: Delivering Sustainable Transport
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

#### 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 combination.’
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. The scheme proposes a 6 bedroom HMO (use class C4) as a change of use from the existing dwelling (use class C3).
42. 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.
43. 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, with some shops and services located nearby at Bede Burn Road, and transport links with regular bus services nearby.
44. 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.
45. 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.
46. 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.
47. 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".
48. 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 6 residents.
49. 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.
50. The immediately surrounding locality is characterised by single household family housing.
51. 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.

52. The proposal would not result in a sandwiching effect and from the Council's licensed HMO register, there is currently an HMO located at 45 Wansbeck Road (6 bed), approximately 210 metres to the north of the application site and on the next block of terraced properties at Wansbeck Road. There has also been a 4 bedroom HMO approved at no. 54 Kent Street (ref. 260198) in June 2026, approximately 700 metres north of the application site, and which would not require an HMO licence. Other HMOs nearby may not be subject to an HMO licence (i.e. 4 residents or less) and would therefore not show on the HMO register.
53. It is noted that recent applications for planning permission for HMOs have been refused by the Council nearby at 33 Coquet Street (ref. 250756) immediately to the west of the site and at 12 Surrey Street (ref: 260115) around 650 metres to the north. These refusals are both now the subject of appeals to the Planning Inspectorate.
54. Planning permission was also refused for a 6 bedroom, 6 person HMO at 195 Albert Road (ref. 250772) approximately 800 metres to the north of this site, however this has recently been allowed on appeal (appeal ref. 6006345) by the Planning Inspectorate on 6 July 2026.
55. Notwithstanding the fact each application (and appeal) is considered on its individual merits, this current proposal is considered to be of a similar nature and this appeal decision is considered to be a material planning consideration in the determination of this application, with the application site for this application being located within an area similar to that described within the appeal decision; an area of single-family homes in rows of terraced houses providing a dense urban grain. The Planning Inspector commenting on character matters in their decision noted that:
- 'Future occupiers would have independent lifestyles and work patterns, with the level of activity and frequency of comings and goings somewhat different to that of a single-family home. However, given the limited number of occupants and the surrounding context, this alone would not appreciably change the character of the area'.*
56. Overall, given the distance from the application site to other licensed (and approved) HMOs, and the mix of surrounding land uses, 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 6 bedroom HMO at this location, and the property is considered suitable and of an appropriate size for such a use.
57. Overall, the proposed HMO is considered acceptable, in principle, and in accordance with the above referenced LDF Policies, the NPPF, and the emerging Local Plan Policies.

#### Impact on Residential Amenity

58. 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.
59. Policy DM1 (B) requires a development to be acceptable in relation to any impact on residential amenity.
60. Policy EA5 (A) requires the council to reduce levels of pollution and nuisance throughout the Borough.

61. Emerging Local Plan Policy 1 sets out the Council should seek to improve the health, wellbeing and quality of life of South Tyneside residents through ensuring that pollutants are addressed prior to development and delivering well-designed and high-quality housing to meet the needs to the Borough's population.
62. Emerging Local Plan Policy 3 requires developments that may cause noise pollution to incorporate measures to prevent or reduce pollution to an acceptable standard to avoid negative impacts on people.
63. Emerging Local Plan Policy 16 makes reference to ensuring the proposal would not have a detrimental impact on the amenities of surrounding properties by causing excessive noise and disturbance.
64. The physical alterations to the property, by their nature, 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.
65. Whilst the proposed HMO would have a larger number of bedrooms than the existing use of the property, the increase in bedroom numbers from 3 to 6 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 predominantly residential uses. As such, it is considered that the introduction of a small HMO 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.
66. In terms of the amenity of proposed residents, one bedroom lies within the roof space (annotated as bedroom 6). Given the number and position of rooflights to this bedroom, and where each of the windows would be positioned between approximately 1400mm and 2000mm above the floor level of the room, daylight to, and outlook from, this room is considered acceptable. A condition is recommended in respect of this room to ensure the rooflights are installed prior to its first use as a bedroom associated with the HMO use.
67. The submitted floor plans show that all of the six bedrooms would have satisfactory outlook and natural light, as would the shared space for cooking and eating. A yard at the rear of the property provides private external amenity space. The application site is also within walking distance of Campbell Park to the west of the site.
68. In regard to waste storage, the proposed HMO would house a maximum of 6 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.
69. Additionally, and within the appeal for 195 Albert Road, the Planning Inspector noted that:

*'the appeal site is flanked by two existing dwellings. Across the alley to the rear is a short terrace of bungalows. Though the proposal represents a degree of intensification of the residential use, it remains limited in scale and the nature of the use would not significantly change. Any increase in comings and goings or additional activity at the property would thus be modest and, given the existing urban context, this would not*

*result in a significant increase in noise and disturbance for the occupiers of neighbouring properties...The proposal would not have a harmful effect on the living conditions of the occupiers of neighbouring properties.'*

Similar circumstances are considered to arise in respect of this application.

