

DRAFT MINUTES PENDING CONFIRMATION AT THE NEXT MEETING

BATH AND NORTH EAST SOMERSET

MINUTES OF DEVELOPMENT CONTROL COMMITTEE

Wednesday, 3rd July, 2013

Present:- Councillor Gerry Curran in the Chair
Councillors Sally Davis (In place of David Veale), Ian Gilchrist, Liz Hardman, Eleanor Jackson, Les Kew, Malcolm Lees, Douglas Nicol, Bryan Organ, Manda Rigby, Dine Romero, Martin Veal and Brian Webber

Also in attendance: Councillors Charles Gerrish, Francine Haeberling, Caroline Roberts and Geoff Ward

19 EMERGENCY EVACUATION PROCEDURE

The Senior Democratic Services Officer read out the procedure

20 ELECTION OF VICE CHAIR (IF DESIRED)

A Vice Chair was not required

21 APOLOGIES FOR ABSENCE AND SUBSTITUTIONS

There was an apology for absence from Councillor David Veale whose substitute was Councillor Sally Davis

22 DECLARATIONS OF INTEREST

There were no declarations of interest

23 TO ANNOUNCE ANY URGENT BUSINESS AGREED BY THE CHAIR

There were no items of urgent business

24 ITEMS FROM THE PUBLIC - TO RECEIVE DEPUTATIONS, STATEMENTS, PETITIONS OR QUESTIONS

The Senior Democratic Services Officer informed the meeting that there were 2 speakers wishing to make statements on the Local Enforcement Plan (Report 11) and that they would be able to do so when reaching that Item on the Agenda. There were also various members of the public etc wishing to make statements on planning applications in Report 10 and they would be able to do so when reaching those Items on the Agenda.

25 ITEMS FROM COUNCILLORS AND CO-OPTED MEMBERS

There were no items from Councillors

26 MINUTES: 5TH JUNE 2013

The Minutes of the previous meeting held on Wednesday 5th June 2013 were approved as a correct record and were signed by the Chair

27 MAJOR DEVELOPMENTS

The Chair stated that there was no update for this meeting on major developments but, if Members had any questions, these could be directed to Officers.

The Committee noted.

28 PLANS LIST - APPLICATIONS FOR PLANNING PERMISSION ETC FOR DETERMINATION BY THE COMMITTEE

The Committee considered

- The report of the Development Manager on various applications for planning permission
- An Update Report on Item Nos 6 and 8, a copy of which is attached as *Appendix 1* to these Minutes
- Oral statements by members of the public etc on Item Nos 2 and 6-12, the Speakers List being attached as *Appendix 2* to these Minutes

RESOLVED that, in accordance with their delegated powers, the applications be determined as set out in the Decisions List attached as *Appendix 3* to these Minutes.

Item 1 No 169 Newbridge Hill, Bath – Erection of an 11 bed care home to the rear of the existing care home and associated works – The Team Leader – Development Management stated that it had just come to light that some of the planning history of the site had not been included in the report and that this would be a material consideration in this planning application. He therefore recommended that consideration of the application be deferred for an assessment of this information. He suggested that it may be useful to hold a Site Visit before a revised report on this application is reconsidered by Members at the next meeting.

Members debated the matter. Councillor Eleanor Jackson moved the Officer recommendation to Defer for consideration of the planning history and a Site Visit. The motion was seconded by Councillor Manda Rigby. The Chair stated that it was likely that, even without this new information, the application would have been deferred for a Site Visit. The motion was put to the vote and was carried unanimously.

Item 2 Former Little Chef, Lower Bristol Road, Farrington Gurney – Refurbishment of existing restaurant (A3) to create restaurant (A3) and takeaway (A6) including single storey extensions, installation of cod and canopy, installation of drive through lane and associated works to the site (Resubmission) – The Case Officer reported on this application and his recommendation to refuse permission.

The public speaker made a statement against the proposal.

Councillor Les Kew as Ward Member opened the debate and read out a letter from the Chairman of Farrington Gurney Parish Council. He referred to the issues of noise from cars that would use the “drive through” facility and the impact on adjoining houses - this was considered to be unacceptable. He therefore moved the Officer recommendation to refuse which was seconded by Councillor Doug Nicol.

Members debated the motion. It was generally felt that the increased use of the premises with a takeaway and “drive through” and, in addition, increased hours of operation, would create unacceptable disturbance. It would be detrimental to the amenities of adjoining residents.

The motion was put to the vote and was carried unanimously.

