



Yeovil Town Council

**Town House
19 Union Street
Yeovil
Somerset
BA20 1PQ**

Phone 01935 382424

Fax 01935 382429

E-mail alan.tawse@southsomerset.gov.uk

Planning and Licensing Committee

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

The Time... **7.00pm**

The Date... **Monday 30 June 2008**

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

The Committee will be discussing all the items listed overleaf

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



Alan Tawse

Alan Tawse
Town Clerk

24 June 2008

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

To:

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 16 June 2008.

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. **AMENDED PLANS** (Pages 3 to 10)

5. **REPORT TABLE** (Page 11)

6. **PLANNING DECISIONS** (Page 12)

7. **CORRESPONDENCE**

8. **REVIEW OF REPORT TABLE ON PLANNING AGENDA**

See attached report at page 13.

9. STREET TRADING

(a) SALE OF VARIOUS ITEMS FEATURING SANCTUARY ANIMALS

A Street Trading consent was recently granted to sell competition tickets, badges, key rings, fridge magnets and A4 animal photographs featuring sanctuary animals in Middle Street (from Union Street and Bond Street). A further request has been received to trade on Monday 21 July, Monday 18 August and Monday 15 September 2008. Trading will be from a 70cm x 70cm table.

This application is made on behalf of Phoenix Pet and Wildlife Sanctuary, who are looking to raise funds to carry out repairs to a stable roof, damaged in high winds.

It is **RECOMMENDED** that the matter be noted and the application be considered in accordance with the Town Council's Policy for Street Trading Consents.

(Sally Bing, Assistant Town Clerk – 01935 382424)

(b) APPLICATION FOR SALE OF SPANISH CHURROS

A vacancy has become available for Street Trading as indicated no. 2 on the plan attached at page 14, the junction of High Street and King George Street.

The applicant would like to sell a Spanish Churro Snack, cooked until crisp with a choice of sweet fillings, cinnamon or chocolate coating. The unit used will be towable, 2.2m x1.5m, oval, stainless steel with a canopy over. The tow hitch will fold up for safety. The sales would be on 3 weekdays and Saturday each week, commencing in August 2008.

An image of the proposed unit will be circulated to Members of the Planning and Licensing Committee in advance of the meeting. Members are requested to consider the application and the suitability of the unit in the proposed location in accordance with the Town Council Policy for Street Trading Consents.

It is **RECOMMENDED** that the matter be noted and the application be considered in accordance with the Town Council's Policy for Street Trading Consents.

(Sally Bing, Assistant Town Clerk – 01935 382424)

AMENDED PLANS

	Application No	Proposal	Address
1	<u>FOR INFORMATION</u> 08/02154/R3D	The construction of new public conveniences and alterations to car park layout (GR: 355801/115913)	Car Park Peter Street Yeovil
2	08/02031/FUL	The erection of a single storey rear extension	99 Stiby Road, Yeovil

PLANNING MEETING
MONDAY 30 JUNE 2008

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 below-outlined extract from the District Council's Scheme of Delegation) 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.

4. AMENDED PLANS

FOR INFORMATION

1. **Application Number: 08/02154/R3D.**
Original Case Officer's Report from Agenda dated 2 June 2008

7. Officer Report On Planning Application: 08/02154/R3D

Site Address:	Car Park Peter Street Yeovil
Ward :	Yeovil (Central)
Proposal :	The construction of new public conveniences and alterations to car park layout (GR: 355801/115913)
Recommending Case Officer:	Greg Lester
Target date :	7th July 2008
Applicant :	Property Services
Type :	Other

