



Appeal Decision

Site visit made on 21 May 2025

by **P Storey BA (Hons) DipTP MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 16 June 2025

Appeal Ref: APP/J4525/W/24/3357594

6 Beechwood Street, Sunderland SR2 7LU

- 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 Saurav Sharma against the decision of Sunderland City Council.
 - The application Ref is 24/01507/FUL.
 - The development proposed is change of use from dwelling (C3) to 13 person, 7 bedroom HMO (sui generis).
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are:
 - whether the proposed development would lead to an over-concentration of houses in multiple occupation (HMOs) in the area; and
 - whether it would harm the living conditions of nearby occupiers, particularly in relation to noise and disturbance.

Reasons

Concentration of HMOs

3. The appeal site is a mid-terrace house arranged over three floors, including a converted attic. It features a small front garden facing Beechwood Street and a rear yard that opens on to a service lane. The surrounding area is predominantly residential, characterised by similar terraced properties. A short distance to the northwest, at the corner of Beechwood Street and Burn Park Road, stands a former church now used as a community education facility.
4. Policy H6 of the Sunderland City Council Core Strategy and Development Plan 2015-2033, January 2020 (the CSDP) addresses HMO developments. It acknowledges that high concentrations of HMOs can harm an area's character and function. Some areas, including the appeal site, are subject to Article 4 directions removing permitted development rights for HMO conversions. Among other objectives, Policy H6 seeks to ensure such developments do not harm local amenity or lead to an over-concentration of HMOs within a locality.
5. The Homes in Multiple Occupation Supplementary Planning Document, December 2020 (the SPD) provides detailed guidance for assessing HMO proposals. It supports and expands upon the provisions of Policy H6 by introducing measurable

thresholds to determine compliance. These include resisting proposals for HMOs where they would result in any Class C3 residential property being 'sandwiched' between two HMOs, or where the number of HMO dwellings exceeds 10% of the total number of residential properties, within a 100-metre radius of the application site. The SPD advises that where either of the above criteria has been breached, planning permission will only be granted in exceptional circumstances.

6. The Council's evidence indicates that the existing concentration of HMOs in the area is already approximately 12% and that the proposed development would increase this further. Although limited detail has been provided regarding the methodology to calculate this figure, it has not been disputed by the appellant. Furthermore, nothing in the submitted evidence or my own observations during the site visit leads me to question its accuracy.
7. The appellant notes the property's varied history, including previous use as bedsits and an historic permission for conversion to flats. It is also contended that HMOs form a significant part of Sunderland's housing mix and contribute to housing choice.
8. Whilst the social and economic role of HMOs is acknowledged, both in the SPD and more broadly, the thresholds set out in the SPD are important material considerations and allow for a measurable assessment of a proposal's impacts. Although not part of the development plan, the SPD supplements and is consistent with Policy H6 and carries significant weight due to its adoption following public consultation and its alignment with the objectives of the National Planning Policy Framework (the Framework). In the absence of any exceptional circumstances to justify a departure from its approach, I find that the proposal would conflict with the SPD, and by extension, with Policy H6 of the CSDP.
9. The appellant further contends that the proposal would fill a shortfall created by recent approved applications to convert HMOs to flats. However, this is not supported by specific evidence, and I am not persuaded this consideration would overcome the harm identified through the conflict with the development plan.
10. For these reasons, I conclude that the proposed development would lead to an over-concentration of HMOs in the area, which would conflict with Policy H6 of the CSDP and the SPD, the aims of which have previously been set out.

Living conditions

11. Policy H6 requires that HMOs do not give rise to undue noise or disturbance for neighbouring properties. This is reinforced by CSDP Policy BH1, which seeks to ensure a good standard of amenity for all existing and future occupiers of land and buildings.
12. The appellant asserts that the intensity of the proposed use would not materially exceed that of potential occupancy scenarios under the property's lawful use. However, even if the property were not occupied to its full capacity, the likely comings and goings of multiple unrelated individuals, often at different times, would result in a level of activity that exceeds what would normally be expected of a single household. In a mid-terraced property with shared boundaries, such activity would be particularly noticeable and would be further exacerbated by the already high concentration of HMOs in the area.

13. Whilst the appellant's suggestion of a management plan is acknowledged, the limited detail provided does not give sufficient reassurance that such a plan would adequately mitigate the impacts of the proposed use in this location.
14. For these reasons, I therefore conclude that the proposal would result in harm to the living conditions of nearby occupiers through increased noise and disturbance, in conflict with Policies H6 and BH1 of the CSDP, the aims of which have previously been set out.

Other Matters

15. The property has most recently been used as a conventional Class C3 dwelling. The appellant's assertion that large terraced houses, such as the appeal property, are no longer suitable for such use due to their size or layout is not supported by any site-specific evidence in this case. Whilst it is acknowledged that household sizes and living patterns have evolved over time, this alone does not justify a change of use, particularly where such a change would contribute to an over-concentration of HMOs and the previously identified harm.
16. Several interested parties raise concerns regarding parking, which the appellant has sought to address in the appeal submission. However, both main parties appear to concur that the proposal would not be harmful in terms of parking or highway safety. Based on the submitted evidence and my observations at my visit, I see no reason to take a different view. Nonetheless, the absence of harm on this issue is a neutral factor that does not weigh in favour of the proposal.
17. The appeal site lies within the Zone of Influence of the Northumbria Coast Special Protection Area (SPA) and Ramsar site, and the Durham Coast Special Area of Conservation (SAC), which are designated as European Sites under the Conservation of Habitats and Species Regulations 2017 (as amended). Development within this area has the potential to adversely affect the integrity of the European Sites through increased recreational pressure.
18. The Council advises that a financial contribution to Strategic Access Management and Monitoring measures would be required to mitigate the likely significant effects on these European Sites. The appellant indicates a willingness to make such a contribution, but states that the planning application was determined before the opportunity to do so was fully provided.
19. If I were minded to allow the appeal, it would have been necessary to consider this matter within an appropriate assessment. However, as I have found the proposal to be unacceptable for other substantive reasons, it has not been necessary to carry out such an assessment in this case.

Conclusion

20. The proposal would conflict with the development plan as a whole and there are no considerations, including the provisions of the Framework, to lead me to a decision other than in accordance with the plan. I therefore conclude that the appeal should be dismissed.

P Storey

INSPECTOR