



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 13 October 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

07 October 2008

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 29 September 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. **PLANS LIST** (Pages 2 to 29)

5. **REPORT TABLE** (Page 30)

6. **PLANNING DECISIONS** (Page 31)

7. **CORRESPONDENCE**

	Application No	Proposal	Address
1	07/05341/OUT (FOR INFORMATION - COKER PARISH)	Formation of road access and the development of land for B1 office and industrial use buildings. GR (353075/115103)	Land South Of The A3088 Western Relief Road Yeovil
2	08/03529/FUL	Demolition of existing industrial unit and the erection of a new Lidl foostore with associated parking, servicing and infrastructure improvements (GR: 354914/115458)	Ashleys Of Yeovil West Hendford Yeovil
3	08/01969/FUL	Alterations, extension and the conversion of existing offices into 6 No. flats (GR 355478/115805)	25/27 Hendford Yeovil Somerset
4	08/03384/FUL	The erection of a sun-room to south elevation of dwelling (GR 354945/114676)	Cherry Trees 4A East Coker Road Yeovil
5	08/03468/FUL	The erection of a single storey extension(GR 356429/117391)	26 St Johns Road Yeovil Somerset
6	08/03540/FUL	The erection of a boundary fence and a 2m high fence to enclose grassed area to front of property (GR 353839/116238)	164 Preston Road Yeovil Somerset
7	08/03886/FUL	The erection of a single storey rear extension to dwelling (GR 353890/116101)	16 Watercombe Lane Yeovil Somerset

PLANNING MEETING
MONDAY 13 OCTOBER 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 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

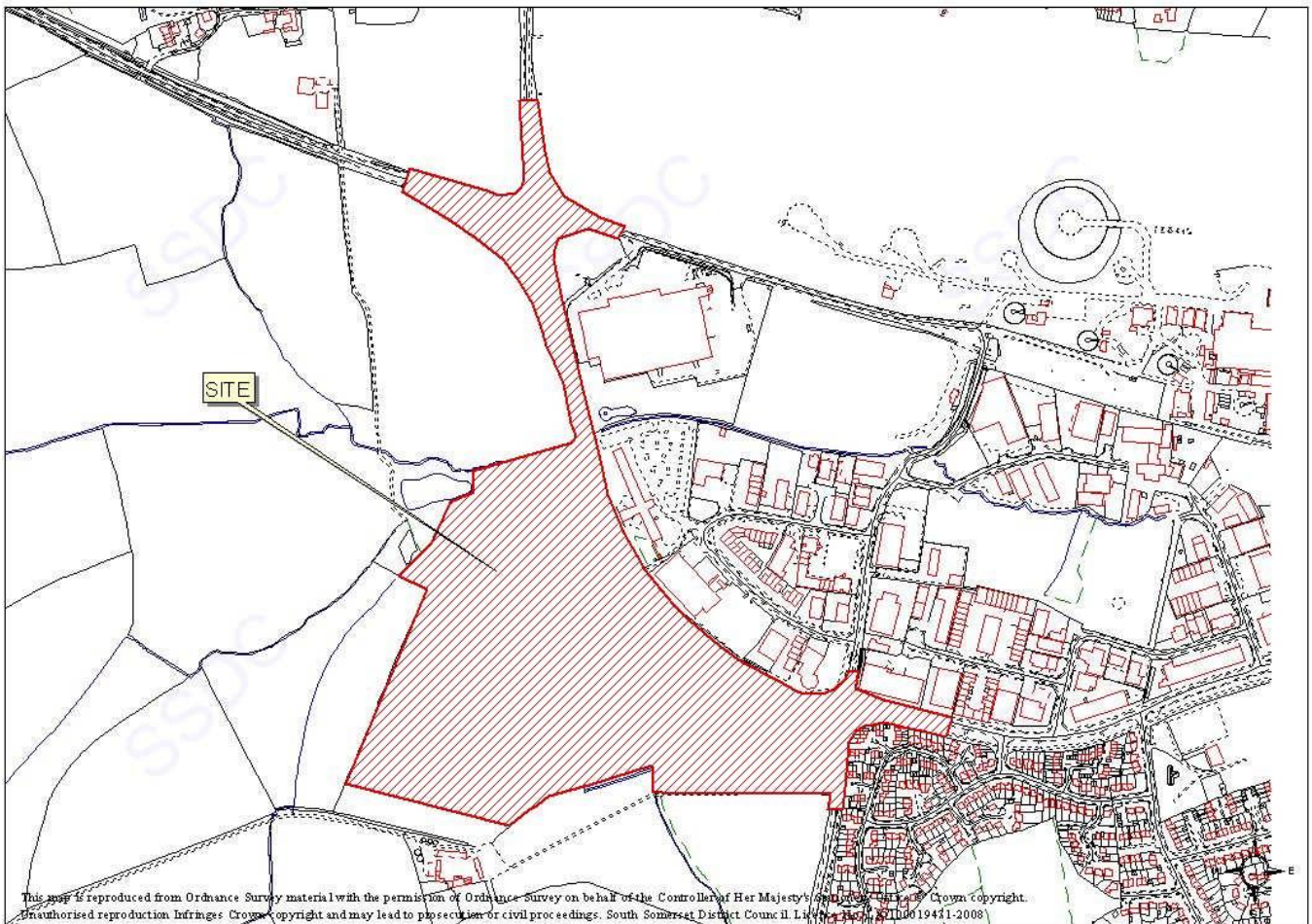
Level 3 applications are likely to be developments that because of the significance of their impact should always be determined by the relevant Area Committee (or Regulatory Board where necessary). Whether an application falls into the Level 3 category shall be decided by the Head of Development & Building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

1. Officer Report On Planning Application: 07/05341/OUT - FOR INFORMATION

Site Address:	Land South Of The A3088 Western Relief Road Yeovil
Ward :	COKER
Proposal :	Formation of road access and the development of land for B1 office and industrial use buildings. GR (353075/115103)
Recommending Case Officer:	Andrew Collins
Target date :	26th February 2008
Applicant :	Abbey Manor And Brympton Estate
Type :	Major Manfr f/space 1,000 sq.m or 1ha+

This application has been brought to Yeovil Town Council for information purposes only as the site is located within the Parishes of West Coker and Brympton.

SITE DESCRIPTION AND PROPOSAL



The application site is located to the west of the A3088 Western Relief Road - opposite the District Council offices. The site measures 20.3ha and is proposed to be used for B1 and industrial uses. The site is allocated within the adopted Local Plan under policy ME/WECO/1 and is considered to be the employment key site for Yeovil.

This application is an outline application with the principle, access and strategic landscaping being considered at this stage.

With regard to the access, the Westlands / Cartgate and Lysander Road roundabouts are proposed to be upgraded. Access to the site would be in line with the northern end of the Wickes building in the form of a filter lane and traffic light junction.

With regard to the strategic landscaping, revised drawings have been received which include planting of a field outside of the allocation site. This planting is required following comments made by English Heritage and the Garden History Society in order to protect the setting and impact upon the Grade I listed Brympton D'Evercy and the Grade II* listed Parks and Gardens. In addition to this planting the existing tree lined corridor in the southeast of the site and a new landscape core from the southeast to the northwest.

Presentations have been carried out by the developer in line with the Statement of Community Involvement.

HISTORY

01/01881/OUT - The construction of a business complex comprising of a distribution warehouse, office accommodation, telephone call centre together with ancillary service yards and associated car parking (GR 530/151) - Application Withdrawn - 17/12/2001

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

VIS2

EN3

Somerset and Exmoor National Park Joint Structure Plan

STR1 (Sustainable Development)

STR4 (Development in Towns)

Policy 48 (Access and Parking)

Policy 49 (Transport Requirements of New Development)

South Somerset Local Plan (Adopted April 2006)

ST3 (Development Areas)

ST5 (General Principles of Development)

ST6 (Quality of Development)

TP7 (Parking Provision in Residential Areas)

ME/WECO/1 (Land Off Bunford Lane, Yeovil)

CONSULTATIONS

Environment Agency, Wessex Water, English Heritage, South West of England Regional Development Agency, Ecologist, County Archaeologist, Natural England,

Area South Regeneration and the landscape architect all have no objections in principle subject to the amended plans subject to conditions.

