

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

Application number: | 21/01246/FUL
Validated on: | 17th November 2021
Site address: | 10 Milton Avenue
Proposal: | Erection of 1no. two-storey two-bed detached 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

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:

- 2032 – PL01 – Site Location Plan;
- 2032 – PL03C – Proposed Floor Plans;
- 2032 – PL04B – Proposed Elevations;
- 2032 – PL05A – Proposed Block Plans.

Reason

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

Prior to commencement

Condition 3 – Construction traffic management plan

No development shall take place, including any demolition works, until a construction management plan or construction method statement has been submitted to and approved in writing by the Local Planning Authority. The approved plan/statement shall be adhered to throughout the demolition/construction period. As a minimum, the plan/statement shall provide for:

- 24 hour emergency contact number;
- Hours of demolition, construction and deliveries;
- Parking of vehicle of site operatives and visitors (including measures taken to ensure satisfactory access and movement for existing occupiers of neighbouring properties during construction);
- Routes for construction traffic;
- Locations 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);
- Any necessary temporary traffic management measures;
- Arrangements for turning vehicles;
- Arrangements to receive abnormal loads or unusually large vehicles;
- Methods of communicating the Construction Management Plan to staff, visitors and neighbouring residents and businesses.

Reason

In the interests of the safety and operation of the public 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 11th December 2017).

Pre-occupation

Condition 4 – cycle storage

The dwelling hereby approved shall not be occupied or brought into use until secure and covered cycle storage facilities for both the existing and proposed dwelling (for a minimum of 2 bicycles per dwelling) have been made available in accordance with details to be submitted to and approved in writing by the local planning authority.

Reason

To ensure the development promotes the use of low-carbon modes of transport by securing dedicated cycle parking in accordance with the aims of policies SD4 and INF1 of the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy (Adopted 11th December 2017) and emerging policies G1 and G3 of the Gloucester City Plan.

Condition 5

The dwelling hereby approved shall not be occupied or brought into use until a bird nesting box has been installed onto the north-facing side elevation of the dwelling. Thereafter, the bird nesting box shall be kept in place and maintained for its intended use.

Reason

To ensure the development provides a net gain to biodiversity in accordance with the aims of policy SD9 of the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy (Adopted 11th December 2017) and emerging policy E2 of the Gloucester City Plan.

Compliance conditions

Condition 6 – Materials to match

The external materials and finishes (including windows and doors) used to construct the dwelling hereby approved shall match the type, colour and texture of those at the adjacent dwelling (5 Harness Close) unless details of alternative materials have first been 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 the development is compatible with the established character and appearance of the area in accordance with the aims of policy SD4 of the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy (Adopted 11th December 2017) and emerging policies A1 and F1 of the Gloucester City Plan.

Condition 7

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (as amended) (or any order revoking and re-enacting that Order with or without modification), no garages/outbuildings (over 10 cubic metres in volume), rear or side extensions, dormer windows/roof extensions or new windows or doors (other than those shown on the approved plans) shall be installed/constructed other than those expressly authorised by this permission.

Reason

To protect neighbouring residential amenities and to ensure that sufficient private outdoor amenity space is retained for future occupiers of the development in accordance with policies SD4, SD11 and SD14 of the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy (Adopted December 2017) and emerging policies A1 and F6 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: 12th May 2022

PLEASE SEE NOTES SET OUT IN THE ENCLOSED LEAFLET