
APPLICATION DETAILS

Application No:	22/0346/COU
Location:	15 Salton Close, Middlesbrough, TS5 5BG
Proposal:	Single storey extensions to side and rear and change of use from C3 dwelling house to C2 residential institution
Applicant:	Anita Puri, Aapna Services
Agent:	Darren Dugdale, D. D. Design Ltd
Ward:	Linthorpe,
Recommendation:	Approve Conditionally

SUMMARY

Planning permission is sought for the change of use of 15 Salton Close from a dwellinghouse (C3 use) to a residential institution (C2 use). The site is a semi-detached three bedroomed property located to the eastern side of Acklam Road within a predominantly residential area.

The proposed use will provide accommodation for one young adult with two carers offering 24-hour support and care.

The application also seeks approval for single storey extensions to the side and rear increasing the ground floor living space.

Following the consultation process there have been 3 letters of objection received. The objections relate to highway and parking issues, noise and disturbance, business use in a residential area and impact on the residential character, privacy and amenity, and maintenance issues.

Given the scale of the proposed use and scale and position of the proposed extensions it is considered that the proposed change of use and external alterations will not have a significant impact on the amenity of the neighbouring properties and will not result in a significant impact on highway safety.

The proposed change of use would remain to be a residential use in a residential area, the use and proposed extensions are considered to be in accordance with the requirements of the Local Plan Policies CS4, CS5 and DC1.

SITE AND SURROUNDINGS AND PROPOSED WORKS

The application site is located on Salton Close, fronting Acklam Road in what a predominately residential area where there are no specific planning policy designations. The property is a modest, two storey, three bed, semi-detached property characterised by its red brick construction, white rendered upper wall and tiled gable roof, a steep front garden with steps up to the front door with low level wall and fencing atop which fronts Acklam Road. A garage/designated parking at the rear is to the rear.

The proposal would result in the conversion of a residential dwelling (C3 use class), to a Children's home which is a C2 Use Class.

The property has been bought by a registered charity who provide health and social care services in Teesside. It is proposed that there will only be one resident with two carers occupying the property which will provide 24hrs of support.

Works also seek planning approval for a single storey extension to the side and rear creating a larger kitchen space, ground floor WC and rear sunroom.

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:

CS4 (Sustainable Development)

CS5 (Design)

DC1 (General Development)

H1 (Spatial Strategy)

H11 (Housing Strategy)

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

Public Responses

Number of original neighbour consultations	6
Total numbers of comments received	3

Total number of objections	3
Total number of support	0
Total number of representations	3

Objection comments are summarised as follows;

14 Salton Close

- There will be a huge element of overcrowding within the property.
- Residents need carers, the house is situated on a busy main road. If a resident was to leave the house and is not road aware there could be serious implications.
- Loss of sense of privacy. The proposed number of 'residents' and staff there will be too many people in that property at once.
- It states that the 'staff' will use push bikes, is this guaranteed? It states that there are 2 'parking spaces', I park outside my property on the pavement, I do not have an allocated parking space and its hard enough to park outside my own property as it is, never mind with 'staff' parking there. Also what if the residents have a car, where will they park? Yes there is a garage out the back, but then parking outside that limits another person access to their garage. And again if these residents have visitors where will these people park?
- I am joined onto the proposed property and I believe the noise levels will be considerable. A potential of a minimum of 5 adults in one house is not going to be quiet. It doesn't state what 'residents' will be housed here, (which I know only discussed here is Material Planning considerations) but if these residents have behavioural issues then I raise massive concerns over the noise levels and also my privacy. I work 5 days a week and I am up early, If there is increased noise levels and this prevents my from getting the rest I need then this will impact my work and my life. It was bad enough with the previous tenants that lived there, with doors banging and hearing them through the walls.
- Having seen the plans for the extension at the back of the property, I feel I will not get any light into my garden from that side. Its bad enough that there is a large tree in the rear of the property that is overgrown and coming into my garden, that I now have to potentially contend with an extension also.
- Also these residents I would be concerned if any had any disability issues as there are 10 steps just leading up to the property. The bedrooms are not the biggest and neither is the bathroom of which there is only 1.
I understand there needs to be residential institutions like this but I strongly believe that putting one in a small house in the middle of a small street is not the correct place for it.