Somerset County Highways have verbally stated they have no objections in principle to the highway works. Further details will need to be agreed for existing junction improvements.

West Coker and Brympton Parish Council raise concerns over the proposals. They raise concerns over landscape, noise and disturbance, congestion and layout. The layout is indicative at this stage.

REPRESENTATIONS

5 letters of representation have been received during the course of the application, including 1 from a planning agent representing the owner of Brympton D'Evercy.

They are concerned over additional noise, congestion, consider that Yeovil is large enough and initial concerns over the setting / affect upon Brympton D'Evercy.

CONSIDERATIONS

This site is similar to the recent residential Key sites in that it has been allocated in the Local Plan. As such the general principle of developing this site has been established. The access and strategic landscaping are being considered at this stage. The amended plans have addressed concerns from English Heritage and the Garden History Society and the landscaping within and around the site has been increased. These changes are in accordance with discussions with the landscape architect.

The County Highways Authority have no objections in principle to the proposed highway works subject to agreement on the details which will be set out in the legal documents.

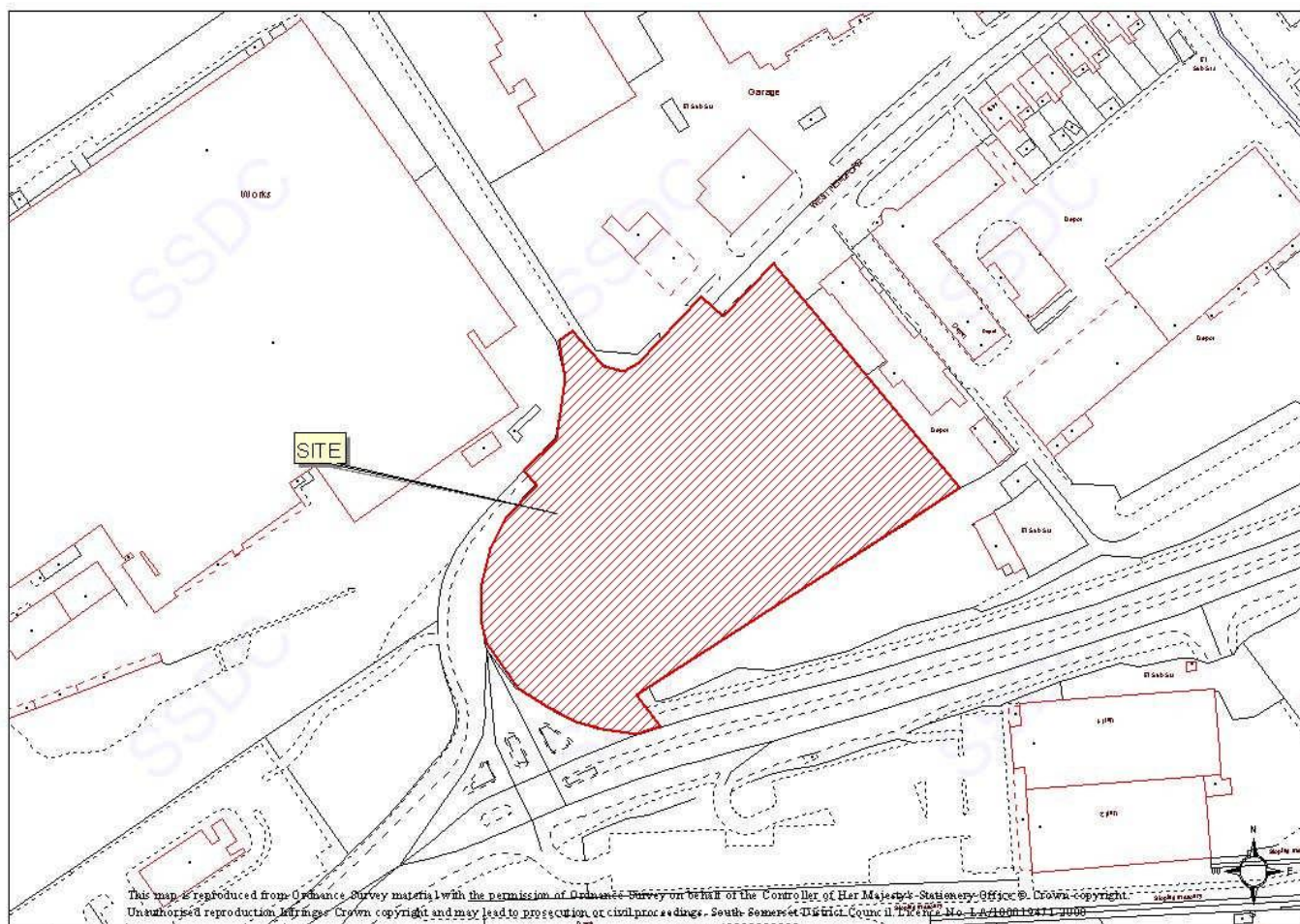
SECTION 106 PLANNING OBLIGATION

Yes in relation to highway works, landscaping provision, phasing, heights of buildings.

2. Officer Report On Planning Application: 08/03529/FUL

Site Address:	Ashleys Of Yeovil West Hendford Yeovil
Ward :	Yeovil (South)
Proposal :	Demolition of existing industrial unit and the erection of a new Lidl foorestore with associated parking, servicing and infrastructure improvements (GR: 354914/115458)
Recommending Case Officer:	Andrew Collins
Target date :	3rd December 2008
Applicant :	Lidl UK
Type :	Major Retail f/space 1,000 sq.m or 1ha+

SITE DESCRIPTION AND PROPOSAL



The site is located within the development area for Yeovil and Flood Zone 2.

The site is 0.666ha located on the southern side of the road at the Western end of West Hendford. To the northeast of the site is a car servicing garage, to the south east an electricity sub station, West Hendford to the north west and Lysander Road to the south. Opposite Lysander Road is a small retail estate comprising P C World and Allied Carpets.

On the other side of West Hendford is a residential scheme under construction and a B1/B8 and D1 use building.

On the site is an existing building occupied by Ashleys of Yeovil, a precision engineering company. The existing building is single storey constructed of bricks fronting West Hendford and breeze block to rear. The roof is covered with asbestos.

This is a full application for an A1 food retail unit with a sales area of 1063m² and a total store size of 1400m². It is proposed to demolish the existing buildings on the site and erect the new food store. The store itself is proposed to be located on the north-eastern side of the site and measure 28 metres in width and 54 metres in length. The building is proposed to be a maximum of 7.5 metres with glazing facing onto West Hendford. The roof is proposed to be mono-pitched and the building is to be constructed of metal cladding and render.

Access to the site is via West Hendford via a new roundabout located at the existing access to Westlands. In total 97 car parking spaces are proposed including 7 disabled and 4 wider parent and child spaces.

A new pedestrian access is proposed at the south-western end of the site with space left for a potential footpath link at a later date to Lysander Road.

Submitted with the application is a PPS6 Retail Assessment, assessment of existing building for other uses, Flood Risk Assessment, Transport Assessment and Contamination Survey and a Sustainability Assessment.

During the course of the application, the applicants have served notice on Westlands due to the red line going onto their property. In addition notice has been served on the current occupiers of the site.

HISTORY

03/01529/OUT - The erection of a non-food retail development with car parking and service yard (GR354914/115458) - Application Withdrawn - 18/07/2003

04/01763/OUT - The erection of a non-food retail development with car parking and service yard (GR354914/115458) - Application Refused - 10/04/2007

POLICY

Relevant Development Plan Documents

Regional Spatial Strategy:

RPG10 now called the Regional Spatial Strategy (RSS) forms part of the adopted Development Plan. The following policies are considered relevant to the consideration of this application.

