



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

Planning and Licensing Committee

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

The Time... **7.00pm**

The Date... **Monday 12 May 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

06 May 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)
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 28 April 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 8)

5. REPORT TABLE (Pages 9 to 10)

6. PLANNING DECISIONS (Pages 11 to 13)

7. CORRESPONDENCE

	Application No	Proposal	Address
1	14/01632/FUL	Change of use of land and removal of verge to create parking area and the construction of a retaining wall (GR 356405/116813)	Land Between 125 And 129 St Michaels Avenue Yeovil

PLANNING MEETING
MONDAY 12 May 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

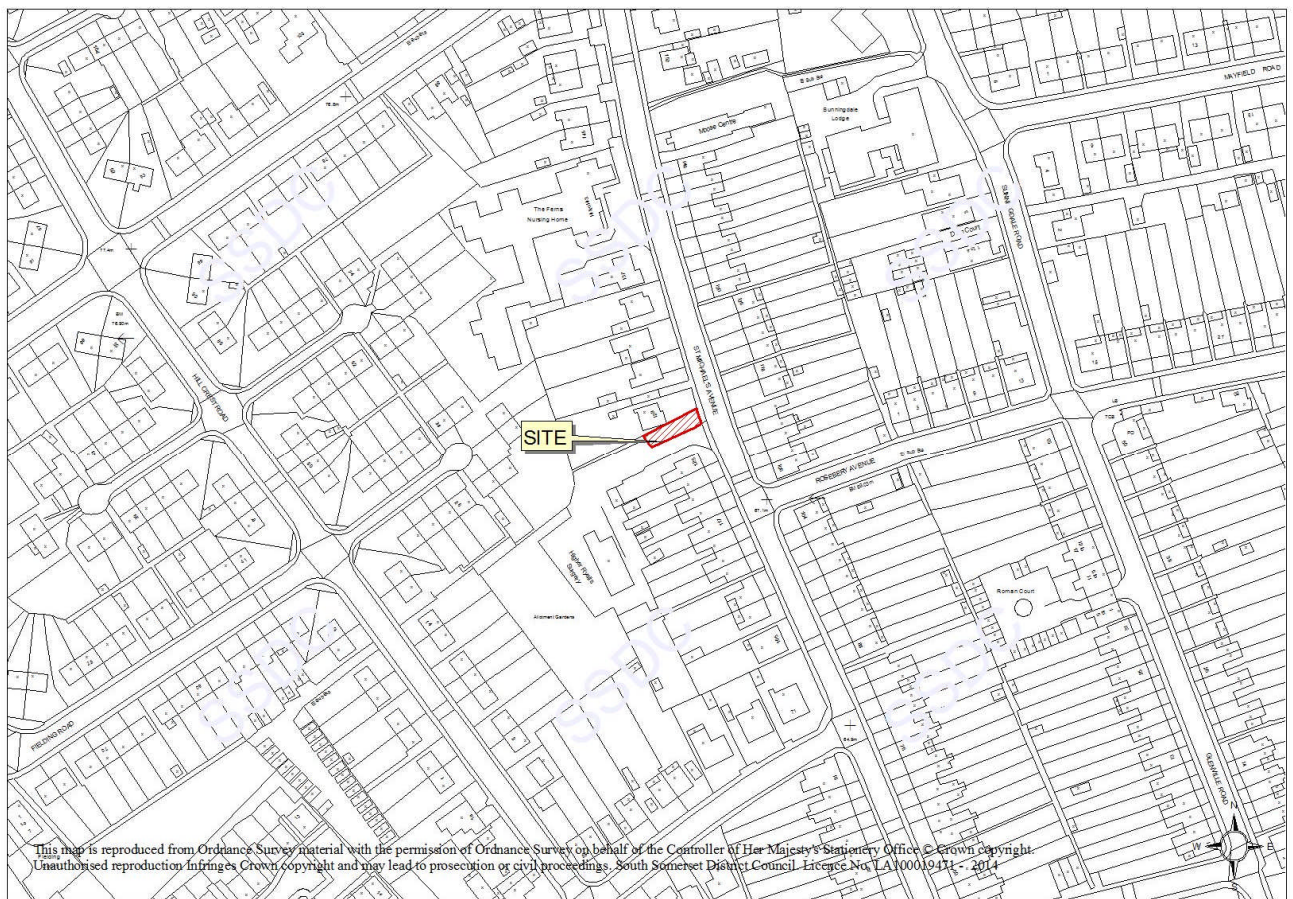
LEVEL 3 APPLICATIONS

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: 14/01632/FUL

Site Address:	Land Between 125 And 129 St Michaels Avenue Yeovil
Ward :	Yeovil (Central)
Proposal :	Change of use of land and removal of verge to create parking area and the construction of a retaining wall (GR 356405/116813)
Recommending Case Officer:	Jane Green
Target date :	12th June 2014
Applicant :	Mr Ian Robson
Type :	Minor Other less than 1,000 sq.m or 1ha

SITE DESCRIPTION AND PROPOSAL



The parcel of land is a banked grass verge that is located adjacent to the access that leads from St Michaels Avenue to The Honey Pot Nursery, the allotments and residential properties. The applicant has confirmed that the previous ownership of the land by Yarlinton Housing Association has been transferred to the applicant who now owns full title to the shared access road. St Michaels Avenue is a classified road.

The application seeks the change of use of the land to a parking area and the removal of existing earth bank and the construction of a retaining wall along the north boundary. This will facilitate the reconfiguration of parking spaces to a herringbone design which will create a further 4 spaces than the 7 that already exists. A drainage channel directed to a soakaway is proposed.

The application states the parking spaces are to be used by neighbouring householder's and users of the Honey Pot Nursery.

HISTORY

13/01566/PREAPP - Formation of car parking spaces at Land at Honey Pot Nursery St Michaels Avenue - May 2013

09/03730/FUL - Erection of a two storey extension to children's nursery - Application refused February 2010 - Appeal lodged 23 June 2010 and allowed with conditions October 2010

