



South Tyneside Council

Reference: 250808

Location: 8 Albemarle Street, South Shields, NE33 1LZ

Ward: Beacon and Bents

Application documents and plans can be found here [HYPERLINK TO PLANNING EXPLORER](#)



Description: Change of Use from Public House (Sui Generis) to 18 bed HMO. External alterations comprising cladding to elevations, new/alterd window and door openings, rear extensions to ground floor & second floor, balcony area to first floor, glass balustrade to first and second floor balconies/roof terrace and bin storage enclosure.

Applicant: PS Commercial Limited

Agent: Goldline Architectural Limited

Reason for bringing the application to Planning Committee: Representation(s) have been received from MP

Recommendation: Grant Permission with Conditions

Case Officer: Sean Gallagher

**Case Officer Contact
No.:**

07741 109463

List of neighbour representation addresses:

Objections

Emma Lewell MP - Refer to Planning Committee

Cllr Sue Stonehouse

First Floor Flat, 61 Fowler Street, South Shields

40 Spohr Terrace, South Shields

Description of the Site

1. This application relates to a three storey public house in South Shields town centre. The ground floor hosts a large bar area with toilets and store room. The first floor hosts a function room and bar, kitchen and toilets. The second floor hosts a three bedroom flat with roof terrace (which is ancillary to the pub use).
2. The building itself is brick built and has a flat roof which steps down to the north (i.e. the northernmost portion is single storey, in the middle is two storey with roof terrace on the roof and the southernmost portion is three storeys). The land slopes down slightly to the rear and to the rear there is a set of steps leading to the ground floor and also a garage.
3. The property itself occupies a corner plot on Albemarle Street with the highway to the south and west. Across Albemarle Street to the west lies South Shields Interchange. To the north of the site there is hardstanding located to the rear of properties on Fowler Street (which predominantly consist of retail uses with residential uses above). To the south across Albemarle Street lie retail properties with residential uses above. Adjoining the property to the east there is a retail property with a residential use above.

Description of the Proposal

4. This application seeks full planning permission to change the use of the property to a eighteen bedroom House of Multiple Occupation (HMO). This application is a revised scheme of previously approved application ref 250008 which granted planning permission for a 17no. bed HMO at the property in October 2025. Each of the bedrooms would be en-suite and the submitted plans indicate that each room would also have its own 'tea station' i.e. a small food storage area but without full cooking facilities.
5. The basement would host a games room and laundry facilities. The ground floor would host six bedrooms and a kitchen/communal lounge. The first floor would host seven bedrooms, of which three would have private balconies. The second floor would host five bedrooms, a co-working communal space and a communal roof terrace.
6. It is proposed that four 660 litre waste bins would be stored to the rear of the site, two within a dedicated waste store and two within the cycle store. Cycle storage would be provided within the existing garage for 22 bikes.

7. External alterations and extensions are also proposed in association with the change of use comprising of:
- Rendering the building in white
 - Reconfiguration of windows to northern, southern and western elevations. Projecting window surrounds and Juliet balcony windows are proposed to the southern elevation.
 - New main entrance door to the southern elevation
 - Addition of bin store to north elevation
 - Addition of balconies at first and second floor levels to the north elevation
 - Addition of signage and flagpole to southern elevation
 - Various extensions to the rear north elevation at ground and 2nd floor levels.

Relevant Planning History

8. Planning permission (Reference 250008) was previously granted at the site on 09/10/2025 for the:

“Conversion from a public house into a seventeen bedroom HMO and external alterations comprising cladding to elevations, new/altered window and door openings, balcony area to ground floor room, glass balustrade to roof terrace and bin storage enclosures.”

Summary of Consultation Responses

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 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.
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.

Countryside Team

11. Having looked at this the only ecology issue would be the HRA one – increase in residential dwellings in the recreation disturbance zone for the European sites at the Coast.
12. We don't have a clear current policy on how to treat HMO's for this, but I can see that the extant permission settled on a contribution to the mitigation scheme as though this is the equivalent to 3 x new dwellings. Whilst I am not entirely in agreement with that, I can see that we would not be in a position to change our approach for an altered scheme on the same site. So, I suggest following the same course of action for this one. Therefore, an appropriate assessment will need to be completed by the Case Officer to record the process, and a contribution to the mitigation scheme as though this is the equivalent to 3 x new dwellings be secured by a S106 or UU.

Transport Development Officer

13. No objections raised
14. The addition of the glazing to the pavement would be subject to separate consent under the Highways Act 1980. Bollards would be required either side of the glazing.
15. No objection in terms of car parking provision
16. Recommend condition regarding the implementation of sheltered and secured cycle parking
17. Refuse provision is acceptable

Environmental Health

18. The noise assessment has shown that, with a scheme of mitigation in place, noise levels at residential facades will be in accordance with the appropriate guideline levels found in best practice.
19. Although the noise assessment refers to a previous layout, I am satisfied that the principle remains the same for this application, as the majority of residential habitable rooms are located away from the main source of noise in this area, the South Shields bus exchange, therefore, with the scheme of window and glazing specification found in the noise assessment at table 1, I am satisfied that residential amenity will not be unreasonably harmed by external noise levels.
20. Given the site's proximity to the local bus exchange, some noise arising from vehicle movements and operational activity will potentially be perceptible at the development. This use is long established and forms part of the wider town centre transport infrastructure. Therefore, future residents should expect a level of noise typical of such a town centre location.
21. Therefore, I have no objections to the scheme from a noise perspective, however would recommend a condition is added securing the mitigation as above.

Housing Strategy Team

22. It's really good to see the Management Plan document within the uploads and suggests that the scheme will be well managed and supported if successful.

23. 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.

Lead Local Flood Authority

24. We do not have any knowledge of a history of flooding at the proposed development site. However, we have knowledge of a history of flooding adjacent to the proposed development at South Shields Interchange on 10.09.23. The proposed development is considered to be at medium flood risk from surface water, identified in the Environment Agency's surface water flood risk maps – see link. Given the knowledge of flood history surrounding the development and surface water flood risk, can we please direct the applicant to the Environment Agency's Standing Advice for Vulnerable Development – see link. In accordance with this advice, can we please ask the applicant to confirm the finished floor levels of the development, ensuring that they are set at least 600mm above estimated flood levels, especially due to the proposal containing a basement.

Northumbria Police

25. Northumbria Police have concerns with regard to the number of HMO applications in the South Tyneside area. With larger scale of this HMO we have concerns that the large number of strangers being in the new development will cause issues for the local services.
26. As there are concerns as to parking at the location and that there is no dedicated parking for the 18 bedrooms which has the potential for up to 36 vehicles, and with visitors, deliveries this number will increase to a much higher number. Though there is mention of parking in the DAS, the information acknowledges that there is no formal parking, and that there are a lot of public transport links in the area. But even with the transport links there is very likely to be residents who have vehicles and want to park near to the residence.
27. This is likely to cause conflict in the area as parking is already sparse and may result in illegal parking in the area and cause unnecessary obstructions. Or the residents will be made vulnerable as they need to carry goods a distance from their vehicles to the residence.
28. From the DAS provided the development company have taken on Northumbria Police comments with regard to security and formal surveillance.
29. The location of the development is also in the middle of the South Shields main area for reported incidents and crime with the area having 5460 reported incidents in the last 12 months including 2460 reported crimes and 526 reports of ASB in the same period.
30. From the previous application in 2025 Northumbria Police objected to the application for a 17 bedroom HMO, this application has increased to 18 bedrooms.
31. Northumbria Police understands the need for HMO's in the housing stock for the South Shields area and that the proposal is going to be to a higher standard, as well as the acknowledgement that the original application was well below the security needed to protect the building and the residents, also the location vulnerability as it is located in a

secluded area of the town centre and after the hours of darkness the rear area of the building could be a crime enabler.