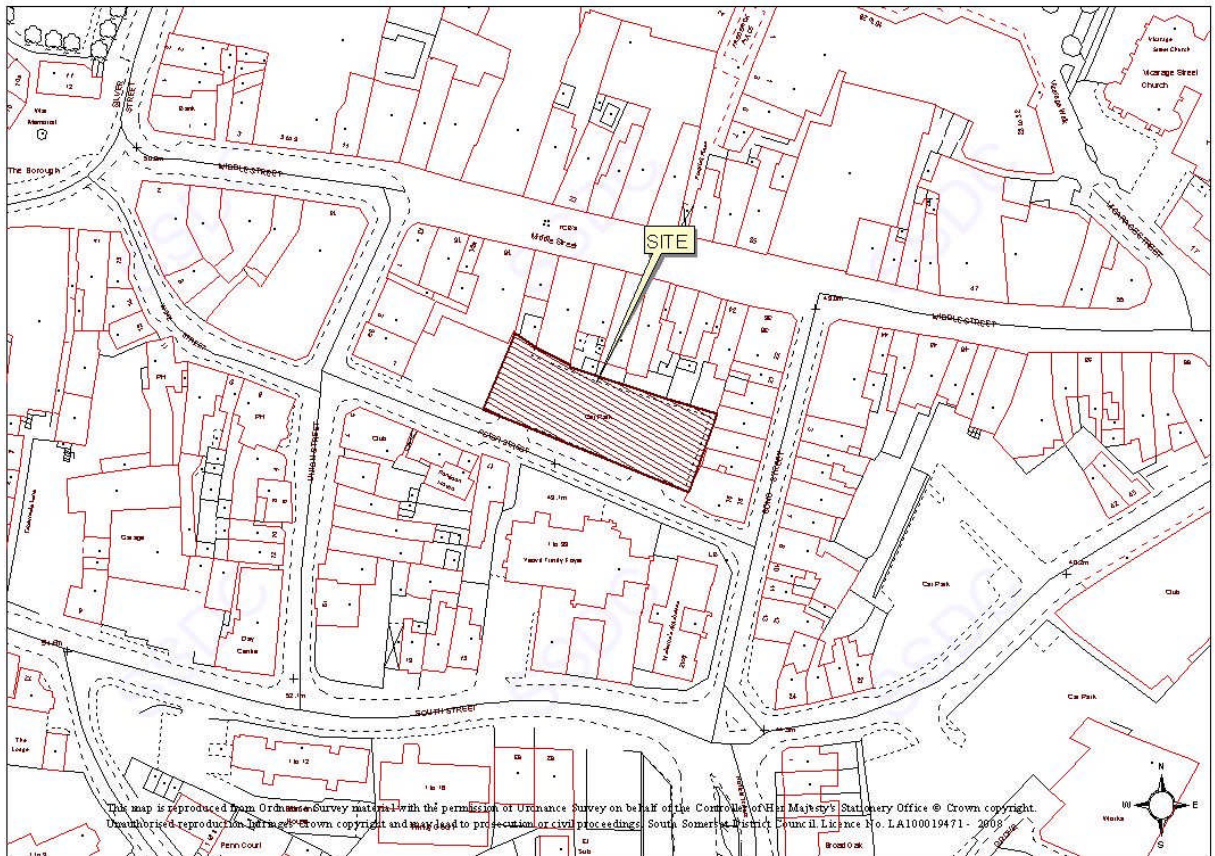
SITE DESCRIPTION AND PROPOSAL

The proposal seeks permission to construct new public conveniences within an existing car park located off Peter Street.

The site is located within a development area as defined by the Local Plan, and also lies adjacent to a conservation area and a number of listed buildings. The elevation fronting Peter Street has been designed with individual doors serving cubicles.

The existing car park also acts as an access point to the rear of a number of properties, including shops with frontages on Bond Street and Middle Street. A service yard for adjoining properties lies beyond a low boundary wall to the west of the site.

The proposed building would front onto a pavement adjoining Peter Street and would involve the re-siting of the existing motorcycle and bicycle furniture to the western end of the building. The proposal would result in the net loss of 6 standard car parking spaces.



HISTORY
None recent

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
EN4 - Quality in the Built Environment

Somerset and Exmoor National Park Joint Structure Plan
STR1 - Sustainable Development
STR2 - Towns
Policy 9 - The Built Historic Environment
Policy 49 - Transport Requirements of New Development

South Somerset Local Plan (Adopted April 2006)
ST6 - Quality of Development
ST5 - Principle of Development
ST3 – Development Areas
EH1 - Conservation Areas
EH5 - Development Proposals Affecting the Setting of Listed Buildings
EP2 - Pollution and Noise
EP9 - Control of Other Potentially Polluting Uses

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 EP2. Development proposals should:

Not be detrimental to the amenity of noise sensitive developments in the vicinity

Policy EP9. Development proposals should:

Not result in pollution control measures that would in themselves be harmful to the character of the area or to the amenity of neighbouring sites

Policy EH1. Development proposals should:

Not affect the setting or views in or out of a conservation area
Preserve or enhance the setting of a conservation area

Policy EH5. Development proposals should:

Not have an adverse affect on the setting of a listed building or its contribution to the local scene

CONSULTATIONS

SSDC Technical Services - Awaiting comments
County Highways - Awaiting comments
Wessex Water - Awaiting comments
SSDC Environmental Protection Officer - Awaiting comments
Environment Agency - Awaiting comments
Police Architectural Liaison Officer - Awaiting comments
SSDC Conservation Manager - Awaiting comments
SSDC Area Development Manager - Awaiting comments
SSDC Arboricultural Officer - Awaiting comments
SCC Archaeologist - Awaiting comments

REPRESENTATIONS

None received.

CONSIDERATIONS

The key considerations in this case are:

Principle of development
Siting and Design
Access and parking arrangements
Loss of town centre parking
Impact on residential amenity
Impact on character of area
Impact on setting of adjacent listed buildings
Pollution

RECOMMENDATION

The observations of the Town Council are invited.

