

PLANNING COMMITTEE

AGENDA



Wednesday 5 August 2020

at 9.30 am

in the Civic Centre, Hartlepool.

PLEASE NOTE: this will be a 'remote online meeting', a web-link to the public stream will be available on the Hartlepool Borough Council website at least 24 hours before the meeting.

MEMBERS OF PLANNING COMMITTEE:

Councillors S Akers-Belcher, Brewer, Brown, Buchan, Fleming, James, Lindridge, Loynes, C Richardson, Stokell and Young.

1. APOLOGIES FOR ABSENCE

2. TO RECEIVE ANY DECLARATIONS OF INTEREST BY MEMBERS

3. MINUTES

- 3.1 To Confirm the Minutes of the Meeting held on 22 July 2020 (to follow).

4. ITEMS REQUIRING DECISION

4.1 Planning Applications – *Assistant Director (Economic Growth and Regeneration)*

- | | | |
|-----|-------------|--|
| 1. | H/2020/0127 | 54 Belk Street, Hartlepool (page 1) |
| 2. | H/2020/0128 | 9 Greenwood Road, Hartlepool (page 15) |
| 3. | H/2020/0129 | 25 Greenwood Road, Hartlepool (page 27) |
| 4. | H/2020/0137 | 74 Middleton Road, Hartlepool (page 39) |
| 5. | H/2020/0139 | 3 Henderson Crescent, Hartlepool (page 51) |
| 6. | H/2020/0143 | 6 Henderson Crescent, Hartlepool (page 63) |
| 7. | H/2020/0144 | 52 Arkley Crescent, Hartlepool (page 75) |
| 8. | H/2020/0148 | 51 Bruce Crescent, Hartlepool (page 87) |
| 9. | H/2020/0149 | 99 Winterbottom Avenue, Hartlepool (page 99) |
| 10. | H/2020/0151 | 184 Jesmond Gardens, Hartlepool (page 111) |
| 11. | H/2020/0154 | 43 Warren Road, Hartlepool (page 123) |

CIVIC CENTRE EVACUATION AND ASSEMBLY PROCEDURE

In the event of a fire alarm or a bomb alarm, please leave by the nearest emergency exit as directed by Council Officers. A Fire Alarm is a continuous ringing. A Bomb Alarm is a continuous tone.

The Assembly Point for everyone is Victory Square by the Cenotaph. If the meeting has to be evacuated, please proceed to the Assembly Point so that you can be safely accounted for.

5. ITEMS FOR INFORMATION

- 5.1 Update on Current Complaints – *Assistant Director (Economic Growth and Regeneration)*

6. ANY OTHER BUSINESS WHICH THE CHAIR CONSIDERS URGENT

Any requests for a Site Visit on a matter then before the Committee will be considered with reference to the Council's Planning Code of Practice (Section 16 refers). No requests shall be permitted for an item requiring a decision before the committee other than in accordance with the Code of Practice

Any site visits approved by the Committee at this meeting will take place on a date and in a manner to be agreed by the Chair of the Committee that is compliant with the provisions of the Local Authorities and Police and Crime Panels (Coronavirus) (Flexibility of Local Authority Police and Crime Panel Meetings) (England and Wales) Regulations 2020 No. 392 and other relevant legislation.

The next meeting of the Committee will be held on Wednesday 19 August 2020 commencing at 9.30 am.



PLANNING COMMITTEE

MINUTES AND DECISION RECORD

22 JULY 2020

The meeting commenced at 9.30 am and was an online remote meeting in compliance with the Council Procedure Rules Relating to the holding of Remote Meetings and the Local Authorities and Police and Crime Panels (Coronavirus) (Flexibility of Local Authority Police and Crime Panel Meetings) (England and Wales) Regulations 2020.

Present:

Councillor: Mike Young (In the Chair)

Councillors: James Brewer, Paddy Brown, Bob Buchan, Tim Fleming, Marjorie James, Jim Lindridge, Brenda Loynes and Cameron Stokell.

Officers: Jim Ferguson, Planning and Development Manager
Dan James, Planning (DC) Team Leader
Kieran Bostock, Interim Assistant Director (Place Management)
Peter Frost, Highways, Traffic and Transport Team Leader
Matthew King, Planning Policy Team Leader
Sarah Scarr, Coast, Countryside and Heritage Manager
Tim Wynn, Strategic Asset Manager
Ryan Cowley, Senior Planning Officer
Stephanie Bell, Planning Officer
Tom Graham, Legal Representative
Jo Stubbs and David Cosgrove, Democratic Services Team

8. Apologies for Absence

Apologies were submitted by Councillor Carl Richardson.

9. Declarations of interest by members

Councillor Brenda Loynes declared a personal interest in Planning Application H/2019/0527 (Land at Hill View, Greatham) stating that a family member operated a business in the Village.

Councillor Paddy Brown advised that he had visited the site of Planning Application H/2019/0527 (Land at Hill View, Greatham) some time ago and had listened to residents' comments. He had, however, had not reached a pre-determined view on the application.

Councillor Jim Lindridge declared a personal interest in Planning Application H/2019/0527 (Land at Hill View, Greatham) as he had visited the site and unknowingly spoken to residents. He had, however, had not reached a pre-determined view on the application.

Councillor Stokell had at the previous meeting declared a pre-determined view in relation to the first application on the agenda, Hill View, Greatham H/2019/0527 and, therefore left the meeting during its consideration.

During the discussion on Minute No. 25 'Enforcement Notice' Councillor Lindridge declared a prejudicial interest and did not partake in the discussion or decision relating to the item.

10. Confirmation of the minutes of the meeting held on 8 July 2020

Confirmed.

11. Planning Applications (*Director of Regeneration and Neighbourhoods*)

Number:	H/2019/0527
Applicant:	Hartlepool Borough Council
Agent:	Norr Consultants Miss Michelle Etheridge Percy House 8th Floor Percy Street NEWCASTLE UPON TYNE
Date received:	10/01/2020
Development:	Residential development comprising the erection of 18 no. residential dwellings with associated access, infrastructure and landscaping; and provision of a temporary construction compound
Location:	LAND AT HILL VIEW GREATHAM HARTLEPOOL

Members raised questions around the consultation and sought assurance that the consultation had been on the proposals as set out in the application and such an assurance was given by Officers. Members also asked questions around the use of the site compound which were addressed by Officers.

The Council's Strategic Asset Manager gave an overview of the proposed development and its affordability. Questions were raised around the number of bungalows in the scheme and street lighting.

A representative of the objectors to the scheme highlighted that they did not object to development within the village but had significant concerns around the process and their perception that the views of residents of the village were being dismissed. Residents considered that the existing local development plan was being ignored and had concerns at the loss of open green area. The objectors also made accusations that there was collusion between two Council departments to get the application approved regardless of the views of the residents of Greatham.

The Legal representative advised that Members were required to consider the material planning considerations of the application and other issues around any perceived disingenuous behaviour were not material matters. There were separate processes for any complaints the residents had.

Members questioned the objector on their concerns on the consultation and the access some of the houses had onto the land in question. Officers clarified that formal consultations had been undertaken in respect to the application in accordance with statutory requirement and that they had also been some pre-application consultation carried out by the applicant. The Legal representative clarified that the access to the green area was separate legal matter to the planning application.

In general debate a Member commented that they had not seen anyone using the land at any time in the past. There were concerns expressed about the virtual site visit held by Members rather than a physical site visit and the number of emails Committee Members had received from objectors. The Legal representative stated that lobbying was a normal situation for Planning Committee Members and also clarified that there was no means of referring the application somewhere else for determination; the Authority had a statutory duty to determine the application.

In accordance with Rule 8 of the Council's Procedure Rules Relating to the Holding of Remote Meetings, a recorded vote was taken on the recommendations set out in the report to approve the application.

Those for:

Councillors James Brewer, Brenda Loynes, and Mike Young.

Those abstaining:

None.

Those against:

Councillors Paddy Brown, Bob Buchan, Tim Fleming, Jim Lindridge,

Councillor Marjorie James did not vote on the application due to not having been able to follow the consideration of the application in full due to technical difficulties. Councillor Cameron Stokell did not partake in the application in having declared a pre-determined view prior to the meeting.

Following the vote against the recommendations as set out in the report clarification was sought on the planning reasons for refusing the application. There was discussion around the comments on the potential of a ginnel to provide access to the existing gates accessing the land and also concerns were expressed around the consultation process. No definitive planning reason was proposed at this point in the meeting and the Chair proposed that the definition of the reasons for refusal be deferred to the end of the meeting so that the other applications could be considered by the Committee. This was seconded by Councillor Loynes.

In accordance with Rule 8 of the Council's Procedure Rules Relating to the Holding of Remote Meetings, a recorded vote was taken on the proposal to defer further discussion on the reasons for the decision of the Committee in relation to Planning Application H/2019/0527 to the end of the agenda.

Those for:

Councillors James Brewer, Paddy Brown, Bob Buchan, Tim Fleming, Jim Lindridge, Brenda Loynes, and Mike Young.

Those abstaining:

None.

Those against:

None.

Councillor Marjorie James did not vote on the application due to not having been able to follow the consideration of the application in full due to technical difficulties. Councillor Cameron Stokell did not partake in the application in having declared a pre-determined view prior to the meeting.

Decision

That further discussion on the reasons for the decision of the Committee in relation to Planning Application H/2019/0527 be deferred to the end of the agenda.

Councillor Stokell re-joined the meeting at this point.

Number:	H/2019/0515
Applicant:	MRS D HAMMOND NEWLANDS AVENUE HARTLEPOOL
Agent:	CMF PLANNING AND DESIGN LTD MR CHRISTOPHER FISH OLD WEST END GARAGE BOWES BARNARD CASTLE
Date received:	12/12/2019
Development:	Erection of a single storey extension to the side and rear (resubmitted application)

Location: 36A CLIFTON AVENUE HARTLEPOOL

The Applicant's agent addressed the Committee highlighting that the established 'rhythm' to the street was not continued to the west of the property, as referred to in the report, and there were other properties in the street with similar, and in some cases more significant, extensions in terms of their impact on the street scene. The proposal would also have little visual impact due to the location of the extension and the sight lines affected by existing established trees.

Members commented that in the past there had been some significant changes made to some of the properties in the street.

In accordance with Rule 8 of the Council's Procedure Rules Relating to the Holding of Remote Meetings, a recorded vote was taken on the recommendations set out in the report to refuse the application.

Those for:

Councillors James Brewer, Marjorie James and Jim Lindridge.

Those abstaining:

Councillor Paddy Brown.

Those against:

Councillors, Bob Buchan, Tim Fleming, Brenda Loynes, Cameron Stokell and Mike Young.

Councillor Loynes moved approval of the application, seconded by Councillor Stokell, with delegation of the appropriate conditions to the Planning and Development Manager in consultation with the Chair and Vice-Chair of the Committee on the grounds that there was already an existing variety of development within the street and the removal of the garage would be a benefit and, therefore, the application had an acceptable impact on the character and the appearance of the heritage assets.

In accordance with Rule 8 of the Council's Procedure Rules Relating to the Holding of Remote Meetings, a recorded vote was taken on the recommendation to approve the application with delegation of the appropriate conditions to the Planning and Development Manager in consultation with the Chair and Vice-Chair of the Committee.

Those for:

Councillors. Tim Fleming, Brenda Loynes, Cameron Stokell and Mike Young.

Those abstaining:

Councillor. James Brewer, Paddy Brown and Bob Buchan,

Those against:

Councillors Marjorie James and Jim Lindridge.

Decision

Planning Permission Approved with conditions to be delegated to the Planning and Development Manager in consultation with the Chair and Vice Chair of Planning Committee

The Committee considered representations in relation to this matter.

Number:	H/2019/0193
Applicant:	MR S BROWN CONISCLIFFE ROAD HARTLEPOOL
Agent:	ASP ASSOCIATES 8 GRANGE ROAD HARTLEPOOL
Date received:	30/10/2019
Development:	Installation of 2 no. french doors with balconies at first floor to the rear, erection of detached summerhouse and timber garden canopy/gazebo to rear, and erection of boundary fence to front (retrospective application)
Location:	1 CONISCLIFFE ROAD HARTLEPOOL

A Member suggested that established trees could be planted to reduce the over-looking from the balconies. Officers commented that any planting could only be protected for five years. A screen on the balcony had also been considered but Members also had to consider the perception of over-looking and officers did not believe that it was not possible to mitigate against the over-looking. Members questioned the objections and it was clarified that one of the objections did highlight privacy concerns.

In accordance with Rule 8 of the Council's Procedure Rules Relating to the Holding of Remote Meetings, a recorded vote was taken on the recommendations set out in the report to refuse the application.

Those for:

Councillors James Brewer, Paddy Brown, Bob Buchan, Marjorie James and Jim Lindridge.

Those abstaining:

None.

Those against:

Councillors, Tim Fleming, Brenda Loynes, Cameron Stokell and Mike Young.

Decision

Planning Application Refused.

REASONS FOR REFUSAL:

1. In the opinion of the Local Planning Authority, by virtue of the design, scale and siting of the 2no. first floor rear balconies, the balconies result in an unsatisfactory form of development that results in a detrimental impact on the privacy of existing and future occupiers at No. 3 Coniscliffe Road (west) and No's. 24, 26 and 28 Egerton Road (south), through issues of overlooking and a perception of overlooking, contrary to paragraph 127 of the NPPF (2019), policy QP4 and HGS11 of the Hartlepool Local Plan (2018) and the adopted Hartlepool Residential Design SPD (2019).
2. In the opinion of the Local Planning Authority the proposed 2m high boundary fence to the front, by virtue of its scale, design and prominent location, would result in a detrimental impact on the character and appearance of the area, contrary to Local Plan Policies HSG11 and QP4, and the general provisions of the NPPF.

The Committee considered representations in relation to this matter.

Number:	H/2019/0467
Applicant:	MR M CROSBY ELWICK ROAD HARTLEPOOL
Agent:	MGH DESIGN MR MICHAEL HENDERSON 18 WESTGARTH GROVE SHOTTON COLLIERY DURHAM
Date received:	19/11/2019
Development:	Erection of a two storey extension to the side and a single storey extension at the rear
Location:	KINROSS ELWICK ROAD HARTLEPOOL

The applicant addressed the Committee and considered the application was sympathetic with the current property and the separation between the property and the neighbouring property would remain the same. There were no objections to the proposal from neighbours.

Members commented that as there were no neighbour objections they had no specific concerns with the proposal and considered it would enhance the property.

In accordance with Rule 8 of the Council's Procedure Rules Relating to the Holding of Remote Meetings, a recorded vote was taken on the recommendations set out in the report to refuse the application.

Those for:
None.

Those abstaining:
None.

Those against:
Councillors James Brewer, Paddy Brown, Bob Buchan, Tim Fleming, Marjorie James, Jim Lindridge, Brenda Loynes, Cameron Stokell and Mike Young.

Councillor Brewer moved approval of the application, seconded by Councillor Loynes, with delegation of the appropriate conditions to the Planning and Development Manager in consultation with the Chair and Vice-Chair of the Committee on the grounds that the application was acceptable in terms of its impact on the character and appearance of the area.

In accordance with Rule 8 of the Council's Procedure Rules Relating to the Holding of Remote Meetings, a recorded vote was taken on the recommendation to approve the application with delegation of the appropriate conditions to the Planning and Development Manager in consultation with the Chair and Vice-Chair of the Committee.

Those for:
Councillors James Brewer, Paddy Brown, Bob Buchan, Tim Fleming, Marjorie James, Jim Lindridge, Brenda Loynes, Cameron Stokell and Mike Young.

Those abstaining:
None,

Those against:
None.

Decision

Planning Permission Approved with conditions to be delegated to the Planning and Development Manager in consultation with the Chair and Vice Chair of Planning Committee

The Committee considered representations in relation to this matter.

There was a short adjournment at this point in the meeting.

Upon resumption of the meeting Councillor Stokell left the meeting due to his previously declared pre-determined view on the application.

Number: H/2019/0527

Applicant: Hartlepool Borough Council

Agent: Norr Consultants Miss Michelle Etheridge Percy House 8th Floor Percy Street NEWCASTLE UPON TYNE

Date received: 10/01/2020

Development: Residential development comprising the erection of 18 no. residential dwellings with associated access, infrastructure and landscaping; and provision of a temporary construction compound

Location: LAND AT HILL VIEW GREATHAM HARTLEPOOL

Members returned to the discussion on the material planning reasons for their refusal of the planning application at Hill View, Greatham H/2019/0527.

A Member suggested that the application had an unacceptable impact on the village. The Chair suggested that the reason, as he had determined it from the Committee's discussions, was that the development would have a detrimental impact on the character and appearance of the area by reason of the high density of the proposed development. A Member suggested that the residents had also had an enjoyment of an area of open space for a considerable number of years and to remove it would be detrimental to their mental health and wellbeing. The Chair was concerned that the recognised and adopted local plan for the village, developed by the residents themselves did include that area as a potential housing development site.

It was proposed by Councillor Loynes and seconded by Councillor Brown that the application be refused on the grounds that the development would have a detrimental impact on the character and appearance of the area by reason of the high density of the proposed development.

In accordance with Rule 8 of the Council's Procedure Rules Relating to the Holding of Remote Meetings, a recorded vote was taken on the proposal to refuse the application on the grounds the development would have a detrimental impact on the character and appearance of the area by reason of the high density of the proposed development.

Those for:
Councillors Paddy Brown, Bob Buchan, Tim Fleming and Jim Lindridge.

Those abstaining:
None.

Those against:
Councillors James Brewer, Brenda Loynes and Mike Young.

Councillor Marjorie James did not vote on the application due to not having been able to follow the consideration of the application in full due to technical difficulties. Councillor Cameron Stokell did not partake in the application in having declared a pre-determined view prior to the meeting.

Decision

Planning Application Refused on the grounds the development would have a detrimental impact on the character and appearance of the area by reason of the high density of the proposed development.

The Committee considered representations in relation to this matter.

12. Update on Current Complaints (*Assistant Director (Economic Growth and Regeneration)*)

Members were given updates on 64 complaints currently under investigation and 27 which had been completed. The Chair requested that should any Member have any queries or wish to see further details of any of the complaints, they should contact the Planning and Development Manager directly.

Decision

That the report be noted.

13. Appeal at 16 Sydenham Road, Hartlepool (*Assistant Director (Economic Growth and Regeneration)*)

Members were advised that an appeal had been submitted against the Council's decision in respect of an application for the change of use from a retail unit (A1 use class) to a hot food takeaway (A5 use class) and the installation of a flue on the western elevation at 16 Sydenham Road, Hartlepool (H/2019/0419).

Decision

That the report be noted.

14. Appeal at 1 Grassholme Road, Hartlepool (*Assistant Director (Economic Growth and Regeneration)*)

The Committee was advised of the outcome of a planning appeal made against the refusal of planning permission by Hartlepool Borough Council in respect of the above referenced property at 1 Grassholme Road, Hartlepool. On 31st July 2019 Planning Committee refused the application (H/2018/0504) and the decision notice was issued on 2nd August 2019. The appeal was dismissed on 20th February 2020 and a copy of the Inspector's decision letter was submitted for the Committee's information.

Decision

That the report be noted.

15. Appeal at 10 Queen Street, Hartlepool (*Assistant Director (Economic Growth and Regeneration)*)

The Committee was advised of the outcome of a planning appeal made against an enforcement notice served by Hartlepool Borough Council in respect of the property at 10 Queen Street, Hartlepool. The appeal was dismissed on 21st February 2020 and the Enforcement Notice upheld and a copy of the Inspector's decision letter was submitted for the Committee's information.

Decision

That the report be noted.

16. Appeal at 69 Kesteven Road, Hartlepool (*Assistant Director (Economic Growth and Regeneration)*)

The Committee was advised of the outcome of a planning appeal made against the refusal of planning permission by Hartlepool Borough Council in respect of the property at 69 Kesteven Road, Hartlepool. The appeal was allowed on 2nd March 2020 and a copy of the Inspector's decision letter was submitted for the Committee's information.

Decision

That the report be noted.

17. Appeal at 9 Rosebery Road, Hartlepool (*Assistant Director (Economic Growth and Regeneration)*)

The Committee was advised of the outcome of a planning appeal made against an enforcement notice served by Hartlepool Borough Council in respect of the property at 9 Rosebery Road, Hartlepool. The appeal was dismissed on 12th June 2020 and the Enforcement Notice upheld and a copy of the Inspector's decision letter was submitted for the Committee's information.

Decision

That the report be noted.

18. Appeal at 8 Queen Street, Hartlepool (*Assistant Director (Economic Growth and Regeneration)*)

The Committee was advised of the outcome of a planning appeal made against an enforcement notice served by Hartlepool Borough Council in respect of the property at 8 Queen Street, Hartlepool. The appeal was dismissed on 4th May 2020 and the Enforcement Notice upheld and a copy

of the Inspector's decision letter was submitted for the Committee's information.

Decision

That the report be noted.

19. Appeal at 23 Redwood Close, Hartlepool *(Assistant Director (Economic Growth and Regeneration))*

The Committee was advised of the outcome of a planning appeal that had been determined in respect of refusal of planning permission for a two-storey extension to side at 23 Redwood Close, Hartlepool. The appeal was dismissed and a copy of the Inspector's decision letter was submitted for the Committee's information.

Decision

That the report be noted.

20. Appeal at 1 Bute Avenue, Hartlepool *(Assistant Director (Economic Growth and Regeneration))*

The Committee was advised of the outcome of a planning appeal made against a planning permission refused by Hartlepool Borough Council in respect of the property at 1 Bute Avenue, Hartlepool. The application was refused under delegated powers (H/2019/0327) and the decision notice was issued on 29th October 2019. The appeal was dismissed on 26th March 2020 and a copy of the Inspector's decision letter was submitted for the Committee's information.

Decision

That the report be noted.

21. Appeal at 193 Raby Road, Hartlepool *(Assistant Director (Economic Growth and Regeneration))*

The Committee was advised of the outcome of a planning appeal that had been determined in respect of refusal of planning permission for change of use to A5 (hot food takeaway) and installation of replacement doors and windows to the front and installation of a flue to the rear at 193 Raby Road, Hartlepool. The appeal was dismissed and a copy of the Inspector's decision letter was submitted for the Committee's information.

Decision

That the report be noted.

22. Any Other Items which the Chairman Considers are Urgent

None.

23. Local Government (Access to Information) (Variation Order) 2006

Under Section 100(A)(4) of the Local Government Act 1972, the press and public were excluded from the meeting for the following items of business on the grounds that they involved the likely disclosure of exempt information as defined in the paragraphs referred to below of Part 1 of Schedule 12A of the Local Government Act 1972 as amended by the Local Government (Access to Information) (Variation) Order 2006.

Minute 24 – (Enforcement Notice) – This item contains exempt information under Schedule 12A Local Government Act 1972 as amended by the Local Government (Access to Information) (Variation) Order 2006 namely (para 5) information in respect of which a claim to legal professional privilege could be maintained in legal proceedings. and (para 6) Information which reveals that the authority proposes – (a) to give under any enactment a notice under or by virtue of which requirements are imposed on a person; or (b) to make an order or direction under any enactment.

Minute 25 – (Enforcement Notice) – This item contains exempt information under Schedule 12A Local Government Act 1972 as amended by the Local Government (Access to Information) (Variation) Order 2006 namely (para 5) information in respect of which a claim to legal professional privilege could be maintained in legal proceedings. and (para 6) Information which reveals that the authority proposes – (a) to give under any enactment a notice under or by virtue of which requirements are imposed on a person; or (b) to make an order or direction under any enactment.

Minute 26 – (Enforcement Notice) – This item contains exempt information under Schedule 12A Local Government Act 1972 as amended by the Local Government (Access to Information) (Variation) Order 2006 namely (para 5) information in respect of which a claim to legal professional privilege could be maintained in legal proceedings. and (para 6) Information which reveals that the authority proposes – (a) to give under any enactment a notice under or by virtue of which requirements are imposed on a person; or (b) to make an order or direction under any enactment.

24. Enforcement Notice (*Assistant Director (Economic Growth and Regeneration)*) This item contains exempt information under Schedule 12A Local Government Act 1972 as amended by the Local Government (Access to Information) (Variation) Order 2006 namely (para 5 and 6)

Members were asked whether it was expedient to issue an enforcement notice.

Further details are set out in the exempt section of the minutes.

Decision

The Committee's decision is set out in the exempt section of the minutes.

- 25. Enforcement Notice** (*Assistant Director (Economic Growth and Regeneration)*) This item contains exempt information under Schedule 12A Local Government Act 1972 as amended by the Local Government (Access to Information) (Variation) Order 2006 namely (para 5 and 6

Decision

The Committee's decision is set out in the exempt section of the minutes.

- 26. Enforcement Notice** (*Assistant Director (Economic Growth and Regeneration)*) This item contains exempt information under Schedule 12A Local Government Act 1972 as amended by the Local Government (Access to Information) (Variation) Order 2006 namely (para 5 and 6)

Decision

The Committee's decision is set out in the exempt section of the minutes.

The meeting concluded at 12.10 pm

CHAIR

PLANNING COMMITTEE

5 AUGUST 2020



Report of: Assistant Director (Economic Growth and Regeneration)

Subject: PLANNING APPLICATIONS

No: 1.
Number: H/2020/0127
Applicant: MR CRAIG ELLIS GOSFORTH PARK WAY GOSFORTH
BUSINESS PARK NEWCASTLE UPON TYNE NE12
8ET
Agent: RNJ PARTNERSHIP LLP MR SIMON NESTI 2
DIAMOND COURT KENTON NEWCASTLE UPON TYNE
NE3 2EN
Date valid: 28/04/2020
Development: Change of use from 1no. dwellinghouse to 2no. flats with
associated external alterations including installation of
new canopy to side, replacement of canopy to front and
installation of new access gate to side (providing access
to rear)
Location: 54 BELK STREET HARTLEPOOL HARTLEPOOL

PURPOSE OF REPORT

1.1 An application has been submitted for the development highlighted within this report; accordingly Hartlepool Borough Council as Local Planning Authority is required to make a decision on this application. This report outlines the material considerations in relation to the proposal and presents a recommendation.

BACKGROUND

1.2 A number of similar planning applications (25no. in total) have been submitted by the applicant (Home Group, a housing association) within the Borough for a change of use from 1no. dwellinghouse to 2no. flats and to which a number of these applications (11no.) form part of the same planning committee agenda as the current application.

1.3 The supporting Design and Access Statement for the applications indicates that the proposed scheme is part of the 'Move On Project' that is "intended to provide necessary accommodation and support to enable independent living, particularly targeted at those leaving homelessness services or domestic violence services". One of the applications relates to a proposal for the provision of a management hub (with a flat above) at 10 Greenwood Road (ref; H/2020/0152), which is currently pending consideration at the time of writing (22.07.2020). The hub is intended to "provide on-site office space to support customers in nearby properties".

PROPOSAL

1.4 Planning permission is sought through this application for the change of use from a residential dwelling (C3 use class) to 2no. self-contained flats (C3 use class) at 54 Belk Street. The property would contain 1no. one-bedroom flat on the ground floor (flat 1) and one one-bedroomed flat on the first floor (flat 2).

1.5 The proposal would include the erection of a canopy above the rear access door to accommodate a main entrance door, from which flat 1 would be accessed. Flat 2 would be accessed from the existing front door. The proposal would include replacing the existing front door and existing canopy in the front elevation (north). No other external alterations are proposed. Access to refuse storage within the rear yard of the property (south) would be via a side gate proposed to be installed in the eastern elevation of the boundary wall.

1.6 Internally, at ground floor the proposal would retain the existing kitchen and bathroom at ground floor, with the dining room being used as a living room (utilising space from removing the chimney breast at ground floor) and the living room at the front becoming the bedroom. At first floor, 2no. front bedrooms would become an open plan living space, with a kitchen being installed in the western side (at the front). The existing rear bedroom and bathroom would remain with internal alterations. The proposal would include the installation and removal of stud walls to facilitate the creation of hallways.

1.7 The application has been referred to the planning committee due to the number of objections received (more than 2), in line with the Council's Scheme of Delegation.

SITE CONTEXT

1.8 The application site is a north facing two-storey end-of-terrace property on Belk Street. As such, the application site has an elevation on Addison Road. The site is within a predominately residential area to the south of Middleton Road and west of Clarence Road. The host property is currently vacant, with 52 Belk Street adjoining to the west. To the north, beyond the main highway of Belk Street, are 6 Addison Road which is adjoined to 53 Belk Street, while beyond the main highway of Addison Road to the east is a block of 4no. linked properties comprising 17-23 (evens) Addison Road. To the rear (south) is the back lane serving Belk Street, beyond which is some green space and the Hartlepool Indoor Bowls Club (with Hartlepool FC football ground beyond). The host property includes a yard at the rear, which is presently enclosed by a brick wall with a height of approximately 2m, beyond which the back lane of Belk Street is accessed by a secure gate. The rear of the host

property is served by an off-shoot which adjoins that of No. 52, forming a boundary (with an approx. height of 2.5m).

PUBLICITY

1.9 The application has been advertised by way of neighbour letters (13) and a site notice. To date, there have been 7 objections, including 1 from the Addison, Belk and Cameron (ABC) Residents Group.

1.10 The concerns raised can be summarised as follows:

- Flats are not suitable for the property, particularly as there is already an issue with flats in the street resulting in anti-social behaviour (including parties and fighting), crime and drug and alcohol use issues. The proposal could be used by similar people i.e. drug dealers.
- The proposed installation of the side gate would give access to the rear and make the rear lane unsafe
- Noise and odour concerns, and insulation of party wall
- Noise, mess and disruption during works
- Increase in rubbish
- Residents group struggle to deal with bad tenants and keeping the area a nice place to live
- Children live in neighbouring properties and parents want to protect them
- Parking issues
- Fire hazard as a result of proposed conversion to flats
- Views for flat 1 resident from living room would be of refuse bins and an enclosed yard

1.11 Background papers can be viewed by the 'attachments' on the following public access page:

<http://eforms.hartlepool.gov.uk/portal/servlets/ApplicationSearchServlet?PKID=137539>

1.12 The period for publicity has expired.

CONSULTATIONS

1.13 The following consultation replies have been received:

HBC Building Control: I can confirm that a Building Regulation application is required for the works as described.

HBC Landscape Architect: There are no landscape and visual objections to the proposed development.

HBC Flood Risk Officer: In response to your consultation on the above application I have no objection to proposals in respect of surface water management or contaminated land.

HBC Public Protection: I have no objections to this application subject to a sound insulation condition to the party wall with the neighbouring property.

HBC Waste Management: No comments to make.

HBC Estates: No comments received.

HBC Traffic and Transport: There are no highway or traffic concerns. There is no off street parking associated with this property, this is not considered an issue as car ownership is generally at a low level for occupants of these types of dwellings.

HBC Community Safety: These proposals will assist in easing the shortage of this type of accommodation in Hartlepool. With the assurance that appropriate security measures and robust property management will be in place, there are no community safety concerns.

HBC Arboricultural Officer: No comments received.

Cleveland Police: Police have no objections to this application but have the following recommendations in relation to crime prevention.

The premises will provide much needed accommodation for some of the most vulnerable members of society the premises therefore is required to provide a level of security to provide a safe and secure premise to live.

All replacement doors and accessible windows certified to PAS 24 2016. Door viewer to all entrance doors. Dusk Dawn to entrance doors. Secure robust side gate fitted close to front building line as possible.

It is also essential the premises is well managed and maintained, both flats require to be secured internally from each other.

Cleveland Fire Brigade: Cleveland fire Brigade offers no representations regarding the development as proposed. However Access and Water Supplies should meet the requirements as set out in: Approved Document B, Volume 1:20 19, Section B5 for Dwellings. It should be noted that Cleveland Fire Brigade now utilise a Magirus Multistar Combined Aerial Rescue Pump (CARP) which has a vehicle weight of 17.5 tonnes. This is greater than the specified weight in AD B Vol 1 Section B5 Table 13.1. Further comments may be made through the building regulation consultation process as required.

Tees Archaeology: Thank you for the consultation. There are no archaeological requirements for this application.

Northumbrian Water: Having assessed the proposed development against the context outlined above I can confirm that at this stage we would have no comments to make.

PLANNING POLICY

1.14 In relation to the specific policies referred to in the section below please see the Policy Note at the end of the agenda.

1.15 The following policies in the adopted Hartlepool Local Plan 2018 are relevant to the determination of this application:

HSG1: New Housing Provision

HSG11: Extensions and Alterations To Existing Dwellings
 HSG2: Overall Housing Mix
 LS1: Locational Strategy
 QP3: Location, Accessibility, Highway Safety and Parking
 QP4: Layout and Design of Development
 QP5: Safety and Security
 QP6: Technical Matters
 QP7: Energy Efficiency
 SUS1: The Presumption in Favour of Sustainable Development

National Policy

1.16 In February 2019 the Government issued a revised National Planning Policy Framework (NPPF) replacing the 2012 and 2018 NPPF versions. The NPPF sets out the Governments Planning policies for England and how these are expected to be applied. It sets out the Government requirements for the planning system. The overriding message from the Framework is that planning authorities should plan positively for new development. It defines the role of planning in achieving sustainable development under three overarching objectives; an economic objective, a social objective and an environmental objective, each mutually dependent. At the heart of the Framework is a presumption in favour of sustainable development. For decision-taking, this means approving development proposals that accord with an up-to-date development plan without delay or, where there are no relevant development plan policies or the policies which are most important for determining the application are out-of-date, granting permission unless policies within the Framework provide a clear reason for refusal or any adverse impacts of doing so would significant and demonstrably outweigh the benefits. The following paragraphs are relevant to this application:

PARA 001: Introduction
 PARA 002: Permission determined in accordance with development plan
 PARA 003: Introduction
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 PARA 010: Achieving sustainable development
 PARA 011: The presumption in favour of sustainable development
 PARA 012: The presumption in favour of sustainable development
 PARA 038: Decision-Making
 PARA 047: Determining Applications
 PARA 059: Delivering a sufficient supply of homes
 PARA 122: Achieving appropriate densities
 PARA 124: Achieving well-designed places
 PARA 127: Achieving well-designed places
 PARA 130: Achieving well-designed places
 PARA 150: Planning for Climate Change
 PARA 212: Implementation

PLANNING CONSIDERATIONS

1.17 The main issues for consideration in this instance are the appropriateness of the proposal in principle in terms of the policies and proposals held within the Hartlepool Local Plan (2018) and the NPPF (2019) including the principle of development, the impact on the character and appearance of the existing building and surrounding area, the impact upon highway safety, impact on the amenity and privacy of neighbouring properties and crime and security. These and any other planning and non-planning matters are detailed below.

