
APPLICATION DETAILS

Application No:	18/0023/FUL
Location:	473 Linthorpe Road Middlesbrough TS5 6HX
Proposal:	Conversion of 1st and 2nd floors to create 3no self-contained flats, single storey extension, dormer window and external staircase to rear
Agent:	Mr Garry Phillipson
Company Name:	GPDESIGNS ARCHITECTURAL SERVICES
Ward:	Park
Recommendation:	Approve with conditions

SUMMARY

The application seeks permission for the conversion of the 1st and 2nd floors of the building to 3 self-contained flats (2x1 bedroomed flat and 1x2 bedroom flat). The proposal includes external works with the installation of an entrance door and roof light on the front elevation, the erection of a single storey rear extension and external staircase, the erection of a flat roofed dormer window and additional windows and door on the rear elevation. The ground floor unit will remain as a retail unit.

Part of the application is retrospective with the dormer window on the rear and the roof flight on the front elevation having been completed. Internally the staircases to the third floor has been installed.

Following a consultation exercise, no objections were received from residents or statutory consultees.

The development is considered to be an appropriate use for the area. It is consistent with the surrounding uses and will not have a significant impact on the amenities of the neighbouring properties, the character of the area and highway safety.

The development is considered to in accordance with the requirements of relevant policies DC1, CS4, CS5, CS13, H11 and the Council's Interim Conversion Policy.

The application is recommended for approval subject to standard conditions.

SITE AND SURROUNDINGS AND PROPOSED WORKS

The application site is 473 Linthorpe Road a mid-terraced property located within Linthorpe Village local centre. The ground floor is a commercial unit with the first floor being currently vacant. To the north is a vacant commercial unit at 471B Linthorpe Road and to the south is a retail unit (charity shop) at 475 Linthorpe Road. The rear access to the yard is provided from Westmoreland Road located to the rear. The application site is located just outside of the Linthorpe Conservation Area.

The proposal is for the conversion of the upper two floors of the premises to three separate flats (2x1 bedroomed flat and 1x2 bedroom flat). The proposal includes the following external works:-

- a) Installation of a flat roofed dormer window to the rear. Works have commenced on the dormer window. The dormer will project a maximum of 4.8 metres from the rear elevation with a width of 6.8 metres and a height of 1.9 metres. The dormer will have three windows on the rear elevation with no windows on the side elevation.
- b) Installation of a single storey flat roofed extension to the side and rear which will be an L-shaped design. The extension will project 9 metres with a maximum roof height of 3.1 metres with the roof height lowering to the rear to a maximum height of 2.5 metres. The extension will have a set of French doors and single window on the rear elevation.
- c) Alterations to the existing shop frontage to reduce the size of a window on the front elevation and the insertion of a separate access door for the flats.
- d) Installation of a roof light on the front elevation.
- e) Insertion of an additional window on the first floor rear elevation.
- f) The existing first floor window to be replaced with a window and access door.
- g) Installation of an external open staircase to the rear. The staircase will extend into the rear yard area and will connect to the first floor.
- h) Re-instatement of the bay window on the second floor front elevation and external dark grey cladding

PLANNING HISTORY

Previous planning permission for the property include the following:-

M/FP/0669/98/P - New shop front, approved in May 1998

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:

CS13 - Town Centres etc Strategy
CS4 - Sustainable Development
CS5 - Design
DC1 - General Development
H11 - Housing Strategy
ICP- Interim Conversion Policy
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

There have been no comments received from the neighbouring properties following the consultation process.

The following comments have been received from the statutory consultees:-

Cleveland Police

In relation to this application. I recommend applicant actively seek to develop to accredited Secured By Design standards. Even if this is not to be the case they are welcome to contact me for any advice, guidance I can offer in relation to designing out opportunities for crime and disorder to occur in the future.

Council's Policy Officer

The application site is located within the Linthorpe Village local centre. Core Strategy Policy CS13 seeks to protect the vitality and viability of local centres. The proposed development relates to the use of the upper floors and so would not be detrimental to the retail character of the local centre. The occupiers of the proposed flats would potentially result in a small increase in footfall in the centre, which may assist in protecting vitality and viability. Housing Local Plan Policy H11 (Housing Strategy) seeks to deliver a balanced and sustainable housing stock to meet current and future needs. The Middlesbrough Strategic Housing Market Assessment (2016) identifies a projected need for 800 one bedroom flats and 400 two bed flats in the period up to 2034. The proposed development would contribute towards meeting this need. The application should also be considered against the requirements of Core Strategy Policies CS4, CS5 and DC1.

