



Contact: Shelly Pearman  
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Our Ref: 18/0438/FUL

8th November 2018

Steve Dodds  
Sjd Architects Ltd  
Tanners Bank Design Studio  
Aislaby Road  
Eaglescliffe  
Stockton On Tees  
TS16 0JJ

Dear Sir/Madam

**Town and Country Planning Act 1990**

Proposal            Alterations and extension to 304 Linthorpe Road and 5 Albert Terrace to 31no student bed accommodation (Sui Generis) comprising 3no. 3 bed pods, 4no. 2 bed pods and 14no 1 bed self contained apartments with ancillary facilities.

Location            304 Linthorpe Road And 5 Albert Terrace    Middlesbrough    TS1 4AR

The above application registered on 28th June 2018 was considered by the Council and it has been agreed that permission should be granted. I therefore enclose the appropriate approval certificate. If an application under the Building Regulations was also submitted, development must not commence until Building Regulations Approval has been received from Building Control.

Should Building Control require any alterations to the approved plan(s), in order to issue a Building Regulations Approval, you are required to resubmit copies of the amended plan(s) to me for approval before commencing work.

If applicable, I would also draw your attention to the conditions of the permission and particularly if there are matters requiring approval before development commences. This must be done by way of a formal application for the approval of details reserved by a condition. Forms are available on request or alternatively they can be downloaded from the Council's website ([www.middlesbrough.gov.uk](http://www.middlesbrough.gov.uk)) or submitted electronically via the Planning Portal ([www.planningportal.gov.uk](http://www.planningportal.gov.uk)). A fee will be payable per request, and the case officer above will be able advise you of this and the procedure as a whole.

Please note that failure to comply with conditions could lead to the Council considering the taking of enforcement action.

Yours faithfully

A handwritten signature in black ink that reads 'P. Clarke'.

TOWN AND COUNTRY PLANNING ACT 1990 (AS AMENDED)

**APPROVAL SUBJECT TO CONDITIONS**

Agent:  
Steve Dodds  
Sjd Architects Ltd  
Tanners Bank Design Studio  
Aislaby Road  
Eaglescliffe  
Stockton On Tees  
TS16 0JJ

Applicant:  
2020 Group UK  
Developments Ltd  
c/o agent

**Proposal: Alterations and extension to 304 Linthorpe Road and 5 Albert Terrace to 31no student bed accommodation (Sui Generis) comprising 3no. 3 bed pods, 4no. 2 bed pods and 14no 1 bed self contained apartments with ancillary facilities.**

**Address: 304 Linthorpe Road And 5 Albert Terrace , Middlesbrough, TS1 4AR**

The Middlesbrough Council as the Local Planning Authority HEREBY PERMIT the development proposed by you in your application registered on 28th June 2018 and shown on the approved plan(s) subject to the conditions and reasons specified hereunder:

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**CONDITIONS/REASONS**

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- 1 Time Limit  
The development to which this permission relates must be begun not later than the expiration of three years beginning with the date on which this permission is granted.  
  
Reason: The time limit condition is imposed in order to comply with the requirements of Section 91 of the Town and Country Planning Act 1990.
  
- 2 Approved Plans  
The development hereby approved shall be carried out in complete accordance with the plans and specifications detailed below and shall relate to no other plans:
  - a) Existing Location and Site Plan, drawing no. 1512-15-300;
  - b) Proposed Elevations, drawing no. 1512-15-308 rev. D;
  - c) Proposed Ground Floor Plan, drawing no. 1512-15-303 rev. F;
  - d) Proposed Ground Floor Plan, drawing no. 1512-15-304 rev. E;
  - e) Proposed First Floor Plan, drawing no. 11512-15-305 rev. D;
  - f) Proposed Second Floor Plan, drawing no. 1512-15-306 rev. E; and,

g) Proposed Third Floor Plan, drawing no. 1512-15-307 rev. D.

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

3 Samples of Materials

The development shall only be carried out using finishing materials of which samples have been submitted to and approved by the Local Planning Authority prior to commencement of the development.

Reason: To ensure the use of satisfactory materials.

4 Cycle and Bin Store

The cycle store and bin store shall be carried out in accordance with the Proposed Ground Floor Plan, drawing no. 1512-15-304 rev. E, under drawing no. 1512-15-102, the cycle storage and bin store shall be retained on site in perpetuity.

Reason: To ensure a satisfactory form of development.

5 Obscure Glazed Restricted Opening Windows

All windows on the south elevation must be obscure glazed to a minimum of level 3, with opening restricted to any parts of the window which are more than 1.7m above the floor of the room in which the window is installed. The obscure glazing and restricted opening shall be retained on site in perpetuity.