PRINCIPLE OF DEVELOPMENT

1.18 The host property currently benefits from an existing residential C3 use, and is situated within a residential street. The proposal is for the change of use to two flats which would retain the residential C3 use. As such the general principle of residential development in this location is considered to be acceptable in principle. The application site is located within walking distance of existing shops and services, and proximity to local bus services which provides access to the public transport network. Therefore, the site is considered to be in a sustainable location.

1.19 The Council's Community Safety section have been consulted in respect of the proposal and consider that the proposals would assist in easing the shortage of this type of accommodation in Hartlepool. Furthermore, the Council's Planning Policy section has been consulted and has not raised any objections in respect of the proposed change of use.

1.20 In light of the above, the principle of development is considered to be acceptable subject to the consideration of all other material planning considerations as detailed below.

VISUAL AMENITY AND CHARACTER OF SURROUNDING AREA

1.21 The application site is located within Belk Street, a residential street in Hartlepool. It is of note that the proposal includes the installation of a canopy over the existing rear access door in the off-shoot at the rear, and the installation of an access gate in the side (east) of the rear boundary wall, which would be on a principal elevation (on Addison Road). It is noted that the only alterations to the front of the property would be the replacement of the front door and canopy above the front door.

1.22 Although it would be partially visible above the rear boundary wall running along Addison Street, it is considered that the installation of the canopy at the rear would not unduly dominate the rear, given its modest scale and design. Furthermore, it is considered that the existing boundary wall (east and south) and back lane access/egress gate would substantially screen views toward this element from neighbouring land users on Addison Street and beyond the back lane to the south. It is considered that the alterations to the front door and canopy would not be unduly dominant on the existing property or adversely impact upon its proportions, being primarily in place of the existing furnishings on that elevation.

1.23 On balance, it is considered the proposed change of use would not result in such a significant incongruous feature on the existing property or detrimentally affect the street scene to warrant a reason to refuse the proposal in this instance. The Council's Landscape Architect has had regard to the proposal and has no concerns with regard to the visual impacts.

1.24 The proposal does not increase the total number of bedrooms within the property and the use would remain residential which is considered to be acceptable in this location and would not adversely affect the character of the street scene or significantly intensify the residential use of the area. As noted above the principle of development is considered to be appropriate in this location.

1.25 In light of the above considerations, the proposal is considered to be acceptable with respect to the impacts on the character and appearance of the existing building and surrounding area.

AMENITY OF NEIGHBOURING LAND USERS

1.26 It is acknowledged that neighbour representations have been received in respect of adverse impacts of the proposal on the amenity of neighbouring residential properties. The host property is an end terraced property and as such adjoins to 52 Belk Street to the west with the remainder of Belk Street extending further to the west. It is noted that the two adjoining properties are handed by single storey off-shoot extensions at the rear, which, by virtue of the relationship, forms a boundary between the two properties. The proposal does not seek to make any external alterations aside from the installation of a canopy to the rear, the installation of a gate in the side (east) and the replacement of the canopy and front door to the front.

1.27 The relationship between neighbouring properties is such that there would be a separation distance of approximately 2.7m from the proposed canopy on the adjoining off-shoot at the host property and a distance of approximately 5.6m from the side gate to the adjoining neighbour at No. 52 (to the east), with the off-shoot of the host property between. There would be a distance of approximately 14m remaining from the installation of the side gate (east) to the closest neighbour to the east at 21 Addison Road, and a distance of approximately 17m from the proposed installation of the canopy at the rear of the host property to the front of 21 Addison Street. A separation distance of approximately 18m to 6 Addison Road to the front (north) would remain (with the main highway between); and approximately 23m would remain between the proposed canopy at the host property and the Bowls Club to the south (rear).

1.28 Given the modest scale of the proposed canopy at the rear, it is considered that this element of the proposal would not result in an unacceptable loss of amenity and privacy for neighbouring land users to the east (19-23 (evens) Addison Road) or to the adjoining property at No. 52 (west). As the proposed canopy would be to the rear of the host property, it would be screened from neighbours to the front (6 Addison Road and 53 Belk Street) and it is considered there would be no adverse impacts on their amenity or privacy in terms of outlook, overbearing and overlooking.

1.29 It is considered that the installation of a side gate into the existing brick wall running along the eastern side of the curtilage of the property would not project any further than the existing elevation of this boundary wall, nor exceed its height. Therefore on balance it would not result in an adverse impact on neighbouring properties in terms of overbearing, overshadowing or loss of outlook. It is considered that the proposed side gate would not allow for any direct views into neighbouring properties of neighbours beyond the main highway of Addison Road to Nos. 19-23 (evens). The orientation of the host property itself is considered to be such that it would screen views to neighbours at No. 52 (adjoining to the west), 53 and 6 Addison Road (to the front) and the Bowls Club to the south, therefore not resulting in any adverse impact on the privacy of these neighbours.

1.30 In terms of the alterations to the use of the existing rooms, it is noted that the main alteration from the existing layout would be the 2no. bedrooms in the front would become a living room with a kitchen (closest to the party wall with adjoining property at No. 52). It is noted that all other habitable rooms (e.g. living rooms and bedrooms) would remain as such and non-habitable rooms (kitchens and bathrooms) would also remain as per the existing layout. It is therefore considered that the relationship between the host property and neighbouring properties is already established, and the proposal would not seek to reduce separation distances or introduce windows which would allow for unacceptable direct views into any adjoining neighbours including No. 52 (west); No. 6 Addison Road and No. 53 Belk Street (north); and Nos. 17-21 (evens) Addison Road (east). Therefore it is considered there would be no adverse impacts on the privacy of any neighbouring property in terms of overlooking.

1.31 It is acknowledged that the occupier of flat 1 would access the flat via the back yard and that the occupier of flat 2 would additionally have access to this rear amenity space. Given that the existing property is orientated as such that the main living room serving the property is situated to the front, with the public highway (pavement) running along the street and without any private amenity space, it is considered that the relationship where passers-by could look into the main living room is a relationship that is already established. Furthermore, this is a characteristic of Belk Street, whereby all single dwellings have a similar arrangement. In this instance, and in light of the above, it is considered that no adverse overlooking could be achieved between flat 1 and flat 2 and vice versa. Therefore, on balance, it is considered that there would not be any adverse impacts on the privacy of any neighbouring properties as a result of this proposed alterations to the room layout.

1.32 It is acknowledged that that the nature and layout of the proposed use has the potential to introduce greater levels of activity to areas within the property than the current use as a single dwelling and as such has the potential to cause noise related disturbance to areas of the neighbouring dwellings (particularly bedrooms) where they could reasonably expect low levels of noise and disturbance. The Council's Public Protection team have been consulted upon the application and their response raises no objections to the application subject to noise insulation measures being conditioned for party walls with adjoining properties. It is considered that a planning condition is necessary to secure the noise insulation measures (mentioned above, between the host property and the adjoining neighbour at No. 52) and therefore,

subject to this, the proposal is acceptable in this regard. No objections or concerns have been raised from HBC Public Protection in respect of odour nuisance.

1.33 In conclusion, it is considered that the proposal would not cause any significant adverse impact on the amenity and privacy of neighbouring properties (including future occupiers of the flats proposed) subject to necessary planning conditions (as detailed above) as to warrant a refusal of the application in this instance and therefore, on balance, the proposal is acceptable in this regard.

HIGHWAY AND PEDESTRIAN SAFETY AND CAR PARKING

1.34 It is acknowledged that a neighbour representation has raised concerns in respect of car parking. The site is located with an area consisting primarily of terraced and linked properties. In common with other dwellings in the neighbourhood, the site lacks in-curtilage parking accessible to the highway and would therefore be unable to provide for any off-street parking. The Council's Traffic and Transport section have been consulted with respect to the proposal and have not raised any concerns.

1.35 As noted above, consideration is also given the site's location close to public transport links. Therefore, the proposal is not considered to result in a significant detrimental impact on parking and highway safety and is therefore deemed acceptable in this regard.

OTHER PLANNING MATTERS

Safety and Security

1.36 It is acknowledged that neighbour objections have been received citing issues around matters of safety and security, including anti-social behaviour, drug and alcohol use and criminal activity. Section 17 of the Crime and Disorder Act 1998 requires the Local Planning Authority to exercise their functions with due regard to their likely effect on crime and disorder and to do all they reasonably can to prevent crime and disorder. This is further supported by Paragraph 91 of the NPPF states "Planning policies and decisions should aim to achieve healthy, inclusive and safe places which... are safe and accessible, so that crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion".

1.37 Cleveland Police have had regard to the proposed plans and have confirmed that they would have no objections to the proposal subject to a number of safety and security measures, to include the provision of doors and windows secured to required standards, the provision of a door viewer, and the installation of robust gates. This advice can be relayed to the applicant via a suitable informative.

1.38 HBC Community Safety have also offered no objections to the proposal and have commented that with the assurance that appropriate security measures and robust property management will be in place, there are no community safety concerns regarding the proposed change of use of the property to 2no. flats in this location. It is therefore considered acceptable in this regard.

Drainage and Contaminated Land

1.39 The site is located outside of Flood Zones 2 and 3. The Council's Engineering Consultancy were consulted in respect of the application and have confirmed they would have no objection to the proposal in respect of surface water management or contaminated land, therefore the proposal is considered to be acceptable in these respects.

Waste

1.40 It is acknowledged that a neighbour representation has raised concerns regarding the proliferation of waste and querying that the proposed plans to store waste are acceptable. The proposed use has the potential to generate a higher level of refuse/waste given the increased number of occupants. It is noted that provision is made for refuse storage to serve each self-contained flat individually, with access to this at the rear of the host property. No objections have been received from HBC Waste Management or HBC Public Protection in respect of waste facilities, and therefore the proposal is considered acceptable.

RESIDUAL MATTERS

1.41 Cleveland Fire Brigade have confirmed that they have no representations to make in respect of the application but have provided advice in respect of Access and Water Supplies. Ultimately this is a building regulations matter and is beyond the remit of the Local Planning Authority. A suitable informative is recommended to make the applicant aware of this advice.

1.42 It is acknowledged that a neighbour representation raises concerns regarding the view of the occupier of flat 1 (which would look out onto the back yard from the proposed living room window). The 'right to light' and 'right to a view' operate separately from the planning system and are not a material planning consideration. Notwithstanding this, it is acknowledged that the dwelling currently has the same outlook from a habitable room (dining room, which will change to a living room).

1.43 It is noted that a neighbour objection has been received that raises concerns regarding the nature of tenants of the proposed property. The occupation of rented properties are not material planning considerations and as such, no weight can be given to these matters.

CONCLUSION

1.44 On balance and in light of the considerations detailed above, it is considered that the principle of the proposed change of use to two self-contained flats is acceptable. It is considered that the proposal would not give rise to adverse impacts upon the visual amenity, neighbour amenity, highway safety, community safety or any other planning matter. Furthermore, the proposal would bring a vacant building back into use. It is therefore considered the development accords with policies HSG2, HSG11, QP4 and QP5 of the Hartlepool Local Plan (2018) and paragraphs

124, 127 and 130 of the National Planning Policy Framework 2019 and should be conditionally approved.

EQUALITY AND DIVERSITY CONSIDERATIONS

1.45 There is no evidence of equality or diversity implications.

SECTION 17 OF THE CRIME AND DISORDER ACT 1998 CONSIDERATIONS

1.46 The Crime and Disorder Act 1998 requires local authorities to consider crime and disorder reduction in the exercise of all their duties, activities and decision-making.

1.47 There are no Section 17 implications.

REASON FOR DECISION

1.48 It is considered by Officers that the proposal in the context of relevant planning policies and material planning considerations is acceptable as set out in the Officer's Report.

RECOMMENDATION – APPROVE, subject to the conditions below:

1. The development to which this permission relates shall be begun not later than three years from the date of this permission.
To clarify the period for which the permission is valid.
2. The development hereby permitted shall be carried out in accordance with the plans and details Drg. No. BS/19/90/TypeC/O2 Rev A 'Floor Plans and Elevations Existing and Proposed' received by the Local Planning Authority on 29th April 2020; and Drg. No. BS/19/90/TypeC/O1 Rev A 'OS Site Location Plan (scale 1:1250) and Block Plans (scale 1:500) received by the Local Planning Authority on 4th May 2020.
For the avoidance of doubt.
3. Prior to the development hereby approved being brought into use, a scheme demonstrating appropriate noise insulation between the application site and the adjoining neighbouring property at 52 Belk Street shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the agreed scheme shall be implemented prior to the occupancy of the development hereby approved and retained for the life of the development.
In the interests of the amenities of the occupants of neighbouring properties.
4. The development hereby approved shall be used as 2no. flats as defined by The Town and Country Planning (Development Management Procedure) (England) Order 2015 or in any provision equivalent to that Order in any statutory instrument revoking or re-enacting that Order with or without modification.
For the avoidance of doubt and in the interests of the amenities of the occupants of neighbouring properties.

BACKGROUND PAPERS

1.49 Background papers can be viewed by the 'attachments' on the following public access page:

<http://eforms.hartlepool.gov.uk/portal/servlets/ApplicationSearchServlet?PKID=137539>

1.50 Copies of the applications are available on-line:

<http://eforms.hartlepool.gov.uk:7777/portal/servlets/ApplicationSearchServlet>
except for such documents that contain exempt or confidential information.

CONTACT OFFICER

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Hartlepool
TS24 8AY

Tel: (01429) 523400

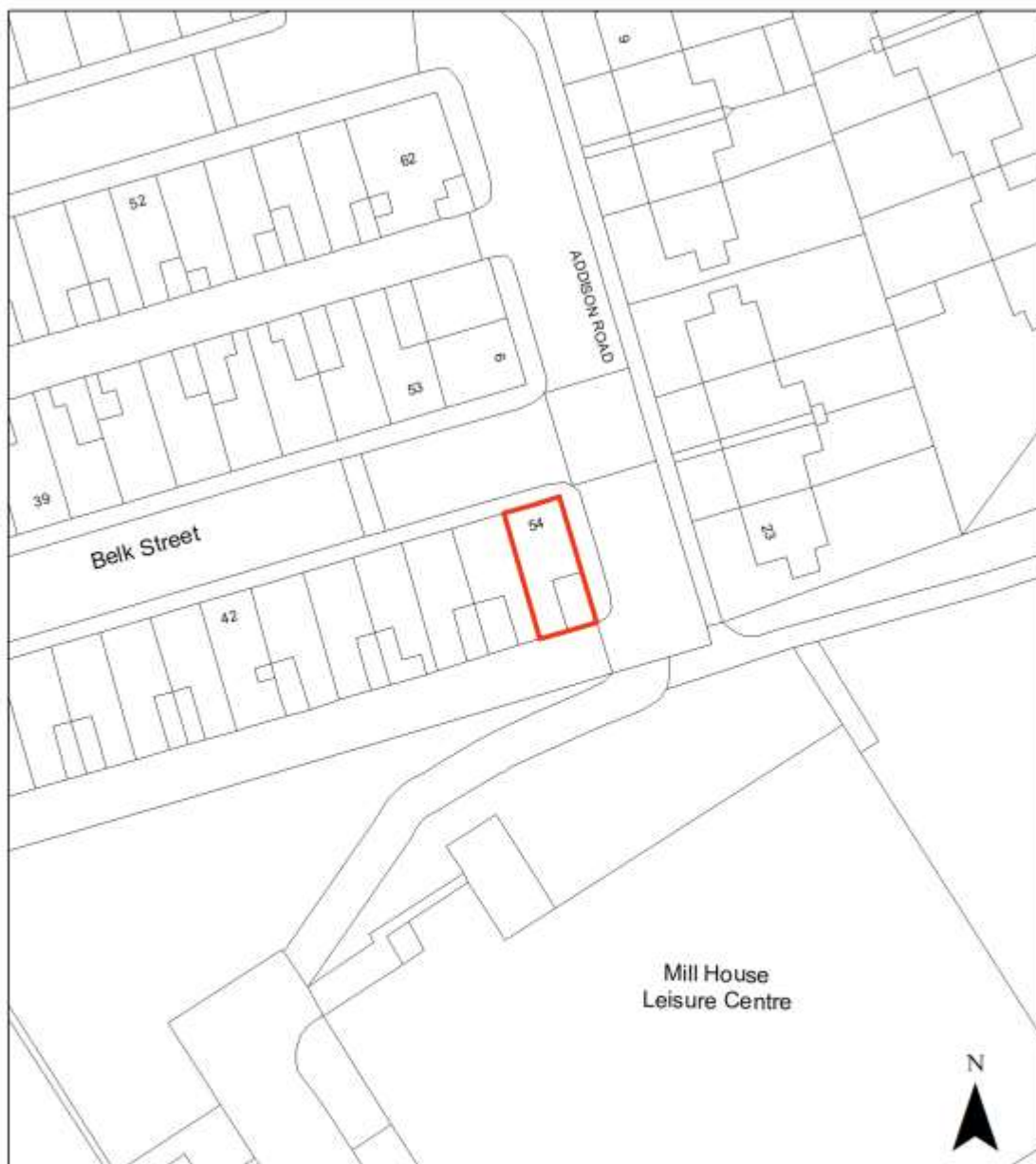
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1.52 Stephanie Bell
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54 Belk Street, Hartlepool

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THIS PLAN IS FOR SITE IDENTIFICATION PURPOSE ONLY

HARTLEPOOL BOROUGH COUNCIL	DRAWN JB	DATE 20.7.2020
	SCALE 1:500	
Dept of Regeneration & Neighbourhoods Civic Centre, Victoria Road, Hartlepool TS24 8AY	DRG.NO H/2020/0127	REV

No: 2
Number: H/2020/0128
Applicant: MR CRAIG ELLIS GOSFORTH PARK WAY GOSFORTH
BUSINESS PARK NEWCASTLE UPON TYNE NE12
8ET
Agent: RNJ PARTNERSHIP LLP MR SIMON NESTI 2
DIAMOND COURT KENTON NEWCASTLE UPON TYNE
NE3 2EN
Date valid: 28/04/2020
Development: Change of use from 1no. dwellinghouse to 2no. flats
with associated external alterations including installation
of porch and access door to front and alterations to
chimney
Location: 9 GREENWOOD ROAD HARTLEPOOL

PURPOSE OF REPORT

2.1 An application has been submitted for the development highlighted within this report; accordingly Hartlepool Borough Council as Local Planning Authority is required to make a decision on this application. This report outlines the material considerations in relation to the proposal and presents a recommendation.

BACKGROUND

2.2 A number of similar planning applications (25no. in total) have been submitted by the applicant (Home Group, a housing association) within the Borough for a change of use from 1no. dwellinghouse to 2no. flats and to which a number of these applications (11no.) form part of the same planning committee agenda as the current application.

2.3 The supporting Design and Access Statement for the applications indicates that the proposed scheme is part of the 'Move On Project' that is "intended to provide necessary accommodation and support to enable independent living, particularly targeted at those leaving homelessness services or domestic violence services". One of the applications relates to a proposal for the provision of a management hub (with a flat above) at 10 Greenwood Road (ref; H/2020/0152), which is currently pending consideration at the time of writing (22.07.2020). The hub is intended to "provide on-site office space to support customers in nearby properties".

PROPOSAL

2.4 Planning permission is sought through this application for the change of use from a residential dwelling (C3 use class) to 2no. self-contained flats (C3 use class) at 9 Greenwood Road. The property would contain one two-bedroomed flat on the ground floor (flat 1), one one-bedroomed flat on the first floor (flat 2). Access to refuse storage on the western side of the property would be via the main access door at the front for each flat.

2.5 The proposal would include the erection of a porch and canopy to the front to accommodate an additional front door, from which flat 2 would be accessed. The proposed porch would measure approximately 1m in width, projecting from the front elevation by approximately 0.95m and adjoining a proposed canopy to extend a further 1.95m (approx.) with a total width being approximately 2.95m. The proposed porch would feature a lean-to roof with a maximum height of approximately 3.2m, dropping to approximately 2.6m at eaves level. To facilitate the proposed porch, the ground floor window at the front would be reduced in size.

2.6 The application includes the bricking up of 1no. door and 1no. window and the installation of 1no. window (which would be obscurely glazed) in the ground floor of the two storey extension to the side of the host property. This would result in the rear garden being accessible only to occupiers of the ground floor flat.

2.7 Internally, at ground floor the proposal would feature 2no. bedrooms in place of the existing kitchen/diner and W.C at ground floor, with a kitchen being installed in the living space at the front, and a bathroom being installed in the extension on the western side. At first floor level, a kitchen would be installed in place of the existing bedroom on the western side at the rear. The main front bedroom would be re-purposed as a living room to serve the occupiers. The proposal would include the installation and removal of stud walls to facilitate the creation of hallways as well as the chimney breast at ground floor level only (the external stack would remain unaffected).

2.8 The application has been referred to the planning committee due to the number of objections received (more than 2), in line with the Council's Scheme of Delegation.

SITE CONTEXT

2.9 The application site is a south facing two-storey linked property on Greenwood Road, which is currently vacant. The site is within a predominately residential area to the south of Middleton Road and west of Clarence Road. Adjoining to the west is 7 Greenwood Road (which is adjoined by a two storey flat roof extension to each property), while 11 Greenwood Road adjoins to the east (to make up a small terrace of 4 properties including the host property), both residential properties. To the south, beyond the main highway of Greenwood Road, the main highway of Lansbury Grove in addition to Nos. 8 and 10 Greenwood Road, as well as Nos. 1 and 2 Lansbury Road are present. To the rear, Nos. 60 and 62 Middleton Road abound the site. The host property includes a small garden to the front and a garden at the rear, which is presently accessed via a rear access door in the extension to the side. The rear garden is enclosed by a fence with an approximate height of 1.8m along the boundary on all three sides, whilst to the front the boundary treatment includes a picket fence with a height of approximately 1.2m.

PUBLICITY

2.10 The application has been advertised by way of neighbour letters (13) and a site notice. To date, there have been 4 objections.

2.11 The concerns raised can be summarised as follows:

- The proposal relates to several empty properties in the area including Middleton Road, not just this application
- Anti-social and unsocial behaviour
- Parking, including issues on Middleton Road
- Noise nuisance
- Properties were intended to be single dwellings
- Drainage issues
- Telecommunications issues
- Properties are not regularly maintained
- High turnover and void stock due to bad vetting and poor maintenance
- Bedroom tax has caused the problems with empty properties
- Untidy gardens

2.12 Background papers can be viewed by the 'attachments' on the following public access page:

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2.13 The period for publicity has expired.

CONSULTATIONS

2.14 The following consultation replies have been received:

HBC Building Control: I can confirm that a Building Regulation application is required for the works as described.

HBC Landscape Architect: There are no landscape and visual objections to the proposed development.

HBC Flood Risk Officer: In response to your consultation on the above application I have no objection to proposals in respect of surface water management or contaminated land.

HBC Public Protection: I have no objections to this application subject to a sound insulation condition to the party wall with the neighbouring property.

HBC Waste Management: No comments to make.

HBC Estates: No comments received.

HBC Traffic and Transport: There are no highway or traffic concerns.

There is no off street parking associated with this property, this is not considered an issue as car ownership is generally at a low level for occupants of these types of dwellings.

HBC Community Safety: These proposals will assist in easing the shortage of this type of accommodation in Hartlepool. With the assurance that appropriate security measures and robust property management will be in place, there are no community safety concerns.

HBC Arboricultural Officer: No comments received.

Cleveland Police: Police have no objections to this application but have the following recommendations in relation to crime prevention.

The premises will provide much needed accommodation for some of the most vulnerable members of society the premises therefore is required to provide a level of security to provide a safe and secure premise to live.

All replacement doors and accessible windows certified to PAS 24 2016 including entrance to flat Door viewer to all entrance doors.

Dusk Dawn to entrance doors.

Secure gate to rear garden.

Cleveland Fire Brigade: Cleveland fire Brigade offers no representations regarding the development as proposed. However Access and Water Supplies should meet the requirements as set out in: Approved Document B, Volume 1 :20 19 , Section B5 for Dwellings . It should be noted that Cleveland Fire Brigade now utilise a Magirus Multistar Combined Aerial Rescue Pump (CARP) which has a vehicle weight of 17.5 tonnes. This is greater than the specified weight in AD B Vol 1Section B5 Table 13.1. Further comments may be made through the building regulation consultation process as required.

Tees Archaeology: Thank you for the consultation. There are no archaeological requirements for this application.

Northumbrian Water: Having assessed the proposed development against the context outlined above I can confirm that at this stage we would have no comments to make.

PLANNING POLICY

2.15 In relation to the specific policies referred to in the section below please see the Policy Note at the end of the agenda.

2.16 The following policies in the adopted Hartlepool Local Plan 2018 are relevant to the determination of this application:

HSG1: New Housing Provision
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 QP7: Energy Efficiency
 SUS1: The Presumption in Favour of Sustainable Development

National Policy

2.17 In February 2019 the Government issued a revised National Planning Policy Framework (NPPF) replacing the 2012 and 2018 NPPF versions. The NPPF sets out the Governments Planning policies for England and how these are expected to be applied. It sets out the Government requirements for the planning system. The overriding message from the Framework is that planning authorities should plan positively for new development. It defines the role of planning in achieving sustainable development under three overarching objectives; an economic objective, a social objective and an environmental objective, each mutually dependent. At the heart of the Framework is a presumption in favour of sustainable development. For decision-taking, this means approving development proposals that accord with an up-to-date development plan without delay or, where there are no relevant development plan policies or the policies which are most important for determining the application are out-of-date, granting permission unless policies within the Framework provide a clear reason for refusal or any adverse impacts of doing so would significantly and demonstrably outweigh the benefits. The following paragraphs are relevant to this application:

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PARA 012: The presumption in favour of sustainable development

PARA 038: Decision-Making

PARA 047: Determining Applications

PARA 059: Delivering a sufficient supply of homes

PARA 122: Achieving appropriate densities

PARA 124: Achieving well-designed places

PARA 127: Achieving well-designed places

PARA 130: Achieving well-designed places

PARA 150: Planning for Climate Change

PARA 212: Implementation

PLANNING CONSIDERATIONS

2.18 The main issues for consideration in this instance are the appropriateness of the proposal in principle in terms of the policies and proposals held within the Hartlepool Local Plan (2018) and the NPPF (2019) including the principle of development, the impact on the character and appearance of the existing building and surrounding area, the impact upon highway safety, impact on the amenity and privacy of neighbouring properties and crime and security. These and any other planning and non-planning matters are detailed below.

PRINCIPLE OF DEVELOPMENT

2.19 The host property currently benefits from an existing residential C3 use, and is situated within a residential street. The proposal is for the change of use to two flats which would retain the residential C3 use. As such the general principle of residential development in this location is considered to be acceptable in principle. The application site is located within walking distance of existing shops and services, and proximity to local bus services which provides access to the public transport network. Therefore, the site is considered to be in a sustainable location.

2.20 The Council's Community Safety section have been consulted in respect of the proposal and consider that the proposals would assist in easing the shortage of this type of accommodation in Hartlepool. Furthermore, the Council's Planning Policy section has been consulted and has not raised any objections in respect of the proposed change of use.

2.21 In light of the above, the principle of development is considered to be acceptable subject to the consideration of all other material planning considerations as detailed below.

VISUAL AMENITY AND CHARACTER OF SURROUNDING AREA

2.22 The application site is located within Greenwood Road, a residential street in Hartlepool. It is of note that the proposal includes the installation of a porch and canopy with the installation of an additional front door. The proposal also includes the removal of the existing door on the two storey extension to the side of the host property which would result in 2no. doors in this front elevation. It is considered that this would result a notable change to the fenestration on the existing dwelling, which is at odds with the design and character of other properties in the street scene and has the potential to adversely affect the visual amenity of the street scene.

2.23 Notwithstanding this, it is of note that several properties in the street scene benefit from a canopy to the front and that there is a variety of external finishing materials to the surrounding properties. Further consideration is given to the modest scale and design of the proposed porch.

2.24 It is considered that the installation of a window in the two storey extension to the side would not be unduly dominant on the existing property or adversely impact upon its proportions. As noted above, the works to the chimney are internal only.

2.25 On balance, it is considered the proposed change of use would not result in such a significant incongruous feature on the existing property or detrimentally affect the street scene to warrant a reason to refuse the proposal in this instance. The Council's Landscape Architect has had regard to the proposal and has no concerns with regard to the visual impacts.

2.26 The proposal does not increase the total number of bedrooms within the property and the use would remain residential which is considered to be acceptable in this location and would not adversely affect the character of the street scene or

significantly intensify the residential use of the area. As noted above the principle of development is considered to be appropriate in this location.

2.27 In light of the above considerations, the proposal is considered to be acceptable with respect to the impacts on the character and appearance of the existing building and surrounding area.

AMENITY OF NEIGHBOURING LAND USERS

2.28 It is acknowledged that neighbour representations have been received in respect of adverse impacts of the proposal on the amenity of neighbouring residential properties. The host property is a linked property and as such adjoins to 11 Greenwood Road to the east and 7 Greenwood Road to the west. It is noted that the proposal includes the installation of a porch on the front elevation. The relationship between neighbouring properties is such that there would be a separation distance of approximately 4m from the proposed porch at the host property to the principal elevation of the adjoining neighbour at No. 11 (to the east) and approximately 6.4m to the adjoining neighbour at No. 7 (west). A separation distance of approximately 19m would remain to the front elevation of the closest neighbour at the front at No. 10, with the public highway between.

2.29 Whilst it is acknowledged that the proposed porch does not achieve required separation distances that would comply with policy QP4 of the Hartlepool Local Plan (2018) or the Residential Design Guide SPD (2019), as detailed above, the existing relationship between windows at the host property and neighbouring properties is established and the proposal does not seek to introduce windows (aside from one which would be obscurely glazed in the existing extension). Furthermore, such relationships are a characteristic of the area. Given the modest scale of the proposal (including height under 4m) and that it would serve a non-habitable room(s), on balance, it is considered that this element of the proposal would not result in an unacceptable loss of amenity and privacy for neighbouring land users to the front (south) or to the adjoining properties to the east and west in terms of outlook, overbearing and overshadowing. As the proposed porch would be to the front of the host property, it would be screened from neighbours to the rear (60 and 62 Middleton Road) and it is considered there would be no adverse impacts on their amenity or privacy in terms of overlooking.

2.30 In terms of the alterations to the use of the existing rooms, it is noted that the existing kitchen/diner at the ground floor of the property would become a bedroom. It is acknowledged that the window serving this proposed bedroom would be approximately 0.3m from the boundary with the adjoining neighbour to the east (No. 11), and that as noted above, there is a boundary fence with a height of approximately 1.8m enclosing the rear garden of the host property along this western boundary. Owing to this relationship it is considered that direct views would not be achievable from the proposed bedroom at flat 1 into the rear elevation of neighbouring properties or direct views into their rear garden amenity space.

2.31 In terms of the other alterations to the layout, the existing bedroom on the first floor would become a kitchen to serve the residents of flat 2 (going from a habitable room to a non-habitable room). As noted above, the two storey extension element to

the side on the ground floor would become a bathroom to serve residents of flat 1, with a kitchen being installed in the existing living room to the front (which would remain) to serve flat 1. Given that the relationship between the host property and neighbouring properties is already established, and the proposal would not seek to reduce separation distances or introduce windows which would allow for unacceptable direct views into neighbouring properties at the front (Nos. 8 and 10 Greenwood Road and Nos. 1 and 2 Lansbury Grove) and it is considered that no adverse overlooking could be achieved between flat 1 and flat 2 and vice versa. On balance, it is considered that there would not be any adverse impacts on the privacy of neighbouring properties to the sides (7 and 11 Greenwood Rd), rear (60 and 62 Middleton Road) or front (8 and 10 Greenwood Road and 1 and 2 Lansbury Grove) as a result of this proposed alterations to the room layout.

2.32 It is acknowledged that the nature and layout of the proposed use has the potential to introduce greater levels of activity to areas within the property than the current use as a single dwelling and as such has the potential to cause noise related nuisance to areas of the neighbouring dwellings (particularly bedrooms) where they could reasonably expect low levels of noise and disturbance. The Council's Public Protection team have been consulted upon the application and their response raises no objections to the application subject to noise insulation measures being conditioned for party walls with adjoining properties. It is considered that a planning condition is necessary to secure the noise insulation measures (mentioned above) and therefore, subject to this, the proposal is acceptable in this regard.

2.33 In conclusion, it is considered that the proposal would not cause any significant adverse impact on the amenity and privacy of neighbouring properties (including future occupiers of the flats proposed) subject to necessary planning conditions (as detailed above) as to warrant a refusal of the application in this instance and therefore, on balance, the proposal is acceptable in this regard.

HIGHWAY AND PEDESTRIAN SAFETY AND CAR PARKING

2.34 In terms of car parking, it is acknowledged that neighbour objections have been received in respect of parking issues in the street (Greenwood Road) and Middleton Road to the north. The site is located with an area consisting primarily of linked residential properties. In common with other dwellings in the neighbourhood, the site lacks in-curtilage parking accessible to the highway and would therefore be unable to provide for any off-street parking. The Council's Traffic and Transport section have been consulted with respect to the proposal and have not raised any concerns.

2.35 As noted above, consideration is also given the site's location close to public transport links. Therefore, the proposal is not considered to result in a significant detrimental impact on parking and highway safety and is therefore deemed acceptable in this regard.

OTHER PLANNING MATTERS

Safety and Security

2.36 Section 17 of the Crime and Disorder Act 1998 requires the Local Planning Authority to exercise their functions with due regard to their likely effect on crime and disorder and to do all they reasonably can to prevent crime and disorder. This is further supported by Paragraph 91 of the NPPF states “Planning policies and decisions should aim to achieve healthy, inclusive and safe places which... are safe and accessible, so that crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion”.

2.37 Cleveland Police have confirmed that they would have no objections to the proposal subject to a number of safety and security measures, to include the provision of doors and windows secured to required standards, the provision of a door viewer, and robust gates. This advice can be relayed to the applicant via a suitable informative.

2.38 HBC Community Safety have offered no objections to the proposal and have commented that with the assurance that appropriate security measures and robust property management will be in place, there are no community safety concerns. It is therefore considered acceptable in this regard.

Drainage + Contaminated Land

2.39 The site is located outside of Flood Zones 2 and 3. It is acknowledged that a neighbour objection has been received citing issues around drainage, however the Council’s Engineering Consultancy were consulted in respect of the application and have confirmed they would have no objection to the proposal in respect of surface water management or contaminated land, therefore the proposal is considered to be acceptable in these respects.

