



Contact: Shelly Pearman  
Telephone: 01642 729462  
Email: shelly\_pearman@middlesbrough.gov.uk  
Our Ref: 18/0447/FUL

25th January 2019

Steve Dodds  
Tanners Bank Design Studio  
Aislaby Road  
Eaglescliffe  
Stockton on Tees  
TS16 0JJ

Dear Sir/Madam

**Town and Country Planning Act 1990**

Proposal Conversion to 22no 1 bed student flats and 1no 2 bed student flat (Sui Generis) and 1no retail unit (A1/A2), part 3 storey, part second and third floor and part third floor extensions to side and rear.

Location 406 Linthorpe Road Middlesbrough TS5 6HF

The above application registered on 29th 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".

Head of Planning



Planning Service, Middlesbrough Council, PO Box 504  
Civic Centre, Middlesbrough, TS1 9FY

TOWN AND COUNTRY PLANNING ACT 1990 (AS AMENDED)

## APPROVAL SUBJECT TO CONDITIONS

Agent:  
Steve Dodds  
Tanners Bank Design Studio  
Aislaby Road  
Eaglescliffe  
Stockton on Tees  
TS16 0JJ

Applicant:  
2020 Group UK  
Developments Ltd  
c/o agent

**Proposal:** Conversion to 22no 1 bed student flats and 1no 2 bed student flat (Sui Generis) and 1no retail unit (A1/A2), part 3 storey, part second and third floor and part third floor extensions to side and rear.

**Address:** 406 Linthorpe Road, Middlesbrough, TS5 6HF

The Middlesbrough Council as the Local Planning Authority HEREBY PERMIT the development proposed by you in your application registered on 29th June 2018 and shown on the approved plan(s) subject to the conditions and reasons specified hereunder:

---

### CONDITIONS/REASONS

---

- 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) Location Plans, drawing no. 1517-15-200;
  - b) Proposed Floor Plans, drawing no. 1517-15-203, rev. D;
  - c) Proposed Elevations, drawing no. 1517-15-204, 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 Timber Windows

The development hereby approved shall be constructed with timber windows in accordance with the approved plans. All timber windows (including existing windows) will be retained on site in perpetuity.

Reason: In the interests of the character and appearance of the Albert Park and Linthorpe Road Conservation Area and the locally listed building in accordance with Policy CS4.

5 Cycle and Bin Store

The cycle store and bin store shall be carried out in accordance with approved drawing no. 1517-15-203, rev. D (Proposed Floor Plans), and shall be retained on site in perpetuity.

Reason: To ensure a satisfactory form of development.

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 Hours of Operation

The hours of opening of the retail unit (A1/A2) hereby approved shall be restricted to be between the hours of 06:00 and 23:00 Monday to Sunday.

Any deliveries and collections to the premises, including waste collection, must be restricted to between the hours of 08:00 and 19:00 Monday to Saturday, and between the hours of 09:30 and 18:30 Sundays and Bank Holidays.

Reason: In the interests of the amenities of residents in accordance with Policy DC1.

---

## REASON FOR APPROVAL

---

This application is satisfactory in that the design of the development, and the conversion to student flats (sui generis) and one retail unit (A1/A2) 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, extensions and conversions accord with the local policy requirements (Policies DC1, CS4, CS5, and REG29 of the Council's Local Development Framework).

In particular, the alterations and extensions are designed so that their appearance is complementary to the historic importance of the existing locally listed building, and will not prejudice the character and appearance of the Albert Park and Linthorpe Road Conservation Area. Neither the external development nor the uses of the internal conversions will have a detrimental impact on the amenity of any adjoining or nearby residents, but would harmonise with the local built environment and existing uses. None of the development would significantly affect any landscaping or 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.

---

## INFORMATIVES

---

### Discharge of Condition Planning Fees

Under the Town & Country Planning (Fees for Applications and Deemed Applications)(Amendment)(England) Regulations 2018, 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/feecalc>). Please be aware that where there is more than one condition a multiple fee may apply.

### Building Materials

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

### 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

### Rights of Access/Encroachment

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

### Name and Numbering

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.

18/0447/FUL

Secured by Design

The applicant is recommended to actively seek to develop to accredited Secured by Design standards or to contact the Secured by Design Officer for advice relating to designing out opportunities for crime and disorder to occur in the future.

Secured by Design contact: [stephen.cranston2@cleveland.pnn.police.uk](mailto:stephen.cranston2@cleveland.pnn.police.uk)

Dated 25th day of January 2019

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