

**Application Reference - 21/01404/FUL**

**Address of Proposal - 11 Upper Mount Pleasant, Freshford, BA2 7UG**

**Proposal** - Erection of first floor extension

**Type of Application** - Full Application

**Planning Constraints** - Agric Land Class 1,2,3a, Conservation Area, Housing Development Boundary, MOD Safeguarded Areas, Policy CP8 Green Belt, Policy CP9 Affordable Housing Zones, Policy NE1 Green Infrastructure Network, Policy NE2 AONB, Policy NE5 Ecological Networks, SSSI - Impact Risk Zones

**Key Points**

- This is a revision of the recent previous application.

**Comments**

- We believe the concern we previously expressed have been addressed and revised scheme is much improved.

**Recommendation**

- Comment only
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**Application Reference: 21/02750/FUL**

**Address of Proposal - The Cottage, Pipehouse Lane, Freshford, BA2 7UH**

**Proposal** - Creation of additional off road car parking space and waste bin store area including moving steps

**Type of Application** - Full Application

**Planning Constraints** - Agric Land Class 1,2,3a, Housing Development Boundary, LLFA - Flood Risk Management, MOD Safeguarded Areas, Neighbourhood Plan, Policy CP8 Green Belt, Policy CP9 Affordable Housing Zones, Policy NE1 Green Infrastructure Network, Policy NE2 AONB, Policy NE5 Ecological Networks, Policy NE5 Strategic Nature Areas, SSSI - Impact Risk Zones

**Key Points**

- This is a revision to the recent application.

**Comments**

- The applicant already has the benefit of permission for the erection of a garage on another part of their property.

**Recommendation**

- Comment only
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**Application Reference: 21/02843/FUL**

**Address of Proposal - Parcel 2080, Pipehouse, Freshford, Bath**

**Proposal** - Conversion of a redundant existing agricultural stone byre into an off-grid 2-bedroom holiday home.

**Type of Application** - Full Application

**Planning Constraints** - Agric Land Class 1,2,3a, MOD Safeguarded Areas, Neighbourhood Plan, Policy B4 WHS - Indicative Extent, Policy CP8 Green Belt, Policy CP9 Affordable Housing Zones, Policy M1 Minerals Safeguarding Area, Policy M2 Min Alloc's - Preferred Area, Policy NE2 AONB, Policy NE5 Ecological Networks, SSSI - Impact Risk Zones

**Key Points**

- There are very few uninhabited stone byres left in the area. These old stone barns are known to be ideal nesting / roosting sites for Barn Owls and Bats. An investigation has been carried to establish the presence of Barn Owls and Bats, and no evidence was found. However, given our communities recent commitment to adding wild meadow, as a response to the Climate and Ecological emergencies, the area is likely to become a far more attractive nesting area for both species. It seems therefore that it is a reasonable expectation that the barn might be used in the future.
- If planning permission is given at the very least provision for alternative nesting sites should be provided by the installation of boxes in other appropriate locations on the property.
- The sensitive conversion of farm and industrial buildings can be quite successful in retaining something that has outlived its original purpose, it once again becomes relevant, restored and functional.
- The proposal is well designed from a sustainability point of view; using renewables to remain off grid, and materials such as timber to minimise the embodied energy in its construction.

**Recommendation**

- Object. As although the well thought out sustainable design is welcomed, on balance, given the parish councils stated Ecological emergency this must take precedent.
- Request, if the officer is minded to approve the application, that a condition is added to insure Barn Owl and Bat boxes are installed on the property to help mitigate the removal of potential nesting and roosting habitat.

**Application Reference - 21/02824/AR**

**Address of Proposal - Homewood Park Hotel, Homewood, Hinton Charterhouse, BA2 7TB**

**Proposal** - Display of 4 no. post-mounted externally illuminated direction signs, 2 no. post mounted externally illuminated entrance signs, 2 no. wall-mounted non-illuminated direction signs and 6no close boarded fence mounted non-illuminated photographic signs.

**Type of Application** - Advertisement Consent

**Planning Constraints** - Agric Land Class 1,2,3a, LLFA - Flood Risk Management, MOD Safeguarded Areas, Policy CP8 Green Belt, Policy CP9 Affordable Housing Zones, Policy NE1 Green Infrastructure Network, Policy NE2 AONB, Policy NE5 Ecological Networks, Policy NE5 Strategic Nature Areas, SSSI - Impact Risk Zones

**Key points and comments**

Nick, very helpfully has already circulated a comprehensive report providing some key points;

- Legislation and Guidance - All outdoor advertisements must not obscure, or hinder the interpretation of, official road, rail, waterway or aircraft signs, or otherwise make hazardous the use of these types of transport.

