
APPLICATION DETAILS

Application No:	19/0068/COU
Location:	2 - 4 Eastbourne Road Middlesbrough TS5 6QW
Proposal:	Change of use from care home (C2 use) to 9no supported accommodation apartments (C2A use)
Applicant: Company Name:	Mr Harrison
Ward:	Park
Recommendation:	Approve with Conditions

SUMMARY

The application seeks planning consent for the change of use of 2-4 Eastbourne Road from a care home (C2 use) to 9 supported accommodation apartments (C2A use). The site is located towards the junction of Eastbourne Road and The Avenue and is within the Linthorpe Conservation area. The building is a pair of terraced properties which have been vacant since the closure of the care home in 2015.

The proposed accommodation will provide 5 x 1 bedroom apartments, group room and office on the ground floor with 2 x laundry rooms, 3 x 1 bedroom apartments and a single 2 bed roomed apartment on the first floor. The rear detached garage will be converted into an office with bin store and cycle provision to be provided in the rear garden.

Externally the proposal includes the demolition of part of the rear single storey extension and the replacement of the single casement UPVC windows to the rear with double glazed UPVC windows. Revised plans have been submitted to retain the door access on the first floor front elevation to the balcony area.

The proposed use of the building will be individual supported accommodation apartments with additional office spaces to include 24 hour staff assistance.

The application has been supported with a Design and Access Statement.

Following consultation, there have been 13 letters of objection received and a single form signed by 40 residents. The objections relate to the lack of parking, noise, privacy, impact on the Conservation area, intended C2A (supported accommodation) use, anti-social behaviour, security and impact on nature conservation.

Given the limited external alterations and the fact the replacement UPVC windows will be to the rear of the property, means the proposal is not considered to have a significant impact on the Linthorpe Conservation Area.

The development is considered to be in accordance with the requirements of Local Plan Policies CS4, CS5, DC1 and the Linthorpe Conservation Area Appraisal and Management Plan.

SITE AND SURROUNDINGS AND PROPOSED WORKS

The application site is a pair of terraced properties located at 2-4 Eastbourne Road. The properties are located on the junction of Eastbourne Road and The Avenue and are within the Linthorpe Conservation Area and Article 4 designated area. Residential properties are located to the north, west and east with Holy Name of Mary Roman Catholic Church located directly opposite. To the rear of the building is an alleyway providing vehicle access.

The building has been extended to the rear with a modern single storey extension and conservatory. The proposal will remove a small section of the existing single storey rear extension and will replace the single glazed UPVC windows on the rear elevation with double glazed UPVC windows.

PLANNING HISTORY

M/FP/0009/08/P Conservatory to rear, single storey extension to rear, approved February 2008

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).

In addition the Council has produced its Middlesbrough Local Plan Publication Draft 2018. Whilst not yet adopted is a material consideration in the assessment of planning applications.

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:

CS4 - Sustainable Development

CS5 - Design

DC1 - General Development

LINCMP –Linthorpe Conservation Area Appraisal and Management Plan

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 the consultation exercise a single pro-forma form was received signed by 40 residents that stated they were either not in favour, not happy or against the proposal. There have been 13 individual letters of objection received. The objection are summarised below;

- a. Proximity of the intended use to the School /Church/ residents with associated security issues
- b. Lack of parking provision/impact on the parking in the rear alleyway/congestion at school pick up times
- c. Require double yellow lines and alley gates

- d. Noise from vehicles
- e. Loss of privacy
- f. Removal of balcony will impact Conservation area
- g. Cost of internal refurbishment to the tax payer
- h. No requirement for facility as several community homes in the immediate vicinity
- i. The intended use class C2A (Secure residential Institution) has a broad definition to include a prison, young offenders or secure local authority accommodation and no guarantee this would not be use in the future.
- j. Lack of consultation
- k. Increase in crime/drug use and anti-social behaviour
- l. Psychological impact on young families, mothers and children
- m. Impact on nature with removal of trees and construction
- n. Application submitted by individual in Newcastle what interests do they have in well-being of Linthorpe residents.
- o. Area will become Undesirable

Objections were received from;

- 1. 3 Lancaster Road
- 2. 5 Lancaster Road
- 3. 6 Lancaster Road
- 4. 10 Lancaster Road
- 5. 12 Lancaster Road
- 6. 6 Eastbourne Road
- 7. 8 Eastbourne Road
- 8. 14 Eastbourne Road
- 9. 18 Eastbourne Road
- 10. 20 Eastbourne Road
- 11. 22 Eastbourne Road
- 12. 48 The Avenue
- 13. Unknown address received through email

Conservation Officer – MBC

No objections subject to the retention of the first floor doorway which should be conditioned in terms of specifications and materials.

