

YEOVIL TOWN COUNCIL

MINUTES of a meeting of the **PLANNING AND LICENSING COMMITTEE** held in the Town House, 19 Union Street, Yeovil on Wednesday 7 May 2008

(7.00pm to 8.30pm)

Present:

Wes Read - Chairman
J Vincent Chainey
Philip Chandler
Clive Davis
Pete Goodman
John Grana
Simon Hester

Also Present:

Simon Gale - Head of Development and Building Control, SSDC
Diana Watts - Planning Officer, SSDC
Dominic Heath-Coleman - Planning Assistant, SSDC
Sally Bing - Assistant Town Clerk

7/199 **MINUTES**

The Minutes of the previous meeting held on 21 April 2008, copies of which had been circulated, were amended as follows:-

Minute reference 7/198 Local Development Framework - Core Strategy Issues and Options Consultation

Resolution 3 (c) was amended as follows:-

that small *transitional* sites for gypsies and *legally defined* travellers should be provided on the periphery of residential settlements.

Following this amendment the Minutes were approved as a correct record and signed by the Chairman.

7/200 **APOLOGIES FOR ABSENCE**

Apologies for absence were received from Julian Freke, Tony Lock, Tom Parsley and David Recardo.

7/201 **DECLARATIONS OF INTEREST**

J Vincent Chainey referred to his membership of South Somerset District Council and indicated that whilst he might speak and possibly vote on applications which may be referred to that Council for determination, he would reconsider such applications at District level taking into account all relevant evidence and representations made at that tier.

Philip Chandler declared a personal and prejudicial interest in application number 08/01484/FUL. The conversion of existing public house into 7 flats. Nelson Inn, Eastland Road, Yeovil, as the Tenant and Resident Association in the area were keen to see the possibility of the building put to community use and Philip Chandler was the Chairman of the Tenant and Resident Association.

John Grana declared a personal and prejudicial interest in application numbers 08/00794/FUL and 08/00796/LBC. The erection of an extension. The Old Court House, 20 Kingston, Yeovil due to family connections with the applicant.

7/202 **PLANS LIST**

1. Officer Report On Planning Application: 08/00794/FUL

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|----------------------------|---|
| Site Address: | The Old Court House 20 Kingston Yeovil |
| Ward : | Yeovil (West) |
| Proposal : | The erection of an extension (GR 355318/116395) |
| Recommending Case Officer: | |
| Target date : | 28th April 2008 |
| Applicant : | Mrs J Fuller |
| Type : | Other Householder - not a Change of Use |

(John Grana, having declared a personal and prejudicial interest in respect of this application, left the room during its consideration and took no part in the discussion or voting thereon).

Simon Gale addressed the Committee explaining that within the history section of the report, application number 06/00553/C0U had been attributed to the application under consideration, however, this was an error as the change of use application was for 22 Swallowcliffe Gardens.

Simon explained to the Committee that for a period of time The Old Court House was in ownership of the Home Office and therefore benefited from Crown Exemption. The extension to the main building was erected whilst the property was under ownership of the Home Office and therefore planning permission had not been required at that time. He explained to the Committee that consideration needed to be given to the impact the proposed first floor addition would have on neighbouring residents. He added that whilst two windows would face properties in Swallowcliffe Gardens and may cause some overlooking, the area on top of the first floor extension was already in use as a patio/amenity area and therefore overlooking was an existing concern.

He further explained that whilst the proposed first floor extension was bulky and almost the same size as the listed building itself, it could be considered to improve the overall aesthetics of the very unsympathetic single storey extension built before the property became a private home.

David Fuller, applicant, addressed the Committee, reiterating some of the comments by Simon Gale regarding overlooking and adding that the existing situation raised health and safety issues.

Robin Bryer, agent, informed the Committee that the proposals within the application were in line with discussions which had taken place with the Planning Officer and Conservation Officer in 2004. He stated that the roof was proposed to be subservient to the main building and that the overlooking would be limited to two window spaces rather than the expanse of amenity space existing on the flat roof.

