
APPLICATION DETAILS

Application No:	25/0283/COU
Location:	2A Gypsy Lane, Middlesbrough, TS7 8NG
Proposal:	Conversion of 1no. dwelling into 3no. self-contained units with associated external works
Applicant:	c/o Harkin Associates
Agent:	Harkin Associates
Ward:	Marton East
Recommendation:	Approve Conditionally

SUMMARY

The application seeks planning permission for the conversion of the property from a single residential dwellinghouse (C3) to three self-contained units (C3).

Following the consultation period, a number of objections were received with concerns primarily regarding the loss of a dwellinghouse, the impact on the character and appearance of the area, and highways impacts.

The report assesses that the principle of the development is deemed to be in accordance with local policy and the loss of a dwellinghouse would not be unduly harmful to the character and appearance of the area. The creation of three self-contained flats is considered to add to the mix of housing in the local area.

The layout of each of the three units has been assessed and whilst there are some concerns over the external amenity space, it is generally considered that the proposals broadly meet the requirements of relevant local policies. The levels of residential amenity created by the development are deemed to be satisfactory and there would be no significant impacts on neighbouring residents.

The parking arrangements of one space per unit are considered to be acceptable given the size of the proposed units and the very sustainable location of the site.

The issue of Nutrient Neutrality has been considered and Natural England has no objections subject to the provisional nutrient certificate becoming the final certificate.

It is the Officer view that the proposals be approved subject to conditions.

SITE AND SURROUNDINGS AND PROPOSED WORKS

The application site is a two-storey, semi-detached residential dwellinghouse situated at the western end of Gypsy Lane, at its junction with Dixons Bank/Stokesley Road.

The local area is a well-established residential area with properties predominantly being built in the 1950s and 1960s and arranged at a medium density. The area is characterised by two-storey, semi-detached properties being generally constructed in brickwork and concrete roof tiles, featuring two-storey bay windows and hipped roofs.

Over the years, the original house has been extended through a first-floor extension over the kitchen offshoot at the rear and a single storey extension to the side.

Planning permission is sought for the conversion of the existing dwellinghouse into three self-contained residential units, two of which will be created at ground floor level with one being created at first floor level.

Whilst no extensions to the property are proposed, it is proposed to make some fenestration changes to the elevations to facilitate the development, including the installation of double entrance doors within the vestibule, blocking up of the rear door of the existing dwelling, as well as a new window being added on the rear elevation to replace double doors.

The site would be landscaped with areas of dedicated external amenity space being created to serve each of the three units, as well as an area of shared external amenity space. Three parking spaces are also proposed in-curtilage – one for each of the units – with access remaining from Gypsy Lane. A new small outbuilding is proposed along the eastern boundary to store cycles and general domestic paraphernalia, which will be on the site of the existing detached garage that will be demolished.

PLANNING HISTORY

There is 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).
- Stainton and Thornton Neighbourhood Plan (2022)

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.

Middlesbrough Local Plan

The following policies of the Middlesbrough Local Plan are relevant to this planning application:

Housing Local Plan (2014)

- H1 Spatial Strategy
- H11 Housing Strategy

Core Strategy DPD (2008)

- CS4 Sustainable development
- CS5 Design
- CS18 Demand Management
- CS19 Road Safety
- DC1 General Development

Other Relevant Documents

Publication Local Plan (March 2025)

Interim Policy on the Conversion and Sub-Division of Buildings for Residential Use

Tees Valley Design Guide and Specification – Residential and Industrial Estates Development

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

The application has been subject to the standard notification of neighbouring properties. Following the consultation period, **16 letters of objection** were received as well as **1 letter of support**, which can be summarised as follows.

Summary of letters of objection:

17 Gypsy Lane objects:

- Gypsy Lane is a residential road designed for families. Houses in multiple occupancy would change its character.
- At the moment the road is well planned and laid out and this character should be preserved as far as possible.

89 Chestnut Drive objects:

- Lack of Parking Provision – The street already suffers from significant parking pressures, with limited on-street parking available for existing residents. The conversion of the property into an HMO is likely to increase the number of occupants (and vehicles), exacerbating an already difficult situation and potentially leading to dangerous or inconsiderate parking.
- Overdevelopment and Impact on Local Character – The conversion of single-family homes into HMOs can lead to overdevelopment, changing the character of the neighbourhood. Increased occupancy levels often lead to more noise, waste, and general wear on community infrastructure.
- Impact on Residential Amenity – HMOs can result in higher turnover of tenants, which may negatively impact community cohesion. They can also bring an increase in noise levels and antisocial behaviour, particularly if not well-managed.
- Waste Management and Bins – Higher occupancy typically results in more waste. If not managed appropriately, this can lead to unsightly bin storage, overflowing rubbish, and associated hygiene issues – especially if adequate bin space is not provided.

36 Gypsy Lane objects:

- Strongly object to this selfish profiteering proposal.
- 2a Gypsy Lane has long been known as the scruffy house in our Lane
- Back in early 2009 2a Gypsy Lane was subject to a drugs raid and subsequent criminal prosecution due to large scale Cannabis grows inside. This criminal activity started less than 1 year after the property last changed hands in April 2008. This fact, and the obvious unmaintained state of the place proves that the Landlord is not a decent local caring person, they are a remote Bradford based business just wanting to further bolster their income at any cost.
- If they allow such neglect of tenants and buildings and can't even spot a long-term drugs factory in their property, then how can we have any confidence in their intentions of who they house there next time.

- I am hearing a lot about 5 year guaranteed rent and repair schemes for illegal economic migrants, who are mainly young men without family or relevant social skills to safely integrate into the local community, ideal candidates for a flat, and not the established family home that it was built for. Or maybe another Government assisted housing scheme halfway house or shelter etc.
- There are no flats or HMOs in Gypsy Lane for a reason, and that is the Lane was planned and built for the family unit. Accepting this application would set a very unwelcome precedent and surely open the floodgates for similar applications in the surrounding areas, maybe even yours.
- Other points to take into careful consideration, potential negative impacts on community character, property values, parking, noise, and safety, as well as the loss of family-sized housing. Concerns may also arise regarding anti social behaviour, increased traffic, and the potential strain on local infrastructure.

