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**APPLICATION DETAILS**

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<b>Application No:</b>	<b>18/0337/COU</b>
<b>Location:</b>	<b>136 Crescent Road Middlesbrough TS1 4QT</b>
<b>Proposal:</b>	<b>Conversion to 3 flats (C3) with first floor extension at rear and alterations to elevations</b>
<b>Applicant: Company Name:</b>	<b>Mr Shy</b>
<b>Agent: Company Name:</b>	<b>Mr Ben Wears Archi Studios</b>
<b>Ward:</b>	<b>Newport</b>
<b>Recommendation:</b>	<b>Approve with Conditions</b>

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**SUMMARY**

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Planning permission is sought to construct a two storey extension to the rear of the property and make internal alterations to create three self-contained flats.

Following the usual consultation process one letter of objection was received.

The main issues for consideration are: principle of the proposal; appearance of the proposed extension and its impact on the character of the area; impact on the amenity of nearby neighbours; quality of amenity for future occupiers of the dwelling and impact on the highway.

The proposal is considered to be in an appropriate location for residential development and is therefore acceptable in principle. The design and scale of the proposal is considered to be in keeping with the host property and will not have any significant impact on the amenity of nearby residents. Whilst there is a short fall of parking at the site this is not considered to have an impact on the safe operation of the highway. Although one of the flats falls slightly short of governments national housing standards for two bedroom flats, it is considered that the internal layout of the proposed flat is such that an adequate level of amenity will be provided for future occupants.

The proposal is considered to be an acceptable form of development, in accordance with National and Local policy and is therefore recommended for approval subject to appropriate conditions.

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## **SITE AND SURROUNDINGS AND PROPOSED WORKS**

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The application site is a two storey, corner building located in a residential area close to Middlesbrough Town Centre. The area is typified by grid iron layout of two storey terraced dwellings accessed directly off the street. The property was originally used as a shop with flat above, this was subsequently converted to two separate flats with the shop front facing onto Crescent Road being replaced with a window and access door to the ground floor flat and the upstairs flat accessed via a separate side entrance door on Wicklow Street. There is a flat roof garage to the rear of the building with access onto Wicklow Street.

Plans originally submitted with the application indicated a full length extension to the rear and the property being converted into four self-contained flats. Following concerns raised by the case officer about the layout of the scheme and lack of amenity for future residents, the extension was reduced in length and one of the proposed flats removed from the proposal.

The proposal now being considered is for removal of part of the existing garage and construction of a two storey extension with mono-pitch roof to the rear. The extended building will be converted into three separate, self-contained flats; one to the ground floor accessed via the existing door onto Crescent Road; one part ground floor, part first floor flat accessed from the existing side access onto Wicklow Street and one first floor flat accessed via a new entrance door on Wicklow Street. Two new windows at ground and first floor will be inserted into the west facing, side elevation. A new access door to the remaining part of the garage will be provided and the area used as a bin and cycle storage area. The proposed extension will have the following dimensions:

2.45m (l) x 4.52m (w) x 5.9m (height to eaves) and 8.67m (max height to ridge)

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## **PLANNING HISTORY**

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There is no recent relevant planning history associated with this site.

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## **PLANNING POLICY**

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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:

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>

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## **CONSULTATION AND PUBLICITY RESPONSES**

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#### Middlesbrough Council Planning Policy

Advised that the original scheme did not comply with the Interim Conversion Policy and that alterations should be made to provide adequate floor space, bin and cycle storage provision.

#### Middlesbrough Council Highways

Cycle storage provision required for each flat.

Middlesbrough Council Waste Policy

Provision of storage for refuse and recycling required.

Middlesbrough Council Environmental Health

No objection.

Public comment

Nearby Neighbours were notified of the proposal, the following comment was received:

Mr I Wade, 138 Crescent Road objects on the following grounds:

- Proposed alterations are not in keeping with the appearance and design of surrounding properties.
- Four flats will lead to an intensification of use with repercussions on the surrounding area.
- Lack of space for bins
- Increased noise and disturbance
- Extension does not conform to Building Regulation requirements.