Policy Vis 1 - Expressing the Vision

Policy Vis 2 - Principles for Future Development

Policy Vis 3 - Achieving the Vision

Policy SS2 - Regional Development Strategy

Policy SS6 - Other Designated Centres for Growth

Policy SS7 - Meeting Local Needs

Policy SS19 - Rural Areas

Policy EN4 - Quality in the Built Environment

Policy EC6 - Town Centres and Retailing

Policy TRAN1 - Reducing the Need to Travel

Policy TRAN7 - The Rural Areas

Policy TRAN10 - Walking, Cycling and Public Transport

Policy RE2 - Flood Risk

The South West Regional Assembly is currently preparing a revised RSS. The emerging RSS vision is to deliver sustainable communities and a more sustainable future for the region, focussing most development in a limited number of Strategic Significant Cities and Towns (SSCTs). Below this tier of settlements, locally significant development will be appropriate in settlements with a range of existing services and facilities and the potential for sustainable development. Yeovil is contained within the

proposed list of SSCTs with the larger rural centres, being settlements to be considered as other locations with potential for sustainable development.

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

This document was adopted in April 2000 and thus predates the inclusion of the RSS as part of the Development Plan Documents and recent Government Guidance. The following policies however, remain relevant for this application;

- STR1 - Sustainable Development
- STR2 - Towns
- STR4 - Development in Towns
- Policy 20 - The Retail Framework
- Policy 21 - Town Centre Uses
- Policy 42 - Walking
- Policy 44 - Cycling
- Policy 48 - Access and Parking
- Policy 49 - Highways
- Policy 60 - Floodplain Protection

Structure Plan Review - deposit draft April 2004

Following the publication of the RSS and, in order to keep up to date, a Joint Structure Plan Alteration (Deposit Draft) was published in 2004. As an alteration many of the policies remain unchanged. However, it reiterates the general approach of the adopted plan with regard to the location of future development and growth patterns within Somerset. This document has not progressed beyond deposit draft stage and therefore limited weight can be afforded to its policies.

South Somerset Local Plan (Adopted April 2006)

The recently adopted local plan follows the principles of sustainable development set out in the RSS, Structure Plan and central government policy and focuses growth in the towns of the district. Yeovil is the principal town in the plan area and therefore has the highest concentration of growth. Policies within the plan are aimed at supporting the delivery of sustainable and high quality development with new retail provision appropriate provided that it is at a scale commensurate with the town's role and function.

The following policies are considered to be relevant for this application.

- ST5 - General Principles of Development
- ST6 - Quality of Development
- ST8 - Sustainable Construction
- ST9 - Crime Prevention
- ST10 - Planning Obligations
- MC2 - Location of Shopping Development
- MC3 - Location of Shopping Development
- ME6 - Loss of Employment Land
- TP1 - New Development and Pedestrian Provision
- TP2 - Travel Plans
- TP3 - Cycle Parking
- TP4 - Design of Residential Roads

TP5 - Public Transport
TP6 - Parking Standards

Local Development Framework

As part of the preparation work for the LDF the Council have commissioned the South Somerset Retail Study (SSRS) by DPDS Consultants. This is based on survey work in 2005 and 2006 and has assessed the need for additional convenience and comparative goods floorspace within the District. This study will be used to inform the LDF in the consideration of new site allocations for retailing.

National Planning Policy

The following Central Government Policy Documents are also considered to be relevant to this application;

PPS1 - Delivering Sustainable Development
PPS6 - Planning for Town Centres
PPG13 - Transport
PPS25 - Development and Flood Risk

CONSULTATIONS

Area Engineer - "Design details and information to be provided for approval in line with the recommendations and conclusions in the Flood Risk Assessment, which I am in agreement with."

Landscape Officer - "No landscape issues with principle, please condition a landscape scheme."

Economic Development Team Leader - "From the outset, this is a challenging application which has taken a little time to arrive at a formal response from the Economic Development Service. There are a number of issues relating to the change of use of the industrial land for the existing purpose of B1, B2 and B8 use to retail. The site in total is 0.66 hectare and is in close proximity of residential premises on the eastern boundary. There are a number of issues that I have tried to better understand and therefore provide you with an economic view.

1) The sequential test identified 25 potential sites that the applicant has considered for the building of a new Lidl foodstore. I acknowledge that for a variety of reasons, the majority of these sites are unsuited for the purpose sought, due to poor access by public transport, inadequate parking or location in a predominately industrial area. Clearly the applicant has chosen to use the sequential test analysis to support their favoured site off Lysander Road. I would encourage the applicant to review the sequential test and provide more detail as to why the site in Yeovil town centre known as Stars Lane North is unsuited to their needs.

Within the sequential assessment site matrix (appendix 4, page 1) the reasons given why this site is unsuitable suggest the unacceptable change of frontage from Middle Street to the rear of the premises by the council. I have no recollection of these discussions having been held with either the Development Control planners or indeed Economic Development. The applicant is, I feel making a pre-judgement to further justify the Lysander Road site.

Furthermore, assumptions have been made about the subdivision of the former Wilkinsons store and the inadequate amount of premises space in which to locate a Lidl store. Again, I am not aware that there have been detailed discussions on the layout of the building and conclude that the statement of inappropriate layout is being used to strengthen the case for the Lysander Road site.

Under viability, the applicant implies that because the former Somerfield store was unsuccessful at this location, there is little opportunity for a Lidl to succeed. I would encourage the applicant to enter into discussions with the developer who now owns the property, as I consider too many assumptions are being made with regard to access, size of premises, rent values etc.

2) I have now visited the site of Ashleys, Lysander Road and viewed the existing manufacturing premises from both the inside and out. The buildings are now extremely outdated, being almost unfit for purpose. As contained within the Atis Real report (July 2008), the existing operator has to contend with uneven floors, extremely low ceilings, narrow doorways, asbestos, poor insulation. Having visited the property, I concur with the statement that the buildings are unlikely to find an alternative user without an enormous financial injection to bring the buildings up to an acceptable standard.

The current owners of the Lysander Road site inform that they purchased a few years ago an alternative site at Lufton to erect a building best suited to their needs. I am informed that all of the existing 35 staff will be transferred to the new site on completion. Also that buildings better suited to the needs of the company will attract orders from businesses who are not comfortable with the existing site. Whilst it cannot be confirmed, it is estimated that additional jobs will be provided through the relocation and expansion of the business. Ashley's of Yeovil manufacture and engineer industrial equipment and are considered a good example of the importance manufacturing is to Yeovil's economy. The question that I have to be satisfied with is: The loss of 35 engineering jobs at this site to retail, is this acceptable economically? My response to this is that a job, whilst in different sectors is a job. 10 will be full time, the remainder will be part time. Retail jobs tend to provide employment opportunity for different sectors of society, students, working parents, unskilled etc. Therefore, I am comfortable with the loss of engineering jobs to retail.

3) The biggest question that I have had to address with this application is the loss of the 0.66 hectare Class B2 employment site and the importance that has within the economic opportunity for the area. I am certainly at ease with the loss of the premises as they are old and no longer fit for purpose. With regard to the loss of the employment land from B2 use, that is a different issue. I am aware that an additional 10 hectares of industrial land is required in the Yeovil area to satisfy the medium - long-term requirements. Therefore, the loss of 0.66 hectares has to be justified. I will submit under separate cover detail on the financial test, which I request is not put into the public domain

My response to this application consultation is that until I receive much more information on the sequential assessment, particularly the unsuitability of the Stars Lane North site, I am unable to support this application."

He further comments, "I have undertaken a more comprehensive review of this application from a financial perspective. I have to be entirely satisfied that the stability of Ashley's of Yeovil's business is not compromised by a refusal of this application. As

importantly, I have to ensure that the loss of B2 employment land can be justified and that Ashley's will not be seeking to make major financial gains from this proposal, if approved. Economically, I consider this evidence of financial projection to be sufficient justification to support the loss of 0.66 hectares of industrial land. However, planning policy may wish to comment also."