36 Gypsy Lane objects:

- The property has remained in an unmaintained state since 2008. Concerns about the landlord, their neglect for the property and the fact they are not locally based.
- Concerns about who might live there.
- This property is on a quiet road in a good area with lots of children passing each day for school and activities. A private child minding service is also situated almost directly opposite this property. I strongly object to this conversion as with all HMOs, the standard of the people who rent these are not the people we want living in our road or area with our children and families being in the immediate vicinity.
- We were not consulted and neither were our neighbours. We live in gypsy lane as it is a safe, well looked after community for children and our older residents.
- This conversion can not go ahead as it will put our children at risk.

40 Gypsy Lane objects:

- Would like to register our objection to this proposal in this popular residential area

16 Gypsy Lane objects:

- Out of keeping with the street which does not have any other HMO properties.
- It will set a precedent for this to happen on other streets in Marton i.e. The Grove and Gunnergate lane.
- Parking is already a problem on this street and visitors will park on the pavement which is currently an issue with people using the pavement to park to visit the shops

66 Gypsy Lane objects:

- Have serious concerns about the long-term impact this development could have on our neighbourhood.
- This property lies within a street and wider postcode area that is recognised for its character, premium real estate value, and strong sense of community. Allowing this type of development would not only alter the intended use of a home designed for single-family living but would also risk setting a concerning precedent for similar applications in the future.
- It is particularly troubling that the applicant is not a local resident and appears to have little understanding of—or regard for—the unique character of this area and the preferences of those who live here.
- Our community values the stability, space, and aesthetic consistency that single-family homes bring to the street. The introduction of multiple flats within such properties introduces increased traffic, pressure on parking, noise, and a

transient population that may disrupt the established harmony of the neighbourhood.

- Furthermore, there is a valid concern about the potential devaluation of neighbouring properties. Homes within this postcode are sought after for their spaciousness and family appeal. Turning one of them into multiple dwellings undermines this reputation and could diminish the value of surrounding homes—an outcome that is clearly not in the interest of current residents or the local housing market.
- Urge the council to consider not just the immediate impact of this application, but the longer-term implications it poses for our area.
- This proposal does not align with the character, needs, or desires of the local community, and I respectfully ask that it be rejected.

2 Cedar Road objects:

- Friends live nearby this property and the area does not require flats for any purpose and should remain as one residence.

54 The Grove objects:

- This site does not have sufficient parking for 3 flats which will have 3 to 8 vehicles as these are likely to be singles or couples and will have a car each unlike the previous use as a family home which would have 2 vehicles.
- The 3 fold increase in vehicle numbers will also lead to highway safety issues as these vehicles will block footpaths in order to find a place to park. Wheelchair and buggy uses will be particularly adversely affected.
- It will also make the road unsafe for children as more parked vehicles will make it harder to cross the road.
- Object to the layout and density of the proposed alterations. This site was designed as a family home and is unsuited to housing so many in such a small footprint.
- This leads me to my final objection on the design appearance and materials used. The current owners have left this house in a derelict state. The new plans do not blend in with the homes around it.

9 Auckland Avenue objects:

- The houses in this area are designed to be family dwellings with predominantly families and elderly people living in the area. Concerns are that if the change of use to HMO is allowed this will open the flood gates to further applications and this will totally change the community.
- There are already purpose built flats and apartments in the area without converting houses which are not designed for this purpose.
- The building is already an eyesore and very badly maintained. The fear would be if it was changed to a HMO that it would become even worse.
- There is already an issue with parking and congestion on Gypsy Lane to add more vehicles to this property would make the problem far worse.

22 Neasham Avenue objects:

- This proposal is not in keeping with the area.
- Do not wish to see houses turned into flats. It will only set a precedent for others to follow.

4 Dixons Bank objects:

- Heard really bad reviews about the landlord and not sure how changing into flats is going to change the way of the landlord?
- Also cannot understand why only 5 people/neighbours are consulted? Are the people who the house backs onto not as important? What about the house

actually on Dixons Bank next door to the property in question?? Once again left to find out these things from people who don't even live here? Just like the children's home at the other end of my road, which I'm not objecting to but, never got informed during the application, found out through the grapevine?

31 Chestnut Drive objects:

- This type of property does not suit the nature of the area and should not be considered. There is insufficient parking and local amenities in the area and this will lead to overcrowding as is happening in other parts of the town.
- Adding to the Marton crawl and other local issues that already exist.
- This property needs upgrading as a suitable family home not flats.

80 The Grove objects:

- I am concerned about the impact on access to the car park at Marton Shops. The conversion into 3 units will inevitably increase the number of cars

24 Captain Cooks Crescent objects:

- Object to the planning application based mainly on parking issues.
- At the site of the proposed development, especially at peak times, there are often queues with already poor traffic control leading into Stokesley and Middlesbrough. This is also made worse by the crossing to Marton shops which is likely a walking route to local schools (Captain Cooks and Kings Academy).
- Changing to HMO will likely increase cars to the area by at least 3 cars but up to 6. The double yellow lines immediately outside the property will lead to more street parking for neighbours in the area. Making crossing at the junction more difficult.
- Concerns are safety of children and parking issues.
- Furthermore HMO is not in keeping with the local area given Marton is a residential family area.

4 Gypsy Lane objects:

- House is directly overlooked by the property in question. The introduction of three flats would increase the amount of people overlooking my property.
- Out of Keeping with the Character of the Area
This proposal is not in keeping with the established character of this part of Marton, which consists exclusively of single-family homes. There are currently no flat conversions in the area, and permitting this development would set a worrying precedent for future inappropriate conversions, there are many properties in this area that are big enough to be converted, the conversion of this one will encourage others, I explicitly chose to live in this area due to the family nature and my plans to start my own family.
- Loss of Privacy and Residential Amenity
The proposed flats would significantly increase occupancy and activity at the property. Given that it overlooks both the front and rear of my home and garden, I am very concerned about the resulting loss of privacy and the negative impact on the peaceful enjoyment of my property.
- Poor Condition of the Property
The existing building is already in a poor state of repair. Without a full refurbishment, dividing it into three units may exacerbate structural or maintenance issues, lowering the visual and environmental quality of the street, there are little to no plans to upgrade the exterior of the property. A simple visual inspection will confirm that this property is already in a state of disrepair and very much an eyesore.
- Traffic and Parking Implications

This part of Gypsy Lane has an increasing amount of traffic both in relation to residents leaving the street to join Stokesley road and to the consistent backed up traffic from Stokesley road at peak times throughout the day, it is a problem area and it has been noticed to be getting worse in the 2 years since I moved here.

