



# Yeovil Town Council

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## Planning and Licensing Committee

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

The Time... **7.00pm**

The Date... **Monday 9 November 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

3 November 2009

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Please contact Sarah Hunt at the Town House for more information about this meeting

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To: All Members of the Planning and Licensing  
Committee

Philip Chandler (Chairman) (Ex-officio)

Clive Davis (Vice-Chairman)

Julian Freke

Pete Goodman

John Grana

Simon Hester

Andrew Kendall

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 26 October 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 3 to 24)

5. **CORRESPONDENCE**

6. **PLANNING DECISIONS** (Page 25).

7. **STREET TRADING - SALE OF HOLLY WREATHS/MISTLETOE**

To consider a request for a street trading consent to sell Christmas holly wreaths and bunches of mistletoe in Middle Street (from Union Street to Bond Street) for 16 days leading up to Christmas 2009 – from 7 December to 24 December (every day except Sunday). The applicant, J. Wingrove, has traded in Yeovil at this time of year for a number of years. It is therefore proposed that in future, delegation is given to the Town Clerk, in consultation with the Committee Chair, to grant a licence, on condition that there are no changes to the type of goods sold or size/style of trading unit.

*(Sarah Hunt, Assistant Town Clerk - 01935 382424)*

8. **COMMITTEE REVENUE ESTIMATES**

To consider the report of the Town Clerk at pages 26 to 27.

9. **NOTES ON BUDGET ESTIMATES**

To consider the report of the Town Clerk at page 28.

10. **FINANCIAL STATEMENT FOR PERIOD ENDING 30 SEPTEMBER 2009**

To consider the Financial Statement for the period 1 August 2009 to 30 September 2009 attached at pages 29 to 34.

	<b>Application No</b>	<b>Proposal</b>	<b>Address</b>
1	09/03111/FUL	Demolition of existing bungalow, day centre and commercial/industrial buildings, the erection of 14 houses and commercial/industrial buildings and alterations to 2 highway accesses (revised application) (GR 356293/116952)	103-107 Highfield Road Yeovil Somerset
2	09/03691/FUL	Provision of a chimney and the installation of a new window to east elevation (GR 355074/116965)	93B Ilchester Road Yeovil Somerset
3	09/03734/LBC	Repairs and reconstruction of pavement area fronting premises and the installation of metal railings (GR 354588/116488)	Dental Centre Summerlands Preston Road
4	09/03834/R3D	The installation of new play equipment with associated hard and soft landscaping, retaining walls, mounding and planting (Partially Retrospective Application) (GR 355277/117457)	Yeovil Recreation Ground Chilton Grove Yeovil
5	09/03871/FUL	Alterations to existing single storey rear extension to include raising of roof height (GR 356102/116594)	11 Highfield Road Yeovil Somerset
6	09/04201/FUL	The installation of replacement windows and doors. (GR 356489/116915)	Sunningdale Lodge Sunningdale Road Yeovil
7	09/04189/S73	Application for a new planning permission for the erection of 18 no flats and 6 under cover parking spaces and new access to replace extant permission 07/00860/FUL to extend the time limit for implementation. (GR 355250/115385)	73-77 Hendford Hill Yeovil Somerset

**PLANNING MEETING**  
**MONDAY 9 NOVEMBER 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**

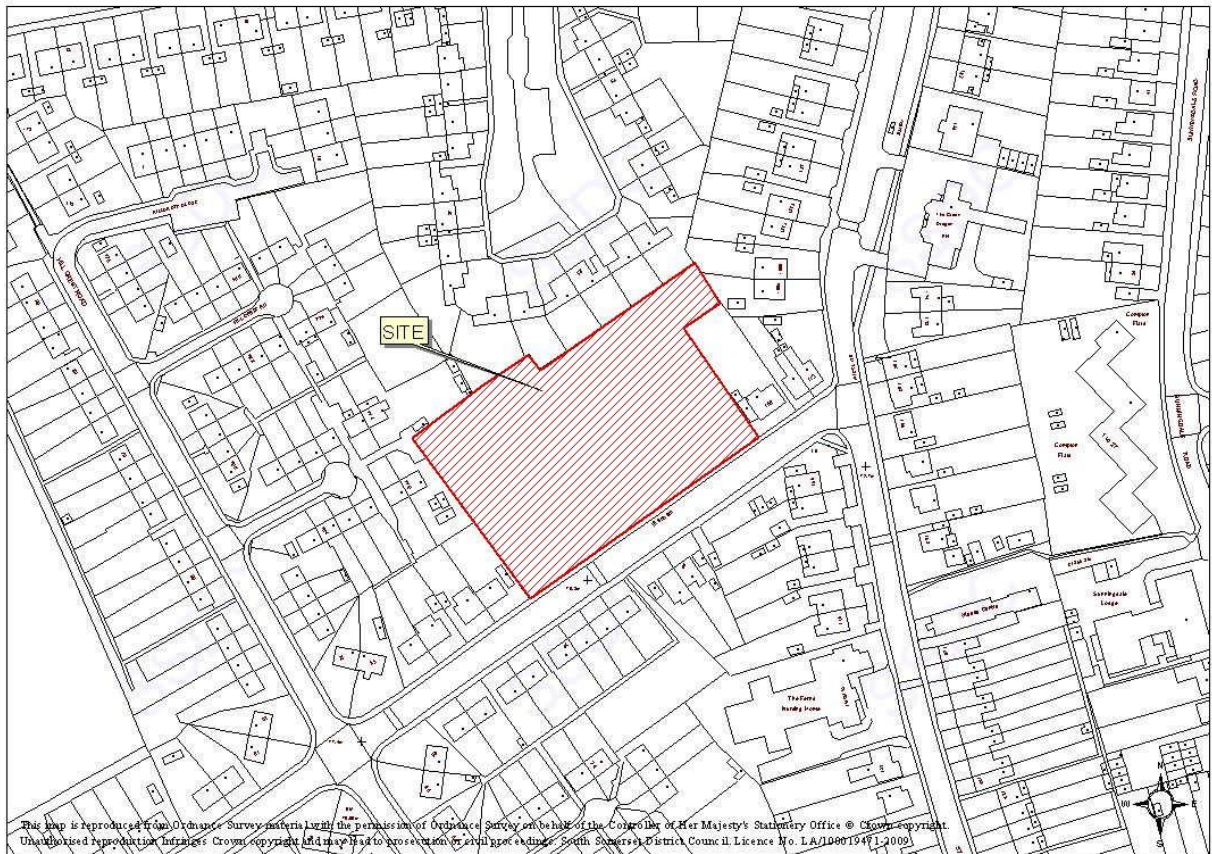
## **LEVEL 3 APPLICATIONS**

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: 09/03111/FUL**

Site Address:	103-107 Highfield Road Yeovil Somerset
Ward :	Yeovil (Central)
Proposal :	Demolition of existing bungalow, day centre and commercial/industrial buildings, the erection of 14 houses and commercial/industrial buildings and alterations to 2 highway accesses (revised application) (GR 356293/116952)
Recommending Case Officer:	Helen Ferdinand
Target date :	29th October 2009
Applicant :	Senyah Ltd
Type :	Major Dwlgs 10 or more or site 0.5ha+