**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

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**PLANNING CONSIDERATION AND ASSESSMENT**

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**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 site is located in the Gresham/Jewels Area where Policy H11 and H17 are relevant. Policy H11 identifies Inner Middlesbrough for new housing to meet aspirational needs and create a sustainable and balanced mix of housing. Policy H17 identifies the area for a high quality mix of new dwellings, commercial, retail and leisure development.
3. The Councils Interim Policy for Conversion of residential properties also applies, which requires that the building is capable of providing the number of units proposed to an acceptable standard of accommodation providing adequate levels of privacy and amenity for residents, and meeting the Government's Technical Housing Standards
4. Supplementary Planning Document 'Middlesbrough Urban Design Guide' sets out the principles by which high quality development can be achieved is also relevant.

**Principle**

5. The site is located in a residential area of Middlesbrough where the principle of residential accommodation is wholly appropriate. The proposal will not result in the

loss of a family home as the premises is already divided into flats. Provision of an additional flat will contribute to the offer of mixed residential properties in the area in accordance with Policy H11 and H17. The proposal is therefore considered to be acceptable in principle.

### **Sustainability**

6. 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 a sustainable location, in accordance with Policy CS4.

### **Design**

7. In respect of design, the Middlesbrough Urban Design Guide states that extensions should be consistent with the design of the original dwelling and should be subservient to it, and development should enhance, not detract from the character of the area.
8. The existing rear offshoot at the property measures 5.7m in length and sits below the ridge of the main dwelling, the proposed extension at 2.4m in length is less than half its length and mirrors the design of the existing offshoot. It is considered that due to its relatively short length it will not dominate the existing property and is in keeping with its scale and design. Additional windows and doors to the side elevation mirror the proportions and design of the original features which helps to make the appearance of the extension blend in with the host property.
9. Given the compact nature of the layout of housing in the area, gaps between properties make an important contribution to the appearance of the area in terms of openness. Where two storey extensions infill the gaps it can create a disproportionate sense of enclosure. In this instance the extension has been pulled back from the rear of the site leaving a 2.5m gap between it and the side elevation of No.54 Wicklow Street. It is considered that this will retain an acceptable level of openness.
10. In view of the above the proposal is considered to be a high quality development that is in keeping with the host property in terms of scale and design with no adverse impact on the character of the area in accordance with CS5 (test c) and DC1 (test b) and the Urban Design Guide.

### **Impact**

11. The proposed extension will project beyond the end of No.134 Crescent Road where there are rear facing kitchen and bedroom windows that will have a view of the extension, however, given that it projects only 2.45m, and is oriented to the north of the windows, it is considered that any impact in terms of overbearing appearance or overshadowing will be minimal.
12. There are no windows to the side facing elevation of No. 54 Wicklow Street and so there will be no impact on this property in terms of overshadowing or loss of privacy.
13. New windows to the side elevation of the proposal will have an aspect towards bedroom windows to the side of No.138 Crescent Road which sits across the road from the application site but they will not be directly opposite and are no different to the existing arrangement in terms of separation distance, as such it would be difficult to justify a reason for refusal based on loss of privacy.
14. 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

15. Parking provision for flats is usually 1 spaces per unit where the site is close to public transport routes and facilities. Most properties in the area surrounding the application site do not have on-site parking provision resulting in cars being parked in the highway. Although there is a garage at the site at the moment it does not comply with the dimensions set out in the Highway Design Guide for it to count towards a parking space. As such there is currently a shortfall of two spaces. With the proposal in place the additional flat will result in a demand for a one additional parking space. The Councils Highway Engineer Considered the proposal and requested provision of a cycle parking facility which was subsequently shown on the amended plans. It is considered that the cycle parking provision will offset the under provision of parking to a certain extent and will encourage use of sustainable forms of transport in accordance with local and national policy.
16. In view of the above, it is considered that the increase in parking demand generated by the proposal will not be so significant as to have an adverse impact on the safe operation of the highway. The Councils Highway Engineer 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).

