



Appeal Decision

Site visit made on 8 June 2026

by Ryan Cowley MPlan (Hons) MRTPI

an Inspector appointed by the Secretary of State

Decision date: 6 July 2026

Appeal Ref: 6006345

195 Albert Road, Jarrow, South Tyneside NE32 5RS

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Mr Giulio Franchi against the decision of South Tyneside Council.
 - The application Ref is 250772.
 - The development proposed is change of use C3 4 bedroom single dwelling to C4 6 bedroom HMO.
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Decision

1. The appeal is allowed and planning permission is granted for change of use C3 4 bedroom single dwelling to C4 6 bedroom HMO at 195 Albert Road, Jarrow, South Tyneside NE32 5RS in accordance with the terms of the application, Ref 250772, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than three years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following drawings:

Location Plan

Proposed Floor Plans

Plan 2 Proposed Rear Yard Plan and proposed cycle storage
 - 3) The HMO use hereby permitted shall be limited to a maximum occupancy at any one time of six persons and the provision of 6 no. bedrooms as shown on the drawings as listed in condition 2.
 - 4) Notwithstanding the approved plans, the HMO use hereby approved shall not commence until full details of refuse storage facilities to be provided within the rear yard area, for a minimum of 1x 240 litre recycling wheeled bin and 1x 240 litre domestic waste wheeled bin, have been submitted to and approved in writing by the local planning authority. The development shall thereafter be carried out in accordance with the approved details and the refuse storage facilities shall be retained in perpetuity.
 - 5) Notwithstanding the approved plans, the HMO use hereby approved shall not commence until full details of cycle storage facilities to be provided within the rear yard area, for a minimum of 7no. cycles, have been submitted to and approved in writing by the local planning authority. The development shall thereafter be carried out in accordance with the approved details and the cycle storage facilities shall be retained in perpetuity.

Preliminary Matters

2. I saw on my site visit that internal refurbishment work had already been completed, including the provision of en-suite bathrooms within each bedroom, however only 2 of the rooms were occupied and so the change of use has not yet occurred.

Main Issues

3. The main issues are the effects of the proposed change of use on (i) the character of the area, (ii) the living conditions of the occupiers of neighbouring properties and (iii) highway and pedestrian safety.

Reasons

Character of the area

4. The site is a mid-terraced 4-bed dwelling in a predominantly residential area, albeit with a main road opposite and several ground floor commercial units and a Metro station close by. It sits among rows of similar terraced houses and bungalows that are tightly arranged, providing a dense urban grain. I saw on my site visit there are also several flats opposite on Humbert Street. Based on the evidence and my own observations, the area consists primarily of single-family homes.
5. A House in Multiple Occupation (HMO) is a residential use, and so the nature of the use would not change. Nevertheless, I recognise that occupation of the site by 6 unrelated individuals represents a degree of intensification. Future occupiers would have independent lifestyles and work patterns, with the level of activity and the 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.
6. The evidence indicates there are other HMOs in the wider area, albeit the Council's Officer Report notes that the two nearest 6-bed HMOs are both over 800m from the appeal site. There is limited evidence before me regarding the number of smaller HMOs locally however these are less likely to have any material impact on the character of the area due to their small size. There is thus no evidence of a harmful overconcentration of similar uses in this area.
7. While I recognise that the use of the property as a HMO may result in more shorter-term occupancies than if it remained in use by a single family, the presence of a single additional HMO in this location would not significantly alter the composition of tenures in this area or the stability of its population.
8. In view of the above, and given the surrounding urban context, change of use of the dwelling to a 6-person HMO would not result in any significant change to the prevailing character of the area, either individually or taken cumulatively with other similar uses that exist locally.
9. The proposal would therefore not have a harmful effect on the character of the area. With respect to this main issue, it would be in accordance with Policy DM1 of the Development Management Policies Development Plan Document (DMP DPD) adopted 1 December 2011 and Policy 16 of the South Tyneside Publication Draft Local Plan 2023-2040 January 2024 (the Draft Local Plan). These policies, among other provisions, seek to ensure that development is sensitive to its surroundings, and that HMO proposals do not result in an over-concentration of HMOs within any

one area, or lead to HMOs becoming the dominant dwelling type, or adversely impact on the functionality and characteristics of a local area.

10. I have not identified any conflict with Paragraph 135 of the National Planning Policy Framework (the Framework) in respect of its aims of ensuring developments function well and add to the overall quality of the area; are sympathetic to local character, while not preventing or discouraging appropriate innovation or change (such as increased densities); and optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development.

Living conditions

11. 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.
12. While I recognise there may be elderly residents' living in the bungalows to the rear, there is no evidence to indicate these residents would be particularly sensitive to the proposed use and, as above, it is considered that there would be no significant increase in noise and disturbance for occupiers of these properties.
13. The proposal would not have a harmful effect on the living conditions of the occupiers of neighbouring properties. With respect to this main issue, it would be in accordance with Policy DM1 of the DMP DPD and Policy 16 of the Draft Local Plan. These policies, among other provisions, seek to ensure that development is acceptable in relation to any impact on residential amenity and that HMO proposals do not have a detrimental impact on the amenities of surrounding properties by causing excessive noise and disturbance.
14. I have not identified any conflict with Paragraph 135 of the Framework in respect of its aims of ensuring developments create places with a high standard of amenity for existing and future users.

