
APPLICATION DETAILS

Application No:	18/0381/COU
Location:	7 St Barnabas Road Middlesbrough TS5 6JR
Proposal:	Change of use from (A1 use class) shop with flat above to 2 self contained flats (C3 use class) with single storey extension to rear and alterations to the elevations.
Applicant:	Miss Michelle
Company Name:	
Agent:	Mr Ben wears
Company Name:	Archi Studios
Ward:	Park
Recommendation:	Approve with Conditions

SUMMARY

Permission is sought for the conversion of an end terrace retail unit with flat above into two apartments, and the erection of a single storey extension to the rear to provide.

Following a consultation exercise one objection was received from a resident.

The development is considered to be an appropriate use for the residential area, it 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 be in accordance with the requirements of relevant guidance and policies DC1, CS4, CS5, H11 and the interim conversions policy.

SITE AND SURROUNDINGS AND PROPOSED WORKS

The application site is a corner end-terrace property located on the north side of St Barnabas Road to the west of the junction with Bush Street. It is a two-storey property consisting of a retail unit on the ground floor with a residential flat on the first floor. It has a small covered rear yard which abuts the back alley, it is attached to a residential dwelling on St Barnabas Road.

The site is in a predominantly residential area consisting of two-storey terraced dwellings, there are a handful of retail units located at corner properties located along the length of St Barnabas Road. A number of properties have been converted to apartments in the area.

This application seeks permission for the conversion of the ground floor retail unit to a two bedroom flat, a single storey extension at the rear and alterations to the elevations consisting of a bay window on the front elevation and a door on the side elevation. No alterations are proposed to the existing first floor flat.

PLANNING HISTORY

No relevant planning history.

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 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:

- The provisions of the Development Plan, so far as material to the application
- Any local finance considerations, so far as material to the application, and
- Any other material considerations.

Middlesbrough Local Plan

The following documents comprise the *Middlesbrough Local Plan*, which is the Development Plan for Middlesbrough:

- 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).

National Planning Policy Framework

National planning guidance, which is a material planning consideration, is largely detailed within the *National Planning Policy Framework* (NPPF). At the heart of the NPPF is a presumption in favour of sustainable development (paragraph 11). The NPPF defines the role of planning in achieving economically, socially and environmentally sustainable development although recognises that they are not criteria against which every application can or should be judged and highlights the need for local circumstances to be taken into account to reflect the character, needs and opportunities of each area.

For decision making, the NPPF advises that local planning authorities should approach decisions on proposed development in a positive and creative way, working pro-actively with applicants to secure developments that will improve the economic, social and environmental conditions of the area and that at every level should seek to approve applications for

sustainable development (paragraph 38). The NPPF gives further overarching guidance in relation to:

- The delivery of housing,
- Supporting economic growth,
- Ensuring the vitality of town centres,
- Promoting healthy and safe communities,
- Promoting sustainable transport,
- Supporting the expansion of electronic communications networks,
- Making effective use of land,
- Achieving well designed buildings and places,
- Protecting the essential characteristics of Green Belt land
- Dealing with climate change and flooding, and supporting the transition to a low carbon future,
- Conserving and enhancing the natural and historic environment, and
- Facilitating the sustainable use of minerals.

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
H11 - Housing Strategy
UDSPD - Urban Design SPD
HGHDC - Highway Design Guide
ICP - Interim Conversion Policy

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

Following a consultation exercise one objection has been received from the attached neighbour 9 St Barnabas Road. The objection is summarised below:

- a) Lack of parking;
- b) Loss of value of property;
- c) Noise issues; and,
- d) Poor appearance.

MBC - Waste Policy

No objection

MBC - Highways

No Highway Objections subject to the provision of secure cycle parking for the flats.

MBC - Environmental Health

No objection

Public Responses

Number of original neighbour consultations 15

Total numbers of comments received	1
Total number of objections	1
Total number of support	0
Total number of representations	0

PLANNING CONSIDERATION AND ASSESSMENT

1. Originally this application sought consent for conversion to 3 flats, two on the ground floor and one on the first floor as existing. During the application process the agent has worked closely with the Planning Authority, following comments received and discussions regarding the size of the ground floor flats and the proposed alterations to the elevations, revised plans were received. The revised plans altered the changes to the elevations and reduced the number of flats proposed on the ground floor from 2 one bed flats to 1 two bed flat. This report analysis the revised scheme against material planning considerations.
2. The comment received regarding the loss of value of a property is not a material planning consideration and will not form part of this analysis.

