



Yeovil Town Council

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Planning and Licensing Committee

The Meeting... **Planning and Licensing Committee**

The Time... **7.00pm**

The Date... **Monday 2 February 2009**

The Place... **Town House, 19 Union Street, Yeovil**

If you need this information in large print, Braille, audio or another language, please ring 01935 382424



Alan Tawse

Alan Tawse
Town Clerk

27 January 2009

Please contact Sally Bing at the Town House for more information about this meeting

To: All Members of the Planning and Licensing
Committee

J Vincent Chainey

Philip Chandler (Chairman) (Ex-officio)

Clive Davis (Vice-Chairman)

Julian Freke

Pete Goodman

John Grana

Simon Hester

Tom Parsley

Wes Read (Ex-officio)

David Recardo

A G E N D A

PUBLIC COMMENT – Members of the public wishing to comment on any application or other matter are requested to speak at the beginning of consideration of that item, for a duration of no more than 3 minutes. Any further comments or questions will be solely at the Chairman's discretion. Please inform the Chairman at the beginning of the meeting and identify the application on which you wish to speak.

Please note that the Town Council is a Statutory Consultee for Planning Applications and as such does not make the final decision on any Application. The decisions and comments this Committee makes will be fed into the planning process and added to the report by the Planning Officer. South Somerset District Council is the Planning Authority and will issue the final decision notice (Planning Determination) once their investigations into the application, consultation period and decision making process has been completed.

1. **MINUTES**

To approve the Minutes of the previous meeting held on Monday 19 January 2009.

2. **APOLOGIES FOR ABSENCE**

3. **DECLARATIONS OF INTEREST**

Members of the Committee, who are also Members of South Somerset District Council, are reminded of the need to declare their membership of that Council and indicate that they may speak and/or vote on applications which may be later referred to that Council for determination, and that they could reconsider any such applications at district level taking into account all relevant evidence and representation made at that tier.

4. **PLANS LIST** (Pages 2 to 21)

5. **PLANNING DECISIONS** (Pages 22 to 24)

6. **CORRESPONDENCE**

7. **TOWN AND COUNTRY PLANNING ACT 1990**
TEMPORARY CHANGE OF USE OF A PLAYING FIELD TO PROVIDE
TOPSOIL STORAGE IN CONNECTION WITH CONSTRUCTION OF NEW
PRIMARY SCHOOL AT PARCROFT JUNIOR SCHOOL, SUMMERLEAZE
PARK, YEOVIL, SOMERSET, BA20 2BP (GRIF REF: 354730-116130)

Notification received that the above planning application has been granted Conditional Planning Permission.

	Application No	Proposal	Address
1	09/00011/FUL	Demolition of 1 No. block of flats, 6 bungalows known as 23-28 St Anne's Gardens, 281 and 283 Stiby Road and 1 No. garage block and erection of 29 No. dwelling houses with highway improvements Amendment to08/00210/FUL)(GR354103/117020)	277 Stiby Road Yeovil Somerset
2	09/00175/FUL	Alterations and the erection of 2 No. two storey extensions to dwelling house (Revised applications (GR 355163/115164)	16 Southwoods Yeovil Somerset
3	09/00198/FUL	Part retrospective/part amended application for two commercial units (pharmacy and hair salon) and two first floor residential units together with air conditioning units (GR354540/114693)	61 West Coker Road Yeovil Somerset
4	09/00293/FUL	Alterations and the conversion of redundant chapel into 4 No flat and office.(GR 354997/115990)	Huish Baptist Church Huish Yeovil
5	08/05133/FUL	Alterations to modify existing access to form highway and demolish existing garages and no 163 Larkhill Road to erect 13 dwellings. (GR 353976/116934)	163 Larkhill Road Yeovil Somerset

PLANNING MEETING
MONDAY 2 FEBRUARY 2009

PLANS LIST

The schedule of planning applications is attached.

The delegation agreement relating to planning applications between the District Council and the Town Council provides for the Town Council to receive written reports on applications in the Yeovil Town area, and those that are regarded as having a significant impact on this area. These reports include key considerations, which, in the opinion of the Area Planning Manager, are planning issues to which the Town Council should have regard in considering its views and making recommendations on each application.

The recommendations of the Town Council are taken into consideration by the District Council (the Planning Authority) as part of the application determination process. However, the final decision will be made by the Planning Authority having regard to the level allocated to the application (as outlined in the extract from the District Council's Scheme of Delegation set out below*) and to any views expressed by various consultees (including the Town Council) and District Council Ward Members.

BACKGROUND PAPERS

The background papers to the items in this Plans List are the planning files listed which are held in the Area South Planning Department, South Somerset District Council, Council Offices, Brympton Way, Yeovil, BA20 2HT.

HUMAN RIGHTS ACT 1998 ISSUES

The determination of the applications which are the subject of reports in this Plans List are considered to involve the following human rights issues:-

1. Articles 8: Right to respect for private and family life
 - i) Everyone has the right to respect for his private and family life, his/her home and his/her correspondence.
 - ii) There shall be no interference by a public authority with the exercise of this right except such as in accordance with the law and is necessary in a democratic society in the interests of national security, public safety or the economic well being of the country, for the prevention of disorder or crime, for the protection of health or morals, or for the protection of the rights and freedom of others.

3. The First Protocol

Article 1: Protection of property

Every natural or legal person is entitled to the peaceful enjoyment of his possessions. No-one shall be deprived of his possessions except in the public interests and subject to the conditions provided for by law and by the general principles of international law. The preceding provisions shall not, however, in any way impair the right of a State to enforce such laws as it deems necessary to control the use of property in accordance with the general interest or to secure the payment of taxes or other contributions or penalties.

Each report considers in detail the competing rights and interests involved in the application. Having had regard to those matters in the light of the convention rights referred to above, it is considered that the recommendation is in accordance with the law, proportionate and both necessary to protect the rights and freedoms of others and in the public interest.

***APPLICATION LEVELS AS DEFINED IN THE DISTRICT COUNCIL SCHEME OF DELEGATION**

LEVEL 1 APPLICATIONS

The following applications can be determined contrary to officer recommendation in balanced cases by the Area Chair and Head of Development and Building Control where the proposals lie within the development limits.

1. Dwellings

- 1-2 units (full) and less than 0.1 hectare (outline)

2. Offices/R&D/Light Industry

3. Heavy Industry/Storage/Warehousing

4. Retail/Distribution/Servicing

5. All Other Minor Developments

- Floorspace is less than 500 square metres and the site is less than a half hectare (applies to 2-5)

6. Minor Change of Use (In line with policy)

The following applications can be determined contrary to officer recommendation in balanced cases by the Area Chair and Head of Development and Building Control

1. Householder

- Householder developments are defined as those within the curtilage of residential property which require an application for planning permission and are not a change of use.

