

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

<b>Application number:</b>	21/00874/FUL
<b>Validated on:</b>	27/07/2021
<b>Site address:</b>	36-37 St. Marys Square, Westgate, Gloucester, GL1 2QT
<b>Proposal:</b>	Replacement of windows, installation of access control entrances with new landings and ramps to front and rear and rear window opening alteration and install 2 no. first floor fire escape landings and spiral staircases.

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:

- 510/FI/03 Rev.P01 – Proposed Ground Floor and Site Location Plan;
- 510/FI/04 Rev.P01 – Proposed First Floor Plan;
- 510/FI/05 Rev.P01 – Proposed Front and Rear Elevations.

**Reason**

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

**Condition 3**

No railings forming part of the development hereby approved shall be installed until full details have been submitted to and agreed in writing by the local planning authority. As a minimum, the details shall include manufacturer/supplier specifications, an example photograph and/or elevations showing the railings height and details of the external finish and colour.

**Reason**

To ensure the character and appearance of the conservation area and settings of the nearby grade I listed St Mary de Lode church and grade II listed Bishop Hoopers Monument are preserved in accordance with the aims of policy SD8 of the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy and emerging policy D1 of the Gloucester City Plan.

#### **Condition 4**

The spiral staircases hereby approved shall only be used in the event of an emergency and at no time shall they be used as outside amenity space or for day-to-day access to the first-floor flats.

#### **Reason**

To ensure that neighbouring privacy is protected in accordance with the aims of policies SD4 and SD14 of the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy 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**

The site is located in a potentially sensitive area for archaeology. Whilst the development is not considered to pose a high degree of threat to any existing archaeology (due to previous modern development within the site) you are advised that, should any archaeological remains be encountered during any ground disturbing works you cease all works and contact the City Archaeologist at either tel no. 01452 39634 or by email to [andrew.armstrong@gloucester.gov.uk](mailto:andrew.armstrong@gloucester.gov.uk).

#### **Note 4**

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: 18/03/2022**