



Yeovil Town Council

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Planning and Licensing Committee

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

The Time... **7.00pm**

The Date... **Monday 20 January 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

14 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 6 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 2 to 15)

5. REPORT TABLE (Page 16)

6. PLANNING DECISIONS (Pages 17 to 19)

7. CORRESPONDENCE

8. FINANCIAL STATEMENT – OCTOBER/NOVEMBER 2013

To consider the financial statement for the period 1 October to 30 November 2013 attached at pages 20 to 23.

	Application No	Proposal	Address
1	13/05097/LBC	The carrying out of alterations to boundary wall to form new vehicular access and closing up of existing access and raising the height of wall (GR 356578/116655)	St Michaels Vicarage 52 St Michaels Avenue Yeovil
2	13/05123/FUL	The erection of two storey side extension to dwelling house (GR 353147/116407)	35 Long Close Yeovil Somerset
3	14/00021/FUL	Alterations, erection of a single storey front extension and porch and the formation of a pitched roof over existing dwelling (GR 354690/117353)	160 Ilchester Road Yeovil Somerset
4	14/00059/FUL	The formation of a new hipped roof in place of existing flat roof (GR 354840/117252)	136 Ilchester Road Yeovil Somerset

PLANNING MEETING
MONDAY 20 January 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: 13/05097/LBC**

Site Address:	St Michaels Vicarage 52 St Michaels Avenue Yeovil
Ward :	Yeovil (East)
Proposal :	The carrying out of alterations to boundary wall to form new vehicular access and closing up of existing access and raising the height of wall (GR 356578/116655)
Recommending Case Officer:	Simon Fox
Target date :	7th February 2014
Applicant :	Mr F Falbo
Type :	Other LBC Alteration

SITE DESCRIPTION AND PROPOSAL



The application site comprises a 7-bedroomed two-storey residential dwelling dating back to 1989 and was formally the Vicarage to St Michaels and All Angels Church which is a Grade 2 listed building. It sits centrally within a large garden area.

Constructed from red-brick under clay plain tiles with a decorate ridge the property has an ornate southern elevation with ashlar bay windows and front door surround, with sash windows throughout under ashlar lintels.

Permission was granted in 2013 (13/03190/FUL) to split the dwelling into two dwellings but no works have commenced. As part of the external landscaping works planning permission was also granted to raise the height of the wall adjacent to Glenville Road to 1m. Permission was also granted for the creation of a new vehicular access with the closure of the existing access which had only been formed in 2011 via application 11/03953/LBC.

The site is not located within a Conservation Area but as it is adjacent to the listed St Michaels Church it has been opined that the continuous boundary wall to the church and the vicarage adjoining Glenville Road is listed by association.

This application seeks listed building consent to create an opening in the wall at its eastern point to allow the vehicular access approved under application 13/03190/FUL to be formed, to rebuild the section of walling where the current vehicular access is, and raise the height of the whole wall to approx. 1m, including re-use of the cocks and hens coping.

HISTORY

13/03190/FUL: The conversion of dwelling into two separate dwellings, the erection of a detached double garage/store, new vehicular access and boundary fencing: Permitted: 18/09/2013

11/03953/LBC: The carrying out of alterations to create an opening in existing boundary wall: Permitted: 24/11/2011

11/02231/FUL: Alterations to boundary walls to form enlarged access to churchyard and formation of car parking spaces, formation of a new vehicular access to Vicarage, the change of use of land from residential to churchyard and removal of existing vehicular access to churchyard and Vicarage: Withdrawn: 12/10/2011

11/02233/LBC: Alterations to boundary walls to form enlarged access to churchyard and formation of car parking spaces, formation of a new vehicular access to Vicarage, the change of use of land from residential to churchyard and removal of existing vehicular access to churchyard and Vicarage: Withdrawn: 13/10/2011

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.