2. Adverts

3. Listed Building Consents (Alterations)

4. Listed Building Consents (Demolitions)

5. Conservation Area Consents

6. Demolition of unlisted buildings in Con. Areas

7. **Others** This category includes all decisions relating to:

- applications for Lawful Development Certificates for existing use (from July 1992); (**CLUEDs**)
- applications for Lawful Development Certificates for proposed use (from July 1992); (**CLOPUDs**)
- applications for Certificates of **Appropriate Alternative Development**;
- notifications under:
 - **Circular 18/84** (Development by Government Departments); and
 - **Circular 14/90** (Overhead electric lines).
- applications by the **British Coal Corporation** under Class A, Part 21 of the General Permitted Development Order 1995.
- Telecom Notifications, any Tree Application, Agricultural Notifications, County Matters, Demolition Prior Approvals.

LEVEL 2 APPLICATIONS

1. Dwellings

- More than 2 units (full) and more than 0.1 hectare (outline)

2. Offices/R&D/Light Industry

3. Heavy Industry/Storage/Warehousing

4. Retail/Distribution/Servicing

5. All Other Minor Developments

- Floorspace is more than 500 square metres and the site is more than a half hectare (applies to 1-5)

6. Change of Use

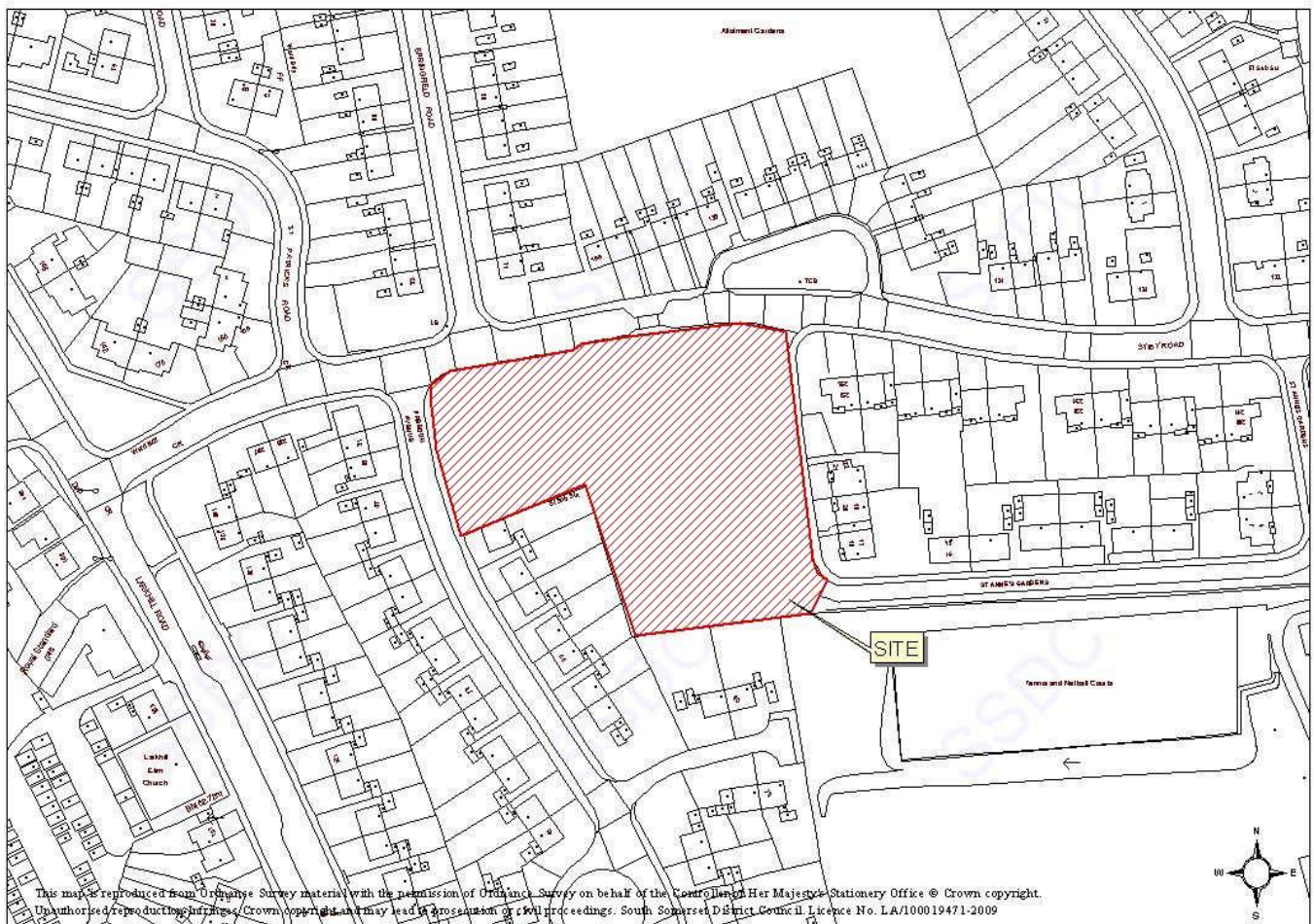
LEVEL 3 APPLICATIONS

Level 3 applications are likely to be developments that because of the significance of their impact should always be determined by the relevant Area Committee (or Regulatory Board where necessary). Whether an application falls into the Level 3 category shall be decided by the Head of Development & Building Control in consultation with the relevant Area Chair.

1. Officer Report On Planning Application: 09/00011/FUL

Site Address:	277 Stiby Road Yeovil Somerset
Ward :	Yeovil (West)
Proposal :	Demolition of 1 No. block of flats, 6 bungalows known as 23-28 St Anne's Gardens, 281 and 283 Stiby Road and 1 No. garage block and erection of 29 No. dwelling houses with highway improvements (Amendment to 08/00210/FUL) (GR 354103/117020)
Recommending Case Officer:	Simon Fox
Target date :	19th March 2009
Applicant :	South Somerset Homes Ltd
Type :	Major Dwlg's 10 or more or site 0.5ha+

SITE DESCRIPTION AND PROPOSAL



The application site is formed from land between Freedom Avenue, Stiby Road and St Anne's Gardens. At present the site can be best described as a 'mixed-bag'. A semi-detached pair (Nos. 281 and 283) of painted concrete dwellings and their curtilage forms part of the site on the corner of Freedom Avenue and Stiby Road. A high hedge forms the boundary on this prominent corner location. Moving west along Stiby Road is an internal

service road, which turns and connects to St Anne's Gardens and encloses an area that accommodates a block of 10 flats. This is a somewhat incongruous building in the area and is a three-storey, painted blockwork pitched roof structure. There is evidence that two shops existed on the ground floor at either end of the building. From their condition it would appear the shops have been closed for some time. The frontage to the flats onto Stiby Road is relatively open and partially used informally for parking. Also accessed off the service road is a row of garages adjacent to a sub-station. To the south of the site is a cluster of six rendered bungalows fronting onto a separate small turning head accessed off St Anne's Gardens. The service road provides rear access to some of these bungalows. In terms of landscaping there is domestic planting especially around the bungalows but generally only hedging and some shrubs. Two larger silver birch trees are located adjacent to the service road/St Anne's Gardens junction.