Waste Policy – MBC

The application state that the rear yard will be used for the storage of waste and recycling receptacles while maintaining collections from the front of the property. Please note the occupants will be responsible for making the waste and recycling available for collection from the frontage of the property and returning the receptacles back to the storage area after collections are made.

Environmental Protection Officer – MBC

No comments

Highway Engineers – MBC

No objections subject to a condition for high quality cycle provision.

Northern Gas Network

No objections. Apparatus maybe in the area and should diversionary works be required these will be fully chargeable.

Northumbrian Water

No comments to make.

Secure By Design Officer

Building to be in accordance with the Secure By Design. Consideration to be given to internal CCTV at entrances and corridors with lighting of the rear car park area.

Public Responses

Number of original neighbour consultations	41
Total numbers of comments received	13
Total number of objections	13
Total number of support	0
Total number of representations	0

PLANNING CONSIDERATION AND ASSESSMENT

1. The main considerations with this proposal are the principle of the development, the impact on the amenity of the neighbouring premises, the impact on the character and appearance of the street scene and the Linthorpe Conservation Area, the impact on highway safety and any other residual matters.

Principle of the development

2. Core Strategy Policy CS4 (Sustainable development) comments that new development should be located so that services and facilities are within walking distance or by bus with priority being given to vacant or derelict sites and buildings.
3. The application site is located within a residential area of Linthorpe with the Eastbourne Road Local Centre located within 300 metres. The property is a vacant care home which falls within C2 planning class use with the proposal being for the change of use to supported accommodation which falls within the C2A planning use class. The property has been vacant for over 3 years since the closure of the care home in December 2015. The proposal will bring a vacant building back into use.
4. The property is considered to be within a sustainable location within walking distance of the Eastbourne Road Local Centre and on a main bus route with bus stop provision along Eastbourne Road as the junction with Mulgrave road and at The Avenue.
5. There have been objection comments regarding the broad definition of the C2A (Secure Residential Institution) use class which includes the prison and young offenders institute within the use class. The intended use as supported accommodation as defined within the application form will be secured by condition.
6. The proposal is for a residential property to be used for people to reside within it. It is located within a residential area which is in a sustainable location and will serve to bring a vacant building back into use. In view of these matters, the proposal is considered to accord with the guidance set out in Core Strategy Policy CS4.

Character and Appearance of the street scene and the Conservation Area

7. Core Strategy Policies CS5 (h) – Design requires the preservation or enhancement of the character and appearance of conservation areas with Core Strategy Policy DC1(b)

requiring the visual appearance and layout of developments in terms of scale, design and materials should be a high quality.

8. The Linthorpe Management Area Appraisal and Management Plan references this section of Eastbourne Road as predominantly residential with a mixture of two-storey terraced, semi-detached and detached properties set back from the main highway. The front boundaries are defined by low brick walls with hedges and large gate piers. The buildings themselves are characterised by large bay windows decorative fascia boards with several of the properties having first floor balconies with railing detail.
9. The proposal will remove a small section of a modern single storey extension to the rear of the building which does not form part of the original building. The rear single UPVC windows will be replaced with UPVC double glazed windows with any replacement windows to the front being timber, which will be secured by condition. Since the original submission the plans have been revised to ensure the first floor door to the balcony will be retained. The Council's Conservation Officer has no objections to the proposal, subject to a condition on the window and door details.
10. There have been objection comments regarding the negative impact of the proposal on the conservation area by the removal of the balcony/railings and loss of trees. The proposal will not remove any existing trees, which are protected as part of the conservation area and will not remove the balconies or railings on the front elevation.
11. Given the limited nature of the proposed external alterations, the proposed change of use is not considered to have a significant impact on the character and appearance of the street scene or the Linthorpe Conservation Area and accords with Core Strategy Policies CS5 and DC1.

Privacy and Amenity of the neighbouring premises

12. Core Strategy Policy DC1 (c) – General Development requires development to be considered in terms of the effect on the surrounding environment and amenities of nearby properties.
13. The proposed change of use will include the replacement of the windows on the rear with double glazed windows with no new window or door openings proposed. The detached outbuilding within the rear yard will be converted into an office space rather than a habitable room and is not considered to impact on the amenity of the neighbouring properties.
14. Objection comments have been received regarding loss of privacy and potential noise from the vehicles. The design of the scheme with no additional windows and the fact only 2 cars will be parked within the rear yard means there is considered to be no significant impact in terms of loss of privacy or noise.
15. There have been objection comments regarding the potential increase in anti-social behaviour, crime, drug usage and impact on the security of the residents and the school. The property will have staff assistance on the premises 24 hours a day with internal CCTV. In addition to the internal management of the premises, consideration has been given to the fact the current property has been vacant since 2015 and that the proposed use would provide an active use to the building.
16. Cleveland Police Secure By Design Officer has recommend the building is designed to Secure By Design standards with external lighting to the rear, internal CCTV at the

entrance areas and the provision of 24 hour staff. Whilst not considered to be essential, informatives are recommended to advise the applicant of these comments.

