

**APPLICATION ON: 22/00278/REM**  
**VALIDATED ON: 1<sup>st</sup> July 2022**

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

**APPROVAL OF RESERVED MATTERS**

**Location:** Robinswood Inn, Matson Avenue

**Proposal:** Reserved matters details for the demolition of existing public house and erection of 10no. dwellings consisting of 4no. houses and 6no flats, following approval of outline planning permission 20/00847/OUT

In exercise of its powers under the above-mentioned Act and Order the City Council as the Local Planning Authority **APPROVE THE DETAILS** of the development description above in accordance with the terms of the application and the plan/s submitted therewith subject to the following conditions:

**Condition 1**

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:

**Reason**

To ensure that the development is carried out in accordance with the approved plans in compliance with the relevant policies of the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy (adopted December 2017).

**Condition 2**

The dwellings at plot numbers 4-10 hereby permitted shall not be occupied or brought into use until the site access onto the public highway at Matson Avenue has been constructed/laid out broadly in accordance with the details of approved plan number 6447-P-10 Rev.F and the existing roadside frontage boundaries have been set back to provide visibility splays extending from a point 2.4 metres back along the centre of the access measured from the public road carriageway edge (the X point) to a point on the nearer carriageway edge of the public road 43 metres distant in both directions (the Y points). The area between those splays and the carriageway shall be reduced in level and thereafter maintained so as to provide clear visibility between 1.05 and 2.0 metres at the X point and between 0.26 and 2.0 metres at the Y point above the adjacent carriageway level.

**Reason**

To avoid an unacceptable impact on highway safety by ensuring that adequate visibility is provided and maintained to ensure that a safe, suitable and secure means of access for all people that minimises the scope for conflict between vehicular traffic, cyclists and pedestrians is provided in accordance with paragraphs 110 and 112 of the National Planning Policy Framework, policies SD4 and INF1 of the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy (adopted December 2017) and emerging policies A1 and G1 of the Gloucester City Plan.

**Condition 3**

The development hereby approved shall not be occupied or brought into first use until pedestrian visibility splays of 2 metres x 2 metres measured perpendicularly back from the back of footway (Matson Avenue and Hill Hay Road) shall be provided on both sides of the accesses. These splays shall thereafter be permanently kept free of all obstructions to visibility over 0.6 metres in height above the adjoining ground level.

**Reason**

To ensure motorists have clear and unrestricted views of approaching pedestrians when pulling out onto the adopted highway, in the interest of highway safety and in accordance with paragraphs 110 and 112 of the National Planning Policy Framework, policies SD4 and INF1 of the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy (adopted December 2017) and emerging policies A1 and G1 of the Gloucester City Plan.

**Condition 4**

The dwellings hereby permitted shall not be occupied or brought into use until the off-street car parking spaces and secure cycle storage area have been constructed/laid out in full in the locations shown on approved plan number 6447-P-10 rev F with a minimum of one car parking space per unit to be equipped with an electric vehicle charging point (EVCP). Thereafter, the areas and EVCPs shall be maintained in accordance with the approved details and shall be kept free of obstruction and available for their intended use in association with the development.

**Reason**

To ensure that there are adequate parking facilities to serve the development constructed to an acceptable standard and to promote sustainable travel and healthy communities in accordance with the aims of policies SD4 and INF1 of the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy (adopted December 2017) and emerging policies A1 and G1 of the Gloucester City Plan.

**Condition 5**

The development hereby approved shall not be occupied until the applicant has submitted to and had approval in writing from the Local Planning Authority a residential welcome pack promoting sustainable forms of access to the development. The pack shall be provided to each resident at the point of the first occupation of each dwelling unit.

**Reason**

To reduce vehicle movements and promote sustainable access in accordance with the aims of policies SD4 and INF1 of the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy (adopted December 2017) and emerging policies A1 and G1 of the Gloucester City Plan.

**Condition 6**

The dwellings hereby approved shall not be occupied or brought into use until full details of the alternative ventilation to serve each plot has been submitted to and approved in writing by the local planning authority. Thereafter, the development shall be completed and maintained in accordance with the approved details.

**Reason**

To ensure that future occupiers of the development benefit from acceptable internal noise levels in accordance with the aims of policies SD4 and SD14 of the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy (adopted December 2017) and emerging policy A1 of the Gloucester City Plan.

**Note 1**

The reserved matters approval should be read in association with the conditions of outline planning application 20/00847/OUT (and its associated Section 106 legal agreement) that are required to be complied with in conjunction with the conditions of this reserved matters approval.

For clarity, the details submitted in relation to the Construction Traffic and Environmental Management Plan (CTEMP), details of site drainage and tree protection measures must be submitted to the local planning authority as an application for a formal discharge of condition and are not approved by this consent.

**Note 2**

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 3**

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 4**

In order to minimise any nuisance from noise, vibration and dust emissions during the construction phase the applicant should refer to the Worcestershire Regulatory Services Contractor Guidance [CLICK HERE FOR LINK](#) and ensure its recommendations are complied with.

**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.

**Date: 13<sup>th</sup> October 2022**



**Jon Bishop**  
Planning and Development Manager

PLEASE SEE NOTES SET OUT IN THE ENCLOSED LEAFLET