



# Yeovil Town Council

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

Phone 01935 382424

Fax 01935 382429

E-mail [alan.tawse@yeovil.gov.uk](mailto:alan.tawse@yeovil.gov.uk)

## Planning and Licensing Committee

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

The Time... **7.00pm**

The Date... **Monday 3 February 2014**

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

28 January 2014

---

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

To: All Members of the Planning and Licensing Committee

Darren Shutler (Chairman)  
Peter Brock  
Kris Castle  
J Vincent Chainey  
Philip Chandler (Vice-Chairman)  
Dave Greene  
Andrew Kendall  
Mike Lock (Ex-officio)  
Wes Read  
Manny Roper (Ex-officio)

## **Equality Act 2010**

The *general* public sector equality duty places an obligation on a wide range of public bodies (including town and parish councils) in the exercise of their functions to have due regard to the need to:

- Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act
- Advance equality of opportunity between people who share a protected characteristic and those who do not
- Foster good relations between people who share a protected characteristic and those who do not

The protected characteristics are:

*Age*

*Race*

*Disability*

*Religion or Belief*

*Gender Reassignment*

*Sex*

*Marriage and Civil Partnership*

*Sexual Orientation*

*Pregnancy and Maternity*

## **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 confirm as a correct record the Minutes of the previous meeting held on 20 January 2014

### **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 11)**

### **5. REPORT TABLE (Page 12)**

### **6. SOMERSET COUNTY COUNCIL PLANNING APPLICATIONS**

#### **(i) Application No: 14/00186/R3C**

**Proposal:** Retention of a 3-bay Elliott Temporary Building E658, following expiry of previous permission 00/01945/R3C

**Location:** Milford Infants School, Glenthorne Avenue, YEOVIL, Somerset, BA21 4PG (GR: 355676 -117236)

To consider the application and copy site map attached at pages 13 to 14.

#### **(ii) Application No: 14/00256/R3C**

**Proposal:** Retention of a 4-bay Elliott Temporary Building E.744 following expiry of a previous permission 08/01409/R3C

**Location:** Birchfield Community Primary School, Birchfield Road, Yeovil, Somerset, BA21 5RL (GR: 356884 -117405)

To consider the application and copy site map attached at page 15.

7. **PLANNING DECISIONS** (Page 16)

8. **CORRESPONDENCE**

	<b>Application No</b>	<b>Proposal</b>	<b>Address</b>
1	13/04831/FUL	Alterations and the erection of two storey rear extension and alterations and relocation of garage (GR 355476/117404)	115 Mudford Road Yeovil Somerset
2	14/00189/COL	Application for a Certificate of Lawfulness for the existing use of premises as two flats (GR 355936/116157)	5 Vincent Place Yeovil Somerset