Waste

2.40 The proposed use has the potential to generate a higher level of refuse/waste given the increased number of occupants. It is noted that provision is made for refuse storage to serve each self-contained flat individually, with access to this at the side of the main front of the host property. No objections have been received from HBC Waste Management or HBC Public Protection in respect of waste facilities, and therefore the proposal is considered acceptable..

RESIDUAL MATTERS

2.41 Cleveland Fire Brigade have confirmed that they have no representations to make in respect of the application but have provided advice in respect of Access and Water Supplies. Ultimately this is a building regulations matter and is beyond the remit of the Local Planning Authority. A suitable informative is recommended to make the applicant aware of this advice.

NON-PLANNING MATTERS

2.42 It is noted that neighbour objections have been received raising concerns that properties in the street are occupied by families and that there are an abundance of flats elsewhere in Hartlepool; and that properties are not well maintained, with untidy gardens and a lack of vetting; and that there is a high turnover of tenants. These are not material planning considerations. The occupation of rented properties is not a material planning consideration and as such, no weight can be given to these matters.

CONCLUSION

2.43 On balance and in light of the considerations detailed above, it is considered that the principle of the proposed change of use to two self-contained flats is acceptable. It is considered that the proposal would not give rise to adverse impacts upon the visual amenity, neighbour amenity, highway safety, community safety or any other planning matter. Furthermore, the proposal would bring a vacant building back into use. It is therefore considered the development accords with policies HSG2, HSG11, QP4 and QP5 of the Hartlepool Local Plan (2018) and paragraphs 124, 127 and 130 of the National Planning Policy Framework 2019 and should be conditionally approved.

EQUALITY AND DIVERSITY CONSIDERATIONS

2.44 There is no evidence of equality or diversity implications.

SECTION 17 OF THE CRIME AND DISORDER ACT 1998 CONSIDERATIONS

2.45 The Crime and Disorder Act 1998 requires local authorities to consider crime and disorder reduction in the exercise of all their duties, activities and decision-making.

2.46 There are no Section 17 implications.

REASON FOR DECISION

2.47 It is considered by Officers that the proposal in the context of relevant planning policies and material planning considerations is acceptable as set out in the Officer's Report.

RECOMMENDATION – APPROVE, subject to the conditions below:

1. The development to which this permission relates shall be begun not later than three years from the date of this permission.
To clarify the period for which the permission is valid.
2. The development hereby permitted shall be carried out in accordance with the plans and details Drg. No. BS/19/90/TypeA/O2 Rev A 'Floor Plans and Elevations Existing and Proposed' received by the Local Planning Authority on 29th April 2020; and Drg. No. BS/19/90/TypeA/O1 Rev A 'OS Site Location Plan (scale

1:1250) and Block Plans (scale 1:500) received by the Local Planning Authority on 4th May 2020.

For the avoidance of doubt.

3. Prior to the development hereby approved being brought into use, a scheme demonstrating appropriate noise insulation between the application site and the adjoining neighbouring properties at 7 Greenwood Road and 11 Greenwood Road shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the agreed scheme shall be implemented prior to the occupancy of the development hereby approved and retained for the life of the development.

In the interests of the amenities of the occupants of neighbouring properties.

4. The development hereby approved shall be used as 2no. flats as defined by The Town and Country Planning (Development Management Procedure) (England) Order 2015 or in any provision equivalent to that Order in any statutory instrument revoking or re-enacting that Order with or without modification.

For the avoidance of doubt and in the interests of the amenities of the occupants of neighbouring properties.

BACKGROUND PAPERS

2.48 Background papers can be viewed by the 'attachments' on the following public access page:

<http://eforms.hartlepool.gov.uk/portal/servlets/ApplicationSearchServlet?PKID=137540>

2.49 Copies of the applications are available on-line:

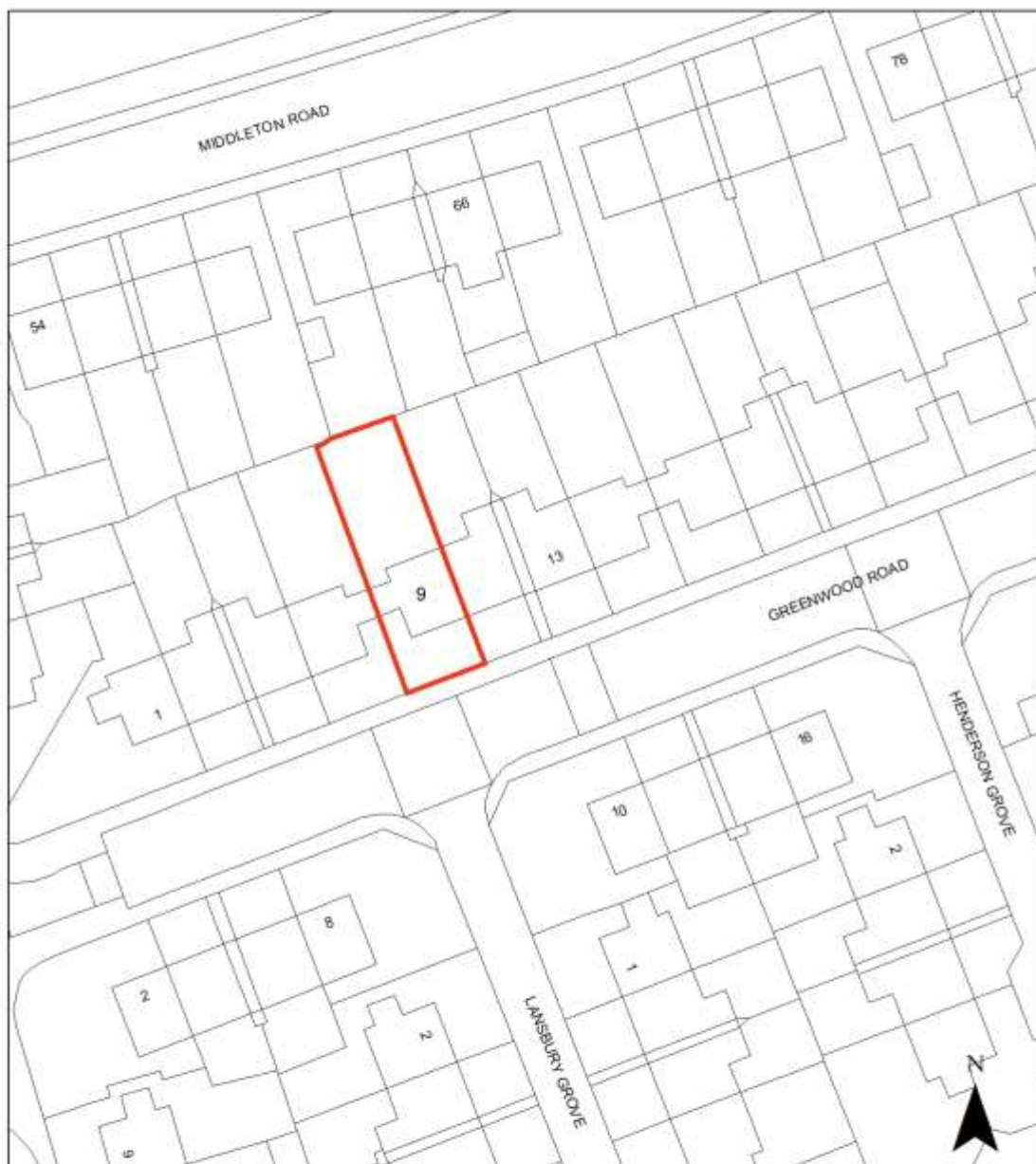
<http://eforms.hartlepool.gov.uk:7777/portal/servlets/ApplicationSearchServlet>
except for such documents that contain exempt or confidential information.

CONTACT OFFICER

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THIS PLAN IS FOR SITE IDENTIFICATION PURPOSE ONLY

HARTLEPOOL BOROUGH COUNCIL	DRAWN JB	DATE 20.7.2020
	SCALE 1:500	
Dept of Regeneration & Neighbourhoods Civic Centre, Victoria Road, Hartlepool TS24 8AY	DRG.NO H/2020/0128	REV

No: 3
Number: H/2020/0129
Applicant: MR CRAIG ELLIS GOSFORTH PARK WAY GOSFORTH
 BUSINESS PARK NEWCASTLE UPON TYNE NE12
 8ET
Agent: RNJ PARTNERSHIP LLP MR SIMON NESTI 2
 DIAMOND COURT KENTON NEWCASTLE UPON TYNE
 NE3 2EN
Date valid: 28/04/2020
Development: Change of use from 1no. dwellinghouse to 2no. flats with
 associated external alterations including installation of
 porch and access door to front and alterations to chimney
Location: 25 GREENWOOD ROAD HARTLEPOOL

PURPOSE OF REPORT

3.1 An application has been submitted for the development highlighted within this report; accordingly Hartlepool Borough Council as Local Planning Authority is required to make a decision on this application. This report outlines the material considerations in relation to the proposal and presents a recommendation.

BACKGROUND

3.2 A number of similar planning applications (25no. in total) have been submitted by the applicant (Home Group, a housing association) within the Borough for a change of use from 1no. dwellinghouse to 2no. flats and to which a number of these applications (11no.) form part of the same planning committee agenda as the current application.

3.3 The supporting Design and Access Statement for the applications indicates that the proposed scheme is part of the 'Move On Project' that is "intended to provide necessary accommodation and support to enable independent living, particularly targeted at those leaving homelessness services or domestic violence services". One of the applications relates to a proposal for the provision of a management hub (with a flat above) at 10 Greenwood Road (ref; H/2020/0152), which is currently pending consideration at the time of writing (22.07.2020). The hub is intended to "provide on-site office space to support customers in nearby properties".

PROPOSAL

3.4 Planning permission is sought through this application for the change of use from a residential dwelling (C3 use class) to 2no. self-contained flats (C3 use class) at 25 Greenwood Road. The property would contain one two-bedroomed flat on the ground floor (flat 1) and one one-bedroomed flat on the first floor (flat 2). Access to refuse storage on the western side of the property would be via the main access door at the front for each flat.

3.5 The proposal would include the erection of a porch and canopy to the front to accommodate an additional front door, from which flat 2 would be accessed. The proposed porch would measure approximately 1m in width, projecting from the front elevation by approximately 0.95m and adjoining a proposed canopy to extend a further 1.95m (approx.) with a total width being approximately 2.95m. The proposed porch would feature a lean-to roof with a maximum height of approximately 3.2m, dropping to approximately 2.6m at eaves level. To facilitate the proposed porch, the existing ground floor window at the front would be reduced in size.

3.6 The application includes the bricking up of 1no. door and 1no. window and the installation of 1no. window (which would be obscurely glazed) in the ground floor of the two storey extension to the side of the host property. This would result in the rear garden being accessible only to occupiers of the ground floor flat.

3.7 Internally, at ground floor the proposal would feature 2no. bedrooms in place of the existing kitchen/diner and W.C at ground floor, with a kitchen being installed in the living space at the front, and a bathroom being installed in the extension on the western side. At first floor level, a kitchen would be installed in place of the existing bedroom on the western side at the rear. The main front bedroom would be re-purposed as a living room to serve the occupiers. The proposal would include the installation and removal of stud walls to facilitate the creation of hallways.

3.8 The application has been referred to the planning committee due to the number of objections received (more than 2), in line with the Council's Scheme of Delegation.

SITE CONTEXT

3.9 The application site is a south facing two-storey linked property on Greenwood Road, which is currently vacant. The site is within a predominately residential area to the south of Middleton Road and west of Clarence Road. Adjoining to the west is 23 Greenwood Road (which is adjoined by a two storey flat roof extension to each property), while 27 Greenwood Road adjoins to the east (to make up a small terrace of 4 properties including the host property), both of which are residential properties. To the south, beyond the main highway of Greenwood Road, are No's 18 and 20 Greenwood Road. To the rear Nos. 76 and 78 Middleton Road bound the site.

3.10 The host property includes a small garden to the front and a garden at the rear, which is presently accessed via a rear access door in the extension to the side. The rear garden is enclosed by a fence with an approximate height of 1.8m along the boundary on all three sides, whilst to the front the boundary treatment includes a picket fence with a height of approximately 1.2m.

PUBLICITY

3.11 The application has been advertised by way of neighbour letters (21) and a site notice. To date, there have been 3 objections.

3.12 The concerns raised can be summarised as follows:

- Anti-social behaviour, including partying and playing loud music
- Parking

- Noise nuisance
- Untidy gardens

3.13 Background papers can be viewed by the 'attachments' on the following public access page:

<http://eforms.hartlepool.gov.uk/portal/servlets/ApplicationSearchServlet?PKID=137541>

3.14 The period for publicity has expired.

CONSULTATIONS

The following consultation replies have been received:

HBC Building Control: I can confirm that a Building Regulation application is required for the works as described.

HBC Landscape Architect: There are no landscape and visual objections to the proposed development.

HBC Flood Risk Officer: In response to your consultation on the above application I have no objection to proposals in respect of surface water management or contaminated land.

HBC Public Protection: I have no objections to this application subject to a sound insulation condition to the party wall with the neighbouring property.

HBC Waste Management: No comments to make.

HBC Estates: No comments received.

HBC Traffic and Transport: There are no highway or traffic concerns.

There is no off street parking associated with this property, this is not considered an issue as car ownership is generally at a low level for occupants of these types of dwellings.

HBC Community Safety: These proposals will assist in easing the shortage of this type of accommodation in Hartlepool. With the assurance that appropriate security measures and robust property management will be in place, there are no community safety concerns.

HBC Arboricultural Officer: No comments received.

Cleveland Police: Police have no objections to this application but have the following recommendations in relation to crime prevention.

The premises will provide much needed accommodation for some of the most vulnerable members of society the premises therefore is required to provide a level of security to provide a safe and secure premise to live.

All replacement doors and accessible windows certified to PAS 24 2016 including entrance to flat Door viewer to all entrance doors.

Dusk Dawn to entrance doors.

Secure gate to rear garden.

Cleveland Fire Brigade: Cleveland fire Brigade offers no representations regarding the development as proposed. However Access and Water Supplies should meet the requirements as set out in: Approved Document B, Volume 1:2019, Section B5 for Dwellings. It should be noted that Cleveland Fire Brigade now utilise a Magirus Multistar Combined Aerial Rescue Pump (CARP) which has a vehicle weight of 17.5 tonnes. This is greater than the specified weight in AD B Vol 1 Section B5 Table 13.1. Further comments may be made through the building regulation consultation process as required.

Tees Archaeology: Thank you for the consultation. There are no archaeological requirements for this application.

Northumbrian Water: Having assessed the proposed development against the context outlined above I can confirm that at this stage we would have no comments to make.

PLANNING POLICY

3.15 In relation to the specific policies referred to in the section below please see the Policy Note at the end of the agenda.

3.16 The following policies in the adopted Hartlepool Local Plan 2018 are relevant to the determination of this application:

HSG1: New Housing Provision
HSG11: Extensions and Alterations To Existing Dwellings
HSG2: Overall Housing Mix
LS1: Locational Strategy
QP3: Location, Accessibility, Highway Safety and Parking
QP4: Layout and Design of Development
QP5: Safety and Security
QP6: Technical Matters
QP7: Energy Efficiency
SUS1: The Presumption in Favour of Sustainable Development

National Policy

3.17 In February 2019 the Government issued a revised National Planning Policy Framework (NPPF) replacing the 2012 and 2018 NPPF versions. The NPPF sets out the Governments Planning policies for England and how these are expected to be applied. It sets out the Government requirements for the planning system. The overriding message from the Framework is that planning authorities should plan positively for new development. It defines the role of planning in achieving sustainable development under three overarching objectives; an economic objective, a social objective and an environmental objective, each mutually dependent. At the heart of the Framework is a presumption in favour of sustainable development. For decision-taking, this means approving development proposals that accord with an

up-to-date development plan without delay or, where there are no relevant development plan policies or the policies which are most important for determining the application are out-of-date, granting permission unless policies within the Framework provide a clear reason for refusal or any adverse impacts of doing so would significantly and demonstrably outweigh the benefits. The following paragraphs are relevant to this application:

PARA 001: Introduction

PARA 002: Permission determined in accordance with development plan

PARA 003: Introduction

PARA 007: Achieving sustainable development

PARA 008: Achieving sustainable development

PARA 010: Achieving sustainable development

PARA 011: The presumption in favour of sustainable development

PARA 012: The presumption in favour of sustainable development

PARA 038: Decision-Making

PARA 047: Determining Applications

PARA 059: Delivering a sufficient supply of homes

PARA 122: Achieving appropriate densities

PARA 124: Achieving well-designed places

PARA 127: Achieving well-designed places

PARA 130: Achieving well-designed places

PARA 150: Planning for Climate Change

PARA 212: Implementation

PLANNING CONSIDERATIONS

3.18 The main issues for consideration in this instance are the appropriateness of the proposal in principle in terms of the policies and proposals held within the Hartlepool Local Plan (2018) and the NPPF (2019) including the principle of development, the impact on the character and appearance of the existing building and surrounding area, the impact upon highway safety, impact on the amenity and privacy of neighbouring properties and crime and security. These and any other planning and non-planning matters are detailed below.

PRINCIPLE OF DEVELOPMENT

3.19 The host property currently benefits from an existing residential C3 use, and is situated within a residential street. The proposal is for the change of use to two flats which would retain the residential C3 use. As such the general principle of residential development in this location is considered to be acceptable in principle. The application site is located within walking distance of existing shops and services, and proximity to local bus services which provides access to the public transport network. Therefore, the site is considered to be in a sustainable location.

3.20 The Council's Community Safety section have been consulted in respect of the proposal and consider that the proposals would assist in easing the shortage of this type of accommodation in Hartlepool. Furthermore, the Council's Planning Policy section has been consulted and has not raised any objections in respect of the proposed change of use.

3.21 In light of the above, the principle of development is considered to be acceptable subject to the consideration of all other material planning considerations as detailed below.

VISUAL AMENITY AND CHARACTER OF SURROUNDING AREA

3.22 The application site is located within Greenwood Road, a residential street in Hartlepool. It is of note that the proposal includes the installation of a porch and canopy with the installation of an additional front door. The proposal also includes the removal of the existing door on the two storey extension to the side of the host property which would result in 2no. doors in this front elevation. It is considered that this would result a notable change to the fenestration on the existing dwelling, which is at odds with the design and character of other properties in the street scene and has the potential to adversely affect the visual amenity of the street scene.

3.23 Notwithstanding this, it is of note that several properties in the street scene benefit from a canopy to the front and that there is a variety of external finishing materials to the surrounding properties. Further consideration is given to the modest scale and design of the proposed porch.

3.24 It is considered that the installation of a window in the two storey extension to the side would not be unduly dominant on the existing property or adversely impact upon its proportions.

3.25 On balance, it is considered the proposed change of use would not result in such a significant incongruous feature on the existing property or detrimentally affect the street scene to warrant a reason to refuse the proposal in this instance. The Council's Landscape Architect has had regard to the proposal and has no concerns with regard to the visual impacts.

3.26 The proposal does not increase the total number of bedrooms within the property and the use would remain residential which is considered to be acceptable in this location and would not adversely affect the character of the street scene or significantly intensify the residential use of the area. As noted above the principle of development is considered to be appropriate in this location.

3.27 In light of the above considerations, the proposal is considered to be acceptable with respect to the impacts on the character and appearance of the existing building and surrounding area.

AMENITY OF NEIGHBOURING LAND USERS

3.28 It is acknowledged that neighbour representations have been received in respect of adverse impacts of the proposal on the amenity of neighbouring residential properties. The host property is a linked property and as such adjoins to 27 Greenwood Road to the east and 23 Greenwood Road to the west. It is noted that the proposal includes the installation of a porch on the front elevation. The relationship between neighbouring properties is such that there would be a separation distance of approximately 4m from the proposed porch at the host

property to the principal elevation of the adjoining neighbour at No. 27 (to the east) and approximately 6.4m to the adjoining neighbour at No. 23 (west). A separation distance of approximately 19m would remain to the front elevation of the closest neighbour at the front at No. 18 with the public highway between.

3.29 Whilst it is acknowledged that the proposed porch does not achieve required separation distances that would comply with policy QP4 of the Hartlepool Local Plan (2018) or the Residential Design Guide SPD (2019), as detailed above, the existing relationship between windows at the host property and neighbouring properties is established and the proposal does not seek to introduce windows (aside from one which would be obscurely glazed in the existing extension). Furthermore, such relationships are a characteristic of the area. Given the modest scale of the proposal (including height under 4m) and that it would serve a non-habitable room(s), on balance, it is considered that this element of the proposal would not result in an unacceptable loss of amenity and privacy for neighbouring land users to the front (south) or to the adjoining properties to the east and west in terms of outlook, overbearing and overshadowing. As the proposed porch would be to the front of the host property, it would be screened from neighbours to the rear (76 and 78 Middleton Road) and it is considered there would be no adverse impacts on their amenity or privacy.

3.30 In terms of the alterations to the use of the existing rooms, it is noted that the existing kitchen/diner at the ground floor of the property would become a bedroom. It is acknowledged that the window serving this proposed bedroom would be approximately 0.3m from the boundary with the adjoining neighbour to the west (No. 23), and that as noted above, there is a boundary fence with a height of approximately 1.8m enclosing the rear garden of the host property along this western boundary. Owing to this relationship it is considered that direct views would not be achievable from the proposed bedroom at flat 1 into the rear elevation of neighbouring properties or direct views into their rear garden amenity space.

3.31 In terms of the other alterations to the layout, the existing bedroom on the first floor would become a kitchen to serve the residents of flat 2 (going from a habitable room to a non-habitable room). As noted above, the two storey extension element to the side on the ground floor would become a bathroom to serve residents of flat 1, with a kitchen being installed in the existing living room to the front (which would remain) to serve flat 1. Given that the relationship between the host property and neighbouring properties is already established, and the proposal would not seek to reduce separation distances or introduce windows which would allow for unacceptable direct views into neighbouring properties at the front (Nos. 18 and 20 Greenwood Road and No. 1 Henderson Grove), it is considered that no adverse overlooking could be achieved between flat 1 and flat 2 and vice versa. On balance, it is considered that there would not be any adverse impacts on the privacy of neighbouring properties to the sides (23 and 27 Greenwood Road), rear (76 and 78 Middleton Road) or front (18 and 20 Greenwood Road and 1 Henderson Grove) as a result of this proposed alterations to the room layout in terms of overlooking.

3.32 It is acknowledged that the nature and layout of the proposed use has the potential to introduce greater levels of activity to areas within the property than the current use as a single dwelling and as such has the potential to cause noise related

nuisance to areas of the neighbouring dwellings (particularly bedrooms) where they could reasonably expect low levels of noise and disturbance. The Council's Public Protection team have been consulted upon the application and their response raises no objections to the application subject to noise insulation measures being conditioned for party walls with adjoining properties. It is considered that a planning condition is necessary to secure the noise insulation measures (mentioned above) and therefore, subject to this, the proposal is acceptable in this regard.

3.33 In conclusion, it is considered that the proposal would not cause any significant adverse impact on the amenity and privacy of neighbouring properties (including future occupiers of the flats proposed) subject to necessary planning conditions (as detailed above) as to warrant a refusal of the application in this instance and therefore, on balance, the proposal is acceptable in this regard.

HIGHWAY AND PEDESTRIAN SAFETY AND CAR PARKING

3.34 In terms of car parking, it is acknowledged that neighbour objections have been received in respect of parking issues in the street (Greenwood Road). The site is located with an area consisting primarily of linked residential properties. In common with other dwellings in the neighbourhood, the site lacks in-curtilage parking accessible to the highway and would therefore be unable to provide for any off-street parking. The Council's Traffic and Transport section have been consulted with respect to the proposal and have not raised any concerns.

3.35 As noted above, consideration is also given the site's location close to public transport links. Therefore, the proposal is not considered to result in a significant detrimental impact on parking and highway safety and is therefore deemed acceptable in this regard.

OTHER PLANNING MATTERS

Safety and Security

3.36 It is acknowledged that neighbour objections refer to matters of crime and anti-social behaviour. Section 17 of the Crime and Disorder Act 1998 requires the Local Planning Authority to exercise their functions with due regard to their likely effect on crime and disorder and to do all they reasonably can to prevent crime and disorder. This is further supported by Paragraph 91 of the NPPF states "Planning policies and decisions should aim to achieve healthy, inclusive and safe places which... are safe and accessible, so that crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion".

3.37 Cleveland Police have confirmed that they would have no objections to the proposal subject to a number of safety and security measures, to include the provision of doors and windows secured to required standards, the provision of a door viewer, and robust gates. This advice can be relayed to the applicant via a suitable informative.

3.38 HBC Community Safety have offered no objections to the proposal and have commented that with the assurance that appropriate security measures and robust

property management will be in place, there are no community safety concerns. It is therefore considered acceptable in this regard.

Drainage + Contaminated Land

3.39 The site is located outside of Flood Zones 2 and 3. The Council's Engineering Consultancy were consulted in respect of the application and have confirmed they would have no objection to the proposal in respect of surface water management or contaminated land, therefore the proposal is considered to be acceptable in these respects.

Waste

3.40 The proposed use has the potential to generate a higher level of refuse/waste given the increased number of occupants. It is noted that provision is made for refuse storage to serve each self-contained flat individually, with access to this at the side of the main front of the host property. No objections have been received from HBC Waste Management or HBC Public Protection in respect of waste facilities, and therefore the proposal is considered acceptable.

RESIDUAL MATTERS

3.41 Cleveland Fire Brigade have confirmed that they have no representations to make in respect of the application but have provided advice in respect of Access and Water Supplies. Ultimately this is a building regulations matter and is beyond the remit of the Local Planning Authority. A suitable informative is recommended to make the applicant aware of this advice.

NON-PLANNING MATTERS

3.42 The occupation of rented properties is not a material planning consideration and as such, no weight can be given to these matters.

CONCLUSION

3.43 On balance and in light of the considerations detailed above, it is considered that the principle of the proposed change of use to two self-contained flats is acceptable. It is considered that the proposal would not give rise to adverse impacts upon the visual amenity, neighbour amenity, highway safety, community safety or any other planning matter. Furthermore, the proposal would bring a vacant building back into use. It is therefore considered the development accords with policies HSG2, HSG11, QP4 and QP5 of the Hartlepool Local Plan (2018) and paragraphs 124, 127 and 130 of the National Planning Policy Framework 2019 and should be conditionally approved.

EQUALITY AND DIVERSITY CONSIDERATIONS

3.44 There is no evidence of equality or diversity implications.

SECTION 17 OF THE CRIME AND DISORDER ACT 1998 CONSIDERATIONS

3.45 The Crime and Disorder Act 1998 requires local authorities to consider crime and disorder reduction in the exercise of all their duties, activities and decision-making.

3.46 There are no Section 17 implications.

REASON FOR DECISION

3.47 It is considered by Officers that the proposal in the context of relevant planning policies and material planning considerations is acceptable as set out in the Officer's Report.

RECOMMENDATION – APPROVE, subject to the conditions below:

1. The development to which this permission relates shall be begun not later than three years from the date of this permission.
To clarify the period for which the permission is valid.
2. The development hereby permitted shall be carried out in accordance with the plans and details Drg. No. BS/19/90/TypeA/04 Rev A 'Floor Plans and Elevations Existing and Proposed' received by the Local Planning Authority on 29th April 2020; and Drg. No. BS/19/90/TypeA/03 Rev A 'OS Site Location Plan (scale 1:1250) and Block Plans (scale 1:500) received by the Local Planning Authority on 4th May 2020.
For the avoidance of doubt.
3. Prior to the development hereby approved being brought into use, a scheme demonstrating appropriate noise insulation between the application site and the adjoining neighbouring properties at 23 Greenwood Road and 27 Greenwood Road shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the agreed scheme shall be implemented prior to the occupancy of the development hereby approved and retained for the life of the development.
In the interests of the amenities of the occupants of neighbouring properties.
4. The development hereby approved shall be used as 2no. flats as defined by The Town and Country Planning (Development Management Procedure) (England) Order 2015 or in any provision equivalent to that Order in any statutory instrument revoking or re-enacting that Order with or without modification.
For the avoidance of doubt and in the interests of the amenities of the occupants of neighbouring properties.

BACKGROUND PAPERS

3.48 Background papers can be viewed by the 'attachments' on the following public access page:

<http://eforms.hartlepool.gov.uk/portal/servlets/ApplicationSearchServlet?PKID=137541>

3.49 Copies of the applications are available on-line:

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except for such documents that contain exempt or confidential information.

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THIS PLAN IS FOR SITE IDENTIFICATION PURPOSE ONLY

HARTLEPOOL BOROUGH COUNCIL	DRAWN JB	DATE 20.7.2020
	SCALE 1:500	
Dept of Regeneration & Neighbourhoods Civic Centre, Victoria Road, Hartlepool TS24 8AY	DRG.NO H/2020/0129	REV

No: 4
Number: H/2020/0137
Applicant: MR CRAIG ELLIS GOSFORTH PARK WAY GOSFORTH
BUSINESS PARK NEWCASTLE UPON TYNE NE12
8ET
Agent: RNJ PARTNERSHIP LLP MR SIMON NESTI 2
DIAMOND COURT KENTON NEWCASTLE UPON TYNE
NE3 2EN
Date valid: 28/04/2020
Development: Change of use from 1no. dwellinghouse to 2no. flats with
associated external alterations including installation an
access door and canopy to the front, and bricking up of a
door and installation of a window to the rear.
Location: 74 MIDDLETON ROAD HARTLEPOOL

PURPOSE OF REPORT

4.1 An application has been submitted for the development highlighted within this report; accordingly Hartlepool Borough Council as Local Planning Authority is required to make a decision on this application. This report outlines the material considerations in relation to the proposal and presents a recommendation.

BACKGROUND

4.2 A number of similar planning applications (25no. in total) have been submitted by the applicant (Home Group, a housing association) within the Borough for a change of use from 1no. dwellinghouse to 2no. flats and to which a number of these applications (11no.) form part of the same planning committee agenda as the current application.

4.3 The supporting Design and Access Statement for the applications indicates that the proposed scheme is part of the 'Move On Project' that is "intended to provide necessary accommodation and support to enable independent living, particularly targeted at those leaving homelessness services or domestic violence services". One of the applications relates to a proposal for the provision of a management hub (with a flat above) at 10 Greenwood Road (ref; H/2020/0152), which is currently pending consideration at the time of writing (22.07.2020). The hub is intended to "provide on-site office space to support customers in nearby properties".

PROPOSAL

4.4 Planning permission is sought through this application for the change of use from a residential dwelling (C3 use class) to 2no. self-contained flats (C3 use class) at 74 Middleton Road. The property would contain 1no. one-bedroomed flat on the ground floor (flat 1) and 1no. one-bedroomed flat on the first floor (flat 2). Access to refuse

storage at the rear (south) of the property would be via the main access door at the front for each flat through an existing, shared ginnel/passageway.

4.5 The proposal would include the erection of a canopy to the front and the replacement of a window with a door to accommodate an additional front door, from which flat 2 would be accessed. The proposed canopy would measure approximately 1m in width, projecting from the front elevation by approximately 0.45m. The proposal would also replace the existing front door and canopy serving the property.

4.6 The application includes the replacement of a door with a window in the rear of the host property. The rear garden would be accessible to both occupiers (of flat 1 and flat 2) via an existing alley to the side (west) of the host property.

4.7 Internally, at ground floor the proposal would feature a bedroom and bathroom in place of the existing living room ground floor, with an open plan living room and kitchen being installed in the existing kitchen at the front. At first floor level, the two front bedrooms would be repurposed as an open plan living room with kitchen space. The bedroom and bathroom at the rear would remain to serve the occupier. The proposal would include the installation and removal of stud walls to facilitate the creation of hallways.

4.8 The application has been referred to the planning committee due to the number of objections received (more than 2), in line with the Council's Scheme of Delegation.

SITE CONTEXT

4.9 The application site is a north facing two-storey linked property on Middleton Road, which is currently vacant. The site is within a predominately residential area to the east of Raby Road and west of Clarence Road. Adjoining to the west is 72 Middleton Road while 76 Middleton Road adjoins to the east (to make up a small terrace of 4 properties including the host property). To the rear Nos. 21 and 23 Greenwood Road abound the site. To the north, beyond the main highway of Middleton Road, is the Brougham Primary School with other properties of Middleton Road toward the west, the closest of which is 59 Middleton Road.

4.10 The host property includes a small garden to the front and a garden at the rear, which is accessed via a rear access alley in the side (east). The rear garden is enclosed by a fence with an approximate height of 1.8m along the boundary on all three sides, whilst to the front the boundary treatment includes a picket fence with a height of approximately 1.2m.

PUBLICITY

4.11 The application has been advertised by way of neighbour letters (8) and a site notice. To date, there have been 3 objections.

4.12 The concerns raised can be summarised as follows:

Middleton Road is a busy through road and there are existing parking issues

- Outside the application site is a bus stop

- Changing family dwellings to flats is not appropriate for the area
- Noise concerns resulting from bedroom at neighbouring property adjoining proposed living room for first floor flat
- Demand on utility services

4.13 Background papers can be viewed by the 'attachments' on the following public access page:

<http://eforms.hartlepool.gov.uk/portal/servlets/ApplicationSearchServlet?PKID=137566>

4.14 The period for publicity has expired.

CONSULTATIONS

4.15 The following consultation replies have been received:

HBC Building Control: I can confirm that a Building Regulation application is required for the works as described.

HBC Landscape Architect: There are no landscape and visual objections to the proposed development.

HBC Flood Risk Officer: In response to your consultation on the above application I have no objection to proposals in respect of surface water management or contaminated land.

HBC Public Protection: I have no objections to this application subject to a sound insulation condition to the party wall with the neighbouring property.

HBC Waste Management: No comments to make.

HBC Estates: No comments received.

HBC Traffic and Transport: There are no highway or traffic concerns. There is no off street parking associated with this property, this is not considered an issue as car ownership is generally at a low level for occupants of these types of dwellings.

HBC Community Safety: These proposals will assist in easing the shortage of this type of accommodation in Hartlepool. With the assurance that appropriate security measures and robust property management will be in place, there are no community safety concerns.

HBC Arboricultural Officer: No comments received.

Cleveland Police: Police have no objections to this application but have the following recommendations in relation to crime prevention.

The premises will provide much needed accommodation for some of the most vulnerable members of society the premises therefore is required to provide a level of security to provide a safe and secure premise to live.

All replacement doors and accessible windows certified to PAS 24 2016 including entrance to flat Door viewer to all entrance doors.

Dusk Dawn to entrance doors.

Secure gate to rear garden.