### **SITE DESCRIPTION AND PROPOSAL**



The site, 0.51 hectares in size, is located on the Highfield Road close to the junction with St Michaels Avenue. Currently, the site comprises a range of old industrial buildings with a large area of associated parking; a bungalow with a large garden (vacant); and, the Highfield Centre (previously the disabled day care centre and now vacant).

Planning permission is sought for the demolition of the industrial buildings, the bungalow and the day centre, and the construction of office/light industrial/storage units, and 14 dwellings. Two accesses on to Highfield Road are proposed; one to serve the commercial units, and the other to serve the residential development.

## HISTORY

There have been numerous applications over the years for the change of use/alteration/extension of individual commercial units. Most have been approved. In 2004 an application (04/03618/FUL) for the erection of 14 flats with parking on the car parking area was submitted, but withdrawn for further negotiations in respect of redeveloping the whole site. In 2008 an application (09/00008/FUL) was submitted for the redevelopment of the whole site, but withdrawn for further detailed discussion.

The Highfield Centre has also been the subject of a number of applications for extension and change of use. In 1974 an application for the residential development for flats was refused. Also an outline application for the erection of a house on the bungalow site was refused in 1988.

## 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 HG4: Housing Densities

Policy ME6: Retention of Employment Land and Premises

Policy TP6: Non-Residential Parking

Policy TP7: Residential Parking Provision

Policy EP5: Contaminated Land

## CONSULTATIONS

Yeovil Town Council (9 November 2009):

County Highways: The access and parking provision for the commercial part of the development is acceptable. If the access and road serving the residential development is to be adopted a number of minor alterations are required concerning the size of parking spaces, visibility splays and drainage. On the basis these amendments are carried out, no objection is raised subject to conditions being imposed.

Economic Development: I responded to a previous application (09/00008/FUL) which was subsequently withdrawn. You will recall that my response to that application was generally supportive of the development as proposed, yet drew your attention to a couple of things which may impact on businesses, once the development has been completed and occupied. I raised a concern about the introduction of either ventilation or refrigeration equipment, particularly the low humming noise often associated with these units. I am trying to avoid a situation where a business has restrictions put upon it preventing its full trading potential.

I believe my other concern regarding the proximity of two dwellings to the units has been reduced through the redesign.

I am supportive of this application.

Environmental Protection: Ground Investigation Report has been submitted with the application, but contains some omissions which need to be rectified. Overall, no objections.

Area Engineer: In agreement to proposed attenuation scheme submitted.

Wessex Water: no objection.

EA: no objection raised subject to conditions

Tree Officer: The emphasis should be on ensuring quality provision for the planting of new trees particularly considering the loss of agreed tree losses. The landscape plan appears to lack appropriate specification detail.

## REPRESENTATIONS

A site notice was displayed, and neighbours were notified. 7 letters have been received, four of which either supported or just commented on the proposed development, and three raised concerns. In summary, the concerns raised are as follows:

- object to the siting of the waste bin area adjacent to 109 Highfield Road
- concern over parking provision and available area for manoeuvring
- concern over the additional traffic using the Highfield Road/St Michaels Avenue junction
- concern regarding the removal of the asbestos roofing
- opening hours of the commercial units should continue to be restricted
- concern regarding loss of sun light and privacy to 109 Highfield Road and 155A St Michaels Avenue
- request ornamental trees be retained for screening
- request improved boundary fencing
- concern regarding the potential noise nuisance from air conditioning units, fans, etc.
- concern regarding drainage.

## CONSIDERATIONS

The site falls within the defined development area of Yeovil and therefore the principle of the development is accepted. However, there are a number of material planning matters that require consideration:

- the impact on the character and appearance of the area including landscaping

- the impact on the residential amenity of the neighbours including any potential loss of light, noise disturbance, overshadowing and nuisance from waste bins
- parking provision
- traffic generation.