- The introduction of three flats would increase the amount of traffic coming and going to the property and therefore create more noise and pollution from emissions. Three proposed parking spaces may be insufficient for the number of future residents, particularly if multiple adults occupy each unit. Overflow parking could worsen traffic congestion and pose risks to pedestrians and other road users on Gypsy Lane.
- Pedestrian Safety – School Route
Gypsy Lane is a busy pedestrian route for children attending both local primary (Captain Cooks) and secondary schools (Kings Academy and Nunthorpe). An increase in vehicle movements in and out of the property, combined with more parked cars obstructing views and access, raises legitimate concerns for the safety of young pedestrians. I have encountered issues with this myself and increased traffic from this conversion will contribute to the risk of striking a child.
- Personal Safety Concerns
As a single female occupant living directly next door, I have genuine concerns about the calibre and background of potential tenants in a multi-occupancy dwelling. The transient nature of rental flats, especially if not properly managed, may introduce safety risks and increase levels of anti-social behaviour in what is currently a quiet and stable residential environment that has some anti social issues already affecting us at Marton shops.
- In conclusion, I strongly believe that this development is inappropriate for the location and poses risks and negative impacts across a range of issues including residential character, safety, and amenity. I respectfully urge the council to reject this application in the interest of protecting the integrity and wellbeing of our community.
- There is currently ongoing issues with drainage and NWL – an increase in dwellings will lead to more water usage and toilet waste in an already overloaded system.

As well as the above letters of objection from local residents, **objections were also received from the two local ward councillors.**

Ward Councillors McConnell and Davison object:

- This will cause issues with parking around this area. We already have issues with parking and this will make the issue even worse.
- The HMO won't be in keeping with the houses on Gypsy Lane.

Summary of letter of support:

1 Gunnergate Lane supports:

- Recently a neighbour very close to this property was given planning permission approval to run a large scale creche from her home with a lot of support from neighbours, a lot of whom stating there was a strong need in the area.
- There is also high demand for housing for single occupancy such as this proposal.
- Works for one application should work for all.

Responses from Internal Technical Services

MBC Planning Policy – Acceptable in principle

The principle of the proposed change of use to three flats is acceptable.

Consideration should be given to whether adequate levels of privacy and amenity would be achieved for future occupants and whether privacy and amenity of occupiers of neighbouring properties would be protected.

Consideration should also be given to whether the layout of the proposed car parking is appropriate.

MBC Environmental Health – No objections

Reviewed the information and there are no comments.

MBC Highways – No objections in principle

The original parking layout that was proposed was not considered to be practical.

From a Highways perspective, one parking space per unit is acceptable for a small scale development of this nature. The parking standards for the current property as a 4-bed dwelling is 3 spaces. Given the size of the proposed units, one space per unit is likely to be viable.

The site is very sustainably located with frequent public transport and local facilities immediately adjacent to the site.

Responses from External and Statutory Consultees

There were no external or statutory consultees.

PLANNING CONSIDERATION AND ASSESSMENT

Relevant National Planning Policies

1. Section 38 of the Planning and Compulsory Purchase Act requires planning applications to be determined in accordance with the development plan, unless material considerations indicate otherwise. At a national level, the Government's guidance is set out in the National Planning Policy Framework (NPPF), which was most recently revised and published in February 2019. The NPPF states that the general principle underlying the town planning system is that it is 'plan led'. Where a planning application conflicts with an up-to-date development plan, permission should not usually be granted. 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 the closer policies are to those in the Framework (paragraph 232).

Principle of Development

2. The relevant policies in the Local Development Plan regarding this application include H1 (Spatial Strategy), H11 (Housing Strategy) of the Local Plan, DC1 (General Development), CS4 (Sustainable Development) of the Core Strategy (2008), CS5 (Design). In general terms, these policies seek to achieve high quality sustainable development that is situated in the right place and minimises the impact on neighbouring occupiers.

3. Policy H11 sets out the housing strategy for broad areas of the borough. The application site is located in south Middlesbrough, where the strategy is:

- to maintain the quality of life through protecting the existing high environmental quality of the area;
- new housing to meet aspirational needs and create a sustainable and balanced mix of housing, and
- new development will be of a high quality and density appropriate to the location.

4. The conversion of a four-bedroom semi-detached house into three flats is considered not to impact upon the environmental quality of the locality. Whilst the proposed flatted development may be deemed as less aspirational than the existing dwelling and would be at a higher density than the immediate neighbouring properties, it is considered that the density of the proposed development would not be inappropriate for the location, but adds to the balanced mix of housing in the area. The proposals are therefore considered to be in accordance with Policy H11.

5. Policy H1 advises that windfall developments need to be sited within the urban area and be sustainable development. The application site is located within the urban area considering the adopted Proposals Map. Policy CS4 requires all development to contribute to achieving sustainable development principles. This includes being located so that services and facilities are accessible on foot, bicycle or by public transport, with reliance on the private car minimised, and making the most efficient use of land, with priority given to development on previously developed land. The application site is considered to be in a sustainable location, being adjacent to a local centre and near to a frequent bus route and is previously developed land. The proposals are considered to be in accordance with Policies H1 and CS4 in these regards.

6. The Council is in the process of reviewing its Local Plan. The Publication Local Plan (PLP) was approved by the Council on 5th March 2025. The NPPF sets out that decision-takers may give weight to relevant policies in emerging plans according to their stage of preparation, the extent to which there are unresolved objections to relevant policies, and their degree of consistency with policies in the NPPF. It is considered that some weight may be given to PLP policies in the determination of planning applications.

7. PLP Policy HO1 requires all new housing development to contribute to the creation of balanced and sustainable communities. Policy HO2 identifies that windfall sites will contribute to the housing requirement. It is considered that the application site would make a small contribution to the overall requirement.

8. Considering the above, it is the Officer view that the principle of the proposed development is acceptable, being in accordance with relevant policies.