70. 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

71. 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.
72. 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.
73. Emerging Local Plan Policy 16 makes reference to ensuring the proposal would not have a detrimental impact on the amenities of surrounding properties by causing excessive noise and disturbance.
74. Concerns have been raised in respect of anti-social behaviour, a potential increase in general noise and disturbance, and impacts on vulnerable residents nearby which includes a children's home and elderly person's accommodation. 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.
75. 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.
76. 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 anti-social behaviour, or fear of crime.
77. 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 six people. There is also 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.

78. 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.

79. Additionally, and within the appeal decision for 195 Albert Road, the Planning Inspector noted that:

*'there are already obligations placed on the appellant to maintain and manage the property through the licensing regime. Notably, the Council's Licensing Team has confirmed that the proposal meets all the criteria to be granted a licence. Any incidents that do occur can be adequately dealt with through other measures beyond the scope of this appeal.'*

80. The Planning Inspector also stated in their decision letter for 195 Albert Road in relation to potential increased crime and anti-social behaviour, that:

*'there is no substantiated evidence to indicate the proposal would materially increase either'.*

The same circumstances are considered prevalent within this current application.

81. 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, and emerging Local Plan Policy 16.

#### Biodiversity Net Gain

82. 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.

83. 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.

84. 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

85. 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.
86. 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.
87. SPD6 Parking Standards - sets out the parking standards used in assessing proposals for new development.
88. Emerging Local Plan Policy SP26 makes reference to ensuring the proposal supports sustainable transport and improved accessibility, including prioritising pedestrians, cyclists, bus and rail users to reduce the need for travel by private vehicle.
89. Objections have been received relating to car parking, and concerns have also been raised by Northumbria Police in relation to possible increases in parking possibly increasing tensions in the street. 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 8 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.
90. It is noted that the Highway Authority considers the proposed use would likely generate similar parking requirements to the existing use. Notwithstanding the comments of objectors and Northumbria Police, given the above position of the Highway Authority, 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.
91. Covered and secure parking for 8 cycles for residents is proposed to the rear of the building. SPD6 cycle parking standards requires a minimum of 8 cycles, and subject to details of this being secured by condition and for a minimum of 8 cycles, this would be considered acceptable.
92. 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.
93. 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.
94. Additionally, and within the appeal for 195 Albert Road, and where a similar parking arrangement would occur (on-street and unrestricted / non-permit) and similar comments from the Highway Authority, the Planning Inspector noted that:

*'based on the evidence, the nature of the proposal and my own observations, I am therefore satisfied that the increase in on-street parking demand from future occupiers*

*and visitors would not be so significant as to obstruct the operation of the highway or result in any harmful increase in the potential for conflict between vehicles and pedestrians'.*

95. Overall, the proposals are considered acceptable in terms of transportation matters subject to conditions and accord with LDF policies, SPD6, the NPPF and emerging Local Policy SP26 in this regard.

#### Drainage and Flood Risk

96. 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) and emerging Local Plan Policy 8 in this regard.

#### Other matters

97. Concerns have been raised in respect of devaluation of neighbouring properties. This is not a material planning consideration.
98. Comment has been made that the application is retrospective. It is noted that works to facilitate the change of use have been undertaken but this may have been prior to the introduction of the Article 4 Direction when planning permission from the Council would not have been required for this small HMO use. Notwithstanding this, in advance of such a use commencing, the carrying out in and of themselves of the internal alterations referenced in this application would not, in terms of planning legislation, constitute development that requires planning permission. The use of the property as a C4 HMO has not commenced and therefore no planning breach exists at present.
99. Comments have been received regarding refusal of a planning application for an HMO to the rear of the site at no.33 Coquet Street (ref. 250756) and this application should also be refused for consistency of decision-making. Notwithstanding this decision, that refusal of planning permission has been appealed to the Planning Inspectorate. The surroundings at Coquet Street are likewise similar to those at 195 Albert Road to the north where a planning appeal for another 6 bed HMO, as detailed earlier in this report, has been allowed and such recent and relevant appeal decisions are a material planning consideration in terms of decision-making on this current application.
100. 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.
101. 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**