In March 2012 the existing national Planning Policy Statements and Guidance Notes (PPS's and PPG's) were superseded by the publication of the National Planning Policy Framework.

Paragraph 132 of Chapter 12 to the National Planning Policy Framework advises:

'When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. The more important the asset, the greater the weight should be. Significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting. As heritage assets are irreplaceable, any harm or loss should require clear and convincing justification. Substantial harm to or loss of a grade II listed building, park or garden should be exceptional. Substantial harm to or loss of designated heritage assets of the highest significance, notably scheduled monuments, protected wreck sites, battlefields, grade I and II listed buildings, grade I and II* registered parks and gardens, and World Heritage Sites, should be wholly exceptional'.*

National Planning Policy Framework - March 2012

Chapter 7 - Requiring Good Design

Chapter 12 - Conserving and Enhancing the Historic Environment

The Secretary of State confirmed The Regional Strategy for the South West (Revocation) Order 2013 on 20 May 2013. This had the effect of revoking the Regional Strategy for the South West and the partial revocation of the Somerset and Exmoor National Park Joint Structure Plan (all policies except policy 6 - Bristol/Bath Green Belt).

The development plan comprises the saved policies of the South Somerset Local Plan.

The policies of most relevance to the proposal are:

South Somerset Local Plan (adopted April 2006):

ST5 - General Principles of Development

ST6 - The Quality of Development

EH5 - Development Affecting the Setting of a Listed Building

Other

Somerset County Council Parking Strategy (March 2012)

CONSULTATIONS

No consultations had been received at the time of submitting this report.

Bodies consulted:

Highways Authority (Somerset CC)

SSDC Conservation Officer

REPRESENTATIONS

A site notice has been displayed and a press advert placed (Listed Building).

CONSIDERATIONS

The Town Council may also wish to consider the following matters:

- The proposal aligns with the planning approval granted last year.
- Are the changes visually acceptable?
- Would the proposal cause a detrimental impact to the wall, an associated structure to the listed Church?