The Committee considered the application and requested clarification on a couple of points: Simon Gale explained that no application for change of use to a bed and breakfast had been made and therefore any planning consent would be an extension to the main use of the existing dwelling. He also clarified that the distance from the back of the proposed extension to the boundary of adjacent properties would be 2 metres whilst the distance from the back of the proposed extension to the back of adjacent buildings would be in excess of 20 metres.

With regard to overlooking, Simon explained that the planning consent could not restrict the internal layout and added that frosted glass was not necessarily necessary due to the distance between the proposed extension and existing properties. He also explained that frosted glass may not be in keeping with the designs for a listed building.

In answer to a question, Simon Gale confirmed that the fire escape proposed on this side of the extension would not be visible from the main road and explained that the canopy detailed in the plans on the single storey extension had been agreed with the Conservation Officer due to the unsympathetic nature of the existing single storey extension, as it was felt that the canopy softened the design and disguised the lack of arches over the windows on the existing single storey extension.

The Committee felt that the canopy was inappropriate and would rather see amendments to the plans to add arches to the ground floor windows of the existing single storey extension. It was also felt that a continuation of the roof line would be preferred to the additional hipped roof.

RECOMMENDED APPROVAL

subject to amendments to improve the design including, the removal of the canopy and the addition of arches over the first floor windows on the existing extension and to the continuation of the roofline from the existing building to the proposed first floor extension to remove the second hipped roof.

2. Officer Report On Planning Application: 08/00796/LBC

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|----------------------------|---|
| Site Address: | The Old Court House 20 Kingston Yeovil |
| Ward : | Yeovil (West) |
| Proposal : | The erection of an extension (GR 355318/116395) |
| Recommending Case Officer: | |
| Target date : | 28th April 2008 |

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| Applicant : | Mrs J Fuller |
| Type : | Other LBC Alteration |

(John Grana, having declared a personal and prejudicial interest in respect of this application, left the room during its consideration and took no part in the discussion or voting or thereon).

RECOMMENDED APPROVAL

subject to amendments to improve the design including, the removal of the canopy and the addition of arches over the first floor windows on the existing extension and to the continuation of the roofline from the existing building to the proposed first floor extension to remove the second hipped roof.

3. Officer Report On Planning Application: 08/00904/FUL

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| Site Address: | Land Adjoining 122 Preston Road Yeovil |
| Ward : | Yeovil (South) |
| Proposal : | Change of use of highway land to residential curtilage, erection of a 1.8m high fence and formation of new vehicular access (GR 354109/116365) |
| Recommending Case Officer: | Helen Ferdinand |
| Target date : | 6th May 2008 |
| Applicant : | Mr And Mrs P T Mead |
| Type : | Other Change Of Use |

The Planning Officer informed the Committee that a second letter of objection had been received stating that access to the drive would be dangerous due to poor visibility created by the proposed high fence. The Planning Officer also informed the Committee that County Highways had raised no objections to the proposed application, adding that an application for a stopping up order had been lodged and the area of land removed from highway use would be transferred to the applicants to provide additional curtilage to their property.

County Highways commented that the visibility would be acceptable due to the width of the highway verge and the curve of the road.

Robert Rhys addressed the Committee explaining that the stopping up of land would release a portion of land as grass verge on the edge of the property and explained that this land was surplus to highway requirements and no objections had been received regarding the stopping up order. He explained to the Committee that objections had been received regarding concerns that vehicles would be parked on the grass verge but that this was not a material planning consideration. He also added that there was no intention that the land would be used in the future for garages but only for the parking and turning area.

The Committee discussed the proposals and noted that access to and egress from this property had always been a concern. It was suggested that soft landscaping along the edge of the fence to be maintained by the property owner would enhance the scheme.

RECOMMENDED APPROVAL

subject to a condition that soft landscaping be included adjacent to the new fence.