Cleveland Fire Brigade: Cleveland fire Brigade offers no representations regarding the development as proposed. However Access and Water Supplies should meet the requirements as set out in: Approved Document B, Volume 1 :20 19 , Section B5 for Dwellings. It should be noted that Cleveland Fire Brigade now utilise a Magirus Multistar Combined Aerial Rescue Pump (CARP) which has a vehicle weight of 17.5 tonnes. This is greater than the specified weight in AD B Vol 1Section B5 Table 13.1 . Further comments may be made through the building regulation consultation process as required.

Tees Archaeology: Thank you for the consultation. There are no archaeological requirements for this application.

Northumbrian Water: Having assessed the proposed development against the context outlined above I can confirm that at this stage we would have no comments to make.

PLANNING POLICY

4.16 In relation to the specific policies referred to in the section below please see the Policy Note at the end of the agenda.

4.17 The following policies in the adopted Hartlepool Local Plan 2018 are relevant to the determination of this application:

HSG1: New Housing Provision
 HSG11: Extensions and Alterations To Existing Dwellings
 HSG2: Overall Housing Mix
 LS1: Locational Strategy
 QP3: Location, Accessibility, Highway Safety and Parking
 QP4: Layout and Design of Development
 QP5: Safety and Security
 QP6: Technical Matters
 QP7: Energy Efficiency
 SUS1: The Presumption in Favour of Sustainable Development

National Policy

4.18 In February 2019 the Government issued a revised National Planning Policy Framework (NPPF) replacing the 2012 and 2018 NPPF versions. The NPPF sets out the Governments Planning policies for England and how these are expected to be applied. It sets out the Government requirements for the planning system. The overriding message from the Framework is that planning authorities should plan positively for new development. It defines the role of planning in achieving sustainable development under three overarching objectives; an economic objective,

a social objective and an environmental objective, each mutually dependent. At the heart of the Framework is a presumption in favour of sustainable development. For decision-taking, this means approving development proposals that accord with an up-to-date development plan without delay or, where there are no relevant development plan policies or the policies which are most important for determining the application are out-of-date, granting permission unless policies within the Framework provide a clear reason for refusal or any adverse impacts of doing so would significantly and demonstrably outweigh the benefits. The following paragraphs are relevant to this application:

PARA 001: Introduction

PARA 002: Permission determined in accordance with development plan

PARA 003: Introduction

PARA 007: Achieving sustainable development

PARA 008: Achieving sustainable development

PARA 010: Achieving sustainable development

PARA 011: The presumption in favour of sustainable development

PARA 012: The presumption in favour of sustainable development

PARA 038: Decision-Making

PARA 047: Determining Applications

PARA 059: Delivering a sufficient supply of homes

PARA 122: Achieving appropriate densities

PARA 124: Achieving well-designed places

PARA 127: Achieving well-designed places

PARA 130: Achieving well-designed places

PARA 150: Planning for Climate Change

PARA 212: Implementation

PLANNING CONSIDERATIONS

4.19 The main issues for consideration in this instance are the appropriateness of the proposal in principle in terms of the policies and proposals held within the Hartlepool Local Plan (2018) and the NPPF (2019) including the principle of development, the impact on the character and appearance of the existing building and surrounding area, the impact upon highway safety, impact on the amenity and privacy of neighbouring properties and crime and security. These and any other planning and non-planning matters are detailed below.

PRINCIPLE OF DEVELOPMENT

4.20 The host property currently benefits from an existing residential C3 use, and is situated within a residential street. The proposal is for the change of use to two flats which would retain the residential C3 use. As such the general principle of residential development in this location is considered to be acceptable in principle. The application site is located within walking distance of existing shops and services, and proximity to local bus services which provides access to the public transport network. Therefore, the site is considered to be in a sustainable location.

4.21 The Council's Community Safety section have been consulted in respect of the proposal and consider that the proposals would assist in easing the shortage of this

type of accommodation in Hartlepool. Furthermore, the Council's Planning Policy section has been consulted and has not raised any objections in respect of the proposed change of use.

4.22 In light of the above, the principle of development is considered to be acceptable subject to the consideration of all other material planning considerations as detailed below.

VISUAL AMENITY AND CHARACTER OF SURROUNDING AREA

4.23 The application site is located within Middleton Road, a residential street in Hartlepool. It is of note that the proposal includes the replacement of a window with a front door and canopy on the front elevation, which would result in 2no. main access doors in this front elevation. It is considered that this would result a notable change to the main appearance of the principal elevation of the existing dwelling, which is at odds with the design and character of other properties in the street scene and has the potential to adversely affect the visual amenity of the street scene. It is of note that the adjoining neighbour to the east (No. 72) does not feature any front door (with its main door being to the side of the property), as per the design of the block.

4.24 Notwithstanding this, it is of note that several properties in the street scene benefit from a canopy to the front and that there is a variety of external finishing materials to the surrounding properties, including the placement of gated alleyways to enable access to the rear gardens. It is therefore considered that the installation of a front door will be read in this context. In addition, it is noted that there is an existing hedgerow running along the front of the curtilage and that this would partially obscure views of the front of the property. Further consideration is given to the modest scale and design of the proposed front door and canopy.

4.25 The proposal also includes replacement of an access door with a window in the rear elevation of the host property. It is considered that this element would not be unduly dominant on the existing property or adversely impact upon its proportions.

4.26 On balance, it is considered the proposed change of use would not result in such a significant incongruous feature on the existing property or detrimentally affect the street scene to warrant a reason to refuse the proposal in this instance. The Council's Landscape Architect has had regard to the proposal and has no concerns with regard to the visual impacts, subject to the existing hedge at the front (north) remaining in place. The applicant has confirmed that this is the case.

4.27 The proposal does not increase the total number of bedrooms within the property and the use would remain residential which is considered to be acceptable in this location and would not adversely affect the character of the street scene or significantly intensify the residential use of the area. As noted above the principle of development is considered to be appropriate in this location.

4.28 In light of the above considerations, the proposal is considered to be acceptable with respect to the impacts on the character and appearance of the existing building and surrounding area.

AMENITY OF NEIGHBOURING LAND USERS

4.29 It is acknowledged that neighbour representations have been received in respect of adverse impacts of the proposal on the amenity of neighbouring residential properties. The host property is a linked property and as such adjoins to 72 Middleton Road to the west and 76 Middleton Road to the east. It is noted that the proposal includes the installation of an additional front door and canopy on the front elevation. The relationship between neighbouring properties is such that there would be a separation distance of approximately 0.4m from the proposed canopy and front door at the host property to the boundary (and principal elevation) of the adjoining neighbour at No. 72 (east) and approximately 6.4m to the adjoining neighbour at No. 76 (west). A separation distance of approximately 60m would remain to the front elevation of the closest neighbour at the front at No. 59, with the public highway between. A separation distance of approximately 60m to the care home and 104m to the primary school would remain from the proposal (with the main highway between).

4.30 As detailed above, the existing relationship between windows at the host property and neighbouring properties is established and the proposal does not seek to introduce windows (aside from one which would replace the door in the rear elevation). Furthermore, such relationships are a characteristic of the area. Given the modest scale of the proposal (including the porch height under 4m) and that it would serve a non-habitable room (access to first floor flat), on balance, it is considered that this element of the proposal would not result in an unacceptable loss of amenity and privacy for neighbouring land users to the front (north) or to the adjoining properties to the east and west. As the proposed porch would be to the front of the host property, it would be screened from neighbours to the rear (21 and 23 Greenwood Road) and it is considered there would be no adverse impacts on their amenity or privacy.

4.31 In terms of the alterations to the use of the existing rooms, it is noted that the existing kitchen/diner at the ground floor of the property would become an open plan living room with kitchen space, whilst the existing living room at the rear would become a bedroom. Owing to this relationship it is considered that direct views would not be achievable from the proposed bedroom at flat 1 into the rear elevation of the adjoining neighbouring properties or direct views into their rear garden amenity space. In terms of the other alterations to the layout, the existing front bedroom on the first floor would become an open plan living room and kitchen to serve the residents of flat 2 (going from a habitable room to a habitable room), with the bedroom and bathroom at the rear primarily remaining in place. Given that the relationship between the host property and neighbouring properties is already established, and the proposal would not seek to reduce separation distances or introduce windows which would allow for unacceptable direct views into neighbouring properties at the front (including No. 59 Middleton Road), the proposal is not considered to result in an adverse loss of amenity and privacy for neighbouring properties.. Furthermore, it is considered that no adverse overlooking could be achieved between flat 1 and flat 2 and vice versa. On balance, it is considered that there would not be any adverse impacts on the privacy of neighbouring properties to the sides (72 and 76 Middleton Rd), rear (21 and 23 Greenwood Road) or front (including 59 Middleton Road) as a result of this proposed alterations to the room layout in terms of overlooking.

4.32 It is acknowledged that the nature and layout of the proposed use has the potential to introduce greater levels of activity to areas within the property than the current use as a single dwelling and as such has the potential to cause noise related nuisance to areas of the neighbouring dwellings (particularly bedrooms) where they could reasonably expect low levels of noise and disturbance. The Council's Public Protection team have been consulted upon the application and their response raises no objections to the application subject to noise insulation measures being conditioned for party walls with adjoining properties. It is considered that a planning condition is necessary to secure the noise insulation measures (mentioned above) and therefore, subject to this, the proposal is acceptable in this regard.

4.33 In conclusion, it is considered that the proposal would not cause any significant adverse impact on the amenity and privacy of neighbouring properties (including future occupiers of the flats proposed) subject to necessary planning conditions (as detailed above) as to warrant a refusal of the application in this instance and therefore, on balance, the proposal is acceptable in this regard.

HIGHWAY AND PEDESTRIAN SAFETY AND CAR PARKING

4.34 In terms of car parking, it is acknowledged that neighbour objections have been received in respect of parking issues in the street (Greenwood Road). The site is located with an area consisting primarily of linked residential properties. In common with other dwellings in the neighbourhood, the site lacks in-curtilage parking accessible to the highway and would therefore be unable to provide for any off-street parking. The Council's Traffic and Transport section have been consulted with respect to the proposal and have not raised any concerns.

4.35 As noted above, consideration is also given the site's location close to public transport links. Therefore, the proposal is not considered to result in a significant detrimental impact on parking and highway safety and is therefore deemed acceptable in this regard.

OTHER PLANNING MATTERS

Safety and Security

4.36 It is acknowledged that neighbour objections refer to matters of crime and anti-social behaviour. Section 17 of the Crime and Disorder Act 1998 requires the Local Planning Authority to exercise their functions with due regard to their likely effect on crime and disorder and to do all they reasonably can to prevent crime and disorder. This is further supported by Paragraph 91 of the NPPF states "Planning policies and decisions should aim to achieve healthy, inclusive and safe places which... are safe and accessible, so that crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion".

4.37 Cleveland Police have confirmed that they would have no objections to the proposal subject to a number of safety and security measures, to include the provision of doors and windows secured to required standards, the provision of a door viewer, and robust gates. This advice can be relayed to the applicant via a suitable informative.

4.38 HBC Community Safety have offered no objections to the proposal and have commented that with the assurance that appropriate security measures and robust property management will be in place, there are no community safety concerns. It is therefore considered acceptable in this regard.

Drainage + Contaminated Land

4.39 The site is located outside of Flood Zones 2 and 3. The Council's Engineering Consultancy were consulted in respect of the application and have confirmed they would have no objection to the proposal in respect of surface water management or contaminated land, therefore the proposal is considered to be acceptable in these respects.

Waste

4.40 The proposed use has the potential to generate a higher level of refuse/waste given the increased number of occupants. It is noted that provision is made for refuse storage to serve each self-contained flat individually, with access to this at the rear of the host property via the existing shared ginnel/passageway to the side. No objections have been received from HBC Waste Management or HBC Public Protection in respect of waste facilities, and therefore the proposal is considered acceptable.

RESIDUAL MATTERS

4.41 Cleveland Fire Brigade have confirmed that they have no representations to make in respect of the application but have provided advice in respect of Access and Water Supplies. Ultimately this is a building regulations matter and is beyond the remit of the Local Planning Authority. A suitable informative is recommended to make the applicant aware of this advice.

NON-PLANNING MATTERS

4.42 It is noted that neighbour objections have been received raising concerns that properties in the street are occupied by families and that there are an abundance of flats elsewhere in Hartlepool; and that properties are not well maintained, with untidy gardens and a lack of vetting; that there is a high turnover of tenants and pressure on existing communication services. These matters are not material planning considerations. The occupation of rented properties is not a material planning consideration. As such, no weight can be given to these matters.

CONCLUSION

4.43 On balance and in light of the considerations detailed above, it is considered that the principle of the proposed change of use to two self-contained flats is acceptable. It is considered that the proposal would not give rise to adverse impacts upon the visual amenity, neighbour amenity, highway safety, community safety or any other planning matter. Furthermore, the proposal would bring a vacant building back into use. It is therefore considered the development accords with policies

HSG2, HSG11, QP4 and QP5 of the Hartlepool Local Plan (2018) and paragraphs 124, 127 and 130 of the National Planning Policy Framework 2019 and should be conditionally approved.

EQUALITY AND DIVERSITY CONSIDERATIONS

4.44 There is no evidence of equality or diversity implications.

SECTION 17 OF THE CRIME AND DISORDER ACT 1998 CONSIDERATIONS

4.45 The Crime and Disorder Act 1998 requires local authorities to consider crime and disorder reduction in the exercise of all their duties, activities and decision-making.

4.46 There are no Section 17 implications.

REASON FOR DECISION

4.47 It is considered by Officers that the proposal in the context of relevant planning policies and material planning considerations is acceptable as set out in the Officer's Report.

RECOMMENDATION – APPROVE, subject to the conditions below:

1. The development to which this permission relates shall be begun not later than three years from the date of this permission.
To clarify the period for which the permission is valid.
2. The development hereby permitted shall be carried out in accordance with the plans and details Drg. No. BS/19/90/TypeD/04 Rev A 'Floor Plans and Elevations Existing and Proposed' received by the Local Planning Authority on 29th April 2020; and Drg. No. BS/19/90/TypeD/03 Rev A 'OS Site Location Plan (scale 1:1250) and Block Plans (scale 1:500) received by the Local Planning Authority on 4th May 2020.
For the avoidance of doubt.
3. Prior to the development hereby approved being brought into use, a scheme demonstrating appropriate noise insulation between the application site and the adjoining neighbouring properties at 72 and 76 Middleton Road shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the agreed scheme shall be implemented prior to the occupancy of the development hereby approved and retained for the life of the development.
In the interests of the amenities of the occupants of neighbouring properties.
4. The development hereby approved shall be used as 2no. flats as defined by The Town and Country Planning (Development Management Procedure) (England) Order 2015 or in any provision equivalent to that Order in any statutory instrument revoking or re-enacting that Order with or without modification.
For the avoidance of doubt and in the interests of the amenities of the occupants of neighbouring properties.

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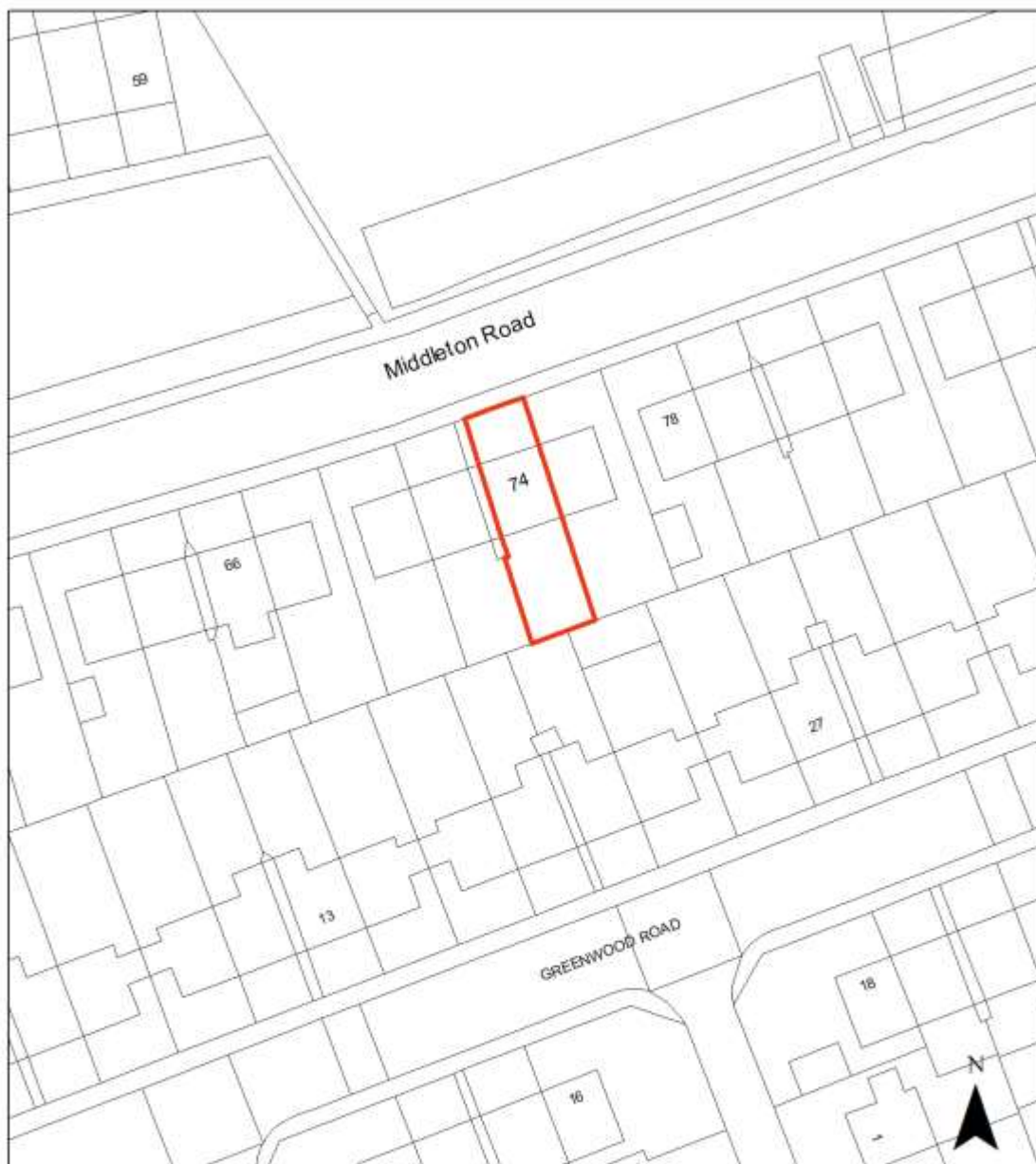
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74 Middleton Road, Hartlepool

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THIS PLAN IS FOR SITE IDENTIFICATION PURPOSE ONLY

HARTLEPOOL BOROUGH COUNCIL	DRAWN JB	DATE 20.7.2020
	SCALE 1:500	
Dept of Regeneration & Neighbourhoods Civic Centre, Victoria Road, Hartlepool TS24 8AY	DRG.NO H/2020/0137	REV

No: 5
Number: H/2020/0139
Applicant: MR CRAIG ELLIS GOSFORTH PARK WAY GOSFORTH
BUSINESS PARK NEWCASTLE UPON TYNE NE12
8ET
Agent: RNJ PARTNERSHIP LLP MR SIMON NESTI 2
DIAMOND COURT KENTON NEWCASTLE UPON TYNE
NE3 2EN
Date valid: 28/04/2020
Development: Change of use from 1no. dwellinghouse to 2no. flats with
associated external alterations including installation of
porch and access door to front.
Location: 3 HENDERSON GROVE HARTLEPOOL

PURPOSE OF REPORT

5.1 An application has been submitted for the development highlighted within this report; accordingly Hartlepool Borough Council as Local Planning Authority is required to make a decision on this application. This report outlines the material considerations in relation to the proposal and presents a recommendation.

BACKGROUND

5.2 A number of similar planning applications (25no. in total) have been submitted by the applicant (Home Group, a housing association) within the Borough for a change of use from 1no. dwellinghouse to 2no. flats and to which a number of these applications (11no.) form part of the same planning committee agenda as the current application.

5.3 The supporting Design and Access Statement for the applications indicates that the proposed scheme is part of the 'Move On Project' that is "intended to provide necessary accommodation and support to enable independent living, particularly targeted at those leaving homelessness services or domestic violence services". One of the applications relates to a proposal for the provision of a management hub (with a flat above) at 10 Greenwood Road (ref; H/2020/0152), which is currently pending consideration at the time of writing (22.07.2020). The hub is intended to "provide on-site office space to support customers in nearby properties".

PROPOSAL

5.4 Planning permission is sought through this application for the change of use from a residential dwelling (C3 use class) to 2no. self-contained flats (C3 use class) at 3 Henderson Grove. The property would contain one two-bedroomed flat on the ground floor (flat 1), one one-bedroomed flat on the first floor (flat 2). Access to

refuse storage at the rear (east) of the property would be via the shared ginnel/passageway with adjoining neighbour at No. 5.

5.5 The proposal would include the erection of a porch and canopy to the front to accommodate an additional front door, from which flat 2 would be accessed. The proposed porch would measure approximately 1m in width, projecting from the front elevation by approximately 0.95m and adjoining a proposed canopy to extend a further 1.95m (approx.) with a total width being approximately 2.95m. The proposed porch would feature a lean-to roof with a maximum height of approximately 3.2m, dropping to approximately 2.6m at eaves level. To facilitate the proposed porch, the ground floor window at the front would be reduced in size.

5.6 Internally, at ground floor the proposal would feature a bedroom in place of the existing kitchen/diner, the installation of a bathroom in the rear off-shoot, with a kitchen being installed in the living space at the front. The existing W.C. at ground floor would be repurposed as a cupboard. At first floor level, an open plan living room and kitchen would be in place of the existing bedroom at the front. The remaining 2 bedrooms (rear/east) and bathroom would remain to serve the occupier(s). The proposal would include the installation and removal of stud walls to facilitate the creation of hallways.

5.7 The application has been referred to the planning committee due to the number of objections received, in line with the Council's Scheme of Delegation.

SITE CONTEXT

5.8 The application site is a west facing two-storey linked property on Henderson Grove, which is currently vacant. The site is within a cul-de-sac of 10 properties, in a predominately residential area to the south of Middleton Road and west of Clarence Road. Adjoining to the south is 5 Henderson Grove, while 1 Henderson Grove adjoins to the north (to make up a small terrace of 4 properties including the host property). To the west, beyond the main highway of Henderson Grove, Nos. 2-6 (evens) are situated to the front. To the rear Nos. 2-6 (evens) Milner Grove abound the site. The host property includes a small garden/yard to the front and a garden at the rear, which is presently accessed via a rear access door in the extension to the side. The rear garden is enclosed by a fence with an approximate height of 1.8m along the boundary on all three sides, whilst to the front the boundary treatment includes a picket fence with a height of approximately 1m and a tree in the south western corner.

PUBLICITY

5.9 The application has been advertised by way of neighbour letters (12) and a site notice. To date, there have been 3 objections.

5.10 The concerns raised can be summarised as follows:

- Tenants are not vetted and concerns about the nature of the tenants
- Parking, as the grove includes 10 houses and parking is an existing concern with the issues exacerbated when occupiers receive visitors
- Neighbouring occupiers are home owners

- Estate is predominately occupied by families and should remain as single dwellings occupied by families

5.11 Background papers can be viewed by the 'attachments' on the following public access page:

<http://eforms.hartlepool.gov.uk/portal/servlets/ApplicationSearchServlet?PKID=137568>

5.12 The period for publicity has expired.

CONSULTATIONS

5.13 The following consultation replies have been received:

HBC Building Control: I can confirm that a Building Regulation application is required for the works as described.

HBC Landscape Architect: There are no landscape and visual objections to the proposed development.

HBC Flood Risk Officer: In response to your consultation on the above application I have no objection to proposals in respect of surface water management or contaminated land.

HBC Public Protection: I have no objections to this application subject to a sound insulation condition to the party wall with the neighbouring property.

HBC Waste Management: No comments to make.

HBC Estates: No comments received.

HBC Traffic and Transport: There are no highway or traffic concerns. There is no off street parking associated with this property, this is not considered an issue as car ownership is generally at a low level for occupants of these types of dwellings.

HBC Community Safety: These proposals will assist in easing the shortage of this type of accommodation in Hartlepool. With the assurance that appropriate security measures and robust property management will be in place, there are no community safety concerns.

HBC Arboricultural Officer: No comments received.

Cleveland Police: Police have no objections to this application but have the following recommendations in relation to crime prevention.

The premises will provide much needed accommodation for some of the most vulnerable members of society the premises therefore is required to provide a level of security to provide a safe and secure premise to live.

All replacement doors and accessible windows certified to PAS 24 2016 including entrance to flat Door viewer to all entrance doors.

Dusk Dawn to entrance doors.

Secure gate to rear garden.

Cleveland Fire Brigade: I was consulting on all of these but was advised by our group manager to stop consulting on any that wouldn't fall under the RR(FS)O2005 so haven't done any that do not have communal spaces. They don't fall under our legislation so would never be inspected, our jurisdiction only relates to shared parts of 'blocks' of flats, like common entrances, halls, and stair ways. The majority of the ones being sent through have separate entrances for each flat and no communal space. Apologies for the confusion.

Tees Archaeology: Thank you for the consultation. There are no archaeological requirements for this application.

Northumbrian Water: Having assessed the proposed development against the context outlined above I can confirm that at this stage we would have no comments to make.

PLANNING POLICY

5.14 In relation to the specific policies referred to in the section below please see the Policy Note at the end of the agenda.

5.15 The following policies in the adopted Hartlepool Local Plan 2018 are relevant to the determination of this application:

HSG1: New Housing Provision
 HSG11: Extensions and Alterations To Existing Dwellings
 HSG2: Overall Housing Mix
 LS1: Locational Strategy
 QP3: Location, Accessibility, Highway Safety and Parking
 QP4: Layout and Design of Development
 QP5: Safety and Security
 QP6: Technical Matters
 QP7: Energy Efficiency
 SUS1: The Presumption in Favour of Sustainable Development

National Policy

5.16 In February 2019 the Government issued a revised National Planning Policy Framework (NPPF) replacing the 2012 and 2018 NPPF versions. The NPPF sets out the Governments Planning policies for England and how these are expected to be applied. It sets out the Government requirements for the planning system. The overriding message from the Framework is that planning authorities should plan positively for new development. It defines the role of planning in achieving sustainable development under three overarching objectives; an economic objective, a social objective and an environmental objective, each mutually dependent. At the heart of the Framework is a presumption in favour of sustainable development. For decision-taking, this means approving development proposals that accord with an up-to-date development plan without delay or, where there are no relevant development plan policies or the policies which are most important for determining the application are out-of-date, granting permission unless policies within the

Framework provide a clear reason for refusal or any adverse impacts of doing so would significantly and demonstrably outweigh the benefits. The following paragraphs are relevant to this application:

PARA 001: Introduction
 PARA 002: Permission determined in accordance with development plan
 PARA 003: Introduction
 PARA 007: Achieving sustainable development
 PARA 008: Achieving sustainable development
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 PARA 011: The presumption in favour of sustainable development
 PARA 012: The presumption in favour of sustainable development
 PARA 038: Decision-Making
 PARA 047: Determining Applications
 PARA 059: Delivering a sufficient supply of homes
 PARA 122: Achieving appropriate densities
 PARA 124: Achieving well-designed places
 PARA 127: Achieving well-designed places
 PARA 130: Achieving well-designed places
 PARA 150: Planning for Climate Change
 PARA 212: Implementation

PLANNING CONSIDERATIONS

5.17 The main issues for consideration in this instance are the appropriateness of the proposal in principle in terms of the policies and proposals held within the Hartlepool Local Plan (2018) and the NPPF (2019) including the principle of development, the impact on the character and appearance of the existing building and surrounding area, the impact upon highway safety, impact on the amenity and privacy of neighbouring properties and crime and security. These and any other planning and non-planning matters are detailed below.

PRINCIPLE OF DEVELOPMENT

5.18 The host property currently benefits from an existing residential C3 use, and is situated within a residential street. The proposal is for the change of use to two flats which would retain the residential C3 use. As such the general principle of residential development in this location is considered to be acceptable in principle. The application site is located within walking distance of existing shops and services, and proximity to local bus services which provides access to the public transport network. Therefore, the site is considered to be in a sustainable location.

5.19 The Council's Community Safety section have been consulted in respect of the proposal and consider that the proposals would assist in easing the shortage of this type of accommodation in Hartlepool. Furthermore, the Council's Planning Policy section has been consulted and has not raised any objections in respect of the proposed change of use.

5.20 In light of the above, the principle of development is considered to be acceptable subject to the consideration of all other material planning considerations as detailed below.

VISUAL AMENITY AND CHARACTER OF SURROUNDING AREA

5.21 The application site is located within Henderson Grove, a residential cul-de-sac in Hartlepool. It is of note that the proposal includes the installation of a porch and canopy with the installation of an additional front door, which would result in 2 no. doors in this front elevation. It is considered that this would result a notable change to the fenestration on the existing dwelling, which is at odds with the design and character of other properties in the street scene and has the potential to adversely affect the visual amenity of the street scene.

5.22 Notwithstanding this, it is of note that several properties in the wider estate benefit from a canopy to the front and that there is a variety of external finishing materials to the surrounding properties. Further consideration is given to the modest scale and design of the proposed porch and the boundary treatment to the front of the host property which includes a small tree.

5.23 On balance, it is considered the proposed change of use would not result in such a significant incongruous feature on the existing property or detrimentally affect the street scene to warrant a reason to refuse the proposal in this instance. The Council's Landscape Architect has had regard to the proposal and has no concerns with regard to the visual impacts.

5.24 The proposal does not increase the total number of bedrooms within the property and the use would remain residential which is considered to be acceptable in this location and would not adversely affect the character of the street scene or significantly intensify the residential use of the area. As noted above the principle of development is considered to be appropriate in this location.

5.25 In light of the above considerations, the proposal is considered to be acceptable with respect to the impacts on the character and appearance of the existing building and surrounding area.

AMENITY OF NEIGHBOURING LAND USERS

5.26 It is acknowledged that neighbour representations have been received in respect of adverse impacts of the proposal on the amenity of neighbouring residential properties. The host property is a linked property and as such adjoins to 1 Henderson Grove to the north and No. 5 to the south. It is noted that the proposal includes the installation of a porch on the front elevation. The relationship between neighbouring properties is such that there would be a separation distance of approximately 3m from the proposed porch at the host property to the principal elevation of the adjoining neighbour at No. 5 (south) and approximately 4.1m to the adjoining neighbour at No. 1 (north). A separation distance of approximately 14.7m would remain to the closest neighbour at the front at No. 4, with the public highway between.

5.27 Whilst it is acknowledged that the proposed porch does not achieve required separation distances that would comply with policy QP4 of the Hartlepool Local Plan (2018) or the Residential Design Guide SPD (2019), as detailed above, the existing relationship between windows at the host property and neighbouring properties is established and the proposal does not seek to introduce windows. Furthermore, such relationships are a characteristic of the area. Given the modest scale of the proposal (including the porch height under 4m) and that it would serve a non-habitable room(s), on balance, it is considered that this element of the proposal would not result in an unacceptable loss of amenity and privacy for neighbouring land users to the front (west) or to the adjoining properties to the north and south. As the proposed porch would be to the front of the host property, it would be screened from neighbours to the rear (2-6 (evens) Milner Grove) and it is considered there would be no adverse impacts on their amenity or privacy.

5.28 In terms of the alterations to the use of the existing rooms, it is noted that the existing kitchen/diner at the ground floor of the property would become a bedroom. It is acknowledged that the window serving this proposed bedroom would be approximately 0.3m from the boundary with the adjoining neighbour to the north (No. 1), and that as noted above, there is a boundary fence with a height of approximately 1.8m enclosing the rear garden of the host property along this northern boundary. Owing to this relationship it is considered that direct views would not be achievable from the proposed bedroom at flat 1 into the rear elevation of neighbouring properties or direct views into their rear garden amenity space. In terms of the other alterations to the layout, the existing bedroom at the front on the first floor would become a living space with kitchen to serve the residents of flat 2 (remaining a habitable room). As noted above, the ground floor of the two storey off-shoot at the rear would become a bathroom to serve residents of flat 1. Given that the relationship between the host property and neighbouring properties is already established, and the proposal would not seek to reduce separation distances or introduce windows which would allow for unacceptable direct views into neighbouring properties at the front (Nos. 2, 4 and 6 Henderson Grove), the proposal is not considered to result in an adverse loss of amenity and privacy for neighbouring properties. Furthermore, it is considered that no adverse overlooking could be achieved between flat 1 and flat 2 and vice versa. On balance, it is considered that there would not be any adverse impacts on the privacy of neighbouring properties to the sides (1 and 5 Henderson Grove), rear (2, 4 and 6 Milner Grove) or front (2, 4 and 6 Henderson Grove) as a result of this proposed alterations to the room layout in terms of overlooking.

5.29 It is acknowledged that the nature and layout of the proposed use has the potential to introduce greater levels of activity to areas within the property than the current use as a single dwelling and as such has the potential to cause noise related nuisance to areas of the neighbouring dwellings (particularly bedrooms) where they could reasonably expect low levels of noise and disturbance. The Council's Public Protection team have been consulted upon the application and their response raises no objections to the application subject to noise insulation measures being conditioned for party walls with adjoining properties. It is considered that a planning condition is necessary to secure the noise insulation measures (mentioned above) and therefore, subject to this, the proposal is acceptable in this regard.

5.30 In conclusion, it is considered that the proposal would not cause any significant adverse impact on the amenity and privacy of neighbouring properties (including future occupiers of the flats proposed) subject to necessary planning conditions (as detailed above) as to warrant a refusal of the application in this instance and therefore, on balance, the proposal is acceptable in this regard.

HIGHWAY AND PEDESTRIAN SAFETY AND CAR PARKING

5.31 In terms of car parking, it is acknowledged that neighbour objections have been received in respect of parking issues in the grove. The site is located with an area consisting primarily of linked residential properties. In common with other dwellings in the neighbourhood, the site lacks in-curtilage parking accessible to the highway and would therefore be unable to provide for any off-street parking. The Council's Traffic and Transport section have been consulted with respect to the proposal and have not raised any concerns.

5.32 As noted above, consideration is also given the site's location close to public transport links. Therefore, the proposal is not considered to result in a significant detrimental impact on parking and highway safety and is therefore deemed acceptable in this regard.

OTHER PLANNING MATTERS

Safety and Security

5.33 Section 17 of the Crime and Disorder Act 1998 requires the Local Planning Authority to exercise their functions with due regard to their likely effect on crime and disorder and to do all they reasonably can to prevent crime and disorder. This is further supported by Paragraph 91 of the NPPF states "Planning policies and decisions should aim to achieve healthy, inclusive and safe places which... are safe and accessible, so that crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion".