Highway and pedestrian safety

15. The appeal site sits along a traffic calmed cul-de-sac. The proposal would not provide any off-street parking, though on-street parking here and in the wider area is unrestricted. There is however limited substantiated evidence before me regarding on-street parking pressures and capacity in this area.
16. Albert Road only has properties along one side for much of its length, though it does not extend the full length of the terrace and has been narrowed with the provision of raised paved areas either side that create a chicane. I saw that parking occurs on these raised paved areas, and down the alleyways to the rear, with some properties also featuring rear garages or driveways. Additional on-street space is provided along Bede Burn Road and other streets where there are blank gables and garden walls fronting the road, though the nearby commercial units will also generate additional parking demand at certain times of day.

17. At the time of my site visit, utility work was being carried out to some streets in this area, thereby reducing the space for parking. Even accounting for this, there remained ample on-street parking spaces on Albert Road and neighbouring streets, within a reasonable walking distance of the site. However, I recognise my observations provide only a snapshot in time, and parking is likely to be more limited on other occasions.
18. Nevertheless, the site is within walking distance of a Metro station, as noted above, and there are bus stops opposite the terrace on the A185. Additionally, a 7-bike cycle-store is proposed to the rear of the property, the full details of which can be secured by planning condition. Given the nature of the accommodation and its access to other modes of transport, it is very unlikely that every occupant would own a car. Notably, the Council's Parking Standards Supplementary Planning Document 6 (SPD6) Adopted 1 December 2010 only recommends HMO schemes provide 1 space per 5 units for residents, plus 1 space per 5 units for visitors.
19. The Council's Highways Officer did not raise any concerns regarding highway and pedestrian safety, highlighting that the proposed HMO use parking requirements are similar or less than the existing C3 residential dwelling use, based on the requirements of SPD6.
20. 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.
21. The proposal would therefore not have an unacceptable impact on highway and pedestrian safety. In respect of this main issue, it would be in accordance with Policy DM1 of the DMP DPD and Policy 16 of the Draft Local Plan. These policies, among other provisions, seek to ensure that the impact of development is acceptable in relation to highway capacity and safety and proposals for HMOs provide adequate provision for parking, servicing, refuse and recycling.
22. I have not identified any conflict with Paragraph 116 of the Framework, which 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 would be severe.

Other Matters

23. The appeal site is located within the 6km zone of influence of the Durham Coast Special Area of Conservation and the Northumbria Coast Special Protection Area and Ramsar Site, in which residential development has the potential to result in increased recreational disturbance to protected habitats sites that requires adequate mitigation. However, the Council's Interim Supplementary Planning Document 23: Mitigation Strategy for European Sites (Recreational Pressure from Residential Development) is only applicable to residential development for 10 units or more. Natural England has been consulted and has advised that the European Sites in question will not be subject to likely significant effects. The evidence does not lead me to a different conclusion on this issue.
24. Interested parties have raised concerns regarding the potential for increased crime and anti-social behaviour, however there is no substantiated evidence to indicate

the proposal would materially increase either. Northumbria Police, the Council's Community Safety Team and the Council's Housing Strategy Team have recommended a robust plan be put in place for the management of the property and that rooms should remain single occupancy.

25. While the number of occupants can be reasonably controlled by planning condition, 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.
26. Notwithstanding this, the appellant has advised that the property will operate as a professionally managed HMO, with appropriate safeguards in place to ensure responsible occupation including a HMO management plan, rules addressing behaviour and noise, vetting procedures and an anti-social behaviour policy.
27. Concerns have also been raised regarding the reduction in the number of family homes in this area, poor living conditions for the future occupiers of the appeal property, and the impact on local services. The Council did not refuse the application for these reasons, and the evidence before me and my own observations do not lead me to a different conclusion.
28. While there is no substantive evidence that the proposal would affect property values, planning is fundamentally concerned with public rather than private interests, and so the effect on property values carries limited weight.
29. Concerns have also been raised regarding the public consultation process for the application and subsequent appeal however the evidence indicates that the Council has complied with its statutory responsibilities in this regard.

Conditions

30. The Council has suggested planning conditions in the event the appeal is successful. I have considered these, along with representations from all parties, and amended where necessary to accord with the Planning Practice Guidance and the tests for conditions set out in the Framework.
31. In addition to the conditions I refer to above, and the standard time limit condition, it is necessary to specify the approved plans as this provides certainty. A condition is also required to secure appropriate refuse and recycling storage facilities, in the interests of the visual amenity of the area and living conditions.

Conclusion

32. The development adheres to the development plan as a whole and there are no other considerations that would outweigh this finding. Accordingly, for the reasons given, the appeal succeeds.

Ryan Cowley

INSPECTOR