

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

Application number: | 22/00829/FUL
Validated on: | 6th September 2022
Site address: | 34 Lilliesfield Avenue
Proposal: | Erection of garden annexe

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 drawing numbers: Site location plan (Ukmapcentre.com, 1.7.22), Existing and proposed block plans 302022/003 (issue 7 07.11.22), Proposed elevations 302022/002a (issue 7 07.11.22) Proposed elevations 302022/002 (issue 5 18.10.22) Existing elevations 302022/001 (issue 5 18.10.22) Proposed floor plan 302022/005 (issue 4 12.10.22); 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

Notwithstanding the details submitted, the external facing materials to the development hereby permitted shall match in colour, form and texture to those of the existing dwelling.

Reason

To ensure the satisfactory appearance of the development in accordance with Policy SD4 of the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy (Adopted December 2017)

Condition 4

Occupation ancillary to existing dwelling only (granny annexes)

The building hereby permitted shall not be occupied at any time other than for purposes ancillary to the residential use of the dwelling known as 34 Lilliesfield Avenue.

Reason

This is in order to avoid the development being later used by an unrelated occupant or as an independent dwelling, per Policy A10 of the emerging City Plan. The site is unsuitable for an independent dwelling in addition to the main dwelling and would provide for an inadequate level of amenity for two self-contained dwellings.

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 Development Manager

Decision date: 17th November 2022

PLEASE SEE NOTES SET OUT IN THE ENCLOSED LEAFLET