Extract of Minute 7/222 dated 2 June 2008

7. Planning Application: 08/02154/R3D

Site Address:	Car Park Peter Street Yeovil
Ward :	Yeovil (Central)
Proposal :	The construction of new public conveniences and alterations to car park layout (GR: 355801/115913)
Recommending Case Officer:	Greg Lester
Target date :	7th July 2008
Applicant :	Property Services
Type :	Other

The Planning Officer explained to the Committee that County Highways had raised no objections to the application and Wessex Water had confirmed that the existing infrastructure could accommodate the additional extra flows generated.

Discussion took place regarding the siting and design of the proposed toilets and concern was raised regarding access, particularly for wheelchair users. With regard to design, the Committee was concerned that the structure would create a completely blank wall on the rear elevation, however the CCTV coverage in the area was noted. It was also felt that the roof would benefit from a steeper pitch and that increased use of natural light in addition to the sun pipes would improve the environmental impact.

RECOMMENDED REFUSAL on the grounds of lack of information, poor design in the Conservation Area, adverse effect within the setting of Listed Buildings and detrimental impact to the street scene.

NEW AMENDMENT

Roof design changed.

2. Application Number: 08/02031/FUL Original Case Officer's Report Table from Agenda dated 2 June 2008

Location: 99 Stiby Road, Yeovil

Proposal: The erection of a single storey rear extension

Objections:None received to date

Considerations:

- Does the proposal have an adverse impact on residential amenity?
- Does the proposal have an adverse impact on the character of the area?
- Is the siting and design of the

Extract of Minute 7/224 dated 2 June 2008

REPORT TABLE

RECOMMENDED APPROVAL to the applications set out in the Report Table with the exception of 08/02031/FUL as it had been removed from the agenda and application 08/02131 as a full report was requested at the next meeting of the Planning and Licencing Committee.

NEW AMENDMENT

West Elevation submitted.

PLANNING DECISIONS

08/01556/FUL The erection of a conservatory at 12 Glenthorne Avenue Yeovil Somerset BA21 4PG. Applicant: Mr and Mrs Taylor.

APPROVED Subject to conditions

08/01904/COU Change of use of premises from A1 (Retail) to A2 (Financial Offices) at 19 Union Street Yeovil Somerset BA20 1EN. Applicant: Mrs Kelly Hogg.

APPROVED Subject to conditions

REPORT TABLE FOR TOWN COUNCIL 30 JUNE 2008

<u>APPLICATION NO.</u>	<u>LOCATION</u>	<u>PROPOSAL</u>	<u>OBJECTIONS</u>	<u>CONSIDERATIONS</u>
08/02083/ADV	The Alex, South Western Terrace	The display of 1 No. externally illuminated fascia sign, 2 No. externally illuminated banner signs and 3 No. non illuminated fascia signs.	No objections received	<ul style="list-style-type: none">• Does the proposal have an adverse affect upon highway safety? – The Highways Authority has no observations to make on the application.• Does the proposal have an adverse impact upon visual amenity? – It is considered that the details are acceptable as they replace existing signs of a similar size and illumination.

REVIEW OF USE OF REPORT TABLE

During a review of the partnership working between the Town and District Council, it became apparent that the District Council had been advised by the Audit Commission not to include a recommendation on the Case Officer reports submitted for consideration by the Town Council's Planning and Licensing Committee. Last year the reports were therefore submitted in a new style which gave a summary of the considerations for each application instead of a recommendation. This then affected the presentation of the applications listed in the Report Table, because, for consistency, a recommendation could no longer be given. The use of the Report Table was therefore reviewed and the following guidelines were sent to Planning Officers to outline which applications to list in the Report Table:

"Following a review of the use of the report table, it will need amending to delete the recommendation column.

The following items from now on go on the report table and the issues to address should be identified as bullet points under the "comments" heading.

It will be for officers to determine if a particular item needs a fuller report rather than just going on the table so please use your discretion on this. Any neighbour representations or other comments received between write up and YTC meeting should be verbally updated as usual.

- *all Listed Building applications if planning one is also on the agenda*
- *all adverts, as issues to consider will always be highway safety and amenity*
- ***all householder applications unless***
neighbour objections have already been received or were to a previous scheme on the same site for a similar proposal the issues raised are significant and it is, in your opinion, more appropriate for this to be a report item"

A follow up review of these changes is now due and the Committee is asked to consider whether the above guidelines for applications to be listed in the Report Table should continue to be followed, or altered in any way.

It is **RECOMMENDED** that consideration be given to the Committee's preferred future use of the Report Table.

(Sally Bing, Assistant Town Clerk – 01935 382424)