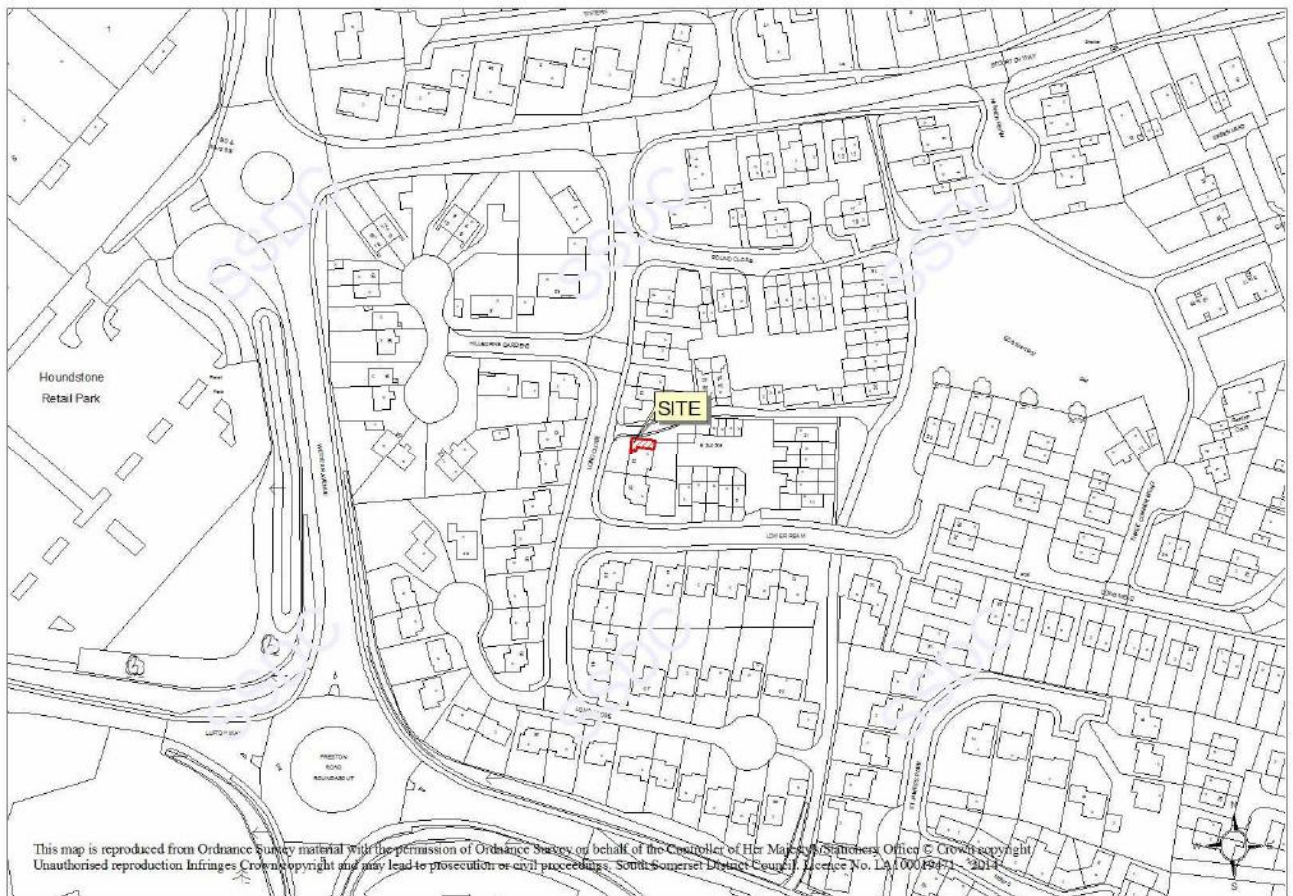
RECOMMENDATION

That the views of Yeovil Town Council be invited.

2. Officer Report On Planning Application: 13/05123/FUL

Site Address:	35 Long Close Yeovil Somerset
Ward :	Yeovil (South)
Proposal :	The erection of two storey side extension to dwelling house (GR 353147/116407)
Recommending Case Officer:	Jane Green
Target date :	3rd March 2014
Applicant :	Miss Amy Jones
Type :	Other Householder - not a Change of Use

SITE DESCRIPTION AND PROPOSAL



This application concerns a link-detached dwelling within the Abbey Manor Park estate. Link-detached properties are those adjacent detached properties which do not have a party wall, but which are linked by the garages and so forming a single frontage.

The property is constructed from reconstructed stone under a concrete tiled roof. A public footpath is evident to the northern side.

The application seeks to erect a two-storey extension to the northern side elevation. A shallow two-storey projection would be consumed within a larger addition to provide a further bedroom at first floor level and a larger entrance hall and utility on the ground floor. Materials are to match existing.

HISTORY

No relevant history.

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.

In March 2012 the existing national Planning Policy Statements and Guidance Notes (PPS's and PPG's) were superseded by the publication of the National Planning Policy Framework.

National Planning Policy Framework - March 2012

Chapter 7 - Requiring Good Design

The Secretary of State confirmed The Regional Strategy for the South West (Revocation) Order 2013 on 20 May 2013. This had the effect of revoking the Regional Strategy for the South West and the partial revocation of the Somerset and Exmoor National Park Joint Structure Plan (all policies except policy 6 - Bristol/Bath Green Belt).

The development plan comprises the saved policies of the South Somerset Local Plan.

The policies of most relevance to the proposal are:

South Somerset Local Plan (adopted April 2006):

ST5 - General Principles of Development

ST6 - The Quality of Development

Other

Somerset County Council Parking Strategy (March 2012)

CONSULTATIONS

Highway Authority (Somerset CC) - Awaiting response

REPRESENTATIONS

Eight adjacent properties have been notified in writing. No responses have been received at time of writing this report

CONSIDERATIONS

The Town Council may wish to consider the following matters:

- Does the proposal have an acceptable impact on the visual amenity of the surrounding area?
- Does the proposal have an acceptable impact on the residential amenity of neighbouring properties?
- Is adequate parking provided?