The context of the site can be characterised by describing the surrounding streets. Freedom Avenue is a street of 1950's housing creating a distinctive pattern of semi-detached pairs which have over time been modified, extended, painted and re-clad in a multitude of different bricks and reconstructed stone. The properties here have hipped roofs with centrally located brick chimneys, except the end semi-pair Nos. 89/91, which has gable ends and in addition No. 91 has recently been extended.

The area of Stiby Road opposite the site is again 1950's housing this time terraced housing with hipped roofs in a consistent brick around a grassed open space. St Anne's Gardens immediately to the east is a development of flats with inverted balconies, and brick dwellings with gabled-pitched roofs. Similarly properties on the southern side of Stiby Road to the east of the site are also of brick construction with pitched roofs with gable ends.

The proposal seeks the demolition of the block of 10 flats, the semi-detached pair (Nos. 281 and 283), the 6 bungalows and the garages to allow the erection of 29 dwellings with associated highway improvements. The application seeks amendments from a previous approval, namely 08/00210/FUL, necessitated by the introduction of changes in levels to accommodate level access to all properties which has in turn led to steps to the ridge line of some plots.

Otherwise the scheme is the same as the previous approval. The internal access road is terminated and the road reconfigured and a small area of open green space created adjoining St Anne's Gardens. The corner of Freedom Avenue and Stiby Road is also treated more appropriately with a landscaped area which will create a key visual reference in the streetscene. The general form is that of terraces with one semi-pair on Freedom Avenue to replicate the evident character. The terraces fronting Freedom Avenue and Stiby Road will be hipped to replicate the character already on these streets and the terraces in behind these will be gable-ends to replicate the St Anne's Garden/Stiby Road character. The proposed materials are brick with concrete tiled roofs. Some elements of render have been introduced which is a facet common in the area and helps create a small visual break in the terrace form. The application does include additional information regarding landscaping and boundary treatments.

HISTORY

08/00210/FUL: Demolition of 1 No. block of flats, 6 bungalows known as 23-28 St Anne's Gardens, 281 and 283 Stiby Road and 1 No. garage block and erection of 29 No. dwelling houses with highway improvements: 08/04/2008: Application permitted with conditions.

POLICY

Section 38(6) of the Planning and Compulsory Purchase Act 2004 repeats the duty imposed under S54A of the Town and Country Planning Act 1990 and requires that decisions must be made in accordance with relevant Development Plan Documents unless material considerations indicate otherwise,

Relevant Development Plan Documents

Regional Spatial Strategy

Vis1 - Expressing the Vision

Vis2 - Principles for Future Development

EN4 - The Built Environment

Somerset and Exmoor National Park Joint Structure Plan (Adopted 2000)

STR1 - Sustainable Development

STR2 - Towns

STR4 - Development in Towns

Policy 1 - Nature Conservation

Policy 35 - Affordable Housing

Policy 49 - Transport Requirements of New Development

South Somerset Local Plan (Adopted April 2006)

ST5 - General Principles of Development

ST6 - The Quality of Development

EC8 - Protected Species

HG4 - Housing Densities

HG7 - Site Targets and Thresholds

TP7 - Parking Provision in Residential Areas

EU4 - Water Services

MS1 - Local Shopping and Services

CR2 - Provision of Outdoor Playing Space and Amenity Space in New Development

CR3 - Off-Site Provision

Advice and guidance contained within Planning Policy Statement 3 - Housing.

CONSULTATIONS

Responses received so far:

Highways - No objections subject to highways conditions imposed on the last application being carried over to this application.

Technical - Surface water attenuation required.

REPRESENTATIONS

There have been no letters received at the time of writing this report.

CONSIDERATIONS

The key considerations in this case are:

*Principle of Development

- The site is within development limits and therefore the principle of development is acceptable. In addition the site is not within a designated Conservation Area and the

buildings proposed to be demolished are not of architectural merit. A significant material consideration is the granting of application 08/00210/FUL and noting the mature of the changes in this application from that previous approval outlined in the opening section.

***Loss of shop units**

- *Design and layout of proposal
- *Impact on neighbouring amenity
- *Highways and parking provision
- *Affordable Housing
- *Wildlife
- *Drainage

