

# GLOUCESTER CITY COUNCIL - DEVELOPMENT CONTROL

Committee:	Planning
Date:	8 <sup>th</sup> June 2021
Address/Location:	4 Innsworth Lane Gloucester GL2 0DA
Application No:	21/00142/FUL
Ward:	Longlevens
Expiry Date:	11.06.2021
Applicant:	MR R GARLAND
Proposal:	ERECTION OF DETACHED DWELLING
Report by:	Piotr Kulik
Appendices:	site location and site layout plan

## 1.0 SITE DESCRIPTION AND PROPOSAL

- 1.1 The site consists of a large two storey detached dwelling set in a generous L-shaped plot on the eastern side of Innsworth Lane within a built-up area of a suburb Longlevens in Gloucester. The principal elevation of the main house is facing a garden area set to the north-east. The existing dwelling house is set away from Innsworth Lane (access road) with a single storey double garage extension facing the highway located northwards.
- 1.2 Between the highway and the host dwelling there is an open area of grass and hard surface, as well as a detached shed. Google Street View records indicate that a mature horse chestnut tree growing on the boundary of the property facing Innsworth Lane was removed within 12 months and the west boundary mature privet hedge was significantly reduced in height within the last few years. The local area can be characterised by mostly row of large detached and semi-detached properties facing the main road and set in fairly rectangular generous plots.
- 1.3 The proposal seeks the subdivision of the site to allow for the construction of a 2 bedroomed detached two storey dwelling set to the front of Innsworth Lane and separated by a driveway area allowing 2no. cars to be parked. To the rear of the proposed dwelling a 72sq. metres garden area would be provided. The host dwelling would still benefit from the current access arrangements from Innsworth Lane with a space for two vehicle set outside the existing double garage.
- 1.4 The proposed bungalow would include a lounge/dining room, kitchen and a separate WC on the ground floor, as well as 2no. double bedrooms and a separate bathroom on the first floor level. The dwelling would measure 4.9 metres to the eaves and 7.2 metres at its highest point. The dwelling would be finished with render walls and tiles.

## 2.0 RELEVANT PLANNING HISTORY

Application Number	Proposal	Decision	Decision Date
44/28090/HIST	03/EDP/798/78:- (OUTLINE) DETACHED HOUSE AND GARAGE, ADJOINING 4	Z45REF	16.08.1978

	INNSWORTH LANE.		
44/28091/HIST	03/EDP/1531/79:- TWO STOREY EXTENSION AT FRONT.	Z45ASC	06.02.1980
44/28092/HIST	22897/01:- ERECTION OF A PRIVATE CAR GARAGE	Z45ASC	10.03.1982
21/00142/FUL	ERECTION OF DETACHED DWELLING		

### 3.0 RELEVANT PLANNING HISTORY

3.1 The following planning guidance and policies are relevant to the consideration of this application:

#### 3.2 National guidance

National Planning Policy Framework (NPPF) and Planning Practice Guidance

#### 3.3 Development Plan

##### **Gloucester, Cheltenham and Tewkesbury Joint Core Strategy (Adopted 11 December 2017)**

Relevant policies from the JCS include:

- SP1 - The need for new development
- SP2 – Distribution of new development
- SD3 – Sustainable design and construction
- SD4 – Design requirements
- SD6 – Landscape
- SD10 – Residential development
- SD11 – Housing mix and standards
- SD14 – Health and environmental quality
- INF1 –Transport network
- INF2 – Flood risk management

#### 3.4 City of Gloucester Local Plan (Adopted 14 September 1983)

The statutory Development Plan for Gloucester includes the partially saved 1983 City of Gloucester Local Plan. Paragraph 215 of the NPPF states that '*...due weight should be given to relevant policies in existing plans according to their degree of consistency with this framework (the closer the policies in the plan to the policies in the Framework, the greater the weight that may be given.*' The majority of the policies in the 1983 Local Plan are out-of-date and superseded by later planning policy including the NPPF and the Joint Core Strategy. None of the saved policies are relevant to the consideration of this application.

#### 3.5 Emerging Development Plan

##### **Gloucester City Plan**

The Gloucester City Plan ("City Plan") will deliver the JCS at the local level and provide policies addressing local issues and opportunities in the City. The Pre-Submission version of the Gloucester City Plan (City Plan) was approved for publication and submission at the Council meeting held on 26 September 2019. On the basis of the stage of preparation that the plan has reached, and the consistency of its policies with the NPPF, the emerging policies of the plan can be afforded limited to moderate weight in accordance with paragraph 48 of the NPPF, subject to the extent to which there are unresolved objections to each individual policy (the less significant the unresolved objections, the greater the weight that may be given).

