

**PLANNING (LISTED BUILDING & CONSERVATION AREAS) ACT 1990**  
**TOWN AND COUNTRY PLANNING (LISTED BUILDINGS AND CONSERVATION AREAS) REGULATIONS 1990**

<b>Application number:</b>	22/00263/LBC
<b>Validated on:</b>	12 <sup>th</sup> July 2022
<b>Site address:</b>	28 Westgate Street
<b>Proposal:</b>	Proposed replacement shopfront at 28 Westgate Street (grade II listed building)

In exercise of its powers under the above-mentioned Act and Regulations the City Council as the Local Planning Authority **GRANT LISTED BUILDING CONSENT** for the works described above in accordance with the terms of the application subject to the following conditions:

**Condition 1**

The works hereby permitted shall be begun before the expiration of three years from the date of this consent.

**Reason**

Required to be imposed by Section 18(1) of the Planning (Listed Buildings and Conservation Areas) 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 the following drawings:

- Site Location Plan H2261/3/001 received by the Local Planning Authority on 19.07.2022
- Proposed plans and elevations H2261/2/200A received by the Local Planning Authority on 26.08.2022
- Joinery details 1 H2663/202A received by the Local Planning Authority on 26.08.2022
- Shop Front Detail Plan H2261/3/201 received by the Local Planning Authority on 11.03.2022
- Joinery details 2 H2663/203 received by the Local Planning Authority on 11.03.2022
- Joinery details 3 H2663/204 received by the Local Planning Authority on 11.03.2022

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 the Second Deposit City of Gloucester Local Plan (2002).

**Condition 3**

Notwithstanding the submitted information all glazing in the approved scheme shall be single glazing.

**Reason**

To safeguard the character and appearance of this building of special architectural or historical interest.

**Condition 4**

Notwithstanding the submitted information, the installation of the stone flooring to the recessed entrance shall not take place until a sample of the stone has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out with the approved details.

**Reason**

To safeguard the character and appearance of this building of special architectural or historic interest.

**Condition 5**

Notwithstanding the submitted information, the painting of the shopfront and the front elevation of 28 Westgate Street, shall not take place until details of the proposed paint and a colour sample has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

**Reason**

To safeguard the character and appearance of this building of special architectural or historical interest.

**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 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 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: 16<sup>th</sup> September 2022**

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