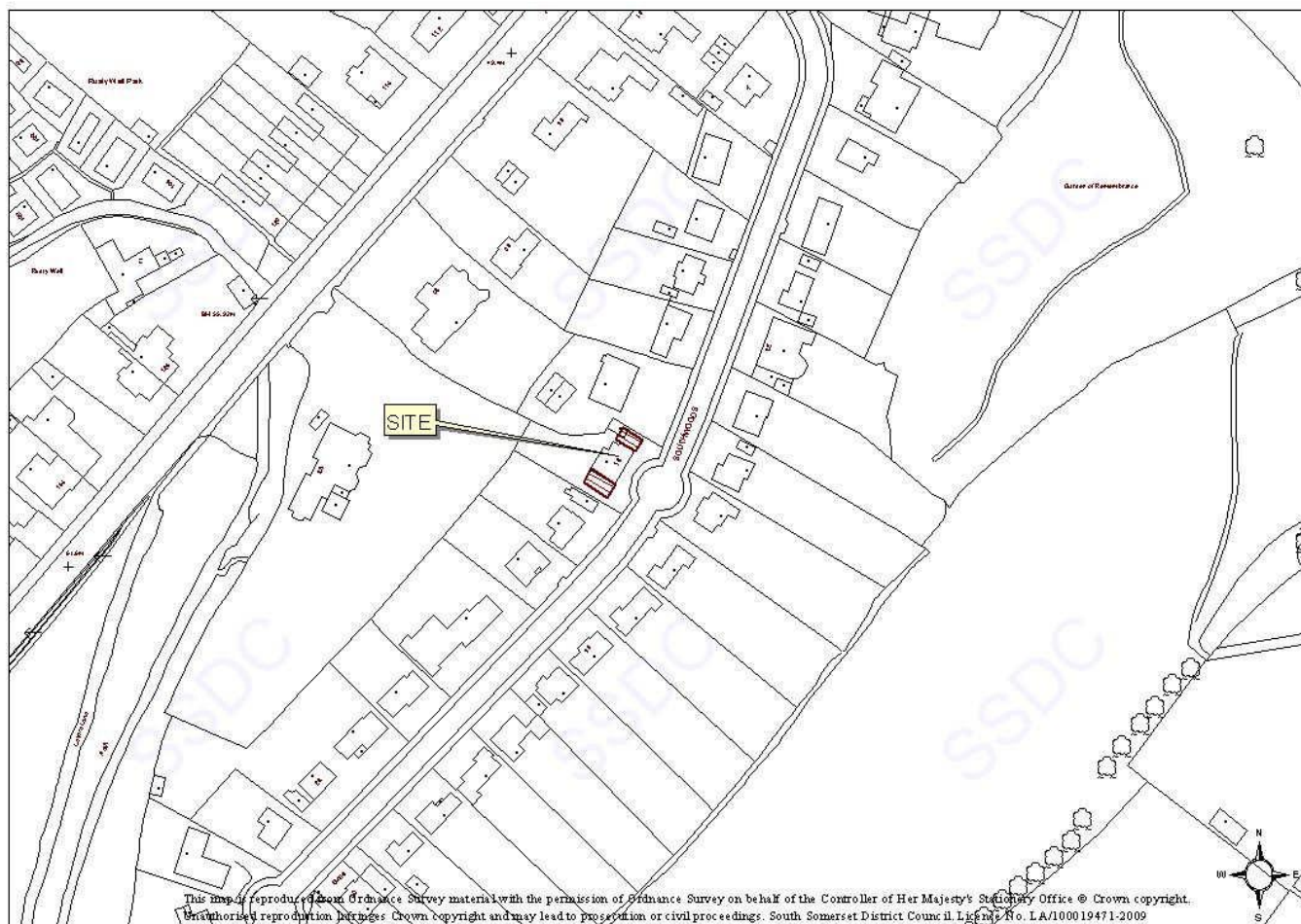
RECOMMENDATION

The views of Yeovil Town Council are invited.

2. Officer Report On Planning Application: 09/00175/FUL

Site Address:	16 Southwoods Yeovil Somerset
Ward :	Yeovil (South)
Proposal :	Alterations and the erection of 2 No. two storey extensions to dwellinghouse (Revised applications)(GR 355163/115164)
Recommending Case Officer:	Marianne Bareham
Target date :	17th March 2009
Applicant :	Mr D Brown
Type :	Other Householder - not a Change of Use

SITE DESCRIPTION AND PROPOSAL



This proposal seeks planning permission for the alterations and erection of a two storey extension to both sides of a property located on Southwoods, within the development limits of Yeovil. The surrounding properties are all large detached dwellings constructed of red brick, here is a garden situated to the north of the dwelling set on a higher level and belonging to the property to the north east.

The property is a two storey detached dwelling constructed of white render finished concrete block, under a red clay plain tile with white UPVC window frames. It is proposed to erect a two storey extension to either end of the existing dwelling to provide an integral garage with bedroom over to the north-east elevation and a larger lounge and bedroom en-suite to the south-west elevation. The extensions will be constructed using render on concrete block painted white with plain tiles, both of which will match the existing dwelling. The existing garage to the south-east will be demolished to make way for the extension.

This is a revised application which sees the two storey extension to the north east elevation in size, omitting the internal passageway has enabled the extension to be closer to the house and is now positioned further away from the neighbouring boundary to the side and the rear. In addition the first floor bedroom window has been omitted addressing the overlooking issues of the previous refused proposal.

HISTORY

08/04653/FUL Alterations and the erection of two storey extensions to dwellinghouse - Refused 15/12/2008

POLICY

Section 38(6) of the Planning and Compulsory Purchase Act 2004 repeats the duty imposed under S54A of the Town and Country Planning Act 1990 and requires that decision must be made in accordance with relevant development Plan Documents unless material considerations indicate otherwise,

Relevant Development Plan Documents:

Regional Spatial Strategy:

Policy VIS 1 - Expressing the Vision

Policy VIS 2 - Principles for Future Development

Somerset and Exmoor National Park Joint Structure Plan Review 1991-2011:

Policy STR1 - Sustainable Development

South Somerset Local Plan (Adopted April 2006):

Policy ST5 - General Principles of Development

Policy ST6 - The Quality of Development

CONSULTATIONS

Highways: No comments received to date

Area Engineer: No Comments received to date

REPRESENTATIONS

Thirteen Neighbours were notified no comments have been received to date

CONSIDERATIONS

In this case the main issues are considered to be

The effect on residential amenity of occupiers of adjoining properties.
The effect of the proposal on the form, character and setting of the locality.

The observations of the Town Council are invited.

3. Officer Report On Planning Application: 09/00198/FUL

Site Address:	61 West Coker Road Yeovil Somerset
Ward :	Yeovil (South)
Proposal :	Part retrospective/part amended application for two commercial units (pharmacy and hair salon) and two first floor residential units together with air conditioning units (GR354540/114693)
Recommending Case Officer:	Helen Ferdinand
Target date :	12th March 2009
Applicant :	Ms Sharon Stagg
Type :	Minor Other less than 1,000 sq.m or 1ha

SITE DESCRIPTION AND PROPOSAL



The subject premises are situated at the junction of West Coker Road and Sandhurst Road. The building was built in about 2007 and since that time has been used as a hair-dressing salon and two flats on the first floor. The third flat on the ground floor has not been occupied since the building was completed. It has come to light that the building, built under planning permission 06/00039/FUL, was not built strictly in accordance with the approved drawings, and that the conditions were not discharged. Therefore, the building as it stands is not authorised. This application therefore seeks authorization of the building as built by applying for planning permission again, and for the change of use of the ground floor flat to a pharmacy. Planning permission is also being sought for the existing air conditioning unit that has been installed without planning permission, and for an additional unit to serve the pharmacy.

HISTORY

06/00039/FUL: Demolish existing hair salon and erect 3 flats and new hair salon - granted planning permission March 2006.

08/05239/FUL: Change of use of part of the building to a pharmacy - invalidated because building is unauthorised.

POLICY

Section 38(6) of the Planning and Compulsory Purchase Act 2004 repeats the duty imposed under S54A of the Town and Country Planning Act 1990 and requires that decision must be made in accordance with relevant Development Plan Documents unless material considerations indicate otherwise.

Relevant Development Plan Documents

Regional Spatial Strategy:

Policy VIS 1

Policy VIS 2

Somerset and Exmoor National Park Joint Structure Plan

STR 1: Sustainable Development

South Somerset Local Plan (Adopted April 2006)

Policy ST5: General Principles of Development

Policy ST6: Quality of Development

Policy MS2: Local Shopping and Services

Policy TP7: Residential Parking Provision

Policy TP6: Non-Residential Parking Provision

CONSULTATIONS

Yeovil Town Council (2 February 2009):

County Highways: comments awaited.

Environmental Protection: No response to date to the current application, but previously commented - After a site visit I can confirm that the nearest residential building (63 West Coker Road) has no windows facing the back of 61 West Coker Road. In addition the existing air conditioning unit is not a significant noise source relative to the noise generated by passing daytime traffic. So despite the close proximity of a residential

property to the air conditioning unit, loss of amenity is unlikely, so long as a comparable air conditioning unit to that already in place is installed.

Should the application be approved I recommend a condition stating that, prior to development the applicant shall submit the choice of air conditioning unit (with associated sound power level) for approval and that the operation of this unit shall be restricted to between 09:00 - 18:00 hrs.

Economic Development: Comments on previous application - I am pleased to see a commercial business seeking to expand in these difficult economic times. The service that John Ware Pharmacy offers is seemingly well received in other locations. With such a large catchment of population, I suspect that this proposed pharmacy will succeed at this location also. I am also presuming that the application, if successful will create additional jobs in Yeovil. I raise no objections to this application.

