

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

Application number: | 22/00584/FUL
Validated on: | 23rd June 2022
Site address: | 69 Elmleaze
Proposal: | New dwelling to side of existing property no. 69 Elmleaze

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 drawings ST010 02, ST010 03, ST010 04 and ST010 05 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 Gloucester, Cheltenham and Tewkesbury Joint Core Strategy (Adopted December 2017)

Condition 3

The development hereby approved shall not be occupied or be brought into first use until the parking facilities have been provided as shown on drawing number 02.

Reason

To ensure conformity with submitted details.

Condition 4

The development hereby permitted shall not be occupied until the cycle storage facilities have been made available for use in accordance with the submitted plan drawing no. 02 and those facilities shall be maintained for the duration of the development.

Reason

To give priority to cycle movements by ensuring that adequate cycle parking is provided, to promote cycle use and to ensure that the appropriate opportunities for sustainable transport modes have been taken up in accordance with paragraph 110 of the National Planning Policy Framework.

Condition 5

Prior to the occupation of the development hereby permitted, the vehicular access shall be laid out and constructed in accordance with the submitted plan drawing no. 02, but with the area of driveway within at least 5.0m of the carriageway edge of the public road surfaced in bound permeable material, and shall be maintained thereafter.

Reason

To reduce potential highway safety impact by ensuring that a safe and suitable access is laid out and constructed that minimises the conflict between pedestrians, cyclists and vehicles in accordance with paragraph 110 and 112 of the National Planning Policy Framework.

Condition 6

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.

Condition 7 Detailed Design for Surface Water Drainage

No development shall start until a detailed design, maintenance and management strategy and timetable of implementation of a surface water drainage strategy has been submitted to and approved in writing by the Local Planning Authority. The submitted strategy must demonstrate the technical feasibility and viability of the proposed drainage system through the use of SuDS to manage the flood risk to the site and elsewhere and the measures taken to manage the water quality for the lifetime of the development. The scheme for the surface water drainage shall be implemented in accordance with the approved details and timetable and shall be fully operational before the development is first put in to use/occupied.

Reason

To ensure the development is provided with a satisfactory means of drainage and thereby reducing the risk of flooding. It is important that these details are agreed prior to the commencement of development as any works on site could have implications for drainage, flood risk and water quality in the locality.

Condition 8 Maintenance of SuDS

The development hereby permitted shall not be brought in to use/occupied until a SuDS management and maintenance plan for the lifetime of the development, which shall include the arrangements for adoption by any public authority or statutory undertaker and any other arrangements to secure the operation of the scheme throughout its lifetime, has been submitted to and approved in writing by the Local Planning Authority. The approved SuDS maintenance plan shall be implemented in full in accordance with the approved details for the lifetime of the development.

Reason

To provide for the continued operation and maintenance of sustainable drainage features serving the site and to ensure that the development does not result in pollution or flooding, to improve water quality at point of discharge.

Condition 9 Foul drainage

No building hereby permitted shall be occupied until details of the design, implementation, maintenance and management of foul water drainage works have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out, and the drainage maintained/managed, in accordance with the approved details.

Reason

To ensure development would not result in unacceptable risk of pollution or harm to the environment

Condition 10

The first floor window on the south east elevation of the extension hereby permitted, 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.

Condition 11

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).

Condition 12 Construction Hours

During the construction phase (including demolition and preparatory groundworks), no machinery shall be operated, no process shall be carried out and no deliveries shall be taken at or dispatched from the site outside the following times: Monday-Friday 8.00 am-6.00pm, Saturday 8.00 am-1.00 pm nor at any time on Sundays, Bank or Public Holidays.

Reason

To protect the noise climate and amenity of local residents

Note 1

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 before commencing any works on the highway. Full Details can be found at www.gloucestershire.gov.uk.

Note 2

The drainage strategy should include

Plans showing areas to be drained (annotated with areas m² and to include all hardstanding areas such as roofs, patios, driveways etc.);

Location plan and details of any flow control and SUDS elements;

Construction details of any SUDS features;

Connection points/ routes of any drainage;

Calculations to support the sizing of flow control and SUDS elements (Qbar for the site would be circa 0.2 l/s – consideration should be given to the SUDS hierarchy which includes soakaways)

A maintenance schedule for any flow control and SUDS elements.

Note 3

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 4

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 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 5

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: 31st August 2022

PLEASE SEE NOTES SET OUT IN THE ENCLOSED LEAFLET