

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

<b>Application number:</b>	22/00632/FUL
<b>Validated on:</b>	27 <sup>th</sup> September 2022
<b>Site address:</b>	11A Kingsholm Road
<b>Proposal:</b>	Proposed change of use of existing building from Therapy Clinic to House of Multiple Occupation (HMO) including alterations to the building and changes in fenestration

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 drawings:

- Location and Block Plans 101
- Existing Plans 100
- Proposed drawing 200 Rev G

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.

**Condition 3**

The development hereby approved shall not be occupied until 10 x sheltered, secure and accessible bicycle parking facilities have been provided in accordance with details which shall first be submitted to and approved in writing by the Local Planning Authority. The storage area shall be maintained for this purpose thereafter.

**Reason**

To promote sustainable travel and healthy communities.

**Condition 4**

Notwithstanding the approved plans, the bathroom and bedroom window on the first floor rear elevation of the building, shall be constructed so that no part of the framework less than 1.7 metres above finished floor level shall be openable. Any part of the window below that level shall be fitted with, and retained in, obscure glazing (Pilkington Level 4 or equivalent).

**Reason**

To protect the privacy of adjacent properties.

**Condition 5**

Notwithstanding the approved plans, all window and door openings (both existing and proposed) shall be constructed from grey powder coated aluminium

**Reason**

To ensure that the appearance of the proposed works provide for high quality design and to protect the character and appearance of the conservation area.

**Condition 6**

Prior to commencement of the proposed development, a noise assessment shall be submitted to and approved in writing by the Local Planning Authority, to demonstrate that internal noise level criteria from BS8223:2014 (or subsequent equivalent replacement standard) for residential use can be achieved. The proposed development shall not be occupied until these measures have been implemented in full.

**Reason**

To ensure acceptable living conditions in accordance with policy SD4 and SD14 of the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy (2017).

**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: 12<sup>th</sup> January 2022**

**PLEASE SEE NOTES SET OUT IN THE ENCLOSED LEAFLET**