REPRESENTATIONS

None received to date.

CONSIDERATIONS

The subject land lies well within the defined 'development area' of Yeovil and therefore the principle of development is accepted. Furthermore, a building was granted planning permission in March 2006 which is the same as that built in terms of size and siting. Therefore, it is only the differences between what has been built and the previously approved drawings that should be considered, together with the proposed change of use of the ground floor flat to a pharmacy. A parking scheme allocating the 10 parking spaces to the hair salon, the pharmacy, and the two flats has also been put forward.

The differences between the applications are as follows:

- a) additional windows on the west elevation facing 63 West Coker Road
- b) altered roof configuration on corner with additional clock feature
- c) different arrangement of windows/doors on north elevation facing West Coker Road
- d) alterations to windows/doors on east elevation facing Sandhurst Road
- e) the addition of two air conditioning units on the west elevation facing 63 West Coker Road
- f) the provision of a cycle rack for 4 bicycles to the front of the building on the West Coker Road.

The main planning considerations of the application therefore concern the impact of these differences on:

- the impact on the street scene
- potential impact on residential amenity
- parking and road safety.

As far as the proposal for the pharmacy is concerned, Policy MS2 of the Local Plan falls to apply which allows for the provision of new shops and services in suburban areas of towns 'provided that they are on a scale to serve no more than the local area'. The 'Design and Access Statement' states that the pharmacy intends to provide pharmaceutical services in the neighbourhood of Yeovil South Ward, and is located 1.3 miles from the nearest pharmacy at either West Hendford or ASDA.

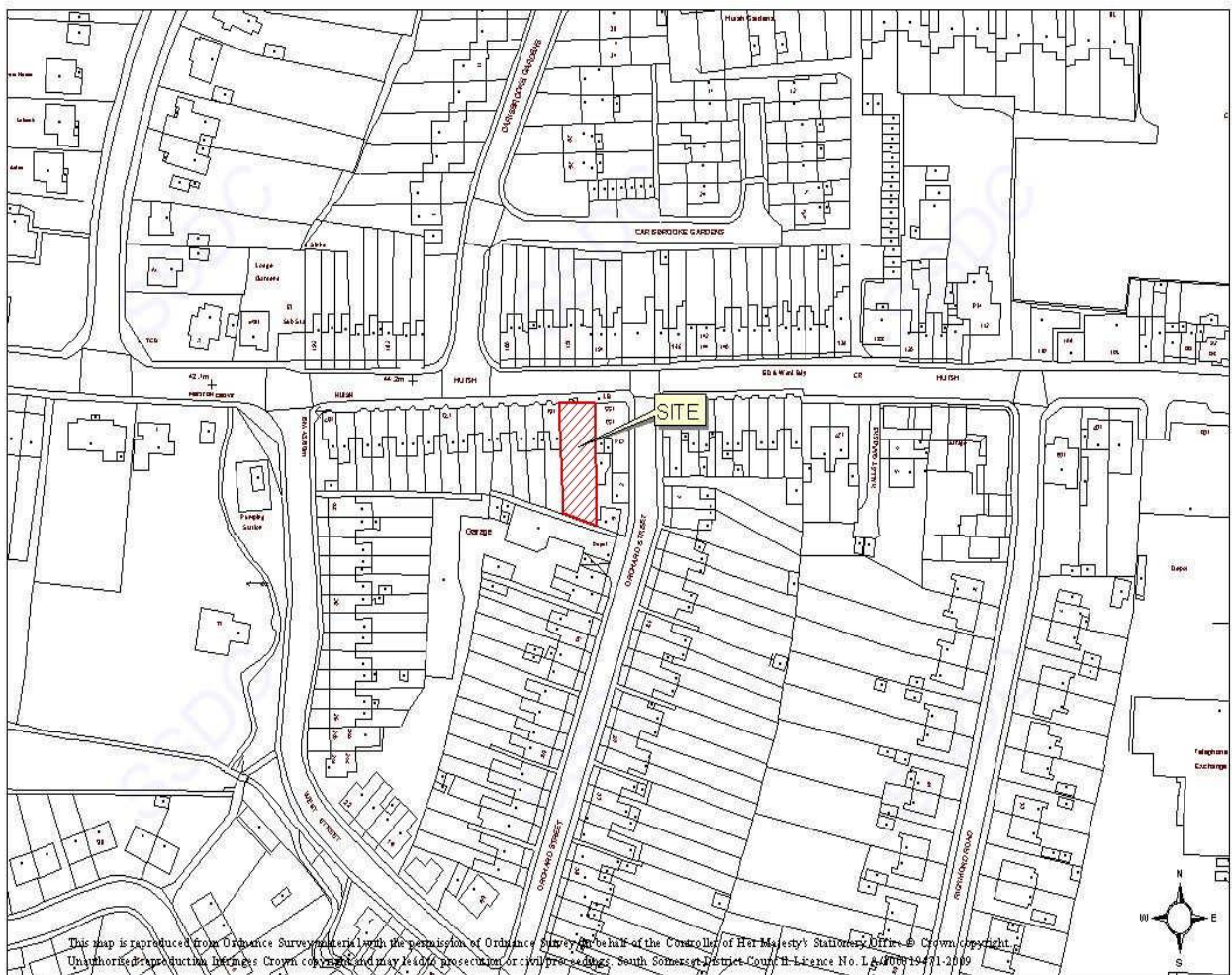
RECOMMENDATION

The views of Yeovil Town Council are invited.

4. Officer Report On Planning Application: 09/00293/FUL

Site Address:	Huish Baptist Church Huish Yeovil
Ward :	Yeovil (South)
Proposal :	Alterations and the conversion of redundant chapel into 4 No flat and office.(GR 354997/115990)
Recommending Case Officer:	Andy Cato
Target date :	17th March 2009
Applicant :	Mr Andrew Hatton-Woods
Type :	Minor Dwellings 1-9 site less than 1ha

SITE DESCRIPTION AND PROPOSAL



The former Baptist Chapel property forms part of a terrace of some 16 buildings (dwellings in the main) fronting onto Huish near to the junction with Orchard Street. The Chapel building is finished in red brick and presents an impressive gable end façade onto Huish. The Chapel building stands some 1.5 m lower at ridge height to the existing properties on either flank and extends over approximately half of the site; the remainder of the site is taken by a single storey brick building extending to the rear of the Chapel building. Pedestrian access to the rear can be gained via a narrow walkway extending off Orchard Street and leading to the rear of the site and the neighbouring properties in the terrace. The area is characterised by 2 storey-terraced housing finished in red brick. Off road parking in the locality is at a premium with most residents relying on street parking along Orchard Street - a one-way road. The Chapel has no on-site vehicle parking provision.

The current application seeks a full planning permission to convert the old Chapel building to provide 3 No. 2 bedroom flats, 1 No. 1 bedroom flat and an office. The existing façade onto Huish is to be remodelled; whilst the impressive first floor chapel window is to be retained, on the first floor/street level, a new porch is to be added and two new window openings formed. Also a range of small single storey buildings extending along the Chapel buildings south boundary are to be demolished and replaced by a 2.5m high wall and pair of gates on the street frontage - this will provide pedestrian access to the proposed flats. The large single storey building to the rear is to be demolished and open garden space provided.