Items 3-5 Former Little Chef, Lower Bristol Road, Farrington Gurney – (1) Installation of 2 white acrylic “McDonalds” text signs and 2 yellow acrylic “golden arch” symbol signs (Revised proposal); (2) display of 1 internally illuminated gateway sign, 4 internally illuminated totem signs, 5 non-illuminated directional signs, 1 non-illuminated banner and 1 non-illuminated hero board; and (3) display of 1 internally illuminated freestanding 8m totem sign (Revised proposal) – Members considered the report of the Case Officer on these applications for advertisement consent and his recommendations to refuse consent.

Councillor Les Kew moved that these applications be refused as recommended. The motions were seconded by Councillor Doug Nicol. On being put to the vote, the motions were carried unanimously.

Item 6 Church Farm Barn, Washing Pound Lane, Whitchurch – Repair and rebuilding of existing dilapidated workshop/outbuilding, 1 one and a half storey dwelling with associated access, car parking area and garden area (Resubmission) – The Case Officer reported on this application and his recommendation to refuse permission. The Update Report corrected a reference in the report to a paragraph in the NPPF.

The applicant’s agent made a statement in support of the proposal.

Councillor Les Kew read out a statement on behalf of the Ward Member who was unable to be present and who supported the application. Councillor Kew considered that this proposal would not have a significant impact on the openness of the Green Belt. There had previously been a building on the site, it would tidy up the site which was currently an eyesore and the NPPF supported barn conversions. He therefore moved that permission be granted with appropriate conditions. This was seconded by Councillor Bryan Organ.

Members debated the motion. In response to a Member’s query, the Team Leader – Development Management stated that the planning history of the site was a material consideration of the application. It had been previously considered that rebuilding the barn was inappropriate and would conflict with Green Belt policy. Some Members supported the proposal as traffic was one way, the building would improve the site, there were no highway objections and it would add another dwelling to the number of houses required to be developed in the village. However, other Members were not

supportive as it would be “new build” in the Green Belt and therefore would affect its openness and would conflict with the purposes of preventing neighbouring towns from merging. The Chair summed up the debate and stated that he would vote against the motion.

He therefore put the motion to the vote. Voting: 5 in favour and 5 against with 3 abstentions. The Chair used his second and casting vote against the motion which was therefore 5 in favour and 6 against. Motion lost.

Councillor Eleanor Jackson moved the Officer recommendation to refuse permission which was seconded by Councillor Liz Hardman. The motion was put to the vote. Voting: 5 in favour and 5 against with 2 abstentions. The Chair used his second and casting vote in favour which was therefore 6 in favour and 5 against. Motion carried. (Note: Councillor Doug Nicol was absent for this vote)

Item 7 Costa Coffee, 50 High Street, Keynsham – Change of use of the highway to the siting of 2 tables and 4 chairs – The Planning Officer reported on this application and the recommendation to grant permission with conditions.

The applicants’ agent made a statement in support of the proposal which was followed by a statement by the Ward Councillor Charles Gerrish who spoke against the proposal.

Councillor Bryan Organ referred to the large number of objections received on this application. He considered that tables and chairs with their occupants would cause an obstruction in this location and was not acceptable on highway grounds. There was also the issue of public health as the tables and chairs would be located close to a pedestrian crossing with the consequent fumes from cars. He therefore moved that permission be refused on these grounds. This was seconded by Councillor Dine Romero.

Members debated the motion. It was considered that this was not a good location for tables and chairs being close to a pedestrian crossing on a busy road. There were no other tables and chairs on the pavement of the High Street close to the road. Some Members agreed that there was the health issue to be considered. Other Members felt that the proposal would create a more continental atmosphere and would enhance the ambience of the street. There was no highway objection.

The Chair summed up the debate and the issues that needed to be considered. The Team Leader – Development Management stated that the public health issue needed to be based on evidence and no harm had been identified.

The motion to refuse permission was put to the vote. Voting: 6 in favour and 4 against with 3 abstentions. Motion carried.

Item 8 No 54 High Street, Saltford – Erection of a two storey dwelling and a new double garage for use by No 54, modification works to retaining walls to create wider entrance and associated works following demolition of existing single garage and stone retaining walls – The Planning Officer reported on this application and the recommendation to grant permission with conditions. The Update Report referred to the withdrawal of Ward Councillor Matthew Blankley’s objection and his further comments on the matter.

The public speakers made their statements against and in favour of the application. The Ward Councillor Francine Haerberling made a statement on the proposal and suggested that a site visit would be useful.

Councillor Eleanor Jackson felt that there were quite of number of issues to be considered and agreed that a site visit would be useful in this instance. She therefore moved that consideration be deferred for a Site Visit accordingly which was seconded by Councillor Martin Veal.

