

22/00807/FUL 63-65 Denmark Road list of conditions:

Condition 1 (commencement of development)

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 (approved plans)

The development hereby permitted shall be carried out in accordance with the application form, and drawings:

- Site location plan 6619-P-01
- Proposed elevations 6619-P-705 REV D
- Proposed ground floor plan 6619-P-210 REV E
- Proposed first floor plan 6619-P-211 REV A
- Proposed second floor plan 6619-P-212 REV A
- Proposed site plan 6619-P-10 REV C
- Soft landscaping plan 6619-P-11
- Hard landscaping and boundary treatment plan 6619-P-12
- Proposed section 6619-P-601

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 (submission of written scheme of investigation)

No demolition below ground floor slab level or development shall start within the application site until a written scheme of investigation of archaeological remains, including a timetable for the investigation, has been submitted to and approved in writing by the local planning authority. The scheme shall include an assessment of significance and research questions; and:

- a. The programme and methodology of site investigation and recording.
- b. The programme for post investigation assessment.
- c. Provision to be made for analysis of the site investigation and recording.
- d. Provision to be made for publication and dissemination of the analysis and records of the site investigation
- e. Provision to be made for archive deposition of the analysis and records of the site investigation
- f. Nomination of a competent person or persons/organisation to undertake the works set out within the Written Scheme of Investigation.

Reason

To make provision for a programme of archaeological mitigation, so as to record and advance understanding of any heritage assets which will be lost.

Condition 4 (Implementation of Written Scheme of Investigation)

All demolition and development shall take place in accordance with the Written Scheme of Investigation of archaeological remains. This condition shall not be discharged until the site investigation and post investigation assessment has been completed in accordance with the programme set out in the Written Scheme of Investigation approved under Condition 3, provision has been made for the analysis, publication and dissemination of results and archive deposition has been secured.

Reason

To make provision for a programme of archaeological mitigation, so as to record and advance understanding of any heritage assets which will be lost.

Condition 5 (Approval and implementation of Tree/ Hedgerow Protection Measures)

No development including demolition, site clearance, materials delivery, or erection of site buildings, shall start on the site until measures to protect trees/hedgerows on and adjacent to the site have been installed in accordance with details that have been submitted to and approved in writing by the local planning authority. The approved tree protection measures shall remain in place until the completion of development or unless otherwise agreed in writing with the local planning authority. These measures shall include:

- I. Temporary fencing for the protection of all retained trees/hedgerows on and adjacent to the site whose Root Protection Areas (RPA) fall within the site to be erected in accordance with BS 5837(2012) or subsequent revisions (Trees in Relation to Design, Demolition and Construction). Any alternative fencing type or position not strictly in accordance with BS 5837 (2012) shall be agreed in writing by the local planning authority prior to the start of development. The RPA is defined in BS5837(2012).
- II. Construction Exclusion Zone (CEZ): The area around trees and hedgerows enclosed on site by protective fencing shall be deemed the CEZ. Excavations of any kind, alterations in soil levels, storage of any materials, soil, equipment, fuel, machinery or plant, site compounds, cabins or other temporary buildings, vehicle parking and delivery areas, fires and any other activities liable to be harmful to trees and hedgerows are prohibited within the CEZ, unless agreed in writing with the local planning authority.

The approved tree protection measures shall remain in place until the completion of development or unless otherwise agreed in writing with the local planning authority.

Reason

To ensure adequate protection measures for existing trees/hedgerows to be retained, in the interests of visual amenity and the character and appearance of the area. In

accordance with the NPPF, Policy INF3 of the JCS and Policy E4 of the Gloucester City Plan.

Condition 6 (Excavation or Surfacing within the Root Protection Area of Trees)

Where excavations or surface treatments are proposed within the root protection areas (RPA) of retained trees and hedgerows, full details shall be submitted to and approved in writing by the local planning authority before any development starts. The RPA is defined in BS5837:2012. Details shall include the proposed locations of excavations and/or surface treatments, proposed methods & specifications of excavations and/or surface treatments and any post excavation remedial works. All excavations or surface treatments shall be carried out in accordance with the approved details.

Reason

To prevent damage to or loss of trees. In accordance with the NPPF, Policy INF3 of the JCS and Policy E4 of the Gloucester City Plan.

Condition 7 (Protection of habitats)

No removal of scrub/hedgerows shall be carried out on site between 1st March and 31st August inclusive in any year, unless otherwise approved in writing by the Local Planning Authority

Reason

To ensure that the nature conservation interest of the site is protected. In accordance with the NPPF, Policy INF3 of the JCS and Policy E4 of the Gloucester City Plan

Condition 8 (Landscaping)

Prior to the occupation of the development, a comprehensive scheme of landscaping, which shall include details of species and densities of proposed planting and should demonstrate that trees located within hard standing areas will have adequate root runs shall be submitted to and approved in writing by the Local Planning Authority.