32. Because of this Northumbria Police have serious concerns that the location will create a higher demand on the police. Northumbria Police will not be objecting as the aspects of security and formal surveillance have been addressed satisfactorily, as well as the management plan for the residents.

Tyne & Wear Fire & Rescue Service

33. No objections raised

Summary of Representations

34. The application has been publicised by means of letters of notification to neighbouring properties.

35. 1no. letter of objection has been received from Cllr Stonehouse. The following issues were raised:

- Site is close to the Interchange
- There are enough HMOs in the town centre
- If I can be sure of support staff being on duty at the HMO, 24 hours a day, or the HMO be used to support working people, who cannot afford housing, then I might change my mind.
- We have the College facilities being built and students moving into the town. We do not want more antisocial behaviour. The Police and PCSO's do a fantastic job, but they are stretched, as it is.

36. 1no. letter of objection, with a request for the application to be determined by Planning Committee, has been received from Emma Lewell MP. The following issues were raised:

- Residents are concerned about a saturation of HMOs in the area.
- Constituents worry that a particularly large HMO will increase current problems in the area.
- Constituents have raised concerns there is little to no free parking in the area, and that the HMO is being planned for young professionals who would likely have their own means of transport.
- I have regularly been contacted by constituents about issues with antisocial behaviour in South Shields Town Centre, in particular South Shields Interchange Constituents are concerned such a significant sized HMO could increase and escalate unwanted and disruptive behaviour. One constituent raised concerns there was no CCTV in this specific area.

37. 2no. letters of objection have been received from residents. The following issues were raised:

- Increase in traffic & lack of car parking
- Over concentration of HMOs in the area
- Too many people in a property for its size
- Increased strain on local services and amenities
- Reduction in housing stock
- Concerns regarding anti-social behaviour and crime
- Impact on the character of the area

- Increase in noise

Relevant planning policy

38. 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.
39. 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 and a Development Management Policies Development Plan Document (DPD) 2011 and the South Shields Town Centre & Waterfront Area Action Plan (AAP) 2008.
 - 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)
 - Policy SS1 - Strategic Vision for South Shields Town Centre and Waterfront
 - Policy SS11 - Living in South Shields
40. 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)

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.

41. 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).
42. 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 SP16: Housing Supply and Delivery
 - Policy 16: Houses in Multiple Occupation
 - Policy SP21: Natural Environment
 - Policy 33: Biodiversity, Geodiversity and Ecological Networks
 - Policy 35: Delivering Biodiversity Net Gain
 - Policy 47: Design Principles
 - Policy SP26: Delivering Sustainable Transport
43. 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

44. 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

45. 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.'

46. 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.
47. 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.
48. 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.
49. 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.
50. 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

51. 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.
52. The application site is located within the designated South Shields town centre, and it involves the re-use of the property for residential accommodation. As such, there is not considered to be any material conflict with either LDF Policy SC1 or SC3. Furthermore, LDF Policy ST1 supports development that reflects the scale and functions of the main towns of South Shields, Jarrow and Hebburn whilst LDF Policy ST2 promotes high quality sustainable urban living.
53. The South Shields Town Centre & Waterfront Area Action Plan sets out at Policy SS1 that the LPA will "promote the provision of a sustainable mix and choice of housing in the South Shields town centre...that meets the needs of everyone. Improvements to the quality of residential areas in the town will be encouraged, including proposals for the...reclamation and regeneration of disused sites".
54. Policy DM4 of the Council's Local Development Framework deals with intensive housing uses and states that large HMOs should not adversely impact on residential amenity and the character and nature of the locality, particularly in areas of predominantly single household family housing; should not adversely impact upon existing traffic and parking conditions in the area and should provide sufficient space for the storage of refuse

contained within the property boundary. DM4 goes on to state that the property must be suitable and of an appropriate size for the proposed use and the cumulative impacts of proposals for larger HMOs on the character of the locality will be assessed as a material planning consideration and that conversions of existing buildings for larger HMOs will be discouraged in areas of predominantly single household family housing.

55. Policy 16 of the emerging Local Plan sets out that where planning permission is required, proposals for Houses in Multiple Occupation (HMOs) will be permitted where:
 - i. The building is suitable for the number of proposed units and the accommodation provides a good standard of living space and amenity for the occupiers
 - ii. The proposal would not result in an over-concentration of HMOs within any one area of the Borough, or lead to HMOs becoming the dominant dwelling type, or adversely impact on the functionality and characteristics of a local area.
 - iii. The proposal does not result in any residential property (C3) being directly 'sandwiched' between two HMO's on both sides.
 - iv. The proposal would not have a detrimental impact on the amenities of surrounding properties by causing excessive noise and disturbance
 - v. The proposal would provide adequate provision for parking, servicing, refuse and recycling
56. For the purposes of this planning assessment, a sui generis HMO use is a form of residential use (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 locality such as that surrounding the application site where there are a mix of residential and commercial properties. Whilst the site is located within the town centre, paragraph 90 of the NPPF recognises that residential development often plays an important role in ensuring the vitality of centres and encourages residential development on appropriate sites. The immediate vicinity within the town centre whilst largely commercial in nature, hosts a mixture of uses with a number of residential properties above commercial properties. It is considered that the proposed HMO use would not result in an over concentration of HMOs in the area. The area does not predominantly host single household family housing and there would be no 'sandwiching' of residential properties by the proposed HMO. The proposed building would be an appropriate size. As such it is considered that the residential use in this location would be acceptable and would comply with Policy DM4 and Policy 16 of the Local Plan.
57. Policy SP16 of the emerging Local Plan encourages the conversion and change of use of properties with regards to housing supply and delivery.
58. Furthermore, paragraph 128 of the NPPF states that local planning authorities should support proposals to use retail and employment land for homes in areas of high housing demand, provided this would not undermine key economic sectors or sites or the vitality and viability of town centres, and would be compatible with other policies in this Framework.
59. The first and key matter of significance in considering the acceptability in principle of this proposal is that the application property already has planning permission for use as a 17 bedroom HMO, which is only 1 bedroom less than this current application for a 18 bedroom HMO use of the property. This previous permission was also granted recently

in October 2025 and there has been no significant change in terms of the locality surrounding the application site or planning policy in the intervening period. In terms of the principle of development and impacts arising there is not considered to be a material difference between these two HMO proposals and it would be a reasonable fall back position for the extant permission for a 17 bed HMO to be implemented, should this application not be granted planning permission.

