

BATH AND NORTH EAST SOMERSET COUNCIL

DEVELOPMENT CONTROL COMMITTEE

14th March 2012

SITE INSPECTION DECISIONS

Item No:	01	
Application No:	11/04867/VAR	
Site Location:	Former Allotment Gardens, Southbourne Gardens, Fairfield Park, Bath	
Ward: Walcot	Parish: N/A	LB Grade: N/A
Application Type:	Application for Variation of Condition	
Proposal:	Variation of condition 2 (plans list) of application 10/03251/VAR (Variation of condition 2 of application 07/01598/FUL to allow a variation to the design of house type A (Plots 1-8))	
Constraints:	Agric Land Class 3b,4,5, Article 4, Conservation Area, Forest of Avon, Hotspring Protection, World Heritage Site,	
Applicant:	Partridge Homes (Cotswolds) Ltd	
Expiry Date:	10th January 2012	
Case Officer:	Andy Pegler	

DECISION PERMIT with the following conditions:

1 The developmenttherebypermittedshall commence by the 1st. April 2013.

Reason: In accordance with Condition 1 attached to planning permission 07/01598/FUL; and as required by Section 91 of the Town and Country Planning Act 1990.

2 The developmenttherebypermittedshallbecarried out in accordance with the followingapproved plans unlessotherwisealtered by plans required to complywith the other conditions attached to this permission: Site Location Plan R.0136_06-1, drawings no. 771/1C and 771/100 date stamped 16 July 2010, 771/2A date stamped 11 August 2010 and 771/5D, date stamped 2 September 2010 (clarified by e.mailedated 6 October 2010); and to detailssubmitted by e.mailsdated 5 October 2010, 7 December 2010 and 22 December 2010, 771/3, 1635/102 Rev G, R.0136-06-C, and 771/4A.

3 The developmentshallbecarried out in accordance with the submitteddetails of materials and finishesapprovedunder 10/03408/COND dated 20.12.2010.

4 The developmentshallbecarried out in accordance with the submitted hard and soft landscapesschemeapprovedunder 10/03408/COND dated 20.12.2010.

5 All hard and soft landscapeworksshallbecarried out in accordance with the approveddetails and in accordance with the programme of implementationagreedwith the local planning authority. Anytrees or plants indicated in the approvedschemewhich, within a period of five yearsfrom the date of the developmentbeingcompleted, die, are removed or becomeseriouslydamaged or diseasedshallbereplacedduring the nextplantingseasonwithothertrees or plants of a species and size to be first approved in writing by the local planning authority. All hard landscapeworksshallbepermanentlyretained in accordance with the approveddetails.

6 Until the development has been completed the protective fencesapprovedunder 10/03408/COND dated 20.12.2010 shall not beremoved and the protected areas shallbekeptclear of any building, plant, material, debris and trenching, with the existinggroundlevelsmaintained, and thereshallbe no entry to those areas except for approvedarboricultural or landscapeworks.

7 Prior to the commencement of anyform of site works or clearance the local planning authorityshallbegiven not lessthantwoweeks notice in writing of theseworks to ensurethatappropriatemeasures of landscape protection under condition 6 have been implemented in accordance with the approved plans.

8 Notwithstanding the provisions of the Town and Country Planning (General Permitteddevelopment) Order 1995 (or anyorderrevoking and re-enactingthatOrderwith or without modification) no lines, mains, pipes, cables or otherapparatusshallbeinstalled or laid on the site otherthan in accordance with the detailsapprovedunder 10/03408/COND dated 20.12.2010.

9 The developmentsshallbecarried out in accordance with the methodstatementapprovedunder 10/03408/COND dated 20.12.2010, detailing how works to the footway, carriageway and underground services in SouthbourneGardens / Beaufort Villas willbecarried out withoutharm to adjacent trees and theirrootsystems.

10 No developmentsshall commence until the necessarymeasures to restrict parking at the junction of SouthbourneGardenswith Claremont Road have been confirmed in writing on behalf of the local planning authority and no part of the developmentsshallbeoccupieduntil the works have been implemented.

11 No developmentsshall commence until the works to SouthbourneGardens, including the junction of SouthbourneGardenswith Claremont Road, and the provision of acontinuousfootway on the southernside, have been completed in accordance with the approveddrawing no 1635/102 Rev G.

12 The retaining structures relating to the access road / turningheadshallbecompleted in accordance with the detailsapprovedunder 10/03604/COND dated 20.12.2010 prior to the first occupation of anydwellingherebyapproved.

13 The development hereby permitted shall not be occupied until the emergency access as shown on site layout drawing no 771/1B has been provided and a method statement of control to prevent unauthorised use of it has been submitted to and approved in writing by the local planning authority. The emergency access shall only be operated in accordance with the approved method statement details.

14 The development shall be carried out in accordance with the details of the turning head, including sectional drawings and details of screening, and the surfacing details and gradient for the carriageway, footway, turning head, car parking areas and the pathway to the front of the houses, as approved under 10/03408/COND dated 20.12.2010. The development hereby permitted shall not be occupied until the access together with all the proposed parking and turning areas, screening and pathways have been constructed in accordance with the approved details.

15 The garages hereby approved shall be retained for the garaging of private motor vehicles associated with the dwellings hereby approved and for no other purpose.

16 The development hereby approved shall not be occupied until works for the disposal of sewage and surface water have been provided on site to serve the development in accordance with details first submitted to and approved in writing by the local planning authority.

17 No removal of trees shall take place between 1 March and 31 August unless a survey to assess any nesting bird activity on the site during this period and a scheme to protect the nesting birds has been submitted to and approved in writing by the local planning authority and no trees shall be removed between 1 March and 31 August other than in accordance with the approved nesting bird protection scheme.

18 Prior to the commencement of development a scheme of mitigation works to avoid harm to any reptiles found on the site shall be undertaken in accordance with details approved under 10/03408/COND dated 20.12.2010.

19 The development shall be carried out in accordance with the scheme for the accommodation of badgers on the site, including the establishment of an exclusion zone around the sett(s) from which all building, engineering or other operations and all vehicles and personnel working on the site shall be excluded, and proposals for site and habitat management following completion of the development, as approved under 10/03408/COND dated 20.12.2010.

20 The development shall commence in accordance with the programme of access which will be afforded to named archaeologist(s) to observe and record all ground disturbed during construction (such works to include any geological trial pits, foundations and service trenches) as approved under 10/03408/COND dated 20.12.2010.

21 The development shall be carried out in accordance with the construction management plan approved under 10/03604/COND dated 20.12.2010.

PLANS LIST: This decision relates to the Site Location Plan, and drawing no. 1635/102 Revision G date stamped 15th. November 2011.

REASONS FOR GRANTING APPROVAL

The decision to grant approval has taken account of the Development Plan, relevant emerging Local Plans and approved Supplementary Planning Guidance. This is in accordance with the Policies set out below at A.

A. Local Plan Policies T.24 and BH.6