

TOWN AND COUNTRY PLANNING ACT 1990
TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE) (ENGLAND)
ORDER 2015

Application number:	22/00576/FUL
Validated on:	9 th June 2022
Site address:	41 All Saints Road
Proposal:	Demolish Existing Bungalow and Garage & Construct 4 bedroom House

In exercise of its powers under the above-mentioned Act and Order the City Council as the Local Planning Authority **GRANT PERMISSION** for the development described above in accordance with the terms of the application and the plan/s submitted therewith subject to the following conditions:

Condition 1

The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason

Required to be imposed by Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

Condition 2

Except where these may be modified by any other conditions attached to this permission, the development hereby permitted shall be carried out in accordance with the details of the application form, and drawing numbers:

- Proposed Ground Floor Plan – Rev.B (received by the local planning authority on 29th Dec 2022);
- Proposed First Floor Plan – Rev.B (received by the local planning authority on 29th Dec 2022);
- Proposed Elevations – Rev.B (received by the local planning authority on 29th Dec 2022);
- Proposed Site/Block Plan and Sections – Rev.B (received by the local planning authority on 29th Dec 2022).

Reason

To ensure that the development is carried out in accordance with the approved plans.

Condition 3

The development hereby approved shall not commence until details of a Construction Traffic and Environmental Management Plan (CTEMP) have been submitted to and approved in writing by the local planning authority. As a minimum, the CTEMP shall include the following details:

- 24 hour emergency contact number;
- Hours of construction;
- Areas for the parking of vehicles of site operatives and visitors;
- Locations and times for loading/unloading and storage of plant, waste and construction materials;
- Method of preventing mud being carried onto the highway;
- Measures to protect vulnerable road users (cyclists and pedestrians) during the demolition and construction period;
- Arrangements to receive abnormal loads or unusually large vehicles;
- Methods to mitigate against construction noise, odour and dust emissions;

- Methods of communicating the CEMP to staff, visitors and neighbouring residents and businesses.

Reason

In the interests of safe operation of the adopted highway in the lead into development both during the demolition and construction phase of the development in accordance with the aims of policies SD14 and INF1 of the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy (Adopted December 2017) and policies A1 and G1 of the Gloucester City Plan.

Condition 4

Construction of the replacement dwelling hereby approved shall not proceed beyond finished floor/slab level until a schedule of external materials and finishes has been submitted to and approved in writing by the local planning authority. As a minimum, the written details shall include the manufacturer/material name, a photographic example and details of any relevant finish/colour.

Thereafter, the development shall be completed and maintained in accordance with the approved details.

Reason

To ensure the development is compatible with its surroundings in the interests of the visual amenities of the area in accordance with the aims of policies SD4 and SD10 of the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy (Adopted December 2017) and policies A1 and F1 of the Gloucester City Plan.

Condition 5

The dwellings hereby permitted shall not be occupied or brought into use until the site access, car/vehicle parking and turning areas have been constructed/laid out in full in accordance with the details of approved drawing: Proposed Site/Block Plan and a schedule of hard surfacing materials that has first been submitted to and approved in writing by the local planning authority. As a minimum, the written details of the hard surfaces shall include the manufacturer/material name, a photographic example, details of any relevant finish/colour and porousness/permeability.

Thereafter, the access, turning and parking areas shall be kept free of obstruction and available for the intended use(s) in association with the development.

Reason

To ensure that there is safe access and adequate parking facilities to serve the development constructed to an acceptable standard in compliance with NPPF paragraphs 108 and 110 and policies SD4 and INF1 of the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy (Adopted December 2017) and policy A1 of the Gloucester City Plan.

Condition 6

The dwelling hereby permitted shall not be occupied or brought into use until the car parking space has been equipped with an electric vehicle charging point. The development shall be maintained in that state thereafter.

Reason

To ensure the development promotes the use of sustainable modes of transport and to benefit healthy communities in accordance with the aims of policy INF1 of the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy and emerging policies G1 and G2 of the Gloucester City Plan.

Condition 7

Notwithstanding the submitted details, the dwelling hereby permitted shall not be occupied or brought into use until areas for the storage and collection of refuse and recycling receptacles have been provided within the curtilage of the site in accordance with details that shall first be submitted to and approved in writing by the local planning authority. Thereafter, the development shall be maintained in accordance with the approved details.

Reason

To ensure that areas for the storage and collection of waste and recycling are made available for use in accordance with the aims of policies SD10 and INF1 of the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy (Adopted December 2017) and policy A1 of the Gloucester City Plan.

Condition 8

The dwellings hereby permitted shall not be occupied or brought into use until details of the boundary enclosures of the plot have been submitted to and approved in writing by the local planning authority and the boundary enclosures have been installed in accordance with the approved details.

As a minimum, the details shall include a site layout plan clearly illustrating the boundary enclosures to be retained or replaced along with details of the materials and heights.

The boundary enclosures shall be maintained in accordance with the approved details thereafter.

Reason

To ensure that the privacy of future occupiers of the dwellings and neighbouring residential properties is protected in accordance with the aims of policies SD4, SD10 and SD14 of the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy (Adopted December 2017) and policy A1 of the Gloucester City Plan.