Relevant policies from the emerging Gloucester City Plan include:

- A1 – Effective and efficient use of land and buildings
- A6 – Accessible and adaptable homes
- C1 – Active design and accessibility
- E6 – Flooding, sustainable drainage, and wastewater
- F1 – Materials and finishes
- F2 – Landscape and planting
- F3 – Community safety
- F6 – Nationally described space standards
- G1 – Sustainable transport
- G2 – Charging infrastructure for electric vehicles

### 3.6 **Other Planning Policy Documents**

#### **Gloucester Local Plan, Second Stage Deposit 2002**

Regard is also had to the 2002 Revised Deposit Draft Local Plan. This has been subjected to two comprehensive periods of public and stakeholder consultation and adopted by the Council for development control purposes. None of the development management policies are relevant to the consideration of this application.

### 3.7 **Supplementary Planning Guidance/Documents**

- *SUDS Design Guide 2013*

All policies can be viewed at the relevant website address:- national policies:

<https://www.gov.uk/government/publications/national-planning-policy-framework--2>

Gloucester City policies:

<http://www.gloucester.gov.uk/resident/planning-and-building-control/planning-policy/Page/s/current-planning-policy.aspx>

## 4.0 **CONSULTATIONS**

### 4.1 **Highway Authority**

No objection, subject to conditions.

### 4.3 **Savern Trent Water**

No comments received.

### 4.6 **Drainage Adviser**

No objection subject to conditions.

### 4.7 **Local Member**

Cllr Kathy Williams requested the application to be determined by the Planning Committee in the event that the Officers' recommendation is to approve permission.

## 5.0 **PUBLICITY AND REPRESENTATIONS**

5.1 Neighbouring properties were notified and press and site notices were published.

5.2 3No. Letters of objection have been received. The grounds for objection are:

- Development being out of keeping with the local area character;

- Loss of light;
- Overshadowing;
- Loss of privacy/ Overlooking;
- Noise concerns;
- Party Wall Act Issues (impact on the foundations on the neighbouring property);
- Highway concerns (traffic, parking and pedestrian's safety);
- Impact on a local parking provision;
- No need for development.

5.3 The full content of all correspondence on this application can be viewed on:  
<http://www.gloucester.gov.uk/resident/planning-and-building-control/Pages/public-access.aspx>

## 6.0 OFFICER OPINION

### 6.1 *Legislative background*

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires the Local Planning Authority to determine planning applications in accordance with the Development Plan, unless material considerations indicate otherwise.

6.2 Section 70(2) of the Town and Country Planning Act 1990 (as amended) states that in dealing with a planning application, the Local Planning Authority should have regard to the following:

- a) the provisions of the development plan, so far as material to the application;
- b) any local finance considerations, so far as material to the application; and
- c) any other material considerations.

6.3 The development plan consists of the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy (JCS) and the partially saved 1983 City of Gloucester Local Plan. However, as outlined earlier, the 1983 Local Plan is considered to be out-of-date.

6.4 It is considered that the main issues with regards to this application are as follows:

- Principle
- Design, layout and landscaping
- Traffic and transport
- Residential amenity
- Drainage and flood risk
- Economic considerations

### 6.5 *Principle*

The NPPF requires local planning authorities to demonstrate a 5 Year Housing Land Supply, with an appropriate buffer, against the relevant housing requirement. The JCS addresses housing supply and demand under Policies SP1 (The Need for New Development and SP2 (Distribution of New Development) as well as within Part 7 (Monitoring and Review).

6.6 The NPPF sets out that there will be a presumption in favour of Sustainable Development. For decision-taking this means: approving development proposals that accord with an up-to-date development plan without delay; or where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:

- i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or

- ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.

The NPPF (2019) clarifies that: 'out-of-date policies include, for applications involving the provision of housing, situations where the local planning authority cannot demonstrate a five year supply of deliverable housing sites (with the appropriate buffer..).'

At the time of writing, the Council is not able to demonstrate a 5 year housing land supply.

