
APPLICATION DETAILS

Application No:	17/0597/FUL
Location:	42 Dorothy Street Middlesbrough TS3 6JD
Proposal:	Conversion of dwelling to 2no self-contained flats
Applicant:	Miss Nagina Iqbal
Agent:	
Ward:	North Ormesby
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.

Nearby neighbours were informed of the proposal and no objections have been received.

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.42 Dorothy Street is a two storey, end-terrace dwelling located in a residential area of Middlesbrough. The surrounding area features blocks of two storey terraced dwellings with access doors directly onto the street and yards to rear.

The proposal subject of this application is for the conversion of the dwelling to two self-contained flats with the only change to the exterior of the building being the sub division of the rear yard to provide amenity space for each flat along with bin and cycle storage facilities.

PLANNING HISTORY

There is no relevant planning history associated with this site. However, an identical proposal at No.6 Dorothy Street was approved under the delegated scheme in August of this year.

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
 CS5 - Design
 REG10 - North Ormesby
 H11- Housing Strategy

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 use of scaffolding, 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. These properties do not receive individual refuse bins. Refuse waste is collected by communal bins from the rear alley. Recycling collections are made by clear sack collections to the frontage.

Middlesbrough Council Public Sector Housing

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, no objections were received.

Public Responses

Number of original neighbour consultations	8
Total numbers of comments received	0
Total number of objections	0
Total number of support	0
Total number of representations	0

PLANNING CONSIDERATION AND ASSESSMENT

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. As the property lies within the North Ormesby Regeneration Area, Policy REG10 also applies as does H11, Housing Strategy. Both policies seek to ensure provision of a balanced and sustainable housing stock.
3. The Highway Design Guide is also of relevance.

Principle

4. Although conversion of the dwelling will result in the loss of a family house, it will create two low cost housing units which have the ability to contribute to the provision of a choice of homes and a balanced, sustainable housing stock in accordance with Policies REG10 and H11.

Sustainability

5. 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.

Design

6. The only alteration being proposed is to the exterior of the property which is for the erection of a fence and gate to sub divide the rear yard, which, given it is largely out of view, is considered will have no discernible impact on the character of the area in accordance with CS5 (test c) and DC1 (test b).

Impact of noise and privacy

7. Converting a dwelling into 2 flats has the potential for noise transference, particularly where living rooms and kitchens are placed at first floors next to bedrooms in adjacent properties. However, insulation against noise is a matter dealt with under Building Regulations and no conditions relating to noise are therefore recommended as this would unnecessarily duplicate legislative requirements.
8. It is likely that there will be additional movement to and from the property as a result of it being split into 2 properties although it is considered that this would be relatively minor and not something which would unduly affect the amenity or privacy for adjacent or nearby residents.
9. Other than the addition of a 2m high fence to the rear yard which will be screened to a large degree by the existing boundary wall, the proposal does not involve any alterations to the property and so there will be no change in terms of overlooking or overshadowing of nearby properties.
10. In view of the above, it is considered that the proposed alterations will not have a significant detrimental impact on the amenity of nearby residents in accordance with Policy DC1 (test c).

Highways

11. There is no parking currently associated with the dwelling and no proposals to provide parking in relation to the flats. Parking provision guidance (which is set out in the Highway Design Guide) in relation to a single dwelling of this scale is for two spaces whilst for flats it is normally 1.5 spaces per flat although in the case of single bedroom flats that are located close to local facilities and public transport routes this is reduced to one space per flat. Although no parking is being provided, as the scheme will not increase the demand from the current situation it could not be argued to have a detrimental impact on highway matters. The Council's 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) in this regard.

Conclusion

12. The proposal has been assessed against local policy and guidance and it 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.
13. 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 subject to conditions.

RECOMMENDATIONS AND CONDITIONS

Approved 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 following plans and shall relate to no other plans:

Title	Received
Location plan	25th September 2017
Proposed Layout Plans	9th October

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, REG10 and H11 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

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

If a scaffold/hoarding is required to facilitate the work, or a skip is required for the disposal of waste, a licence is required from the Highway Authority (Tel: 01642 728156) before any work commences on site.

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.

The applicant is recommended to actively seek to develop to accredited Secured by Design standards or to contact the Secured by Design Officer for advice relating to designing out opportunities for crime and disorder to occur in the future.

Secured by Design contact: stephen.cranston2@cleveland.pnn.police.uk

Case Officer: Maria Froggatt

Committee Date: 1st December 2017

