

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

Application number: | 22/00888/FUL
Validated on: | 28th September 2022
Site address: | 45 Windsor Drive
Proposal: | Extension and garden annexe with ancillary accommodation

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

The development hereby permitted shall be carried out in accordance with the application form, and drawing numbers FRS55A001 (Location Plan and Site Plan), FRS55A-002-A (Existing Ground Floor Plan and Elevations), FRS55A-003 A (Proposed Ground Floor Plan and Elevations), FRS55A004 (Proposed Garden Annexe) and FRS55A-005-A Small Feature Shrubs received 14/09/2022; except where these may be modified by any other conditions attached to this permission.

Reason

To ensure that the development is carried out in accordance with the approved plans and in accordance with policies contained within the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy (Adopted December 2017).

Reason

To ensure the satisfactory appearance of the development in accordance with Policy SD4 of the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy (Adopted December 2017)

Condition 3

The development hereby permitted shall not be occupied at any time other than for purposes ancillary to the residential use of the dwelling known as 45 Windsor Drive.

Reason

This is in order to avoid the development being later used as an independent dwelling, per Policy A10 of the emerging City Plan. The site is unsuitable for an independent dwelling in addition to the main dwelling and would provide for an inadequate level of amenity for two self-contained dwellings.

Condition 4

The ground floor window on the proposed northwest facing 'RH Elevation' to the 'Living' area of the annexe hereby permitted (all as marked on drawing number FRS55A004), shall be constructed so that no part of the framework less than 1.7 metres above finished floor level shall be openable. Any part of the window below that level shall be fitted with, and retained in, obscure glazing (Pilkington Level 4 or equivalent).

Reason

To protect the privacy of adjacent properties.

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 freestanding 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 1996. There are no requirements or duty on the part of the local authority in such matters. Further information can be obtained from the DCLG publication Preventing and resolving disputes in relation to party walls – 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 Development Manager

Decision date: 22nd February 2023

PLEASE SEE NOTES SET OUT IN THE ENCLOSED LEAFLET