**PLANNING MEETING**  
**MONDAY 3 February 2014**

**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
4. 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.

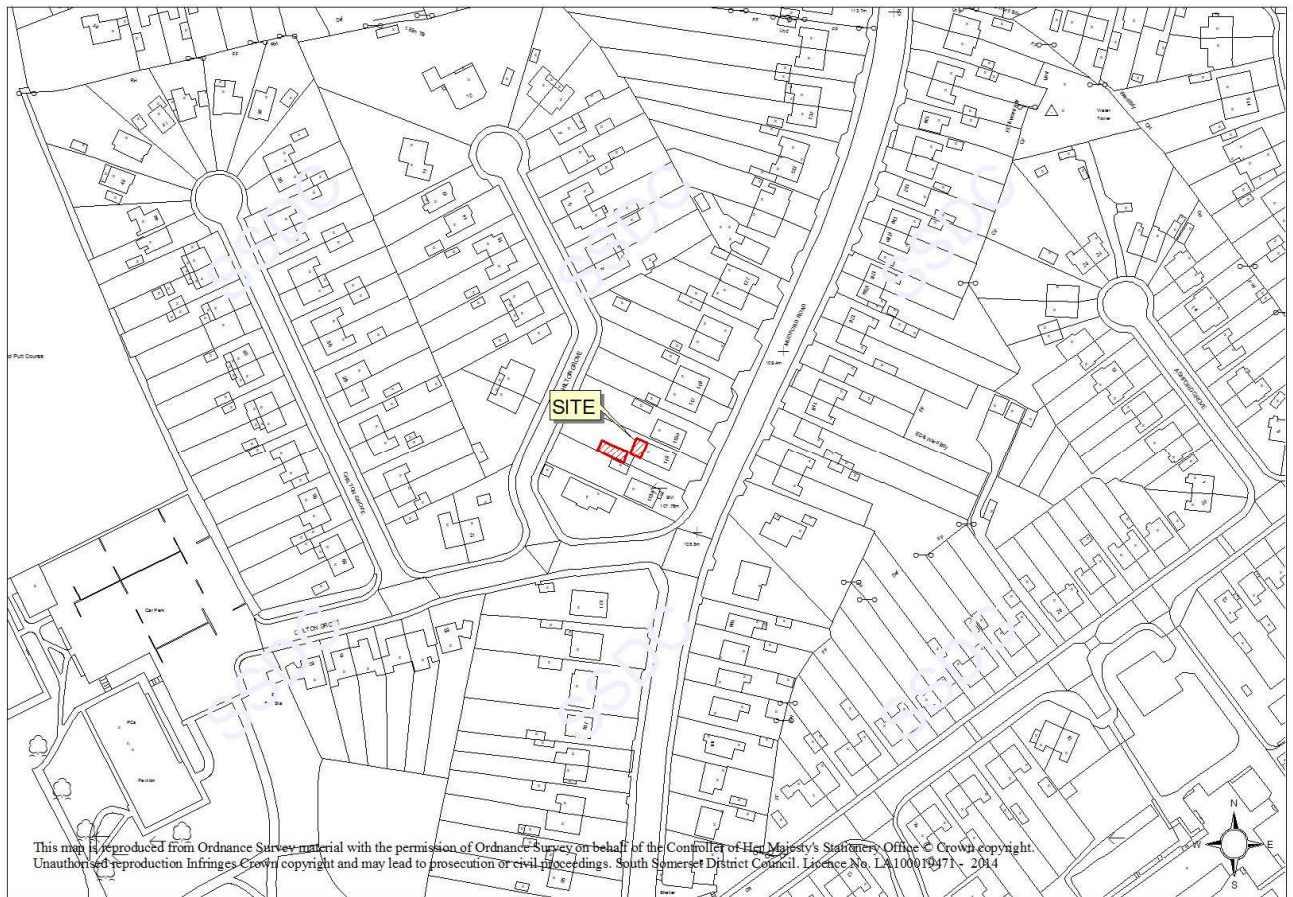


1. **Officer Report On Planning Application: 13/04831/FUL**

Site Address:	115 Mudford Road Yeovil Somerset
Ward :	Yeovil (West)
Proposal :	Alterations and the erection of two storey rear extension and alterations and relocation of garage (GR 355476/117404)
Recommending Case Officer:	Mrs Jennie Roberts
Target date :	29th January 2014
Applicant :	Mr & Mrs Harry Sayers
Type :	Other Householder - not a Change of Use

This application was previously considered by the Town Council at its meeting on Monday 6 January 2013. Town Council objected, as it considered that the size and form of the extension as proposed would create an overbearing relationship and a loss of light to the rear of 115A Mudford Road. The application has since been amended, as detailed below.

**SITE DESCRIPTION AND PROPOSAL**



The site is located within a residential area of Yeovil. It comprises a two-storey detached dwelling house constructed of brick under a slate and fibre cement roof, set in a relatively large plot.

This application proposes the erection of a large two storey rear extension to accommodate a kitchen/breakfast room on the ground floor and two bedrooms on the first floor, making a total of four bedrooms (an increase of one). Materials are to match the existing building. A first floor window will be constructed in each side elevation; these will both serve bathrooms. The plans that were submitted originally showed that the extension would project 5m from the rear of the house. These amended plans have reduced this length to a 4m projection.

It is also proposed to alter and relocate the existing garage further back in the site. The garage will be re-roofed with slate to match the house.

There is sufficient space on site to provide at least three off-road parking spaces.