The motion was put to the vote and was carried unanimously.

(Note: Councillor Sally Davis had left the meeting before this application was considered.)

Item 9 Ashes Hill Farm, Kilkenny Lane, Englishcombe – Change of use of the land and construction of an all-weather horse exercise arena (ménage) – The Planning Officer reported on this application and the recommendation to refuse permission.

The public speakers made their statements in support of the application.

The Team Leader – Development Management referred to the policy issue and NPPF guidance on the matter. This change of use from agricultural to equestrian was inappropriate in the Green Belt.

Councillor Les Kew stated that horse riders could already use the land and a fence could be erected without planning permission being required. A different surface was practically all that was required for bad weather. He considered that there would be no impact on the openness of the Green Belt and it was not inappropriate development. On that basis, he moved that permission be granted with appropriate conditions. This was seconded by Councillor Liz Hardman.

Members debated the motion. It was considered that there was no impact on the Green Belt or the farm and it would not affect the distinctiveness of the landscape. The surfacing could easily revert back to its current condition.

The Team Leader – Development Management reiterated that this was a change of use from agriculture to equestrian in the Green Belt. If Members wished to approve the proposal, it would need to be delegated to Officers for appropriate conditions including no public use of the land (eg gymkhanas) and non-contaminant surfacing to prevent leaching. The mover and seconder agreed.

The amended motion was put to the vote and it was carried unanimously.

Item 10 Hillside Gardens, Tadwick Lane, Tadwick, Bath – Erection of a single storey extension and covered terrace connecting to main house following demolition of dilapidated outbuildings, garages and sheds adjoining main house, remodelling of interior to main house, new windows and doors, renovation of outbuilding to create home office, removal of external hard surfacing, restoration of natural landscape and new permeable road surfacing – The Case Officer reported on this application and her recommendation to refuse

permission. She updated Members on the Ecologist's report and amended the wording of the third reason for refusal.

The applicant's agent made a statement in support of the proposal which was followed by a statement by the Ward Councillor Geoff Ward in support of the application.

Councillor Martin Veal, the Ward Member on the Committee, felt it was a good report but he disagreed with some aspects of it such as not respecting the host dwelling or affecting the AONB. He considered that the siting, scale and design were not harmful to the appearance of the Green Belt and the development would be in keeping with the host dwelling and the area as a whole. Local residents supported the proposal. On this basis, he moved that the application be delegated to Officers to permit subject to appropriate conditions. This was seconded by Councillor Liz Hardman.

The Team Leader – Development Management referred to the Ecologist's report and bat mitigation measures which could be dealt with by Officers under delegated powers - it was doubtful that the applicants could provide an assessment before the next meeting.

Members debated the motion. It was generally considered that the siting, scale and design would not be detrimental to the host dwelling or affect the AONB and Green Belt. The bat mitigation measures could be dealt with under delegated powers.

The motion was put to the vote and was carried, 11 voting in favour and 1 against.

Item 11 No 13 Lytton Gardens, Southdown, Bath – Installation of rear dormer – The Chair stated that the applicant, Mr O'Mara, had not given notice to speak but he was present and wished to do so. The Committee agreed that he be able to make a statement on this occasion.

The Case Officer reported on this application and her recommendation that permission be refused.

The applicant made a statement in support of his application.

Councillor Dine Romero, the Ward Member on the Committee, stated that this was a modern building and that the proposed dormer would not affect the building or the setting of the World Heritage site. There would be no overlooking and there were already similar dormers in the area. On this basis, she moved that permission be granted subject to appropriate conditions. This was seconded by Councillor Martin Veal.

Members debated the motion. It was generally felt that the dormer would not significantly harm the appearance of the building or the setting of the World Heritage site. Councillor Liz Hardman pointed out that the numerous Georgian and Victorian properties in the City had dormer windows. Councillor Eleanor Jackson considered that it would impinge on the roofline of the terrace and that the reasons put forward by the applicant for wanting a dormer were not reasons to grant permission. Councillor Martin Veal considered that some official guidance or policy was required on dormer windows. Councillor Les Kew stated that, if permission were to be granted, it was particularly important that a condition be added to ensure that the

materials were in keeping with the dwelling. The motion should therefore be delegate to Officers to grant permission subject to appropriate conditions. The mover and seconder agreed.

The amended motion was put to the vote and was carried, 9 voting in favour and 2 against.

(Note: Councillor Brian Webber left the meeting before this application was considered.)

Item 12 Old Dairy Cottage, Claysend Cottages, Clays End Lane, Newton St Loe – Erection of oak-framed outbuilding in rear garden – The Planning Officer reported on this application and the recommendation to refuse permission.