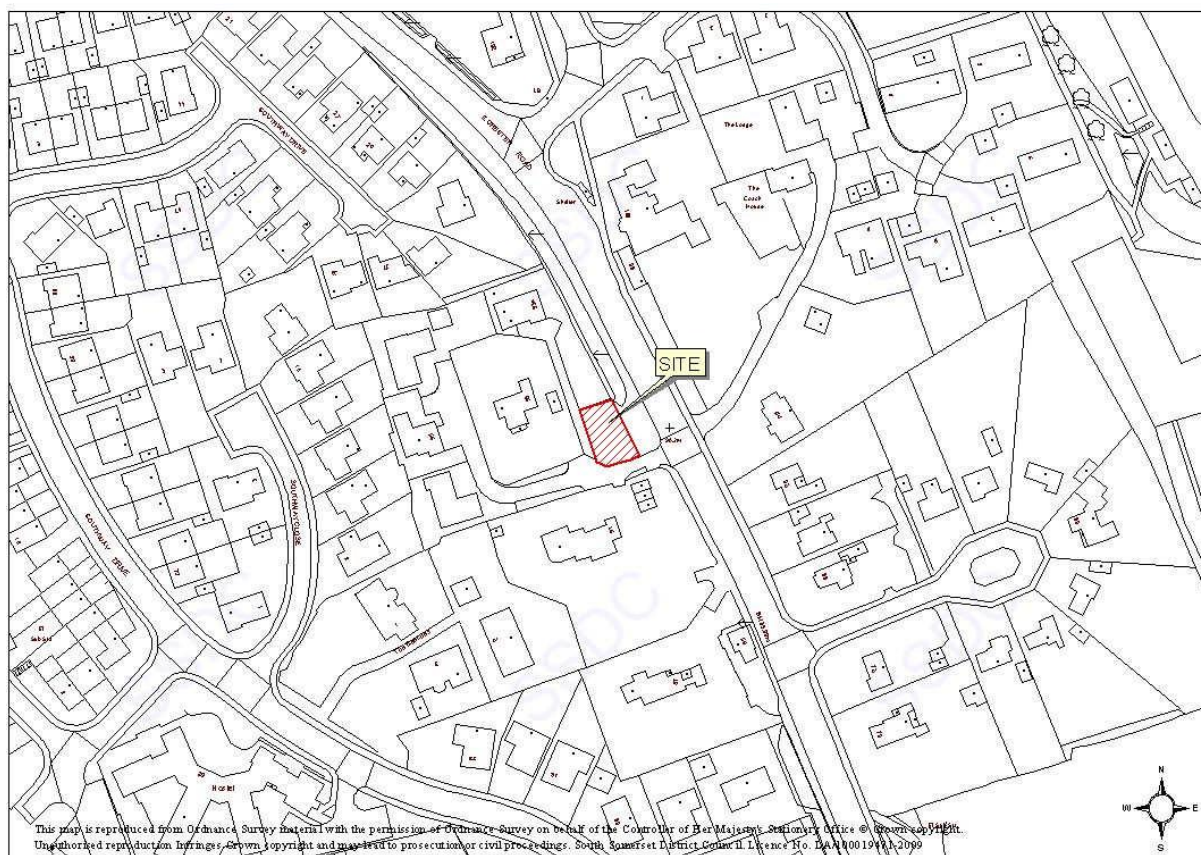
## RECOMMENDATION

The views of the Town Council are invited.

## **2. Officer Report On Planning Application: 09/03691/FUL**

Site Address:	93B Ilchester Road Yeovil Somerset
Ward :	Yeovil (West)
Proposal :	Provision of a chimney and the installation of a new window to east elevation (GR 355074/116965)
Recommending Case Officer:	Sam Fox
Target date :	25th November 2009
Applicant :	Mr A Reina
Type :	Other Householder - not a Change of Use

## SITE DESCRIPTION AND PROPOSAL



The application site lies on the west side of Ilchester Road and currently has planning permission for a detached 4 bedroom house, granted on 07/04371/FUL. The site is currently under construction.

The proposal is for the provision of a chimney and the installation of another first floor window in the east elevation.

#### HISTORY

06/00779/FUL - Erection of a three bedroom dwellinghouse. (GR: 355074/116965). Application Withdrawn.

06/03200/FUL - Erection of a three bedroom dwellinghouse (Re-Submission of 06/00779/FUL) (GR 355074/116965). Application permitted with conditions.

07/03780/FUL - The erection of a first floor extension over garage (GR 355074/116965). Application Withdrawn.

07/04371/FUL - Erection of a new four-bedroom dwelling (GR355074/116965). 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 decision must be made in accordance with relevant Development Plan Documents unless material considerations indicate otherwise,

#### Regional Spatial Strategy

Vis 1 - Expressing the Vision

Vis 2 - Principles for Future Development

EN4 - The Built Environment

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

STR1 - Sustainable Development

#### South Somerset Local Plan (Adopted April 2006)

ST5 - General Principles of Development

ST6 - The Quality of Development

#### CONSULTATIONS

SSDC Technical Services - No comment

SCC Highways - No observations

#### REPRESENTATIONS

6 Neighbours have been notified, no letters of representation have been received.

#### CONSIDERATIONS

In this case the main considerations are:

Impact on form, character and setting of the area, will this adversely affect the street scene.

Impact on residential amenity.

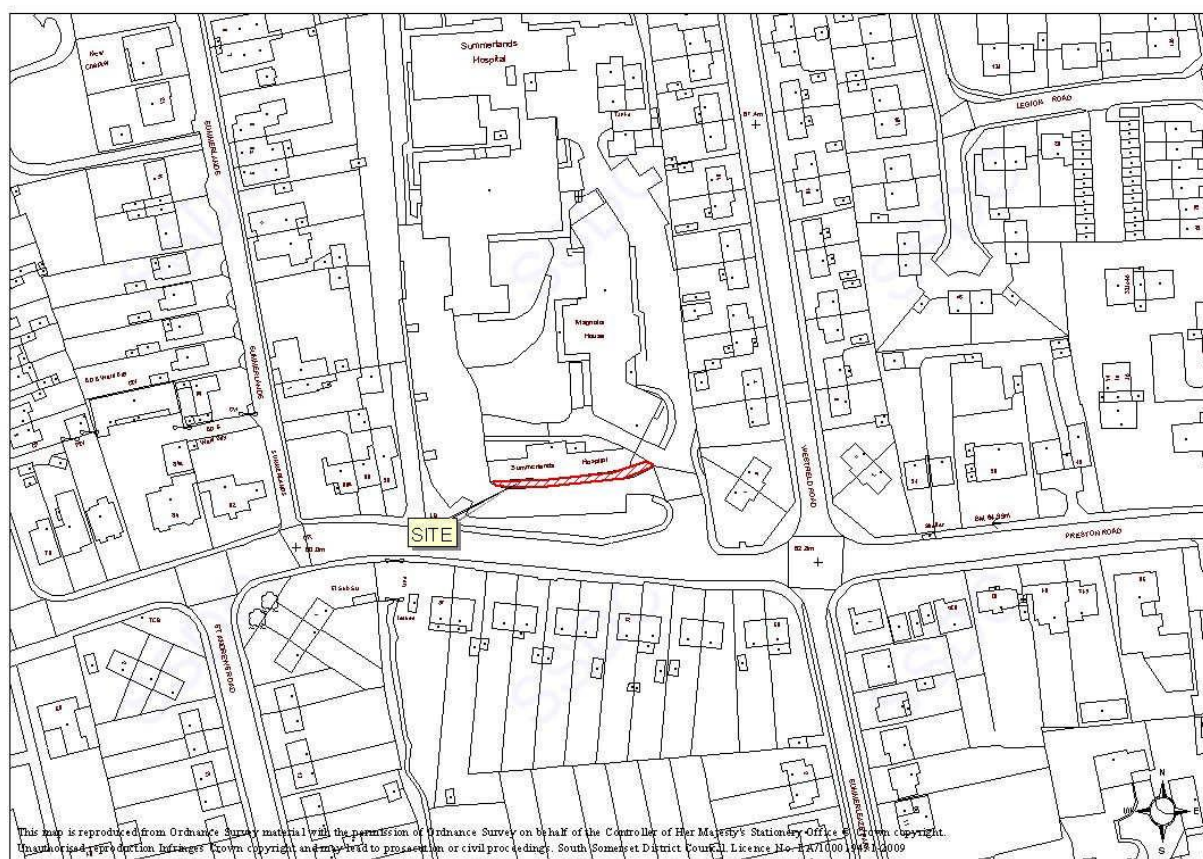
#### RECOMMENDATION

The observations of the Town Council are invited.