Policy

3. The application site is retail on the ground floor with residential above and its associated curtilage, it is located within the residential, urban area of Middlesbrough where the principle of residential development is acceptable in principle. Consideration of this proposal needs to be set against Middlesbrough Local Plan Policies;
 - DC1 (General Development),
 - CS4 (Sustainable Development),
 - CS5 (Design), and
 - H11 (Housing Strategy).
4. These policies seek to ensure high quality sustainable development which does not significantly impact on the amenity of nearby residents, that the character of the area and highway safety are not adversely affected by the development and that the provision of a varied range of housing types and a balanced and sustainable housing stock are achieved. Although the application is for conversion of a retail unit the recent interim conversion policy guides policy requirements for the conversion of buildings to residential units.

Principle of Development

5. The site is located in a residential area, the retail unit is not located within a local centre. The conversion of the retail unit to a residential unit is therefore considered to be acceptable in principle. The conversion will result in two affordable housing units with the two bed flat providing variety to the housing provision in the area. It's considered that this will contribute to the provision of a choice of low cost homes and a balanced, sustainable housing stock in accordance with Policy H11.
6. In accordance with the guidance within the Interim Conversions Policy, consideration needs to be given as to whether the sub-division of the property would result in a change in the character of the area. There have been a number of conversions of properties at the eastern end of St Barnabas Road into flats. The majority of the conversions have been from vacant retail units to residential, therefore there is no loss of a family home. It is considered that the conversion of a retail unit and the provision of a residential frontage to the ground floor would enhance the overall character of the area and will not exacerbate any shortage or oversupply of a

particular size and type of dwelling in the local housing stock and would therefore be in accordance with the interim conversion policy on this matter.

Sustainability

7. The proposed development is located close to local amenities and sustainable transport routes and is therefore considered to be a sustainable form of development in accordance with Local Plan Policy CS4

Design/Streetscene

8. The proposed extension at the rear replaces an existing offshoot and covered yard. The flat roof is replaced with a pitched roof which is more aesthetically pleasing and will enhance the visual appearance of the existing building when viewed from Bush Street.
9. The remaining alterations to the external elevations include the installation of a door on the side elevation to provide access to the ground floor flat and the existing shop front on St Barnabas Road is replaced with a dormer window located centrally below the existing first floor dormer. The works to the front elevation will bring the building back in keeping with the existing residential dwellings on this section of St Barnabas Road. The front elevation is a significant improvement on the existing elevation and is in keeping with the character and appearance of the area, this will significantly enhance the visual appearance of the streetscene.
10. It is considered that the proposed works will result in significant improvements to the visual appearance of the building and subsequently the streetscene in accordance with the requirements of policy CS5 and guidance in the Urban Design SPD.

Amenity

11. The pitched roof at the rear will increase the height of the single storey offshoot, it will result in some loss of light to the rear yard of the attached neighbour during the early hours of the morning. The impact on light to the neighbour's property is considered to be minor and not notably detrimental.
12. The additional bay window at ground floor meets existing separation distances and directly overlooks a junction. Other than a roof light to serve the ground floor bathroom the remaining windows are existing, as a result the relationship with the surrounding properties has not altered. The proposed conversion and external works will not have any impact on the privacy of neighbouring properties.
13. One bedroom on the ground floor has a window into the rear yard. To protect the privacy of the occupiers within the ground floor apartment, the yard is proposed to be split into two providing separate secure yards for both flats. The occupiers of the first floor flat would therefore not have access to the yard with the window, securing the privacy of the ground floor occupants.
14. Conversion of dwellings to apartments can raise issues of noise transference between the living rooms at first floor level and bedrooms of adjoining properties. As well as noise transference between the two apartments themselves. With regards to noise transference between the sub-divided properties, it is good practice to 'stack' rooms so that a living room is above a living room, bedroom above a bedroom etc, so that there is minimal likelihood of inappropriate noise transference. The proposed plan stacks rooms appropriately and accommodation on the first floor is as existing. Notwithstanding this, the creation of new dwellings needs to conform to sound insulation requirements set out in the Building Regulations which seek to control

issues of noise transference to both the attached neighbouring property and between apartments within the sub-divided property. As planning permissions should not replicate controls of other legislation, it is not necessary to apply conditions to address this application be approved.

15. It is considered that the proposed alterations will not have a significant impact on the amenity of nearby residents and the future occupants of the flats in accordance with the requirements of policy DC1.