6.7 For the purpose of this application and in the context of paragraph 11 of the NPPF (2019), including footnote 7, the 'tilted balance' is engaged. For decision making this means approving development proposals unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole. The assessment of this and the wider balancing exercise is set out in the conclusion of the report.

6.8 ***Design, Layout and Landscaping***

The NPPF states that new residential developments should be of high quality design, create attractive places to live, and respond to local character integrating into the local environment. Policy SD3 requires all developments to demonstrate how they contribute to the principles of sustainability, Policy SD4 sets out requirements for high quality design, Policy SD6 requires development to protect or enhance landscape character while Policy SD10 requires housing of an appropriate density, compatible with good design, the protection of heritage assets, local character and compatible with the road network. These design aspirations are also reflected in the emerging City Plan.

6.9 Policy A1 of the emerging Gloucester City Plan requires development to make effective and efficient use of land and buildings. Policy F1 requires proposals to achieve high quality architectural detailing and external materials and finishes that are locally distinctive.

6.10 ***Design***

The proposed construction of the dwelling set forward towards the highway would follow the street patterns of the surrounding properties along Innsworth Lane. The immediate street scene appears to be largely residential in nature. Dwellings appear to vary in terms of design and appearance although the street scene predominantly includes large two storey detached and semi-detached dwellings with some examples of bungalows. Dwellings typically follow a consistent building line and are set back from the road by car parking areas and some small front garden areas. Boundary treatments along the street vary and include a mix of open front boundaries and boundaries enclosed by hedging and fencing.

6.11 Paragraphs 124 and 127 of the NPPF state that good design is a key aspect of sustainable development, and that planning decisions should ensure that developments are sympathetic to local character and establish or maintain a strong sense of place. The National Design Guide continues that well-designed development should be integrated into their surroundings creating a coherent pattern of development.

6.12 As already stated in this report, the immediate street scene is characterized by spacious dwellings set within generous plots. The proposed dwelling would have gable end elements reflecting architectural design features of the locality. However, the depth of the new dwelling would be relatively narrow when comparing to other residential dwellings within close proximity to the site.

6.13 Nevertheless, such visible size contrast of the proposed dwelling would not create perception of a cramped development when viewed from public viewpoints. The proposed

works would respect local context and street pattern in particular the proportion of properties when viewed directly from the street scene towards the side frontage. Also, the proposal would respect the existing dwelling as well as nearby properties in terms of materials and architectural features.

6.14 Layout

Policy SD4 of the JCS states that new development should respond positively to, and respect the character of, the site and its surroundings, enhancing local distinctiveness, and addressing the urban structure and grain of the locality in terms of street pattern, layout, mass and form. It should be of a scale, type, density and materials appropriate to the site and its setting.

6.15 The proposed property, as same as other residential dwellings along Innsworth Lane (apart from the host dwelling) will form part of a row of dwellings fronting the main road. Whereas the host dwelling is set away from the highway, contrary to the existing development pattern along Innsworth Lane. The proposed new dwelling would be fairly set in line with other properties on this part of the road and having narrower depth than other properties nearby, would maintain a visual gap between a new development and existing dwelling on site.

6.16 The proposed subdivision of the plot is not considered to be out of keeping with the urban structure and pattern of development found in the area to a level warranting planning refusal. The proposed dwelling would benefit from a 72sq. metres rear garden, which is considered to be sufficient for a modern 2-bedroom property.

6.17 Landscaping

The applicant was asked to provide additional landscaping details to the side and frontage of the site. This was requested to soften the visual impact of the proposed development and be in keeping with other residential properties along Innsworth Lane, which are characterised by soft landscaping details set to the front of most properties.

6.18 A revised site plan indicating clipped hornbeam hedge to the front and side of the proposed dwelling was provided. The applicant agreed to provide a detailed landscaping details via a post approval planning condition.

6.19 As such, the dwelling given its sitting and plot size, would not adversely affect the existing pattern of development for the area and will not harm the character of the area. The proposal is therefore considered to be acceptable in design, layout and appearance terms, in line with the NPPF and policy SD4 of the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy (2017).

7.0 **Traffic and transport**

The NPPF requires that development proposals provide for safe and suitable access for all and that development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe. Policy INF1 of the JCS requires safe and accessible connections to the transport network

7.1 Paragraph 109 of the NPPF provides that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual impacts upon the road network would be severe. Policy INF1 of the JCS requires safe and accessible connections to the transport network.