5.34 Cleveland Police have confirmed that they would have no objections to the proposal subject to a number of safety and security measures, to include the provision of doors and windows secured to required standards, the provision of a door viewer, and robust gates. This advice can be relayed to the applicant via a suitable informative.

5.35 HBC Community Safety have offered no objections to the proposal and have commented that with the assurance that appropriate security measures and robust property management will be in place, there are no community safety concerns. It is therefore considered acceptable in this regard.

Drainage + Contaminated Land

5.36 The site is located outside of Flood Zones 2 and 3. It is acknowledged that a neighbour objection has been received citing issues around drainage, however the Council's Engineering Consultancy were consulted in respect of the application and have confirmed they would have no objection to the proposal in respect of surface

water management or contaminated land, therefore the proposal is considered to be acceptable in these respects.

Waste

5.37 The proposed use has the potential to generate a higher level of refuse/waste given the increased number of occupants. It is noted that provision is made for refuse storage to serve each self-contained flat individually, with access to this through the shared ginnel/alleyway between the host property and the adjoining neighbour at No. 5. No objections have been received from HBC Waste Management or HBC Public Protection in respect of waste facilities or this shared access, and therefore the proposal is considered acceptable.

RESIDUAL MATTERS

5.38 Cleveland Fire Brigade have confirmed that they have no representations to make in respect of the application. Ultimately this is a building regulations matter and is beyond the remit of the Local Planning Authority. A suitable informative is recommended to make the applicant aware of this advice.

NON-PLANNING MATTERS

5.39 It is noted that neighbour objections have been received raising concerns that properties in the street are occupied by families and that there is a lack of vetting. The occupation of rented properties is not a material planning consideration and as such, no weight can be given to these matters.

CONCLUSION

5.40 On balance and in light of the considerations detailed above, it is considered that the principle of the proposed change of use to two self-contained flats is acceptable. It is considered that the proposal would not give rise to adverse impacts upon the visual amenity, neighbour amenity, highway safety, community safety or any other planning matter. Furthermore, the proposal would bring a vacant building back into use. It is therefore considered the development accords with policies HSG2, HSG11, QP4 and QP5 of the Hartlepool Local Plan (2018) and paragraphs 124, 127 and 130 of the National Planning Policy Framework 2019 and should be conditionally approved.

EQUALITY AND DIVERSITY CONSIDERATIONS

5.41 There is no evidence of equality or diversity implications.

SECTION 17 OF THE CRIME AND DISORDER ACT 1998 CONSIDERATIONS

5.42 The Crime and Disorder Act 1998 requires local authorities to consider crime and disorder reduction in the exercise of all their duties, activities and decision-making.

5.43 There are no Section 17 implications.

REASON FOR DECISION

5.44 It is considered by Officers that the proposal in the context of relevant planning policies and material planning considerations is acceptable as set out in the Officer's Report.

RECOMMENDATION – APPROVE, subject to the conditions below:

1. The development to which this permission relates shall be begun not later than three years from the date of this permission.
To clarify the period for which the permission is valid.
2. The development hereby permitted shall be carried out in accordance with the plans and details Drg. No. BS/19/90/TypeA/O1 Rev A 'OS Site Location Plan (scale 1:1250) and Block Plans (scale 1:500) and Drg. No. BS/19/90/TypeE/O2 Rev A 'Floor Plans and Elevations Existing and Proposed' received by the Local Planning Authority on 29th April 2020.
For the avoidance of doubt.
3. Prior to the development hereby approved being brought into use, a scheme demonstrating appropriate noise insulation between the application site and the adjoining neighbouring properties at 1 Henderson Grove and 5 Henderson Grove shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the agreed scheme shall be implemented prior to the occupancy of the development hereby approved and retained for the life of the development.
In the interests of the amenities of the occupants of neighbouring properties.
4. The development hereby approved shall be used as 2no. flats as defined by The Town and Country Planning (Development Management Procedure) (England) Order 2015 or in any provision equivalent to that Order in any statutory instrument revoking or re-enacting that Order with or without modification.
For the avoidance of doubt and in the interests of the amenities of the occupants of neighbouring properties.

BACKGROUND PAPERS

5.45 Background papers can be viewed by the 'attachments' on the following public access page:

<http://eforms.hartlepool.gov.uk/portal/servlets/ApplicationSearchServlet?PKID=137568>

5.46 Copies of the applications are available on-line:

<http://eforms.hartlepool.gov.uk:7777/portal/servlets/ApplicationSearchServlet>
except for such documents that contain exempt or confidential information.

CONTACT OFFICER

- 5.47 Tony Hanson
Assistant Director of Environment and Neighbourhood Services

Level 3
Civic Centre
Hartlepool
TS24 8AY

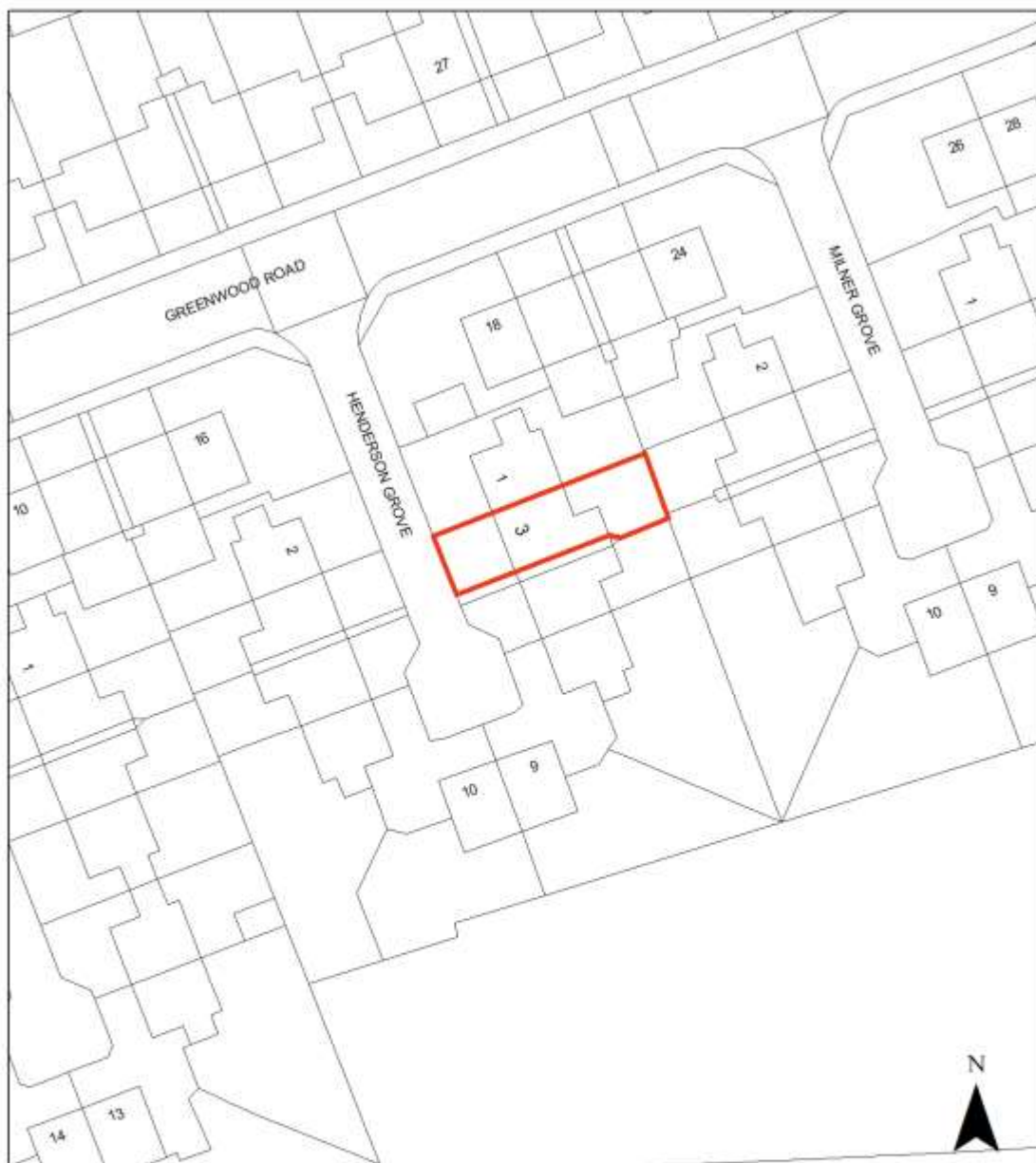
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AUTHOR

5.48 Stephanie Bell
Planning Officer
Level 1
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Hartlepool
TS24 8AY

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3 Henderson Grove, Hartlepool



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THIS PLAN IS FOR SITE IDENTIFICATION PURPOSE ONLY

HARTLEPOOL BOROUGH COUNCIL	DRAWN JB	DATE 20.7.2020
	SCALE 1:500	
Dept of Regeneration & Neighbourhoods Civic Centre, Victoria Road, Hartlepool TS24 8AY	DRG.NO H/2020/0139	REV

No: 6
Number: H/2020/0143
Applicant: MR CRAIG ELLIS GOSFORTH PARK WAY GOSFORTH
BUSINESS PARK NEWCASTLE UPON TYNE NE12
8ET
Agent: RNJ PARTNERSHIP LLP MR SIMON NESTI 2
DIAMOND COURT KENTON NEWCASTLE UPON TYNE
NE3 2EN
Date valid: 28/04/2020
Development: Change of use from 1no. dwellinghouse to 2no. flats with
associated external alterations including installation of
porch and access door to front.
Location: 6 HENDERSON GROVE HARTLEPOOL

PURPOSE OF REPORT

6.1 An application has been submitted for the development highlighted within this report; accordingly Hartlepool Borough Council as Local Planning Authority is required to make a decision on this application. This report outlines the material considerations in relation to the proposal and presents a recommendation.

BACKGROUND

6.2 A number of similar planning applications (25no. in total) have been submitted by the applicant (Home Group, a housing association) within the Borough for a change of use from 1no. dwellinghouse to 2no. flats and to which a number of these applications (11no.) form part of the same planning committee agenda as the current application.

6.3 The supporting Design and Access Statement for the applications indicates that the proposed scheme is part of the 'Move On Project' that is "intended to provide necessary accommodation and support to enable independent living, particularly targeted at those leaving homelessness services or domestic violence services". One of the applications relates to a proposal for the provision of a management hub (with a flat above) at 10 Greenwood Road (ref; H/2020/0152), which is currently pending consideration at the time of writing (22.07.2020). The hub is intended to "provide on-site office space to support customers in nearby properties".

PROPOSAL

6.4 Planning permission is sought through this application for the change of use from a residential dwelling (C3 use class) to 2no. self-contained flats (C3 use class) at 6 Henderson Grove. The property would contain one two-bedroomed flat on the ground floor (flat 1), one one-bedroomed flat on the first floor (flat 2). Access to refuse storage at the rear (east) of the property would be via the shared ginnel/passageway with adjoining neighbour at No. 4.

6.5 The proposal would include the erection of a porch and canopy to the front to accommodate an additional front door, from which flat 2 would be accessed. The proposed porch would measure approximately 1m in width, projecting from the front elevation by approximately 0.95m and adjoining a proposed canopy to extend a further 1.95m (approx.) with a total width being approximately 2.95m. The proposed porch would feature a lean-to roof with a maximum height of approximately 3.2m, dropping to approximately 2.6m at eaves level. To facilitate the proposed porch, the ground floor window at the front would be reduced in size.

6.6 Internally, at ground floor the proposal would feature a bedroom in place of the existing kitchen/diner, the installation of a bathroom in the rear off-shoot, with a kitchen being installed in the living space at the front. The existing W.C. at ground floor would be repurposed as a cupboard. At first floor level, an open plan living room and kitchen would be in place of the existing bedroom at the front. The remaining 2 bedrooms (rear/east) and bathroom would remain to serve the occupier(s). The proposal would include the installation and removal of stud walls to facilitate the creation of hallways.

6.7 The application has been referred to the planning committee due to the number of objections received, in line with the Council's Scheme of Delegation.

SITE CONTEXT

6.8 The application site is an east facing two-storey linked property on Henderson Grove, which is currently vacant. The site is within a cul-de-sac of 10 properties, in a predominately residential area to the south of Middleton Road and west of Clarence Road. Adjoining to the north is 4 Henderson Grove, while 8 Henderson Grove adjoins to the south (to make up a small terrace of 4 properties including the host property). To the east, beyond the main highway of Henderson Grove, Nos. 1-5 (odds) are situated to the front. To the rear Nos. 1-5 (odds) Lansbury Grove abound the site. The host property includes a paved driveway/yard to the front and a garden at the rear, which is presently accessed via a rear ginnel/passageway shared with adjoining neighbour at No. 4. The rear garden is enclosed by a fence with an approximate height of 1.8m along the boundary on all three sides, whilst to the front the boundary treatment includes a picket fence with a height of approximately 1m between the boundaries with Nos. 4 and 8, with none at the edge of the curtilage.

PUBLICITY

6.9 The application has been advertised by way of neighbour letters (12) and a site notice. To date, there have been 3 objections.

6.10 The concerns can be summarised as follows:

- Tenants are not vetted and concerns about the nature of the tenants
- Parking, as the grove includes 10 houses and parking is an existing concern with the issues exacerbated when occupiers receive visitors
- Neighbouring occupiers are home owners
- Estate is predominately occupied by families and should remain as single dwellings occupied by families

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6.12 The period for publicity has expired.

CONSULTATIONS

6.13 The following consultation replies have been received:

HBC Building Control: I can confirm that a Building Regulation application is required for the works as described.

HBC Landscape Architect: There are no landscape and visual objections to the proposed development.

HBC Flood Risk Officer: In response to your consultation on the above application I have no objection to proposals in respect of surface water management or contaminated land.

HBC Public Protection: I have no objections to this application subject to a sound insulation condition to the party wall with the neighbouring property.

HBC Waste Management: No comments to make.

HBC Estates: No comments received.

HBC Traffic and Transport: There are no highway or traffic concerns.

There is no off street parking associated with this property, this is not considered an issue as car ownership is generally at a low level for occupants of these types of dwellings.

HBC Community Safety: These proposals will assist in easing the shortage of this type of accommodation in Hartlepool. With the assurance that appropriate security measures and robust property management will be in place, there are no community safety concerns.

HBC Arboricultural Officer: No comments received.

Cleveland Police: Police have no objections to this application but have the following recommendations in relation to crime prevention.

The premises will provide much needed accommodation for some of the most vulnerable members of society the premises therefore is required to provide a level of security to provide a safe and secure premise to live.

All replacement doors and accessible windows certified to PAS 24 2016 including entrance to flat Door viewer to all entrance doors.

Dusk Dawn to entrance doors.

Secure gate to rear garden.

Cleveland Fire Brigade: Cleveland fire Brigade offers no representations regarding the development as proposed. However Access and Water Supplies should meet the requirements as set out in: Approved Document B, Volume 1 :20 19, Section B5 for Dwellings . It should be noted that Cleveland Fire Brigade now utilise a Magirus Multistar Combined Aerial Rescue Pump (CARP) which has a vehicle weight of 17.5 tonnes. This is greater than the specified weight in AD B Vol 1Section B5 Table 13.1 . Further comments may be made through the building regulation consultation process as required.

Tees Archaeology: Thank you for the consultation. There are no archaeological requirements for this application.

Northumbrian Water: Having assessed the proposed development against the context outlined above I can confirm that at this stage we would have no comments to make.

PLANNING POLICY

6.14 In relation to the specific policies referred to in the section below please see the Policy Note at the end of the agenda.

6.15 The following policies in the adopted Hartlepool Local Plan 2018 are relevant to the determination of this application:

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6.16 In February 2019 the Government issued a revised National Planning Policy Framework (NPPF) replacing the 2012 and 2018 NPPF versions. The NPPF sets out the Governments Planning policies for England and how these are expected to be applied. It sets out the Government requirements for the planning system. The overriding message from the Framework is that planning authorities should plan positively for new development. It defines the role of planning in achieving sustainable development under three overarching objectives; an economic objective, a social objective and an environmental objective, each mutually dependent. At the heart of the Framework is a presumption in favour of sustainable development. For decision-taking, this means approving development proposals that accord with an up-to-date development plan without delay or, where there are no relevant

development plan policies or the policies which are most important for determining the application are out-of-date, granting permission unless policies within the Framework provide a clear reason for refusal or any adverse impacts of doing so would significantly and demonstrably outweigh the benefits. The following paragraphs are relevant to this application:

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PARA 002: Permission determined in accordance with development plan

PARA 003: Introduction

PARA 007: Achieving sustainable development

PARA 008: Achieving sustainable development

PARA 010: Achieving sustainable development

PARA 011: The presumption in favour of sustainable development

PARA 012: The presumption in favour of sustainable development

PARA 038: Decision-Making

PARA 047: Determining Applications

PARA 059: Delivering a sufficient supply of homes

PARA 122: Achieving appropriate densities

PARA 124: Achieving well-designed places

PARA 127: Achieving well-designed places

PARA 130: Achieving well-designed places

PARA 150: Planning for Climate Change

PARA 212: Implementation

PLANNING CONSIDERATIONS

6.17 The main issues for consideration in this instance are the appropriateness of the proposal in principle in terms of the policies and proposals held within the Hartlepool Local Plan (2018) and the NPPF (2019) including the principle of development, the impact on the character and appearance of the existing building and surrounding area, the impact upon highway safety, impact on the amenity and privacy of neighbouring properties and crime and security. These and any other planning and non-planning matters are detailed below.

PRINCIPLE OF DEVELOPMENT

6.18 The host property currently benefits from an existing residential C3 use, and is situated within a residential street. The proposal is for the change of use to two flats which would retain the residential C3 use. As such the general principle of residential development in this location is considered to be acceptable in principle. The application site is located within walking distance of existing shops and services, and proximity to local bus services which provides access to the public transport network. Therefore, the site is considered to be in a sustainable location.

6.19 The Council's Community Safety section have been consulted in respect of the proposal and consider that the proposals would assist in easing the shortage of this type of accommodation in Hartlepool. Furthermore, the Council's Planning Policy section has been consulted and has not raised any objections in respect of the proposed change of use.

6.20 In light of the above, the principle of development is considered to be acceptable subject to the consideration of all other material planning considerations as detailed below.

VISUAL AMENITY AND CHARACTER OF SURROUNDING AREA

6.21 The application site is located within Henderson Grove, a residential cul-de-sac in Hartlepool. It is of note that the proposal includes the installation of a porch and canopy with the installation of an additional front door, which would result in 2no. doors in this front elevation. It is considered that this would result a notable change to the fenestration on the existing dwelling, which is at odds with the design and character of other properties in the street scene and has the potential to adversely affect the visual amenity of the street scene.

6.22 Notwithstanding this, it is of note that several properties in the wider estate benefit from a canopy to the front and that there is a variety of external finishing materials to the surrounding properties. Further consideration is given to the modest scale and design of the proposed porch and the boundary treatment to the front of the host property which includes the picket fencing between the host property and both adjoining neighbours.

6.23 On balance, it is considered the proposed change of use would not result in such a significant incongruous feature on the existing property or detrimentally affect the street scene to warrant a reason to refuse the proposal in this instance. The Council's Landscape Architect has had regard to the proposal and has no concerns with regard to the visual impacts.

6.24 The proposal does not increase the total number of bedrooms within the property and the use would remain residential which is considered to be acceptable in this location and would not adversely affect the character of the street scene or significantly intensify the residential use of the area. As noted above the principle of development is considered to be appropriate in this location.

6.25 In light of the above considerations, the proposal is considered to be acceptable with respect to the impacts on the character and appearance of the existing building and surrounding area.

AMENITY OF NEIGHBOURING LAND USERS

6.26 It is acknowledged that neighbour representations have been received in respect of adverse impacts of the proposal on the amenity of neighbouring residential properties. The host property is a linked property and as such adjoins to 4 Henderson Grove to the north and No. 8 to the south. It is noted that the proposal includes the installation of a porch on the front elevation. The relationship between neighbouring properties is such that there would be a separation distance of approximately 3m from the proposed porch at the host property to the principal elevation of the adjoining neighbour at No. 4 (north) and approximately 4.1m to the adjoining neighbour at No. 8 (south). A separation distance of approximately 14.7m would remain to the front elevations of the closest neighbours at the front at No's 3-7 (odds) with the public highway between.

6.27 Whilst it is acknowledged that the proposed porch does not achieve required separation distances that would comply with policy QP4 of the Hartlepool Local Plan (2018) or the Residential Design Guide SPD (2019), as detailed above, the existing relationship between windows at the host property and neighbouring properties is established and the proposal does not seek to introduce windows. Furthermore, such relationships are a characteristic of the area. Given the modest scale of the proposal (including height under 4m) and that it would serve a non-habitable room(s), on balance, it is considered that this element of the proposal would not result in an unacceptable loss of amenity and privacy for neighbouring land users to the front (west) or to the adjoining properties to the north and south. As the proposed porch would be to the front of the host property, it would be screened from neighbours to the rear (3-7 (odds) Lansbury Grove) and it is considered there would be no adverse impacts on their amenity or privacy.

6.28 In terms of the alterations to the use of the existing rooms, it is noted that the existing kitchen/diner at the ground floor of the property would become a bedroom. It is acknowledged that the window serving this proposed bedroom would be approximately 0.3m from the boundary with the adjoining neighbour to the north (No. 4), and that as noted above, there is a boundary fence with a height of approximately 1.8m enclosing the rear garden of the host property along this northern boundary. Owing to this relationship it is considered that direct views would not be achievable from the proposed bedroom at flat 1 into the rear elevation of neighbouring properties or direct views into their rear garden amenity space. In terms of the other alterations to the layout, the existing bedroom at the front on the first floor would become a living space with kitchen to serve the residents of flat 2 (remaining a habitable room). As noted above, the ground floor of the two storey off-shoot at the rear would become a bathroom to serve residents of flat 1. Given that the relationship between the host property and neighbouring properties is already established, and the proposal would not seek to reduce separation distances or introduce windows which would allow for unacceptable direct views into neighbouring properties at the front (Nos. 3-7 (odds) Henderson Grove), the proposal is not considered to result in an adverse loss of amenity and privacy for neighbouring properties. It is considered that no adverse overlooking could be achieved between flat 1 and flat 2 and vice versa. On balance, it is considered that there would not be any adverse impacts on the privacy of neighbouring properties to the sides (4 and 8 Henderson Grove), rear (3-7 (odds) Lansbury Grove) or front (3-7 (odds) Henderson Grove) as a result of this proposed alterations to the room layout in terms of overlooking.

6.29 It is acknowledged that the nature and layout of the proposed use has the potential to introduce greater levels of activity to areas within the property than the current use as a single dwelling and as such has the potential to cause noise related nuisance to areas of the neighbouring dwellings (particularly bedrooms) where they could reasonably expect low levels of noise and disturbance. The Council's Public Protection team have been consulted upon the application and their response raises no objections to the application subject to noise insulation measures being conditioned for party walls with adjoining properties. It is considered that a planning condition is necessary to secure the noise insulation measures (mentioned above) and therefore, subject to this, the proposal is acceptable in this regard.

6.30 In conclusion, it is considered that the proposal would not cause any significant adverse impact on the amenity and privacy of neighbouring properties (including future occupiers of the flats proposed) subject to necessary planning conditions (as detailed above) as to warrant a refusal of the application in this instance and therefore, on balance, the proposal is acceptable in this regard.

HIGHWAY AND PEDESTRIAN SAFETY AND CAR PARKING

6.31 In terms of car parking, it is acknowledged that neighbour objections have been received in respect of parking issues in the grove. The site is located with an area consisting primarily of linked residential properties. In common with other dwellings in the neighbourhood, the site lacks in-curtilage parking accessible to the highway and would therefore be unable to provide for any off-street parking. The Council's Traffic and Transport section have been consulted with respect to the proposal and have not raised any concerns.

6.32 As noted above, consideration is also given the site's location close to public transport links. Therefore, the proposal is not considered to result in a significant detrimental impact on parking and highway safety and is therefore deemed acceptable in this regard.

OTHER PLANNING MATTERS

Safety and Security

6.33 Section 17 of the Crime and Disorder Act 1998 requires the Local Planning Authority to exercise their functions with due regard to their likely effect on crime and disorder and to do all they reasonably can to prevent crime and disorder. This is further supported by Paragraph 91 of the NPPF states "Planning policies and decisions should aim to achieve healthy, inclusive and safe places which... are safe and accessible, so that crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion".

6.34 Cleveland Police have confirmed that they would have no objections to the proposal subject to a number of safety and security measures, to include the provision of doors and windows secured to required standards, the provision of a door viewer, and robust gates. This advice can be relayed to the applicant via a suitable informative.

6.35 HBC Community Safety have offered no objections to the proposal and have commented that with the assurance that appropriate security measures and robust property management will be in place, there are no community safety concerns. It is therefore considered acceptable in this regard.

Drainage + Contaminated Land

6.36 The site is located outside of Flood Zones 2 and 3. It is acknowledged that a neighbour objection has been received citing issues around drainage, however the Council's Engineering Consultancy were consulted in respect of the application and have confirmed they would have no objection to the proposal in respect of surface

water management or contaminated land, therefore the proposal is considered to be acceptable in these respects.

Waste

6.37 The proposed use has the potential to generate a higher level of refuse/waste given the increased number of occupants. It is noted that provision is made for refuse storage to serve each self-contained flat individually, with access to this through the shared ginnel/passageway with the host property and the adjoining neighbour at No. 4. No objections have been received from HBC Waste Management or HBC Public Protection in respect of waste facilities or this shared access, and therefore the proposal is considered acceptable.

RESIDUAL MATTERS

6.38 Cleveland Fire Brigade have confirmed that they have no representations to make in respect of the application but have provided advice in respect of Access and Water Supplies. Ultimately this is a building regulations matter and is beyond the remit of the Local Planning Authority. A suitable informative is recommended to make the applicant aware of this advice.

NON-PLANNING MATTERS

6.39 It is noted that neighbour objections have been received raising concerns that properties in the street are occupied by families and that there is a lack of vetting, with concerns expressed about the nature of potential tenants. The occupation of rented properties and the suitability of prospective tenants are not material planning considerations and as such, no weight can be given to these matters.

CONCLUSION

6.40 On balance and in light of the considerations detailed above, it is considered that the principle of the proposed change of use to two self-contained flats is acceptable. It is considered that the proposal would not give rise to adverse impacts upon the visual amenity, neighbour amenity, highway safety, community safety or any other planning matter. Furthermore, the proposal would bring a vacant building back into use. It is therefore considered the development accords with policies HSG2, HSG11, QP4 and QP5 of the Hartlepool Local Plan (2018) and paragraphs 124, 127 and 130 of the National Planning Policy Framework 2019 and should be conditionally approved.

EQUALITY AND DIVERSITY CONSIDERATIONS

6.41 There is no evidence of equality or diversity implications.

SECTION 17 OF THE CRIME AND DISORDER ACT 1998 CONSIDERATIONS

6.42 The Crime and Disorder Act 1998 requires local authorities to consider crime and disorder reduction in the exercise of all their duties, activities and decision-making.

6.43 There are no Section 17 implications.

REASON FOR DECISION

6.44 It is considered by Officers that the proposal in the context of relevant planning policies and material planning considerations is acceptable as set out in the Officer's Report.

RECOMMENDATION – APPROVE, subject to the conditions below:

1. The development to which this permission relates shall be begun not later than three years from the date of this permission.
To clarify the period for which the permission is valid.
2. The development hereby permitted shall be carried out in accordance with the plans and details Drg. No. BS/19/90/TypeE/O4 Rev A 'Floor Plans and Elevations Existing and Proposed' received by the Local Planning Authority on 29th April 2020; and Drg. No. BS/19/90/TypeE/O3 Rev A 'OS Site Location Plan (scale 1:1250) and Block Plans (scale 1:500) received by the Local Planning Authority on 20th May 2020.
For the avoidance of doubt.
3. Prior to the development hereby approved being brought into use, a scheme demonstrating appropriate noise insulation between the application site and the adjoining neighbouring properties at 4 Henderson Grove and 8 Henderson Grove shall be submitted to and approved in writing by the local Planning Authority. Thereafter, the agreed scheme shall be implemented prior to the occupancy of the development hereby approved and retained for the life of the development.
In the interests of the amenities of the occupants of neighbouring properties.
4. The development hereby approved shall be used as 2no. flats as defined by The Town and Country Planning (Development Management Procedure) (England) Order 2015 or in any provision equivalent to that Order in any statutory instrument revoking or re-enacting that Order with or without modification.
For the avoidance of doubt and in the interests of the amenities of the occupants of neighbouring properties.

BACKGROUND PAPERS

6.45 Background papers can be viewed by the 'attachments' on the following public access page:

<http://eforms.hartlepool.gov.uk/portal/servlets/ApplicationSearchServlet?PKID=137601>

6.46 Copies of the applications are available on-line:

<http://eforms.hartlepool.gov.uk:7777/portal/servlets/ApplicationSearchServlet>
except for such documents that contain exempt or confidential information.

CONTACT OFFICER

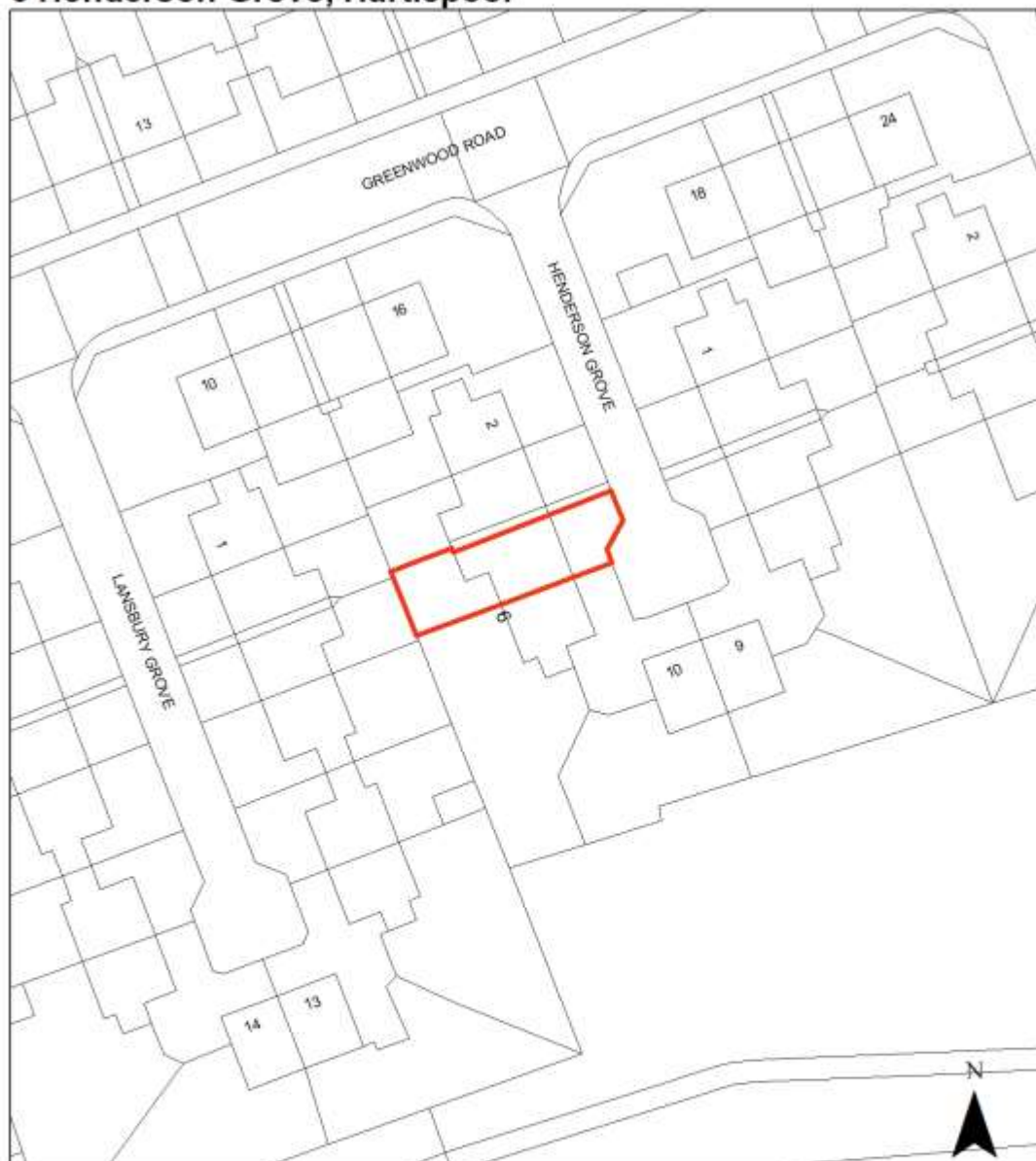
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THIS PLAN IS FOR SITE IDENTIFICATION PURPOSE ONLY

HARTLEPOOL BOROUGH COUNCIL	DRAWN JB	DATE 20.7.2020
	SCALE 1:500	
Dept of Regeneration & Neighbourhoods Civic Centre, Victoria Road, Hartlepool TS24 8AY	DRG.NO H/2020/0143	REV

No: 7
Number: H/2020/0144
Applicant: MR CRAIG ELLIS GOSFORTH PARK WAY GOSFORTH
BUSINESS PARK NEWCASTLE UPON TYNE NE12
8ET
Agent: RNJ PARTNERSHIP LLP MR SIMON NESTI 2
DIAMOND COURT KENTON NEWCASTLE UPON TYNE
NE3 2EN
Date valid: 28/04/2020
Development: Change of use from 1no. dwellinghouse to 2no. flats with
associated external alterations including widening of
access doors to front and rear and replacement of the
canopy to the rear.
Location: 52 ARKLEY CRESCENT HARTLEPOOL

PURPOSE OF REPORT

7.1 An application has been submitted for the development highlighted within this report; accordingly Hartlepool Borough Council as Local Planning Authority is required to make a decision on this application. This report outlines the material considerations in relation to the proposal and presents a recommendation.

BACKGROUND

7.2 A number of similar planning applications (25no. in total) have been submitted by the applicant (Home Group, a housing association) within the Borough for a change of use from 1no. dwellinghouse to 2no. flats and to which a number of these applications (11no.) form part of the same planning committee agenda as the current application.