16 Salton Close

Concern over lack of upkeep for the property previously.

We are concerned that this lack of upkeep and generally maintenance will continue when the house is being used by vulnerable adults with additional support needs, and that any necessary repairs will not be carried out in a timely manner

We are concerned about the impact on parking that the change of use will bring as there will be staff attending the property as well as residents.

In terms of the extension, we are worried about loss of light caused by the new structure, as well as the possibility of a loss of privacy due to the building being extended next to our garden.

10 Horncliffe Row

1. What organisation will be supervising this C2 residential institution? NHS, Social services, Probation service, other?
2. Are the tenants to be - in recovery, young adults, ex-offenders etc.
3. As it appears there are only 3 bedrooms are there only to be 3 occupants at any one time?
4. Parking is not particularly a problem in this area but visitors to the property may alter that and make it so. Are there provisions for this?
5. The past history of this property, its inconsiderate occupants and its seemingly indifferent, neglectful and absent landlord create a concern for its future maintenance, appearance and social effect on neighbours in general. Since this is to be an 'institution' will there be a regular maintenance policy in place such as engaging a maintenance agency to look after gardens etc. and general overall running of the property?

Highways

The proposals basically put an extension on to the property at ground floor but do not increase the number of bedrooms. As such the proposed change of use will not lead to a change in demand for parking/traffic over that which could be expected to occur should the property be retained as a residential dwelling.

PLANNING CONSIDERATION AND ASSESSMENT

1. The key material considerations to be considered are the principle of the development, the impact on amenity, impact on the character and appearance of the property and wider area and highway safety. Principle of the development.

Policy

2. The National Planning Policy Framework (NPPF) was most recently revised and published by the Government in July 2021 and is a material consideration. The NPPF states that, where a planning application conflicts with an up-to-date development plan, permission should not usually be granted (para 12). In determining planning applications due weight should be given to local planning policies in accordance with their consistency with the revised Framework, with greater weight given to those policies which are closer to those in the Framework (para 219). As a starting point, the proposal should be assessed against policies set out in the Development Plan.
3. The application site is located within a residential area with Core Strategy Policies CS4 (Sustainable Development), CS5 (Design), DC1 (General Development), H1 (Spatial Strategy) and H11 (Housing Strategy) being relevant.
4. Policies H1 (Spatial Strategy) sets out the need to increase the supply of housing to meet the aspirations of an economically active population and to consolidate and build on the success of popular neighbourhoods.
5. Policy H11 emphasises the need to ensure a quality of life is maintained through protecting the existing high qualities of areas by ensuring that new development should be of a high quality.
6. Core Strategy CS4 (Sustainable Development) and CS5 (Design) set out that new development should be high quality and located so that services and facilities are within walking distance to encourage sustainable transport methods. Policy DC1 (General Development) takes account of the visual appearance and layout of the

development and its relationship with the surrounding area in terms of scale, design and materials. This is to ensure that they are of a high quality and to ensure that the impact on the surrounding environment and amenities of nearby properties is minimal

7. With regards to the external alterations to the property the Councils Design Guide should also be considered.
8. In terms of side extension's, the Design Guide advises that they should be no more than half the width of the original house to prevent the property becoming out of proportion. With regards to single storey extensions at rear, the Design Guide advises that ground floor extensions can create a particular impact on attached neighbours if located on the shared boundary. This may affect the neighbour's adjoining and principal room window. The solution is to reduce the projection from the house to 3m. If the proposed extension is in excess of this dimension, it will need to be inset from the boundary by a sufficient distance, which is dependent on the roof type, the orientation of the property and the distance the neighbour's principal windows are from the common boundary.
9. Overall, any new extensions should be of a size and scale which appear subservient to the host property and must be consistent in design, so that the pitch and design of the roofs match the existing along with matching materials.