### **3. Officer Report On Planning Application: 09/03734/LBC**

Site Address:	Dental Centre Summerlands Preston Road
Ward :	Yeovil (West)
Proposal :	Repairs and reconstruction of pavement area fronting premises and the installation of metal railings (GR 354588/116488)
Recommending Case Officer:	Jane Green
Target date :	10th December 2009
Applicant :	Mr Steve Herman
Type :	Other LBC Alteration

#### **SITE DESCRIPTION AND PROPOSAL**



Summerlands Hospital is a large grade II listed building occupying a prominent position on the north side of Preston Road. Currently used as a Dental Centre the property once was used as a workhouse administration block and forms an important part in the architectural history of Yeovil. The property is built of local stonework with plain Ham stone quins and has features of interest such as dressed windows, sash windows and a Welsh slated roof.

The proposal seeks listed building consent to replace the existing deteriorated and trip hazard pavement kerb which runs the full width of the front of the building. Also proposed is the installation of new railings, which are to be extended into the car park to channel pedestrians away from the vehicular access.

## HISTORY

Most recently:

05/00875/LBC - Proposed re-roofing and repairs to external building fabric - Application permitted with conditions June 2005

97/02557/LBC - The carrying out of internal and external alterations - Application permitted with conditions January 1998

97/02557/LBC - The carrying out of internal and external alterations - Conditionally approved January 1998

## POLICY

Section 16 of the Listed Building and Conservation Areas Act is the starting point for the exercise of listed building control. This places a statutory requirement on local planning authorities to 'have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses'

PPG 15: Planning and the Historic Environment is applicable. Applicants for listed building consent must be able to justify their proposals. They will need to show why works which would affect the character of a listed building are desirable or necessary. They should provide the local planning authority with full information, to enable them to assess the likely impact of their proposals on the special architectural or historic interest of the building and on its setting.

Whilst Section 38(6) of the 2004 Planning Act is not relevant to this listed building application, the following policies should be considered in the context of the application, as these policies are in accordance with PPG15:

### Relevant Development Plan Documents

Regional Spatial Strategy:

VIS1 (Expressing the Vision)

EN3 (The Historic Environment)

Somerset and Exmoor National Park Joint Structure Plan

STR1 (Sustainable Development)

Policy 9 (Historic Environment)

South Somerset Local Plan (Adopted April 2006)

ST5 (General Principles of Development)

ST6 (Quality of Development)

EH3 (Listed Buildings)

EH5 (Development Proposals Affecting the Setting of Listed Buildings)

## CONSULTATIONS

SSDC Technical Services - No comment

SCC Highways - No comments at time of writing

SSDC Tree Officer - Awaiting comments

SSDC Environmental Protection Unit - Awaiting comments (potentially contaminated land)

SSDC Conservation Officer - Awaiting comments but application has been subject to pre-application advice from said officer

## REPRESENTATIONS

Site notice erected and advert placed in local press

## CONSIDERATIONS

The main issues to consider in this case are:

- Whether the works for which consent is now sought preserve the building or any features of special architectural or historic interest, which it possesses.
- Does the application demonstrate why the works, which affect the character of the listed building are desirable or necessary?

## RECOMMENDATION

The views of the Town Council are invited

### **4. Officer Report On Planning Application: 09/03834/R3D**

Site Address:	Yeovil Recreation Ground Chilton Grove Yeovil
Ward :	Yeovil (West)
Proposal :	The installation of new play equipment with associated hard and soft landscaping, retaining walls, mounding and planting (Partially Retrospective Application) (GR 355277/117457)
Recommending Case Officer:	Andrew Collins
Target date :	2nd December 2009
Applicant :	Mr S Barnes
Type :	Non PS1 and PS2 return applications

## SITE DESCRIPTION AND PROPOSAL



The recreation ground lies to the west of Mudford Road with the main means of access off Chilton Grove leading to an open car parking area alongside the Jon O'Donnell Pavilion. There is a public footpath running north-south through the recreation ground with a spur west to Marsh Lane.

The application (partially retrospective) concerns the on-going provision of recreational equipment including:

1. Hard and Soft landscaping including the erection of five timber platforms around existing trees,
2. The erection of a timber pseudo shipwreck structure,
3. Provision of a sandpit with water pool,
4. Installation of a serpent slide and scull slide and accompanying retaining walls,
5. The enclosure of an existing play area with grass mounding and tropical planting, and
6. The erection of a flagpole.

In support of the application the applicants advise:

- Funding has been secured for the development as part of Government initiative for new or refurbished play areas
- SSDC has worked with a multi-agency steering group during 2004 to develop a comprehensive district wide play policy and the principles and values identified have been adopted for the period 2007-2012. This recommends a strategic approach to improving play opportunities and forms a framework for all involved in play to work together to maximise the use of resources, share expertise and avoid duplication of services. The overriding aim is to increase the quality and enhance the quality of children's play opportunities throughout the District. An objective is to create a Flagship Play Space that models best practice and incorporates appropriate levels of supervision during peak use times.
- The decision to develop a Flag Ship Play Space at the Yeovil Recreation Ground followed three separate consultation events over a period of one year and involving six schools and youth consultations during half terms.

## HISTORY

A long list of previous planning applications since the early 1950's concern developments related to the recreation ground and playing fields here.

## 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.

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 most relevance to the proposal are:

Draft Regional Spatial Strategy for the South West (Proposed Changes June 2008):

Regional Spatial Strategy 10: The South West

Regional Spatial Strategy (RSS10) Draft 2006

Development Policy A - Identifies Yeovil as a Strategically Significant Town

Development Policy E - High Quality Design

Development Policy G - Sustainable Construction

Development Policy H - Reusing Land

Development Policy C1 - Increased participation in cultural activity including the maintaining and enhancement of facilities.