60. 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, within South Shields Town Centre, close to shops and services and transport links with regular bus services.
61. The immediately surrounding locality is characterised by a mix of uses. With regard to the cumulative impact of HMO proposals, emerging Local Plan Policy 16 makes reference to any individual dwelling not being 'sandwiched' between two HMOs on both sides and to the number of HMO dwellings not exceeding 10% of the total number of properties within 100 metres of an application site within the Lawe Top Article 4 Direction area. Whilst this Policy can only be given limited weight at this time (and the 10% criteria would not apply in this area) it does give an indication as to the tipping point at which the number of HMOs within an area may not be acceptable in terms of cumulative impact. Objectors have raised concerns regarding the overconcentration of HMOs in the area. However, a search of the Council's HMO register reveals that there are no licensed HMOs in close proximity to the site, with the nearest at 55 Ocean Road to the north east of the site which is around 340 metres away as the crow flies. Two further HMOs on Ocean Road lie around 420 metres from the site. There are also 4 HMOs in Beach Road to the south east but the nearest of these (No.68 Beach Road) is around 430 metres from the site. As a result the number of HMO properties in the local area near to the site would not equate to the 10% threshold and cumulative impact is not considered to be significant.
62. It is also important to note that smaller HMO's of up to 4 people (from two or more unrelated households) in a property that are sharing facilities (normally bathing and kitchen facilities) would still be a C4 HMO but it would not be licensable and, as such, the Council would have no record of these smaller HMO's.
63. Overall, given the extant permission for a 17 bed HMO on the site, the distance of other licensed HMOs from the application site, 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 an 18 bedroom HMO at this location, and the property is considered to be suitable and of an appropriate size for such a use.
64. Whilst this development would result in the loss of a public house within the town centre, there are a number of other public houses available for members of the public to visit and so it is not considered that this change of use would result in the loss of vitality to the town centre in this regard. 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 not considered that granting the proposed use would materially conflict with and undermine the immediate areas overall general character.
65. The town centre hosts a number of vacant units at the time of assessment and as such it is not considered that the change of use of this public house to a residential use would result in significant harm to the vitality or viability of South Shields Town Centre. On the contrary, the proposal would bring a vacant unit back into viable use and the introduction of residential use would enhance the vitality and viability of the town centre compared

to existing through the additional footfall generated for local businesses and increased evening activity. Having regard to this it is considered that the proposed use of the site would be acceptable in principle.

66. It is, therefore, considered, notwithstanding the objections received, that the proposed use would be acceptable in principle in this location and in accordance with the NPPF and LDF Policies ST1, ST2, SC1, SC3, SS1 and DM1 (A).

Impact on Visual Amenity

67. 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.
68. Policy DM1 states that in determining all applications we will ensure that, where relevant: A – the development, including new buildings, extensions and alterations to existing buildings, are designed to convey sensitive consideration of its surroundings, and where possible enhance its local setting and reinforce local identity, having particular regard to scale and proportions, alignment, form, use of materials and architectural detailing.
69. Policy 47 of the emerging Local Plan sets out that all development, including extensions and alterations to existing buildings, shall provide for high quality design that is sustainable, accessible to all users, safeguards residential amenity and contributes positively to the character and visual amenity of the borough's townscapes, landscapes and seascapes
70. The proposed external alterations and extensions consist of the following works:
- Rendering the building in white
 - Reconfiguration of windows to northern, southern and western elevations. Projecting window surrounds and Juliet balcony windows are proposed to the southern elevation.
 - New main entrance door to the southern elevation
 - Addition of bin store to north elevation
 - Addition of balconies at first and second floor levels to the north elevation
 - Addition of signage and flagpole to southern elevation
 - Various small extensions to the rear north elevation at ground and 2nd floor levels.
71. The site is located in an area with an eclectic mix of architecture. The surrounding buildings have been designed in a variety of styles over a number of years. The surrounding buildings also vary in terms of scale and the palate of materials used. The proposed alterations would be of an appropriate scale in relation to the host property and surrounding properties. The proposed materials, whilst introducing a new white coloured render to the building, would be acceptable, particularly given that the gable end of the building opposite (3 Albermarle Street) is rendered white, as are other properties to the south (8 Burrow Street and Wearside Orthodontic Centre on Thomas Street). In visual amenity terms these proposed alterations are considered acceptable and in accordance with LDF Policy DM1 (A) and the NPPF.

Impact on Residential Amenity

72. 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.
73. Policy DM1 (B) requires a development to be acceptable in relation to any impact on residential amenity.
74. Policy EA5 (A) requires the council to reduce levels of pollution and nuisance throughout the Borough.
75. Emerging Local Plan Policy 3 states that development proposals where pollution levels are assessed as being unacceptable will only be permitted where mitigation measures can be introduced to provide an acceptable living or working environment in relation to all existing or potential future occupants of the land.
76. Policy 47 further sets out that developments should:
 - i) Provide homes with good quality internal environments with adequate space for users and good access to private, shared or public spaces;
 - ii) Not result in harm to people's amenity either within the proposed development or neighbouring it through overlooking, overshadowing, loss of light or increase in artificial light or glare, visual intrusion or overdominance; and
 - iii) Provide adequate storage, waste and servicing for the use proposed, ensuring they are unobtrusive and well-integrated into the development.
77. The physical alterations to the property are not considered to adversely impact to a significantly harmful extent on any neighbouring property by way of loss of daylight/sunlight, visual intrusion or overlooking subject to an opaque screen at least 1.8 metres in height above platform level being provided to the eastern edge of the proposed rear roof balcony/terrace for bedroom 9 to minimise overlooking into the rear elevation windows of the neighbouring offices to the east at Nos.30-32 Fowler Street and vice versa.
78. Comments have been received that the proposed HMO would lead to an increase in noise and disturbance to neighbouring occupiers. Concerns have also been raised regarding the size of the property would be insufficient for the number of occupants proposed.
79. It is proposed that up to 18no. people could live at the property in 18no. bedrooms as stated on the application form. There would be a communal kitchen/lounge/dining room on the ground floor and further communal space in the basement and on the top floor. The 18no. bedrooms would all be ensuite bedrooms including a small area of amenity space within them including a 'tea station' as outlined above. The minimum space standards set out that for HMOs, rooms for one adult should be a minimum of 6.5 square metres. The proposed bedrooms would far exceed this requirement by a factor of 2 or more. Furthermore, this would also be covered by the HMO licencing process.
80. It is considered that given the commercial nature of the area and the fact that the property has been used as a public house, there would be no significant harm to the residential amenity of neighbouring occupiers of the proposed development from external factors as to warrant refusal. Furthermore, as stated above, the surrounding

locality is characterised by a mix of uses which generate a level of activity different to that associated with a predominantly residential area. As such, it is considered that the proposed use could operate from this site without significantly harmful residential amenity impacts arising in terms of noise and disturbance having regard to the existing lawful use of the property and other neighbour uses. The Council's Environmental Health Officer raises no concerns regarding noise or pollution subject to a condition regarding the implementation of acoustic glazing and ventilation, which is recommended due to the proximity of the site to the South Shields Interchange. Issues of anti-social behaviour and crime are considered later within the report.

81. The proposed HMO would house a maximum of 18 persons and the 'Standards for Houses in Multiple Occupation' by the Council's HMO licensing team (2025) sets out that an HMO of 7+ persons should provide communally 1x 240l recycling bin, and 2x 240l domestic waste bin. The proposed development would include 4x 660l communal bins which would be stored within the bin store and garage to the rear of the property. A condition is recommended to ensure that this storage is provided prior to first occupation.
82. Notwithstanding the objections and having regard to the above, it is considered that the proposals are acceptable in terms of their impact on residential amenity. It is considered that the property is of a suitable size to accommodate the proposed use and is also acceptable in terms of impact on the residential amenity of future residents and neighbouring occupiers in the surrounding locality. A Condition is recommended to restrict the number of occupants to 18 people, as set out within the submitted application form as well as conditions to secure refuse storage provision, acoustic glazing/ventilation and the provision of an opaque screen to the eastern edge of the balcony/terrace for bedroom 9. Overall, the proposal is considered to accord with LDF Policies DM1(B) and EA5(A).