7.2 Policy G2 of the emerging Gloucester City Plan refers to charging infrastructure for electric vehicles and states '*an electric vehicle charging point/ socket will be provided at every new residential property which has a garage or dedicated residential car parking space within its curtilage.*

7.3 The proposal would include parking for both the existing and proposed dwelling. The existing hardstanding drive at the front of the site would allow parking for up to two vehicles serving a host dwelling. A new access driveway would be created in place of the existing front law area. This would be at the front of the new dwelling allowing further two parking spaces.

7.4 The Highways Authority have been notified of the proposal and raised no objection subject to numerous planning conditions. The proposal is therefore considered to be acceptable in accordance with the NPPF, policy INF1 of the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy (2017) and policy G2 of the emerging Gloucester City Plan.

#### 8.0 ***Residential amenity***

Paragraph 17 of the NPPF provides that planning should always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings. This is reflected in Policy SD14 of the JCS which requires that new development must cause no harm to local amenity including the amenity of neighbouring occupants.

8.1 Policy SD4 of the JCS relates to Design Requirements and, in terms of amenity and space, specifies that new development should enhance comfort, convenience and enjoyment through assessment of the opportunities for light, privacy and external space, and the avoidance or mitigation of potential disturbances, including visual intrusion, noise, smell and pollution. Policy SD14 of the JCS requires that new development must cause no harm to local amenity including the amenity of neighbouring occupants.

#### 8.2 Impact on the living conditions of future occupants of the proposed dwelling

Consideration needs to be given to the living environment which would be provided for any future occupiers of the proposed residential unit. Paragraph 17 of the NPPF and policies SD4 and SD14 of the JCS, as referred to above, are relevant in this regard, as is Policy SD11 of the JCS which relates to "Housing Mix and Standards". In terms of housing standards, Policy SD11 specifies that:

1. New housing should meet and where possible exceed appropriate minimum space standards.
2. Housing should be designed to be accessible and adaptable as far as is compatible with the local context and other policies, including Policy SD8

The "Delivery" section of Policy SD11 advises that the Government's Housing Standards Review was completed in 2015, which presents a single set of national space standards. The National Space Standards have been taken forward within the Gloucester City Plan. Policy F6 of the emerging plan provides that development proposals for new residential development (including change of use or conversions) must meet Nationally Described Space Standards. On the basis of the stage of preparation the plan has reached, and the consistency of policy with the NPPF, and its reference to national standards, Policy F6 can be afforded moderate weight in accordance with paragraph 48 of the NPPF.

8.3 Furthermore, the City Plan pre- submission Housing Background Paper (September 2019), indicates the need for National space standards within the city. The data shows that the conversions sampled often fall below the NDSS. 66% of conversions were below the standard for internal floor area.

8.4 National space standards require the following gross internal floor area for a two storey, 2 bedroomed dwelling:

- 2 bedroom, 3 person dwelling set over 2 storey – 70 square metres

- 2 bedroom, 4 person dwelling set over 2 storey – 79 square metres

[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/524531/160519\\_Nationally\\_Described\\_Space\\_Standard\\_Final\\_Web\\_version.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/524531/160519_Nationally_Described_Space_Standard_Final_Web_version.pdf)

- 8.5 The proposed dwelling would have an internal floor space of circa 90 square metres and therefore exceeds national space standards for a 4 people 2-bedroom dwelling. All habitable rooms would benefit from windows which would provide outlook and light into these rooms.
- 8.6 The dwelling given its positioning in relation to neighbouring properties would not be harmfully overshadowed by neighbouring residents.
- 8.7 The side north facing elevation and principle elevation wall of the host dwelling would be set 8 metres and 10 metres respectively from the rear elevations of the proposed new dwelling. Also, the host dwelling would be set approximately 2 metres away from the rear garden amenities of the proposed dwelling.
- 8.8 The proposed dwelling would not have any first floor rear elevation windows serving habitable rooms although there will be a kitchen and lounge window on the ground floor level.
- 8.9 However, given the layout and design of the proposed dwelling, it is not considered that the future occupiers of the proposed house would feel hemmed in and uncomfortable in their living space contrary to policy SD14 of the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy (2017) and the requirements of the National Planning Policy Framework (2019).
- 8.10 Impact on the living conditions of the existing dwelling
- The proposed dwelling would not include any upper floor windows directly facing towards the existing dwelling. Given the sitting, design and the separation of the two properties, it is judged that the proposed dwelling would not result in harmful levels of overshadowing or overlooking of the host dwelling.
- 8.11 Impact on the living conditions of neighbouring residents
- The only neighbouring property, which may be impacted by the proposal is No. 5 Innsworth Lane, which is located to the north-east of the site. The proposed dwelling would be located 1.6 metres from the side elevation of the adjacent neighbour.
- 8.12 Concerns were raised regarding harmful levels of overshadowing and overlooking caused by the proposed dwelling. A side facing secondary window at ground floor level of No. 5 is noted. Nevertheless, given its secondary nature not being directly set against a proposed dwelling, the level of harm occurred by the proposed works is not considered to solely warrant planning refusal.
- 8.13 In addition to that, noise concerns are noted although officers consider that temporary construction followed by residential activates at the application site would not adversely impact living conditions of the adjacent neighbour. As such, the noise disturbance created as a result of the proposal is therefore not considered to result in noise disturbance to the extent that would warrant refusal of this application.
- 8.14 The proposal is therefore considered to be acceptable in this regard in accordance with the NPPF and policy SD14 of the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy (2017).