In terms of the layout of accommodation the ground floor is taken by the (B1)office unit (accessing onto the street) and one 2 bed flat to the rear and the first floor will contain 2 No. 2 bed flats. The one bed flat is at the basement level. No on-site parking is proposed to serve this mixed residential and office scheme.

The accompanying Design & Access Statement makes reference to:

The Chapel has not been used as a church for many years.

Building work has already been commenced pursuant to a previous approved scheme to convert the Chapel to form 4 flats.

That the office unit is to be occupied by Relate and

To the site occupying a highly sustainable location, being within walking distance of the Town and nearby public car park, which has some 30 spaces available for rental at the present time.

HISTORY

03/02757/FUL - conversion of redundant chapel into 4 flats. This proposal entailed a straight conversion of the chapel building, retaining the appearance of the Huish façade. It was also proposed to demolish the rear wing element to provide a garden area. No on-site parking was to be provided. The application was approved in December 2003.

07/03258/FUL - conversion to form 6 No.1 bed and 4 No.2 bed flats ; this involved raising the Chapel buildings roof and extending significantly to the rear - Withdrawn.

07/04106/FUL - conversion (as above) to form 10 flats - Refused for reasons relating to the enlarged and inappropriate massing of the new build to the rear and to a lack of on-site parking provision.

POLICY

The site falls within Yeovil's designated development limits.

Section 38(6) of the Planning and Compulsory Purchase Act 2004 repeats the duty imposed under S54A of the Town and Country Planning Act 1990 and requires that decision must be made in accordance with relevant Development Plan Documents unless material considerations indicate otherwise.

The development plan comprises the Regional Spatial Strategy (Regional Planning Guidance 10: The South West), The Somerset and Exmoor National Park Joint Structure Plan Review, and the South Somerset Local Plan (adopted April 2006).

The policies of direct relevance to the proposal are policy

POLICY ST5. Development proposals should:

Be accessible/sustainable and reduce the need to travel

Make efficient use of land and give priority to the use of recycled land and appropriate sites.

Respect the form, character and setting of the locality.

Make provision for a satisfactory access and resultant traffic can be accommodated on the local highway network.

Make provision for the necessary infrastructure to service the proposal.

POLICY ST6. Development proposals should:

Not result in the loss of important gaps or open spaces.

Cause harm to the built environment

Is of a density, scale, mass, height and proportion that respects and relates to the character of the area.

Not unacceptably harm the residential amenity of adjacent residents.

POLICY ME3. Proposals for employment development will be supported.

POLICY TP7. Off street parking should be provided in Town locations, at:

1.5 parking spaces per dwelling, and

Where the housing types with less demand for parking than family housing, or where individual locations are particularly accessible, reductions in this level will be expected.

Other material considerations. Regard should also be had to the advice contained in PPS1 (Delivering Sustainable Development) and PPS3 (Housing).

CONSULTATIONS

Yeovil Town Council: Observations sought.

County Highway Authority: Observations awaited (have raised no objections to the earlier schemes submitted for the residential conversion of this former Chapel building).

SSDC Area Development Manager (South): Observations awaited.

CONSIDERATIONS

The property benefits from an extant planning permission to convert the old Chapel building to form four 2 bed flats and this latest submission follows on the heels of a refusal to convert and add a sizable extension to the rear of the building to form ten flats. Both the approved and refused scheme entailed a "car-free" development.

This latest submission is similar in many ways to the approved scheme; the main differences being the office element, basement accommodation and changes to the buildings main façade. In this case, the main planning considerations can be identified as:
The impact on the street scene and

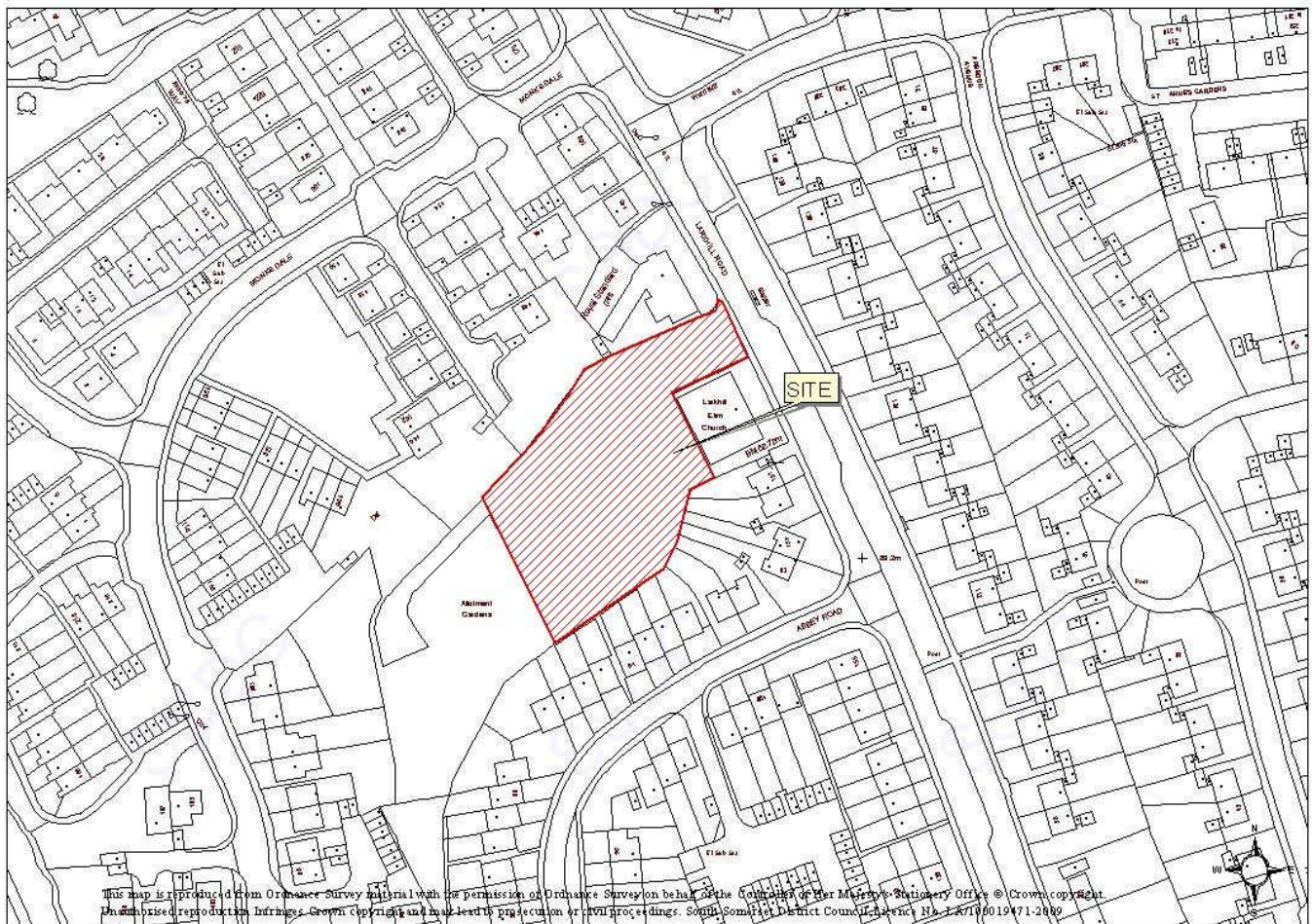
Parking and general road safety.