Crime and Anti-Social Behaviour and the fear of crime

83. 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.
84. 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.
85. The supporting text of emerging Local Plan Policy 16 recognises that a cluster of HMOs can potentially lead to an increase in anti-social behaviour. Therefore, when assessing applications for HMOs, consideration will be given to the impact on the amenity of the area, the impact of additional traffic generation and the existence of other HMOs.
86. Objectors have raised concerns about antisocial behaviour and crime 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.
87. Whilst the concerns in representations received from neighbours and consultees are noted, the planning system is concerned with land use in the public interest, rather than the individual users of that land use. It is, therefore, considered that it is not for the planning system, or the decision-making process on this planning application for an HMO of the scale proposed, to pick up and deal with the day-to-day operational matters and management associated with the proposed HMO use (or its tenants, and who those tenants might be), and this includes matters such as on site staff. 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 occupants of HMOs and in relation to the consideration of residential amenity, anti-social behaviour, or fear of crime.

88. 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 property to a maximum of 18 people as per the submission and as recommended by Northumbria Police in their consultation response.
89. It is considered that day-to-day management of tenants is most appropriately addressed through the Council's HMO licensing regime and by the landowner, and there is no evidence that an authorised HMO operating from this property would generate harmful levels of crime or anti-social behaviour. Officers have assessed objectors' concerns regarding the fear of crime, but the licensing regime - supported by the powers of both the Council and the Police - provides safeguards to address any issues should they arise. Consequently, it is not considered reasonable to refuse planning permission on these grounds. Furthermore, there is no over-concentration of HMOs in the immediate area that would give rise to unacceptable cumulative impacts on residential amenity or community safety.
90. Furthermore, no evidence has been presented that existing crimes reported in the locality are directly linked to HMO occupiers.
91. 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 and in light of this it is likewise not considered that a refusal would be justified on the grounds of fear of crime. The proposal would, therefore, comply with the NPPF LDF Policy ST2 (F) in this regard.

HRA and Biodiversity Net Gain

92. 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), consideration must be given to the potential indirect effects on these sites through additional recreational pressure pursuant to The Conservation of Habitats and Species Regulations 2017.
93. Policy 33 of the emerging Local Plan sets out that to ensure the protection and enhancement of biodiversity, geodiversity, and ecological networks, development shall:
 - i. Avoid and minimise adverse impacts upon priority species and habitats and geodiversity in accordance with the mitigation hierarchy
 - ii. Secure effective compensation for unavoidable impacts and residual losses.

For development which is likely to adversely affect priority species and habitats and/or geodiversity, planning conditions and/or obligations will be sought to secure the provision, maintenance and monitoring of appropriate mitigation, compensation and/or enhancement measures.

94. A Habitats Regulations Screening Assessment and Appropriate Assessment have been carried out by the Local Planning Authority as competent authority, and have been forwarded to Natural England for endorsement.
95. In summary, the Appropriate Assessment has concluded that the proposal is compliant with the Habitats Regulations having regard to the existing and proposed use, the Interim HRA and SPD23. In undertaking this, regard was also had to the extant planning permission, which had been subject to HRA.
96. Having regard to SPD23 which sets out a contribution of £403 per dwelling, and having regard to the size of the overall proposal it is considered that the proposal would have a similar impact to 3no. dwellings. Consequently, a sum of £1209 would be required (ie 3x £403). The applicant paid a sum of £1209 via a Unilateral Undertaking following the grant of planning permission 250008. It has been confirmed by the Council's Solicitor that this sum can be transferred to cover the contribution for this development, should this planning application be granted permission. This approach is considered acceptable given that the sums would be the same, and given that only one of the two developments could be implemented (i.e. it is not possible to implement both schemes). The applicant has agreed to this approach via email.
97. Given that the proposed development is for a change of use and the proposed alterations/extensions to the property do not result in the loss of any habitat, it is exempt from Biodiversity Net Gain. 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

98. 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.
99. 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.
100. Policy SP26 of the emerging Local Plan sets out that new development will be expected to support sustainable transport and improve accessibility in South Tyneside. The needs of pedestrians, cyclists, bus and rail users, should be prioritised to reduce the need for travel by private vehicle.
101. SPD6 Parking Standards - sets out the parking standards used in assessing proposals for new development.
102. 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.
103. The proposed development would not propose any in-curtilage parking spaces, which would not differ from the currently approved use where pub customers would need to use parking elsewhere.
104. SPD6 sets out the maximum car parking standards across the Borough. The SPD sets no specific standard for large HMOs such as this. However, for Use Class C4 small

HMOs the standard is 1 space per 5 units plus 1 space per 5 units for visitors, with a requirement for 50% of this provision in South Shields Town Centre. Applying this standard would generate a need for 4no. car parking spaces.. There are no opportunities for usable in-curtilage car parking provision associated with the development. The surrounding streets are subject to parking restrictions (double yellow lines) and so having regard for this it is considered that the development would not result in parking issues immediately outside the site.

105. Furthermore, the existing lawful use of the site as a public house would require 6 car parking spaces to accord with SPD6 standards, which is a similar level of provision to that which the SPD seeks for Use Class C4 small HMOs.
106. Notwithstanding the above however, as the site is located within the town centre, there are a number of public car parks in the area and additionally this area is a highly sustainable location with many amenities within walking distance and there are also a number of public transport links within walking distance of the property. The property is located adjacent to South Shields Interchange which offers a plethora of frequent bus services to various destinations and also Metro services to Newcastle every 12 minutes. The Council's Transport Development Officer has raised no concerns regarding car parking. It is, therefore, considered that the shortfall in on-site parking is acceptable and that the proposed development would pose no significant harm to highway safety.
107. In terms of cycle parking, it is proposed that parking for 23 bicycles would be provided within the garage to the rear of the property. SPD 6 parking standards set out that provision for Use Class C4 small HMOs should be 1 space per unit plus 1 space per 5 units for visitors and therefore the 23 cycle spaces proposed . would comply with this requirement and a condition is recommended to secure this.
108. Refuse storage is proposed to the rear of the property as set out above and would therefore be stored clear of the highway and within the site, which is considered to be acceptable in highways terms.
109. Having regard to the above, the proposal is considered to accord with LDF Policies A1, DM1 (G, H and I) and DM4 (B and C).

Drainage and Flood Risk

110. In terms of drainage, this will utilise existing connections at the property. In terms of flood risk, the site is considered to be at medium risk of flooding from surface water. However the applicant has confirmed that the finished floor levels of the development would be at least 600mm above estimated flood levels, in accordance with the Environment Agency's Standing Advice for Vulnerable Development, except for the basement, however there would be no bedrooms or cooking facilities in the basement. The Lead Local Flood Authority have confirmed that this would be acceptable. As such, the proposal is considered to be in accordance with LDF Policy DM1 (M) in this regard.

Other Matters

111. Concerns have been raised regarding the impact upon local services as a result of the development. Given the nature and scale of this development, relevant thresholds are not exceeded above which consultation would take place with the Council's Education Team and the Integrated Care Board concerning contributions for school places and primary healthcare infrastructure and therefore no financial contributions have been sought in respect of these matters.