Proposal - Scale, Layout and Appearance

10. The proposed use, being residential, is an appropriate use within a residential setting / location and is therefore considered to be an acceptable use in principle.
11. The application site is located within an existing residential area , in close proximity to local shops, services and amenities and within walking distance to main bus routes located on Acklam Road. The site is therefore considered to be in a sustainable location.
12. The proposed use would result in the loss of one C3 dwellinghouse to a C2 use although it would remain to provide residential accommodation. The loss of one housing unit in this location is considered not to have a significant detrimental impact on the Council's overall housing delivery strategy.
13. The proposal therefore accords with the guidance set out within Core Strategy Policies CS4, H1 and H11.
14. External works include an extension off the rear dining room creating a sunroom at rear. The sunroom will measure 3m x 3m and have an overall height of 3.5m with a sloping mono-pitched roof. The side extension will have a width of 2.2m and will align with the front and rear of the house with a gable roof over, with materials to match the host property ensuring consistent design.
15. The rear extension will sit close to the shared boundary with the attached neighbour, although is compliant with the Councils Design Guide given that it is small scale not exceeding 3m in depth. The side extension is also compliant in that it will not exceed half the width of the house ensuring it does not appear out of proportion with the existing property. The proposals are small scale additions which are well designed with matching materials and gable roofs which are not excessive in height which are

designed to match the main roof of the property which achieve a subservient appearance.

16. The sunroom extension will be contained entirely at the rear having a very limited impact on the character of the area. Whilst the extension to side will be visible from Acklam Road it is appropriately scaled, designed and located in relation to the host property and its surroundings and as such would not be detrimental to the character and appearance of the area taking into account there being no strong vernacular design in this immediate area.
17. The extensions are therefore considered to be compliant with Policies CS5, Policy DC1 and the Council's Design Guide.
18. It is also noted that the extensions in their current form would be considered permitted development not requiring planning approval, should the property remain as a C3 residential use. Permission is only required for these elements should they be undertaken as part of the property's change of use.

Impacts on Privacy and Amenity

19. Core Strategy Policy DC1 (General Development) comments that the effect on the surrounding environment and amenities of occupiers of nearby properties will be considered both during and after completion of the development. The proposed change is to provide supported living for one young adult only with 24/7 supervision. Objection comments have been received regarding the potential noise transfer to the adjoining properties which may occur and the impact on the occupants of the adjoining premises. These comments are noted however, with the proposed use providing accommodation for 1 young adult with adult supervision this would be similar to the levels of noise associated with a family living in the property and the noise associated with the property being utilised as a family dwelling. Whilst the existing noise attenuation between the semi-detached properties may result in voices / activity being heard between dwellings, this is an existing situation and it is considered that this proposal would not automatically result in increased noise and it would therefore be unjustified in planning terms to require noise insulation to be provided between properties. However, were additional occupants to reside here, and it becomes a larger form of accommodation, it is more likely to generate a greater level of noise which may require further consideration. As such, as it's a semi-detached dwelling, and as the use will be staffed it is considered appropriate to limit the use/number of residents that will reside at the property at any one time. A condition is recommended to address this matter.
20. In terms of the external alterations, the rear extension will sit close to the boundary with the attached neighbour but will not be excessive in size/scale or excessive in height, it will also be positioned to the south of the attached neighbour.
21. The side extension will infill the space between the boundary and detached neighbour, who have already extended in a similar manner. The extension will align with the front and rear building lines of the property and as such separation distances between those properties to the front and rear will be retained. Whilst concerns were raised regarding impacts on neighbour's gardens as a result of the works, no significant weight can be offered to gardens, patios or outdoor space and although the extensions will be visible from neighbouring gardens, any impact would not be great enough to warrant refusal of the application.

22. The separation distances between the neighbouring properties is acceptable in this case. The extensions will not unduly compromise any primary room windows, any impact in terms of loss of light, visual impact, outlook, and any loss of amenity will be minimal in accordance with Policy DC1 (test c).

