

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

<b>Application number:</b>	21/00468/FUL
<b>Validated on:</b>	12 <sup>th</sup> April 2021
<b>Site address:</b>	95A Grange Road
<b>Proposal:</b>	Variation of condition 2 of planning permission 16/00153/FUL (Construction of a dwelling)

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**

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, the Arboriculture Survey, Impact Assessment and Protection Plan and drawing numbers;

- TM-010 01 Rev.A – Site Plan;
- TM-010 02 Rev.A – Block Plan;
- TM-010 03 Rev.A – Floor Plans;
- TM-010 05 Rev.B – Proposed Elevations.

**Reason**

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

**Condition 2**

During the construction phase no machinery shall be operated, no process shall be carried out and no deliveries taken at or despatched from the site outside the following times: Monday-Friday 8.00 am – 6.00pm, Saturday 8.00 am - 1.00 pm nor at any time on Sundays, Bank or Public Holidays.

**Reason**

To protect the amenity of neighbouring occupants in accordance with Policy SD4 and SD14 of the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy (Adopted December 2017).

**Condition 3**

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking and re-enacting that Order with or without modification), no windows/dormer windows/roof lights/other openings, other than those expressly authorised by this permission and as detailed on drawing number TM-010 05 Rev.B – Proposed Elevations, shall be constructed within the roof slopes of the dwelling or in the elevations of the dwelling at first floor level or above.

**Reason**

To protect the amenity of neighbouring occupants and to ensure the appearance of the dwelling is acceptable within the local area, in accordance with Policy SD4 and SD14 of the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy (Adopted December 2017) and emerging policy A1 of the Gloucester City Plan.

**Condition 4**

The windows in the side elevations of the dwelling hereby permitted, as detailed on drawing number TM-010 05 Rev.B - Proposed Elevations, shall be installed with obscure glazing and thereafter maintained as such.

**Reason**

To protect the amenity of neighbouring occupants and to ensure the appearance of the dwelling is acceptable within the local area, in accordance with Policy SD4 and SD14 of the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy (Adopted December 2017) and emerging policy A1 of the Gloucester City Plan.

**Condition 5**

The development hereby approved shall be completed in accordance with the recommendations of the method statement for the removal/eradication of Japanese knotweed that was previously submitted to the Local Planning Authority (under discharge of condition application reference 20/01268/CONDIT) and approved in writing on 11th February 2021.

**Reason**

To protect the amenity of the local area in accordance with Policy SD4 and SD14 of the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy (Adopted December 2017).

**Condition 6**

The development hereby approved shall be completed using the external materials and finishes detailed within approved plan number TM-010 05 Rev.B – Proposed Elevations and shall be maintained in accordance with those details thereafter.

**Reason**

To ensure that the materials harmonise with the surroundings in accordance with Policy SD4 of the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy (Adopted December 2017) and emerging policy A1 of the Gloucester City Plan.

**Condition 7**

The dwelling hereby permitted shall not be occupied until the vehicular parking facilities have been provided in accordance with the submitted plan TM-010 02 Rev.A - Block Plan, and those facilities shall be maintained available for those purposes thereafter.

**Reason**

To ensure that a safe, suitable and secure means of access for all people that minimises the conflict between traffic and cyclists and pedestrians is provided in accordance with the National Planning Policy Framework and Policy SD4 of the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy (Adopted December 2017) and emerging policy A1 of the Gloucester City Plan.

**Condition 8**

The vehicular access hereby permitted shall not be brought into use until the area between those splays and the carriageway shall be reduced in level and thereafter maintained so as to provide clear visibility between 1.05m and 2.0m at the X point and between 0.26m and 2.0m at the Y point above the adjacent carriageway level.

**Reason**

To reduce potential highway impact by ensuring that adequate visibility is provided and maintained and to ensure that a safe, suitable and secure means of access for all people that minimises the conflict between traffic and cyclists and pedestrians is provided in accordance with the National Planning Policy Framework and Policy SD4 of the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy (Adopted December 2017) and emerging 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.

**Jon Bishop**

Planning and Development Control Manager

**Decision date: 8<sup>th</sup> April 2022**

**PLEASE SEE NOTES SET OUT IN THE ENCLOSED LEAFLET**