112. 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.
113. 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

114. 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. 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 as appropriate mitigation has been provided for.
115. 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.
116. 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. Furthermore, the provision of further residential development into the town centre will enhance its vitality and viability through increased footfall for local businesses and evening activity. In terms of environmental benefits, the proposals would bring a currently vacant building back into use.
117. 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. As such, there are no identified adverse impacts arising from the proposal that would significantly and demonstrably outweigh the benefits associated with the development.
118. A further significant material planning consideration is the applicant's fall-back position in that there is already a recent planning permission for a 17 bed HMO at the property and such a proposal is not considered to be materially different to the 18 bed HMO now proposed.
119. 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 Permission with 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 & Proposed Basement Rev Drg No 2000 P02 received 12/05/2026
Existing & Proposed Ground Floor Rev Drg No 2001 P03 received 12/05/2026
Existing and Proposed First Floor Plan Drg No 2002 Rev P01 received 12/02/26
Existing & Proposed Second Floor Drg No 2003Rev P02 received 12/05/2026

Existing & Proposed South Elevation Drg No 2013 Rev P02 received 12/05/2026
Existing & Proposed West Elevation Drg No 2101 Rev P02 received 12/05/2026
Existing & Proposed East Elevation Drg No 2100 Rev P02 received 12/05/2026
Existing & Proposed North Elevation Drg No 2102 Rev P02 received 12/05/2026

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 external surfaces of the development hereby permitted shall be as set out in the submitted application form and the plans as listed in condition 2.

To ensure a satisfactory standard of development and in the interests of visual amenity in accordance with South Tyneside LDF Development Management Policy DM1 and Policy 47 of the emerging South Tyneside Local Plan.

- 4 Before the development is first brought into use, 23no. cycle parking spaces to serve the development, as shown on the plans as listed in condition 2 shall be provided. The cycle parking shall thereafter remain in place at all times for their intended purposes.

In the interests of residential amenity, highway safety and promoting sustainable transport choices in accordance with South Tyneside Local Development Framework Policy DM1 (B & G), Policy SP26 of the emerging South Tyneside Local Plan and the NPPF.

- 5 Before the development is first brought into use, bin storage to serve the development, as shown on the plans as listed in condition 2 shall be provided. The bin storage shall thereafter remain in place at all times for their intended purposes.

In the interests of residential amenity, highway safety and promoting sustainable transport choices in accordance with South Tyneside Local Development Framework Policy DM1 (B & G), Policy 16 of the emerging South Tyneside Local Plan and the NPPF.

- 6 The HMO use hereby permitted shall be limited to a maximum occupancy at any one time of eighteen persons and the provision of 18 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, Policy SP26 of the emerging South Tyneside Local Plan and South Tyneside LDF Policy DM1(G).

- 7 The house in multiple occupation hereby approved shall not be brought into use until the glazing and ventilation specifications outlined in "Table 1 - Summary of minimum façade sound insulation treatment" contained within the Noise Impact Assessment Rev A received 12/02/2026 have been installed to each bedroom and the communal kitchen/lounge/dining area within the development. Thereafter, such acoustic mitigation measures shall remain in place at all times. In the interests of residential amenity in accordance with South Tyneside Local Development Framework Policy DM1 (B), Policies 3 and 47 of the emerging South Tyneside Local Plan and the NPPF.

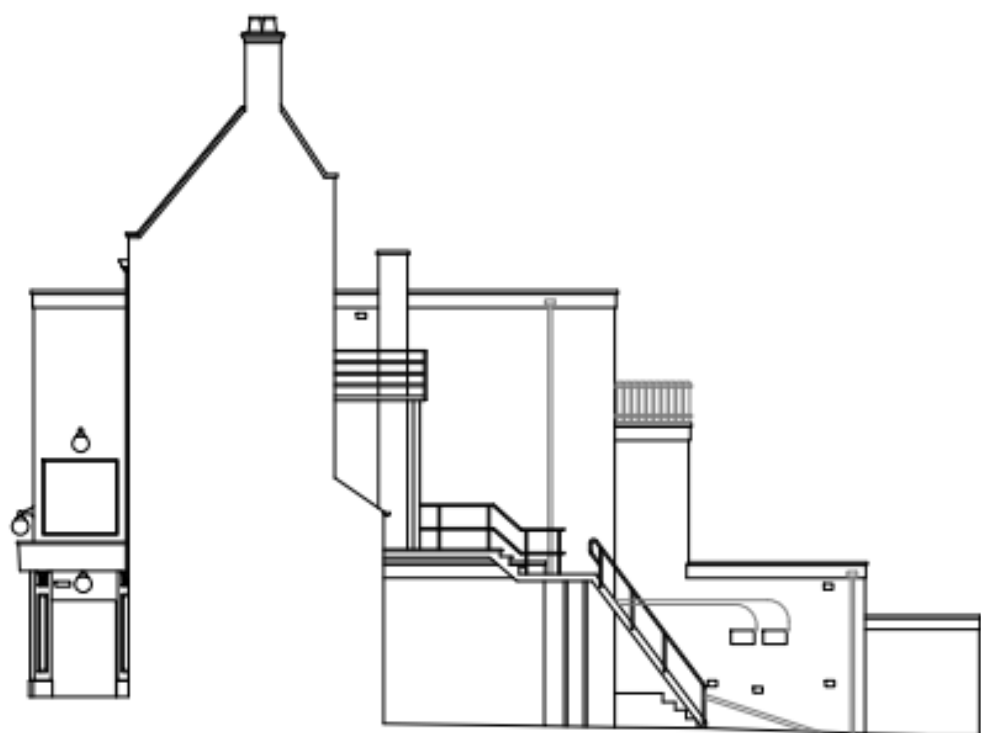
- 8 Prior to the first occupation of bedroom 9, a privacy screen of up to 1.8m in height above platform level glazed with obscure glass to a level sufficient to protect the privacy of neighbouring property shall be provided to the entirety of the eastern edge of the privacy balcony to bedroom 9, and shall be retained as such thereafter.

To ensure the protection of privacy for neighbouring occupiers, and in the interests of residential amenity, in accordance with South Tyneside LDF Development Management Policy DM1 and Policy 47 of the emerging South Tyneside Local Plan.

