

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

Application number:	21/01033/REM
Validated on:	2 nd September 2021
Site address:	51 Myrtle Close
Proposal:	Reserved matters (appearance, landscaping and scale) of outline planning permission 20/00784/OUT for the construction of a detached dwelling within the side garden at 51 Myrtle Close

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

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:

- 9702/02 Rev.B – Site Location Plan;
- 9726/03 – Block Plan;
- 9726/04 – Proposed Elevations;
- 9726/07 – Proposed layouts;
- 9726/09 – Proposed Landscape Plan;
- details of proposed bricks and roof tiles.

Reason

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

Condition 2

The development hereby approved shall not commence until the Tree Protection Barriers have been installed in accordance with the details of the approved document Elite Ecology – Tree Constraints and Protection Drawing. Thereafter, the protection measures shall be retained for the duration of the construction phase of the development and the construction of the development shall proceed in accordance with the recommendations within Sections 8 and 9 of the approved document - BS5837:2012 Tree Survey and Arboricultural Impact Assessment June 2021 (Elite Ecology).

Reason

To ensure that existing trees within the site and adjacent to it are protected during the construction phase of the development 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 E4 of the Gloucester City Plan.

Note 1

This permission relates to the approval of reserved matters details relating to access, appearance, landscaping, layout and scale. Details relating to tree protection measures are considered to satisfy the requirements of conditions 6 and 11 of the outline planning permission. All other conditions of outline planning permission 20/00784/FUL remain relevant to the approved development.

Details have been submitted with regards to surface water drainage and Sustainable Drainage Systems (SuDS). They do not form part of this reserved matters permission and have been independently reviewed by the council's Flood Management Officer and found to be unacceptable. The applicant is advised to submit revised details to discharge condition 5 of outline planning permission 20/00784/FUL.

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 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: 7th July 2022

PLEASE SEE NOTES SET OUT IN THE ENCLOSED LEAFLET