## **HISTORY**

None

## **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.

Following the recent revocation of the Regional Spatial Strategy and the Somerset and Exmoor National Park Joint Structure Plan Review regard needs to be had to the development plan policies of the saved policies of the South Somerset Local Plan (2006).

South Somerset Local Plan (adopted 2006)  
ST5 (General Principles of Development)  
ST6 (Quality of Development)

Regard must also be had to:  
National Planning Policy Framework - March 2012  
Chapter 7 - Requiring good design

Somerset Parking Strategy (2012)

## **CONSULTATIONS**

COUNTY HIGHWAY AUTHORITY - Standing advice applies  
ENVIRONMENTAL PROTECTION - No comments

## **REPRESENTATIONS**

A letter of objection was received about the original plans on behalf of the occupant of 115A Mudford Road, specifically relating to loss of light and an overbearing relationship should the proposal be permitted.

Neighbours were reconsulted following receipt of the amended plans, and letters of objection were received from 113A Mudford Road and on behalf of the occupant of 115A Mudford Road. These objections again relate to loss of light and an overbearing relationship.

### **CONSIDERATIONS**

The main considerations of this application are:

- Does the proposal have an acceptable impact on the residential amenity of neighbouring properties, eg in terms of potential for overlooking?
- Does the proposal have an acceptable impact on the visual amenity of the surrounding area?