The applicant made a statement in support of the proposal.

The Chair explained the reason for his decision to bring the application before the Committee.

Councillor Eleanor Jackson considered that the removal of the outbuildings was an improvement to the appearance of the garden. The proposal would not affect the openness of the Green Belt or be inappropriate development in the Green Belt. She therefore moved that permission be granted subject to appropriate conditions including that the building not be used for garaging motor vehicles and only for horticultural or gardening equipment. The motion was seconded by Councillor Les Kew.

The motion was debated by Members. It was felt that the removal of the outbuildings and their replacement by one outbuilding of a good design would improve the visual appearance of the garden. The Team Leader – Development Management stated that the appearance was not so much of an issue as the use which would need to be conditioned.

The motion was put to the vote and was carried, 10 in favour and 0 against with 1 abstention.

29 LOCAL ENFORCEMENT PLAN

The Principal Enforcement Officer submitted a report regarding the Council publishing a Local Enforcement Plan to manage enforcement proactively in a way appropriate to its area as recommended to local planning authorities in the National Planning Policy Framework (NPPF). It recommended the Committee to note the Policy (Appendix A to the report) and its contents, and accept the use of the Enforcement Complaint Form (Appendix B).

Peter Duppa-Miller (Local Councils Association) and Caroline Kay (Chief Executive of the Bath Preservation Trust) made Statements on the Plan and requested some amendments (Note: Copies of their Statements are included in the Minute Book).

Members debated the issues raised in the report and Plan and requested consideration by Officers of the points raised by the public speakers. The following

comments were made together with suggested amendments for inclusion in the Plan:

- The principle of openness was welcomed
- What time limit would be imposed for concluding negotiations on enforcement matters?
- Agree that enforcement action be taken when expedient to do so and not relate to non-planning considerations
- Ward Councillors and Parish Councils should be kept informed on enforcement matters
- Where anonymous complaints are made, even if no investigation is done, there should still be some checks undertaken when resources allow
- There should be some protection for trees not covered by a TPO or outside a Conservation Area (Note: The Chair responded that this would not really be possible where trees had been removed; also there would not be the resource to undertake this huge task)
- Where there is some informal action on an enforcement issue, this should go into the public domain
- There should be clarity on the degree of protection of trees in the Conservation Area where they add to the ambience of the Area
- Regarding unauthorised demolition, wording should be added to cover whether deliberate or by wilful neglect

The Principal Enforcement Officer responded to some of the points raised.

Councillor Les Kew moved that the Committee (1) note the attached Policy and await the amended version; and (2) accept the use of the Enforcement Complaint Form. This was seconded by Councillor Bryan Organ and, on being put to the vote, was carried unanimously.

30 NEW PLANNING APPEALS LODGED, DECISIONS RECEIVED AND DATES OF FORTHCOMING HEARINGS/INQUIRIES

Members commented on some of the appeals and noted the report

31 UPDATE ON FORMER FULLERS EARTHWORKS, COMBE HAY

The Principal Solicitor informed Members that an update report would be submitted to the next meeting. The Chair requested that it be the first substantive item on the Agenda.

The Committee noted.

The meeting ended at 5.33 pm

Chair(person)

Date Confirmed and Signed

Prepared by Democratic Services

BATH AND NORTH EAST SOMERSET COUNCIL

Development Control Committee

3rd July 2013

**OBSERVATIONS RECEIVED SINCE THE PREPARATION OF THE MAIN
AGENDA**

Item 6

13/01606/FUL: Church Farm Barn, Washing Pound Lane, Whitchurch, Bristol

Update:

Please note that the officer assessment at page 104 on the Committee Main Agenda under the subheading 'Former Development on the Site' should refer to paragraph 90 rather than 89 of the National Planning Policy Framework 2012. The corrected version is set out below:

FORMER DEVELOPMENT ON THE SITE:

The former existence of buildings on the site has been discussed above. Whilst it is accepted that over ten years ago the building previously had a roof, the photographs also indicate that the building was not in use and could not have been secured at this time due to the absence of walls on the gable elevations. The length of time which has now passed would conclusively exclude any rebuilding of the barn from being considered as repair works. Paragraph 90 of the NPPF and policy ET.9 of the Local Plan both confirm that buildings must be of substantial construction to be converted and previous appeal decisions relating to this site have concluded that the proposal must be considered as a new building. These circumstances would exist in any situation where a building is no longer capable of conversion without substantial or complete reconstruction.

