

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

Application number:	21/00787/FUL
Validated on:	14 th July 2022
Site address:	Land at Redcliffe Court to the south of 4 Cheltenham Road, Kenilworth Avenue
Proposal:	Erection of a single storey dwelling and alteration to first floor windows to adjoining flats

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:

- Site Location Plan;
- PL03 Rev.B – Proposed Site Plan;
- PL04 Rev.A – Proposed Floor Plan;
- PL05 Rev.B – Proposed North South Elevations;
- PL06 Rev.B – Proposed East West Elevations;
- 2012WINDOWSTATE Rev.A – Details of Timber Screening.

Reason

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

Condition 3

Construction of the dwelling hereby approved shall not proceed beyond finished-floor (slab) level until a schedule of all external materials and finishes (for both the dwelling and any new hard-surfaces within the site) has been submitted to and approved in writing by the local planning authority. As a minimum, the written details shall include:

- A photographic sample of the material;
- manufacturer and material name (including colour if appropriate);
- details of porousness/permeability of any hard-surface materials.

Thereafter, the development shall be completed and maintained in accordance with the approved details.

Reason

To ensure the development is constructed using high-quality materials in the interests of the visual impact of the development and to preserve the setting of the grade II listed St Catherine's Church and wider street scene in accordance with the aims of policies SD4 and SD10 of the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy (adopted December 2017) and emerging policies A1 and F1 of the emerging Gloucester City Plan.

Condition 4

The dwelling hereby approved shall not be occupied or brought into use until a surface water drainage system for the site has been installed in accordance with details that have first been submitted to and approved in writing by the local planning authority. As a minimum, the written details shall include:

- Details of the technical feasibility and viability of the proposed drainage system through the use of Sustainable Drainage Systems (SuDS);
- technical system design details including a site layout (drawn to scale) and manufacturer specifications for any equipment to be installed;
- measures taken to manage the water quality for the lifetime of the development;
- a maintenance and management strategy to ensure the system operates efficiently for the lifetime of the development.

Thereafter, the surface water drainage system shall be maintained in accordance with the approved details.

Reason

To ensure the development is provided with a satisfactory means of drainage and thereby reducing the risk of flooding on-site and elsewhere in accordance with the aims of policy INF2 of the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy (adopted December 2017) and policy E6 of the emerging Gloucester City Plan.

Condition 5

The dwelling hereby approved shall not be occupied or brought into use until the off-street car parking and turning areas and bin storage have been constructed broadly in the locations shown on approved plan number PL03 Rev.B (Proposed Site Plan) with a minimum of one of the off-street car parking spaces equipped with an electric vehicle charging point. Thereafter, the car parking and turning areas and bin storage area shall be kept available for their intended use in association with the occupation of the dwelling.

Reason

To ensure that future occupiers of the development have safe access to sufficiently sized areas for car parking/turning and bin storage and in the interests of highway safety in accordance with the aims of policies SD4 and INF1 of the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy (adopted December 2017) and policy A1 of the emerging Gloucester City Plan.

Condition 6

Notwithstanding the submitted details, the dwelling hereby approved shall not be occupied or brought into use until secure cycle storage for a minimum of three cycles has been constructed/installed within the site and made available for use in accordance with details that shall first be submitted to and approved in writing by the local planning authority.

Reason

To ensure the development is served by a sufficient amount of secure cycle parking/storage in an appropriate location within the site in accordance with the aims of policy SD4 of the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy (adopted December 2017) and policy A1 of the emerging Gloucester City Plan.

Condition 7

The dwelling hereby approved shall not be occupied or brought into use until the timber screens have been installed onto the north-east facing first-floor windows of the existing flats at Redcliffe Court in accordance with the details of the approved document 2012WINDOWSTATE Rev.A (Details of Timber Screening). Thereafter, the screens shall be maintained in accordance with the approved details and kept in place for the lifetime of the development.

Reason

To ensure that future occupiers of the new dwelling and existing flats have sufficient privacy in accordance with the aims of policies SD4 and SD14 of the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy (adopted December 2017) and policies A1 and F1 of the emerging Gloucester City Plan.

Condition 8

The dwelling hereby approved shall not be occupied or brought into use until the boundary wall (separating the new dwelling plot from the existing flats) and the privacy screen (between the new dwelling and car parking area) have been constructed/installed in the locations shown on approved plan number PL03 Rev.B (Proposed Site Plan) and in accordance with details of the heights and materials that shall first be submitted to and approved in writing by the local planning authority. Thereafter, the boundary wall and privacy screen shall be maintained in accordance with the approved details for the lifetime of the development.

Reason

To ensure that future occupiers of the new dwelling and existing flats have sufficient privacy in accordance with the aims of policies SD4 and SD14 of the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy (adopted December 2017) and policies A1 and F1 of the emerging Gloucester City Plan.

Condition 9

The existing acer tree (demarked as tree T4 on approved plan number PL03 Rev.B) shall be retained during the construction period of the development and, in the event it is felled, removed, uprooted, destroyed or dies, or becomes, in the opinion of the Local Planning Authority, seriously damaged, diseased or defective, it shall be replaced by a tree of the same species in the same location prior to the first occupation of the dwelling hereby approved, unless the local planning authority gives its prior written approval to any variation.

Reason

To ensure that natural features of the development site are protected and to ensure that a good level of residential amenities are secured for future occupiers of the development in accordance with the aims of policies SD4, SD10 and SD11 of the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy (adopted December 2017) and policy A1 of the emerging 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

Condition 4 of this planning permission requires the submission of surface water drainage details. The details must demonstrate a suitable surface management system can be accommodated within the site following SuDS principles. Typically formal drainage would need to be limited to the greater of Greenfield (Qbar) or 0.2 l/s. Any attenuation would need to manage 100yr +40% climate allowance design rainfall. Soakaways are not always suitable in Gloucester due to the clay formation, hence we would require percolation results as per BRE365 and a soakaway design for the 100yr +CC.

Note 4

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 Manager

Decision date: 21st October 2022

PLEASE SEE NOTES SET OUT IN THE ENCLOSED LEAFLET