
APPLICATION DETAILS

Application No:	17/0250/FUL
Location:	45 Chippenham Road Middlesbrough TS4 3PH
Proposal:	Conversion of dwellinghouse into 2no flats
Applicant:	We Buy Any House
Agent:	Mr Paul Alexander
Ward:	Ladgate
Recommendation:	Approved with Conditions

SUMMARY

Planning permission is sought for conversion of an end terrace dwelling into two self-contained flats. The proposal includes only minimal alterations to the exterior of the property with access to the flats taken from the existing front door.

A total of 10 objections to the proposal have been received from local residents. Concerns relate to lack of parking, change to character of the area and the possible type of future tenant of the flats.

The proposal has been assessed against local policy and guidance and is considered that the conversion to flats will be in keeping with the residential nature of the surrounding area and will not have an adverse impact on the character of the area, amenity of nearby residents or matters of highway safety. All other issues raised have been considered but do not justify refusal of planning permission.

The application is recommended for approval.

SITE AND SURROUNDINGS AND PROPOSED WORKS

No.45 Chippenham Road is a two storey, end terrace dwelling located in a residential area of Middlesbrough. The surrounding area features blocks of two storey terraced properties with gardens to front and rear. Few properties have individual parking provision with blocks of general parking provided to land to the rear of dwellings throughout the estate.

The proposal subject of this application is for the conversion of the dwelling to two self-contained flats, the only change to the exterior of the building is replacement of the rear

access door with a window. Both flats will be accessed via the front door with two additional internal doors providing access to the individual flats.

PLANNING HISTORY

No relevant planning history for this property

PLANNING POLICY

In accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004, Local Planning Authorities must determine applications for planning permission in accordance with the Development Plan(s) for the area, unless material considerations indicate otherwise. Section 143 of the Localism Act requires the Local Planning Authority to take local finance considerations into account. Section 70(2) of the Town and Country Planning Act 1990 (as amended) requires Local Planning Authorities, in dealing with an application for planning permission, to have regard to:

- a) *The provisions of the development plan, so far as material to the application;*
- b) *Any local finance considerations, so far as material to the application; and*
- c) *Any other material considerations.*

The following documents together comprise the Development Plan for Middlesbrough;

Middlesbrough Local Plan;

- *Housing Local Plan (2014);*
- *Core Strategy DPD (2008, policies which have not been superseded/deleted only);*
- *Regeneration DPD (2009, policies which have not been superseded/deleted only);*
- *Tees Valley Joint Minerals and Waste Core Strategy DPD (2011);*
- *Tees Valley Joint Minerals and Waste Policies & Sites DPD (2011);*
- *Middlesbrough Local Plan (1999, Saved Policies only); and*
- *Marton West Neighbourhood Plan (2016, applicable in Marton West Ward only).*

The overarching principle of the National Planning Policy Framework (NPPF) is to support sustainable development, and that it should go ahead without delay. It defines the role of planning in achieving economically, socially and environmentally sustainable development and recognises that each are mutually dependent. The NPPF requires local planning authorities to approach development management decisions positively, utilising twelve 'core planning principles', which can be summarised as follows:

- *Being plan led;*
- *Enhancing and improving areas;*
- *Proactively drive and support sustainable economic development to deliver homes, business, industry and infrastructure and a thriving local economy;*
- *Always seek a high quality of design and good standard of amenity for existing and future occupants;*
- *Take account the different roles of areas, promoting the vitality of the main urban areas whilst recognising the intrinsic character of the countryside;*

- *Support the transition to a low carbon future, taking full account of flood risk, resources and renewables;*
- *Contribute to conserving and enhancing the natural environment;*
- *Encourage the effective use of land;*
- *Promote mixed use developments;*
- *Conserve heritage assets in a manner appropriate to their significance;*
- *Actively manage patterns of growth making fullest use public transport, walking and cycling and focus significant development in sustainable locations; and*
- *Take account of local strategies to support health, social and cultural well-being and deliver community and cultural facilities to meet local needs.*

The planning policies and key areas of guidance that are relevant to the consideration of the application are:

DC1 - General Development
 CS4 - Sustainable Development
 HGHDC - Highway Design Guide
 UDSPD - Urban Design SPD

The detailed policy context and guidance for each policy is viewable within the relevant Local Plan documents, which can be accessed at the following web address.
<https://www.middlesbrough.gov.uk/planning-and-housing/planning/planning-policy>

CONSULTATION AND PUBLICITY RESPONSES

Middlesbrough Council Highways

No objection subject to informatives regarding materials on the highway and street naming and numbering being imposed on any approval.