Reason

In the interests of visual amenity.

Condition 9 (Implementation of Landscaping)

All planting, seeding, or turfing in the approved details of landscaping for the residential development shall be carried out in the first planting and seeding season following the occupation of the respective building(s) or completion of the respective developments, whichever is the sooner. Any trees or plants which within a period of five 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, unless the Local Planning Authority gives written

consent to any variation.

Reason

In the interests of visual amenity.

Condition 10 (Cycle/ bin storage)

The development hereby permitted shall not be occupied until cycle/bin storage facilities have been made available for use in accordance with details which shall first be submitted to and approved in writing by the Local Planning Authority. Those facilities shall be maintained for the duration of the development.

Reason:

To give priority to cycle movements by ensuring that adequate cycle parking is provided, to promote cycle use and to ensure that the appropriate opportunities for sustainable transport modes have been taken up in accordance with paragraph 110 of the National Planning Policy Framework.

Condition 11 (SUDS drainage)

Prior to the commencement of any surfacing works, details of SUDS compliant block paviour must be submitted to and approved in writing by the Local Planning Authority. The scheme for the surfacing works shall be implemented in accordance with the approved details before the development is occupied.

Reason

To ensure the development is provided with a satisfactory means of sustainable drainage and thereby reducing the risk of flooding.

Condition 12 (materials)

No work above floor plate level shall be carried out until samples of proposed materials to be used have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason

To ensure that materials are in keeping with the surrounding area and to provide for high quality design.

Condition 13 (powder coated aluminium windows)

Notwithstanding the approved plans, all windows and door openings (both existing and proposed) on the rear elevation and side elevation facing towards Oxford Road shall be constructed from powder coated aluminium. Full details of which shall first be submitted to and approved in writing by the Local Planning Authority. The windows shall be installed prior to the occupation of development.

Reason

To ensure that the appearance of the proposed works provide for high quality design

and to protect the character and appearance of the existing building.

Condition 14 (window design details)

Notwithstanding the approved plans, details of the design of the ground floor windows on the rear projecting wings shall be submitted and approved in writing by the Local Planning Authority. The windows should be designed to match the proportion and design of the first floor windows in the rear projection wings and include an arched brick header. The windows shall be installed prior to the occupation of development.

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 15 (rooflights)

The proposed rooflights on the rear elevation shall be flush fitting conservation rooflights. The rooflights shall be installed prior to the occupation of development.

Reason

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

Condition 16 (obscure glazing to windows)

Notwithstanding the approved plans, the bathroom window to flat 9 on the side elevation of the development hereby permitted 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 17 (design of proposed pedestrian access gate)

Prior to the occupation of the development hereby permitted, details of the design and materials of the proposed pedestrian access gate linking the site from Denmark Road shall be submitted and approved in writing by the Local Planning Authority.

Reason

To ensure the appearance of the proposal provides for high quality design and to protect the character and appearance of the conservation area

Condition 18 (Employment and Skills Plan)

Prior to the commencement of development, an Employment and Skills Plan shall be submitted to and approved in writing by the Local Planning Authority which will identify opportunities for the employment and skills development of local people during the construction and operational stages of the proposal.

Reason

In order to provide opportunities for the employment and skills development of local people in accordance with policy B1 of the Gloucester City Plan.

Condition 19 (Water efficiency)

Prior to the commencement of development, a Water Efficiency document shall be submitted to and approved in writing by the Local Planning Authority. This document should demonstrate that the estimated consumption of wholesome water per dwelling should not exceed 110 litres of water per person per day

Reason

In order to reduce water use and provide benefits to the environment in accordance with policy G6 of the Gloucester City Plan.

Condition 20 (Accessible and Adaptable dwellings M4(2))

Flats 2 and 4 of the development hereby permitted shall be constructed in accordance with building regulations standards for M4(2) 'accessible and adaptable dwellings'

Reason

In order to meet the needs of an aging population, frail and disabled persons in accordance with policy A6 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. 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

If there are trees in neighbouring properties that could be affected by the proposed development. In the interest of good neighbour relationships, it would be helpful to consult with your neighbour on the proposed works if you have not already done so. Care will be required to minimise damage to the trees through the development activities such as ground compaction and root severance. You have a legal duty to exercise reasonable care in carrying out any works that may impact adjacent trees. Further information is available on [Guide-to-Trees-and-the-Law](#)

Note 5

This planning permission is pursuant to a planning obligation under Section 106 of the Town and Country Planning Act 1990.