102. 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.
103. 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.
104. 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.
105. 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.
106. A further relevant material planning consideration is the recently allowed planning appeal for a 6 bed HMO at 195 Albert Road to the north of the site as that appeal relates to a similar proposal in a locality with similar characteristics to the locality around 161 Wansbeck Road (i.e. a high density area of terraced properties comprising primarily family housing with the presence of vulnerable residents in the vicinity).
107. 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.
108. 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

Existing and Proposed Elevations Drg. No. IA\_2130\_02\_04 Rev. A received 27/04/2026

Floor Plans Drg. No. 02 Rev. A received 09/04/2026

Second Floor Drg. No. 03 Rev. A received 09/04/2026

Site Location Plan Drg. No. 1 Rev. B received 07/07/2026

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 six persons and the provision of 6no. 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, South Tyneside LDF Policy DM1 and emerging South Tyneside Local Plan Policy 16.

- 4 The HMO use hereby approved shall not commence until the refuse storage provision, as shown on the drawings as listed in condition 2, is available for use, and this refuse storage provision shall be retained in perpetuity thereafter.

To safeguard the amenity of the future residents in accordance with South Tyneside Local Development Framework Policy DM1 (B) and emerging South Tyneside Local Plan Policy 16.

- 5 The HMO use hereby approved shall not commence until covered and secure cycle parking for a minimum of 8no. cycles has been provided, as shown on the drawings as listed in condition 2. 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, Policy DM1 (G) of the South Tyneside LDF, Policy SP26 of the emerging South Tyneside Local Plan and SPD6 parking standards.

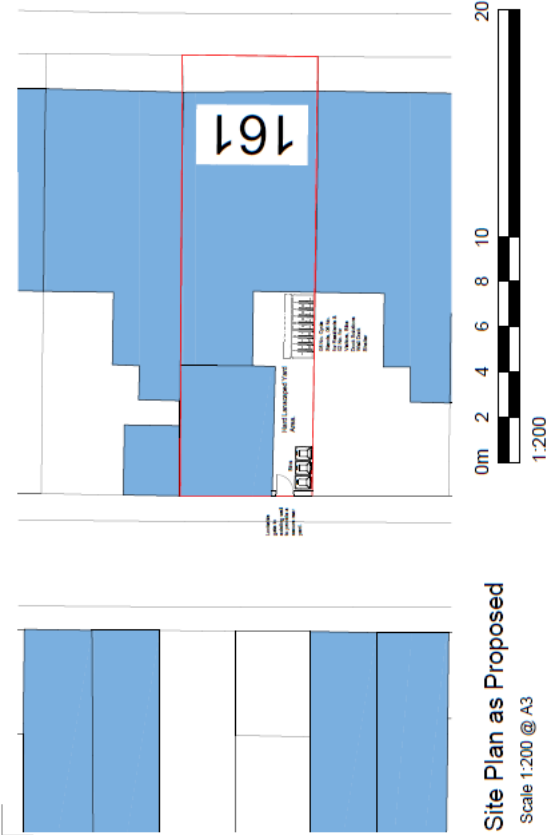
- 6 Bedroom no.6 in the roof space shall not be occupied in respect of the HMO use of the property hereby permitted unless and until all the roof windows to that bedroom as shown on the plans listed in Condition 2 have been installed at a cill height of no more than 1.4 metres above the floor level of 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 (A) of the South Tyneside Local Development Framework, Policies 16 and 47 of the emerging South Tyneside Local Plan and the NPPF.