Middlesbrough Council Environmental Health

No objection.

Middlesbrough Council Waste Policy

No objection.

Middlesbrough Council Private Sector House

No objection.

Cleveland Police Secured by Design

Applicant is recommended to develop to secure by design standards or to contact the Secure by Design officer for advice.

Public Responses

Nearby Neighbours were notified of the proposal, a total of ten objections were received although only the following six provided an address:

No's 40,41,42,44,55,61, Chippenham Road

The objections were all on a pro-forma letter and can be summarised as follows:

- Works have already started.
- House is not currently maintained properly and is let to undesirable tenants.
- House will not be in keeping with others nearby.

- Lack of parking will lead to increased tension between neighbours.
- Loss of property value.
- Proposal will result in two lots of tenants.
- First floor living room will look directly into the bedroom of the opposite dwelling.

Public Responses

Number of original neighbour consultations	9
Total numbers of comments received	6
Total number of objections	6
Total number of support	0
Total number of representations	0

PLANNING CONSIDERATION AND ASSESSMENT

Policy

1. The proposal should be assessed against Policies set out in the Development Plan. DC1, CS4 and CS5 in essence seek to ensure high quality sustainable development; ensure the amenity of nearby residents; character of the area and highway safety are not adversely affected by the development.
2. The Middlesbrough Urban Design Guide which sets out the principle by which to achieve high quality design and the Highway Design Guide are also of relevance.

Sustainability

3. The proposed development is located close to local amenities and sustainable transport routes and so is considered to be a sustainable form of development in accordance with policy CS4.

Appearance

4. The only alteration to the exterior of the property is to replace the existing rear access door with a bedroom window, this is to the rear elevation and so will have no discernible impact on the character of the area in accordance with CS5 (test c) and DC1. (test b).

Amenity

5. The National Planning Policy Framework advises as a Core Principle of its guidance (para. 17) decision making should always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings.
6. The main concern in relation to conversion of dwellings to flats is the potential for noise transference between living rooms at first floor and bedrooms at adjoining properties, however in the case of conversion to flats it is a requirement of Building Regulations that adequate noise insulation measures are provided to attenuate noise transference. Previously conditions requiring noise attenuation measures have been imposed on planning permissions for conversions to flats, however this is no longer the case as it unnecessarily duplicates the requirements of Building Regulations.
7. Concerns were raised regarding potential overlooking from living room windows at first floor level, however, there is no change in the distance between existing windows and there is an intervening distance of 21m which meets the privacy distances set out in the Council's Urban Design Guide.

7. Concerns were also raised regarding the number and nature of tenants creating a potential for anti-social behaviour and lack of parking creating tension between neighbours thereby having a negative impact on the amenity of existing residents, Anti-social behaviour is a police matter as would be matters relating to increasing tensions between neighbours, rather than being specific Material Planning Considerations which would need to be taken into account in the determination of this application.
8. In light of the above, it is considered that the proposed alterations will not have a significant impact on the amenity of nearby residents in accordance with policy DC1 (test c).

Highways

9. There is no parking currently associated with the dwelling and no proposals to provide parking in relation to the flats. Local residents have raised concerns that the creation of an additional dwelling will increase demand for on-street parking spaces. It is acknowledged that on street parking in this area can be a problem due to the general lack of off street parking provision. However, parking provision guidance (which is set out in the Highway Design Guide) in relation to a single dwelling is for two spaces. For flats it is 1.5 spaces, although in the case of single bedroom flats that are located to close to local facilities and public transport routes this is reduced to one space per flat. As such the requirement for proposed flats will not increase demand for parking over and above the existing situation and so it would be difficult to justify a reason for refusal based on lack of parking provision or highway safety. The Councils Highway Officer considered the application and raised no objection in terms of highway safety and so the proposal is considered to be in accordance with policy DC1 (test d).

