

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

Application number:	22/00532/FUL
Validated on:	23 rd May 2022
Site address:	Land adjacent to 66D Gloucester Quays, St. Ann Way
Proposal:	Change of use of land at High Orchard Street, Gloucester Quays from circulation area to mixed use as circulation area and outdoor seating associated with the adjacent food and drink unit

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:

- 0001 Rev.00 - PROPOSED EXTERNAL SEATING AREA TO UNIT 66D;
- 0001 Rev.00 – SITE LOCATION PLAN.

Reason

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

Condition 3

The outdoor seating area hereby approved shall only be used in conjunction with the café use of the adjacent unit (Unit 66D Gloucester Quays) as an ancillary seating area. Outside of the opening hours of the café the seating area shall be vacated and closed to members of the public.

Reason

To protect the amenities of nearby residential properties and in the interests of ensuring an appropriate use of the land in accordance with the aims of policy 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

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: 26th August 2022

PLEASE SEE NOTES SET OUT IN THE ENCLOSED LEAFLET