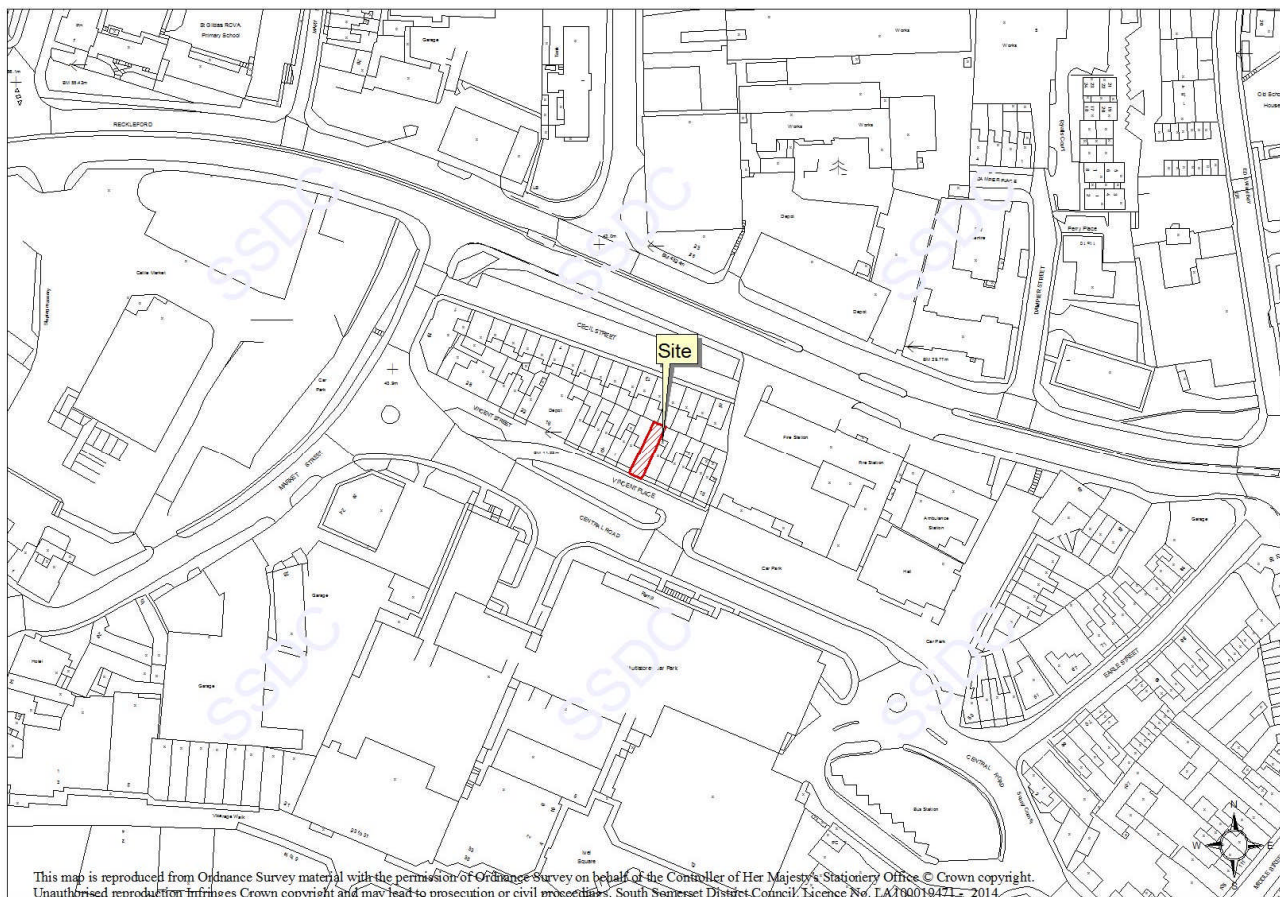
### **RECOMMENDATION**

The view of the Town Council is invited.

## **2. Officer Report On Planning Application: 14/00189/COL**

Site Address:	5 Vincent Place Yeovil Somerset
Ward :	Yeovil (Central)
Proposal :	Application for a Certificate of Lawfulness for the existing use of premises as two flats (GR 355936/116157)
Recommending Case Officer:	Andrew Collins
Target date :	11th March 2014
Applicant :	Mr Charles Campbell
Type :	Other

### **SITE DESCRIPTION AND PROPOSAL**



Vincent Place is located in the centre of Yeovil to the South of Reckleford, off Central Road. Vincent Place is a terrace of similar dwellings constructed of orange brick with buff brick banding.

This is an application for a Certificate of Lawfulness (Existing) for the use of the premises as 2 flats. There is no planning history for the property.

Submitted with the application are details that the property was converted in December 2006 and has been used as 2 flats since then. The flats were originally rented to The Children and Young People's Directorate at Somerset County Council. Information has also been supplied in relation to the Council Tax details.

## **HISTORY**

None

## **POLICY**

The Town and Country Planning Act 1990

## **CONSIDERATIONS**

This certificate of lawfulness seeks confirmation as to whether the building has been in use continuously as 2 flats for at least the last 4 years.

**RECOMMENDATION**

The comments of the Town Council are invited.

## PLANNING DECISIONS

13/04416/TPO Application to carry out tree surgery works to 3 No. Oak Trees known as T.1, T.2 and T.3 in the South Somerset District Council (Yeovil No.2) Tree Preservation Order 2011 (GR 352915/115883) at The Football Ground Bunford Lane Yeovil BA22 8UX  
Applicant Agusta Westland

APPROVAL subject to conditions

13/04732/FUL The erection of a bungalow and double garage (GR 355579/117412) at Land rear of 120 to 124 Mudford Road Yeovil BA21 4PQ  
Applicant Mrs J Fuller

APPROVAL subject to conditions

13/04675/COL Application for a Certificate of Lawfulness for the proposed use of land for the siting of a mobile home to be used as an ancillary granny annexe (GR 354645/114645) at 70 West Coker Road Yeovil BA20 2JA  
Applicant Mr & Mrs Cochrane

APPROVAL

13/04763/FUL The erection of a first floor side extension and extended existing garage forward to the dwelling (GR 355001/115155) at 136 Henford Hill Yeovil BA20 2RG  
Applicant Mr & Mrs G Smith

APPROVAL subject to conditions

### **Note:**

Highlighted Planning Decisions:

Decision of District Council differs from Yeovil Town Council Recommendation.

**Report Table for Town Council 3 February 2014**

<b><u>APPLICATION NO.</u></b>	<b><u>LOCATION</u></b>	<b><u>PROPOSAL</u></b>	<b><u>OBJECTIONS</u></b>	<b><u>CONSIDERATIONS</u></b>
13/04426/ADV	New Look, 14 Ivel Square, Yeovil	The display of 5no. internally illuminated fascia signs	None at time of writing	<ul style="list-style-type: none"><li>• Are the signs in keeping with the character of the area in terms of siting, design, materials, illumination, scale and number?</li><li>• Do the signs prejudice public safety?</li></ul>