

BATH AND NORTH EAST SOMERSET COUNCIL

DEVELOPMENT CONTROL COMMITTEE

14th March 2012

SITE INSPECTION DECISIONS

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| 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 development there by permitted shall 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 development there by permitted shall be carried out in accordance with the following approved plans unless otherwise altered by plans required to comply with 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.mail dated 6 October 2010); and to details submitted by e.mail dated 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 development shall be carried out in accordance with the submitted details of materials and finishes approved under 10/03408/COND dated 20.12.2010.

4 The development shall be carried out in accordance with the submitted hard and soft landscape scheme approved under 10/03408/COND dated 20.12.2010.

5 All hard and soft landscapeworks shall be carried out in accordance with the approved details and in accordance with the programme of implementation agreed with the local planning authority. Any trees or plants indicated in the approved scheme which, within a period of five years from the date of the development being completed, die, are removed or become seriously damaged or diseased shall be replaced during the next planting season with other trees or plants of a species and size to be first approved in writing by the local planning authority. All hard landscapeworks shall be permanently retained in accordance with the approved details.

6 Until the development has been completed the protective fences approved under 10/03408/COND dated 20.12.2010 shall not be removed and the protected areas shall be kept clear of any building, plant, material, debris and trenching, with the existing ground levels maintained, and there shall be no entry to those areas except for approved arboricultural or landscapeworks.

7 Prior to the commencement of any form of site works or clearance the local planning authority shall be given not less than two weeks notice in writing of these works to ensure that appropriate measures 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 Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification) no lines, mains, pipes, cables or other apparatus shall be installed or laid on the site other than in accordance with the details approved under 10/03408/COND dated 20.12.2010.

9 The developments shall be carried out in accordance with the method statement approved under 10/03408/COND dated 20.12.2010, detailing how works to the footway, carriageway and underground services in Southbourne Gardens / Beaufort Villas will be carried out without harm to adjacent trees and their root systems.

10 No developments shall commence until the necessary measures to restrict parking at the junction of Southbourne Gardens with Claremont Road have been confirmed in writing on behalf of the local planning authority and no part of the developments shall be occupied until the works have been implemented.

11 No developments shall commence until the works to Southbourne Gardens, including the junction of Southbourne Gardens with Claremont Road, and the provision of a continuous footway on the southern side, have been completed in accordance with the approved drawing no 1635/102 Rev G.

12 The retaining structures relating to the access road / turning head shall be completed in accordance with the details approved under 10/03604/COND dated 20.12.2010 prior to the first occupation of any dwelling hereby approved.

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