Condition 9

The dwelling hereby permitted shall not be occupied or brought into use until a surface water drainage system has been installed within the site in accordance with details that shall first be submitted to and approved in writing by the local planning authority.

As a minimum, the details shall include:

- details to demonstrate the scheme has been designed using Sustainable Urban Drainage (SuDS) principles;
- if infiltration is proposed, BRE 365 infiltration test results and soakaway sizing calculations are provided to support the use of soakaways;
- if connection into the public sewer is proposed, details of on-site storage with outflow restricted to 0.2 ltr/s;
- details to demonstrate the system can accommodate a critical 1 in 100 year (0.1%) rainfall event (including an allowance for climate change and a factor of safety).

Thereafter, the surface water drainage system shall be maintained in accordance with the approved details.

Reason

To ensure that future occupiers of the development are protected from surface water flooding and to prevent increased surface water flood risk to adjacent land and the public highway in the locality in accordance with the aims of policy INF2 of the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy (Adopted December 2017) and the planning policy advice of the National Planning Policy Framework.

Condition 10

The dwelling hereby permitted shall not be occupied or brought into use until all first-floor, side facing windows have been installed with obscure glazing (to a minimum of Pilkington level 3). The obscure glazed windows shall be maintained in that state thereafter.

Reason

To ensure that the privacy of future occupiers of the dwellings and neighbouring residential properties is protected in accordance with the aims of policies SD4, SD10 and SD14 of the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy (Adopted December 2017) and policy A1 of the Gloucester City Plan.

Condition 11

Notwithstanding the provisions of Article 3 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (or any order revoking, re-enacting or modifying that Order), no roof extensions or alterations as described within Part 1, Classes B and C of Schedule 2 of the order shall be constructed without planning permission first being sought from and granted by the local planning authority.

Reason

To ensure suitable protection is secured over the impact of the development on the privacy of neighbouring occupiers and to ensure control over the visual impact of the development is maintained in accordance with the aims of policies SD4, SD10 and SD14 of the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy (Adopted December 2017) and policies A1 and F1 of the Gloucester City Plan.

Condition 12

Notwithstanding the provisions of Article 3 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (or any order revoking, re-enacting or modifying that Order) no windows (other than those shown on the approved plans) shall be installed into the first floor of side facing (south-west and north-east) elevations.

Reason

To ensure that the privacy of future occupiers of the dwellings and neighbouring residential properties is protected in accordance with the aims of policies SD4, SD10 and SD14 of the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy (Adopted December 2017) and policy A1 of the Gloucester City Plan.

Note 1

Your attention is drawn to the requirements of the Building Regulations, which must be obtained as a separate consent to this planning decision. You are advised to contact the Gloucestershire Building Control Partnership on 01453 754871 for further information.

Note 2

Your attention is drawn to the Party Wall Act 1996. The Act will apply where work is to be carried out on the following:

- Work on an existing wall or structure shared with another property.
- Building a free standing wall or a wall of a building up to or astride the boundary with a neighbouring property.
- Excavating near a neighbouring building.

The legal requirements of this Act lies with the building/ site owner, they must find out whether the works subject of this planning permission falls within the terms of the Party Wall Act. There are no requirements or duty on the part of the local authority in such matters. Further information can be obtained from the DETR publication The Party Wall Act 1996 – explanatory booklet.

Note 3

In accordance with the requirements of the NPPF the Local Planning Authority has sought to determine the application in a positive and proactive manner by offering pre-application advice, publishing guidance to assist the applicant, and publishing to the council's website relevant information received during the consideration of the application thus enabling the applicant to be kept informed as to how the case was proceeding.

Note 4

The construction/alteration of the site access may require the extension of a verge and/or footway crossing from the carriageway. Under the Highways Act 1980 - Section 184 and the Applicant is required to obtain the permission of Gloucestershire Highways on 08000 514 514 or highways@gloucestershire.gov.uk before commencing any works on the highway.

The development hereby approved and any associated highway works required, is likely to impact on the operation of the highway network during its construction (and any demolition required). You are advised to contact the Highway Authorities Network Management Team at Network&TrafficManagement@gloucestershire.gov.uk before undertaking any work, to discuss any temporary traffic management measures required, such as footway, Public Right of Way, carriageway closures or temporary parking restrictions a minimum of eight weeks prior to any activity on site to enable Temporary Traffic Regulation Orders to be prepared and a programme of Temporary Traffic Management measures to be agreed.

It is expected that contractors are registered with the Considerate Constructors scheme and comply with the code of conduct in full, but particularly reference is made to “respecting the community” this says:

Constructors should give utmost consideration to their impact on neighbours and the public Informing, respecting and showing courtesy to those affected by the work; Minimising the impact of deliveries, parking and work on the public highway; Contributing to and supporting the local community and economy; and Working to create a positive and enduring impression, and promoting the Code.



Jon Bishop

Planning Development Manager

Decision date: 5th January 2022

PLEASE SEE NOTES SET OUT IN THE ENCLOSED LEAFLET