Design and Layout Considerations

9. Policy CS5 requires all development proposals to demonstrate high quality design. The proposed development involves only small alterations to the external appearance of the host dwelling, including minor changes to the doors and windows that face into the rear garden area as well as the introduction of two front doors on the principal elevation. The fenestration alterations on the rear elevation are considered acceptable and do not harm the overall house design. The two front doors may potentially look incongruous, although it is noted that these are set back within the internal open porch and not considered to be readily perceptible or adversely harm visual amenity.

10. As well as the fenestration changes to the host building, the only other building change involves the demolition of the detached single garage and the erection of timber cycle/bin stores along the boundary with No. 4 Gypsy Lane. Although the stores would be positioned forward of the location of the existing garage, they would still be behind the main building line along Gypsy Lane. With an overall height of 2.0 metres, it is considered that the

likely impact on the neighbouring property would be similar to that of a boundary fence. In addition, the side elevation of No. 4 Gypsy Lane features only secondary windows (hallway, stairs, utility area), which are afforded less protection.

11. The Interim Policy on Conversion and Sub-Division of Buildings for Residential Use sets out criteria for this form of proposed development. The Interim Policy sets out what a building should provide to be considered capable of providing the number of units proposed to an acceptable standard of accommodation, including the provision of adequate levels of privacy, amenity for residents and meeting the Government's Technical Housing Standards. Policy HO8 of the Publication Local Plan largely reaffirms the Interim Policy. The following paragraphs will consider the proposals against the criteria of the Policy.

12. Criterion (a) requires adequate levels of privacy and amenity for existing and future residents. For the two one-bedroom flats at ground floor level, on the presumption these would be occupied by one person only, the Technical Housing Standards require these to be a minimum of 37sqm. If a second occupant was to reside in these flats, the space standards would require a minimum of 50sqm. With Flat 2 measuring 44sqm and Flat 3 measuring 51sqm, it is considered that the ground floor one-bed flats would be acceptable as one-person occupiers, and Flat 3 capable of accommodating a second occupier. With regard to the two-bed flat at first floor level, the Technical Housing Standards require this to measure a minimum of 61sqm, which would be for three people. Whilst the internal floorspace of Flat 1 would fall marginally short of this – measuring 60sqm – it is considered that the layout and arrangement of the flat would be broadly acceptable in this case.

13. Criterion (b) requires the proposal not to lead to an unacceptable change in character and criterion (c) requires the development not to exacerbate any shortage or oversupply of particular types of dwellings. The local area is primarily characterised by two-storey semi-detached dwellinghouses. The conversion of this property into three self-contained flats is considered not to lead to an unacceptable change in character nor affect the general supply of this type of house in the area. The area would still be dominated by two-storey residential dwellinghouses.

14. Criterion (d) requires the amenity of nearby residents not to be unduly affected by the development. As considered earlier in the report, there are very few external alterations as part of the proposals, with the main changes being the stores near to the boundary with No. 4. However, it has been assessed that the impacts from this would be similar to a fence and there are no primary room windows within the side elevation. The proposal would remain to be residential, occupied by people as living accommodation as would the property were it to remain to be a single dwelling. The use of the property as 3 flats is considered to be unlikely to significantly intensify the use of the property or the perception of use by surrounding residents.

15. With regard to the adjoining property, the main concern for Officers would be the potential adverse implications of the use of the external amenity space of Flat 1, which would be close to the primary living space of No. 2 Gypsy Lane. However, along the shared front boundary is a 1.8 metre high fence. The impacts from the use of the front garden space on the main living space are, therefore, considered to be acceptable.

16. Criterion (e) requires adequate levels of parking and refuse storage to be provided as part of the scheme, as well as adequate provisions of amenity space where deemed necessary. A cycle and general store is being provided which will allow cycles and other paraphernalia (lawn mower, garden furniture etc) to be stored.

17. As well as the internal floorspace assessed earlier, consideration must also be given as to whether the external areas provide reasonable and acceptable levels of amenity

space. The two ground floor flats are each shown with a modest area of private defensible space to the rear of the respective units. By contrast, however, the external amenity space for the first floor flat would be positioned at the front of the property and situated adjacent to the internal living space of Flat 3. This arrangement raises Officer concerns with regard to the provision of good levels of privacy for the occupiers of both flats, with respective residents potentially able to see each other. Similar concerns might be raised with regard to the arrangement of the shared amenity space which wraps around the lounge area of Flat 2, although it is expected that residents would spend less time using the shared external space.

18. Criterion (f) states that the proposal would not give rise to conditions prejudicial for highway safety. Concerns were initially raised by Highway Officers over the parking arrangements, which were not deemed to be practical given the tandem parking arrangements and the location of the existing boundary wall. It was recommended that the scheme could be deemed acceptable with one space per unit given the size of the proposed units and that the site is located in a highly sustainable location with frequent public transport and local facilities nearby. A revised plan was submitted showing a widened dropped kerb with three parking spaces, which is considered to be acceptable in Highways terms.

19. In conclusion, there are elements of concern with the arrangements of the scheme, especially the provision of external amenity space for Flat 1, given its location at the front of the site and in front of the lounge area of Flat 3 and adjacent to the primary living space of No. 2 Gypsy Lane. Whilst this provides lower levels of privacy, it is considered, on balance, that the proposals are deemed to be acceptable and broadly in accordance with Policies CS4, CS5 and the Interim Conversion Policy. It is considered, however, that full enclosure of the external amenity space at the front of the property (both the shared space and Flat 1) with fencing would potentially be visually harmful, so a condition to restrict boundary fencing is recommended to safeguard local amenity. The same is considered for any future hardstanding, which would be similarly harmful if not restricted.

Nutrient Neutrality

20. Nutrient neutrality relates to the impact of new development on the Teesmouth and Cleveland Coast Special Protection Area (SPA) (and Ramsar Site) 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 that 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 has the ability to exacerbate this impact. Natural England has advised that only development featuring overnight accommodation (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 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 to accurately define a precise impact from development in relation to nutrient neutrality given the scale of other influences. Notwithstanding this, the Planning Authority need to determine applications whilst taking into account all relevant material planning considerations.

21. The Local Planning Authority must consider the nutrient impacts of any development within the SPA catchment area, which is considered '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.

22. In-scope development generally includes, but is not limited to, new homes, student accommodation, care homes, tourism attractions and tourist accommodation, as well as permitted development (which gives rise to new overnight accommodation). 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.