Somerset and Exmoor National Park Joint Structure Plan (adopted April 2000):

STR1 - Sustainable Development of a high quality and good design

STR2 - Towns

STR4 - Development in Towns

Policy 1 - Nature Conservation

Policy 11 - Areas of High Archaeological Potential

Policy 37 - Facilities for Sport and Recreation within Settlements

Policy 42 - Walking

Policy 44 - Cycling

Policy 48 - Access and Parking

South Somerset Local Plan (adopted April 2006):

ST5 - General Principles of Development

ST6 - The Quality of Development

ST7 - Public Space

ST9 - Crime Prevention

TP1 - New Development and Pedestrian Movement

TP7 - Car Parking

National Guidance

PPS1 - Sustainable Development

PPG17 - Planning for open space, sport and recreation

South Somerset Sustainable Community Strategy

Goal 3 - Healthy and Active Environments

Goal 4 - Services and Facilities

#### CONSULTATIONS

Yeovil Town Council: Observations invited.

SCC Highways: No objections.

SSDC Landscape Architect: Observations awaited.

SSDC Tree Officer: Observations awaited.

SSDC Rights of Way: Observations awaited.

#### CONSIDERATIONS

The main planning considerations rest with the relationship and likely impact of this Flag Ship play facility with the adjoining dwellings, in particular numbers 60-65 Chilton Grove and 71 - 113 Mudford Road, and upon the landscape setting and visual amenities of the recreation ground itself.

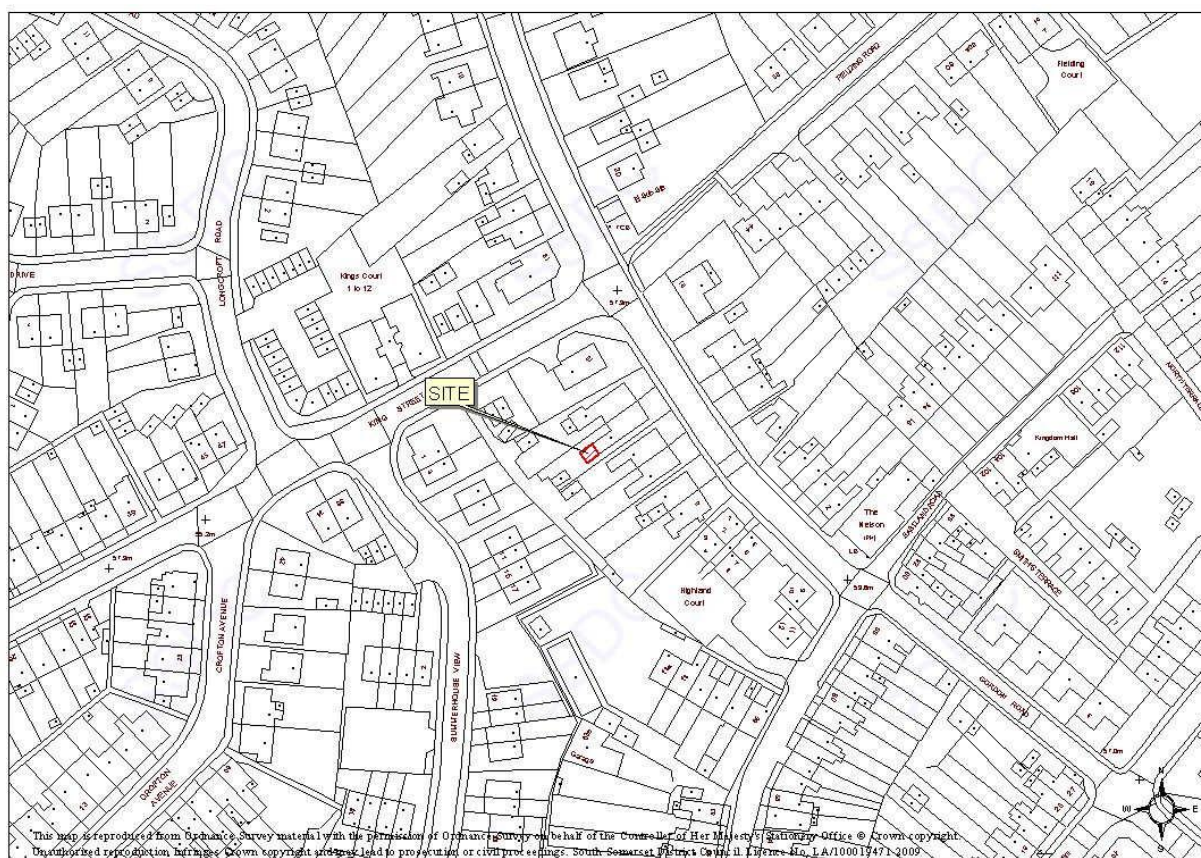
#### RECOMMENDATION

The views of the Town Council are invited.

## 5. Officer Report On Planning Application: 09/03871/FUL

Site Address:	11 Highfield Road Yeovil Somerset
Ward :	Yeovil (Central)
Proposal :	Alterations to existing single storey rear extension to include raising of roof height (GR 356102/116594)
Recommending Case Officer:	Sam Fox
Target date :	9th December 2009
Applicant :	Mr David Ware
Type :	Other Householder - not a Change of Use

### SITE DESCRIPTION AND PROPOSAL



The property is a two storey semi-detached house of red brick construction with white UPVC windows under a tiled roof, located to the west of Highfield Road. The property currently benefits from a single storey extension to the rear. The surrounding properties are a mix of semi-detached and terraced two storey houses of similar age and design. The proposal is for alterations to the existing single storey extension to included the raising of the roof height.

### 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,

### Regional Spatial Strategy

Vis 1 - Expressing the Vision

Vis 2 - Principles for Future Development

EN4 - The Built Environment

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

STR1 - Sustainable Development

### South Somerset Local Plan (Adopted April 2006)

ST5 - General Principles of Development

ST6 - The Quality of Development

## CONSULTATIONS

SSDC Technical Services - No comment

SCC Highways - No observations

## REPRESENTATIONS

Four neighbours have been notified, no comments have been received to date. Consultation period expires 11 November 2009.

## CONSIDERATIONS

In this case the main considerations are:

Impact on form, character and setting of the area, will this adversely affect the street scene.

Impact on residential amenity.