## Amenity of future occupiers

17. The floor area of the flats is as follows:
  - Flat 1 (1bed)37m<sup>2</sup>
  - Flat 2 (1bed)38m<sup>2</sup>
  - Flat 3 (2bed)46m<sup>2</sup>
18. Flat 1 and flat 2 meet the minimal national standards for floor space for one bedroom flats (37m<sup>2</sup>) and so it is considered that they will provide adequate floor space for future residents.
19. Flat 3, which is a two bedroom flat, exceeds the minimal floor space requirement of a 1 bed flat (37m<sup>2</sup>) although the standard for a two bed flat is 61m<sup>2</sup>. Flat 3 falls 15m<sup>2</sup> short of this standard but the layout plan provided with the application shows that there is sufficient space within the flat to provide furniture and retain adequate circulation space for future residents. It would be difficult therefore to justify a reason for refusal based on lack of amenity given the 2<sup>nd</sup> bedroom will be used in a manner deemed appropriate by any future occupier.
20. Each of the flats has its own external entrance door and external windows to habitable rooms. Waste and cycle storage is provided in an enclosed area to the rear accessed by a separate door fronting onto Wicklow Street. Residents will have to exit their dwellings to place rubbish in the store but the maximum distance, which is from the front entrance onto Crescent Road to the bin storage on Wicklow Street, is 18m. Whilst the lack of direct access may present some inconvenience it is considered that the short distance that residents will have to walk will not prohibit proper use of the bin storage facility.
21. In view of the above, it is considered that the proposed flats will provide adequate amenity for future residents in accordance with the Interim Policy for Residential Conversions.

## Other matters

22. Concerns raised regarding design and lack of bin storage have been addressed in the body of the report.
23. In respect of concerns relating to intensification of use the proposal has now been reduced to three flats, one more than currently exist at the site. It is considered that

one additional flat will not lead to a significant demand on services or on noise and disturbance. In any event unacceptable levels of noise and disturbance are dealt with under other legislation.

24. With regard to concern that the proposal does not conform to Building Regulations, this is not a material planning consideration.

### **Summary**

25. The proposal has been assessed against local policy and guidance and is considered to be a high quality development that is in keeping with the host dwelling in terms of scale and design. Given its design and relationship to surrounding properties it will not have any significant impact on the amenity of nearby residents or on the safe operation of the highway. The proposed dwellings will provide an adequate level of amenity for future occupants. All other issues raised have been considered but do not justify refusal of planning permission.

### **Conclusion**

26. 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.

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## **RECOMMENDATIONS AND CONDITIONS**

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### **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 following plans and specifications and shall relate to no other plans.

Location plan received 19th May 2018  
Proposed floor plan Drawing No.03 received 29th October 2018  
Proposed elevations Drawing No.04 received 29th October 2018  
Proposed elevation Drawing 04-1 received 5th November 2018

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

3. 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 extension, conversion to flats and alterations 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 paragraph 38 of the NPPF (2018). In addition the extension, conversion to flats and alterations accord with the local policy requirements (Policies CS4,CS5, H11,H17 & DC1 and of the Council's Local Development Framework, Interim Policy for the Conversion of Houses and the Supplementary Planning Document - The Middlesbrough Urban Design Guide ).

In particular the extension and alterations are designed so that their appearance is complementary to the existing building and so that they will not have a detrimental impact on the amenity of any adjoining or nearby resident. The extension, conversion to flats and alterations will not prejudice the appearance of the area and will not significantly affect any landscaping nor prevent adequate and safe operation of the highway. The proposed flats are designed so that they will provide adequate amenity for future residents and will contribute to the supply of varied housing provision within the area.

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.

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## **INFORMATIVES**

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

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

Case Officer: Maria Froggatt

Committee Date: 30.11.2018