23. The existing use of the site is as a single dwellinghouse, so the proposed development through the intensification of the site will lead to an increase in population and will have a greater impact with regards to nitrate generation/pollution over and above the existing use. As such, a Likely Significant Effect cannot be ruled out. Appropriate Assessment is required to assess the impact of the proposed development.

24. Employing the Nutrient calculator produced by Natural England identifies that the development would generate 1.66 Kg TN/year. For the proposed development to be considered acceptable, it is necessary for the applicant to demonstrate that they are capable of mitigating the impacts of the development. The applicant has applied to Natural England for mitigation credits and their application has been successful. A copy of the provisional Nutrient Credit Certificate has been submitted to the Local Planning Authority.

25. Given the above, the proposed mitigation is considered to be acceptable for this development, subject to the provisional Nutrient Certificate becoming the final Nutrient Certificate. It is the planning view that this could be controlled by a pre-commencement condition in the event of approval, which would require a copy of the final Nutrient Credit Certificate to be sent to the Local Planning Authority prior to any works commencing on site. Natural England has been consulted and offer no objections to the application subject to an appropriate condition being attached to any planning permission.

26. It is considered that the proposed development will not have an unacceptable impact in terms of nitrate generation/pollution as the applicant has been able to demonstrate acceptable mitigation.

Biodiversity Net Gain and Landscaping

27. Since April 2024, Biodiversity Net Gain (BNG) has become a mandatory requirement under Schedule 7A of the Town and Country Planning Act 1990. All relevant applications must deliver a BNG of 10% over 30 years, which means that development will result in a more or a better quality natural habitat than there was before development. As the development affects less than 25sqm of habitat, the statutory Biodiversity Net Gain requirements are not considered to be applicable.

28. To soften the proposed development, it is the Officer view that a scheme of soft landscaping is required. The Urban Design SPD also advises that parking should be within a landscaped area and, in that regard, the revised site layout indicatively shows that there would be an area of screen planting between the parking area and the bin and cycle stores. However, no details have been provided of the hard and soft landscaping. A condition is recommended to secure details to ensure a high quality development that is well landscaped and prevents rainwater runoff on the adjacent highway.

29. Provided details are provided for the recommended condition, the proposed parking arrangements are deemed to be in accordance with local policies DC1, CS4 and CS5 as well as the emerging policies in the Publication Local Plan.

Conclusion

30. On balance, the proposals are considered to represent a development that can be supported in planning terms. The principle of converting a residential dwellinghouse into three self contained units is considered to be in accordance with local policies. The layout of the residential units and the overall site is considered to be good, and the arrangement of the proposals in relation to the existing neighbouring properties is considered acceptable and not harmful to their residential amenity.

31. Subject to details of soft and hard landscaping and the submission of the final certificate for nutrient mitigation, it is the Officer view that the proposals can be supported.

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 accordance with the following approved plans:

- a) Location Plan (25-1701-10 Rev A)
- b) Proposed Floor Plans (25-1701-02 Rev C)
- c) Proposed Elevations (25-1701-04 Rev C)
- d) Proposed Site Plan (25-1701-12 Rev E)
- e) Proposed Cycle Store and General Purpose Store (25-1701-13 Rev A)

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

3. Details of Hard and Soft Landscaping

Details of the hard and soft landscaping to be implemented as part of the parking arrangements within the site frontage (as indicatively shown on the approved plans) shall be submitted to and approved in writing by the Local Planning Authority.

Any detailed scheme shall include specifications of the materials used as part of the hard surfacing (incorporating measures to prevent rainwater runoff onto the adopted highway) as well as the proposed trees and associated planting as part of the soft landscaping (including their species, size and location).

The approved hard surfacing details shall be implemented prior to the first occupation of the development hereby approved and the approved soft landscaping details shall be implemented in full during the first available planting season (October-March) after the first occupation of the development hereby approved. The Local Planning Authority shall be notified within two weeks of the landscape planting works.

Reason: To ensure a satisfactory form of development in the interest of visual amenity and the character of the area having regard for Policies CS4, CS5 and DC1 of the Local Plan and sections 12 and 15 of the NPPF.

4. Replacement Tree Planting

If within a period of five years from the date of the planting of any tree that tree, or any tree planted in replacement for it, is removed, uprooted or destroyed or dies, or becomes, in the opinion of the local planning authority, seriously damaged or defective, another tree of the same species and size as that originally planted shall be planted at the same place during the first available planting season (October-March), unless the local planning authority gives its written consent to any variation.

Reason: To ensure a satisfactory form of development in the interest of visual amenity and the character of the area having regard for policies CS4, CS5 and DC1 of the Local Plan and sections 12 and 15 of the NPPF.

5. Bin Store – Details Required

The development hereby approved shall not be occupied/brought into use until a refuse/recycling store has been provided in accordance with drawing(s) to be submitted to and approved in writing by the Local Planning Authority. Such drawings to show the position, design, materials and finishes thereof. Thereafter the refuse/recycling store shall be retained for the lifetime of the development for the sole purpose of refuse/recycling storage.

Reason: In the interests of the amenities of residents to ensure a satisfactory form of development having regard for Policies DC1, CS4 and CS5 of the Local Plan and section 12 of the NPPF.

6. Removal of Permitted Development Rights for Fencing

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking or re-enacting that order with or without modification), no fences, gates, walls or other means of enclosure (other than those expressly authorised by this permission) shall be erected within the curtilage of the premises forward of any wall of the host building which forms the principal elevation/fronts onto a road or footpath without planning permission being obtained from the Local Planning Authority.

Reason: To adequately control the level of development on the site to a degree by which the principle of the permission is based to protect the visual amenity of the area and in the interests of residential amenity having regard for Policies CS4, CS5, DC1 and section 12 of the NPPF.

7. Removal of Permitted Development Rights for Hardstanding

Notwithstanding the provisions of the Town & Country Planning (General Permitted Development) (England) Order 2015, (or any order revoking or re-enacting that Order), no hardstanding shall be constructed at the front of the development hereby permitted without planning permission being obtained from the Local Planning Authority.

Reason: To adequately control the level of development on the site to a degree by which the principle of the permission is based to protect the visual amenity of the area and in the interests of residential amenity having regard for Policies CS4, CS5, DC1 and section 12 of the NPPF.