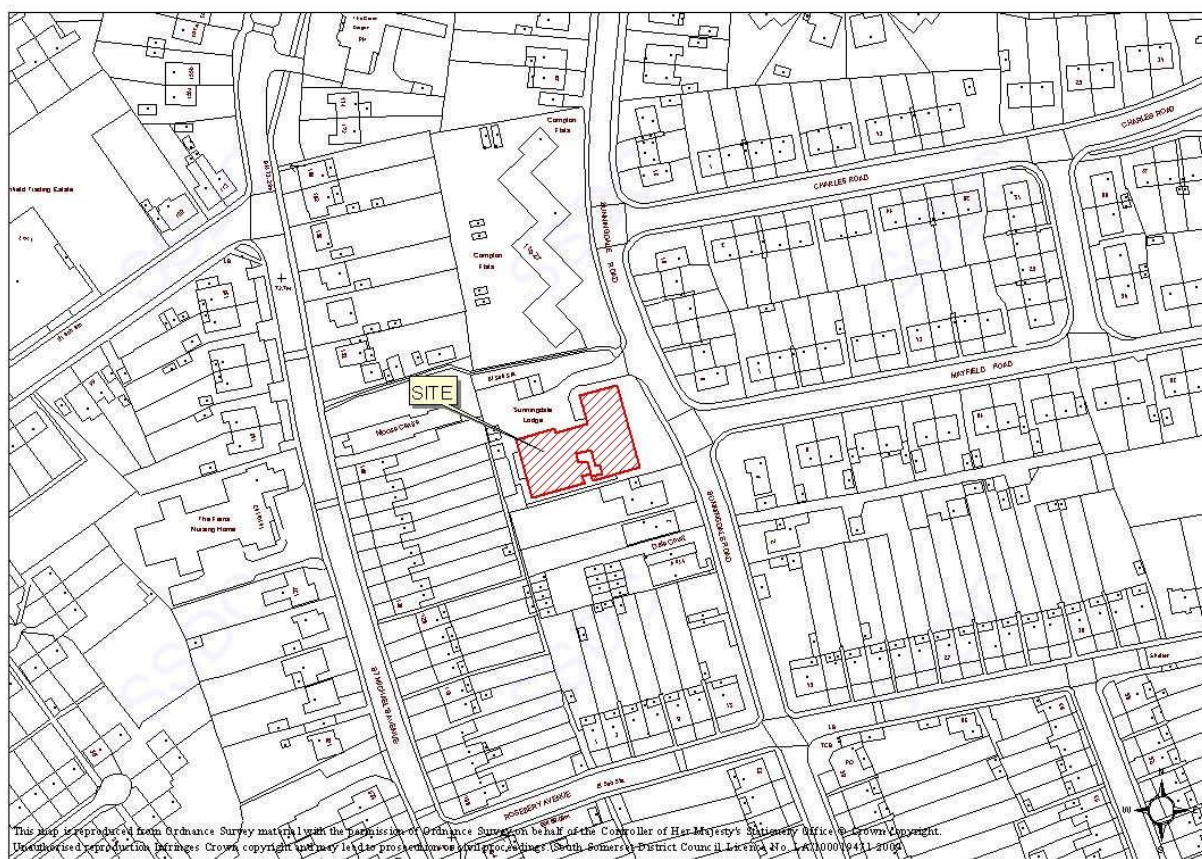
## RECOMMENDATION

The observations of the Town Council are invited.

## **6. Officer Report On Planning Application: 09/04201/FUL**

Site Address:	Sunningdale Lodge Sunningdale Road Yeovil
Ward :	Yeovil (East)
Proposal :	The installation of replacement windows and doors. (GR 356489/116915)
Recommending Case Officer:	Sam Fox
Target date :	16th December 2009
Applicant :	Somerset Care
Type :	Minor Other less than 1,000 sq.m or 1ha

### **SITE DESCRIPTION AND PROPOSAL**



The property is a detached residential care home located to the west of Sunningdale Road opposite the junction with Mayfield Road and within the development area of Yeovil. The surrounding properties are a mix of single and two storey detached and semi-detached dwellings of varying age and design.

The proposal is for the installation of replacement windows and doors throughout the building.

#### **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,

### Regional Spatial Strategy

Vis 1 - Expressing the Vision

Vis 2 - Principles for Future Development

EN4 - The Built Environment

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

STR1 - Sustainable Development

### South Somerset Local Plan (Adopted April 2006)

ST5 - General Principles of Development

ST6 - The Quality of Development

## CONSULTATIONS

SSDC Technical Services - No comment

SCC Highways -

## REPRESENTATIONS

45 neighbours have been notified, one letter of support received to date. Consultation period expires 18 November 2009.

## CONSIDERATIONS

In this case the main considerations are;

Impact on form, character and setting of area, will this adversely affect the street scene.

Impact on residential amenity.