RECOMMENDATION

That Yeovil Town Council be invited to comment on this application.

3. Officer Report On Planning Application: 14/00021/FUL

Site Address:	160 Ilchester Road Yeovil Somerset
Ward :	Yeovil (West)
Proposal :	Alterations, erection of a single storey front extension and porch and the formation of a pitched roof over existing dwelling (GR 354690/117353)
Recommending Case Officer:	Mrs Jennie Roberts
Target date :	3rd March 2014
Applicant :	Mr D Smyth
Type :	Other Householder - not a Change of Use

SITE DESCRIPTION AND PROPOSAL



The site is located within a residential area in Yeovil. The property is a three-bedroom chalet-bungalow constructed from brickwork and render under a concrete tiled roof, set in a relatively large garden. The neighbouring property to the north-west is a two-storey house, whilst the neighbouring property to the south-east is a bungalow.

This application proposes the erection of a modest front extension to the property, together with the removal of the existing flat roof and construction of a pitched roof over the building. Materials are to match existing. The proposed development will result in the creation of an additional bedroom.

There are 4no. parking spaces on site, including garages.

HISTORY

04/01531/FUL - The installation of 2no. dormer windows - conditional approval - 29/09/2004

91285 - Construction of a car port - conditional approval - 28/03/1972

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 - Awaiting response

REPRESENTATIONS

None received at time of writing this report

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?