8. Nutrient Mitigation Scheme – Credits or Suitable Alternative

Prior to the commencement of the development hereby approved, confirmation of the final nutrient credit certificate from the habitat bank provider shall be submitted to and approved in writing by the Local Planning Authority. If the final nutrient credit certificate cannot be obtained for any reason, full details and specifications of an alternative Nutrient Neutrality Mitigation Scheme, including any long term maintenance and monitoring details, shall be submitted to and approved in writing by the Local Planning Authority prior to any commencement of works on site. Thereafter the development shall be carried out in accordance with the approved Nutrient Neutrality Mitigation Scheme.

Reason: To ensure the appropriate mitigation of nutrients to protect the Teesmouth and Cleveland Coast Special Protection Area in accordance with the requirements of Regulation 63 of the Habitats Regulations.

REASON FOR APPROVAL

The proposed change of use from residential dwellinghouse to three self-contained flats is considered to be appropriate as it is in full accordance with national and local planning policies, statements and guidance.

In particular, the proposed development is in accordance with the National Planning Policy Framework and its policies regarding the provision of community development, achieving healthy, inclusive and safe places, providing social facilities and services for the community, sustainable development, the efficient use of land, and transport and accessibility, whilst proposing a development that would not be out of scale and character within the surrounding area, and would not be detrimental to the local and residential amenities of the area.

Issues of principle regarding the use of this site and the generation of traffic have been considered fully and are not considered, on balance, to give rise to any inappropriate or undue affects. Accordingly, the Local Planning Authority considers that there are no material planning considerations that would override the general assumption that development be approved unless other material factors determine otherwise.

INFORMATIVES

Informative: Highways Related Matters

Works to Highway - S278

The proposals will require alterations to the existing highway and as such will require an Agreement under Section 278 of the 1980 Highways Act. The applicant is urged to consult early with the Highway Authority (tel: 01642 728156) to discuss these proposals. This agreement must be completed and in place before work commences.

IMPLICATIONS OF THE DECISION

Environmental Implications:

The proposal relates to residential development and its environmental impacts have been considered within the report above. Such considerations have included amongst others, visual implications, privacy and amenity, noise and disturbance and ecological implications. In view of all those considerations, it is on balance judged that in this instance the associated environmental impacts are considered to not be significant.

Biodiversity net gain has been taken into account in relation to this report and is detailed above.

The proposed development is in scope for Nutrient Neutrality, being within the catchment of the River Tees. Nutrient Neutrality is adequately dealt with as reported above.

Human Rights Implications:

The provisions of the European Convention of Human Rights 1950 have been taken into account in the preparation of this report and the recommendation is made having taken regard of the Local Development Plan Policies relevant to the proposals and all material planning considerations as is required by law.

Implications in relation to people's Human Rights have been considered and the development is considered not to bring about any adverse effects.

Public Sector Equality Duty Implications:

This report has been written having had regard to the need to eliminate discrimination, harassment, victimisation and any other conduct that is prohibited under the Equality Act 2010 and to advance equality of opportunity and foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

There are no matters relating to this application which relate to harassment, victimisation or similar conduct or which would affect equality of opportunity or affect the fostering of good relations between people with and without protected characteristics.

Community Safety Implications:

The provisions of Section 17 of the Crime and Disorder Act 1998 have been taken into account in the preparation of this report. Specifically, considerations around designing out opportunity for crime and disorder have been detailed within the report. Whilst actions of individuals are not typically a material planning consideration in reaching a decision in this regard, designing out the opportunity for crime and disorder is aligned to good quality design and is, in that regard a material planning consideration.

Financial Implications:

None

Background Papers

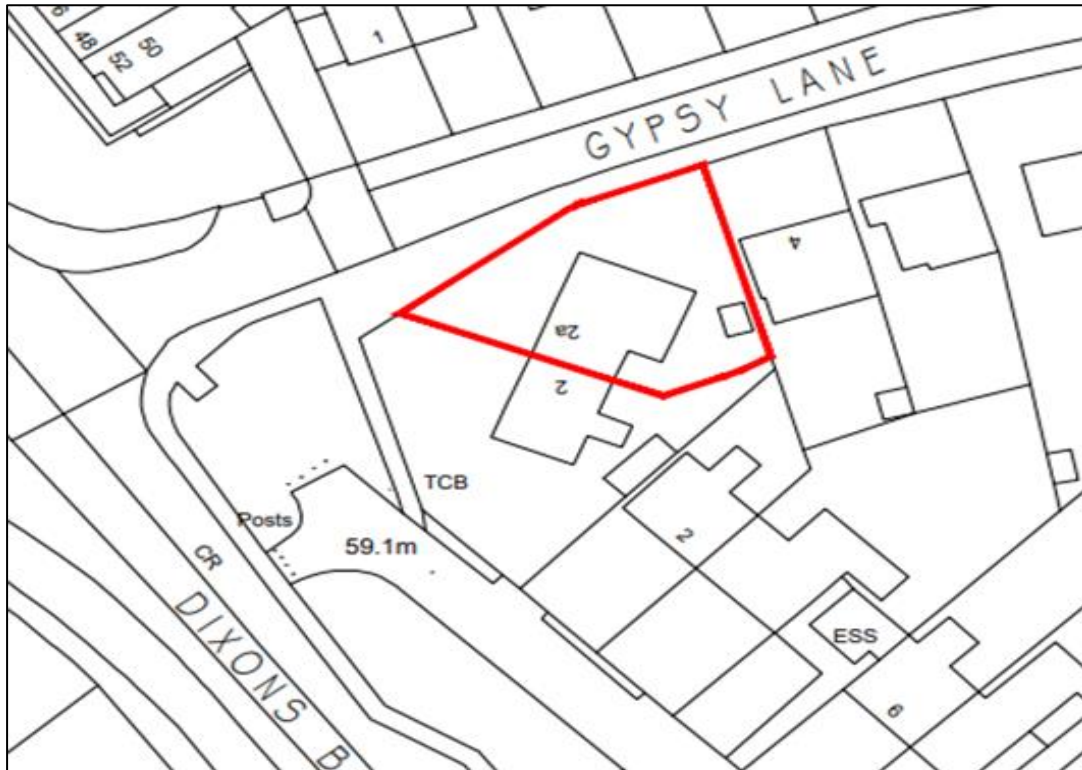
None

Case Officer: Peter Wilson

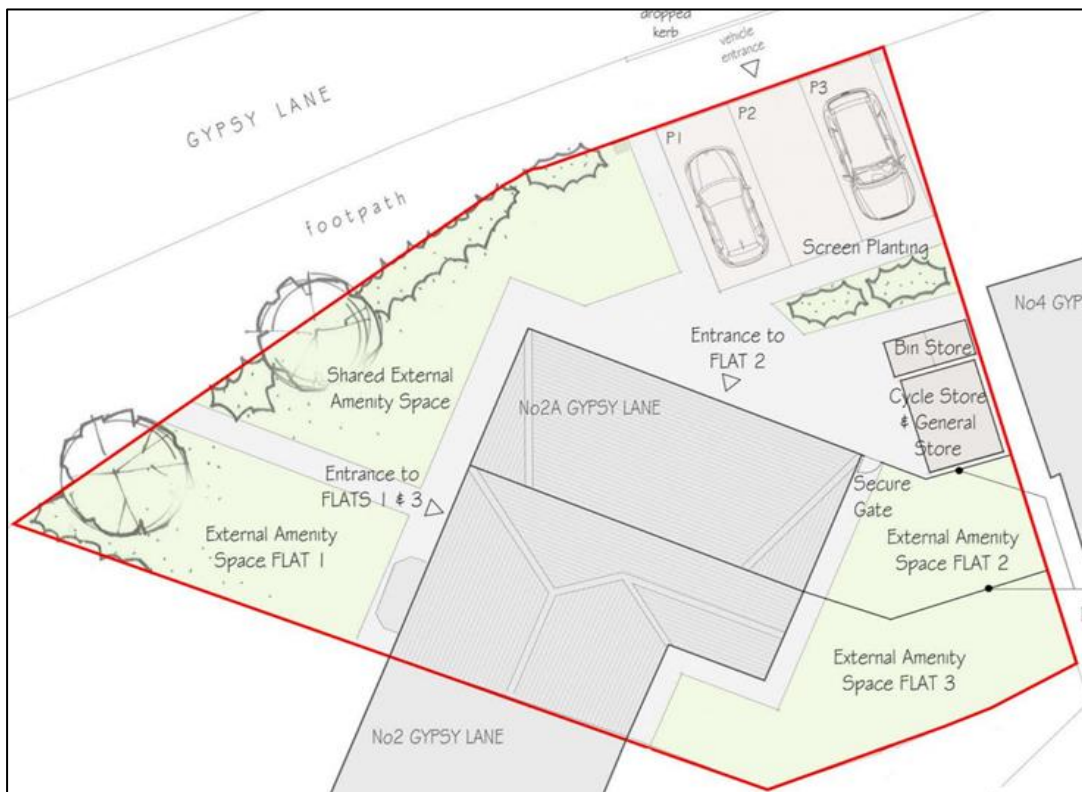
Committee Date: 12th February 2026

Appendices

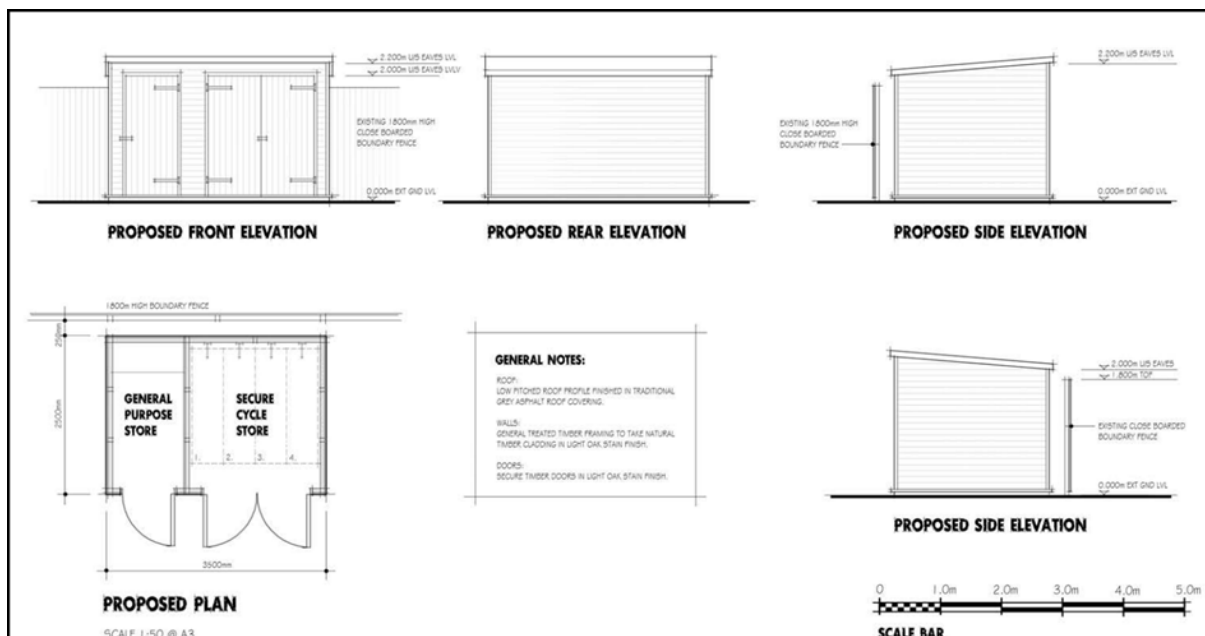
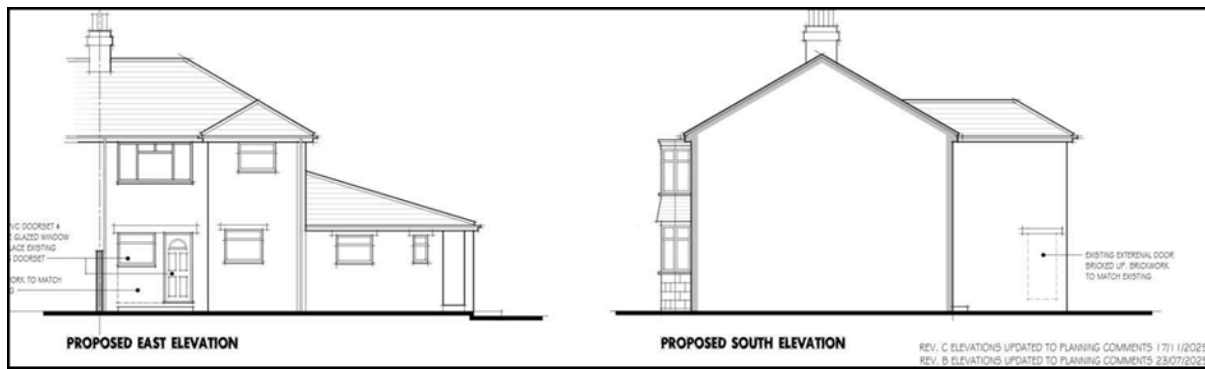
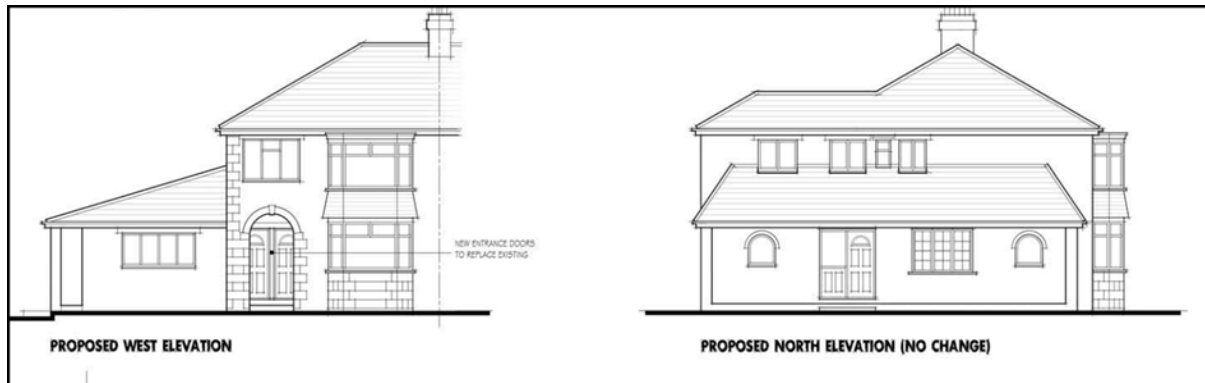
Location Plan