7.3 The supporting Design and Access Statement for the applications indicates that the proposed scheme is part of the 'Move On Project' that is "intended to provide necessary accommodation and support to enable independent living, particularly targeted at those leaving homelessness services or domestic violence services". One of the applications relates to a proposal for the provision of a management hub (with a flat above) at 10 Greenwood Road (ref; H/2020/0152), which is currently pending consideration at the time of writing (22.07.2020). The hub is intended to "provide on-site office space to support customers in nearby properties".

PROPOSAL

7.4 This application seeks planning permission for the change of use from a residential dwelling (C3 Use Class) to 2no. self-contained flats (C3 Use Class) at 52 Arkley Crescent. The property would contain one flat on the ground floor (flat 1), one flat on the first floor (flat 2).

7.5 In order to facilitate the proposed change of use, the proposal would include external alterations including the widening of access doors to front and rear and replacement of the canopy to the rear.

7.6 The application has been referred to the planning committee due to the number of objections received (more than 2), in line with the Council's Scheme of Delegation.

SITE CONTEXT

7.7 The application site is a south-west facing semi-detached property on Arkley Crescent, which is currently vacant. The site is a semi-circular crescent within a predominately residential area to the north of Warren Road, in the West View estate area. Adjoining to the east is 1 Warren Road and the property to the north of the site is 50 Arkley Crescent. To the front (west) is the main highway of Arkley Crescent, beyond which are Nos. 31 to 35 (odds) Arkley Crescent. To the rear of the application site is an open space area. The host property includes a garden to the front and side and a small garden to the rear, which is accessed via a gate at the side of the property (north west). The rear garden is enclosed by a fence with an approximate height of 1.8m along the boundary on two sides whilst to the front the boundary treatment includes a wall with a height of approximately 1m facing to the south east and south west. The wall to the south west is topped with railings and the fence which abuts Warren Road is topped with bushes (with a total height of approximately 1.6m).

PUBLICITY

7.8 The application has been advertised by way of neighbour letters (7) and a site notice. To date, there have been 4 objections, including from a local ward councillor.

7.9 The concerns raised can be summarised as follows:

- Extra parking requirements.
- Highways concerns.
- Anti-social behaviour.
- Abundance of flats elsewhere in the borough.

7.10 Background papers can be viewed by the 'attachments on the following public access page:

<http://eforms.hartlepool.gov.uk/portal/servlets/ApplicationSearchServlet?PKID=137602>

7.11 The period for publicity has expired.

CONSULTATIONS

7.12 The following consultation replies have been received:

HBC Building Control: I can confirm that a Building Regulation application is required for the works as described.

HBC Landscape Architect: There are no landscape and visual objections to the proposed development.

HBC Flood Risk Officer: In response to your consultation on the above application I have no objection to proposals in respect of surface water management or contaminated land.

HBC Public Protection: I have no objections to this application subject to a sound insulation condition to the party wall with the neighbouring property.

HBC Waste Management: No comments to make.

HBC Estates: No comments received.

HBC Traffic and Transport: There are no highway or traffic concerns.

There is no off street parking associated with this property, this is not considered an issue as car ownership is generally at a low level for occupants of these types of dwellings.

HBC Community Safety: These proposals will assist in easing the shortage of this type of accommodation in Hartlepool. With the assurance that appropriate security measures and robust property management will be in place, there are no community safety concerns.

HBC Arboricultural Officer: No comments received.

Cleveland Police: Police have no objections to this application but have the following recommendations in relation to crime prevention.

The premises will provide much needed accommodation for some of the most vulnerable members of society the premises therefore is required to provide a level of security to provide a safe and secure premise to live.

All replacement doors and accessible windows certified to PAS 24 2016. Door viewer to all entrance doors. Dusk Dawn to entrance doors. Secure robust side gate which is capable of being locked from both sides.

It is also essential the premises is well managed and maintained with an assessment carried out on all tenants in relation to any potential impact on nearby residents, both flats require to be secured internally from each other.

Cleveland Fire Brigade: I was consulting on all of these but was advised by our group manager to stop consulting on any that wouldn't fall under the RR(FS)O2005 so haven't done any that do not have communal spaces. They don't fall under our legislation so would never be inspected, our jurisdiction only relates to shared parts of 'blocks' of flats, like common entrances, halls, and stair ways. The majority of the ones being sent through have separate entrances for each flat and no communal space.

Tees Archaeology: Thank you for the consultation. There are no archaeological requirements for this application.

Northumbrian Water: Having assessed the proposed development against the context outlined above I can confirm that at this stage we would have no comments to make.

PLANNING POLICY

7.13 In relation to the specific policies referred to in the section below please see the Policy Note at the end of the agenda.

Local Policy

7.14 The following policies in the adopted Hartlepool Local Plan 2018 are relevant to the determination of this application:

HSG1: New Housing Provision
HSG11: Extensions and Alterations To Existing Dwellings
HSG2: Overall Housing Mix
LS1: Locational Strategy
QP3: Location, Accessibility, Highway Safety and Parking
QP4: Layout and Design of Development
QP5: Safety and Security
QP6: Technical Matters
QP7: Energy Efficiency
SUS1: The Presumption in Favour of Sustainable Development

National Policy

7.15 In February 2019 the Government issued a revised National Planning Policy Framework (NPPF) replacing the 2012 and 2018 NPPF versions. The NPPF sets out the Governments Planning policies for England and how these are expected to be applied. It sets out the Government requirements for the planning system. The overriding message from the Framework is that planning authorities should plan positively for new development. It defines the role of planning in achieving sustainable development under three overarching objectives; an economic objective, a social objective and an environmental objective, each mutually dependent. At the heart of the Framework is a presumption in favour of sustainable development. For decision-taking, this means approving development proposals that accord with an up-to-date development plan without delay or, where there are no relevant development plan policies or the policies which are most important for determining the application are out-of-date, granting permission unless policies within the Framework provide a clear reason for refusal or any adverse impacts of doing so would significantly and demonstrably outweigh the benefits. The following paragraphs are relevant to this application:

PARA 001: Introduction
PARA 002: Permission determined in accordance with development plan
PARA 003: Introduction
PARA 007: Achieving sustainable development
PARA 008: Achieving sustainable development

PARA 010: Achieving sustainable development
PARA 011: The presumption in favour of sustainable development
PARA 012: The presumption in favour of sustainable development
PARA 038: Decision-Making
PARA 047: Determining Applications
PARA 059: Delivering a sufficient supply of homes
PARA 122: Achieving appropriate densities
PARA 124: Achieving well-designed places
PARA 127: Achieving well-designed places
PARA 130: Achieving well-designed places
PARA 150: Planning for Climate Change
PARA 212: Implementation

PLANNING CONSIDERATIONS

7.16 The main issues for consideration in this instance are the appropriateness of the proposal in principle in terms of the policies and proposals held within the Hartlepool Local Plan (2018) and the NPPF (2019) including the principle of development, the impact on the character and appearance of the existing building and surrounding area, the impact upon highway safety, impact on the amenity and privacy of neighbouring properties and crime and security. These and any other planning and non-planning matters are detailed below.

PRINCIPLE OF DEVELOPMENT

7.17 The host property currently benefits from an existing residential C3 use, and is situated within a residential street. The proposal is for the change of use to two flats which would retain the residential C3 use. As such the general principle of residential development in this location is considered to be acceptable in principle. The application site is located within walking distance of existing shops and services, and proximity to local bus services which provides access to the public transport network. Therefore, the site is considered to be in a sustainable location.

7.18 The Council's Community Safety section have been consulted in respect of the proposal and consider that the proposals would assist in easing the shortage of this type of accommodation in Hartlepool. Furthermore, the Council's Planning Policy section has been consulted and has not raised any objections in respect of the proposed change of use.

7.19 In light of the above, the principle of development is considered to be acceptable subject to the consideration of all other material planning considerations as detailed below.

VISUAL AMENITY AND CHARACTER OF SURROUNDING AREA

7.20 The application site is located within Arkley Crescent, a residential street in Hartlepool. It is of note that the proposal includes modest alterations to the main access door at the front. The proposal also includes the alteration of a door in the rear elevation of the host property in order to provide access to the first floor, and the replacement of the existing rear canopy. It is considered that these alterations would

not result in an appreciable change to the appearance of the existing dwelling, and would therefore remain in keeping with the design and character of other properties in the street scene. On balance, it is considered the proposed change of use would not result in such a significant incongruous feature on the existing property or detrimentally affect the street scene to warrant a reason to refuse the proposal in this instance. The Council's Landscape Architect has had regard to the proposal and has no concerns with regard to the visual impacts.

7.21 The proposal does not increase the total number of bedrooms within the property and the use would remain residential which is considered to be acceptable in this location and would not adversely affect the character of the street scene or significantly intensify the residential use of the area. As noted above the principle of development is considered to be appropriate in this location.

7.22 In light of the above considerations, the proposal is considered to be acceptable with respect to the impacts on the character and appearance of the existing building and surrounding area.

AMENITY OF NEIGHBOURING LAND USERS

7.23 It is acknowledged that neighbour representations have been received in respect of adverse impacts of the proposal on the amenity of neighbouring residential properties. The host property is a semi-detached property and as such adjoins to 1 Warren Road to the south east. Taking into account the modest scale of the alterations, the established relationship and remaining separation distances between neighbouring properties, it is considered that there would not be an adverse loss of amenity in terms of outlook, overbearing and overshadowing.

7.24 In terms of the alterations to the use of the existing rooms, it is noted that the existing kitchen/diner at the ground floor of the property would become a bedroom. It is acknowledged that the window serving this proposed bedroom would be approximately 0.8m from the boundary with the adjoining neighbour to the south (No. 50), and that as noted above, there is a boundary fence with a height of approximately 1.8m enclosing the rear garden of the host property along this northern boundary. Owing to this relationship it is considered that direct views would not be achievable from the proposed bedroom at flat 1 into the rear elevation of neighbouring properties or direct views into their rear garden amenity space. In terms of the other alterations to the layout, the existing bedrooms to the front on the first floor would become an open plan living room with kitchen to serve the residents of flat 2. As noted above, a kitchen would be installed within the living room space (which would remain) at the ground floor to serve residents of flat 1. Given that the relationship between the host property and neighbouring properties is already established, and the proposal would not seek to reduce separation distances or introduce windows which would allow for unacceptable direct views into neighbouring properties, on balance, it is considered that there would not be any adverse impacts on the privacy of neighbouring properties to the sides and rear (including Nos. 1 Warren Road, 50 Arkley Crescent and 31-35 (odds) Arkley Crescent). It is further considered that no adverse overlooking could be achieved between flat 1 and flat 2 and vice versa as a result of this proposed alterations to the room layout.

7.25 It is acknowledged that the nature and layout of the proposed use has the potential to introduce greater levels of activity to areas within the property than the current use as a single dwelling and as such has the potential to cause noise related nuisance to areas of the neighbouring dwellings (particularly bedrooms) where they could reasonably expect low levels of noise and disturbance. The Council's Public Protection team have been consulted upon the application and their response raises no objections to the application subject to noise insulation measures being conditioned for party walls with the adjoining properties. It is considered that a planning condition is necessary to secure the noise insulation measures (mentioned above) and therefore, subject to this, the proposal is acceptable in this regard.

7.26 In conclusion, it is considered that the proposal would not cause any significant adverse impact on the amenity and privacy of neighbouring properties (including future occupiers of the flats proposed) subject to necessary planning conditions (as detailed above) as to warrant a refusal of the application in this instance and therefore, on balance, the proposal is acceptable in this regard.

HIGHWAY AND PEDESTRIAN SAFETY AND CAR PARKING

7.27 In terms of car parking, it is acknowledged that neighbour objections have been received in respect of parking issues in the street (Arkley Crescent). The site is located with an area consisting primarily of linked residential properties. In common with other dwellings in the neighbourhood, the site lacks in-curtilage parking accessible to the highway and would therefore be unable to provide for any off-street parking. The Council's Traffic and Transport section have been consulted with respect to the proposal and have not raised any concerns.

7.28 As noted above, consideration is also given the site's location close to public transport links. Therefore, the proposal is not considered to result in a significant detrimental impact on parking and highway safety and is therefore deemed acceptable in this regard.

OTHER PLANNING MATTERS

Safety and Security

7.29 It is acknowledged that neighbour objections refer to matters of crime and anti-social behaviour. Section 17 of the Crime and Disorder Act 1998 requires the Local Planning Authority to exercise their functions with due regard to their likely effect on crime and disorder and to do all they reasonably can to prevent crime and disorder. This is further supported by Paragraph 91 of the NPPF states "Planning policies and decisions should aim to achieve healthy, inclusive and safe places which... are safe and accessible, so that crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion".

7.30 Cleveland Police have confirmed that they would have no objections to the proposal subject to a number of safety and security measures, to include the provision of doors and windows secured to required standards, the provision of a

door viewer, and robust gates. This advice can be relayed to the applicant via a suitable informative.

7.31 HBC Community Safety have offered no objections to the proposal and have commented that with the assurance that appropriate security measures and robust property management will be in place, there are no community safety concerns. It is therefore considered acceptable in this regard.

Drainage + Contaminated Land

7.32 The site is located outside of Flood Zones 2 and 3. The Council's Engineering Consultancy were consulted in respect of the application and have confirmed they would have no objection to the proposal in respect of surface water management or contaminated land, therefore the proposal is considered to be acceptable in these respects.

Waste

7.33 The proposed use has the potential to generate a higher level of refuse/waste given the increased number of occupants. It is noted that provision is made for refuse storage to serve each self-contained flat individually, with access to this at the side of the host property for flat 2 and at the rear for flat 1. No objections have been received from HBC Waste Management or HBC Public Protection in respect of waste facilities, and therefore the proposal is considered acceptable.

RESIDUAL MATTERS

7.34 Cleveland Fire Brigade have confirmed that they have no representations to make in respect of the application. Ultimately this is a building regulations matter and is beyond the remit of the Local Planning Authority. A suitable informative is recommended to make the applicant aware of this advice.

NON-PLANNING MATTERS

7.35 It is noted that neighbour objections have been received raising concerns that properties in the street are occupied by families that may wish to relocate if the application is approved and regarding the nature of tenants proposed as part of the 'Move On Scheme'. Property ownership and the occupation of rented properties are not material planning considerations and as such, no weight can be given to these matters.

CONCLUSION

7.36 On balance and in light of the considerations detailed above, it is considered that the principle of the proposed change of use to two self-contained flats is acceptable. It is considered that the proposal would not give rise to adverse impacts upon the visual amenity, neighbour amenity, highway safety, community safety or any other planning matter. Furthermore, the proposal would bring a vacant building back into use. It is therefore considered the development accords with policies HSG2, HSG11, QP4 and QP5 of the Hartlepool Local Plan (2018) and paragraphs

124, 127 and 130 of the National Planning Policy Framework 2019 and should be conditionally approved.

EQUALITY AND DIVERSITY CONSIDERATIONS

7.37 There is no evidence of equality or diversity implications.

SECTION 17 OF THE CRIME AND DISORDER ACT 1998 CONSIDERATIONS

7.38 The Crime and Disorder Act 1998 requires local authorities to consider crime and disorder reduction in the exercise of all their duties, activities and decision-making.

7.39 There are no Section 17 implications.

REASON FOR DECISION

7.40 It is considered by Officers that the proposal in the context of relevant planning policies and material planning considerations is acceptable as set out in the Officer's Report.

RECOMMENDATION – APPROVE, subject to the conditions below:

1. The development to which this permission relates shall be begun not later than three years from the date of this permission.
To clarify the period for which the permission is valid.
2. The development hereby permitted shall be carried out in accordance with the plans and details Drg. No. BS/19/90/TypeF/02 Rev A 'Floor Plans and Elevations Existing and Proposed' received by the Local Planning Authority on 29th April 2020; and Drg. No. BS/19/90/TypeF/01 Rev A 'OS Site Location Plan (scale 1:1250) and Block Plans (scale 1:500) received by the Local Planning Authority on 20th May 2020.
For the avoidance of doubt.
3. Prior to the development hereby approved being brought into use, a scheme demonstrating appropriate noise insulation between the application site and the adjoining neighbouring properties at 1 Warren Road shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the agreed scheme shall be implemented prior to the occupancy of the development hereby approved and retained for the life of the development.
In the interests of the amenities of the occupants of neighbouring properties.
4. The development hereby approved shall be used as 2no. flats as defined by The Town and Country Planning (Development Management Procedure) (England) Order 2015 or in any provision equivalent to that Order in any statutory instrument revoking or re-enacting that Order with or without modification.
For the avoidance of doubt and in the interests of the amenities of the occupants of neighbouring properties.

BACKGROUND PAPERS

7.41 Background papers can be viewed by the 'attachments' on the following public access page:

<http://eforms.hartlepool.gov.uk/portal/servlets/ApplicationSearchServlet?PKID=137602>

7.42 Copies of the applications are available on-line:

<http://eforms.hartlepool.gov.uk:7777/portal/servlets/ApplicationSearchServlet>
except for such documents that contain exempt or confidential information.

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52 Arkley Crescent, Hartlepool

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THIS PLAN IS FOR SITE IDENTIFICATION PURPOSE ONLY

HARTLEPOOL BOROUGH COUNCIL	DRAWN JB	DATE 20.7.2020
	SCALE 1:500	
Dept of Regeneration & Neighbourhoods Civic Centre, Victoria Road, Hartlepool TS24 8AY	DRG.NO H/2020/0144	REV

No: 8
Number: H/2020/0148
Applicant: MR CRAIG ELLIS GOSFORTH PARK WAY GOSFORTH
BUSINESS PARK NEWCASTLE UPON TYNE NE12
8ET
Agent: RNJ PARTNERSHIP LLP MR SIMON NESTI 2
DIAMOND COURT KENTON NEWCASTLE UPON TYNE
NE3 2EN
Date valid: 04/05/2020
Development: Change of use from 1no. dwellinghouse to 2no. flats with
associated external alterations including installation of a
canopy to the side
Location: 51 BRUCE CRESCENT HARTLEPOOL HARTLEPOOL

PURPOSE OF REPORT

8.1 An application has been submitted for the development highlighted within this report; accordingly Hartlepool Borough Council as Local Planning Authority is required to make a decision on this application. This report outlines the material considerations in relation to the proposal and presents a recommendation.

BACKGROUND

8.2 A number of similar planning applications (25no. in total) have been submitted by the applicant (Home Group, a housing association) within the Borough for a change of use from 1no. dwellinghouse to 2no. flats and to which a number of these applications (11no.) form part of the same planning committee agenda as the current application.

8.3 The supporting Design and Access Statement for the applications indicates that the proposed scheme is part of the 'Move On Project' that is "intended to provide necessary accommodation and support to enable independent living, particularly targeted at those leaving homelessness services or domestic violence services". One of the applications relates to a proposal for the provision of a management hub (with a flat above) at 10 Greenwood Road (ref; H/2020/0152), which is currently pending consideration at the time of writing (22.07.2020). The hub is intended to "provide on-site office space to support customers in nearby properties".

PROPOSAL

8.4 Planning permission is sought through this application for the change of use from a residential dwelling (C3 use class) to 2no. self-contained flats (C3 use class) at 51 Bruce Crescent. The property would contain 1no. one-bedroomed flat on the ground floor (flat 1) and 1no. one-bedroomed flat on the first floor (flat 2).

8.5 The proposal would include the replacement of a non-access door in the side elevation with an access door, from which flat 1 could be accessed.

The application includes the bricking up of 1no. door in the ground floor of the rear elevation of the host property.

8.6 Internally, at ground floor the proposal would feature 1no. bedroom and a bathroom in place of the existing kitchen/diner and W.C at ground floor, with a kitchen being installed in the living space at the front. At first floor level, a kitchen and living room would be installed in place of the existing bedroom at the front. The rear bedroom and bathroom would remain to serve the occupier. The proposal would include the installation and removal of stud walls to facilitate the creation of hallways.

8.7 The application has been referred to the planning committee due to the number of objections received, in line with the Council's Scheme of Delegation.

SITE CONTEXT

8.8 The application site is a south-east facing two-storey semi-detached property on Bruce Crescent, which is currently vacant. The site is a circular crescent within a predominately residential area to the north of Warren Road, in the West View estate area. Adjoining to the south is 53 Bruce Crescent, while 49 Bruce Crescent is adjacent to the north both residential properties. To the east, beyond the main highway of Bruce Crescent is an area of open space. To the rear the application site is abounded by the rear garden of No. 61 Bruce Crescent, which faces south west. The host property includes a small garden to the front and a garden at the rear, which is accessed via a path to the side (north east). The rear garden is enclosed by a fence with an approximate height of 1.8m along the boundary on all three sides (including at the side of the host property bordering 49 Bruce Crescent, whilst to the front the boundary treatment includes a wall with a height of approximately 1m topped with railings with a total height of approximately 1.6m.

PUBLICITY

8.9 The application has been advertised by way of neighbour letters (8) and a site notice. To date, there have been 5 objections, including 1 from a ward councillor.

8.10 The concerns raised can be summarised as follows:

- Anti-social behaviour
- Lack of parking
- More vehicles will endanger children crossing the road
- Noise nuisance, the proposed living room at first floor flat will adjoin a bedroom
- Existing tenants will want to move
- Breach of privacy taking down the fence to No. 49
- The De Bruce ward has an abundance of one-bedroom flats
- Devaluation of neighbouring properties
- Vacant properties are targets for vandalism and anti-social behaviour
- Properties proposed to be changed under the scheme are needed by families and disabled occupiers

8.11 Background papers can be viewed by the 'attachments' on the following public access page:

<http://eforms.hartlepool.gov.uk/portal/servlets/ApplicationSearchServlet?PKID=137620>

8.12 The period for publicity has expired.

CONSULTATIONS

8.13 The following consultation replies have been received:

HBC Building Control: I can confirm that a Building Regulation application is required for the works as described.

HBC Landscape Architect: There are no landscape and visual objections to the proposed development.

HBC Flood Risk Officer: In response to your consultation on the above application I have no objection to proposals in respect of surface water management or contaminated land.

HBC Public Protection: I have no objections to this application subject to a sound insulation condition to the party wall with the neighbouring property.

HBC Waste Management: No comments to make.

HBC Estates: No comments received.

HBC Traffic and Transport: There are no highway or traffic concerns.

There is no off street parking associated with this property, this is not considered an issue as car ownership is generally at a low level for occupants of these types of dwellings.

HBC Community Safety: These proposals will assist in easing the shortage of this type of accommodation in Hartlepool. With the assurance that appropriate security measures and robust property management will be in place, there are no community safety concerns.

HBC Arboricultural Officer: No comments received.

Cleveland Police: Police have no objections to this application but have the following recommendations in relation to crime prevention.

The premises will provide much needed accommodation for some of the most vulnerable members of society the premises therefore is required to provide a level of security to provide a safe and secure premise to live.

All replacement doors and accessible windows certified to PAS 24 2016.

Door viewer to all entrance doors Dusk Dawn to entrance doors.

Secure robust side gate.

It is also essential the premises is well managed and maintained both flats require to be secured internally from each other.

Cleveland Fire Brigade: I was consulting on all of these but was advised by our group manager to stop consulting on any that wouldn't fall under the RR(FS)O2005 so haven't done any that do not have communal spaces. They don't fall under our legislation so would never be inspected, our jurisdiction only relates to shared parts of 'blocks' of flats, like common entrances, halls, and stair ways. The majority of the ones being sent through have separate entrances for each flat and no communal space.

Tees Archaeology: Thank you for the consultation. There are no archaeological requirements for this application.

Northumbrian Water: Having assessed the proposed development against the context outlined above I can confirm that at this stage we would have no comments to make.

PLANNING POLICY

8.14 In relation to the specific policies referred to in the section below please see the Policy Note at the end of the agenda.

8.15 The following policies in the adopted Hartlepool Local Plan 2018 are relevant to the determination of this application:

HSG1: New Housing Provision
 HSG11: Extensions and Alterations To Existing Dwellings
 HSG2: Overall Housing Mix
 LS1: Locational Strategy
 QP3: Location, Accessibility, Highway Safety and Parking
 QP4: Layout and Design of Development
 QP5: Safety and Security
 QP6: Technical Matters
 QP7: Energy Efficiency
 SUS1: The Presumption in Favour of Sustainable Development

National Policy

8.16 In February 2019 the Government issued a revised National Planning Policy Framework (NPPF) replacing the 2012 and 2018 NPPF versions. The NPPF sets out the Governments Planning policies for England and how these are expected to be applied. It sets out the Government requirements for the planning system. The overriding message from the Framework is that planning authorities should plan positively for new development. It defines the role of planning in achieving sustainable development under three overarching objectives; an economic objective, a social objective and an environmental objective, each mutually dependent. At the

heart of the Framework is a presumption in favour of sustainable development. For decision-taking, this means approving development proposals that accord with an up-to-date development plan without delay or, where there are no relevant development plan policies or the policies which are most important for determining the application are out-of-date, granting permission unless policies within the Framework provide a clear reason for refusal or any adverse impacts of doing so would significantly and demonstrably outweigh the benefits. The following paragraphs are relevant to this application:

PARA 001: Introduction

PARA 002: Permission determined in accordance with development plan

PARA 003: Introduction

PARA 007: Achieving sustainable development

PARA 008: Achieving sustainable development

PARA 010: Achieving sustainable development

PARA 011: The presumption in favour of sustainable development

PARA 012: The presumption in favour of sustainable development

PARA 038: Decision-Making

PARA 047: Determining Applications

PARA 059: Delivering a sufficient supply of homes

PARA 122: Achieving appropriate densities

PARA 124: Achieving well-designed places

PARA 127: Achieving well-designed places

PARA 130: Achieving well-designed places

PARA 150: Planning for Climate Change

PARA 212: Implementation

PLANNING CONSIDERATIONS

8.17 The main issues for consideration in this instance are the appropriateness of the proposal in principle in terms of the policies and proposals held within the Hartlepool Local Plan (2018) and the NPPF (2019) including the principle of development, the impact on the character and appearance of the existing building and surrounding area, the impact upon highway safety, impact on the amenity and privacy of neighbouring properties and crime and security. These and any other planning and non-planning matters are detailed below.

PRINCIPLE OF DEVELOPMENT

8.18 The host property currently benefits from an existing residential C3 use, and is situated within a residential street. The proposal is for the change of use to two flats which would retain the residential C3 use. As such the general principle of residential development in this location is considered to be acceptable in principle. The application site is located within walking distance of existing shops and services, and proximity to local bus services which provides access to the public transport network. Therefore, the site is considered to be in a sustainable location.

8.19 The Council's Community Safety section have been consulted in respect of the proposal and consider that the proposals would assist in easing the shortage of this type of accommodation in Hartlepool. Furthermore, the Council's Planning Policy

section has been consulted and has not raised any objections in respect of the proposed change of use.

8.20 In light of the above, the principle of development is considered to be acceptable subject to the consideration of all other material planning considerations as detailed below.

VISUAL AMENITY AND CHARACTER OF SURROUNDING AREA

8.21 The application site is located within Bruce Crescent, a residential street in Hartlepool. It is of note that the proposal includes the installation of a main access door in the side with a canopy above. The proposal also includes the bricking up of a door in the rear elevation of the host property. It is considered that these alterations would not result in an appreciable change to the appearance of the existing dwelling, and would therefore remain in keeping with the design and character of other properties in the street scene. Further consideration is given to the modest scale and design of the proposed canopy at the side of the host property.

8.22 On balance, it is considered the proposed change of use would not result in such a significant incongruous feature on the existing property or detrimentally affect the street scene to warrant a reason to refuse the proposal in this instance. The Council's Landscape Architect has had regard to the proposal and has no concerns with regard to the visual impacts.

8.23 The proposal does not increase the total number of bedrooms within the property and the use would remain residential which is considered to be acceptable in this location and would not adversely affect the character of the street scene or significantly intensify the residential use of the area. As noted above the principle of development is considered to be appropriate in this location.

8.24 In light of the above considerations, the proposal is considered to be acceptable with respect to the impacts on the character and appearance of the existing building and surrounding area.

AMENITY OF NEIGHBOURING LAND USERS

8.25 It is acknowledged that neighbour representations have been received in respect of adverse impacts of the proposal on the amenity of neighbouring residential properties. The host property is a semi-detached property and as such adjoins to 53 Bruce Crescent to the south west. It is noted that the proposal includes the installation of a canopy and the use of an existing door on the side elevation with an aspect to adjacent neighbour at 49 Bruce Crescent. The relationship between neighbouring properties is such that there would be a separation distance of approximately 3.5m from the proposed canopy at the host property to the side elevation of this neighbour (No. 49). A separation distance of approximately 6m to the boundary with the adjoining neighbour (No. 53) would remain between the proposed canopy and this neighbour, with the orientation of the host property between; and a separation of approximately 25m would remain between the proposals and No. 61 to the rear. Taking into account the modest scale of the alterations, the established relationship and remaining separation distances between

neighbouring properties, it is considered that there would not be an adverse loss of amenity in terms of outlook, overbearing and overshadowing.

8.26 As detailed above, the existing relationship between windows at the host property and neighbouring properties is established and the proposal does not seek to introduce windows. Furthermore, such relationships are a characteristic of the area. Given the modest scale of the proposed side access door and canopy (including its height under 4m) and that it would serve a non-habitable room(s), on balance, it is considered that this element of the proposal would not result in an unacceptable loss of amenity and privacy for the adjacent neighbour at No. 49 or any neighbouring properties (including those at No. 53 and 61) in terms of outlook, overbearing, overshadowing and overlooking.

8.27 In terms of the alterations to the use of the existing rooms, it is noted that the existing kitchen/diner at the ground floor of the property would become a bedroom. It is acknowledged that the window serving this proposed bedroom would be approximately 0.6m from the boundary with the adjoining neighbour to the east (No. 49), and that as noted above, there is a boundary fence with a height of approximately 1.8m enclosing the rear garden of the host property along this western boundary. Owing to this relationship it is considered that direct views would not be achievable from the proposed bedroom at flat 1 into the rear elevation of neighbouring properties or direct views into their rear garden amenity space. In terms of the other alterations to the layout, the existing bedroom on the first floor would become a kitchen to serve the residents of flat 2 (going from a habitable room to a non-habitable room). As noted above, the W.C. on the ground floor would become a bathroom to serve residents of flat 1, with a kitchen being installed in the existing living room to the front (which would remain) to serve flat 1. Given that the relationship between the host property and neighbouring properties is already established, and the proposal would not seek to reduce separation distances or introduce windows which would allow for unacceptable direct views into neighbouring properties, on balance, it is considered that there would not be any adverse impacts on the privacy of neighbouring properties to the sides and rear (including Nos. 49, 53 and 61). It is considered that no adverse overlooking could be achieved between flat 1 and flat 2 and vice versa as a result of this proposed alterations to the room layout.

8.28 It is acknowledged that the nature and layout of the proposed use has the potential to introduce greater levels of activity to areas within the property than the current use as a single dwelling and as such has the potential to cause noise related nuisance to areas of the neighbouring dwellings (particularly bedrooms) where they could reasonably expect low levels of noise and disturbance. The Council's Public Protection team have been consulted upon the application and their response raises no objections to the application subject to noise insulation measures being conditioned for party walls with adjoining properties. It is considered that a planning condition is necessary to secure the noise insulation measures (mentioned above) and therefore, subject to this, the proposal is acceptable in this regard.

8.29 In conclusion, it is considered that the proposal would not cause any significant adverse impact on the amenity and privacy of neighbouring properties (including future occupiers of the flats proposed) subject to necessary planning conditions (as

detailed above) as to warrant a refusal of the application in this instance and therefore, on balance, the proposal is acceptable in this regard.

HIGHWAY AND PEDESTRIAN SAFETY AND CAR PARKING

8.30 In terms of car parking, it is acknowledged that neighbour objections have been received in respect of parking issues in the street (Bruce Crescent). The site is located with an area consisting primarily of linked residential properties. In common with other dwellings in the neighbourhood, the site lacks in-curtilage parking accessible to the highway and would therefore be unable to provide for any off-street parking. The Council's Traffic and Transport section have been consulted with respect to the proposal and have not raised any concerns.

8.31 As noted above, consideration is also given the site's location close to public transport links. Therefore, the proposal is not considered to result in a significant detrimental impact on parking and highway safety and is therefore deemed acceptable in this regard.

OTHER PLANNING MATTERS

Safety and Security

8.32 It is acknowledged that neighbour objections refer to matters of crime and anti-social behaviour. Section 17 of the Crime and Disorder Act 1998 requires the Local Planning Authority to exercise their functions with due regard to their likely effect on crime and disorder and to do all they reasonably can to prevent crime and disorder. This is further supported by Paragraph 91 of the NPPF states "Planning policies and decisions should aim to achieve healthy, inclusive and safe places which... are safe and accessible, so that crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion".

8.33 Cleveland Police have confirmed that they would have no objections to the proposal subject to a number of safety and security measures, to include the provision of doors and windows secured to required standards, the provision of a door viewer, and robust gates. This advice can be relayed to the applicant via a suitable informative.

8.34 HBC Community Safety have offered no objections to the proposal and have commented that with the assurance that appropriate security measures and robust property management will be in place, there are no community safety concerns. It is therefore considered acceptable in this regard.

Drainage + Contaminated Land

8.35 The site is located outside of Flood Zones 2 and 3. The Council's Engineering Consultancy were consulted in respect of the application and have confirmed they would have no objection to the proposal in respect of surface water management or contaminated land, therefore the proposal is considered to be acceptable in these respects.

Waste

8.36 The proposed use has the potential to generate a higher level of refuse/waste given the increased number of occupants. It is noted that provision is made for refuse storage to serve each self-contained flat individually, with access to this at the side of the main front of the host property. No objections have been received from HBC Waste Management or HBC Public Protection in respect of waste facilities, and therefore the proposal is considered acceptable.

RESIDUAL MATTERS

8.37 Cleveland Fire Brigade have confirmed that they have no representations to make in respect of the application. Ultimately this is a building regulations matter and is beyond the remit of the Local Planning Authority. A suitable informative is recommended to make the applicant aware of this advice.

NON-PLANNING MATTERS

8.38 It is noted that neighbour objections have been received raising concerns that properties in the street are occupied by families that may wish to relocate if the application is approved and regarding the nature of tenants proposed as part of the 'Move On Scheme'. These are not material planning considerations. Property ownership/devaluation and the occupation of rented properties are not material planning considerations and as such, no weight can be given to these matters.

CONCLUSION

8.39 On balance and in light of the considerations detailed above, it is considered that the principle of the proposed change of use to two self-contained flats is acceptable. It is considered that the proposal would not give rise to adverse impacts upon the visual amenity, neighbour amenity, highway safety, community safety or any other planning matter. Furthermore, the proposal would bring a vacant building back into use. It is therefore considered the development accords with policies HSG2, HSG11, QP4 and QP5 of the Hartlepool Local Plan (2018) and paragraphs 124, 127 and 130 of the National Planning Policy Framework 2019 and should be conditionally approved.