Head of Area South Development - With the benefit of the Economic Development Managers comments, would support the loss of the industrial site and it's alternative use.

Planning Policy - Comments pending.

MoD - "We can confirm that the Ministry of defence has no safeguarding objections to this proposal."

Wessex Water - "Foul Sewerage There is sufficient spare capacity to serve this site. Connection may be made to any relevant point on the foul sewerage system.

There is a 650mm diameter public sewer crossing the site at the southern end of the car park. We would remind the developer that there should be no building within 5 metres of this sewer and similarly no tree planting within 6 metres.

Surface Water The sewerage system is mainly separate in this area. Surface water may be discharged to any relevant point of the public surface water system but the applicant is asked to investigate the possibility of using soakaways or other SuDS solutions to keep the volume and rate of discharge to a minimum. The applicant is to consult with South Somerset District Council to ensure the development will not exacerbate any known flooding problems.

Adoption In line with Government protocol the applicant is advised to contact Developers Services to see if any of the on-site or off-site drainage systems can be adopted under a Section 104 Agreement.

Wessex Water
Developers Service
Riverside
Chilton Trinity
TA6 3JS

Sewage Treatment The Sewage Treatment Works and terminal pumping station has sufficient capacity to accept the extra flows this development will generate.

Supply The local distribution system has sufficient capacity to supply this re-development."

Environment Agency - "We have no objection to the proposed development subject to the following conditions and informatives being included in any planning permission granted.

Flood Risk and Surface Water Drainage

Upon consideration of the Flood Risk Assessment, dated August 2008, request the following:

CONDITION:

Finished floor levels of the foodstore should be set no lower than 300mm above ground level.

REASON:

To protect the development from flooding.

CONDITION:

The development shall not be occupied until a specific flood warning and evacuation plan is produced for the site. This must be submitted to and agreed in writing by the local planning authority.

REASON:

To reduce the impact of flooding on the future occupiers of the proposed development.

CONDITION:

No development approved by this permission shall be commenced until a scheme for the provision of surface water drainage works has been submitted to and approved in writing by the Local Planning Authority. The drainage works shall be completed in accordance with the details and timetable agreed.

REASON:

To prevent the increased risk of flooding by ensuring the provision of a satisfactory means of surface water disposal.

INFORMATIVE

Surface water from car parking areas less than 0.5 hectares and roads should discharge to watercourse via deep sealed trapped gullies. For car parks greater than 0.5 hectares in area, oil interceptor facilities are required such that at least 6 minutes retention is provided for a storm of 12.5mm rainfall per hour. With approved "by-pass" type of interceptors, flows generated by rainfall rates in excess of 5mm/hour may be allowed to by-pass the interceptor provided the overflow device is designed so that oily matter is retained. Lorry parks, scrap yards, off loading areas require full oil interceptor facilities and "by-pass" interceptors are not considered suitable. Segregation of roof water should be carried out where possible to minimise the flow of contaminated water to be treated. Detergents, emulsifiers and solvents must not be allowed to drain to the interceptor as these would render it ineffective.

NOTE:

There must be no interruption to the surface water drainage system of the surrounding land as a result of the operations on the site. Provisions must be made to ensure that all existing drainage systems continue to operate effectively and that riparian owners upstream and downstream of the site are not adversely affected.

We support the incorporation of sustainable drainage techniques in the surface water drainage scheme through permeable paving, swales and attenuation measures.

Furthermore, we would encourage the incorporation of flood resilient construction techniques within the design of the development as outlined in section 4.7 of the FRA.

Sequential Test

We would remind the Local Planning Authority that Planning Policy Statement (PPS) 25 requires the Sequential Test to be demonstrated for proposals other than those that

meet the description in footnote 7 of the PPS and Change of Use. The Sequential Test is a requirement of PPS25 and the LPA must be satisfied that it has been demonstrated. You must be satisfied that the Sequential test given in Appendix 6 of the FRA and confirm that it has passed in accordance with PPS25.

Contaminated Land

The application includes a Factual and Interpretive Report (Site Investigation Report No. W0357) for the above site. The report provides a useful introduction to the site setting, history and ground conditions. However, make the following comments:

The proposed development is situated on the Bridport Sand Formation, a Major Aquifer as defined by the Agency's Policy and Practice for the Protection of Groundwater (PPPG).

We note that an intrusive ground investigation has been carried out at the site and your findings have shown that only low levels of ground contamination have been identified as being present (elevated level of Benzo(a)pyrene and TPH in WS3) within a 'hotspot'. We also note in the conclusions that given the low level of contamination present and the proposed future hardstanding that will cover the site, it is considered that the risk to groundwater is low.

We welcome the recommendation for the removal of the hotspot as this will provide further confidence that controlled waters are at a low risk from contamination. However, given the limited investigation undertaken there may be other areas of contamination as yet unidentified; therefore:

CONDITION

If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until the developer has submitted, and obtained written approval from the Local Planning Authority for, an amendment to the Method Statement detailing how this unsuspected contamination shall be dealt with.

REASON

Due to the history of industrial / commercial activity on the site it is possible that further areas of contamination may be revealed during development that were not identified during site investigations.

This will ensure that the development complies with approved details in the interests of protection of Controlled Waters.

We would welcome the opportunity to view the results/validation report of any future remedial works undertaken.

Pollution Prevention

Given that this site is located on a Major Aquifer, measures should be taken at the construction stage to prevent and minimise pollution. Therefore, we request a Construction Environmental Management Plan (CEMP)

CONDITION:

No development approved by this permission shall be commenced until a Construction Environmental Management Plan, incorporating pollution prevention measures, has

been submitted to and approved by the Local Planning Authority. The plan shall subsequently be implemented in accordance with the approved details and agreed timetable.

REASON:

To prevent pollution of the water environment

INFORMATIVE

Safeguards should be implemented during the construction phase to minimise the risks of pollution and detrimental effects to the water interests in and around the site.

Such safeguards should cover the use of plant and machinery, oils/chemicals and materials; the use and routing of heavy plant and vehicles; the location and form of work and storage areas and compounds and the control and removal of spoil and wastes.

We recommend referring to our Pollution Prevention Guidelines, found at http://www.environment-agency.gov.uk/business/444251/444731/ppg/?version=1&lang=_e

The Environment Agency must be notified immediately of any incident likely to cause pollution directly to the local office or via the emergency contact number 0800 807060.

Historic Landfill

On the 22nd of June 2007 we sent your Authority a CD containing historic landfill data which has all the information which we hold on the historic landfill site within 250m of this development proposal. We have no further comments on this application.

Sustainable Construction

We strongly recommend that the proposed development includes sustainable design and construction measures. In a sustainable building renewable resources are used in construction and the use of other materials minimised. The efficient use of energy is achieved during subsequent use. This reduces greenhouse gas emissions and helps to limit and adapt to climate change. Running costs of the building can also be significantly reduced.

Water Efficiency

Water efficiency measures should be incorporated into this scheme. These could include, for example, water butts, rainwater recycling and the use of water-efficient internal appliances and systems. It would assist in conserving natural water resources and offer some contingency during times of water shortage. A copy of our publication 'Conserving Water in Buildings' is available upon request."

Somerset County Highways - Comments pending

Yeovil Town Council -

REPRESENTATIONS

2 letters of representation have been received. 1 from Westland who object to land ownership issues and raise concerns over the Transport Assessment. The applicants have provided further information to counteract these objections.

The other letter of representation is from planning agents representing Morrisons. They raise the following comments;

- Raise concerns over the sequential test
- Consider that the quantitative and qualitative tests have not been met as already an existing Lidl store in close proximity and studies show that no additional need for retail in Yeovil
- Catchment area for store not realistic to justify new store
- The proposal would result in loss of employment and set an undesirable precedent.

A response has been received in relation to these concerns from the applicants retail consultants.