## 9.0 ***Drainage and flood risk***

The NPPF requires that development is directed to the areas at lowest risk of flooding, that new development should take the opportunities to reduce the causes or impacts of flooding, should not increase flood risk elsewhere and take account of climate change. Policy INF2 of the JCS reflects the NPPF, applying a risk based sequential approach, requiring new development to contribute to a reduction in flood risk and requiring the use of sustainable drainage systems.

9.1 Policy E6 of the emerging Gloucester City Plan refers to flooding, sustainable drainage, and wastewater and states applicants should demonstrate that all surface water discharge points have been selected in accordance with the principles laid out in the SUDS/ drainage hierarchy. That is, where possible, connections to the public sewerage systems, and in particular the combined sewer network, are to be avoided. Wherever possible, foul drainage from development shall connect to the mains public sewer.

9.2 The site is located in Floodzone 1 and so is not at high risk of flooding. However, the Council's Flood Management Officer has been notified and requested in provided comments a drainage strategy and SUDS options highlighting that any design would require calculations, drawings and maintenance plans to be presented for approval. None of such details were provided during the lifespan of the application. However, it is officer's view that a drainage strategy with SUDS options can be dealt via well-worded conditions.

9.3 The Flood Management Officer also referred to the presence of a large (approx. 450mmØ) STW storm water sewer under the proposed development. Another statutory consultee, Severn Trent was consulted although comments were not received at the time of writing this report. However, it is noted that public sewers have statutory protection and cannot be built close to, directly over or be diverted without consent. A close proximity to both a public sewer is not considered a material planning consideration and is dealt with via separate legislation.

9.4 In summary, subject to planning conditions, the proposal is considered to be acceptable and concluded to be in line with policy INF2 of the JCS and policy E6 of the emerging Gloucester City Plan.

## 10.0 ***Economic considerations***

The construction phase would support employment opportunities and therefore the proposal would have some economic benefit. Further, paragraph 3.1.9 of the JCS identifies that it is important to ensure that sufficient housing is made available to support the delivery of employment and job growth. In the context of the NPPF advice that 'significant weight should be placed on the need to support economic growth through the planning system', this adds some weight to the case for granting permission.

## 11.0 ***Conclusion***

This application has been considered in the context of the policies and guidance referred to above. The proposal is consistent with those policies and guidance in terms of design, materials, highway safety implications, impact upon the amenity of any neighbours and the local area; the proposal is acceptable and accordingly it is recommended that planning permission be granted.

## 12.0 **RECOMMENDATION OF THE CITY GROWTH AND DELIVERY MANAGER**

12.1 That planning permission is GRANTED subject to the following conditions;

### 12.2 **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, planning statement and drawing numbers 973/PL01; 973/PL02A; 973/PL03G; 973/PL04D and 973/PL05C, 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**

No above ground works shall take place until details for the disposal of surface water have been submitted to and approved in writing by the Local Planning Authority. The details submitted shall include proposals for the disposal of surface water in accordance with the principles of Sustainable Drainage Systems (SuDS) and shall be implemented prior to the first use or occupation of the development and maintained for the life of the development.

**Reason**

To ensure satisfactory drainage arrangements are provided in accordance with sustainable objectives of Gloucester City Council and Central Government and Policy INF2 of the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy (2017).