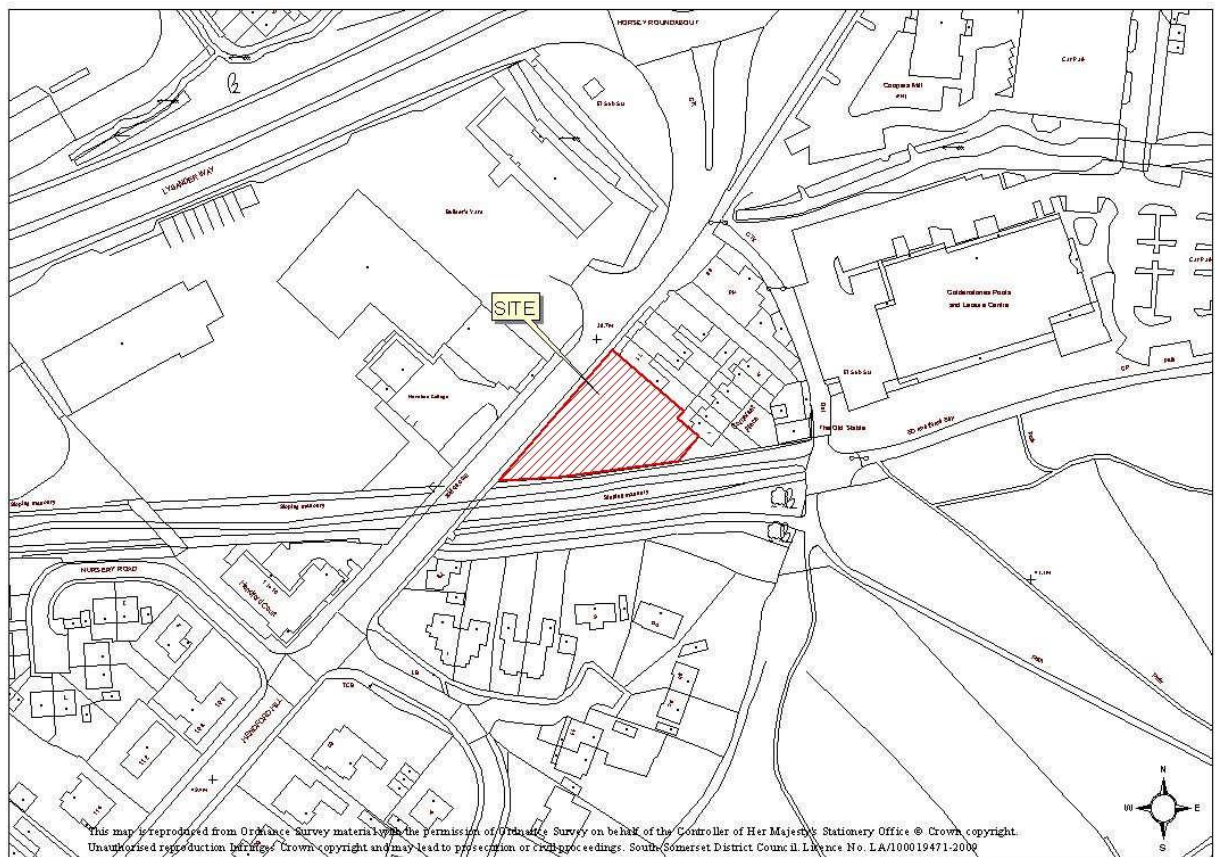
## RECOMMENDATION

The observations of the Town Council are invited.

## **7. Officer Report On Planning Application: 09/04189/S73**

Site Address:	73-77 Hendford Hill Yeovil Somerset
Ward :	Yeovil (South)
Proposal :	Application for a new planning permission for the erection of 18 no flats and 6 under cover parking spaces and new access to replace extant permission 07/00860/FUL to extend the time limit for implementation. (GR 355250/115385)
Recommending Case Officer:	
Target date :	19th January 2010
Applicant :	Mr I White
Type :	Major Dwlg's 10 or more or site 0.5ha+

### **SITE DESCRIPTION AND PROPOSAL**



The site fronts onto the A30 opposite the Bradfords builders supply premises just to the south west of the Horsey roundabout. The site measures some 0.112 h in extent and comprises roughly level land containing a two-storey red brick building and hard surfaced open car parking area. The site has a long established use as an engineering workshop/garage and further to a grant of planning permission in 2003, has been used for the display and sale of motor vehicles. A former railway line, in a deep cutting, runs along the sites south boundary (this is a public path). A terrace of 4 two and a half storey Edwardian houses extend against the sites northeast boundary and front onto

the A30. A terrace of 6 smaller houses (Somerset Place) extends to the rear of the 4 houses. The end property, number 1 Somerset Place, adjoins the sites rear (east) boundary - windows in the front of this dwelling, which is in the same ownership as the application site, overlook the application site.

This current application seeks to extend the time limit for implementation of an extant planning permission in connection with recently introduced legislation under Section 73 of the Town & Country Planning Act 1990. In this case planning permission was sought and obtained under reference 07/00860/FUL for the erection of a block of 18 flats. This permission is subject of 14 conditions, one of which requires the development to commence within three years (by 22.03.2010). If this current submission is granted a new planning permission will result with a new time limit for implementation - the original permission will continue to exist whatever the outcome of this application.

The extant planning permission concerns the erection of an apartment block to extend along the sites road frontage on the building line established by the adjacent existing two and a half storey dwellings. The form and design of the approved apartment block is closely based on the existing adjoining Edwardian terrace. The development entails 18 flats over 3 floors, with access directly onto the A30 through an arch leading to a covered car parking area to the rear of the apartment block and to an open car parking area extending up against the sites rear boundary with the former railway cutting: 18 car parking spaces are proposed in all (one per flat)

#### HISTORY

A number of applications since 1950 shew that the site has been used for various purposes, including a workshop/garage and shop.

As mentioned planning permission 07/00860/Ful permits the erection of an apartment block comprising 18 flats and this remains extant until March 2010.

#### 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.

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 most relevance to the proposal are:

Draft Regional Spatial Strategy for the South West (Proposed Changes June 2008):

Regional Spatial Strategy 10: The South West

Regional Spatial Strategy (RSS10) Draft 2006

Development Policy A - Identifies Yeovil as a Strategically Significant Town

Development Policy E - High Quality Design

Development Policy G - Sustainable Construction

Development Policy H - Reusing Land

SR24 - Identifies the need for Yeovil to grow in terms of housing and employment

H2 - Housing Densities

E4 - Redevelopment of Employment Sites

Somerset and Exmoor National Park Joint Structure Plan (adopted April 2000):

STR1 - Sustainable Development

STR2 - Towns

STR4 - Development in Towns

Policy 35 - Affordable Housing

Policy 40 - Town Strategies

Policy 48 - Access and Parking

Policy 49 - Transport Requirements of New Development

South Somerset Local Plan (adopted April 2006):

ST5 - General Principles of Development

ST6 - The Quality of Development

ST9 - Crime Prevention

TP1 - New Development and Pedestrian Movement

TP7 - Car Parking

HG4 - Density

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

CR4 - Amenity Open Space

National Guidance

PPS1 - Sustainable Development

PPS3 - Housing

PPG13 - Transport

South Somerset Sustainable Community Strategy

Goal 3 - Healthy Environments

Goal 4 - Services and Facilities

Goal 8 - High Quality Homes

Goal 9 - A Balanced housing Market

## CONSULTATIONS

Town Council: Observations invited. Recommended an approval of application 07/00860/FUL.

SCC Highways: Observations awaited. Raised no objections to 07/00860/FUL subject to the imposition of highway safeguarding conditions including the upgrading of the Pelican type crossing on the sites frontage.

SSDC: Open & Play Space: Raised no objections to 07/00860/FUL.

Twenty neighbouring households have been consulted and invited to comment on this current application (reply date 17/11). In the case of application 07/00860/FUL no comments were received from any of these 20 households.

## CONSIDERATIONS

The site is located within development limits on an outer edge of the town centre.

The application site enjoys an important and conspicuous location on a main approach to Yeovil, and in the determination of application 07/00860/FUL it was acknowledged that a good quality and high standard of design had been achieved together with appropriate access and on site parking and turning provision. A careful layout also ensured a suitable relationship with the existing dwellings, particularly, No 1 Somerset Place.

In this connection it was considered that the proposed building form, scale, siting and finish reflected the local vernacular, in particular, the adjoining Edwardian terraced housing and would result in an attractive and good street enclosure and provide a distance from the back of the proposed building to the terraced housing, at the rear (1 Somerset Place) of some 12m.