03/01744/FUL - Application to remove conditions 3 and 4 of decision notice 03/00875/COU dated 01 June 2003 which restricted the hours of operation of the nursery and the use of the garden/play area - Application refused September 2003

03/00875/COU - Change of use from doctor's surgery - Application permitted with conditions May 2003

95/07545/FUL - Alterations and extension to doctor's surgery - Application permitted with conditions

92/02607/FUL - Erection of extensions to doctor's surgery and provision of facilities for the disabled - Application permitted with conditions

POLICY

Section 38(6) of the Planning and Compulsory Purchase Act 2004 repeats the duty imposed under S54A of the Town and Country Planning Act 1990 and requires that decision must be made in accordance with relevant Development Plan Documents unless material considerations indicate otherwise.

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)

National Planning Policy Framework (March 2012)
Chapter 7 (Requiring Good Design)

Somerset County Council Parking Strategy (March 2012) and Standing Advice (June 2013)

CONSULTATIONS

Highways Authority - Standing advice

Yeovil Town Council - Observations sought

REPRESENTATIONS

6 neighbours notified, no representations received at time of writing this report

CONSIDERATIONS

The main considerations here are:

- Visual impact of the removal of the existing bank and construction of hard surfacing on the character of the area
- Impact on residential amenity of neighbouring properties in terms of noise and disturbance from vehicles
- Impact on high safety. Does the site allow sufficient space for turning and manoeuvring to exit the site in a forward gear? Intensification of the access is another issue to consider.

RECOMMENDATION

The views of the Town Council are invited.

PLANNING DECISIONS

14/00719/FUL Conversion of former HMO into two flats, with alterations and rear ground floor infill extension (GR 356218/116603) at 106 Eastland Road Yeovil Somerset BA21 4EY

Applicant: Somerset Care and Repair

APPROVAL subject to conditions

14/00822/FUL The erection of a front entrance porch and erection of a detached building in rear garden for use as an ancillary annexe (GR 355628/116555) at 29 Mitchelmore Road Yeovil Somerset BA21 4BA

Applicant: Mr Alan Radcliffe

APPROVAL subject to conditions

14/00846/FUL The erection of a single storey extension to dwellinghouse (GR 355426/116674) at 46A Mudford Road Yeovil Somerset BA21 4AB

Applicant: Mr & Mrs Steve Darcy

APPROVAL subject to conditions

14/00907/LBC The carrying out of internal and external alterations to include new front access door and staircase, replacement front awnings and 2 No. first floor front windows (GR 355508/115934) at 16 Hendford Yeovil Somerset BA20 1TE