Highway related matters

23. The proposed use will have two members of staff generally throughout the day, and as such will generate some traffic to and from the property, more notably at shift changes when staff arriving will overlap with staff leaving. The area is predominately residential where traffic already operates throughout the estate and given the anticipated shift patterns and limited number of staff, it is considered that this will not be significant and will therefore not unduly alter the character of the residential area as a result of movement of people. The existing property has a garage at rear and area of hardstanding in front of that for parking purposes with a parking bay which provides a small element of on street parking off Acklam Road. Whilst extensions are proposed to the property at ground floor, there will be no increase the number of bedrooms. As such the proposed change of use will not lead to a notable change in demand for parking/traffic over that which could be expected to occur should the property be retained as a residential dwelling. The proposed change of use is therefore considered to have no detrimental impacts on the character and appearance of the street scene and accords with Core Strategy Policies DC1 and CS5.

Nutrient neutrality

24. Nutrient neutrality relates to the impact of new development on the Teesmouth and Cleveland Coast Special Protection Area (and Ramsar Site) (SPA) which Natural England now consider to be in an unfavourable condition due to nutrient enrichment, in particular with nitrates, which are polluting the SPA. It is understood that this has arisen from developments and operations which discharge or result in nitrogen into the catchment of the River Tees. Whilst it is understood that this will include farming activities and discharge from sewage treatment works, it also relates to waste water from development. New development therefore has the ability to exacerbate / add to this impact. Natural England has advised that only development featuring overnight stays (houses, student accommodation, hotels etc) should be deemed to be in scope for considering this impact although this is generic advice and Natural England have since advised that other development where there is notable new daytime use such as a new motorway service area or similar could also be deemed to have an impact which may require mitigating. As with all planning applications, each has to be considered on its own merits. Furthermore, it is recognised as being particularly difficult if not impossible to accurately define a precise impact from development in relation to nutrient neutrality given the scale of other influences. Notwithstanding this, the LPA need to determine applications whilst taking into account all relevant material planning considerations.
25. The Local Planning Authority must consider the nutrient impacts of any development within the SPA catchment area which is considered to be 'in-scope development' and whether any impacts may have an adverse effect on its integrity that requires mitigation. If mitigation is required it will be necessary to secure it as part of the application decision unless there is a clear justification on material planning grounds to do otherwise.

26. In-scope development includes new homes, student accommodation, care homes, tourism attractions and tourist accommodation, as well as permitted development (which gives rise to new overnight accommodation). This is not an exhaustive list. It also includes agriculture and industrial development that has the potential to release additional nitrogen and / or phosphorous into the system. Other types of business or commercial development, not involving overnight accommodation, will generally not be in-scope unless they have other (non-sewerage) water quality implications.
27. The current use of the property is as a 3 bed dwelling, the dwelling will still be used for residential purposes with the only change being that the use will be staffed providing support the occupier of the property. The change of use would not result in higher levels of overnight accommodation than could currently be the case. As such, the proposed development is considered to be outside the scope for potential impacts on the SPA in relation to additional nutrient neutrality in the River Tees.

Other matters

28. Residents have raised concerns regarding the upkeep of the property as it is currently in a poor condition and has not been maintained. Consideration cannot be given to the previous landlord or its agents maintenance issues, but the applicant does intend to bring the property back up to excellent condition after full refurbishment. It is understood that the external gardens are intended to be fully maintained regularly by a maintenance agency.

Conclusion

29. The proposal has been considered against national and local policy. It is considered that the proposed use is acceptable in this existing residential area and the loss of a single dwelling house will not have a significant impact on the Council's Housing Delivery Strategy. It is considered that the level of the intended use and the proposed extensions to the property will have no significant impact on the character and appearance of the area or the privacy and amenity of the neighbouring properties and accords with the guidance in Policies DC1 (c) and CS5 (c). There will also be no increase in parking or potential highway safety issues. The proposal is considered to be acceptable for the site and is in keeping with the relevant policies.
30. It is the Development Control view that the proposal will not have a detrimental impact on the amenity of the occupiers of the surrounding properties, visual amenity of the street scene or generate any highway safety issues.

RECOMMENDATIONS AND 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 :-

a.Existing and proposed plans Drawing Num 2022.049.PP01 received 18th May 2022.

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

3. **Control of use and No. of occupiers**

Notwithstanding the provisions of the Town and Country Planning Use Classes Order 2016 (as amended), the use hereby approved shall be limited to be a childrens home with no more than 2 children residing there at any time.