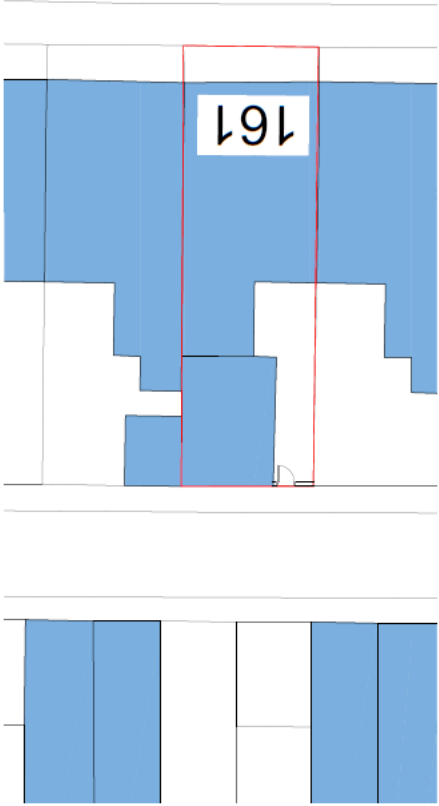
Plan 1



Plan 2

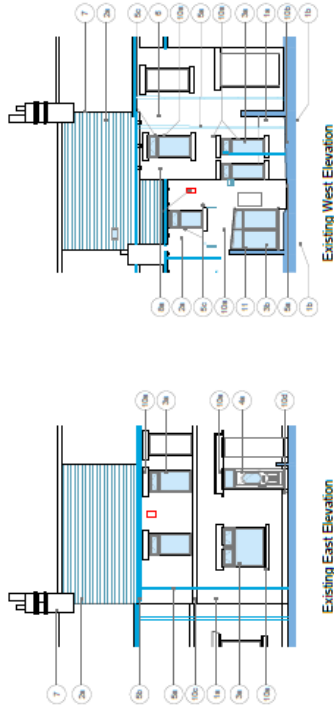


Site Plan as Proposed  
Scale 1:200 @ A3



Site Plan as Existing  
Scale 1:200 @ A3

Plan 3

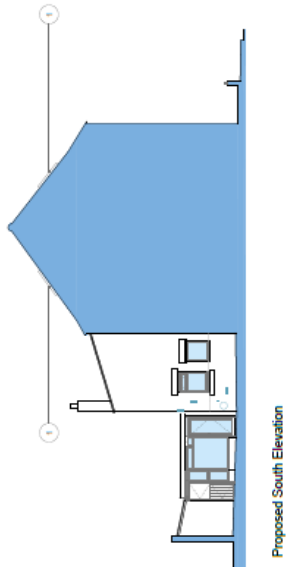
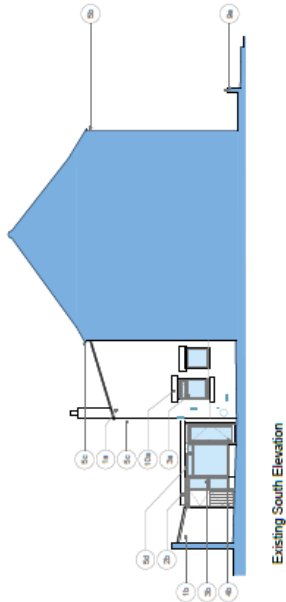
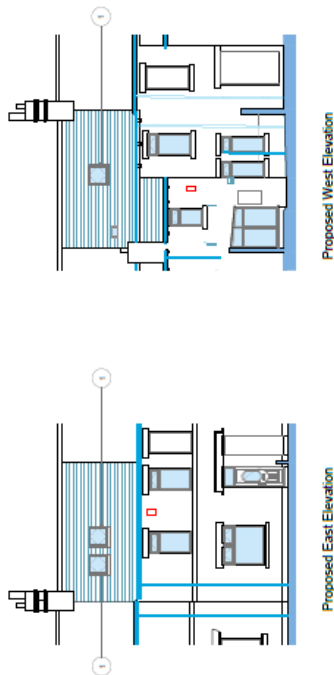


Existing Material Key

|    |                |
|----|----------------|
| 1  | Brickwork      |
| 2  | Clay tile roof |
| 3  | Clay tile roof |
| 4  | Clay tile roof |
| 5  | Clay tile roof |
| 6  | Clay tile roof |
| 7  | Clay tile roof |
| 8  | Clay tile roof |
| 9  | Clay tile roof |
| 10 | Clay tile roof |
| 11 | Clay tile roof |
| 12 | Clay tile roof |

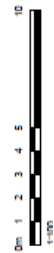
Proposed Material Key

|    |                |
|----|----------------|
| 1  | Brickwork      |
| 2  | Clay tile roof |
| 3  | Clay tile roof |
| 4  | Clay tile roof |
| 5  | Clay tile roof |
| 6  | Clay tile roof |
| 7  | Clay tile roof |
| 8  | Clay tile roof |
| 9  | Clay tile roof |
| 10 | Clay tile roof |
| 11 | Clay tile roof |
| 12 | Clay tile roof |