RECOMMENDATION The views of the Town Council are invited.

5. Officer Report On Planning Application: 08/05133/FUL

Site Address:	163 Larkhill Road Yeovil Somerset
Ward :	Yeovil (West)
Proposal :	Alterations to modify existing access to form highway and demolish existing garages and no 163 Larkhill Road to erect 13 dwellings. (GR 353976/116934)
Recommending Case Officer:	Alex Skidmore
Target date :	4th March 2009
Applicant :	South Somerset Homes Ltd
Type :	Major Dwlgs 10 or more or site 0.5ha+

SITE DESCRIPTION AND PROPOSAL



This application is seeking full planning permission to demolish existing garages and erect thirteen dwellings and to carry out alterations to the existing access.

The application site encompasses 163 Larkhill Road and the land to the rear and is located within a development area and predominantly residential area. The original dwelling, a bungalow, at 163 Larkhill Road is still standing but the garage blocks located on the land to the rear have now been demolished and cleared. The site is access via an existing access and driveway situated to the side of 163 Larkhill Road and which extends the length of the site leading to allotments to the west. To the north and immediately adjacent to the access is a public house, The Royal Standard, and a church is situated to the south of 163 Larkhill Road. Adjacent to the south and southeast of the site are residential dwellings which are built at a similar level to the application site. Adjacent to the north is a steep drop with more housing set away from the boundary. The site is relatively flat and more or less level with adjacent development to the east, south and west. Boundary treatment along the south and east boundaries are mainly high fences or hedgerows. Along the west boundary is a high evergreen hedge.

HISTORY

08/00005/FUL: Demolition of garages and 1 No. dwelling and the erection of 13 No. dwellings and alterations to access. Refused, 2008.

08/00005/FUL: Appeal dismissed, 2008 (see comments below).

POLICY

Section 38(6) of the Planning and Compulsory Purchase Act 2004 repeats the duty imposed under S54A of the Town and Country Planning Act 1990 and requires that decision must be made in accordance with relevant Development Plan Documents unless material considerations indicate otherwise:

Relevant Development Plan Documents :

Regional Spatial Strategy:

VIS1 - Expressing the Vision

VIS2 - Principles for Future Development

En 4 - Quality in the Built Environment

Somerset and Exmoor National Park Joint Structure Plan (1991-2011):

STR1 - Sustainable Development

STR2 - Towns

Policy 35 - Affordable Housing

Policy 49 - Transport Requirements of New Development

South Somerset Local Plan 2006:

ST5 - General Principles of Development

ST6 - The Quality of Development

HG4 Housing Densities

HG7 - Site Targets and Thresholds

CR2 - Provision of Outdoor Playing Space and Amenity Space in New Development

CR3 - Off-Site Provision

CR4 - Provision of Amenity Open Space

TP4 - Safer Environments for New Developments and Existing Residential Areas

TP7 - Parking Provision in Residential Areas

CONSULTATIONS

Brympton Parish Council (adjacent parish): Recommend approval subject to a contribution being made towards safe access to a play area for younger children and for off-site play provision for older children. Also raised concerns in respect of the brick wall stating that it substantially hinder visibility on to a very busy road.

Technical Officer: Details of surface water attenuation, plans, design etc to be submitted for approval. Runoff to be no greater when developed to that in its present state.

County Highways: As the planning officer will be aware, the previous application on this site (08/00005/FUL) was refused by the LPA on highway safety grounds and was the subject of a planning appeal which was subsequently dismissed, although the exact grounds on which the appeal was dismissed did not relate to the original highway reason for refusal (principally on the grounds that the traffic generation for both the proposed use and the existing use as a garage court were not dissimilar).

In the light of the above, I consider that it would, therefore, be difficult to substantiate a highway objection in respect of the current planning application. I would, however, reiterate our concerns relating to the substandard nature of the access and attach for your information a copy of a letter from my estate road team that outlines the situation (should planning permission be granted) regarding the adoptability of the estate road as proposed.

Extract from letter from the estate road team: "The visibility offered is not appropriate for a new adoptable road and therefore this estate will need to remain private. You should however be aware that this development would be liable for Advance Payments Code (APC).

The applicant should be aware that the internal layout of the site will result in the laying out of a private street, and as such under Sections 219 to 225 of the Highways Act 1980, will be subject to the APC. Given the constraints of the existing access, it will not be possible to construct an estate road to a standard suitable for adoption. Therefore in order to qualify for an exemption under the APC, the road should be built and maintained to a level that the Highway Authority considers will be of sufficient integrity to ensure that it does not deteriorate to such a condition as to warrant the use of the powers under the Private Street works Code.

The site entrance will need to be constructed as a vehicle crossover rather than bell mouth as shown. This will avoid the need for a tactile crossing and gives pedestrians priority along the adopted highway. Prior to works commencing I can provide further details."

Housing Development Officer: Support this application and the opportunity it represents to provide additional affordable housing in an area of housing need.

Senior Play and Youth Facilities Officer: The SSDC Local Plan Policy CR2 currently supports the requirement for outdoor playing space of between 2.4 - 2.8 hectares per 1000 population. There are 13 dwellings proposed on this development of which 1 will replace an existing dwelling to be demolished. Based on the average population of 2.27 people per dwelling the apparent 12 dwellings that are applicable to policy CR2 would result in an expected population of 28 people. This would consequently generate the need for between 0.0654 and 0.0763 hectares of outdoor playing space provision from this development.

It would not appear from the plans submitted that space is available to provide equipped play provision on site. Therefore I recommend a financial contribution from the developer towards the off-site provision and a commuted sum payment for maintenance over a 10-year period to be secured. The proposed development is within the catchment area of

Monks Dale Play Area and therefore, off-site provision to meet the increased demand could be accommodated at this location.

Policy CR2 has identified the need for youth facility provision and a contribution towards this is also required.

In summary the total contribution for the off-site provision of Equipped Play and Youth Facilities is £21,353.

Senior Leisure Facilities Officer: South Somerset District Council Local Plan Policy CR2 currently supports the requirement for outdoor playing space of between 2.4-2.8 hectares per 1000 population. Local Plan Policy ST10 supports the Local Planning Authority in seeking obligations to secure or contribute to the provision of community facilities to meet the demands directly stemming from a new development. Contributions have been calculated through undertaking a series of specific cost estimations of the mitigations required to enable the proposed development to be acceptable in planning terms. As a result an overall contributions of £34,450 is now sought, representing a total cost of £2,870.87 per dwelling.