Item 8

13/01163/FUL: 54 High Street, Saltford

Update:

Please note that Councillor Matthew Blankley has withdrawn his objection to the proposal and has submitted the following comments.

"I am writing to ask that my objections stated previously are withdrawn. I would still request that the application be dealt with by the Development Control Committee because of the subjectivity and sensitivity of development in the conservation area, however the issue surrounding traffic has been remedied by the proposed widening of the applicant's driveway.

Unfortunately, I am still unable to attend next week's committee meeting because of other commitments, but I have been assured by the applicant of his desire to make the proposed building's appearance look as in-keeping with the area as feasibly possible.”

This page is intentionally left blank

BATH AND NORTH EAST SOMERSET COUNCIL

DEVELOPMENT CONTROL COMMITTEE

3rd July 2013

DECISIONS

Item No:	01	
Application No:	13/01529/FUL	
Site Location:	169 Newbridge Hill, Newbridge, Bath, BA1 3PX	
Ward: Newbridge	Parish: N/A	LB Grade: N/A
Application Type:	Full Application	
Proposal:	Erection of a 11 bed care home to the rear of the existing care home and associated works	
Constraints:	Agric Land Class 3b,4,5, Article 4, Conservation Area, Forest of Avon, Hotspring Protection, Tree Preservation Order, World Heritage Site,	
Applicant:	Mr Mehmet Iltas	
Expiry Date:	12th June 2013	
Case Officer:	Sarah James	

DECISION Defer for a site visit to allow members to view the site and it's surroundings and to allow further consideration of the site's planning history.

Item No:	02	
Application No:	13/01242/FUL	
Site Location:	Former Little Chef, Bristol Road, Farrington Gurney, Bristol	
Ward: High Littleton	Parish: Farrington Gurney	LB Grade: N/A
Application Type:	Full Application	
Proposal:	Refurbishment of existing restaurant (A3) to create restaurant (A3) and takeaway (A5) including single storey extensions, installation of cod and canopy, installation of drive through lane and associated works to the site (resubmission).	
Constraints:	Agric Land Class 1,2,3a, Coal - Standing Advice Area, Forest of Avon, Housing Development Boundary,	
Applicant:	McDonald's Restaurant Ltd	
Expiry Date:	17th May 2013	
Case Officer:	Daniel Stone	

DECISION REFUSE

1 The proposed introduction of the A5 use and associated drive-through Takeaway facility would increase the intensity of the use of the site and would result in increased customer movements into and out of the site and activity within the site itself in the early morning and in the evening until 11:00 PM. The additional activity within the site would result in

increased noise, traffic and other disturbance that would cause unacceptable harm to the amenity and living conditions of the adjoining residents. The proposals would therefore be contrary to saved policy D.2 of the Bath and North East Somerset Local Plan.

2 The proposed development by virtue of the design, materials and appearance of the proposed fences and associated lamp posts, outdoor seating and bins would have an inappropriately hard, urban appearance which would fail to reinforce the local character and rural distinctiveness of the village and the setting of the listed building opposite. As such, the proposals would be contrary to policies D.2 (b) D.4 (a) of the Bath and North East Somerset Local Plan and policy CP6 (1, 2) of the draft Bath and North-East Council Core Strategy and the guidance contained in the National Planning Policy Framework.

PLANS LIST:

This decision relates to drawing nos:

- COD CANOPY
- 4971_8742_1002D BLOCK PLAN
- 4971_8742_1003 EXISTING SITE PLAN
- 4971_8742_1004G PROPOSED SITE PLAN
- 4971_8742_1005C EXISTING AND PROPOSED ELEVATIONS
- 4971_8742_1006B EXISTING AND PROPOSED INTERNAL LAYOUT
- 4971_8742_1001 SITE LOCATION PLAN
- BUTON FURNITURE
- DESIGN AND ACCESS STATEMENT
- FENCING DETAILS WITH PHOTO
- NOISE IMPACT ASSESSMENT
- PATIO FENCING ELEVATION
- PLANNING STATEMENT
- TRANSPORT STATEMENT
- COD AND CANOPY PHOTO
- TYPICAL BARRIER AND LAMP POST DETAIL
- PHOTOGRAPHIC AND PLAN SCHEDULE OF OUTDOOR SEATING

Decision Taking Statement

In determining this application the Local Planning Authority considers it has complied with the aims of paragraphs 186 and 187 of the National Planning Framework. Notwithstanding informal advice offered by the Local Planning Authority the submitted application was unacceptable for the reasons outlined above and the applicant was advised that the application was to be recommended for refusal unless amendments to the scheme were supplied. The applicant was unable to submit revisions in a timely manner, and did not choose to withdraw the application. Having regard to the need to avoid unnecessary delay the Local Planning Authority moved forward and issued its decision.