Applicant: Ms Dawn Woodward

APPROVAL subject to conditions

14/00918/FUL Alterations and the conversion of premises to form 2 No. separate dwellings (GR 355504/115859) at 17 & 17A Hendford Yeovil Somerset BA20 1UH

Applicant: Mr & Mrs R & I Brett

APPROVAL subject to conditions

14/01020/FUL The erection of a side extension to dwelling and rear conservatory (Revised/Part retrospective) (GR 355885/117462) at 87 Glenthorne Avenue Yeovil Somerset BA21 4PW
Applicant: Miss Carin Elswood

APPROVAL subject to conditions

14/01087/COU The change of use of ground floor from Use Class A1 (shop) to Use Class A2 (Financial and professional services)(GR 355823/115965) at 31 Middle Street Yeovil Somerset BA20 1LG
Applicant: Marvec Properties Ltd

APPROVAL subject to conditions

14/01312/FUL The erection of a single storey extension to rear of dwellinghouse (GR 357345/116964) at 38 Arundel Road Yeovil Somerset BA21 5JZ
Applicant: Mr Michael Waters

APPROVAL subject to conditions

14/01448/COU The change of use of first floor from Use Class B1 (office) to a Beauty Therapy/ Cosmetic teeth whitening business (GR 355598/115951) at 21 High Street Yeovil Somerset BA20 1RF.
Applicant: Mr D Turner

APPLICATION WITHDRAWN

14/00806/COL Application for a certificate of lawfulness for the existing use of premises as two flats (GR 355344/115825) at 39 West Hendford Yeovil Somerset BA20 1XE.
Applicant: Mr and Mrs SH & JM Jenkins

CERTIFICATE OF LAWFUL USE OR DEVELOPMENT

SOMERSET COUNTY COUNCIL PLANNING DECISION NOTIFICATION

14/01446/R3C Renewal of Planning Permission 09/01047/R3C to Retain a Temporary 4-bay Elliott Modular Building E.813 (TG) and Ancillary Works, Paving, Ramps and Platforms at Milford Infants School, Glenthorne Avenue, YEOVIL, Somerset, BA21 4PG (Grid Ref: 355696 – 117233)

Applicant: Somerset County Council c/o Commissioner for Children & Learning

GRANTED

Note:

Highlighted Planning Decisions:

Decision of District Council differs from Yeovil Town Council Recommendation.

Report Table for Town Council 12 May 2014

<u>APPLICATION NO.</u>	<u>LOCATION</u>	<u>PROPOSAL</u>	<u>REPRESENTATIONS</u>	<u>CONSIDERATIONS</u>
14/01324/ADV (adjacent parish)	Hobbycraft Unit 7B Houndstone Retail Park Western Avenue	The display of 4 No. internally illuminated fascia signs	Brympton Parish Council recommend refusal of illumination but if LPA mindful of approval request condition that illumination is operated during opening hours only Two from nearby residents regarding the amount and size of the signs, excessive illumination and close proximity to neighbouring properties.	<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?
14/01569/ADV (adjacent parish)	99p Stores, Unit 7 Houndstone Retail Park, Western Avenue	The display of 2 No. internally illuminated signs on building (Retrospective)	Brympton Parish Council recommend refusal of illumination but if LPA mindful of approval request condition that illumination is operated during opening hours only	<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?
14/01378/ADV	Beefeater and Premier Inn, Key Market House, Middle Street	The display of 5 No. internally illuminated fascia signs, 1 No. externally illuminated house name letters and 1 No. internally illuminated post mounted menu unit and 3 No. internally illuminated awnings	None received 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?

14/01551/ADV	Pizza Hut, Yeo Leisure Park, Old Station Way, Yeovil	The display of 3 no. internally illuminated fascia signs and 1 no. externally illuminated entrance signboarding	None received 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?
14/01625/ADV	Mole Valley Farmers Ltd, Sherborne Road, Yeovil	The display of 2 No. non illuminated pole signs, 2 No. internally illuminated totem signs, 1 No. non illuminated directional sign, 1 No. non illuminated freeze sign, 4 No. non illuminated digital pans, 2 No. non illuminated letterings, 1 No. internally illuminated fascia/lettering and 1 No. non illuminated fascia/letterings signs	None received 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?