Policy CS4 requires all development to contribute to achieving sustainable development principles. The proposed development would make reuse of the vacant upper floors. The proposed development is in a sustainable location within a local centre well served by public transport. Policies CS5 and DC1 require all development to demonstrate high quality design. Policy DC1 also requires that the effect on amenities of occupiers of nearby properties is minimal and that the development does not impact on highway safety. Consideration should be given to whether the proposed increase in the number of flats would create any parking issues detrimental to amenity. The Interim Policy on Conversions of Residential Properties was approved by the Council Executive on 19/12/17 for public consultation, and for its immediate use as a material consideration in planning applications. Whilst the Policy relates to conversion of residential properties the guidance within it is also relevant to residential conversion from other types of property, for example, space standards and amenity levels. It appears that the 2 bed flat on the second floor is below the nationally described space standards of 61 m². Consideration should be given to whether the proposed development would achieve satisfactory amenity levels for future occupiers. There are no objections to the principle of residential use of the upper floors and the proposed development may assist in improving the visual amenity of the locality given that the building and rear yard currently have a somewhat neglected appearance.

The acceptability, or otherwise, of the proposed development will be dependent on Development Controls assessment of whether satisfactory amenity levels can be achieved for future occupants.

Council's Highway Officer

Informatives

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.

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

Should the development require Street Names, Numbers and/or Post Codes the developer must contact the Councils Naming and Numbering representative on (01642) 728155

Waste Officer

No comments

Environmental Health Officer

I have no objections to the application.

Public Responses

Number of original neighbour consultations	4
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 and other material planning considerations. Policies DC1, CS4 and CS5 are relevant and 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. Consideration should also be given to the Councils Interim Conversion policy which seeks to ensure a suitable form of development for housing being converted into flats. Policy H1 (Spatial Strategy) of the Housing Local Plan which sets out the Councils strategy for provision of housing within the Borough is also of relevance.
3. Policy CS5 requires high quality design in terms of layout, form and contribution to the character and appearance of the area and consideration must be given to Middlesbrough's Urban Design SPD (adopted Jan 2013)
4. Core Strategy Policy DC1 requires the visual appearance of any new development to be in keeping with the surrounding area in terms of scale, design and materials of a high quality.
5. Core Strategy policy CS13 comments that development within the Local centre should meet local needs and be of a scale appropriate to the centre and should not adversely impact on the vitality and viability of other nearby centres.

6. The main considerations with this proposal are the principle of the development, the effect on the privacy and amenity of the neighbouring properties, the effect on the character and appearance of the street scene and the effect on highway safety.

Principle of the Development

7. The application site is located within Linthorpe Village Local centre. Core Strategy Policy CS13 aims to ensure the vitality and viability of the local centre by encouraging retail, commercial, leisure and cultural development of a scale and type commensurate to its current and future function.
8. The proposal will retain the retail use on the ground floor of the premises with the conversion of the upper floors into three separate flats (2x1 bed flat and 1x2 bed flat). The conversion of the upper floors into residential accommodation will provide additional footfall within the centre which will support the viability and vitality of the centre.
9. In addition, Policy CS4 requires development to be sustainable. This development would not only bring back into use the current vacant upper floors of the building but the property is located within a sustainable location in the local centre, which is well served by public transport and would therefore meet the sustainable credentials for such development.
10. The Council's Housing Local Plan Policy H11 (Housing Strategy) aims to provide a balanced and sustainable housing stock to meet current needs with the Middlesbrough Strategic Housing Market Assessment (2016) identifies a need for 800 one bedroomed flats and 400 2 bedroomed flats in the period up to 2034. The proposal will assist in meeting this policy requirement.
11. The Council's Interim Policy on Conversions of Residential Properties sets out the space standards and amenity considerations for flatted developments. The one bedroomed flats at 40 square metres are above the 37 square metres guidance. The two bedroomed flat at 55.5 square metres is slightly below the 61 square metres guidance, however, given the proportions of the separate bedrooms, bathrooms and the kitchen/living room and separate hallway that the 2 bedroom flat has, it is considered to be an adequate size to provide sufficient amenity to the occupants of the flat.
12. In view of these matters, the principle of the development is considered to be acceptable and accords with the guidance set out in Core Strategy Policy CS4 and CS13.

Privacy and Amenity on the neighbouring premises

13. The proposal includes an additional habitable room window on the first floor rear elevation and the erection of a dormer with three windows on the second floor. The proposed rear elevation windows will face directly towards the rear yard area and properties along Westmoreland Road. The guidance separation distance considered acceptable in the Council's Urban Design Supplementary Planning Document is 21 metres in terms of loss of privacy and amenity. There will remain a minimum separation distance of approximately 45 metres to the residential properties at Westmoreland Road and therefore the proposal is not considered to have a significant impact on the amenity of these neighbours.
14. Although not directly adjoining the boundary of the application site there are first floor residential flats with windows to the rear of 477 Linthorpe Road which are visible from the first and second floors of the application site. There will remain a minimum separation distance of 15 metres between the windows and although this is less than the 21 metre guidance the fact the windows are not directly facing each other and at an oblique angle, it is considered that there would be no significant impact on privacy or amenity of these neighbours.