Open Spaces Officer: Seek an off-site contribution of £237.50 per bedroom to be spent on the neighbouring Monks Dale Open Space.

Policy Liaison Officer: I have had extensive consultation with Compass regarding this site and believe that all 'Secure by Design' issues have been met.

Ecology Officer: This site was previously subject to translocation of slow worms from the site. Although this exercise was undertaken previously, the reptile fencing around the site has not been maintained and is breached in several places. The site itself still offers some suitable habitat for slow worms and there is a reasonable chance that a small population of slow worms could have recolonised the site. I therefore recommend a condition requiring further survey and mitigation.

REPRESENTATIONS

Written representations have been received from one neighbour expressing the following concerns:

- There needs to be plenty of parking as Larkhill is already congested.
- Loss of privacy - our property is considerably lower than the proposed site and unless there is a suitable boundary then we will be easily overlooked.
- Suitable drainage - where will the surface run-off go?

CONSIDERATIONS

This application is seeking to erect thirteen affordable houses on a former garage block site and will include the demolition of the existing dwelling which fronts on to Larkhill Road.

This proposal follows a previous application which was refused at Area South Committee due to highway safety concerns in respect of inadequate visibility splays. The application was subsequently challenged at appeal where the Planning Inspector identified the main issues as; the effect of the proposal on highway safety; and whether the proposal should result in recreational infrastructure contributions being made to the Council and the mechanism for securing such contributions (if needed). Although the appeal was dismissed the Inspector concluded that the proposal would not result in harm to highway

safety rather the appeal was dismissed because of the lack of contributions secured for outdoor playing space.

The current application is identical in terms of density, access, layout and design to the previous proposal.

ACCESS AND HIGHWAY SAFETY

The proposed access arrangements remain unchanged to that previously proposed. County Highways have again commented that the access is substandard but have not raised an objection to the proposal. Within the planning appeal the Inspector noted that the site previously accommodated 49 garages and was capable of accommodating up to 73 garages and therefore considered that the proposal was likely to result in significantly less vehicle movements to and from the site. He concluded that the increased width of the access, which would allow passage of two vehicles, and the removal of the front boundary wall of 163 Larkhill Road, thereby increasing visibility, would bring improvements to the existing highway safety situation.

RECREATIONAL INFRASTRUCTURE CONTRIBUTIONS

Policy CR2 sets out a requirement for new housing developments to provide outdoor play space and amenity space where an additional need is generated. SSDC's Sports, Arts and Leisure Service have identified a need based on the uplift of 12 new dwellings on the site and made requests for financial contributions totalling £63,403 towards the provision of open space, play areas, youth and community facilities. The applicants comments in respect of such a contribution are awaited.

DESIGN AND LAYOUT

The proposal needs to be considered in relation to the existing development in the area. It should be sympathetic to existing character in terms of layout as well as detailed design of the houses, potential overlooking and other negative impacts of the amenity of neighbouring occupiers should be avoided.

RECOMMENDATION

The views of Yeovil Town Council are invited.

PLANNING DECISIONS

- 08/01969/FUL Alterations, extension and the conversion of existing offices into 6 No. flats at 25/27 Hendford Yeovil Somerset BA20 1UN. Applicant: Mostly Property Ltd.
- APPROVED** subject to conditions
- 08/03127/FUL The provision of a 360m length cycle path (Route amended from 04/00268/FUL) at Cyclepath Watercombe Lane To West Street Yeovil Somerset BA20 2DD. Applicant: Summerfield Developments (SW) Ltd
- APPROVED** subject to conditions
- 08/04005/FUL The construction of a screening fence 5 metres high together with a palisade fence of 2 metres high and the erection of a prefabricated Gatehouse/Weighbridge Office and Crew room (retrospective) at 15 Buckland Road Pen Mill Trading Estate Yeovil Somerset BA21 5HA. Applicant: Mr S Dodd
- APPROVED** subject to conditions
- 08/04178/FUL The erection of a replacement garage/workshop with storage room above at 117 Preston Grove Yeovil Somerset BA20 2DB. Applicant: Mr L Bignell
- APPROVED** subject to conditions
- 08/04334/FUL The conversion of existing dwelling into 3 No. self contained units at 163 Sherborne Road Yeovil Somerset BA21 4HP. Applicant: Home Group Ltd
- APPROVED** subject to conditions
- 08/04723/FUL The erection of a single storey rear kitchen extension and a two storey side extension at 66 Rowan Way Yeovil Somerset BA20 2NR. Applicant: Mr C Turner
- APPROVED** subject to conditions
- 08/04797/LBC Application to retain existing sash windows on front elevation at Knapp House 225 Preston Road Yeovil Somerset BA20 2EW. Applicant: Mr and Mrs PB Langford
- REFUSED**

08/04805/LBC The carrying out of internal and external alterations (Part retrospective) at 225 Preston Road Yeovil Somerset BA20 2EW. Applicant: Mr and Mrs PB Langford.

APPROVED subject to conditions

08/04860/FUL Alterations, extension and conversion of 4 bedsits to form 5 self contained flats and extension to shop store to form internet café at 8 Wyndham Street Yeovil Somerset BA20 1JJ. Applicant: Mr H Mustafa

REFUSED

08/04972/FUL The erection of a two storey side extension, single storey rear extension and the erection of a new chimney at 7 Marsh Lane Yeovil Somerset BA21 3BX. Applicant: Mr G Howden

APPROVED subject to conditions

08/04979/FUL The erection of an extension to side and rear of dwellinghouse and loft conversion to include the formation of dormers at 24 Woodstock Road Yeovil Somerset BA21 4SF. Applicant: Mr and Mrs Shanks

APPROVED subject to conditions

08/05005/FUL Alterations and the erection of a single storey and two storey rear extensions to dwelling at 36 Mudford Road Yeovil Somerset BA21 4AB. Applicant: Mr K Verrall

APPROVED subject to conditions

08/05056/FUL The erection of a two storey extension to dwellinghouse at 8 Southwoods Yeovil Somerset BA20 2QG. Applicant: Mr M Bailey

APPROVED subject to conditions

08/05057/LBC The carrying out of internal and external alterations to basement/ground floor to include the installation of new external doors and screen to front entrance and replacement windows to rear courtyard at Becket House South Street Yeovil Somerset BA20 1TW. Applicant: Yeovil Orthodontics

APPROVED subject to conditions

08/05063/FUL Loft conversion and alterations to existing roof (revised application) at 12 Wraxhill Road Yeovil Somerset BA20 2JZ. Applicant: Mr Andrew Newbury

APPROVED subject to conditions

08/05189/FUL

The erection of a single storey replacement extension at 9A Southwoods Yeovil Somerset BA20 2QQ. Applicant: Mr and Mrs W McNaught

APPROVED subject to conditions

Note:

Highlighted Planning Decisions: Decision of District Council differs from Yeovil Town Council Recommendation.