4. Officer Report On Planning Application: 08/01040/FUL

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| Site Address: | Land Adj 40 Montrose Road Yeovil Somerset |
| Ward : | Yeovil (East) |
| Proposal : | The erection of a bungalow (GR: 357233/117121) |
| Recommending Case Officer: | Helen Ferdinand |
| Target date : | 30th April 2008 |
| Applicant : | South Somerset Homes Ltd |
| Type : | Minor Dwellings 1-9 site less than 1ha |

David Stone, objector, spoke on behalf of the residents explaining that South Somerset Homes had submitted an application in 2005 which had been refused on the grounds of over development and lack of parking. He added that a further application had been made for 29 dwellings on the site which had been refused by Town and District Council but granted permission by the Government Directorate. He explained that a house had been omitted from the 2005 proposals as it was deemed to be out of keeping with the area and added that no bungalows exist in Montrose Road and the proposals would be out of keeping with the other dwellings in the area. Mr Stone said that 2 car parking spaces had already been lost from the existing development.

At this point Clive Davis declared a personal interest in the application as he was an acquaintance of the objector.

RECOMMENDED REFUSAL

on the grounds of over development and that a bungalow would be out of keeping with the surroundings.

5. Officer Report On Planning Application: 08/01130/FUL

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| Site Address: | 16 Summerleaze Park Yeovil Somerset |
| Ward : | Yeovil (West) |
| Proposal : | The erection of a two storey and single storey extension to rear of dwellinghouse (GR 354633/116356) |
| Recommending Case Officer: | Greg Lester |
| Target date : | 22nd May 2008 |
| Applicant : | P D Curtis |
| Type : | Other Householder - not a Change of Use |

The Planning Officer explained to the Committee that the scheme had been amended. The extension which was previously proposed to be a full width two storey extension was now proposed to be a partly single and partly two

storey extension following discussions between the applicant and the Case Officer.

Pete Curtis, applicant, explained that he was available to answer any questions regarding the application.

It was confirmed that no first floor windows on the side of the extension were proposed.

RECOMMENDED APPROVAL

6. Officer Report On Planning Application: 08/01289/FUL

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| Site Address: | Yeovil Service Station Sherborne Road Yeovil |
| Ward : | Yeovil (East) |
| Proposal : | The erection of a forecourt canopy link extension (Revised Application)(GR 357305/116053) |
| Recommending Case Officer: | Nicholas Head |
| Target date : | 20th May 2008 |
| Applicant : | Somerfield Stores Ltd |
| Type : | Minor Other less than 1,000 sq.m or 1ha |

The Planning Officer explained that this application was retrospective.

RECOMMENDED APPROVAL

7. Officer Report On Planning Application: 08/01295/FUL

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|----------------------------|--|
| Site Address: | Yeovil Service Station Sherborne Road Yeovil |
| Ward : | Yeovil (East) |
| Proposal : | Installation of 1 No. additional air conditioning unit (Retrospective Application)(GR 357294/116057) |
| Recommending Case Officer: | Nicholas Head |
| Target date : | 20th May 2008 |
| Applicant : | Azure Property LLP |
| Type : | Minor Other less than 1,000 sq.m or 1ha |

The Planning Officer explained that this application was retrospective.

RECOMMENDED APPROVAL

8. Officer Report On Planning Application: 08/01296/FUL

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|----------------------------|---|
| Site Address: | 13-14 Sherborne Road Yeovil Somerset |
| Ward : | Yeovil (East) |
| Proposal : | Alterations to shop entrance doors (GR 356188/116118) |
| Recommending Case Officer: | Helen Ferdinand |
| Target date : | 9th May 2008 |
| Applicant : | Draytons Decorations Ltd |

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| Type : | Minor Other less than 1,000 sq.m or 1ha |
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In answer to a query from the Committee, the Planning Assistant explained that the proposed access to the shop would be slightly wider than the existing access and that accessibility was adequate.

RECOMMENDED APPROVAL

subject to the proposals resulting in full accessibility for all users.

9. Officer Report On Planning Application: 08/01297/FUL

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|----------------------------|---|
| Site Address: | 103A Middle Street Yeovil Somerset |
| Ward : | Yeovil (Central) |
| Proposal : | Relocation of doors to shop nearer pavement and replacement of shop front. GR (356113/116017) |
| Recommending Case Officer: | Helen Ferdinand |
| Target date : | 9th May 2008 |
| Applicant : | |
| Type : | Minor Other less than 1,000 sq.m or 1ha |

The Planning Assistant explained that whilst the access would be widened, existing steps into the shop would not be removed.

