

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

<b>Application number:</b>	14/00410/FUL
<b>Validated on:</b>	30 <sup>th</sup> April 2014
<b>Site address:</b>	258 Cheltenham Road
<b>Proposal:</b>	Erection of a Detached Dwelling with New Vehicular Access and Parking Area for 258 From Nine Elms Road (Revised Scheme)

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:

- 1577.1B – Proposed Block Plan;
- 1577.4 – Proposed Floor Plans;
- 1577.5 – Proposed Elevations.

**Reason**

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

**Prior to Commencement Conditions**

**Condition 3**

The development hereby permitted shall not commence until full details of a surface water storage and disposal system, to be installed within the curtilage of the site, has been submitted to and approved in writing by the local planning authority. As a minimum, the written details shall include the following information:

- How the sustainable drainage systems (SuDS) hierarchy has been applied to inform the chosen method over others;
- where an infiltration method (soakaway) is proposed, BRE 365 infiltration test results and soakaway sizing calculations must be submitted (for the 100yr +40% climate change allowance design rainfall event);
- details of natural SuDS attenuation measures and rainwater harvesting (impermeable surfaces, raingardens, SuDS ponds, open swales, use of waterbutts etc.);

- where connection into a watercourse or the highway surface water drainage system is proposed, details must demonstrate that onsite storage can be provided for the 100yr +40% climate change allowance design rainfall event and that outflow from the system will be managed at greenfield rates (0.2l/s);
- layout plans of the proposed system (to a recognised scale);
- details of permeable materials to be used for the hard-surfaced areas of the development;
- management/maintenance details to ensure the drainage system operates as intended for the lifetime of the development.

The development shall be completed in accordance with the approved details prior to the first occupation/use of the dwelling and maintained in accordance with the approved details thereafter.

#### **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 4**

Prior to the commencement of the development hereby approved, full details of site levels have been submitted to and approved in writing by the local planning authority. As a minimum, the details shall include finished floor/slab level of the new dwelling and the levels of the surrounding plot relative to the public highway level (at Nine Elms Road). Thereafter, the development shall be completed and 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 residual 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.

#### **Prior to Occupation Conditions**

#### **Condition 5**

The dwelling hereby permitted shall not be occupied or brought into use until the car/vehicle parking areas and accesses to the public highway for both the new and existing dwellings have been constructed/laid out in full in accordance with the details of approved plan 1577.1B – Proposed Block Plan. Thereafter, the parking areas shall be kept free of obstruction and available for the parking of vehicles associated with the development.

#### **Reason**

To ensure that there are 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).

#### **Condition 6**

The dwelling hereby permitted shall not be occupied or brought into use until areas for the storage of bins/recycling boxes and cycle storage facilities have been constructed/ made available for use in accordance with full details that shall first be submitted to and approved in writing by the local planning authority. Thereafter, the refuse and cycle storage areas shall be maintained in accordance with the approved details and kept available for their intended use for the lifetime of the development.

#### **Reason**

To ensure the provision and availability of adequate cycle parking and refuse storage in compliance with NPPF paragraph 108 and 110 and policies SD4, SD14 and INF1 of the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy (Adopted December 2017).

**Condition 7**

The dwelling hereby permitted shall not be occupied or brought into use until the rear facing, first-floor bathroom window has been fitted with obscure glazing, to a minimum Pilkington Level 3 obscurity. The window shall be non-opening up to a height of 1.7 metres from the internal first-floor level and shall be maintained in that state thereafter.

**Reason**

To protect privacy to neighbouring occupiers and future occupiers of the dwelling in accordance with policies SD4 and SD14 of the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy (Adopted December 2017).

**Condition 8**

The dwellings hereby permitted shall not be occupied or brought into use until at least one of the car parking spaces serving the new dwelling has been equipped with an electric vehicle charging point. Thereafter, the development shall be maintained in accordance with the approved details.

**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.

**Compliance Conditions****Condition 9**

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 or outbuildings (exceeding 10 cubic metres in volume), rear or side extensions, dormer windows/roof extensions or new first-floor windows shall be constructed/installed other than those expressly authorised by this permission and its associated conditions.

**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, SD10, SD11 and SD14 of the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy (Adopted December 2017).

**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 Local Highway Authority has no objection to the above subject to the applicant obtaining a section 184 licence. The construction of a new access will 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](mailto: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](mailto: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 and Development Control Manager

**Decision date: 9<sup>th</sup> August 2022**

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