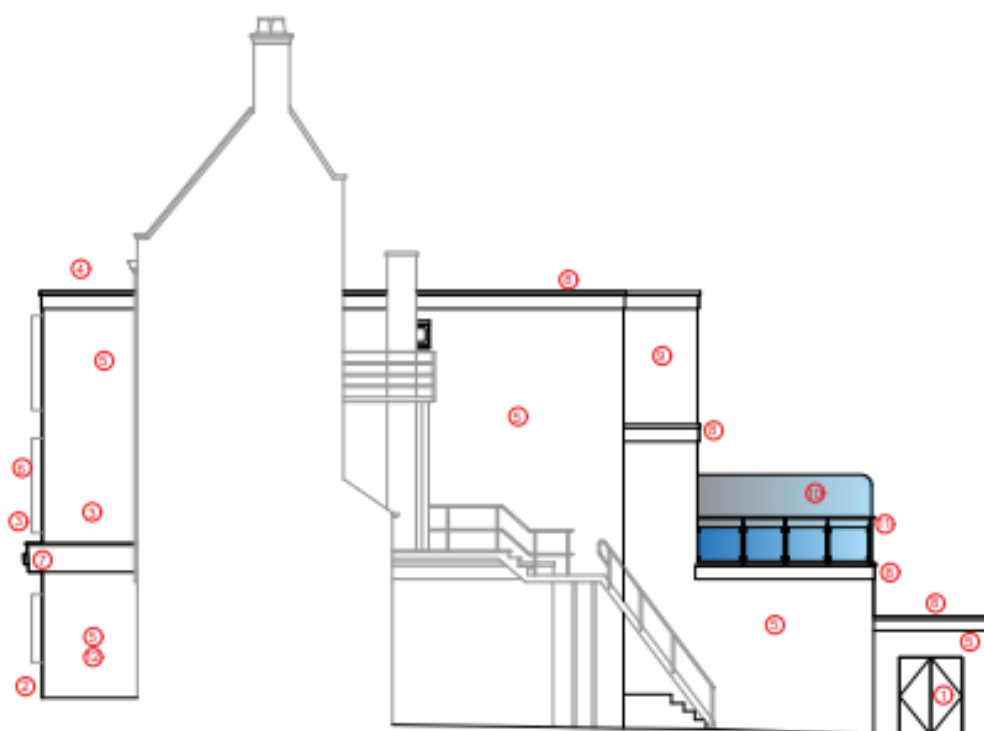




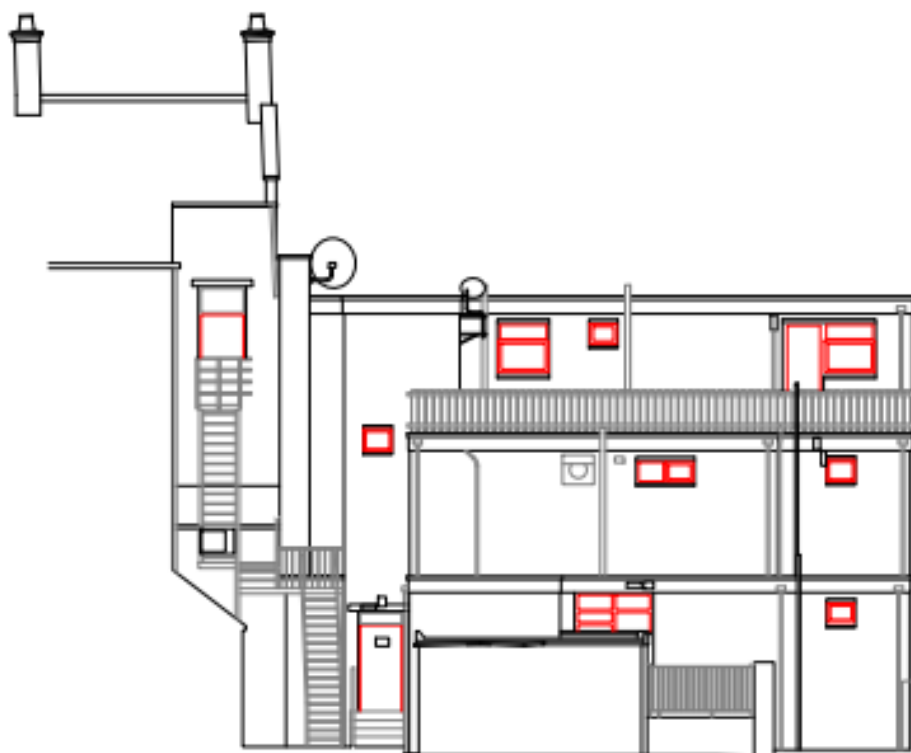




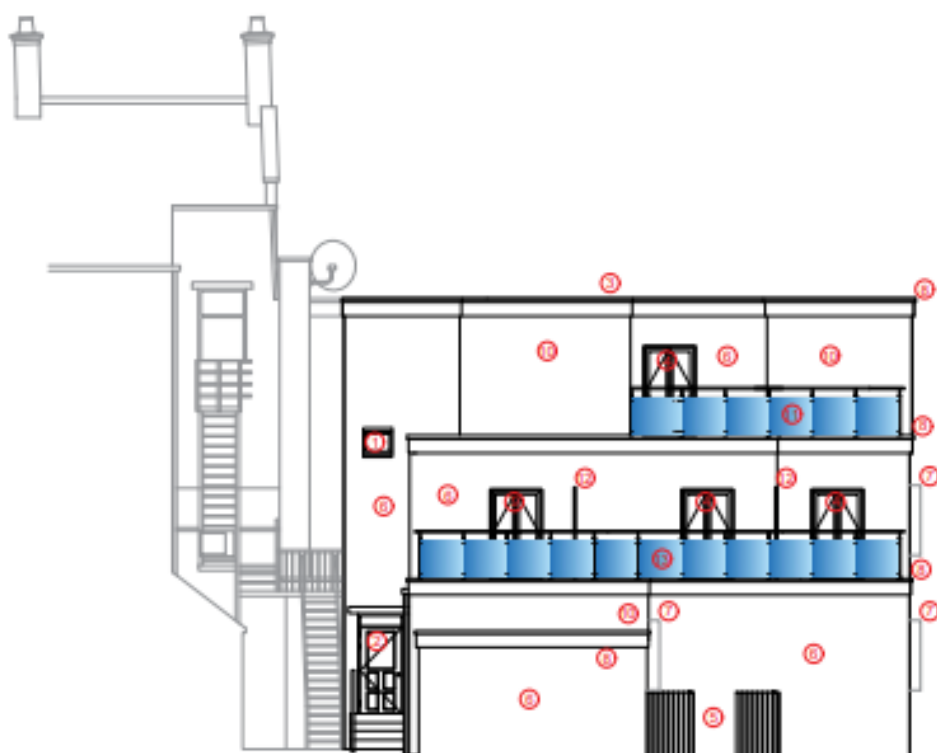
East Elevation - Existing



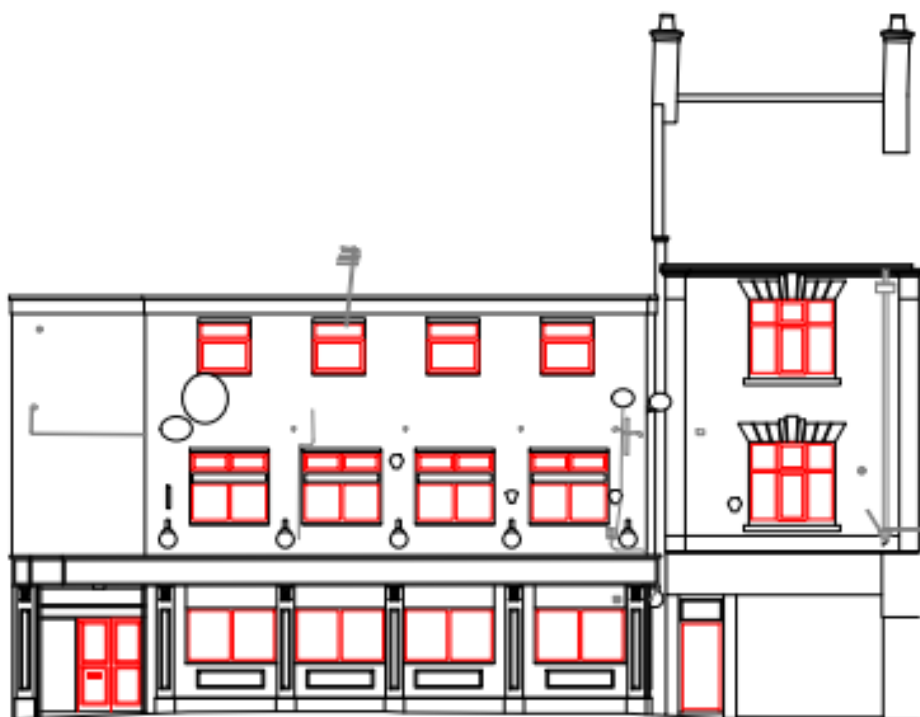
East Elevation - Proposed



North Elevation - Proposed