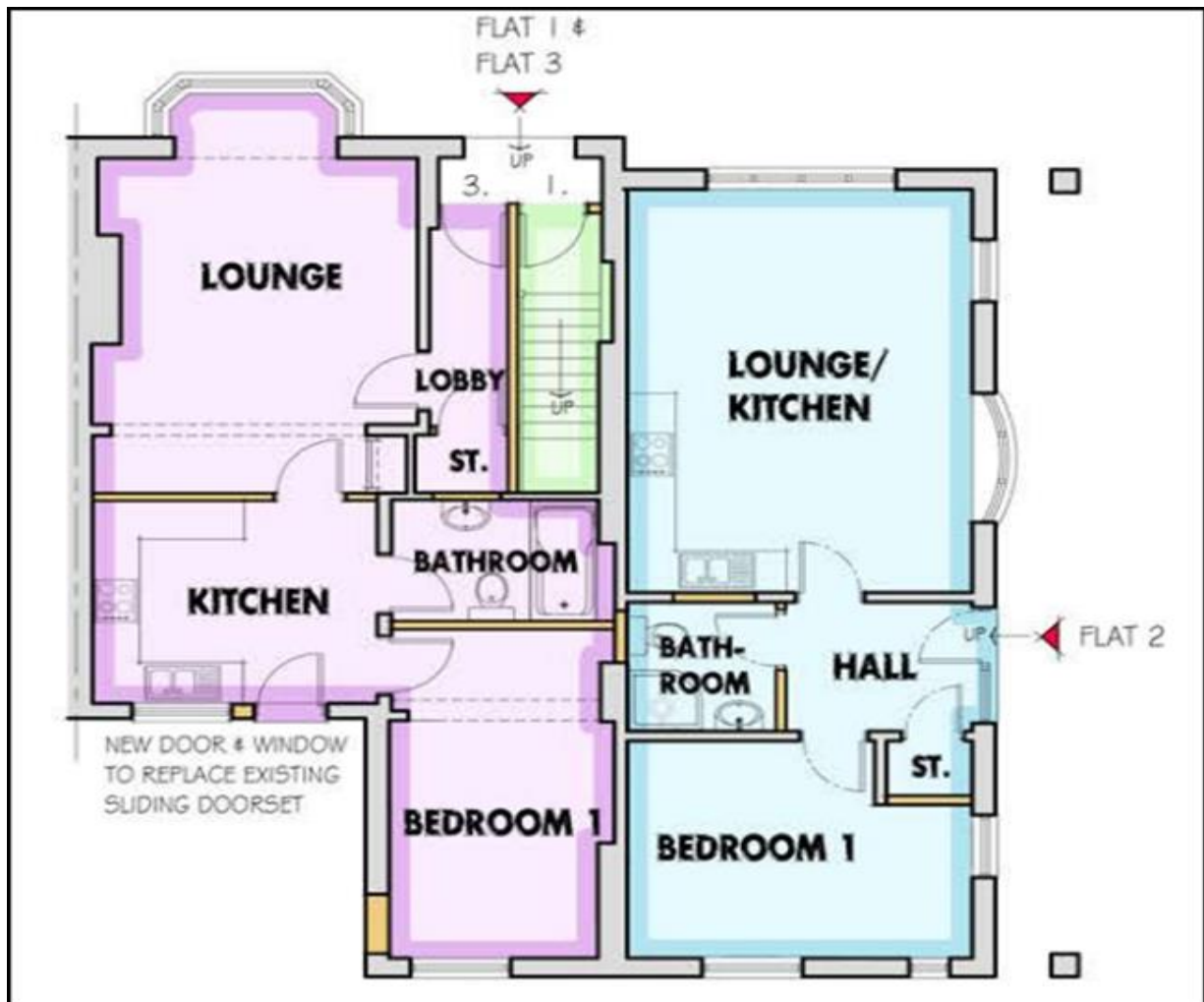
Site Plan



Proposed Elevations



Proposed Floor Plans



Ground Floor (Flats 2 and 3)



First Floor (Flat 1)