Item No:	03
Application No:	13/01243/AR
Site Location:	Former Little Chef, Bristol Road, Farrington Gurney, Bristol
Ward: High Littleton	Parish: Farrington Gurney LB Grade: N/A
Application Type:	Advertisement Consent
Proposal:	Installation of 2no. white acrylic 'McDonalds' text signs and 2no. yellow acrylic 'golden arch' symbol signs (revised proposal).
Constraints:	Agric Land Class 1,2,3a, Coal - Standing Advice Area, Forest of Avon, Housing Development Boundary
Applicant:	McDonald's Restaurant Ltd.
Expiry Date:	17th May 2013
Case Officer:	Daniel Stone

DECISION REFUSE

1 The proposed illuminated signage, by virtue of the location, size and illumination of the sign on the northern roof slope of the building and its relationship to the dwelling known as Thornton House to the north, would dominate and detract from the 1st floor outlook of this property, and unacceptably harm the living conditions of its residential occupiers. As such, the proposed development would be contrary to policies D.2 (f) and BH.17 (ii) of the Bath and North East Somerset Local Plan and guidance in the National Planning Policy Framework.

PLANS LIST:

This decision relates to drawing nos:

- 4971_8742_1002D BLOCK PLAN
- 4971_8742_1007A EXISTING AND PROPOSED ROOF ADVERTISEMENT...
- 4971_8742_1009C EXISTING AND PROPOSED ADVERT ELEVATIONS
- SIGN 19 GOLDEN ARCH FASCIA
- SIGN 5 ALFRESCO ROOF LETTERS
- 4971_8742_1001 SITE LOCATION PLAN

Decision Taking Statement

In determining this application the Local Planning Authority considers it has complied with the aims of paragraphs 186 and 187 of the National Planning Framework. The Local Planning Authority acknowledges the approach outlined in paragraphs 188-192 in favour of front loading and operates a pre-application advice service. Notwithstanding active encouragement for pre-application dialogue the applicant did not seek to enter into correspondence with the Local Planning Authority. The proposal was considered unacceptable for the reasons given and the applicant was advised that the application was to be recommended for refusal. Despite this the applicant choose not to withdraw the application, and having regard to the need to avoid unnecessary delay the Local Planning Authority moved forward and issued its decision.

Item No:	04
Application No:	13/01244/AR
Site Location:	Former Little Chef, Bristol Road, Farrington Gurney, Bristol
Ward: High Littleton	Parish: Farrington Gurney LB Grade: N/A
Application Type:	Advertisement Consent
Proposal:	Display of 1no. Internally illuminated gateway sign, 4no. Internally illuminated Totem signs 5no. non-illuminated directional signs, 1no. non illuminated banner and 1no. non illuminated hero board. (Revised proposal)
Constraints:	Agric Land Class 1,2,3a, Coal - Standing Advice Area, Forest of Avon, Housing Development Boundary,
Applicant:	MacDonalds Restaurant Ltd
Expiry Date:	30th May 2013
Case Officer:	Daniel Stone

DECISION REFUSE

1 In culmination with the external structures proposed as part of application 13/01242/FUL (fences, seating, bins) and the totem advert proposed as part of application 13/01388/AR, the signage at the front (north and west) of the building would result in significant visual clutter, which would erode the setting of the Listed Building and the rural character of the village. As such, the proposals would be contrary to policies D.2 (b), D.4 (a) and BH.17 (ii and iii) of the Bath and North East Somerset Local Plan and policy CP6 (1, 2) of the draft Bath and North-East Council Core Strategy and the guidance contained in the National Planning Policy Framework.

PLANS LIST:

This decision relates to drawing nos

- BANNER UNIT
- DIRECTIONAL SIGNS
- GATEWAY SIGN
- HERO BOARD
- SIGN 34 DRIVE THRU WALL MOUNTED SIGNS
- TOTEM 3 PRESALE BOARD
- TOTEM 4 3 BAY
- 4971_8742_1001 SITE LOCATION PLAN
- 4971_8742_1002D BLOCK PLAN
- 4971_8742_1003 EXISTING SITE PLAN
- 4971_8742_1008 REV F PROPOSED SITE ADVERTISEMENT PLAN

Decision Taking Statement

In determining this application the Local Planning Authority considers it has complied with the aims of paragraphs 186 and 187 of the National Planning Framework. The Local Planning Authority acknowledges the approach outlined in paragraphs 188-192 in favour of front loading and operates a pre-application advice service. Notwithstanding active encouragement for pre-application dialogue the applicant did not seek to enter into

correspondence with the Local Planning Authority. The proposal was considered unacceptable for the reasons given and the applicant was advised that the application was to be recommended for refusal. Despite this the applicant choose not to withdraw the application, and having regard to the need to avoid unnecessary delay the Local Planning Authority moved forward and issued its decision.