CONSIDERATIONS

The principal issues for consideration of this application are as follows:-

- Policy - retail and employment (Need. Appropriateness of site selected)
- Highways - (suitability of existing road infrastructure and need for any improvements)
- Design / Siting / Layout
- Flooding - (Flood Zone 2)

SECTION 106 PLANNING OBLIGATION

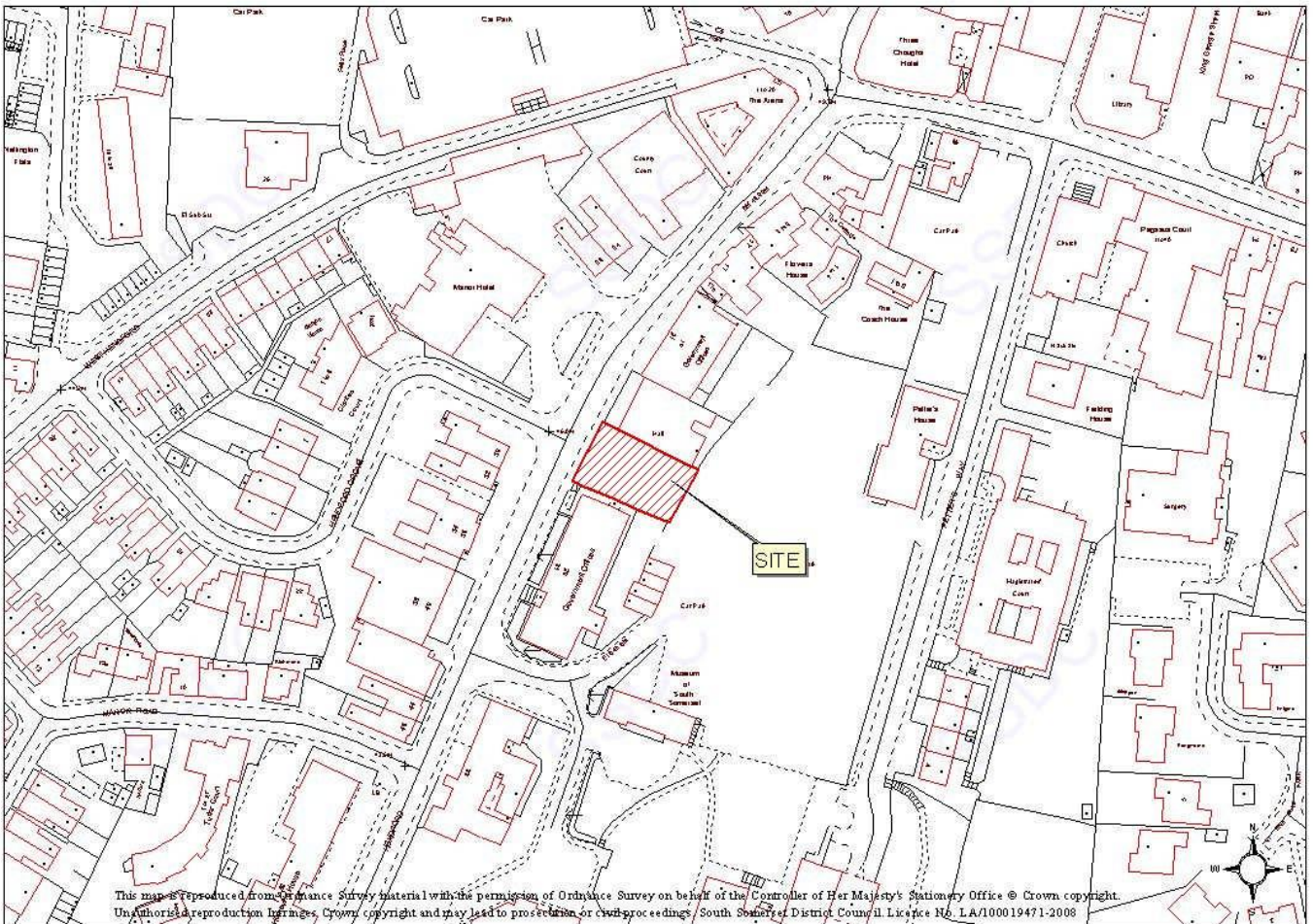
Possibly in relation to highways works.

The comments of Yeovil Town Council are invited.

3. Officer Report On Planning Application: 08/01969/FUL

Site Address:	25/27 Hendford Yeovil Somerset
Ward :	Yeovil (Central)
Proposal :	Alterations, extension and the conversion of existing offices into 6 No. flats (GR 355478/115805)
Recommending Case Officer:	Andrew Collins
Target date :	24th October 2008
Applicant :	Mostly Property Ltd
Type :	Minor Dwellings 1-9 site less than 1ha

SITE DESCRIPTION AND PROPOSAL



The site is located within the development area for Yeovil, the Yeovil Conservation Area and the defined town centre area.

The building is located in Hendford with the rear elevation facing onto Petters Way Car Park.

A pair of Victorian Villas in use as offices (Class B1) since the 1960's. The property is a semi detached, 2 storey building with windows in roof in rear elevation.

It is proposed to erect minor first floor rear and side extensions and convert into 6 flats. The proposals are the same to previously approved plans under planning application 04/00778/FUL. This planning application is extant and runs until 27th May 2009.

HISTORY

04/00778/FUL - Alterations and extension to convert offices into six flats (GR:355478/115805) - Application permitted with conditions - 27/05/2004

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

VIS2

EN3

Somerset and Exmoor National Park Joint Structure Plan

STR1 (Sustainable Development)

STR4 (Development in Towns)

Policy 48 (Access and Parking)

Policy 49 (Transport Requirements of New Development)

South Somerset Local Plan (Adopted April 2006)

ST3 (Development Areas)

ST5 (General Principles of Development)

ST6 (Quality of Development)

ME6 - Retention of Land and Premises

MC4 - Other Uses in Town Centres

EH1 - Conservation Areas

TP7 Parking Provision in Residential Areas)

CONSULTATIONS

Area Engineer - "No Comment"

Economic Development - "There is no mention in this application why there is seemingly no longer any need for offices in this area of Yeovil. When were the premises last occupied? Have the offices been professionally marketed, if so, by whom and for how long? What, if any enquiries were received and as importantly, why were the premises not considered suitable to enquirers needs?"

The application site is within the area defined as 'town centre'. Whilst I can understand that residential accommodation in a town centre has the potential of adding to the 'night time economy', which could be considered an economic benefit to the area, I have insufficient information on the loss of the existing office premises to support this application in it's current format."

Somerset County Highways - "Condition should be included for the provision of sheltered / secure cycle provision within the site on a one for one basis, specification to be agreed in writing by Local Planning Authority."

Yeovil Town Council -

REPRESENTATIONS

Site notice erected. One letter of representation regarding lack of parking has been received. They consider that no provision has been made for residents or their visitors.