Character and appearance

15. The application site is a mid-terrace property which fronts Linthorpe Road. The properties within the street scene are terraced properties with commercial units on the ground floor and a mixture of residential and commercial uses at first floor. There is a mixture of roof designs within the street scene with both modern flat roofs and traditional pitched roof designs. Several of the properties have retained the bay windows and traditional pitched roof dormers on the front elevations.
16. Within the Local centre there is a mixture of commercial premises at ground floor with modern shop frontages and more traditional frontages with recessed central doorways and stall riser details.
17. The proposal will include altering the front elevation of the shop with the reduction in the scale of one of the front elevation windows and the insertion of a new access door for the flats. The proposal will mean the reduction in the scale of the front elevation window however, given the overall proportions of the windows and the fact the recess doorway will be retained means the proposed shop front alterations are sympathetic and therefore acceptable.
18. Works have been completed on the re-instatement of the bay window on the second floor front elevation which was previously boarded up. The works undertaken are the replacement of the windows and dark grey cladding on the front elevation. The overall scale of the bay window has not altered. The grey cladding and the opening up of the bay window is considered to improve the overall appearance of the building. In addition, the size and scale and materials for the roof light on the front elevation is considered to fit in with the original character and appearance of the building.
19. The proposal includes retrospective consent for a flat roof dormer window on the rear elevation. The Council's Urban Design Supplementary Planning Document (SPD) guidance comments that full width dormers should be avoided as they can dominate and overtake the roof scape of the building. In this instance, the dormer has a low roof pitch which combined with the dark grey colouring of the dormer and the existing varying roof designs to the rear of the properties along Linthorpe Road means the visual impact of the dormer is not considered to have a significant impact on the character and appearance of the street scene.
20. The proposal includes the removal of the pitched roof attached outbuilding within the rear yard area and for a replacement single storey flat roofed extension to the side and rear. The adjacent property at 475 Linthorpe Road has a flat roof extension which projects to the rear and therefore the height, scale and design of the proposed side and rear extensions are considered to fit in with the existing street scene.
21. Externally to the first floor rear elevation there will be alterations to provide an additional window, enlargement to the existing window and the installation of a new access door and external staircase. Both the window design and header and cill details match the original building. The proposed external fire escape stairs given their location to the rear are not considered to have a significant impact on the character of the street scene.
22. Overall, the design, scale and materials for the proposed alterations are considered to be in keeping with the character and appearance of the original property and the street scene and accords with the guidance set out in Core Strategy Policy CS5 and DC1.

Highway Safety

23. The application site fronts Linthorpe Road with the access to the premises located to the rear from Westmoreland Road. The premises has a large gated yard area to the rear for parking provision for the residential flats.

24. The Council's Highway Engineers have commented that they have no objections to the proposal but have commented that building materials should not be deposited on the highway without the highway authority consent and that should the proposal require street names the developer should contact the Council which will be added as an informative to the application. The Highway Engineer has commented that any scaffolding would require the Highway Authority consent, however these works have now been completed.

Residual Matters

25. The proposal includes no specific details of the waste bin storage and collection provision for the retail unit or the residential flats and no cycle storage facilities for the proposed residential use. Given the size of the rear yard area and the flats having a direct access into this area, a condition is recommended for specific details of the waste provision and collection methods and the proposed covered cycle storage, to be agreed with the Local Planning Authority prior to the occupation of the intended use and implemented in accordance with the agreed details.

RECOMMENDATIONS AND CONDITIONS

Approve with conditions

1. Time Period

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 :-

Existing floor plan drawing 01 dated 22nd January 2018
Existing Elevation drawing 02 dated 22nd January 2018
Proposed floor plan drawing 03 dated 22nd January 2018
Proposed elevation plan drawing 04 dated 22nd January 2018

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

3. Materials

The materials to be used in the construction of the walls of the rear and side extension hereby permitted shall match those used in the existing building.

Reason: To ensure the use of satisfactory materials.

4. Waste Storage Provision

The uses hereby approved shall not be brought into use until a scheme of waste storage and collection has been implemented on site in accordance with details which have first been submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of the location and design of the proposed waste storage provision and methods of waste collection for both the retail unit and the residential flats.

Reason : To ensure an adequate form of development.

5. Cycle Store provision

The uses hereby approved shall not be brought into use until a scheme of covered and secure cycle storage has been implemented on site in accordance with details which have first been submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of the location and design of the proposed cycle storage provision.

Reason: To ensure a satisfactory form of development.

REASON FOR APPROVAL

This application is satisfactory in that the design of the proposed alterations and conversion accord with the principles of the National Planning Policy Framework (NPPF) and, where appropriate, the Council has worked with the applicant in a positive and proactive way in line with paragraphs 186-187 of the NPPF. In addition the alterations and the conversion accords with the local policy requirements (Policies CS4, CS5, CS13, H11 & DC1 of the Council's Local Development Framework).

In particular the alterations and conversion are designed so that its appearance is complementary to the existing building and so that it will not have a detrimental impact on the amenity of any adjoining or nearby resident. The alterations and conversion will not prejudice the appearance of the area and does not significantly affect any landscaping nor prevent adequate and safe access to the building.

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.

Should the development require Street Names, Numbers and/or Post Codes the developer must contact the Councils Naming and Numbering representative on (01642) 728155

Case Officer: Debbie Moody

Committee Date: 8th June 2018