Item No:	05	
Application No:	13/01388/AR	
Site Location:	Former Little Chef, Bristol Road, Farrington Gurney, Bristol	
Ward: High Littleton	Parish: Farrington Gurney	LB Grade: N/A
Application Type:	Advertisement Consent	
Proposal:	Display of 1no internally-illuminated freestanding 8m totem sign (Revised proposal)	
Constraints:	Agric Land Class 1,2,3a, Coal - Standing Advice Area, Forest of Avon, Housing Development Boundary,	
Applicant:	McDonalds Restaurant Ltd	
Expiry Date:	30th May 2013	
Case Officer:	Daniel Stone	

DECISION REFUSE

1 The proposed sign by virtue of its excessive height would appear unduly prominent and would dominate and detract from the entrance to the village, and the setting of the Farrington Inn, a Grade II Listed Building opposite the site. As such, the proposed development would be contrary to policies D.2 (b), D.4 (a), BH.2 (v) and BH.17 (ii and iii) of the Bath and North East Somerset Local Plan, policy CP6 of the draft Bath and North-East Council Core Strategy and the guidance contained in the National Planning Policy Framework.

PLANS LIST:

This decision relates to drawing nos

- Drawing 4971_8742_1102D BLOCK PLAN SIGNAGE
- Drawing PROPOSED TOTEM POLE + SIGN - elevations and cross section
- site location plan

Decision Taking Statement

In determining this application the Local Planning Authority considers it has complied with the aims of paragraphs 186 and 187 of the National Planning Framework. The Local Planning Authority acknowledges the approach outlined in paragraphs 188-192 in favour of front loading and operates a pre-application advice service. Following the previous withdrawn application (12/04934/A) the Authority advised the applicant to reduce the height of the pole sign to that of the pre-existing Little Chef sign, but this advice was not followed. The proposal was considered unacceptable for the reasons given and the applicant was advised that the application was to be recommended for refusal. Despite this the applicant choose not to withdraw the application, and having regard to the need to

avoid unnecessary delay the Local Planning Authority moved forward and issued its decision.

Item No:	06	
Application No:	13/01606/FUL	
Site Location:	Church Farm Barn, Washing Pound Lane, Whitchurch, Bristol	
Ward: Publow And Whitchurch	Parish: Whitchurch	LB Grade: N/A
Application Type:	Full Application	
Proposal:	Repair and rebuilding of existing dilapidated workshop/outbuilding to provide 1 no. one and half storey dwelling with associated access, car parking area and garden area (resubmission).	
Constraints:	Airport Safeguarding Zones, Airport Safeguarding Zones, Agric Land Class 3b,4,5, Forest of Avon, Greenbelt,	
Applicant:	Mrs L Maddocks	
Expiry Date:	13th June 2013	
Case Officer:	Jonathan Fletcher	

DECISION REFUSE

1 The proposal would result in construction of a new dwelling which would constitute an inappropriate form of development within the green belt which would be harmful to the openness of the green belt, the semi-rural character of the area and would conflict with the purposes of preventing neighbouring towns from merging and safeguarding the countryside from encroachment. The very special circumstances put forward by the applicant are not considered to be sufficient to clearly outweigh the harm caused by the development. The proposal is therefore contrary to policies GB.1 and GB.2 of the Bath & North East Somerset Local Plan including minerals and waste policies - adopted October 2007 and the guidance set out in the National Planning Policy Framework 2012.

2 The proposed development, by reason of its scale, the required excavation works and the visibility from the surrounding area, would be harmful to the openness of the green belt and the semi-rural character of the area contrary to policies D.2, D.4 and GB.2 of the Bath & North East Somerset Local Plan including minerals and waste policies - adopted October 2007.

PLANS LIST:

Site Location Plan, PL001, PL202, PL204, PL205 received 17 April 2013.

PL002, PL003 received 18 April 2013.

PL201 received 18 June 2013.

Decision-taking statement:

In determining this application the Local Planning Authority considers it has complied with the aims of paragraphs 186 and 187 of the National Planning Policy Framework. The Local Planning Authority acknowledges the approach outlined in paragraphs 188-192 in favour of front loading and operates a pre-application advice service. Notwithstanding active encouragement for pre-application dialogue the applicant did not seek to enter into correspondence with the Local Planning Authority. The proposal was considered

unacceptable for the reasons given and the applicant was advised that the application was to be recommended for refusal. Despite this the applicant choose not to withdraw the application, and having regard to the need to avoid unnecessary delay the Local Planning Authority moved forward and issued its decision.