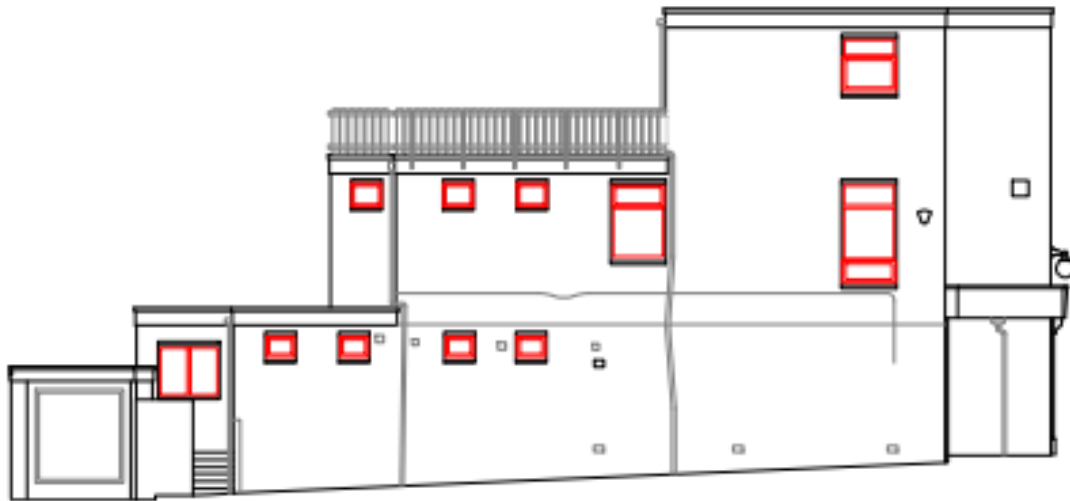
North Elevation - Proposed



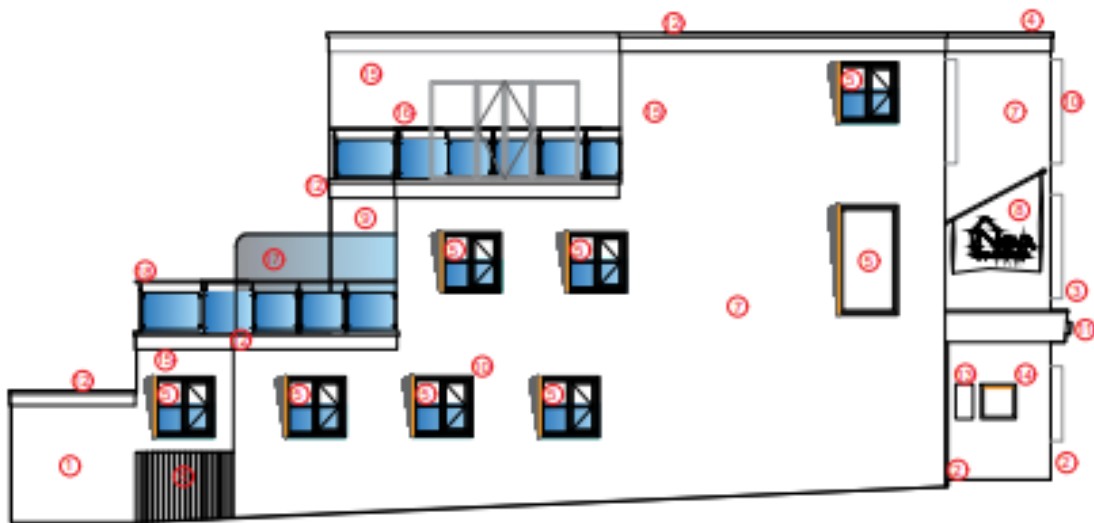
South Elevation - Existing



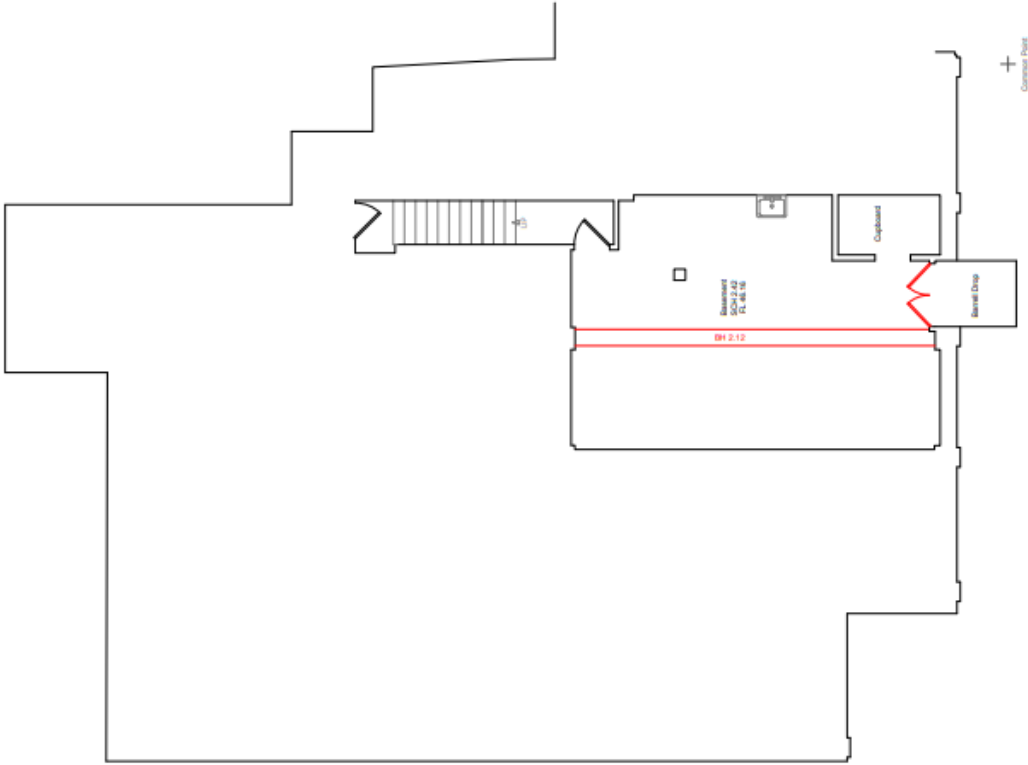
South Elevation - Proposed



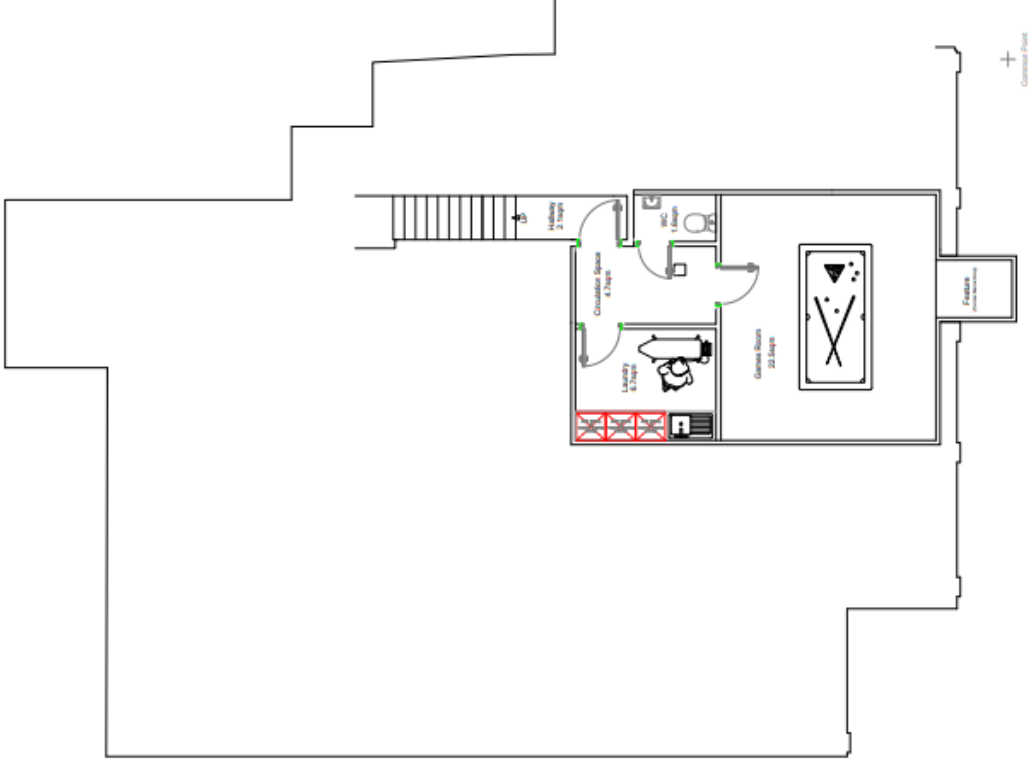