Reason: in the interests of the amenity of residents.

6 Noise Assessment

Development hereby approved shall not commence on site until an assessment of road noise, and if necessary, a scheme for protecting the proposed dwellings and associated residential outdoor space from traffic noise, has been submitted to and approved in writing by the Local Planning Authority. The assessment shall include a 15 year projection of traffic levels.

All residential units shall be designed so as not to exceed the noise criteria based on current figures from BS8233 (2014) 'Guidance on sound insulation and noise reduction for buildings' and the WHO 'Guidelines for Community Noise' 1999. Any scheme of protection shall demonstrate that noise from nearby road traffic as measured within bedrooms does not exceed 30dB(A) Leq and 45dB(A) Lmax (23:00-07:00) and 35dB(A) (07:00-23:00), and that noise from nearby road traffic as measured within the gardens or other residential outdoor space does not exceed 50dB(A) Leq.

Any works and/or noise mitigation measures identified within the scheme shall thereafter be carried out and brought into operation in accordance with the approved details. All works which form part of the approved scheme shall be completed prior to any of the dwellings hereby approved being occupied and shall be maintained in perpetuity. The internal noise levels must be obtainable while appropriate ventilation to habitable rooms is provided in a manner which meets the requirements of The Building Regulations which may include mechanical ventilation

Reason: To ensure a satisfactory form of development in accordance with the requirements of policy DC1.

7 Removal from Permit U Parking Scheme - Commencement

A Traffic Regulation Order to remove the site from the Permit U Parking Scheme must be underway prior to the commencement of the development hereby approved.

Reason: In the interests of highway safety.

- 8 Removal from Permit U Parking Scheme - Completion  
The student units hereby approved must not be occupied until the Traffic Regulation Order to remove the site from the Permit U Parking Scheme has been completed.

Reason: In the interests of highway safety.

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## REASON FOR APPROVAL

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This application is satisfactory in that the design of the proposed alterations and extension to 31no student bed accommodation (Sui Generis) comprising 3no. 3 bed pods, 4no. 2 bed pods and 14no 1 bed self contained apartments with ancillary facilities accords with the principles of the National Planning Policy Framework (NPPF) and, where appropriate, the Council has worked with the applicant in a positive and proactive way in line with paragraph 38 of the NPPF (2018). In addition the alterations, extension and use accords with the local policy requirements (Policies DC1, CS4, CS5, H11 and REG24 of the Council's Local Development Framework).

In particular the alterations and extension are designed so that its appearance is complementary to the existing area and so that it will not have a detrimental impact on the amenity of any adjoining or nearby resident. The alterations, extension and use will not prejudice the appearance of the area and does not significantly affect any landscaping nor prevent adequate and safe access to the site.

The application is therefore considered to be an acceptable form of development, fully in accordance with the relevant policy guidance and there are no material considerations which would indicate that the development should be refused.

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## INFORMATIVES

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### Informative 1: Building Materials

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

### Informative 2: Deliveries to the Site

It should be ensured that, during construction, deliveries to the site do not obstruct the highway. If deliveries are to be made which may cause an obstruction then early discussion should be had with the Highway Authority on the timing of these deliveries and measures that may be required so as to mitigate the effect of the obstruction to the general public

### Informative 3: Discharge of Condition Fee

Under the Town & Country Planning (Fees for Applications and Deemed Applications) (Amendment)(England) Regulations 2010, the Council must charge a fee for the discharge of conditions. Information relating to current fees is available on the Planning Portal website (<http://www.planningportal.gov.uk/england/public/planning/applications/feecalculator>). Please be aware that where there is more than one condition a multiple fee may apply.

### Informative 4: Street Naming

Should the development require Street Names, Numbers and/or Post Codes the developer must contact the Council's Naming and Numbering representative on 01642 728155.

**Informative 5: Northern Gas Networks**

The applicant must contact Northern Gas Networks directly to discuss requirements in detail.

**Informative 6: Permit U Parking Scheme**

To discuss the removal of the site from the Permit U Parking Scheme please contact the Local Highway Authority on 01642 728645.

Dated 7th day of November 2018

A handwritten signature in black ink, appearing to read 'P. Clarke'.

Head of Planning

**Please note that this notice does not relieve the applicant from the need to ensure compliance with the appropriate provisions of the Building Act 1984 and the Building Regulations 2000.**

**IT IS IMPORTANT THAT YOU SHOULD READ THE NOTES ACCOMPANYING THIS NOTICE**

**APPROVAL NOTES**

The permission relates to planning control only. Any other statutory consent necessary must be obtained from the appropriate Authority.