EQUALITY AND DIVERSITY CONSIDERATIONS

8.40 There is no evidence of equality or diversity implications.

SECTION 17 OF THE CRIME AND DISORDER ACT 1998 CONSIDERATIONS

8.41 The Crime and Disorder Act 1998 requires local authorities to consider crime and disorder reduction in the exercise of all their duties, activities and decision-making.

8.42 There are no Section 17 implications.

REASON FOR DECISION

8.43 It is considered by Officers that the proposal in the context of relevant planning policies and material planning considerations is acceptable as set out in the Officer's Report.

RECOMMENDATION – APPROVE, subject to the conditions below:

1. The development to which this permission relates shall be begun not later than three years from the date of this permission.
To clarify the period for which the permission is valid.
2. The development hereby permitted shall be carried out in accordance with the plans and details Drg. No. BS/19/90/TypeH/03 Rev A 'OS Site Location Plan (scale 1:1250) and Block Plans (scale 1:500) received by the Local Planning Authority on 4th May 2020; and Drg. No. BS/19/90/TypeH/04 Rev A 'Floor Plans and Elevations Existing and Proposed' received by the Local Planning Authority on 15th July 2020.
For the avoidance of doubt.
3. Prior to the development hereby approved being brought into use, a scheme demonstrating appropriate noise insulation between the application site and the adjoining neighbouring property at 53 Bruce Crescent shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the agreed scheme shall be implemented prior to the occupancy of the development hereby approved and retained for the life of the development.
In the interests of the amenities of the occupants of neighbouring properties.
4. The development hereby approved shall be used as 2no. flats as defined by The Town and Country Planning (Development Management Procedure) (England) Order 2015 or in any provision equivalent to that Order in any statutory instrument revoking or re-enacting that Order with or without modification.
For the avoidance of doubt and in the interests of the amenities of the occupants of neighbouring properties.

BACKGROUND PAPERS

8.44 Background papers can be viewed by the 'attachments' on the following public access page:

<http://eforms.hartlepool.gov.uk/portal/servlets/ApplicationSearchServlet?PKID=137620>

8.45 Copies of the applications are available on-line:

<http://eforms.hartlepool.gov.uk:7777/portal/servlets/ApplicationSearchServlet>
except for such documents that contain exempt or confidential information.

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51 Bruce Crescent, Hartlepool

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THIS PLAN IS FOR SITE IDENTIFICATION PURPOSE ONLY

HARTLEPOOL BOROUGH COUNCIL	DRAWN JB	DATE 20.7.2020
	SCALE 1:500	
Dept of Regeneration & Neighbourhoods Civic Centre, Victoria Road, Hartlepool TS24 8AY	DRG.NO H/2020/0148	REV

No: 9
Number: H/2020/0149
Applicant: MR CRAIG ELLIS GOSFORTH PARK WAY GOSFORTH
BUSINESS PARK NEWCASTLE UPON TYNE NE12
8ET
Agent: RNJ PARTNERSHIP LLP MR SIMON NESTI 2
DIAMOND COURT KENTON NEWCASTLE UPON TYNE
NE3 2EN
Date valid: 04/05/2020
Development: Change of use from 1no. dwellinghouse to 2no. flats with
associated external alterations
Location: 99 WINTERBOTTOM AVENUE HARTLEPOOL

PURPOSE OF REPORT

9.1 An application has been submitted for the development highlighted within this report; accordingly Hartlepool Borough Council as Local Planning Authority is required to make a decision on this application. This report outlines the material considerations in relation to the proposal and presents a recommendation.

BACKGROUND

9.2 A number of similar planning applications (25no. in total) have been submitted by the applicant (Home Group, a housing association) within the Borough for a change of use from 1no. dwellinghouse to 2no. flats and to which a number of these applications (11no.) form part of the same planning committee agenda as the current application.

9.3 The supporting Design and Access Statement for the applications indicates that the proposed scheme is part of the 'Move On Project' that is "intended to provide necessary accommodation and support to enable independent living, particularly targeted at those leaving homelessness services or domestic violence services". One of the applications relates to a proposal for the provision of a management hub (with a flat above) at 10 Greenwood Road (ref; H/2020/0152), which is currently pending consideration at the time of writing (22.07.2020). The hub is intended to "provide on-site office space to support customers in nearby properties".

PROPOSAL

9.4 Planning permission is sought through this application for the change of use from a residential dwelling (C3 use class) to 2no. self-contained flats (C3 use class) at 99 Winterbottom Avenue. The property would contain 1no. one-bedroomed flat on the ground floor (flat 1) and 1no. one-bedroomed flat on the first floor (flat 2). Access to refuse storage at the rear (north west) of the property for flat 1 and the side (eastern) for flat 2 would be via the main access door at the front for each flat.

9.5 The proposal would not include any external alterations aside from the replacement of 1no. door in the front elevation, from which flat 2 could be accessed; and 1no. door in the rear elevation, from which flat 1 could be accessed.

9.6 The application includes the bricking up 1no. door in the ground floor of the rear off-shoot of the host property (facing south west) to allow for the existing W.C. to be repurposed as a store room and to facilitate access to flat 1.

9.7 Internally, at ground floor the proposal would feature 1no. bedroom and a bathroom in place of the living room and kitchen at the ground floor (rear), with an open plan living room and kitchen being installed in the living space at the front. At first floor level, a kitchen and living room would be installed in place of the existing 2no. bedrooms at the front.

9.8 The rear bedroom would remain and a bathroom would be installed in place of the existing W.C. the occupier of flat 2. The proposal would include the installation and removal of stud walls to facilitate the creation of hallways, as well as changes to the chimney breast at ground floor level to create a 'void'.

9.9 The application has been referred to the planning committee due to the number of objections received (more than 2), in line with the Council's Scheme of Delegation.

SITE CONTEXT

9.10 The application site is a south-east facing two-storey semi-detached property on Winterbottom Avenue, which is currently vacant. The site is situated on a main crossroads between Winterbottom Avenue (north to south), Warren Road (east to west) in a predominately residential area to the north of Warren Road, in the West View estate area. Adjoining to the south is 63 Warren Road, while 97 Winterbottom Avenue is adjacent to the north, both residential properties. To the east, beyond the main highway of Winterbottom Avenue are 102 Winterbottom Avenue and 61 Warren Road (which are adjoining properties). To the rear the application site is bounded by the main open grounds of West View Primary School, which is sited approximately 98m to the north/west. Beyond the crossroad junction to the south east is Iceland, whilst a GP surgery and pharmacy are sited in the south (beyond the main highway of Warren Road).

9.11 The host property includes a small garden to the front and a garden at the rear, which is accessed via a path to the side (north east). The rear garden is enclosed by a fence with an approximate height of 1.8m along the boundary on all three sides (and additional landscaping and the presence of trees), whilst to the front the boundary treatment includes a wall with a height of approximately 1.3m.

PUBLICITY

9.12 The application has been advertised by way of neighbour letters (8) and a site notice. To date, there have been 21 objections, including 1 from a local ward councillor. It is of note that the 20 objections are a pro-forma response that individual neighbours have submitted collectively by way of a response to the application.

9.13 The concerns raised can be summarised as follows:

- Anti-social behaviour, including partying and playing loud music, particularly for elderly residents
- Noise nuisance, the proposed living room at first floor flat will adjoin a bedroom
- Queries regarding the amount of neighbours consulted by letters and the displaying of a site notice
- Residents had a meeting with councillors and oppose the proposals
- Proposal impacts the neighbourhood – from Bruce Crescent to Warren Road
- Long standing residents comprising owner occupiers and tenants but all have enhanced their properties over years
- Proposals would be detrimental to the area
- Proposed changes to a 2no. bedroom house would be better and more affordable, e.g. bedroom tax limitations
- Families in need of the existing housing stock

9.14 Background papers can be viewed by the 'attachments' on the following public access page:

<http://eforms.hartlepool.gov.uk/portal/servlets/ApplicationSearchServlet?PKID=137621>

9.15 The period for publicity has expired.

CONSULTATIONS

9.16 The following consultation replies have been received:

HBC Building Control: I can confirm that a Building Regulation application is required for the works as described.

HBC Landscape Architect: There are no landscape and visual objections to the proposed development.

HBC Flood Risk Officer: In response to your consultation on the above application I have no objection to proposals in respect of surface water management or contaminated land.

HBC Public Protection: I have no objections to this application subject to a sound insulation condition to the party wall with the neighbouring property.

HBC Waste Management: No comments to make.

HBC Estates: No comments received.

HBC Traffic and Transport: There are no highway or traffic concerns.

There is no off street parking associated with this property, this is not considered an issue as car ownership is generally at a low level for occupants of these types of dwellings.

HBC Community Safety: These proposals will assist in easing the shortage of this type of accommodation in Hartlepool. With the assurance that appropriate security measures and robust property management will be in place, there are no community safety concerns.

HBC Arboricultural Officer: No comments received.

Cleveland Police: Police have no objections to this application but have the following recommendations in relation to crime prevention.

The premises will provide much needed accommodation for some of the most vulnerable members of society the premises therefore is required to provide a level of security to provide a safe and secure premise to live.

All replacement doors and accessible windows certified to PAS 24 2016.

Door viewer to all entrance doors Dusk Dawn to entrance doors.

Secure robust side gate.

It is also essential the premises is well managed and maintained both flats require to be secured internally from each other.

Cleveland Fire Brigade: I was consulting on all of these but was advised by our group manager to stop consulting on any that wouldn't fall under the RR(FS)O2005 so haven't done any that do not have communal spaces. They don't fall under our legislation so would never be inspected, our jurisdiction only relates to shared parts of 'blocks' of flats, like common entrances, halls, and stair ways. The majority of the ones being sent through have separate entrances for each flat and no communal space.

Tees Archaeology: Thank you for the consultation. There are no archaeological requirements for this application.

Northumbrian Water: Having assessed the proposed development against the context outlined above I can confirm that at this stage we would have no comments to make.

PLANNING POLICY

9.17 In relation to the specific policies referred to in the section below please see the Policy Note at the end of the agenda.

9.18 The following policies in the adopted Hartlepool Local Plan 2018 are relevant to the determination of this application:

HSG1: New Housing Provision

HSG11: Extensions and Alterations To Existing Dwellings

HSG2: Overall Housing Mix

LS1: Locational Strategy

QP3: Location, Accessibility, Highway Safety and Parking

QP4: Layout and Design of Development
 QP5: Safety and Security
 QP6: Technical Matters
 QP7: Energy Efficiency
 SUS1: The Presumption in Favour of Sustainable Development

National Policy

9.19 In February 2019 the Government issued a revised National Planning Policy Framework (NPPF) replacing the 2012 and 2018 NPPF versions. The NPPF sets out the Governments Planning policies for England and how these are expected to be applied. It sets out the Government requirements for the planning system. The overriding message from the Framework is that planning authorities should plan positively for new development. It defines the role of planning in achieving sustainable development under three overarching objectives; an economic objective, a social objective and an environmental objective, each mutually dependent. At the heart of the Framework is a presumption in favour of sustainable development. For decision-taking, this means approving development proposals that accord with an up-to-date development plan without delay or, where there are no relevant development plan policies or the policies which are most important for determining the application are out-of-date, granting permission unless policies within the Framework provide a clear reason for refusal or any adverse impacts of doing so would significantly and demonstrably outweigh the benefits. The following paragraphs are relevant to this application:

PARA 001: Introduction
 PARA 002: Permission determined in accordance with development plan
 PARA 003: Introduction
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 PARA 008: Achieving sustainable development
 PARA 010: Achieving sustainable development
 PARA 011: The presumption in favour of sustainable development
 PARA 012: The presumption in favour of sustainable development
 PARA 038: Decision-Making
 PARA 047: Determining Applications
 PARA 059: Delivering a sufficient supply of homes
 PARA 122: Achieving appropriate densities
 PARA 124: Achieving well-designed places
 PARA 127: Achieving well-designed places
 PARA 130: Achieving well-designed places
 PARA 150: Planning for Climate Change
 PARA 212: Implementation

PLANNING CONSIDERATIONS

9.20 The main issues for consideration in this instance are the appropriateness of the proposal in principle in terms of the policies and proposals held within the Hartlepool Local Plan (2018) and the NPPF (2019) including the principle of development, the impact on the character and appearance of the existing building and surrounding area, the impact upon highway safety, impact on the amenity and

privacy of neighbouring properties and crime and security. These and any other planning and non-planning matters are detailed below.

PRINCIPLE OF DEVELOPMENT

9.21 The host property currently benefits from an existing residential C3 use, and is situated within a residential street. The proposal is for the change of use to two flats which would retain the residential C3 use. As such the general principle of residential development in this location is considered to be acceptable in principle. The application site is located within walking distance of existing shops and services, and proximity to local bus services which provides access to the public transport network. Therefore, the site is considered to be in a sustainable location.

9.22 The Council's Community Safety section have been consulted in respect of the proposal and consider that the proposals would assist in easing the shortage of this type of accommodation in Hartlepool. Furthermore, the Council's Planning Policy section has been consulted and has not raised any objections in respect of the proposed change of use.

9.23 In light of the above, the principle of development is considered to be acceptable subject to the consideration of all other material planning considerations as detailed below.

VISUAL AMENITY AND CHARACTER OF SURROUNDING AREA

9.24 The application site is located within Winterbottom Avenue (on the north east corner plot within the junction with Warren Road), a residential street in Hartlepool. It is of note that the proposal does not include any external alterations to the main principal elevation of the property, with the only change to the rear being the bricking up of a door in the off-shoot. As noted above, the works to the chimney are internal only.

9.25 It is considered that these alterations would not result in an appreciable change to the appearance of the existing dwelling, and would therefore remain in keeping with the design and character of other properties in the street scene. Furthermore, the Council's Landscape Architect has had regard to the proposal and has no concerns with regard to the visual impacts.

9.26 The proposal does not increase the total number of bedrooms within the property and the use would remain residential which is considered to be acceptable in this location and would not adversely affect the character of the street scene or significantly intensify the residential use of the area. As noted above the principle of development is considered to be appropriate in this location.

9.27 In light of the above considerations, the proposal is considered to be acceptable with respect to the impacts on the character and appearance of the existing building and surrounding area.

AMENITY OF NEIGHBOURING LAND USERS

9.28 It is acknowledged that neighbour representations have been received in respect of adverse impacts of the proposal on the amenity of neighbouring residential properties. The host property is a semi-detached property and as such adjoins to 63 Warren Road to the south west. It is noted that the only external alteration to the fabric of the building would be the bricking up of a door in the single storey off-shoot at the rear of the property.

9.29 As detailed above, the existing relationship between windows at the host property and neighbouring properties is established and the proposal does not seek to introduce windows nor alter the footprint of the existing dwelling by way of proposing extensions. Furthermore, such relationships are a characteristic of the area. Given the minor nature of the proposed alteration (to the external fabric), it is considered that this element of the proposal would not result in an unacceptable loss of amenity and privacy for the adjacent neighbour at No. 63 Warren Road or any neighbouring properties (including those at No. 97 and 102 Winterbottom Avenue, 61 Warren Road or other properties including West View Primary School at the rear, 'Iceland' to the south east and the surgery to the south) in terms of outlook, overbearing, overshadowing or overlooking.

9.30 In terms of the alterations to the use of the existing rooms, it is noted that the existing kitchen at the ground floor of the property would become a bathroom and hallway to serve the occupier of flat 1. The living room would become a bedroom. It is therefore considered that habitable rooms would remain habitable and non-habitable rooms would remain non-habitable, and that the relationship between neighbouring properties would not change from that which is already established in the existing arrangement. It is considered direct views would not be achievable from the rooms in the rear elevation toward neighbouring properties or direct views into their rear garden amenity spaces. In terms of the other alterations to the layout, the existing bedrooms at the front of the first floor would become an open plan living space with a kitchen to serve the residents of flat 2 (remaining habitable room). As noted above, the rear relationship of rooms (bedroom and bathroom) would largely remain as per the existing layout. Given that the relationship between the host property and neighbouring properties is already established, and the proposal would not seek to reduce separation distances or introduce windows which would allow for unacceptable direct views into neighbouring properties, on balance, it is considered that there would not be any adverse impacts on the privacy of neighbouring properties to the sides and rear (including Nos. 97 and 102 Winterbottom Avenue and Nos. 61 and 63 Warren Road). It is considered that no adverse overlooking could be achieved between flat 1 and flat 2 and vice versa as a result of this proposed alterations to the room layout.

9.31 It is acknowledged that the nature and layout of the proposed use has the potential to introduce greater levels of activity to areas within the property than the current use as a single dwelling and as such has the potential to cause noise related nuisance to areas of the neighbouring dwellings (particularly bedrooms) where they could reasonably expect low levels of noise and disturbance. The Council's Public Protection team have been consulted upon the application and their response raises no objections to the application subject to noise insulation measures being

conditioned for party walls with adjoining properties. It is considered that a planning condition is necessary to secure the noise insulation measures (mentioned above) and therefore, subject to this, the proposal is acceptable in this regard.

9.32 In conclusion, it is considered that the proposal would not cause any significant adverse impact on the amenity and privacy of neighbouring properties (including future occupiers of the flats proposed) subject to necessary planning conditions (as detailed above) as to warrant a refusal of the application in this instance and therefore, on balance, the proposal is acceptable in this regard.

HIGHWAY AND PEDESTRIAN SAFETY AND CAR PARKING

9.33 The site is located with an area consisting primarily of semi-detached residential properties. In common with other dwellings in the neighbourhood, the site lacks in-curtilage parking accessible to the highway and would therefore be unable to provide for any off-street parking. The Council's Traffic and Transport section have been consulted with respect to the proposal and have not raised any concerns.

9.34 As noted above, consideration is also given the site's location close to public transport links. Therefore, the proposal is not considered to result in a significant detrimental impact on parking and highway safety and is therefore deemed acceptable in this regard.

OTHER PLANNING MATTERS

Safety and Security

9.35 It is acknowledged that neighbour objections refer to matters of crime, drug use and anti-social behaviour. Section 17 of the Crime and Disorder Act 1998 requires the Local Planning Authority to exercise their functions with due regard to their likely effect on crime and disorder and to do all they reasonably can to prevent crime and disorder. This is further supported by Paragraph 91 of the NPPF states "Planning policies and decisions should aim to achieve healthy, inclusive and safe places which... are safe and accessible, so that crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion".

9.36 Cleveland Police have confirmed that they would have no objections to the proposal subject to a number of safety and security measures, to include the provision of doors and windows secured to required standards, the provision of a door viewer, and robust gates. This advice can be relayed to the applicant via a suitable informative.

9.37 HBC Community Safety have offered no objections to the proposal and have commented that with the assurance that appropriate security measures and robust property management will be in place, there are no community safety concerns. It is therefore considered acceptable in this regard.

Drainage + Contaminated Land

9.38 The site is located outside of Flood Zones 2 and 3. The Council's Engineering Consultancy were consulted in respect of the application and have confirmed they would have no objection to the proposal in respect of surface water management or contaminated land, therefore the proposal is considered to be acceptable in these respects.

Waste

9.39 The proposed use has the potential to generate a higher level of refuse/waste given the increased number of occupants. It is noted that provision is made for refuse storage to serve each self-contained flat individually (at the rear and side of the property), with access to this at the side of the main front of the host property. No objections have been received from HBC Waste Management or HBC Public Protection in respect of waste facilities, and therefore the proposal is considered acceptable.

RESIDUAL MATTERS

9.40 Cleveland Fire Brigade have confirmed that they have no representations to make in respect of the application but have provided advice in respect of Access and Water Supplies. Ultimately this is a building regulations matter and is beyond the remit of the Local Planning Authority. A suitable informative is recommended to make the applicant aware of this advice.

9.41 In respect of the suggested discrepancy regarding neighbouring properties being consulted, it should be noted that consultation, including the sending of letters to properties adjoining the application site and the displaying of a site notice, was in full accordance with the manner specified in the amended Town and Country Planning (Development Management Procedure) Order 2015 (Article 15.5). A site notice was displayed on the nearest lamp-post to the application site on 11.06.2020. The application is therefore considered to be acceptable in respect of the above processes.

NON-PLANNING MATTERS

9.42 It is noted that neighbour objections have been received raising concerns that properties in the street are occupied by families that have been residents of the area for a long time and expressing concern regarding the nature of tenants (and their suitability for the area) proposed as part of the 'Move On Scheme'. These are not material planning considerations. Property ownership and the occupation of rented properties are not material planning considerations and as such, no weight can be given to these matters.

CONCLUSION

9.43 On balance and in light of the considerations detailed above, it is considered that the principle of the proposed change of use to two self-contained flats is acceptable. It is considered that the proposal would not give rise to adverse impacts

upon the visual amenity, neighbour amenity, highway safety, community safety or any other planning matter. Furthermore, the proposal would bring a vacant building back into use. It is therefore considered the development accords with policies HSG2, HSG11, QP4 and QP5 of the Hartlepool Local Plan (2018) and paragraphs 124, 127 and 130 of the National Planning Policy Framework 2019 and should be conditionally approved.

EQUALITY AND DIVERSITY CONSIDERATIONS

9.44 There is no evidence of equality or diversity implications.

SECTION 17 OF THE CRIME AND DISORDER ACT 1998 CONSIDERATIONS

9.45 The Crime and Disorder Act 1998 requires local authorities to consider crime and disorder reduction in the exercise of all their duties, activities and decision-making.

9.46 There are no Section 17 implications.

REASON FOR DECISION

9.47 It is considered by Officers that the proposal in the context of relevant planning policies and material planning considerations is acceptable as set out in the Officer's Report.

RECOMMENDATION – APPROVE, subject to the conditions below:

1. The development to which this permission relates shall be begun not later than three years from the date of this permission.
To clarify the period for which the permission is valid.
2. The development hereby permitted shall be carried out in accordance with the plans and details Drg. No. BS/19/90/Type1/01 Rev A 'OS Site Location Plan (scale 1:1250) and Block Plans (scale 1:500), and Drg. No. BS/19/90/Type1/02 Rev A 'Floor Plans and Elevations Existing and Proposed' received by the Local Planning Authority on 6th May 2020.
For the avoidance of doubt.
3. Prior to the development hereby approved being brought into use, a scheme demonstrating appropriate noise insulation between the application site and the adjoining neighbouring property at 61 Warren Road shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the agreed scheme shall be implemented prior to the occupancy of the development hereby approved and retained for the life of the development.
In the interests of the amenities of the occupants of neighbouring properties.
4. The development hereby approved shall be used as 2no. flats as defined by The Town and Country Planning (Development Management Procedure) (England) Order 2015 or in any provision equivalent to that Order in any statutory instrument revoking or re-enacting that Order with or without modification.

For the avoidance of doubt and in the interests of the amenities of the occupants of neighbouring properties.

BACKGROUND PAPERS

9.48 Background papers can be viewed by the ‘attachments’ on the following public access page:

<http://eforms.hartlepool.gov.uk/portal/servlets/ApplicationSearchServlet?PKID=137621>

9.49 Copies of the applications are available on-line:

<http://eforms.hartlepool.gov.uk:7777/portal/servlets/ApplicationSearchServlet>
except for such documents that contain exempt or confidential information.

CONTACT OFFICER

9.50 Tony Hanson
Assistant Director of Environment and Neighbourhood Services
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TS24 8AY

Tel: (01429) 523400
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THIS PLAN IS FOR SITE IDENTIFICATION PURPOSE ONLY

HARTLEPOOL BOROUGH COUNCIL	DRAWN JB	DATE 20.7.2020
	SCALE 1:500	
Dept of Regeneration & Neighbourhoods Civic Centre, Victoria Road, Hartlepool TS24 8AY	DRG.NO H/2020/0149	REV

No: 10
Number: H/2020/0151
Applicant: MR CRAIG ELLIS GOSFORTH PARK WAY GOSFORTH
BUSINESS PARK NEWCASTLE UPON TYNE NE12
8ET
Agent: RNJ PARTNERSHIP LLP MR SIMON NESTI 2
DIAMOND COURT KENTON NEWCASTLE UPON TYNE
NE3 2EN
Date valid: 04/05/2020
Development: Change of use from 1no. dwellinghouse to 2no. flats with
associated external alterations including installation of an
access door and canopy to side
Location: 184 JESMOND GARDENS HARTLEPOOL
HARTLEPOOL

PURPOSE OF REPORT

10.1 An application has been submitted for the development highlighted within this report; accordingly Hartlepool Borough Council as Local Planning Authority is required to make a decision on this application. This report outlines the material considerations in relation to the proposal and presents a recommendation.

BACKGROUND

10.2 A number of similar planning applications (25no. in total) have been submitted by the applicant (Home Group, a housing association) within the Borough for a change of use from 1no. dwellinghouse to 2no. flats and to which a number of these applications (11no.) form part of the same planning committee agenda as the current application.

10.3 The supporting Design and Access Statement for the applications indicates that the proposed scheme is part of the 'Move On Project' that is "intended to provide necessary accommodation and support to enable independent living, particularly targeted at those leaving homelessness services or domestic violence services". One of the applications relates to a proposal for the provision of a management hub (with a flat above) at 10 Greenwood Road (ref; H/2020/0152), which is currently pending consideration at the time of writing (22.07.2020). The hub is intended to "provide on-site office space to support customers in nearby properties".

PROPOSAL

10.4 Planning permission is sought through this application for the change of use from a residential dwelling (C3 use class) to 2no. self-contained flats (C3 use class) at 6 Henderson Grove. The property would contain 1no. one-bedroomed flat on the ground floor (flat 1) and 1no. one-bedroomed flat on the first floor (flat 2). Access to refuse storage at the side (south) of the property would be via a side path.

10.5 The proposal would include the replacement of the canopy above the front door and the installation of an access door and canopy in the side (south) from which flat 2 would be accessed. The proposal would also replace the rear door with a window.

10.6 Internally, at ground floor the proposal would feature a bedroom in place of the existing kitchen/diner, with a kitchen being installed in the living space at the front. The existing bathroom at ground floor would be retained. At first floor level, an open plan living room and kitchen would be in place of the existing bedroom at the front. A bathroom would be installed in place of the existing rear bedroom on the southern side. The remaining bedroom (rear/east) would remain to serve the occupier(s). The proposal would include the installation and removal of stud walls to facilitate the creation of hallways.

10.7 The application has been referred to the planning committee due to the number of objections received (more than 2), in line with the Council's Scheme of Delegation.

SITE CONTEXT

10.8 The application site is a west facing two-storey linked (end) property on Jesmond Gardens, which is currently vacant. The site is toward the northern extent of the road which runs north to south, from the A179 (Easington Road), with the eastern side being a predominately residential area. Adjoining to the north is 186 Jesmond Gardens (to make up a small terrace of 4 properties including the host property), whilst No. 182 abounds the site to the south, both residential properties. To the west, beyond the main highway of Jesmond Gardens, the supermarket Lidl (and car park) is situated to the front. To the rear the side of the rear garden of 61 Pine Grove abounds the site. The host property includes a small garden to the front and a garden at the rear. The rear garden is enclosed by a fence with an approximate height of 1.8m along the boundary on all three sides, whilst to the front the boundary treatment includes a hedge with a height of approximately 1.5m around the front garden on all three sides.

PUBLICITY

10.9 The application has been advertised by way of neighbour letters (10) and a site notice. To date, there have been 5 objections (2 of which did not cite any particular concerns).

10.10 The concerns raised can be summarised as follows:

- Flats poses safety risks for other residents in the street
- Tenants should be vetted
- Flats not suitable in the area
- Family area
- Noise and disturbance
- Antisocial behaviour – from young single people using drugs and partying

10.11 Background papers can be viewed by the 'attachments' on the following public access page:

<http://eforms.hartlepool.gov.uk/portal/servlets/ApplicationSearchServlet?PKID=137623>

10.12 The period for publicity has expired.

CONSULTATIONS

10.13 The following consultation replies have been received:

HBC Building Control: I can confirm that a Building Regulation application is required for the works as described.

HBC Landscape Architect: There are no landscape and visual objections to the proposed development.

HBC Flood Risk Officer: In response to your consultation on the above application I have no objection to proposals in respect of surface water management or contaminated land.

HBC Public Protection: I have no objections to this application subject to a sound insulation condition to the party wall with the neighbouring property.

HBC Waste Management: No comments to make.

HBC Estates: No comments received.

HBC Traffic and Transport: There are no highway or traffic concerns.

There is no off street parking associated with this property, this is not considered an issue as car ownership is generally at a low level for occupants of these types of dwellings.

HBC Community Safety: These proposals will assist in easing the shortage of this type of accommodation in Hartlepool. With the assurance that appropriate security measures and robust property management will be in place, there are no community safety concerns.

HBC Arboricultural Officer: No comments received.

Cleveland Police: Police have no objections to this application but have the following recommendations in relation to crime prevention.

Although the premises will provide much needed accommodation for some of the most vulnerable members of society it is essential that all potential tenants are assessed in relation to their suitability to reside at the premises and a level of security is in place to provide a safe and secure premise to live.

The premises will be required to be well managed and maintained;

All replacement doors and accessible windows certified to PAS 24 2016;

Door viewer to all entrance doors both flats require to be secured internally from another Dusk Dawn to entrance doors;

Secure robust side gate capable of been locked from both sides required to deter unauthorised access to rear.

Cleveland Fire Brigade: I was consulting on all of these but was advised by our group manager to stop consulting on any that wouldn't fall under the RR(FS)O2005 so haven't done any that do not have communal spaces. They don't fall under our legislation so would never be inspected, our jurisdiction only relates to shared parts of 'blocks' of flats, like common entrances, halls ,and stair ways. The majority of the ones being sent through have separate entrances for each flat and no communal space.

Tees Archaeology: Thank you for the consultation. There are no archaeological requirements for this application.

Northumbrian Water: Having assessed the proposed development against the context outlined above I can confirm that at this stage we would have no comments to make.

PLANNING POLICY

10.14 In relation to the specific policies referred to in the section below please see the Policy Note at the end of the agenda.

10.15 The following policies in the adopted Hartlepool Local Plan 2018 are relevant to the determination of this application:

HSG1: New Housing Provision
 HSG11: Extensions and Alterations To Existing Dwellings
 HSG2: Overall Housing Mix
 LS1: Locational Strategy
 QP3: Location, Accessibility, Highway Safety and Parking
 QP4: Layout and Design of Development
 QP5: Safety and Security
 QP6: Technical Matters
 QP7: Energy Efficiency
 SUS1: The Presumption in Favour of Sustainable Development

National Policy

10.16 In February 2019 the Government issued a revised National Planning Policy Framework (NPPF) replacing the 2012 and 2018 NPPF versions. The NPPF sets out the Governments Planning policies for England and how these are expected to be applied. It sets out the Government requirements for the planning system. The overriding message from the Framework is that planning authorities should plan positively for new development. It defines the role of planning in achieving sustainable development under three overarching objectives; an economic objective, a social objective and an environmental objective, each mutually dependent. At the heart of the Framework is a presumption in favour of sustainable development. For decision-taking, this means approving development proposals that accord with an up-to-date development plan without delay or, where there are no relevant

development plan policies or the policies which are most important for determining the application are out-of-date, granting permission unless policies within the Framework provide a clear reason for refusal or any adverse impacts of doing so would significantly and demonstrably outweigh the benefits. The following paragraphs are relevant to this application:

PARA 001: Introduction

PARA 002: Permission determined in accordance with development plan

PARA 003: Introduction

PARA 007: Achieving sustainable development

PARA 008: Achieving sustainable development

PARA 010: Achieving sustainable development

PARA 011: The presumption in favour of sustainable development

PARA 012: The presumption in favour of sustainable development

PARA 038: Decision-Making

PARA 047: Determining Applications

PARA 059: Delivering a sufficient supply of homes

PARA 122: Achieving appropriate densities

PARA 124: Achieving well-designed places

PARA 127: Achieving well-designed places

PARA 130: Achieving well-designed places

PARA 150: Planning for Climate Change

PARA 212: Implementation

PLANNING CONSIDERATIONS

10.17 The main issues for consideration in this instance are the appropriateness of the proposal in principle in terms of the policies and proposals held within the Hartlepool Local Plan (2018) and the NPPF (2019) including the principle of development, the impact on the character and appearance of the existing building and surrounding area, the impact upon highway safety, impact on the amenity and privacy of neighbouring properties and crime and security. These and any other planning and non-planning matters are detailed below.

PRINCIPLE OF DEVELOPMENT

10.18 The host property currently benefits from an existing residential C3 use, and is situated within a residential street. The proposal is for the change of use to two flats which would retain the residential C3 use. As such the general principle of residential development in this location is considered to be acceptable in principle. The application site is located within walking distance of existing shops and services, and proximity to local bus services which provides access to the public transport network. Therefore, the site is considered to be in a sustainable location.

10.19 The Council's Community Safety section have been consulted in respect of the proposal and consider that the proposals would assist in easing the shortage of this type of accommodation in Hartlepool. Furthermore, the Council's Planning Policy section has been consulted and has not raised any objections in respect of the proposed change of use.

10.20 In light of the above, the principle of development is considered to be acceptable subject to the consideration of all other material planning considerations as detailed below.

VISUAL AMENITY AND CHARACTER OF SURROUNDING AREA

10.21 The application site is located within Jesmond Gardens, a street that runs north to south Hartlepool comprising residential properties on the eastern side with Lidl, a care home and a sports pavilion interspersed with fields and open space on the western side. It is of note that the main external alteration of the proposal relates to the installation of a new access door in the side elevation of which there would be limited views from the street scene and to which the proposal is considered to respect the design and scale of the host property.

10.22 Overall, it is considered the proposed change of use would not detrimentally affect the street scene. The Council's Landscape Architect has had regard to the proposal and has no concerns with regard to the visual impacts.

10.23 The proposal does not increase the total number of bedrooms within the property and the use would remain residential which is considered to be acceptable in this location and would not adversely affect the character of the street scene or significantly intensify the residential use of the area. As noted above the principle of development is considered to be appropriate in this location.

10.24 In light of the above considerations, the proposal is considered to be acceptable with respect to the impacts on the character and appearance of the existing building and surrounding area.

AMENITY OF NEIGHBOURING LAND USERS

10.25 The host property is a linked property and as such adjoins to 186 Jesmond Gardens to the north, with No. 182 abounding the site to the south. It is noted that the proposal includes the installation of a side access door in this elevation, and the replacement of a door with a window in the rear elevation. The relationship between neighbouring properties is such that there would be a separation distance of approximately 3m from the proposed door and canopy at the side of the host property to the side elevation (north) of the adjacent neighbour at No. 182 (south). A separation distance of approximately 22m would remain to the rear boundary (with 61 Pine Grove) between the proposed side door and canopy and this neighbour.