CONSIDERATIONS

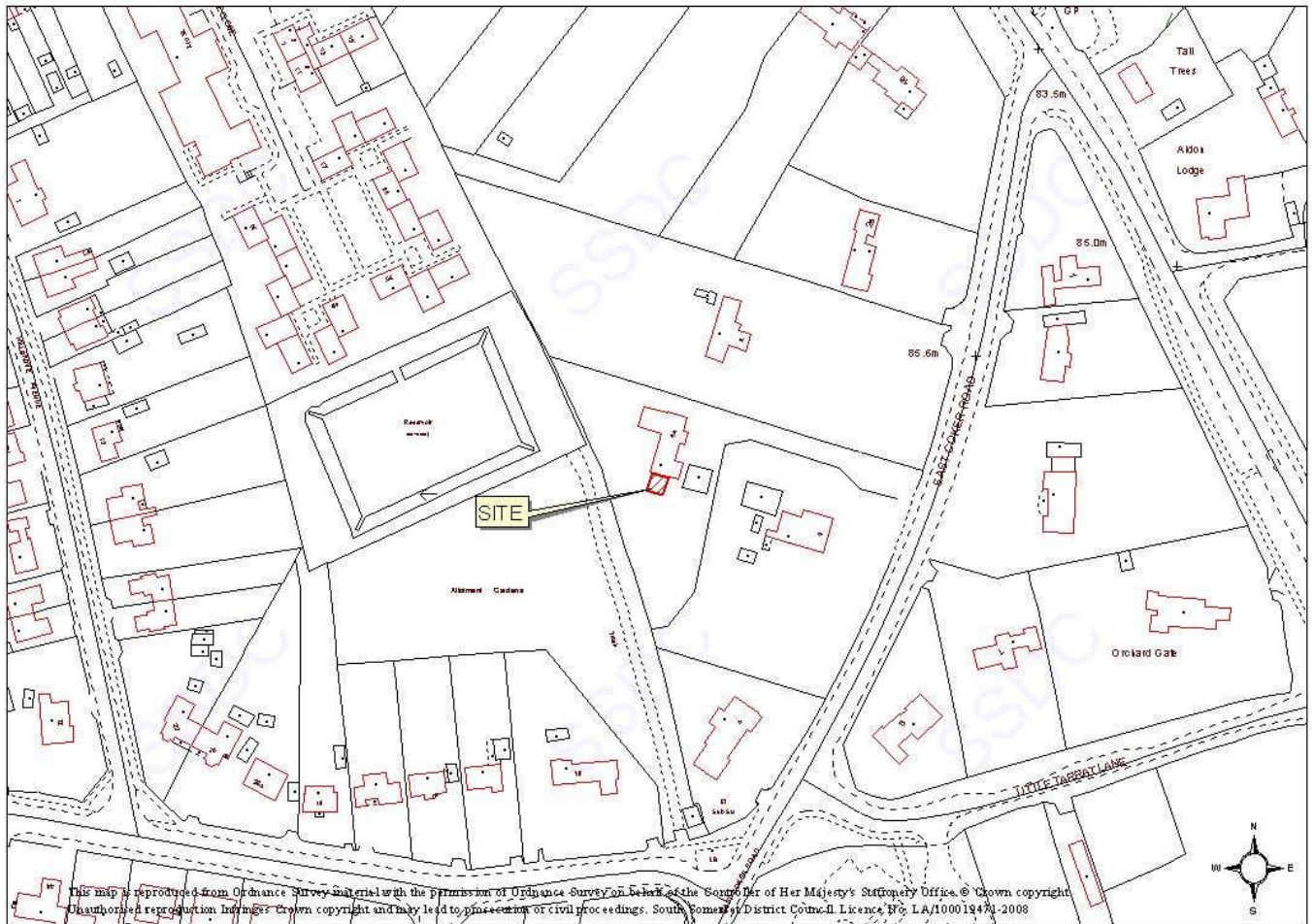
- Any material differences in planning policy from previous extant permission and this proposal.

- The previous case officer considered the relevant policies even though the Local Plan was not adopted.
- Impact upon the Conservation Area.
- Impact upon residential amenity.
- Impact upon visual amenity.
- Parking - no parking provided on site. The Petters Way Public Car Park is located to the rear.
- Loss of employment use.

The comments of Yeovil Town Council are invited.

4. Officer Report On Planning Application: 08/03384/FUL

Site Address:	Cherry Trees 4A East Coker Road Yeovil
Ward :	Yeovil (South)
Proposal :	The erection of a sun-room to south elevation of dwelling (GR 354945/114676)
Recommending Case Officer:	Marianne Bareham
Target date :	13th October 2008
Applicant :	Mr I Montague
Type :	Other Householder - not a Change of Use



SITE DESCRIPTION AND PROPOSAL

This is an application seeking planning permission for the erection of a sun room to the south elevation of a two storey detached dwelling located in the residential area of East Coker Road, which lies within the development limits of Yeovil. The surrounding properties are detached with substantial plots.

The proposal is for the erection of a sunroom/dining room to the side of a dwelling measuring approximately 5 metres wide 6.6 metres deep and 3.4 metres to the height of the ridge. The materials to be used are red facing brick for the dwarf wall with the remainder being fully glazed, white painted window casements to match the existing dwelling and clay plain roof tiles to match existing roof tiles.

HISTORY

96/02946/FUL The erection of detached dwelling and double garage - Refused.
Allowed with conditions on Appeal 03/09/1997

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

Yeovil Town Council:
Highways: No Observations
Area Engineer: No Comment
Tree Officer: No Objections
County Archaeological; No comments received by the end of the consultation period

REPRESENTATIONS

Four neighbours were notified, no comments received by the end of the consultation period.

CONSIDERATIONS

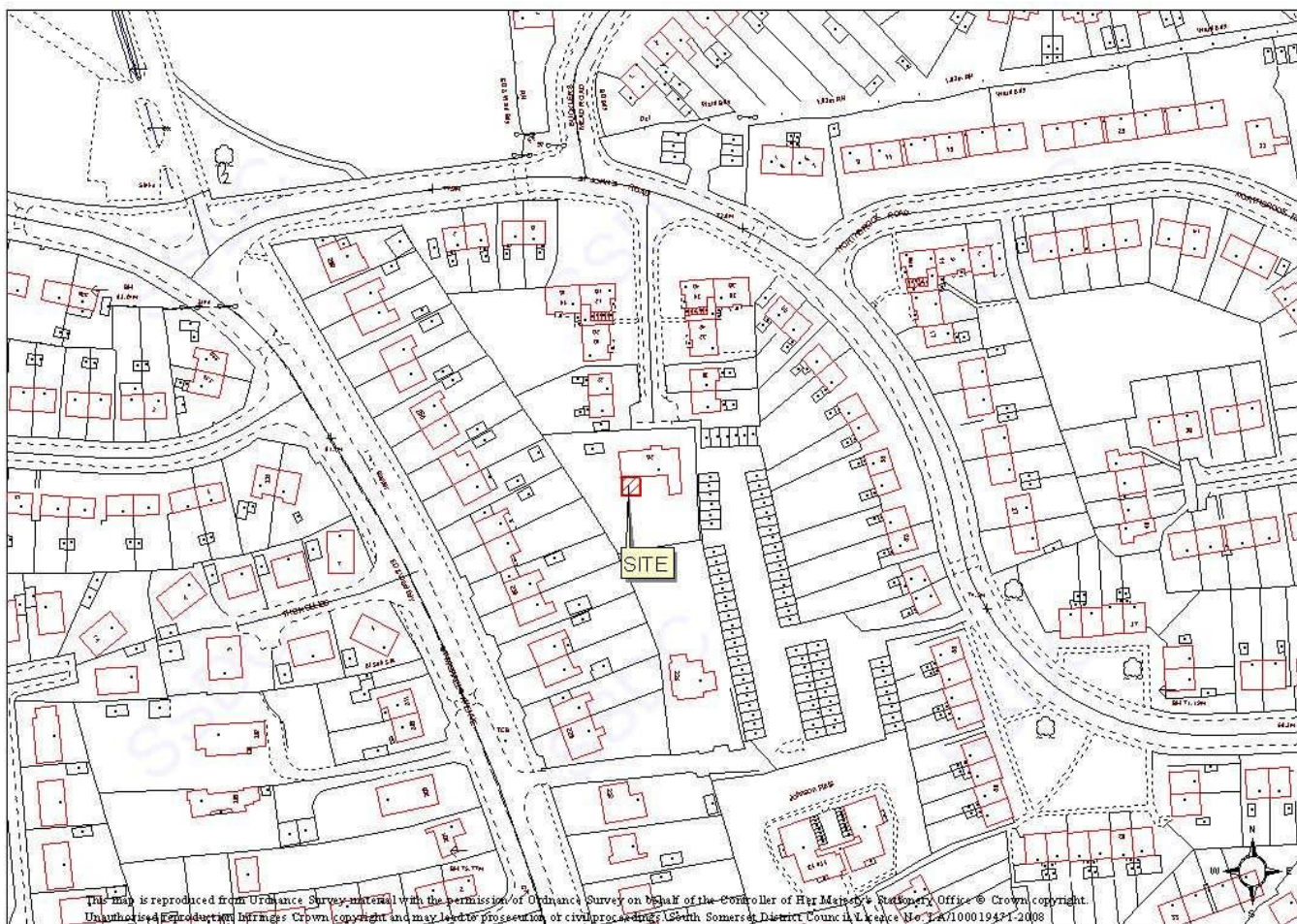
In this case the main issues to be considered are;