By virtue of Section 91 of the Town and Country Planning Act, 1990, the development hereby granted must be commenced not later than the expiration of three years beginning with the date of this permission. In the event of such a time limit becoming operative, Article 3 of the Town and Country Planning (Applications) Regulations 1988 provides for a simplified form of application to have the permission renewed. This course of action must be taken before the permission expires.

The attention of developers is drawn to the fact that any failure to adhere to the details of the approved plans or comply with conditions attached to the consents constitutes a contravention of the provisions of the Town and Country Planning Acts, in respect of which enforcement action may be taken.

**CONDITIONAL APPROVAL NOTES**

This permission refers only to that required under the Town and Country Planning Act 1990 and does not include any consent or approval under any other enactment, byelaw, order or regulation. Any other statutory consent necessary e.g. Building Regulations approval must be obtained from the appropriate authority.

Failure to adhere to the details of approved plans or to comply with conditions attached to this permission is a contravention of the provisions of the Town and Country Planning Act 1990 in respect of which enforcement action may be taken.

If you object to the Local Planning Authority's decision to grant permission, approval or consent subject to conditions, you may appeal to the Secretary of State for the Environment under Section 78 of the Town and Country Planning Act 1990 within 6 months of the date of this notice. With regard to approved applications concerning listed buildings in a conservation area, you may appeal under Section 20 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and Regulation 8 of the Planning (Listed Buildings and Conservation Areas) Regulations 1990.

Please make your appeal using a form from The Planning Inspectorate, Customer Support Unit, Room 3/15 Eagle Wing, Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN (Tel. 0117 372 6372) or online at GOV.UK [www.gov.uk/appeal-planning-decision](http://www.gov.uk/appeal-planning-decision)

The Secretary of State may allow a longer period for you to give notice of appeal, but will normally only do so if there are special circumstances that excuse the delay in giving notice of appeal. The Secretary of State need not consider an appeal if it appears that the Local Planning Authority could have granted permission for the proposed development only subject to the conditions it imposed, bearing in mind the statutory requirements, the development order, and any directions given under the order. In practice, the Secretary of State does not refuse to consider appeals solely because the Local Planning Authority made its decision on the grounds of a direction that he or she had given.

If permission to develop land is refused or granted subject to conditions, whether by the Local Planning Authority or by the Secretary of State for the Environment, and the owner of the land

claims that the land has become incapable of reasonably beneficial use in its existing state and cannot be rendered capable of reasonably beneficial use by the carrying out of any development which has been or would be permitted he may serve on the Council of the District in which the land is situated a purchase notice requiring that Council to purchase his interests in the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990.

In certain circumstances, a claim may be made against the Local Planning Authority for compensation, where permission is refused or granted subject to conditions by the Secretary of State on appeal or on a reference of the application to him. The circumstances in which such compensation is payable are set out in Section 114 of the Town and Country Planning Act 1990.

Section 92 of the Town and Country Planning Act provides that where outline planning permission is granted for development existing in or including the carrying out of building or other operations, it shall be granted to conditions to the following effect:-

a) that in the case of any reserved matter, application for approval must be made not later than the expiration of three years beginning with the date of the grant of outline planning permission.

b) that the development to which the permission relates must be begun not later than whichever is the later of the following dates:-

(i) the expiration of three years from the date of the grant of outline permission, or

(ii) the expiration of two years from the final approval of the reserved matters or, in the case of the approval on different dates the final approval of the last such matter to be approved.

Under the provisions of Section 76 of the Town and Country Planning Act 1990 the Local Planning Authority is required to draw your attention to the provisions of the Chronically Sick and Disabled Persons Act 1970 which makes provisions for the needs of disabled people.

Your proposal may also be subject to Building Regulations and the provisions of Section 5 of the County of Cleveland Act 1987. You are advised to check this before progressing the development with the Council's Building Control Section.

In order to improve the speed and efficiency of the planning appeals system, a new procedure for the submission of appeals has been introduced by the Department of the Environment.

As from 7th April 1986; when an appeal is lodged with the Department of the Environment, a copy of the appeal documents must also be sent to the Local Planning Authority. These documents will normally include a copy of the appeal form, additional information, correspondence and plans or drawings relating to the appeal. There is no need to send to the Local Authority plans etc, which have already been submitted as part of the application which is subject of the appeal.

All correspondence regarding such an appeal should be sent to:-

Head of Planning Services  
Middlesbrough Council  
Civic Centre  
Middlesbrough  
TS1 9FY