Other matters

10. Comment is made that work has already started on site, following an officer site visit it is clear that works to the property that have been carried out are internal and would not in themselves require planning permission. The property is unoccupied and so the use as two flats, which does require permission, has not yet been implemented.
11. Comment was also made regarding lack of maintenance at the property, undesirable tenants and devaluation of property values, these matters are not material planning considerations.
12. Concerns were raised that the use as flats will be out of keeping with other houses in the area. However there are a number of flats in the immediate vicinity of the site, specifically 44-46 and 52-54 Chippenham Road. These flats are part of the original development and so are constructed to reflect their purpose with adequate bin storage and amenity space provisions. It is understandable that concerns might be raised that conversion of a dwelling to two flats may result in lack of adequate amenities for each of the dwellings and this could lead to storage of bins on the street and lack of amenity space. A request was made to the agent to provide details of waste storage, cycle parking and amenity space allocated to each of the flats, but at the time of compilation of this report the information had not been provided. Although there is no specific allocation of amenities, No.45 has a side access gate that will provide access to the rear garden and out building where there is adequate space to store cycles and bins for both flats, as such it would be difficult to substantiate a reason for refusal based on lack of amenity for future occupiers of the flats. In view of the above it is also considered that the conversion to two flats is unlikely to have significant impact on the character of the area.
13. It is noted however that the character of an area can change over time through the implementation of development and the change to the make-up of property types

within a locality. Paragraph 3.1 of the Council's Urban Design Guide advises that new development should seek to result in sustainable communities and be designed to encourage the formation of successful, inclusive places where people want to live, work and invest. The National Planning Policy Framework, at Para. 58 further advises that decision making should aim to ensure developments will function well and add to the overall quality of the area, not just for the short term but for the lifetime of the development. The proposed conversion would add to the mix of property types in the area which are predominantly, houses, with a small number of purpose built flats. Although the property was not originally designed for multiple occupation, and the proposed flats are relatively small, the site is able to provide some outdoor amenity space for each property and bin and cycle stores which prevent the proposal and it's associated use unduly affecting the street scene. Whilst the proposed conversion would not necessarily enhance or add to the quality of the area within which it is located, given this proposal is not a common occurrence within this immediate part of the street, it is arguably, in a minority it is therefore considered that it would not unduly affect the character of the area. Any future applications for similar forms of development within the immediate locality may result in cumulative affects which may be considered as being detrimental to the character of the area although that would need to be considered in determining applications for other such developments in the future.

Summary

14. The proposal has been assessed against local policy and guidance and is considered that the conversion to flats will be in keeping with the residential nature of the surrounding area and will not have an adverse impact on the character of the area, amenity of nearby residents or matters of highway safety. All other issues raised have been considered but do not justify refusal of planning permission.

Conclusion

15. In view of the above, the proposal is considered to be an acceptable form of development fully in accordance with National and Local policy and is therefore recommended for approval.

RECOMMENDATIONS AND CONDITIONS

Approve with Conditions

1. **Time Limit**

The development to which this permission relates must be begun not later than the expiration of three years beginning with the date on which this permission is granted.

Reason: The time limit condition is imposed in order to comply with the requirements of Section 91 of the Town and Country Planning Act 1990.

2. **Approved Plans**

The development hereby approved shall be carried out in complete accordance with the plans and specifications received on 25th April 2017 and shall relate to no other plans.

Reason: To ensure a satisfactory form of development and for the avoidance of doubt.

REASON FOR APPROVAL

This application is satisfactory in that the conversion to flats accords with the principles of the National Planning Policy Framework (NPPF) and the local policy requirements (Policy DC1, CS4, CS5 of the Council's Local Development Framework).

In particular, the conversion to flats will not prejudice the character and function of the area and does not significantly affect any landscaping or prevent adequate and safe access to the site. The conversion to flats will be consistent with the residential uses of this location and it will not be detrimental to any adjoining or surrounding properties. The traffic generated, car parking and noise associated with the conversion to flats will not be of a level likely to result in an unacceptable impact on nearby premises.

The application is therefore considered to be an acceptable form of development, fully in accordance with the relevant policy guidance and there are no material considerations, which would indicate that the development should be refused

INFORMATIVES

Informative: Condition of the Highway

The applicant is reminded that building materials shall not be deposited on the highway without the specific consent of the Highway Authority.

Informative: Naming and Numbering

Should the development require Street Names, Numbers and/or Post Codes the developer must contact the Council's Naming and Numbering representative on 01642 728155.

Case Officer: Maria Froggatt

Committee Date: 16th June 2017