Reason: In order to ensure the facility is limited to provide care accommodation for a use which is relative to the considerations taken and ensure the facility is of a scale which is appropriate for its location.

4. **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 change of use and single storey extension to side and rear 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 proposed change of use and proposed extensions will not prejudice the character and function of the area and will not significantly affect any landscaping or prevent adequate and safe access to the site. The proposed change of use will be consistent with the existing 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 proposed 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

Rights of Access/Encroachment

This planning approval does not permit any person to access another person's land/property to enable the works to be completed, without their consent. Any encroachment into another person's land/property above or below ground is a civil matter to be resolved between the relevant parties.

Building materials on highway

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

Deliveries to site

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

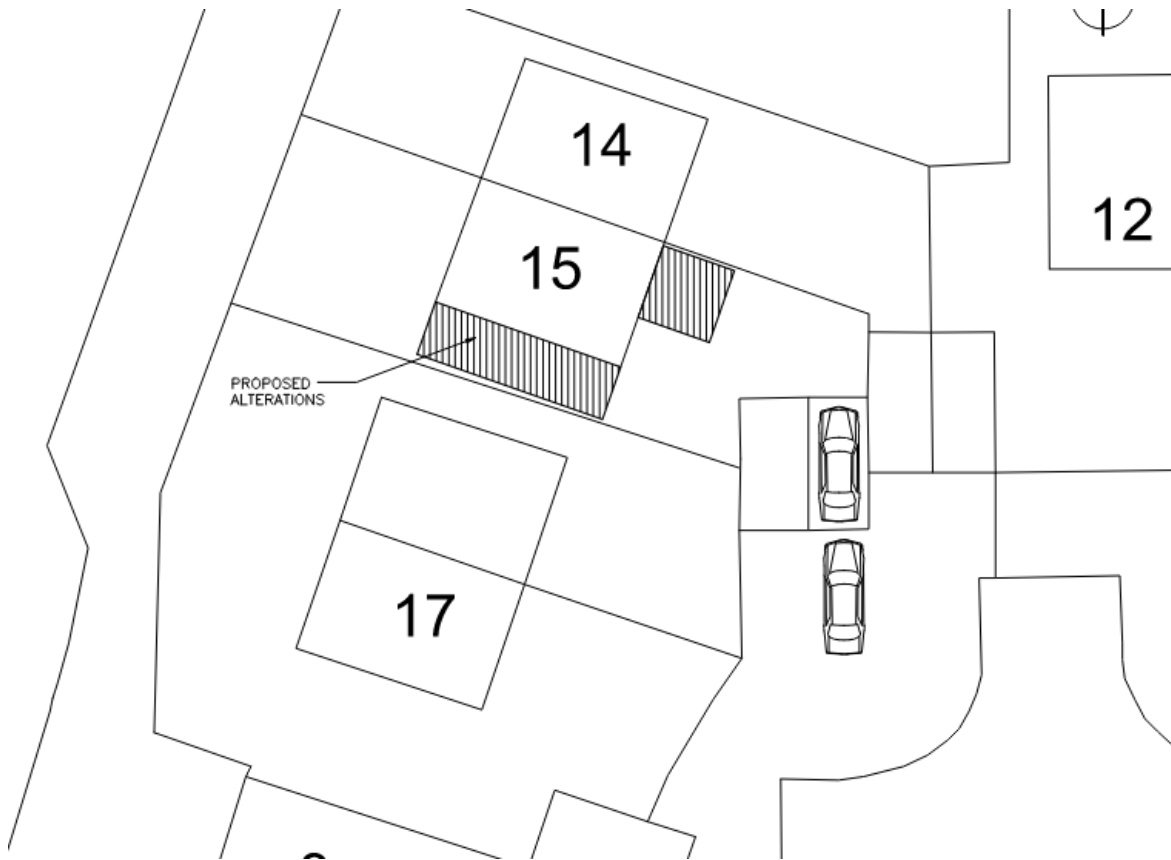
Case Officer: Joanne Lloyd

Committee Date: 2nd September 2022

Appendices A – Site location plan



Appendices B – Proposed site plan



Proposed appendices C – Existing and proposed elevations