**- How your application for consent is decided.**

In deciding whether to approve your application, the planning authority may consider only two issues; these are described in the rules as the interests of amenity and public safety.

Many planning authorities have formulated and adopted advertisement control policy statements, indicating what detailed considerations they regard as relevant to their decisions on advertisement applications. The statements often indicate the circumstances in which advertisements are likely to be permitted or refused. But while a relevant policy statement will be a material factor in deciding your advertisement application, it should not be the only decisive factor because the planning authority must always have regard to the circumstances of each individual advertisement application.

**What do 'amenity' and 'public safety' mean?**

The terms 'amenity' and 'public safety' are not defined in detail in the advertisement control rules, although advice on these terms is given in Circular 03/2007 and PPG 19. Each planning authority (and the Secretary of State on appeal) must interpret what is meant by these expressions as they apply in particular cases.

In practice, 'amenity' is usually understood to mean the effect upon visual and aural amenity in the immediate neighbourhood of displaying the advertisement, or using an advertisement site, where passers-by, or people living there, will be aware of the advertisement.

So in assessing amenity, the planning authority will always consider the local characteristics of the neighbourhood.

For example, if your advertisement will be displayed in a locality where there are important scenic, historic, architectural or cultural features, the planning authority will consider whether it is in scale and in keeping with these features. This might mean that the planning authority would refuse consent for a large poster-boarding which would visually dominate a group of 'listed' buildings. But where there are large buildings and main highways, for example in an industrial or commercial area of a major city, the planning authority may grant consent for large advertisements which would not adversely affect visual amenity in the neighbourhood of the site.

'Public safety' means the considerations which are relevant to the safe use and operation of any form of traffic or transport on land (including the safety of pedestrians), over water or in the air. So, for this purpose, the planning authority must assess the likely effects of your advertisement in relation to such matters as the behaviour of drivers, possible confusion with any traffic sign or signal, or possible interference with a navigational light or aerial beacon.

But the planning authority will assume that all advertisements are intended to attract people's attention, so that the advertisement you want to display would not automatically be regarded as a distraction to passers-by in vehicles or on foot.

What matters is whether your advertisement, or the spot where you propose to site it, will be so distracting or so confusing that it creates a hazard for, or endangers, people who are taking reasonable care for their own and others' safety.

When they are considering 'public safety' factors for your advertisement, the planning authority will normally consult other relevant bodies, for example the highway authority if your advertisement is alongside a major road.

Designated and special areas In Areas of Outstanding Natural Beauty and conservation areas, applications need to be closely scrutinised and stricter advertisement controls apply to the display of advertisements which do not require the LPA's express consent. Applications for express consent will also need to be checked to ensure that the proposal does not compromise the aims of an area's designation.

### **Comments**

There are substantial grounds for objecting to this application on the basis of concerns over public safety for road users and on the loss of amenity in this rural setting.

The junction of Abbey Lane with the A36 is a recognised accident spot. Speed on the road is not restricted (60mph). I would have serious concerns that a driver's attention travelling south is drawn to the advertising boards when attention should be focused on the fact that the driver is approaching a junction.

By analogy I believe that HE would carry out a rigorous assessment were an application to be made for a tourist 'Brown Sign' to be placed on the main road on the highway verge at this location.

I question whether it is sensible to have a sign (Sign B) which advises motorists that they should do a 'U turn' or Sign D saying 'You have just missed us.' Both seem to be an open invitation for motorists to take immediate action to turn round at the risk to both themselves and other motorists.

I understand the hotel's wish to publicise their business but think that advertising boards could be fewer than proposed. The design to be as discrete as possible.

### **Also**

- 1. Check with Hinton Charterhouse PC as to their reaction and to advise on our proposed response once it is framed. I would like to think that HCPC would support us if we propose to object to the application.**
- 2. Ask B&NES whether or not it intends to notify Highways England of this application as well as their own Highways Department.**

- Tania and John have also raised the issue of the illumination of the signs. As this goes against Dark Skies policies, and the need to limit the spread of artificial light due to its negative impact on surrounding wildlife is well documented.

- Hinton Charterhouse PC are also concerned about the application, having previously raised concerns over brightly lit signs fixed along the perimeter fence with Banes. Which led to their removal.

### **Recommendation**

- Object. On the grounds of the proposed negatively impacting on public safety, the character of the surrounding area, surrounding wildlife, and Dark Skies.