Item No:	07	
Application No:	13/01412/FUL	
Site Location:	Costa Coffee, 50 High Street, Keynsham, BS31 1DX	
Ward: Keynsham North	Parish: Keynsham Town Council	LB Grade: N/A
Application Type:	Full Application	
Proposal:	Change of use of highway to the siting of 2 tables and 4 chairs	
Constraints:	City/Town Centre Shopping Areas, Conservation Area, Forest of Avon, Housing Development Boundary, Prime Shop Front,	
Applicant:	South West Coffee Ltd	
Expiry Date:	31st May 2013	
Case Officer:	Sasha Coombs	

DECISION Member overturn to Refuse

Item No:	08	
Application No:	13/01163/FUL	
Site Location:	54 High Street, Saltford, Bristol, Bath And North East Somerset	
Ward: Saltford	Parish: Saltford	LB Grade: N/A
Application Type:	Full Application	
Proposal:	Erection of a detached two storey dwelling and a new double garage for use by no 54, modification works to retaining walls to create wider entrance and associated works following demolition of existing single garage and stone retaining walls	
Constraints:	Agric Land Class 1,2,3a, British Waterways Major and EIA, Conservation Area, Forest of Avon, Housing Development Boundary,	
Applicant:	Mr Luke Pargeter	
Expiry Date:	10th June 2013	
Case Officer:	Chris Griggs-Trevarthen	

DECISION Defer for a site visit to allow members to view the site and it's surroundings.

Item No:	09
Application No:	13/00471/FUL
Site Location:	Ashes Hill Farm, Kilkenny Lane, Englishcombe, Bath
Ward: Bathavon West	Parish: Englishcombe LB Grade: N/A
Application Type:	Full Application
Proposal:	Change of use of the land and construction of an all weather horse exercise arena (menage)
Constraints:	Agric Land Class 1,2,3a, Forest of Avon, Greenbelt,
Applicant:	Mr Andrew Scurlock
Expiry Date:	13th May 2013
Case Officer:	Sasha Coombs

DECISION Member overturn to Delegate to allow the Development Manager to permit with conditions.

Item No:	10
Application No:	13/00596/FUL
Site Location:	Hillside Gardens, Tadwick Lane, Tadwick, Bath
Ward: Bathavon North	Parish: Swainswick LB Grade: N/A
Application Type:	Full Application
Proposal:	Erection of a single storey extension and covered terrace connecting to main house following demolition of dilapidated outbuildings, garages and sheds adjoining main house, remodelling of interior to main house, new windows and doors, renovation of outbuilding to create home office, removal of external hard surfacing, restoration of natural landscape and new permeable road surfacing.
Constraints:	Agric Land Class 1,2,3a, Area of Outstanding Natural Beauty, Greenbelt,
Applicant:	Mr Dan Pearson
Expiry Date:	26th April 2013
Case Officer:	Alice Barnes

DECISION Member overturn to Delegate to allow the Development Manager to permit with conditions.

Item No:	11
Application No:	13/01632/FUL
Site Location:	13 Lytton Gardens, Southdown, Bath, Bath And North East Somerset
Ward: Southdown	Parish: N/A LB Grade: N/A
Application Type:	Full Application
Proposal:	Installation of rear dormer.
Constraints:	Agric Land Class 3b,4,5, Forest of Avon, Hotspring Protection, World Heritage Site,
Applicant:	Mrs N Tew-O'Mara
Expiry Date:	25th June 2013
Case Officer:	Alice Barnes

DECISION Member overturn to Delegate to allow the Development Manager to permit with conditions.

Item No:	12
Application No:	13/01316/FUL
Site Location:	Old Dairy Cottage Claysend Cottages, Clays End Lane, Newton St. Loe, Bath
Ward: Bathavon West	Parish: Newton St. Loe LB Grade: N/A
Application Type:	Full Application
Proposal:	Erection of oak-framed outbuilding in rear garden
Constraints:	Agric Land Class 1,2,3a, Coal - Standing Advice Area, Forest of Avon, Greenbelt,
Applicant:	Mr Harvey G Evans, ACMA, CGMA
Expiry Date:	22nd May 2013
Case Officer:	Sasha Coombs

DECISION Member overturn to Delegate to allow the Development Manager to permit with conditions.

This page is intentionally left blank