West Elevation - Existing



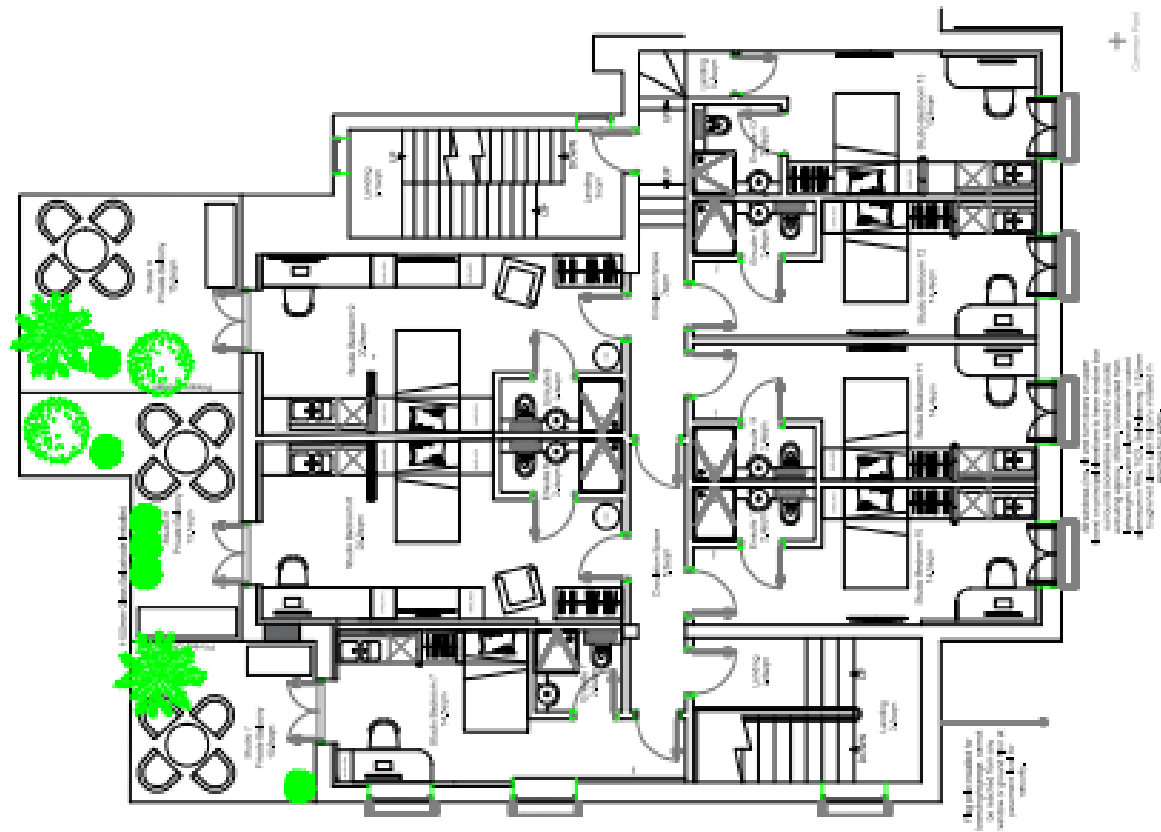
West Elevation - Proposed



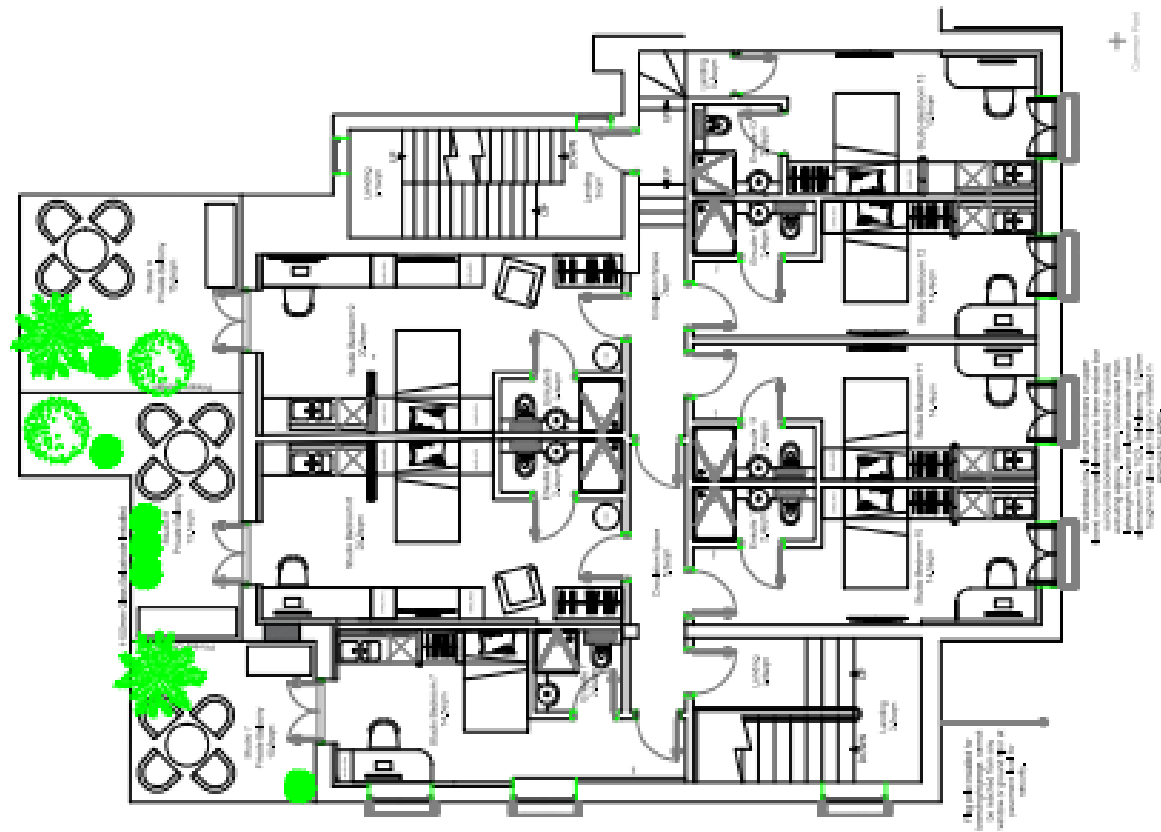
Basement - Existing



Basement - Proposed



First Floor - Existing



First Floor - Proposed