**Condition 4**

Before the commencement of construction works hereby permitted, the proposed drainage strategy for the site shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out, and the drainage maintained/managed, in accordance with the approved details. The strategy shall include details of how the proposed development will connect to existing drainage on the site and how any detrimental impact on water quality leaving the site will be managed.

**Reason**

To ensure development would not result in an unacceptable risk of flooding, pollution or harm to the environment.

**Condition 5**

Before the first use of the development hereby permitted a scheme of landscaping shall be submitted to and approved in writing by the Local Planning Authority. The landscaping scheme shall include:

- (i) a plan(s) showing details of all existing trees and hedges on the application site. The plan shall include, for each tree/hedge, the accurate position, canopy spread and species, together with an indication of any proposals for felling/pruning and any proposed changes in ground level, or other works to be carried out, within the canopy spread.
- (ii) a plan(s) showing the layout of proposed tree, hedge and shrub planting and grass areas.
- (iii) a schedule of proposed planting - indicating species, sizes at time of planting and numbers/densities of plants.
- (iv) a written specification outlining cultivation and other operations associated with plant and grass establishment.
- (v) a schedule of maintenance, including watering and the control of competitive weed

growth, for a minimum period of five years from first planting.

All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the first use of the drive-thru lane; and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.

**Reason**

To ensure the proposed development does not have an adverse effect on the character and appearance of the area.

**Condition 6**

No building or use hereby permitted shall be occupied or use commenced until the car/vehicle parking area and turning space shown on the approved plan 973/PL03G has been completed and thereafter the areas shall be kept free of obstruction and available for the parking of vehicles associated with the development.

**Reason**

To ensure that there are adequate parking facilities to serve the development constructed to an acceptable standard.

**Condition 7**

The development hereby permitted shall not be occupied until the cycle storage (Shed) and bin storage facilities have been made available for use in accordance with the submitted plan drawing no. 973/PL03G and those facilities shall be maintained for the duration of the development.

**Reason**

To ensure the provision and availability of adequate cycle parking.

**Condition 8**

The development hereby permitted shall not be first occupied until the proposed dwelling has been fitted with an electric vehicle charging point. The charging point shall comply with BS EN 62196 Mode 3 or 4 charging and BS EN 61851. The electric vehicle charging point shall be retained for the lifetime of the development unless they need to be replaced in which case the replacement charging point shall be of the same specification or a higher specification in terms of charging performance.

**Reason**

To promote sustainable travel and healthy communities.

**Condition 9**

No building or use hereby permitted shall be occupied or use commenced until the vehicular access has been laid out and constructed in accordance with the approved plan 973/PL03G with the first 5 metres of the proposed access/driveway, surfaced in bound material, and shall be drained and maintained thereafter.

**Reason**

In the interest of highway and pedestrian safety, and to ensure vehicles are able to pull clear of the adopted highway and avoid becoming an obstruction to oncoming traffic.

**Condition 10**

The vehicular access hereby permitted shall not be brought into use until the existing roadside frontage boundaries have been set back to provide visibility splays extending from

a point 2 metres back along each edge of the access, measured from the carriageway edge, extending at an angle of 45 degrees to the footway, and the area between those splays and the footway shall be reduced in level and thereafter maintained so as to provide clear visibility at a height of 600mm above the adjacent footway level.

### **Reason**

To ensure motorists have clear and unrestricted views of approaching pedestrians when pulling out onto the adopted highway, in the interest of highway safety.

### **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.

Prior to the occupation of the development hereby permitted, the vehicular accesses shall be laid out and constructed with any gates situated at least 5.0m back from the carriageway edge of the public road and hung so as not to open outwards towards the public highway and with the area of driveway within a least 5.0m of the carriageway edge of the public road surfaced in bound material, and shall be maintained thereafter.

### **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.

### **Note 4**

The Local Highway Authority has no objection to the above subject to the applicant obtaining a section 184 licence. The construction of a new access will require the extension of a verge and/or footway crossing from the carriageway under the Highways Act 1980 - Section 184 and the Applicant is required to obtain the permission of Gloucestershire Highways on 08000 514 514 or highways@gloucestershire.gov.uk before commencing any works on the highway.

**Person to Contact:** Piotr Kulik (01452 396905)

Planning Application: | 21/00142/FUL

Address: | 4 Innsworth Lane Gloucester  
GL2 0DA

Committee Date: |