RECOMMENDED REFUSAL

on the grounds that the proposals would not make the shop fully accessible for all users due to existing steps.

10. Officer Report On Planning Application: 08/01355/LBC

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|----------------------------|---|
| Site Address: | 39 - 41 Princes Street Yeovil Somerset |
| Ward : | Yeovil (Central) |
| Proposal : | The erection of 4 No. replacement awnings (Retrospective)(GR 355553/116087) |
| Recommending Case Officer: | Andrew Collins |
| Target date : | 29th May 2008 |
| Applicant : | Cousins Of Yeovil |
| Type : | Other LBC Alteration |

The Planning Officer explained to the Committee that the Conservation Officer had raised no objections to the application.

RECOMMENDED APPROVAL

11. Officer Report On Planning Application: 08/01418/FUL

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| Site Address: | 27 Mitchelmore Road Yeovil Somerset |
| Ward : | Yeovil (Central) |
| Proposal : | Alterations, demolition of existing utility/conservatory and the erection of a porch, |

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|----------------------------|---|
| | single storey and a two storey extension to dwelling house (GR 355630/116543) |
| Recommending Case Officer: | Greg Lester |
| Target date : | 29th May 2008 |
| Applicant : | Mr And Mrs N Williams |
| Type : | Other Householder - not a Change of Use |

The Planning Officer informed the Committee that a neighbour had written to the Case Officer requesting reassurance that the proposed changes to the rear elevation of the property and the substantial extension would not damage the foundation of his property.

The Planning Officer explained to the Committee that whilst the wall of the extension would be close to the boundary of the neighbours' property it would be 150mm from the boundary and all guttering would be within the boundary of 27 Mitchelmore Road.

Martin Wild, agent, explained to the Committee that the boundary was not easy to define on site but that the design would not encroach on the neighbouring property. He added that to reduce impact a single storey extension was proposed to the side of the property with a two storey extension to the north.

RECOMMENDED APPROVAL

12. Officer Report On Planning Application: 08/01445/FUL

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|----------------------------|--|
| Site Address: | 22 Hillgrove Avenue Yeovil Somerset |
| Ward : | Yeovil (South) |
| Proposal : | Demolition of existing garages, erection of detached double garage and single storey side extension to dwellinghouse (GR: 354781/114607) |
| Recommending Case Officer: | Helen Ferdinand |
| Target date : | 22nd May 2008 |
| Applicant : | Mr & Mrs S Hibbert |
| Type : | Other Householder - not a Change of Use |

RECOMMENDED APPROVAL

13. Officer Report On Planning Application: 08/01484/FUL

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|----------------------------|--|
| Site Address: | Nelson Inn Eastland Road Yeovil |
| Ward : | Yeovil (Central) |
| Proposal : | The conversion of existing public house into 7 flats (GR: 356175/116583) |
| Recommending Case Officer: | Andrew Collins |
| Target date : | 23rd May 2008 |
| Applicant : | Daleswood Developments Ltd |
| Type : | Minor Dwellings 1-9 site less than 1ha |

(Phil Chandler, having declared a personal and prejudicial interest in respect of this application, left the room during its consideration and took no part in the discussion or voting thereon).

The Planning Officer explained that the Case Officer had sought clarification on the marketing of the property prior to the application being submitted. The Planning Officer added that the windows on the west elevation of the property would overlook number 2 Westfield Road.

June Shepherd, objector, addressed the Committee explaining that no application for change of use had been made. She stated that the loss of a local pub would be detrimental as it was a social amenity to the community. She explained that the Tenant and Resident Association has been established over 10 years and that access to a community building would be of huge benefit.

Dave De Gruchy, objector, was a representative of an organisation called CAMRA who were against the loss of community pubs. He stated that he had only seen the Nelson Inn advertised as a development opportunity and not as an ongoing business and felt that the loss of the community aspect would be detrimental to the area, particularly in light of the very active Tenants and Residents Association.