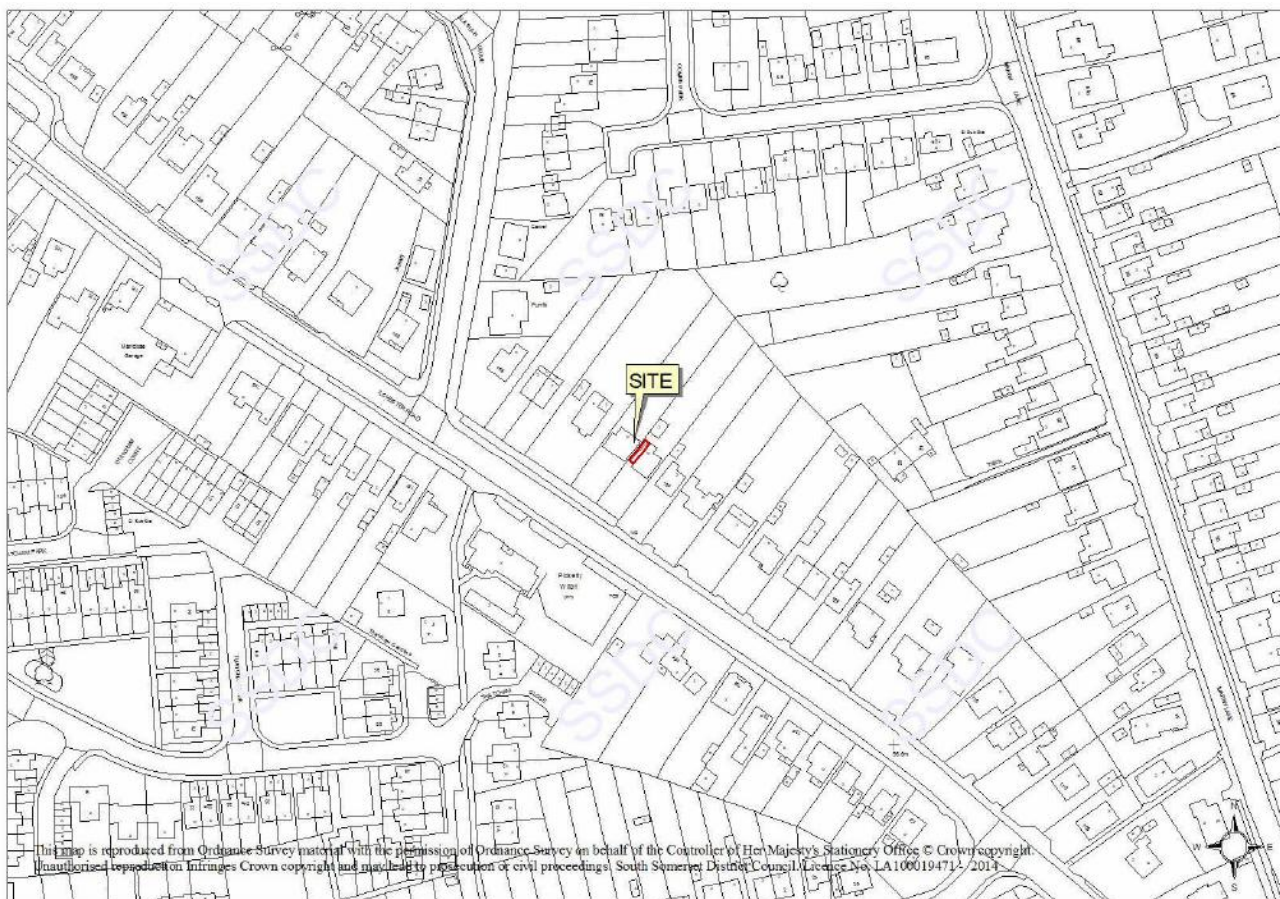
RECOMMENDATION

The view of the Town Council is invited.

4. Officer Report On Planning Application: 14/00059/FUL

Site Address:	136 Ilchester Road Yeovil Somerset
Ward :	Yeovil (West)
Proposal :	The formation of a new hipped roof in place of existing flat roof (GR 354840/117252)
Recommending Case Officer:	Mrs Jennie Roberts
Target date :	4th March 2014
Applicant :	Mr Mark Richards
Type :	Other Householder - not a Change of Use

SITE DESCRIPTION AND PROPOSAL



The site is located within a residential area in Yeovil. The property is a four-bedroom house, set in a relatively large garden.

This application proposes the replacement of a section of flat-roof at first floor level with a hipped roof. The roof material will be plain tiles to match existing.

A ground floor extension will also be constructed, but this will be carried out as permitted development.

HISTORY

03/01515/FUL - The erection of a car port - conditional approval - 09/09/2003

751962 - Erection of extension to dwellinghouse - conditional approval - 19/01/1976

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 - Awaiting response

REPRESENTATIONS

None received at time of writing this report

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.

PLANNING DECISIONS

13/04188/FUL The erection of a first floor extension over existing garage (GR 354218/116124) at 55 Westbourne Grove Yeovil Somerset BA20 2DG
Applicant Mr and Mrs Paul Davis

APPROVAL subject to conditions

13/04121/LBC The carrying out of internal alterations to include 3 No. new door openings, replacement of internal doors and the installation of secondary glazing to first floor elevation (GR 356838/116346) at Pen Mill Hotel Sherborne Road Yeovil BA21 5DB
Applicant Punch Taverns

APPROVAL subject to conditions

13/04462/COU Conversion of single dwelling to create 8 No. rooms as a large house in multiple occupancy (sui generic) (Part Retrospective) (GR 35448/116468) at 68 Preston Road Yeovil BA20 2DL
Applicant Mr Bis Oozageer

APPROVAL subject to conditions

13/04560/S73 Application to vary planning condition 10 (Delivery Hours) of approval 01/00745/FUL and varied by condition 1 of 04/02772/S73 (GR 353158/116143) at Asda Stores Ltd Preston Road Yeovil BA20 2HB
Applicant Asda Stores Ltd