In terms of accessibility the site is close to the town centre, to the local network of footpaths and to the public transport system. Approved on site parking provision complies with policy TP7 at one parking space per flat.

It will be appreciated that this current submission only seeks an extension of time to implement the above-mentioned extant permission, which will remain extant whatever the outcome of this current submission. The issue therefore before the Town Council is has there been any significant changes in planning circumstances since the approval of 07/00860/FUL in March 2007.

#### RECOMMENDATION

The views of the Town Council are invited.

## **PLANNING DECISIONS**

09/01696/LBC Repairs to existing glove factory and conversion to mixed use at Foundry House, Mill Lane Trading Estate Summer House Terrace Yeovil Somerset BA20 1NL. Applicant Mr Craig Bates.

**APPROVED** subject to conditions.

09/02146/REM The erection of 24 flats at Land Between Victoria Road, Cromwell Road and Lyde Road Victoria Road Yeovil Somerset BA21 5AY. Applicant Thos S Penny Ltd.

**APPROVED** subject to conditions.

09/03218/OUT The erection of a dwelling at 40 Sunningdale Road, Yeovil, Somerset, BA21 5LX. Applicant Mr RF & Mrs DL Stephens.

**APPROVED** subject to conditions.

09/03285/FUL The erection of a single storey rear extension to dwelling and the erection of a single story brick workshop to replace existing shed at 131 Westland Road Yeovil Somerset BA20 2AZ. Applicant Miss V Judd.

**APPROVED** subject to conditions.

09/03319/FUL Demolition of conservatory and the erection of a two storey extension to dwellinghouse at 7 Bell Chase Yeovil Somerset BA20 2FE. Applicant Mr Scott Handyside.

**APPROVED** subject to conditions.

The proposal, due to it's design, form, scale and mass respects the character and appearance of the property and it's setting and causes no demonstrable harm to residential and visual amenity in accordance with Policies ST5 and ST6 of the South Somerset Local Plan 2006.

09/03568/FUL Alterations and the carrying out of loft conversion and erection of a two storey rear extension at 80A Preston grove Yeovil Somerset BA20 2DA. Applicant Mr A Baker.

**APPLICATION IS NOW WITHDRAWN**

### **Note:**

#### **Highlighted Planning Decisions:**

Decision of District Council differs from Yeovil Town Council Recommendation.

## 8. COMMITTEE REVENUE ESTIMATES - 2010/11

### **Budget Strategy**

In setting recent year's budgets, the Council has drawn attention to the importance of officers and committees making bids for growth to give careful consideration to the impact of such bids on the overall finances of the Council as part of the initial budget process.

With this in mind, the Finance Working Group has met and, taking into consideration known growth bids and inescapable increases has worked with the officers in drawing up the Committees' draft estimates for 2010/11.

To help co-ordinate the overall process, each Committee has once again been asked by the Working Group to keep their expenditure within the suggested maximum limits – with any proposed increases beyond those suggested being matched by reductions elsewhere in the draft budget.

This approach worked successfully last year, and the Working Group feels that following the same approach this year will ensure that a balanced and sustainable budget is set for 2010/11.

The Working Group has again proposed that contingencies continue to be included in a separate budget and that bids for the use of these funds be considered by the Policy, Resources and Finance Committee. This approach is consistent with the way in which unspent revenue balances are now dealt with, and it ensures that all Committees have the same opportunity to put forward bids for additional expenditure during the year.

This approach has been successfully followed for the last seven years, and the Working Group feel that the same approach should be followed this year.

The Finance Working Group has also provisionally included an allocation of £20,000 in the 2010/11 estimates towards new initiatives, and has proposed that the service committees put forward bids for the use of this new fund during the January 2010 cycle of meetings.

### **Contingencies**

At present, contingencies are calculated at 6% of the overall budgets set by the Town Council. In view of the fact that inflation is predicted to rise to 2% over the coming year, and given the ongoing negotiations over the future of the Ski and Activity Centre, it is proposed that these be maintained at 6%.

### **RECOMMENDATION**

The Committee is **RECOMMENDED:**

- (1) to note and support the budget strategy drawn up by the Finance Working Group; and
- (2) to consider the draft estimates attached at page 27, with a view to making recommendations to the Policy, Resources and Finance Committee.

*(Alan Tawse, Town Clerk – 01935 382424)*

YEOVIL TOWN COUNCIL - ESTIMATES

**PLANNING AND LICENSING COMMITTEE**

		<u>YEAR 2008/09</u>		<u>YEAR 2009/10</u>			<u>YEAR 2010/11</u>			
<b>NOTES</b>	<b>Item</b>	<b>Allocated</b>	<b>Spent</b>	<b>Allocated</b>	<b>1/2 year spent 30.09.09</b>	<b>Full year estimated spend to 31.03.10</b>	<b>Estimated over/under spend</b>	<b>Estimated recharge</b>	<b>To be allocated</b>	
	<b>Income to 30.09.09</b>									
	Licensing Direct Costs	23,100	15,518	12,000	7,308	12,000		12,240		
	Planning Recharge	12,360	12,360	12,980	6,490	12,980		13,240		
	<b>Est Income 1/2 Year</b>	<b>Total</b>	<b>35,460</b>	<b>27,878</b>	<b>24,980</b>	<b>13,798</b>	<b>24,980</b>	<b>0</b>	<b>25,480</b>	<b>0</b>
	<b>Ending 31/03/10</b>									
	Licensing	10,000					Estimated recharge (+)		25,480	
	<b>Total</b>	22,011					Estimated 2010/11 income (-)		23,000	
							Estimated underspend (-)		0	
									2,480	
	<b>Estimated Income 2010/11</b>						Plus contingencies (6%)		149	
	Licensing	23,000							<b>2,629</b>	
	<b>Notes</b>									
	1	Income for 2009/10 includes fees and charges which will be received before the financial year end which relates to 2010/11 financial year								
	2	Expenditure includes the cost of Criminal Record Bureau checks for which corresponding fee income is received.								
	3	Planning recharge increased in line with inflation								

9. **NOTES ON BUDGET ESTIMATES**

The Planning and Licensing Committee's anticipated income from its licensing functions is estimated to be £23,000 in the financial year 2010/11, with licensing direct costs expected to be £12,240. These direct costs plus an anticipated planning recharge (in line with inflation) of £13,240 equate to £25,480.

Income for 2010/11 includes the cost of Criminal Records bureau checks for which a corresponding amount is included in expenditure.

*(Alan Tawse, Town Clerk - 01935 382424)*