The Planning Officer reiterated that clarification regarding the marketing of the property had been sought by the Case Officer and stated that the loss of a local service could be contrary to Policy MS1; "Policy MS1 (Local Shopping and Services) proposals which would result in the loss of shops or other local services will not be permitted where this would result in a significant or total loss of such services to the community, except where the applicant has made every reasonable attempt to secure suitable business or local community re-use".

RECOMMENDED REFUSAL

on the grounds of lack of evidence to demonstrate marketing and satisfy Policy MS1 loss of community facility, in line with the views of the Economic Development Officer and Community Development Officer.

5. AMENDED PLANS

The Committee considered the amendments as set out in the report and felt that the changes were not significant as they only added one parking space to the proposals which did not assist with the lack of amenity space.

RECOMMENDED REFUSAL

on the grounds of over development of the site and lack of amenity space to the proposed building and neighbouring properties 19 and 21.

7/203 REPORT TABLE

The Planning Assistant updated the Committee informing them that with regard to Planning Application 08/01668/FUL. 2 and 4 St Michael's Road, Yeovil, BA21 5AG, the removal of existing garage and the erection of a new

garage, Technical Services and Highways had now submitted their comments and raised no objections.

RECOMMENDED APPROVAL to the applications set out in the Report Table.

7/204 **PLANNING DECISIONS**

RESOLVED

that the Planning Decisions be noted.

7/205 **CORRESPONDENCE**

The Assistant Town Clerk informed the Committee that two Advice of Appeal Receipts had been received:

- (1) Application Decision Reference 07/05234/FUL. Location: 8 Tarrett Road, Yeovil, Somerset, BA20 2LJ. Proposal: The erection of a bungalow; and
- (2) Application Decision Reference 07/04106/FUL. Location: Huish Baptist Church, Huish, Yeovil, Somerset, BA20 1BW. Proposal: Conversion and alteration of existing chapel to form 10 flats.

The Assistant Town Clerk also informed the Committee that two Notification of Appeal Decisions had been received:

- (1) In respect of Application Decision Reference 07/02649/FUL. Location: Land rear of 99 West Coker Road, Yeovil, Somerset, BA20 2JQ. Proposal: Demolition of existing rear garages and erection of two no. detached dwellings and new garage to serve existing dwelling.

The appeal was dismissed.

- (2) In respect of Application Decision Reference 07/03479/FUL. Location: 66 Combe Street Lane, Yeovil, BA21 3PF. Proposal: Erection of two storey extension and detached garage.

The appeal was dismissed.

RESOLVED

that the items of correspondence be noted.

7/206 **STREET TRADING - SALE OF VARIOUS ITEMS FEATURING SANCTUARY ANIMALS**

The Committee considered the request for a street trading consent to sell competition tickets, badges, key rings, fridge magnets and A4 animal photographs featuring sanctuary animals in Middle Street on Monday 26 May 2008 only.

The Committee also considered the request of waiver of fees as the applicants were attempting to raise funds to carry out repairs to a roof at the sanctuary which had recently been damaged by high winds.

RESOLVED

- (1) that the matters be noted;
- (2) that a street trading consent be permitted for Phoenix Pet and Wildlife Sanctuary on Monday 26 May 2008 only for trading in Middle Street; and
- (3) that the usual street trading fee be waived in support of the applicant's bid to raise funds to carry out repairs to a roof at the Wildlife Sanctuary recently damaged by high winds.

7/207 CORE STRATEGY ISSUES AND OPTIONS CONSULTATION COMMENTS FORM

The Committee considered the Core Strategy Issues and Options document (Agenda item 10 refers).

RESOLVED

- (1) that the matters be noted; and
- (2) that the comments within the consultation form be supported and submitted to South Somerset District Council on behalf of the Town Council.

7/208 FINANCIAL STATEMENT - PERIOD ENDING 31 MARCH 2008

The Committee considered the report of the Finance Administrator (Agenda item 11 refers).

RESOLVED

that the Financial Statement for February and March 2008 be noted.

Chairman