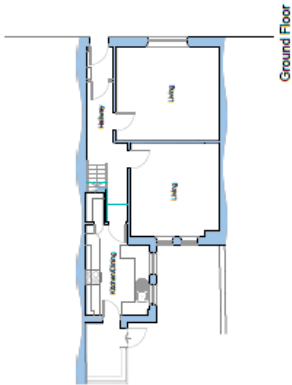
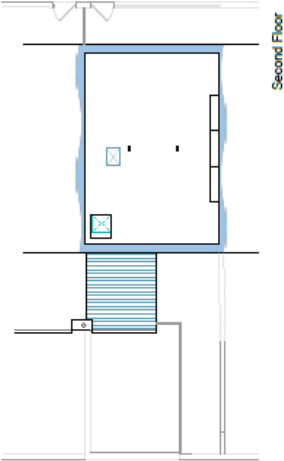


EXISTING

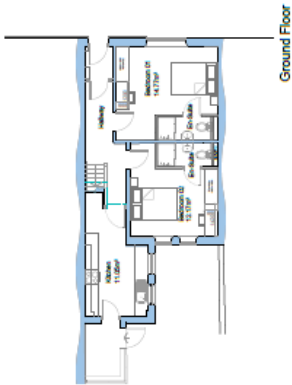
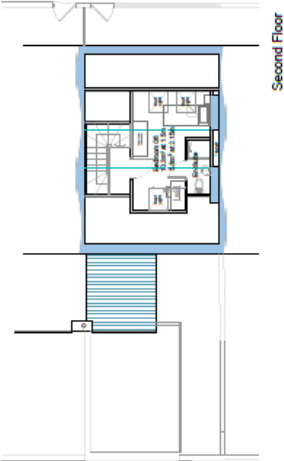
PROPOSED



Plan 4

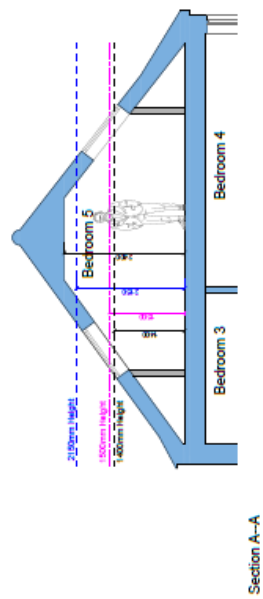


EXISTING



PROPOSED

Plan 5

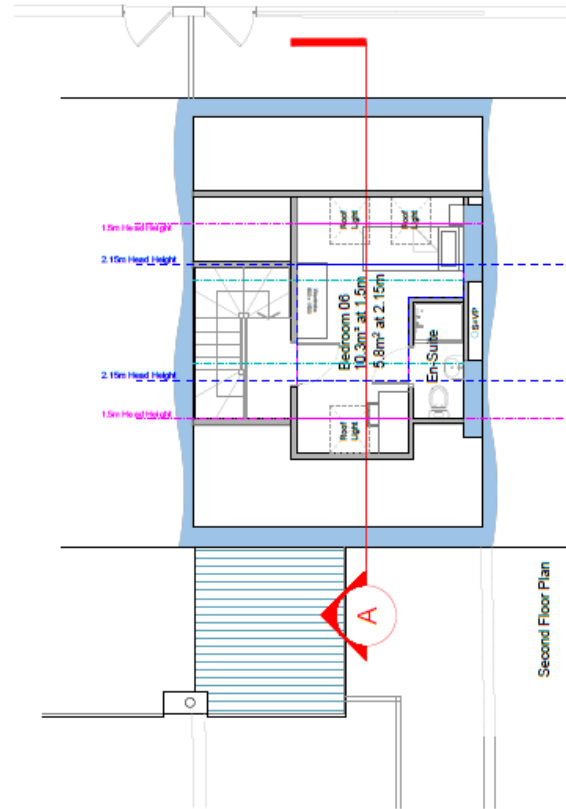


**Ceiling Height Area**

Bedroom 05  
Floor Area at 1.50m = 10.3m<sup>2</sup>  
Floor Area at 2.15m = 5.8m<sup>2</sup>  
56.3% of floor area has ceiling height over 2.15m

**Day Lighting**

15% glazing area of 10.3m<sup>2</sup> = 1.55m<sup>2</sup>  
3 No. 1178 x 780 roof lights provide total 2.19m<sup>2</sup> of glazing area



PROPOSED

Photo 6



Photo 7

