

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

Application number:	22/00396/FUL
Validated on:	10 th May 2022
Site address:	104 Oxstalls Drive
Proposal:	Rear single and part two storey extension and front porch (resubmission following refusal of previous planning application)

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:

- PR01 – Proposed Floor Plans;
- PR03 – Proposed Elevations;
- PR04 – Proposed Site Plan;
- PR05 – Proposed Section.

Reason

To ensure that the development is carried out in accordance with the approved plans and in accordance with policies contained within the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy (Adopted December 2017).

Condition 3

The rear extension hereby approved shall not be occupied or brought into use until the first-floor bathroom windows and walk in wardrobe window have been fitted with obscure glazing (to a minimum of Pilkington level 3) with the units installed as non-opening windows up to 1.8 metres in height from the internal floor level. Thereafter, they shall be retained in that state.

Reason

To protect the privacy of neighbouring occupiers 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 A9 of the Gloucester City Plan.

Condition 4

The rear extension hereby approved shall not be occupied or brought into use until an additional hard-surfaced car parking space (to minimum dimensions 4.8 metres length by 2.4 metres width) has been constructed/laid out within the curtilage of the site with access to the public highway at Oxstalls Drive.

Any additional hard-surfaced areas shall be constructed either of porous materials, or provision shall be made to direct run-off water from the hard surface to a permeable or porous area or surface within the curtilage of the dwellinghouse.

Thereafter, the additional car parking space shall be kept available for the parking of vehicles in association with the development.

Reason

To ensure that sufficient off-street car parking is made available to compensate for the development in accordance with the aims of policy SD4 of the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy (Adopted December 2017) and emerging policy A9 of the Gloucester City Plan.

Condition 5

The external facing materials and finishes to the development hereby permitted shall match in colour, form and texture to those of the existing building.

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 6

The rear extension hereby approved shall be constructed so that the ground floor level (slab level) is no lower than the ground floor level of the existing house. Thereafter, it shall be retained in that state.

Reason

To ensure the development is flood free for its expected lifetime in accordance with the aims of policy INF2 of the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy (Adopted December 2017) and planning policy advice of the NPPF.

Condition 7

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order with or without modification), no windows or other openings, other than those shown on the approved plans, shall be constructed/installed within the first-floor side elevations of the rear extension hereby approved.

Reason

To protect the privacy of neighbouring occupiers 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 A9 of the 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 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

The extension will be required to be served by a surface water drainage system. As proposed development has been considered to be small-scale a drainage strategy has not been required at planning application stage. However, SUDS principles should be considered. There is reference to installing a new soak-away and this should be suitably designed to manage the run-off from a 100yr +climate change critical duration design event and located on site to meet building regulations so, should it fail it would not pose a flood risk to other properties.

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: 1st July 2022

PLEASE SEE NOTES SET OUT IN THE ENCLOSED LEAFLET