Highway Safety

17. The application site is located within a sustainable location within walking distance to Eastbourne Local Centre and on a main bus route where non-car accessibility is a viable option.
18. The application has been considered in terms of the parking requirements for the existing use as a care home which could continue on the site without requiring planning permission. The previous care home use had no designated incurtilage car parking provision with reliance on on-street parking. The property has a rear garden area which has a current access from the rear alleyway which is accessed from the side of 10 and 12 Eastbourne Road.
19. The proposed use including the staff provision would equate to a maximum parking provision requirement of 3 spaces according to the Urban Design Guide Specification. The rear yard can provide a minimum of 2 incurtilage car parking spaces. The adjacent highway is protected with waiting restriction which will assist in preventing indiscriminate parking and would allow enforcement of the restrictions if required. There is space within the rear yard for cycle storage for staff and the occupants of the property, which can be secured by condition. In light of the current care home use, the proposal is not considered to increase the level of traffic generated or increase the demand for parking. The Council's Highway officers have no objections to the proposal.
20. Objection comments received relate to the increase in off street parking generating congestion at school pick up times, the requirement for yellow lines and the increase in parking within the rear alleyway. There are currently waiting restrictions on the adjacent highway and with the provision of parking spaces in the rear yard and the proximity to public transport links, the proposed use is not considered to have any significant impacts in terms of highway safety.
21. Comments have been received regarding the requirement for alley gates. The alleyway access is a current provision to the rear of several properties and there is no requirement to restrict the existing alleyway access through alley gates.

Residual issues

22. Objection comments have been received that there is no requirement for the facility in the area with several community facilities already provided along The Avenue, the cost to the tax payer for the refurbishment, the fact the application has been submitted by a party outside of the area, creating an undesirable area and the psychological impact on young families. These points are noted but are not material planning considerations which can be considered.
23. Comments have been received regarding the lack of consultation. Neighbour letters were sent to the properties along the immediate boundary and additional properties opposite the site. Further notification was provided through a site notice and a press notice.

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 in accordance with the following approved plans.

- a. Location plan drawing dated 31st January 2019
- b. Existing ground floor plan drawing 17049/HL/XX/DR/A/1001/S2/P01 dated 31st January 2019
- c. Existing first floor plan drawing 17049/HL/XX/DR/A/1002/S2/P01 dated 31st January 2019
- d. Proposed ground floor plan drawing 17049/HL/XX/DR/A/2001/S2/P01 dated 31st January 2019
- e. Proposed first floor plan drawing 17049/HL/XX/DR/A/2002/S2/P04 dated 23rd May 2019
- f. Design and Access Statement dated 31st January 2019

Reason: To define the consent

3. Materials

Notwithstanding the submitted details, prior to the commencement of the development, specific details of the design, colour and materials for any replacement windows or doors shall be submitted to the Local Authority and shall be installed in accordance with the approved details.

Reason: To ensure a satisfactory form of development in accordance with Core Strategy Policy CS5

4. Cycle Storage

The accommodation hereby approved shall not be occupied until specific details of the secured cycle storage provision and location have been submitted to the Local Authority and shall be installed in accordance with the approved details.

Reason: In the interests of sustainable travel and in accordance with Policy CS4

5. Restrictions on Use

The premises shall be used for the supported accommodation as granted under this permission and for no other purpose (including any other purpose in Class C2A of the schedule to the Town and Country Planning (Use Classes) Order 1987, or any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification).

Reason: To ensure a satisfactory form of development.

REASON FOR APPROVAL

This application is satisfactory in that the change of use 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). 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 particular, the change of use 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 change of use will not be detrimental to any adjoining or surrounding properties. The traffic generated, car parking and noise associated with the change of use 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 1 – Waste

The occupants will be responsible for making the waste and recycling available for collection from the frontage of the property and returning the receptacles back to the storage area after collections are made.

Informative 2- Secure By Design

Secured by Design further details and advice can be found by visiting www.securebydesign.com. To achieve SBD the applicant will need to accord ensure the CCTV is to the standards set out in the SBD design guides, the lighting will have to be BS5489:2013 compliant.

Case Officer: Debbie Moody

Committee Date: 7th June 2019

2-4 Eastbourne Road, Linthorpe, Middlesbrough TS56QW



0 50
Metres



Plan Produced for: Middlesbrough Council
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