10.26 As detailed above, the existing relationship between windows at the host property and neighbouring properties is established and the proposal does not seek to introduce windows (aside from one which would replace the door in the rear elevation). Furthermore, such relationships are a characteristic of the area. Given the modest scale of the proposed side door and canopy and that it would serve a non-habitable room, on balance, it is considered that this element of the proposal would not result in an unacceptable loss of amenity and privacy for neighbouring land users to the rear (east) or to the adjoining properties to the north and south west in terms of outlook, overbearing and overshadowing. Given the boundary treatment to the rear is such that no direct views of neighbouring gardens could be achievable

from the installed window proposed in the rear elevation, it is considered this would not result in any adverse impact on the amenity or privacy of these neighbours in terms of overlooking.

10.27 In terms of the alterations to the use of the existing rooms, it is noted that the existing kitchen/diner at the ground floor of the property would become a bedroom. It is acknowledged that the window serving this proposed bedroom would be approximately 0.3m from the boundary with the adjoining neighbour to the north (No. 186), and that as noted above, there is a boundary fence with a height of approximately 1.8m enclosing the rear garden of the host property along this northern boundary. Owing to this relationship it is considered that direct views would not be achievable from the proposed bedroom at flat 1 into the rear elevation of neighbouring properties or direct views into their rear garden amenity space. In terms of the other alterations to the layout, the existing bedroom at the front on the first floor would become a living space with kitchen to serve the residents of flat 2 (remaining a habitable room). As noted above, the ground floor of the two storey off-shoot at the rear would become a bathroom to serve residents of flat 1. Given that the relationship between the host property and neighbouring properties is already established, and the proposal would not seek to reduce separation distances or introduce windows which would allow for unacceptable direct views into adjacent neighbouring properties (Nos. 182 and 186 Jesmond Gardens), it is considered that the proposal would not result in an adverse loss of amenity and privacy for neighbouring properties. It is considered that no adverse overlooking could be achieved between flat 1 and flat 2 and vice versa. On balance, it is considered that there would not be any adverse impacts on the privacy of neighbouring properties to the sides (182 and 186 Jesmond Gardens), rear (61 Pine Grove) or front (including Lidl) as a result of this proposed alterations to the room layout.

10.28 It is acknowledged that the nature and layout of the proposed use has the potential to introduce greater levels of activity to areas within the property than the current use as a single dwelling and as such has the potential to cause noise related nuisance to areas of the neighbouring dwellings (particularly bedrooms) where they could reasonably expect low levels of noise and disturbance. The Council's Public Protection team have been consulted upon the application and their response raises no objections to the application subject to noise insulation measures being conditioned for party walls with adjoining properties. It is considered that a planning condition is necessary to secure the noise insulation measures (mentioned above) and therefore, subject to this, the proposal is acceptable in this regard.

10.29 In conclusion, it is considered that the proposal would not cause any significant adverse impact on the amenity and privacy of neighbouring properties (including future occupiers of the flats proposed) subject to necessary planning conditions (as detailed above) as to warrant a refusal of the application in this instance and therefore, on balance, the proposal is acceptable in this regard.

HIGHWAY AND PEDESTRIAN SAFETY AND CAR PARKING

10.30 The site is located with an area consisting primarily of linked residential properties. In common with other dwellings in the neighbourhood, the site lacks in-curtilage parking accessible to the highway and would therefore be unable to provide

for any off-street parking. The Council's Traffic and Transport section have been consulted with respect to the proposal and have not raised any concerns.

10.31 As noted above, consideration is also given the site's location close to public transport links. Therefore, the proposal is not considered to result in a significant detrimental impact on parking and highway safety and is therefore deemed acceptable in this regard.

OTHER PLANNING MATTERS

Safety and Security

10.32 Section 17 of the Crime and Disorder Act 1998 requires the Local Planning Authority to exercise their functions with due regard to their likely effect on crime and disorder and to do all they reasonably can to prevent crime and disorder. This is further supported by Paragraph 91 of the NPPF states "Planning policies and decisions should aim to achieve healthy, inclusive and safe places which... are safe and accessible, so that crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion".

10.33 Cleveland Police have confirmed that they would have no objections to the proposal subject to a number of safety and security measures, to include the provision of doors and windows secured to required standards, the provision of a door viewer, and robust gates. This advice can be relayed to the applicant via a suitable informative.

10.34 HBC Community Safety have offered no objections to the proposal and have commented that with the assurance that appropriate security measures and robust property management will be in place, there are no community safety concerns. It is therefore considered acceptable in this regard.

Drainage + Contaminated Land

10.35 The site is located outside of Flood Zones 2 and 3. It is acknowledged that a neighbour objection has been received citing issues around drainage, however the Council's Engineering Consultancy were consulted in respect of the application and have confirmed they would have no objection to the proposal in respect of surface water management or contaminated land, therefore the proposal is considered to be acceptable in these respects.

Waste

10.36 The proposed use has the potential to generate a higher level of refuse/waste given the increased number of occupants. It is noted that provision is made for refuse storage to serve each self-contained flat individually, with access to this at the side of the property (south). No objections have been received from HBC Waste Management or HBC Public Protection in respect of waste facilities or this shared access, and therefore the proposal is considered acceptable.

RESIDUAL MATTERS

10.37 Cleveland Fire Brigade have confirmed that they have no representations to make in respect of the application but have provided advice in respect of Access and Water Supplies. Ultimately this is a building regulations matter and is beyond the remit of the Local Planning Authority. A suitable informative is recommended to make the applicant aware of this advice.

NON-PLANNING MATTERS

10.38 It is noted that neighbour objections have been received raising concerns that properties in the street are occupied by families and that there is a lack of vetting, with concerns expressed about the nature of potential tenants. The occupation of rented properties and the suitability of prospective tenants are not material planning considerations and as such, no weight can be given to these matters.

CONCLUSION

10.39 On balance and in light of the considerations detailed above, it is considered that the principle of the proposed change of use to two self-contained flats is acceptable. It is considered that the proposal would not give rise to adverse impacts upon the visual amenity, neighbour amenity, highway safety, community safety or any other planning matter. Furthermore, the proposal would bring a vacant building back into use. It is therefore considered the development accords with policies HSG2, HSG11, QP4 and QP5 of the Hartlepool Local Plan (2018) and paragraphs 124, 127 and 130 of the National Planning Policy Framework 2019 and should be conditionally approved.

EQUALITY AND DIVERSITY CONSIDERATIONS

10.40 There is no evidence of equality or diversity implications.

SECTION 17 OF THE CRIME AND DISORDER ACT 1998 CONSIDERATIONS

10.41 The Crime and Disorder Act 1998 requires local authorities to consider crime and disorder reduction in the exercise of all their duties, activities and decision-making.

10.42 There are no Section 17 implications.

REASON FOR DECISION

10.43 It is considered by Officers that the proposal in the context of relevant planning policies and material planning considerations is acceptable as set out in the Officer's Report.

RECOMMENDATION – APPROVE, subject to the conditions below:

1. The development to which this permission relates shall be begun not later than three years from the date of this permission.

To clarify the period for which the permission is valid.

2. The development hereby permitted shall be carried out in accordance with the plans and details Drg. No. BS/19/90/TypeL/02 Rev A 'Floor Plans and Elevations Existing and Proposed' received by the Local Planning Authority on 29th April 2020; and Drg. No. BS/19/90/TypeL/02 Rev A 'OS Site Location Plan (scale 1:1250) and Block Plans (scale 1:500) received by the Local Planning Authority on 20th May 2020.

For the avoidance of doubt.

3. Prior to the development hereby approved being brought into use, a scheme demonstrating appropriate noise insulation between the application site and the adjoining neighbouring properties at 186 Jesmond Gardens shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the agreed scheme shall be implemented prior to the occupancy of the development hereby approved and retained for the life of the development.

In the interests of the amenities of the occupants of neighbouring properties.

4. The development hereby approved shall be used as 2no. flats as defined by The Town and Country Planning (Development Management Procedure) (England) Order 2015 or in any provision equivalent to that Order in any statutory instrument revoking or re-enacting that Order with or without modification.

For the avoidance of doubt and in the interests of the amenities of the occupants of neighbouring properties.

BACKGROUND PAPERS

10.44 Background papers can be viewed by the 'attachments' on the following public access page:

<http://eforms.hartlepool.gov.uk/portal/servlets/ApplicationSearchServlet?PKID=137623>

10.45 Copies of the applications are available on-line:

<http://eforms.hartlepool.gov.uk:7777/portal/servlets/ApplicationSearchServlet>
except for such documents that contain exempt or confidential information.

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184 Jesmond Gardens, Hartlepool

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THIS PLAN IS FOR SITE IDENTIFICATION PURPOSE ONLY

HARTLEPOOL BOROUGH COUNCIL	DRAWN JB	DATE 20.7.2020
	SCALE 1:500	
Dept of Regeneration & Neighbourhoods Civic Centre, Victoria Road, Hartlepool TS24 8AY	DRG.NO H/2020/0151	REV

No: 11
Number: H/2020/0154
Applicant: MR CRAIG ELLIS GOSFORTH PARK WAY GOSFORTH
BUSINESS PARK NEWCASTLE UPON TYNE NE12
8ET
Agent: RNJ PARTNERSHIP LLP MR SIMON NESTI 2
DIAMOND COURT KENTON NEWCASTLE UPON TYNE
NE3 2EN
Date valid: 04/05/2020
Development: Change of use from 1no. dwellinghouse to 2no. flats with
associated external alterations including installation of
porch and access door to front
Location: 43 WARREN ROAD HARTLEPOOL

PURPOSE OF REPORT

11.1 An application has been submitted for the development highlighted within this report; accordingly Hartlepool Borough Council as Local Planning Authority is required to make a decision on this application. This report outlines the material considerations in relation to the proposal and presents a recommendation.

BACKGROUND

11.2 A number of similar planning applications (25no. in total) have been submitted by the applicant (Home Group, a housing association) within the Borough for a change of use from 1no. dwellinghouse to 2no. flats and to which a number of these applications (11no.) form part of the same planning committee agenda as the current application.

11.3 The supporting Design and Access Statement for the applications indicates that the proposed scheme is part of the 'Move On Project' that is "intended to provide necessary accommodation and support to enable independent living, particularly targeted at those leaving homelessness services or domestic violence services". One of the applications relates to a proposal for the provision of a management hub (with a flat above) at 10 Greenwood Road (ref; H/2020/0152), which is currently pending consideration at the time of writing (22.07.2020). The hub is intended to "provide on-site office space to support customers in nearby properties".

PROPOSAL

11.4 Planning permission is sought through this application for the change of use from a residential dwelling (C3 use class) to 2no. self-contained flats (C3 use class) at 43 Warren Road. The property would contain 1no. one-bedroomed flat on the ground floor (flat 1), 1no one-bedroomed flat on the first floor (flat 2). Access to refuse storage to the rear (north) of the property would be via a shared alleyway between the host property and No. 45.

11.5 The proposal would include the erection of a porch and canopy to the front to accommodate an additional front door, from which flat 2 would be accessed. The proposed porch would measure approximately 1.5m in width, projecting from the front elevation by approximately 0.9m and adjoining a proposed canopy to extend a further 1.7m (approx.) with a total width being approximately 3.2m. The proposed porch would feature a lean-to roof with a maximum height of approximately 3m, dropping to approximately 2.2m at eaves level. To facilitate the proposed porch, the existing ground floor window at the front would be reduced in size.

11.6 The application includes the bricking up of 1 no. door and the installation of 1 no. window in the ground floor of the rear elevation.

11.7 Internally, at ground floor the proposal would feature a bedroom and a bathroom in place of the existing kitchen/diner at ground floor, with a kitchen being installed in the living space at the front. At first floor level, an open plan kitchen and living space would replace two front bedrooms. The two rear bedrooms would remain as one bedroom with access to a bathroom on the western side. The proposal would include the installation and removal of stud walls to facilitate the creation of hallways as well as the chimney breast at ground floor level only (the external stack would remain unaffected).

11.8 The application has been referred to the planning committee due to the number of objections received (more than 2), in line with the Council's Scheme of Delegation.

SITE CONTEXT

11.9 The application site is a south facing two-storey linked property on Warren Road, which is currently vacant. The site is a main road within predominately residential area in the West View estate area of Hartlepool. Adjoining to the east is 41 Warren Road (to make up the end of a link of 4 properties), while 45 Warren Road adjoins to the west, both residential properties. To the south, beyond the main highway of Warren Road is a unit (Unit 6) in the Skerne Road Industrial Estate. To the rear the application site is abounded by the rear of No. 38 Garside Drive. The host property includes a small garden to the front and a garden at the rear, which is accessed via a shared alleyway with No. 45 on the western side. The rear garden is enclosed by a fence with an approximate height of 1.8m along the boundary to the west and north, with an open boarded fence with a height of approximately 1.2m on the eastern boundary with No. 41. To the front the boundary treatment includes a picket fence with a height of approximately 1.2m.

PUBLICITY

11.10 The application has been advertised by way of neighbour letters (6) and a site notice. To date, there have been 7 objections.

11.11 The concerns raised can be summarised as follows:

- Flats in West View mostly occupied by young men
- The street is a friendly place to live, long standing residents of the street
- No desire to have double the amount of tenants in an adjoining property
- Anti-social behaviour

- General noise nuisance, e.g. Share an alleyway which could result in noise impacts
- The proposal will bring down the area
- Occupiers should have received letters
- Proposed tenants from are unacceptable tenants
- Negative impact on the whole area not only the bottom part of Warren Road
- Better areas in Hartlepool to accommodate the 'Moving On Scheme'

11.12 Background papers can be viewed by the 'attachments' on the following public access page:

<http://eforms.hartlepool.gov.uk/portal/servlets/ApplicationSearchServlet?PKID=137626>

11.13 The period for publicity has expired.

CONSULTATIONS

11.14 The following consultation replies have been received:

HBC Building Control: I can confirm that a Building Regulation application is required for the works as described.

HBC Landscape Architect: There are no landscape and visual objections to the proposed development.

HBC Flood Risk Officer: In response to your consultation on the above application I have no objection to proposals in respect of surface water management or contaminated land.

HBC Public Protection: I have no objections to this application subject to a sound insulation condition to the party wall with the neighbouring property.

HBC Waste Management: No comments to make.

HBC Estates: No comments received.

HBC Traffic and Transport: There are no highway or traffic concerns.

There is no off street parking associated with this property, this is not considered an issue as car ownership is generally at a low level for occupants of these types of dwellings.

HBC Community Safety: These proposals will assist in easing the shortage of this type of accommodation in Hartlepool. With the assurance that appropriate security measures and robust property management will be in place, there are no community safety concerns.

HBC Arboricultural Officer: No comments received.

Cleveland Police: Police have no objections to this application but have the following recommendations in relation to crime prevention.

The premises will provide much needed accommodation for some of the most vulnerable members of society the premises therefore is required to provide a level of security to provide a safe and secure premise to live.

All replacement doors and accessible windows certified to PAS 24 2016.

Door viewer to all entrance doors Dusk Dawn to entrance doors.

Secure robust side gate.

It is also essential the premises is well managed and maintained both flats require to be secured internally from each other.

Cleveland Fire Brigade: I was consulting on all of these but was advised by our group manager to stop consulting on any that wouldn't fall under the RR(FS)O2005 so haven't done any that do not have communal spaces. They don't fall under our legislation so would never be inspected, our jurisdiction only relates to shared parts of 'blocks' of flats, like common entrances, halls, and stair ways. The majority of the ones being sent through have separate entrances for each flat and no communal space.

Tees Archaeology: Thank you for the consultation. There are no archaeological requirements for this application.

Northumbrian Water: Having assessed the proposed development against the context outlined above I can confirm that at this stage we would have no comments to make.

PLANNING POLICY

11.15 In relation to the specific policies referred to in the section below please see the Policy Note at the end of the agenda.

11.16 The following policies in the adopted Hartlepool Local Plan 2018 are relevant to the determination of this application:

HSG1: New Housing Provision

HSG11: Extensions and Alterations To Existing Dwellings

HSG2: Overall Housing Mix

LS1: Locational Strategy

QP3: Location, Accessibility, Highway Safety and Parking

QP4: Layout and Design of Development

QP5: Safety and Security

QP6: Technical Matters

QP7: Energy Efficiency

SUS1: The Presumption in Favour of Sustainable Development

National Policy

11.17 In February 2019 the Government issued a revised National Planning Policy Framework (NPPF) replacing the 2012 and 2018 NPPF versions. The NPPF sets out the Governments Planning policies for England and how these are expected to be applied. It sets out the Government requirements for the planning system. The overriding message from the Framework is that planning authorities should plan positively for new development. It defines the role of planning in achieving sustainable development under three overarching objectives; an economic objective, a social objective and an environmental objective, each mutually dependent. At the heart of the Framework is a presumption in favour of sustainable development. For decision-taking, this means approving development proposals that accord with an up-to-date development plan without delay or, where there are no relevant development plan policies or the policies which are most important for determining the application are out-of-date, granting permission unless policies within the Framework provide a clear reason for refusal or any adverse impacts of doing so would significantly and demonstrably outweigh the benefits. The following paragraphs are relevant to this application:

PARA 001: Introduction

PARA 002: Permission determined in accordance with development plan

PARA 003: Introduction

PARA 007: Achieving sustainable development

PARA 008: Achieving sustainable development

PARA 010: Achieving sustainable development

PARA 011: The presumption in favour of sustainable development

PARA 012: The presumption in favour of sustainable development

PARA 038: Decision-Making

PARA 047: Determining Applications

PARA 059: Delivering a sufficient supply of homes

PARA 122: Achieving appropriate densities

PARA 124: Achieving well-designed places

PARA 127: Achieving well-designed places

PARA 130: Achieving well-designed places

PARA 150: Planning for Climate Change

PARA 212: Implementation

PLANNING CONSIDERATIONS

11.18 The main issues for consideration in this instance are the appropriateness of the proposal in principle in terms of the policies and proposals held within the Hartlepool Local Plan (2018) and the NPPF (2019) including the principle of development, the impact on the character and appearance of the existing building and surrounding area, the impact upon highway safety, impact on the amenity and privacy of neighbouring properties and crime and security. These and any other planning and non-planning matters are detailed below.

PRINCIPLE OF DEVELOPMENT

11.19 The host property currently benefits from an existing residential C3 use, and is situated within a residential street. The proposal is for the change of use to two flats which would retain the residential C3 use. As such the general principle of residential development in this location is considered to be acceptable in principle. The application site is located within walking distance of existing shops and services, and proximity to local bus services which provides access to the public transport network. Therefore, the site is considered to be in a sustainable location.

11.20 The Council's Community Safety section have been consulted in respect of the proposal and consider that the proposals would assist in easing the shortage of this type of accommodation in Hartlepool. Furthermore, the Council's Planning Policy section has been consulted and has not raised any objections in respect of the proposed change of use.

11.21 In light of the above, the principle of development is considered to be acceptable subject to the consideration of all other material planning considerations as detailed below.

VISUAL AMENITY AND CHARACTER OF SURROUNDING AREA

11.22 The application site is located within Warren Road, a residential street in Hartlepool. It is of note that the proposal includes the installation of a porch and canopy with the installation of an additional front door. This would result in 2no. doors in this front elevation. It is considered that this would result a notable change to the fenestration on the existing dwelling, which is at odds with the design and character of other properties in the street scene and has the potential to adversely affect the visual amenity of the street scene.

11.23 Notwithstanding this, it is of note that several properties in the street scene benefit from a canopy to the front and that there is a variety of external finishing materials to the surrounding properties. Further consideration is given to the modest scale and design of the proposed porch.

11.24 It is considered that the installation of a window in the two storey extension to the side would not be unduly dominant on the existing property or adversely impact upon its proportions. As noted above, the works to the chimney are internal only.

11.25 On balance, it is considered the proposed change of use would not result in such a significant incongruous feature on the existing property or detrimentally affect the street scene to warrant a reason to refuse the proposal in this instance. The Council's Landscape Architect has had regard to the proposal and has no concerns with regard to the visual impacts.

11.26 The proposal does not increase the total number of bedrooms within the property and the use would remain residential which is considered to be acceptable in this location and would not adversely affect the character of the street scene or significantly intensify the residential use of the area. As noted above the principle of development is considered to be appropriate in this location.

11.27 In light of the above considerations, the proposal is considered to be acceptable with respect to the impacts on the character and appearance of the existing building and surrounding area.

AMENITY OF NEIGHBOURING LAND USERS

11.28 It is acknowledged that neighbour representations have been received in respect of adverse impacts of the proposal on the amenity of neighbouring residential properties. The host property is a linked property and as such adjoins to No. 41 to the east and No. 45 to the west. It is noted that the proposal includes the installation of a porch and canopy at the front, the canopy would project along the boundary with No. 45, whilst the proposed porch would be a distance of approximately 1.7m from this neighbour and a distance of approximately 2.5m to No. 41. Given that the proposed porch would be at the front of the property, the orientation of the host property would be between this aspect and the adjoining neighbours. A separation of approximately 38m would remain between the proposals and 38 Garside Drive to the rear, while a distance of approximately 70m would remain between the proposals and Unit 6 to the front.

11.29 As detailed above, the existing relationship between windows at the host property and neighbouring properties is established and the proposal does not seek to introduce windows. Furthermore, such relationships are a characteristic of the area. Given the modest scale of the proposed porch (including height under 4m) and that it would serve a non-habitable room(s), on balance, it is considered that this element of the proposal would not result in an unacceptable loss of amenity and privacy for the adjacent neighbours at No. 41 and 45 or any neighbouring properties (including those at No. 38 Garside Drive), in terms of outlook, overbearing, overshadowing or overlooking..

11.30 In terms of the alterations to the use of the existing rooms, it is noted that the existing kitchen/diner at the ground floor of the property would become a bedroom and bathroom. It is acknowledged that the window serving this proposed bedroom would be approximately 0.3m from the boundary with the adjoining neighbour to the east (No. 41), however it is considered that no direct views would be achievable from the bedroom window (a habitable room) into the windows and rear elevation of No. 41. As noted above, there is a boundary fence with a height of approximately 1.2m enclosing the rear garden of the host property along this eastern boundary. The applicant has indicated that a replacement fence with a height of approximately 1.8m would be erected along boundaries where there is not a suitable boundary treatment in place including this property. It is therefore considered that a fence with a height of approximately 1.8m would be necessary along this boundary which would be considered to reduce the identified adverse impacts on the privacy of the adjoining neighbour's garden area at No. 41. A planning condition can secure this requirement. Owing to this relationship and subject to the necessary condition, it is considered that direct views would not be achievable from the proposed bedroom at flat 1 into the rear elevation of neighbouring properties or direct views into their rear garden amenity space.

11.31 In terms of the other alterations to the layout, the existing bedroom(s) on the first floor at the rear would largely remain to serve the residents of flat 2 (going from 2no. bedrooms to a single bedroom) with a bathroom being installed. The open plan kitchen and living space is not considered to adversely impact upon the room arrangement at the front of the upper floor. As noted above, a kitchen would be installed in the existing living room to the front (which would remain) to serve flat 1. Given that the relationship between the host property and neighbouring properties is already established, and the proposal would not seek to reduce separation distances or introduce windows which would allow for unacceptable direct views into neighbouring properties, on balance, it is considered that there would not be any adverse impacts on the privacy of neighbouring properties to the sides and rear (including Nos. 41 and 45 Warren Road and No. 38 Garside Drive). It is considered that no adverse overlooking could be achieved between flat 1 and flat 2 and vice versa as a result of this proposed alterations to the room layout.

11.32 It is acknowledged that the nature and layout of the proposed use has the potential to introduce greater levels of activity to areas within the property than the current use as a single dwelling and as such has the potential to cause noise related nuisance to areas of the neighbouring dwellings (particularly bedrooms) where they could reasonably expect low levels of noise and disturbance. The Council's Public Protection team have been consulted upon the application and their response raises no objections to the application subject to noise insulation measures being conditioned for party walls with adjoining properties. It is considered that a planning condition is necessary to secure the noise insulation measures (mentioned above) and therefore, subject to this, the proposal is acceptable in this regard.

11.33 In conclusion, it is considered that the proposal would not cause any significant adverse impact on the amenity and privacy of neighbouring properties (including future occupiers of the flats proposed) subject to necessary planning conditions (as detailed above) as to warrant a refusal of the application in this instance and therefore, on balance, the proposal is acceptable in this regard.

HIGHWAY AND PEDESTRIAN SAFETY AND CAR PARKING

11.34 In terms of car parking, the site is located with an area consisting primarily of linked residential properties. In common with other dwellings in the neighbourhood, the site lacks in-curtilage parking accessible to the highway and would therefore be unable to provide for any off-street parking. The Council's Traffic and Transport section have been consulted with respect to the proposal and have not raised any concerns.

11.35 As noted above, consideration is also given the site's location close to public transport links. Therefore, the proposal is not considered to result in a significant detrimental impact on parking and highway safety and is therefore deemed acceptable in this regard.

OTHER PLANNING MATTERS

Safety and Security

11.36 It is acknowledged that neighbour objections refer to matters of crime and anti-social behaviour. Section 17 of the Crime and Disorder Act 1998 requires the Local Planning Authority to exercise their functions with due regard to their likely effect on crime and disorder and to do all they reasonably can to prevent crime and disorder.

11.37 This is further supported by Paragraph 91 of the NPPF states “Planning policies and decisions should aim to achieve healthy, inclusive and safe places which... are safe and accessible, so that crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion”.

11.38 Cleveland Police have confirmed that they would have no objections to the proposal subject to a number of safety and security measures, to include the provision of doors and windows secured to required standards, the provision of a door viewer, and robust gates. This advice can be relayed to the applicant via a suitable informative.

11.39 HBC Community Safety have offered no objections to the proposal and have commented that with the assurance that appropriate security measures and robust property management will be in place, there are no community safety concerns. It is therefore considered acceptable in this regard.

Drainage + Contaminated Land

11.40 The site is located outside of Flood Zones 2 and 3. The Council’s Engineering Consultancy were consulted in respect of the application and have confirmed they would have no objection to the proposal in respect of surface water management or contaminated land, therefore the proposal is considered to be acceptable in these respects.

Waste

11.41 The proposed use has the potential to generate a higher level of refuse/waste given the increased number of occupants. It is noted that provision is made for refuse storage to serve each self-contained flat individually at the rear, with access to this via a shared alleyway (with No. 45 to the west). No objections have been received from HBC Waste Management or HBC Public Protection in respect of waste facilities, and therefore the proposal is considered acceptable.

RESIDUAL MATTERS

11.42 Cleveland Fire Brigade have confirmed that they have no representations to make in respect of the application but have provided advice in respect of Access and Water Supplies. Ultimately this is a building regulations matter and is beyond the remit of the Local Planning Authority. A suitable informative is recommended to make the applicant aware of this advice.

11.43 In respect of the suggested discrepancy regarding neighbouring properties being consulted, it should be noted that consultation, including the sending of letters to properties adjoining the application site and the displaying of a site notice, exceeded the requirements specified in the amended Town and Country Planning (Development Management Procedure) Order 2015 (Article 15.5). The application is therefore considered to be acceptable in respect of the above processes.

NON-PLANNING MATTERS

11.44 It is noted that neighbour objections have been received raising concerns that properties in the street are occupied by families that feel the area is a friendly and positive environment and have expressed concerns regarding the nature of tenants proposed as part of the 'Move On Scheme'. These are not material planning considerations. Property ownership and the occupation of rented properties are not material planning considerations and as such, no weight can be given to these matters.

CONCLUSION

11.45 On balance and in light of the considerations detailed above, it is considered that the principle of the proposed change of use to two self-contained flats is acceptable. It is considered that the proposal would not give rise to adverse impacts upon the visual amenity, neighbour amenity, highway safety, community safety or any other planning matter. Furthermore, the proposal would bring a vacant building back into use. It is therefore considered the development accords with policies HSG2, HSG11, QP4 and QP5 of the Hartlepool Local Plan (2018) and paragraphs 124, 127 and 130 of the National Planning Policy Framework 2019 and should be conditionally approved.

EQUALITY AND DIVERSITY CONSIDERATIONS

11.46 There is no evidence of equality or diversity implications.

SECTION 17 OF THE CRIME AND DISORDER ACT 1998 CONSIDERATIONS

11.47 The Crime and Disorder Act 1998 requires local authorities to consider crime and disorder reduction in the exercise of all their duties, activities and decision-making.

11.48 There are no Section 17 implications.

REASON FOR DECISION

11.49 It is considered by Officers that the proposal in the context of relevant planning policies and material planning considerations is acceptable as set out in the Officer's Report.

RECOMMENDATION – APPROVE, subject to the conditions below:

1. The development to which this permission relates shall be begun not later than three years from the date of this permission.
To clarify the period for which the permission is valid.
2. The development hereby permitted shall be carried out in accordance with the plans and details Drg. No. BS/19/90/TypeM/01 Rev A 'OS Site Location Plan (scale 1:1250) and Block Plans (scale 1:500) and Drg. No. BS/19/90/TypeM/02 Rev A 'Floor Plans and Elevations Existing and Proposed' received by the Local Planning Authority on 6th May 2020.
For the avoidance of doubt.
3. Prior to the development hereby approved being brought into use, a scheme demonstrating appropriate noise insulation between the application site and the adjoining neighbouring properties at 41 Warren Road and 45 Warren Road shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the agreed scheme shall be implemented prior to the occupancy of the development hereby approved and retained for the life of the development.
In the interests of the amenities of the occupants of neighbouring properties.
4. The development hereby approved shall be used as 2no. flats as defined by The Town and Country Planning (Development Management Procedure) (England) Order 2015 or in any provision equivalent to that Order in any statutory instrument revoking or re-enacting that Order with or without modification.
For the avoidance of doubt and in the interests of the amenities of the occupants of neighbouring properties.
5. Prior to the occupation of the 2no. flats hereby approved, a 1.8m high (taken from the given ground level) closed boarded fence shall be erected along the full length of the adjacent rear boundary (east) with No 41 Warren Road and shall thereafter be maintained for the lifetime of the development hereby approved.
In the interests of the amenities of the occupants of the neighbouring property.

BACKGROUND PAPERS

11.50 Background papers can be viewed by the 'attachments' on the following public access page:

<http://eforms.hartlepool.gov.uk/portal/servlets/ApplicationSearchServlet?PKID=137626>

11.51 Copies of the applications are available on-line:

<http://eforms.hartlepool.gov.uk:7777/portal/servlets/ApplicationSearchServlet>
except for such documents that contain exempt or confidential information.

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THIS PLAN IS FOR SITE IDENTIFICATION PURPOSE ONLY

HARTLEPOOL BOROUGH COUNCIL	DRAWN JB	DATE 20.7.2020
	SCALE 1:500	
Dept of Regeneration & Neighbourhoods Civic Centre, Victoria Road, Hartlepool TS24 8AY	DRG.NO H/2020/0154	REV

POLICY NOTE

The following details a precis of the overarching policy documents (including relevant policies) referred to in the main agenda. For the full policies please refer to the relevant document, which can be viewed on the web links below;

HARTLEPOOL LOCAL PLAN POLICIES

<https://www.hartlepool.gov.uk/localplan>

HARTLEPOOL RURAL NEIGHBOURHOOD PLAN

https://www.hartlepool.gov.uk/downloads/file/4876/hrnp_2016-2031_-_made_version_-_december_2018

MINERALS & WASTE DPD 2011

https://www.hartlepool.gov.uk/info/20209/local_plan/317/tees_valley_minerals_and_waste_development_plan_documents_for_the_tees_valley

REVISED NATIONAL PLANNING POLICY FRAMEWORK (NPPF) 2019

<https://www.gov.uk/government/publications/national-planning-policy-framework--2>

PLANNING COMMITTEE

5 August 2020



Report of: Assistant Director (Economic Growth and Regeneration)

Subject: UPDATE ON CURRENT COMPLAINTS

1. PURPOSE OF REPORT

1.1 To update members with regard to complaints that have been received and investigations that have been completed. Investigations have commenced in response to the following complaints:

1. The erection of a dwellinghouse on agricultural land at land off Brierton Lane.
2. The erection of an outbuilding in the rear garden of a residential property in Buttercup Close.
3. The creation of hard standing areas and access tracks at a former reservoir site at land off Hart Lane.
4. The erection of a wall at a residential property in Forester Close.
5. Running a welding and fabrication business at a residential property in Sandringham Road.
6. The unauthorised commencement of redevelopment works at a residential property in Station Lane.
7. Non-compliance with the construction traffic management plan at a residential development site at land off Elwick Road.
8. Non-compliance with the approved plans at a residential development site at land off Valley Drive.
9. The erection of an outbuilding in the rear garden of a residential property in Butterstone Avenue.
10. The display of a shop front sign at a commercial premises on Church Square.
11. The change of use to a hot food takeaway of a former shop in Murray Street.

12. The erection of an extension at the rear of a residential property in Topcliffe Street.
13. The erection of an extension at the rear of a residential property in Sedgewick Close.

1.2 Investigations have been completed as a result of the following complaints:

1. The erection of a large metal structure in the rear garden of a residential property in Sidings Close. The erection of the structure did not constitute development and therefore there is no breach of planning control in this case.
2. Alterations to ground levels in the rear garden of a residential property in Parklands Way. Permitted development rights apply in this case.
3. The erection of an outbuilding in the rear garden of a residential property in Duke Street. Permitted development rights apply in this case.
4. The display of a developers advertising sign at land at Summer Lane. The sign has since been removed.
5. The installation of uPVC windows at a commercial premises at The Front. The uPVC windows have now been removed and replaced with timber sliding sash windows.
6. The incorporation of shared access land at the side of a residential property in Staincliffe Road. No land had been incorporated and therefore there is no breach of planning control in this case.
7. The erection of an outbuilding in the rear garden of a residential property in Bridgepool Close. The height of the outbuilding has since been reduced and therefore permitted development rights now apply in this case.
8. Non-compliance with the construction management plan (relates to heavy plant vehicles traversing a nearby area of public green space) at a residential development site at land off Old Cemetery Road. There is no breach of planning control in this case. The heavy plant vehicles are now being stored on site, and are no longer traversing the area of public green space.
9. Non-compliance with the construction management plan (relates to dust suppression measures) at a residential development site at land off Old Cemetery Road. The site is now operating in accordance with the relevant sections of the construction management plan.

2. RECOMMENDATION

2.1 Members note this report.

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