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

The observations of the Town Council are invited

5. Officer Report On Planning Application: 08/03468/FUL

Site Address:	26 St Johns Road Yeovil Somerset
Ward :	Yeovil (East)
Proposal :	The erection of a single storey extension(GR 356429/117391)
Recommending Case Officer:	Alex Skidmore
Target date :	30th October 2008
Applicant :	Mukhtar Ali
Type :	Other Householder - not a Change of Use



SITE DESCRIPTION AND PROPOSAL

This application is seeking full planning permission to erect a single storey extension to the rear of the property measuring 5.65m deep, 4.55m wide and 4.5m high and the installation of a new window within the west elevation of the existing building at first floor level.

26 St Johns Road is a modern two-storey detached house currently used as a hostel. The property is located within a development area at the end of a residential cul-de-sac. The property has previously been extended to the sides and rear and there is further extant permission for the erection of a two-storey extension to the rear which has yet to be built. There is off road parking to the side of the house with a relatively large garden to the rear fully enclosed by 2m high fences and walls. To the east of the site is a derelict plot of land that was previously occupied by garage blocks and the application site is surrounded by residential dwellings to all other sides. There are several mature trees situated within the garden of No 26, including one within the northeast corner adjacent to the application site.

HISTORY

07/05267/FUL: Erection of a two-storey extension. Permitted, January 2008.

97/02156/FUL: Internal alterations and erection of rear extension. Permitted, November 1997.

31626/B: Erection of an extension. Permitted, August 1971.

31626/2: Erection of a garage and formation of vehicular access. Permitted, March 1961.

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

STR4 - Development in Towns

South Somerset Local Plan 2006:

ST5 - General Principles of Development

ST6 - The Quality of Development

CONSULTATIONS

Technical Officer: No comment

County Highways: No observations

REPRESENTATIONS

The consultation period ends 06/10/08. At the time of writing this report written observations had been received from two local residents expressing concern at the proposed development for the following reasons:

- This is over development of the building and area bearing in mind the previously granted application for a two-storey extension and the huge eyesore being built in the close vicinity, i.e. the old garage site. A large amount of green area and mature trees have already been lost which is affecting the outlook from the back of my property.
- Concerned about the number of occupants that will reside at this address and the resulting increase in noise. Noise has been issue, especially in respect of the garden area and climbing frame which has occasionally been used at night time. If these extensions are allowed can a plan be put in place to ensure the noise is kept to a minimum especially at weekends.
- Concerned the site no longer has 24 hour supervision.

Should any further comments be received these will be reported verbally.

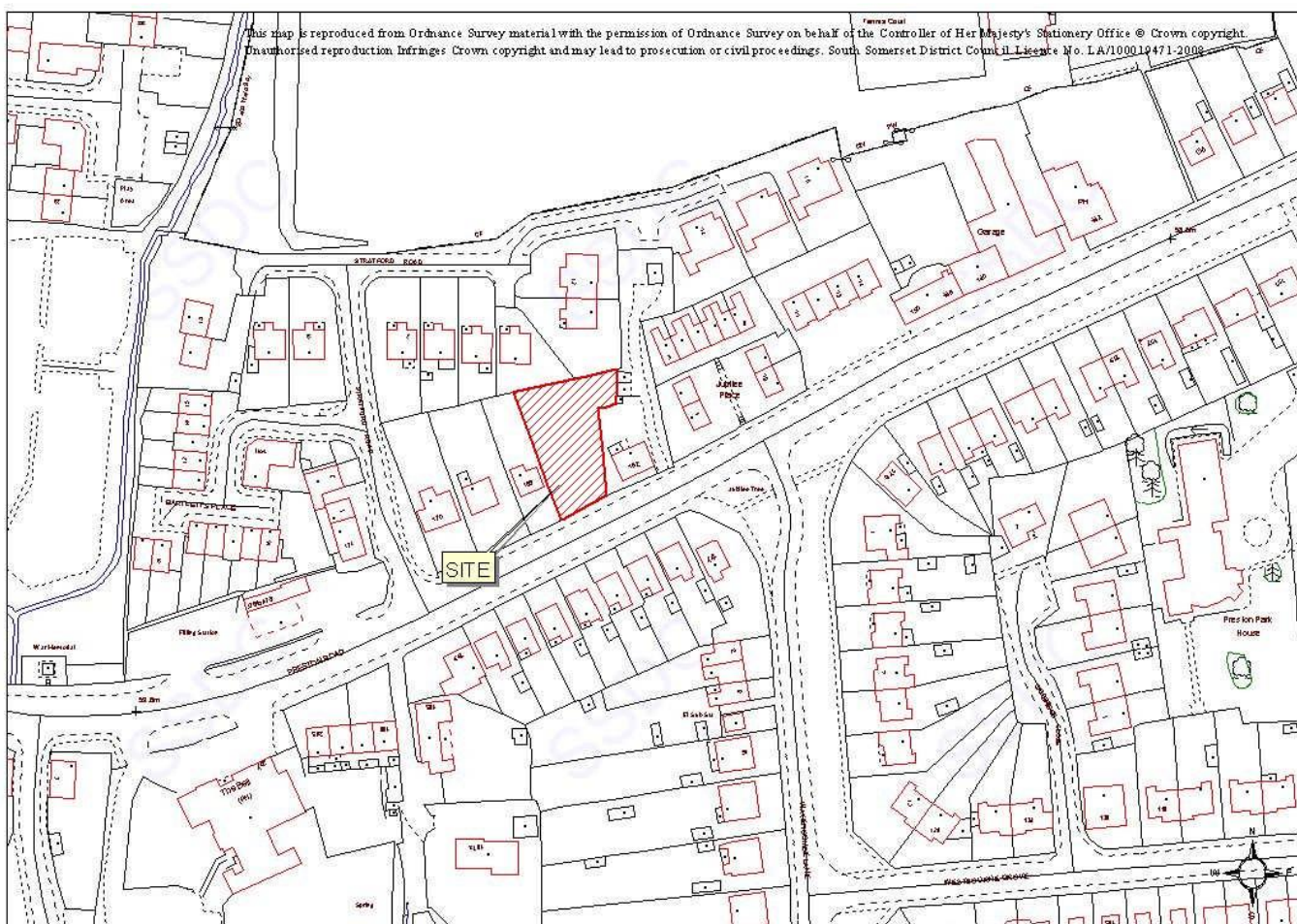
CONSIDERATIONS

- The effect on the residential amenity of occupiers of adjoining adjacent properties, in terms of any increased overlooking, overshadowing or overbearing concerns.
- The effect of the proposal on the form, character and setting of the locality.

6. Officer Report On Planning Application: 08/03540/FUL

Site Address:	164 Preston Road Yeovil Somerset
Ward :	Yeovil (South)
Proposal :	The erection of a boundary fence and a 2m high fence to enclose grassed area to front of property (GR 353839/116238)
Recommending Case Officer:	Mr Dominic Heath-Coleman
Target date :	6th November 2008
Applicant :	Quantock Education Trust
Type :	Minor Other less than 1,000 sq.m or 1ha

SITE DESCRIPTION AND PROPOSAL



The proposal seeks permission for the erection of a boundary fence and a two metre high fence to enclose a grassed area at the front of the property. The property is a two storey detached building used as a school, constructed from brick and painted brick, with white UPVC window frames and clay tiles on the roof. The neighbouring properties predominantly consist of two storey dwellinghouses of varying type and design. The proposed two metre timber fence at the side and rear of the property is considered to be permitted development so is not considered as part of this application. The

proposed fence at the front of the property, that is not permitted development and therefore constitutes the subject of this application, will be constructed of metal mesh, painted black, and will stand at two metres high. The property is located in the Yeovil development area.