Layout

16. Both the proposed apartments are accessed from separate doors on the side elevation. The ground floor apartment comprises a living room, two bedrooms, a kitchen/dining room and a shower room. Access is provided to the rear yard from the flat or the alleyway which is secured with an alley gate. The first floor apartment remains as existing and comprises a living room, bedroom, kitchen and bathroom. It has its own yard with access from the rear alley. Due to its location on the junction with Bush Street the alley way is not located far away, approximately 13m from the door to the flat.
17. When considering the appropriateness of a development for apartments, where it is a conversion of an existing residential property, it is necessary to consider the Council's Interim Policy on Conversions of Residential Properties. Although the ground floor is currently a retail unit the proposed conversion is for residential flats, therefore the principles set out in the interim policy should be considered in relation to this application, particularly in relation to space standards set out in the Governments 'Technical housing Standards' which give nationally prescribed space standards.
18. The first floor flat remains as existing with no alterations to the layout. The flat measures 50 square metres and exceeds the space standards for a one person one bedroom flat with a bathroom (39 square metres) and meets the requirements for a two person one bedroom flat (50 square metres). The bedroom has a floor area of 10.5 square metres which is marginally smaller than the 11.5 square metres required for a double room, however the property has the benefit of a separate kitchen and living room which gives ample space for two persons. Externally the flat has access to its own rear yard for secure cycle storage and bins. It is considered that the first floor is suitable for a one bed flat for either one or two people.
19. The ground floor two bed flat measures 63.3 square metres, exceeding the requirements for a two bed, three person flat (61 square metres). The bedrooms measures 10.2 square metres and 7.8 square metres. The smaller bedroom exceeds the size for a single room and the larger bedroom is marginally smaller than the standards for a double room. Given that the overall size of the flat exceeds the space standards, it benefits from a large kitchen/dining room and a separate living room and externally the flat has access to its own rear yard for secure cycle storage and bins, it is considered that the ground floor flat is suitable for use as a two bed, three person flat.
20. In view of this it is considered that the apartments provide sufficient living space for future residents in accordance with the national described space standards. It is considered that the proposed apartments are acceptable in terms of the layout and the living space provided in accordance with the requirements of the NPPF, policy DC1 and the interim Policy on Conversions of Residential Properties.

Highways

21. The parking requirements for this development are set out in Chapter 7 of the Tees Valley Design Guide and Specification. Which highlights a maxima of 1.5 spaces per dwelling for a Flatted Development, Class C3 although a reduction in this can be agreed depending on circumstances. This would therefore guide on a requirement for parking as being 3 spaces, being one greater than the 2 spaces that are required for the existing dwelling.
22. The change of use of the retail unit to 2 flats will not have a material impact on the level of traffic generation nor parking demand. If the unit were to open as a retail shop it is likely to result in more parking demand for those visiting the premises than a residential unit. The site is located in a highly sustainable area and is within a short walking distance of both high frequency public transport and local facilities.
23. The development includes separate yards for both the apartments accessed from the rear alley way which is secured by an alley gate. The rear yards provide adequate space for bin storage and secure cycle parking.
24. Given that there is some opportunity for parking alongside the property (on street) due to its corner location, and given it is in a sustainable location it is considered that the proposed development will not have a detrimental impact on the operation of the surrounding highway network, either from a capacity or road safety perspective. As a result the Local Highway Authority have confirmed that they have no objections to the development. The proposed apartments are considered to be in accordance with policy DC1 in relation to the local highway network and the Interim Policy on Conversions of Residential Properties.

Conclusion

25. The proposal has been assessed against local policy and guidance, it is considered that the extension and conversion of the property to create one two bed apartment and one, one bed apartment 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.
26. The scheme is considered to be an acceptable form of development fully in accordance with relevant national and local planning policies DC1, CS4, CS5, H11 and the Interim Policy on Conversions of Residential Properties.

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 detailed below and shall relate to no other plans:
 - a) Location plan, received 7th June 2018; and,

b) Conversion, drawing no. 2 received 1st August 2018.

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

3. Matching Materials

The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building.

Reason: To ensure the use of satisfactory materials.

REASON FOR APPROVAL

This application is satisfactory in that the design of the proposed conversion to two no. apartments and single storey extension accords 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 the NPPF. In addition the conversion to two no. apartments and single storey extension accords with the local policy requirements (Policies DC1, CS4, CS5, H11 and the Interim Policy on Conversions of Residential Properties, of the Council's Local Development Framework).

In particular the conversion to two no. apartments and single storey extension is designed so that its appearance is complementary to the existing property and so that it will not have a detrimental impact on the amenity of any adjoining or nearby resident. The conversion to two no. apartments and single storey extension will not prejudice the appearance of the area and does not significantly affect any landscaping nor prevent adequate and safe access to the site.

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

It should be ensured that, during construction, deliveries to the site do not obstruct the highway. If deliveries are to be made which may cause an obstruction then early discussion should be had with the Highway Authority on the timing of these deliveries and measures that may be required so as to mitigate the effect of the obstruction to the general public

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

Case Officer: Shelly Pearman

Committee Date: 7th September 2018