REFUSAL

13/04702/FUL Raise the height of rood and conversion of resultant loft space into habitable rooms (GR 354390/114463) at 7 Wraxhill Road Yeovil BA20 2JZ
Applicant Mr A E and Mrs J A Lewis

APPROVAL subject to conditions

13/04418/FUL The erection of a front entrance porch (GR 354659/114447) at 33 Sandhurst Road Yeovil BA20 2LE
Applicant Mr and Mrs Wright

REFUSAL

13/04412/FUL The conversion and change of use of former caretakers cottage (Use Class C3) to a music block (Use Class D1) (Retrospective) (GR 355398/116171) at The Park School (3 Park Way) The Park Yeovil BA20 1DH
Applicant Mrs Vanessa Gates

APPROVAL subject to conditions

13/04547/TPO Application to carry out tree surgery works to a Magnolia tree known as T.1 in the South Somerset District Council (Yeovil No.7) Tree Preservation Order 2000 (GR 355628/116125) at Pardoes Solicitors Glenthorne House 38 Princes Steet Yeovil BA20 1EQ
Applicant Pardoes Solicitors

APPROVAL subject to conditions

13/04097/ADV The display of 2 No. non illuminated free standing composite signs (Retrospective) (GR 357282/116112) at Yeobridge Trade Park Flushing Meadow Yeovil
Applicant Cms Developments Ltd

APPROVAL subject to conditions

13/03718/OUT The erection of 2 No. dwellings and alterations to access (Outline Application) (GR 354371/114655) at 66 West Coker Road Yeovil BA20 2JA
Applicant Executors of P Burr Deceased

APPROVAL subject to conditions

13/04365/FUL Partial demolition of existing office/store building and the erection of 2 No. dwellings with associated car parking and landscaping (GR 354961/115963)
Applicant Sequoia Land And Property Group Ltd

APPROVAL subject to conditions

13/04520/ADV The display of 1 No. externally illuminated fascia signs (GR 356168/115973) at 7 South Western Terrace Yeovil BA20 1NB
Applicant MWT Enterprises Ltd

APPROVAL subject to conditions

13/04541/COU The use of existing car sales and preparation business to include a public hand car wash and valet service (Retrospective) (GR 355250/115385) at 73-77 Henford Hill Yeovil BA20 2QN
Applicant Mr I White

APPROVAL subject to conditions

13/04679/FUL The erection of a two storey side extension and extension to existing single storey side rear extension (GR 355162/115762) at 30 The Crescent Yeovil BA20 1XW
Applicant Mr Lee Vickery

APPROVAL subject to conditions

13/04011/ADV The display of 7 No. non illuminated hoarding sign boards (Retrospective) (GR 357120/116203) at C W Pittard and Co Ltd Sherborne Road Yeovil BA21 5BA
Applicant Mrs Jill Williams

APPROVAL subject to conditions

Note:

Highlighted Planning Decisions:

Decision of District Council differs from Yeovil Town Council Recommendation.

Report Table for Town Council 20 January 2014

<u>APPLICATION NO.</u>	<u>LOCATION</u>	<u>PROPOSAL</u>	<u>OBJECTIONS</u>	<u>CONSIDERATIONS</u>
13/05011/ADV	Rosebery Stores, 69 Rosebery Avenue, Yeovil, BA21 5LQ	The display of 1 No. internally illuminated fascia sign, and 1 No. internally illuminated projecting sign	None at time of writing	<ul style="list-style-type: none"> • Are the signs in keeping with the character of the area in terms of siting, design, materials, illumination, scale and number? • Do the signs prejudice public safety?
14/00028/ADV	Thomson, 29 Middle Street, Yeovil	The display of an internally illuminated fascia sign and an internally illuminated projecting sign	None at time of writing	<ul style="list-style-type: none"> • Are the signs in keeping with the character of the area in terms of siting, design, materials, illumination, scale and number? • Do the signs prejudice public safety?