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

South Somerset Local Plan (Adopted April 2006)

ST5 - Principles of Development

ST6 - Quality of Development

CONSULTATIONS

SSDC Technical Services - No comment received 02/10/08

County Highways - No comment received 02/10/08

Town Council -

REPRESENTATIONS

None received.

CONSIDERATIONS

-The effect the proposal has on the form, character, and setting of the locality.

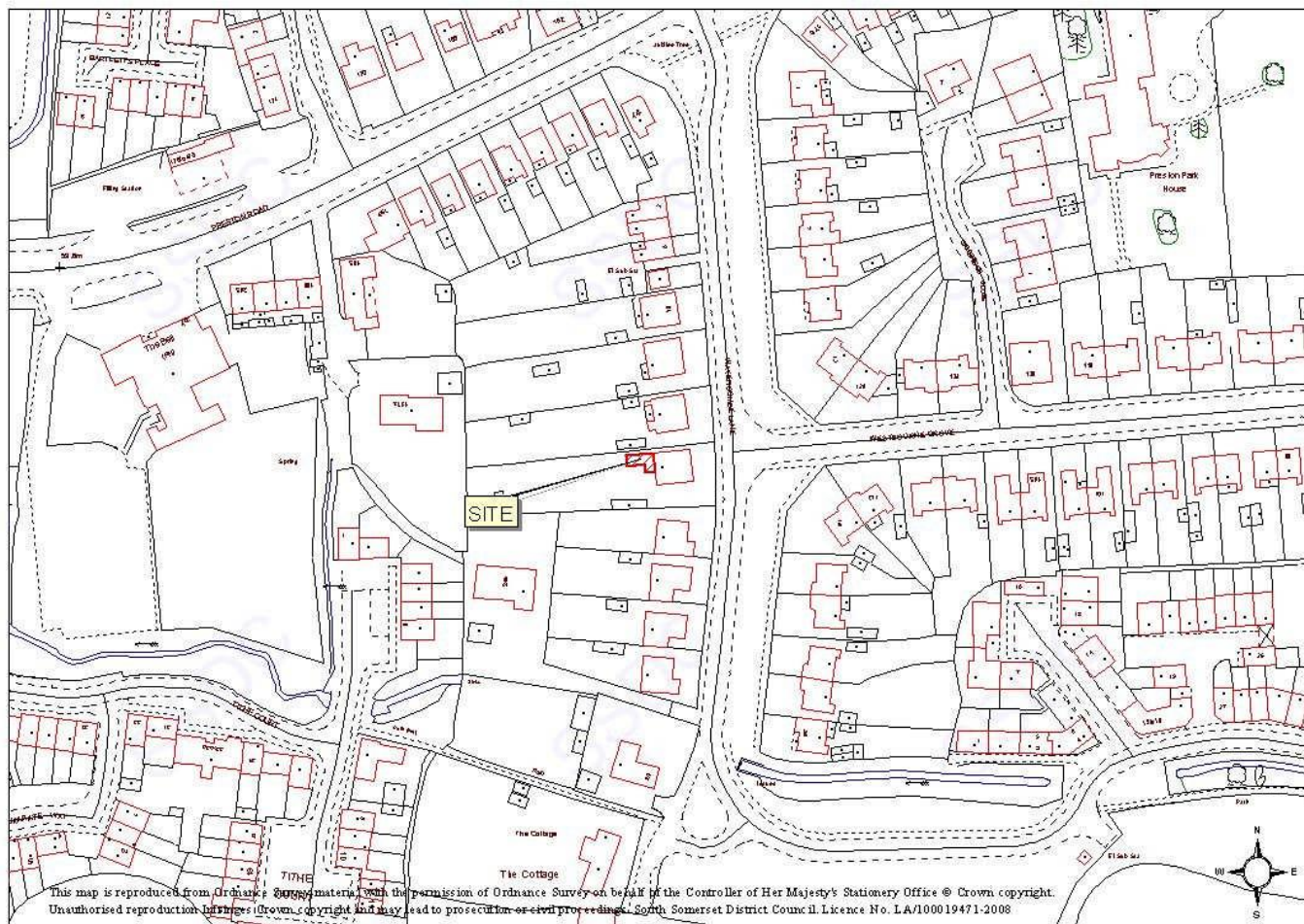
-The effect on the residential amenity of occupiers of adjoining occupiers.

-The impact the proposal has on highway safety

7. Officer Report On Planning Application: 08/03886/FUL

Site Address:	16 Watercombe Lane Yeovil Somerset
Ward :	Yeovil (South)
Proposal :	The erection of a single storey rear extension to dwelling (GR 353890/116101)
Recommending Case Officer:	Marianne Bareham
Target date :	24th October 2008
Applicant :	Mr P Latham
Type :	Other Householder - not a Change of Use

SITE DESCRIPTION AND PROPOSAL



This is an application seeking planning permission for the erection of a single storey rear extension to the west elevation of a single storey detached dwelling located in the residential area of Watercombe Lane, which lies within the development limits of Yeovil. The surrounding properties are a mix of bungalows and two storey detached and semi detached dwellings.

The proposal is for the erection of a single storey extension to the rear of a dwelling protruding out from the dwelling by 5.3 metres and across the rear of the dwelling by 4.9 metres with a height of 3.1 metres to a flat roof with a new lantern style roof light. The materials to be used are red facing brick and double glazed windows with an aluminium frame in UPVC Hardwood affect, both to match existing.

HISTORY

780908 The erection of an extension to bungalow - Conditionally Approved 20/06/1978

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

Yeovil Town Council:

Highways: No Observations

Area Engineer: No Comment

REPRESENTATIONS

Four neighbours were notified, no comments received by the end of the consultation period.

CONSIDERATIONS

In this case the main issues to be considered are;

The effect on the residential amenity of occupiers of adjoining occupiers.

The effect of the proposal on the form, character and setting of the locality.

The observations of the Town Council are invited

PLANNING DECISIONS

08/02826/FUL The erection of a semi-detached dwelling at 1 Penfield Yeovil Somerset BA21 4HN. Applicant: Mr Steve Dunn

REFUSED

08/03030/FUL Erection of a dwellinghouse and garage at Land Adjoining 169 Goldcroft Yeovil Somerset BA21 4DB. Applicant: Mr Robert Hiron

APPROVED subject to conditions

08/03065/ADV The display of a non-illuminated name plate, a non-illuminated fascia sign and 2 no. non-illuminated projecting signs at 7A Union Street Yeovil Somerset BA20 1PQ. Applicant: Integrated Dental Holding

APPROVED subject to conditions

08/03139/FUL The erection of a two storey extension to dwellinghouse at 3 Swallowcliffe Gardens Yeovil Somerset BA20 1DQ. Applicant: Ms Elizabeth Stallard

APPROVED subject to conditions

08/03248/FUL The erection of a rear single storey extension, replacement garden shed and alternations to boundary wall at 2 Ivy Walk Yeovil Somerset BA20 2NU. Applicant: Mr Shaun Bussell

APPROVED subject to conditions

REPORT TABLE FOR TOWN COUNCIL 13 OCTOBER 2008

<u>APPLICATION NO.</u>	<u>LOCATION</u>	<u>PROPOSAL</u>	<u>OBJECTIONS</u>	<u>CONSIDERATIONS</u>
08/03185/ADV	10 Hendford, Yeovil, Somerset BA20 1TE	The display of a non-illuminated projecting sign	None received	<ul style="list-style-type: none">• Is the sign in keeping with the character of the area in terms of siting, design, materials, illumination, scale and number?• Does the sign have an adverse impact on the character, setting or appearance or view in or out of the conservation area?• Does the sign prejudice public safety?