

Yeovil Town Council



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Planning and Licensing Committee

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

The Time... **7.00pm**

The Date... **Monday 13 April 2015**

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

07 April 2015

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

To: All Members of the Planning and Licensing Committee

Kris Castle

Philip Chandler (Vice-Chairman)

John Clark

David Dollard

Andrew Kendall

Mike Lock (Ex-officio)

Manny Roper

Darren Shutler (Chairman) (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	

Recording of Council Meetings

The Local Audit and Accountability Act 2014 allows both the public and press to take photographs, film and audio record the proceedings and report on all public meetings (including on social media).

Any member of the public wishing to record or film proceedings must let the Chairman of the meeting know prior to, or at the start of, the meeting and the recording must be overt (i.e. clearly visible to anyone at the meeting), but non-disruptive. Please refer to our Policy on audio/visual recording and photography at Council meetings at www.yeovil.gov.uk This permission does not extend to private meetings or parts of meetings which are not open to the public.

Members of the public exercising their right to speak during the time allocated for Public Comment who do not wish to be recorded or filmed, need to inform the Chairman who will instruct those taking a recording or filming to cease doing so while they speak.

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 30 March 2015.

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. PLANNING DECISIONS (Pages 16 to 17)

6. CORRESPONDENCE

	Application No	Proposal	Address
1	15/01336/FUL	The erection of a building to house retail pharmacy and a canopy to link to main building. (GR 355295/115593)	Hendford Lodge Surgery 74 Hendford Yeovil
2	15/01471/FUL	The erection of a single storey rear extension and re-roof complete dwelling. (GR 354264/114553)	91 West Coker Road Yeovil Somerset
3	15/00950/LBC	The carrying out of internal and external alterations including the erection of an internal partition wall and alterations to archway and the erection of handrails to front door (Implemented) (GR 355341/115626)	Nine Springs Natural Health Centre 70 Hendford Yeovil
4	15/01263/FUL	The carrying out of restoration/re-painting of front door, roof soffits and fascia boards, rain water goods and windows (GR 355013/115176)	132 Hendford Hill Yeovil Somerset

PLANNING MEETING
MONDAY 13 April 2015

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: 15/01336/FUL

Site Address:	Hendford Lodge Surgery 74 Hendford Yeovil
Ward :	Yeovil (Central)
Proposal :	The erection of a building to house retail pharmacy and canopy to link to main building. (GR 355295/115593)
Recommending Case Officer:	Mrs Jennie Roberts
Target date :	20th May 2015
Applicant :	Hendford Lodge Medical Centre
Type : 10	Minor Other less than 1,000 sq.m or 1ha

SITE DESCRIPTION AND PROPOSAL



Hendford Lodge surgery is a well established medical practice that has been in-situ for over 40 years. The premises is located at the end of Hendford, set back from the road, and is mainly visible from the Queensway/Police Station roundabout.

This application seeks to erect a single storey building (100 sq m) in front of the existing entrance that will house a 'stand-alone' pharmacy.

HISTORY

There have been numerous approvals to extend and reconfigure the site dating back to the early 1970's.

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,

South Somerset Local Plan (adopted Mar 2015)

SD1 - Sustainable Development
SS1 - Settlement Strategy
EP11 - Location of Town Centre Uses
EQ2 - General Development
TA6 - Parking Standards

CONSULTATIONS

Local Highway Authority: Comments awaited.

REPRESENTATIONS

No comments received at the time of writing this report.

CONSIDERATIONS

- Is the design in keeping with the existing building and surrounding area?
- Is there sufficient parking?
- Is this use acceptable in an edge of town location (there is an existing pharmacy on the adjoining site)?

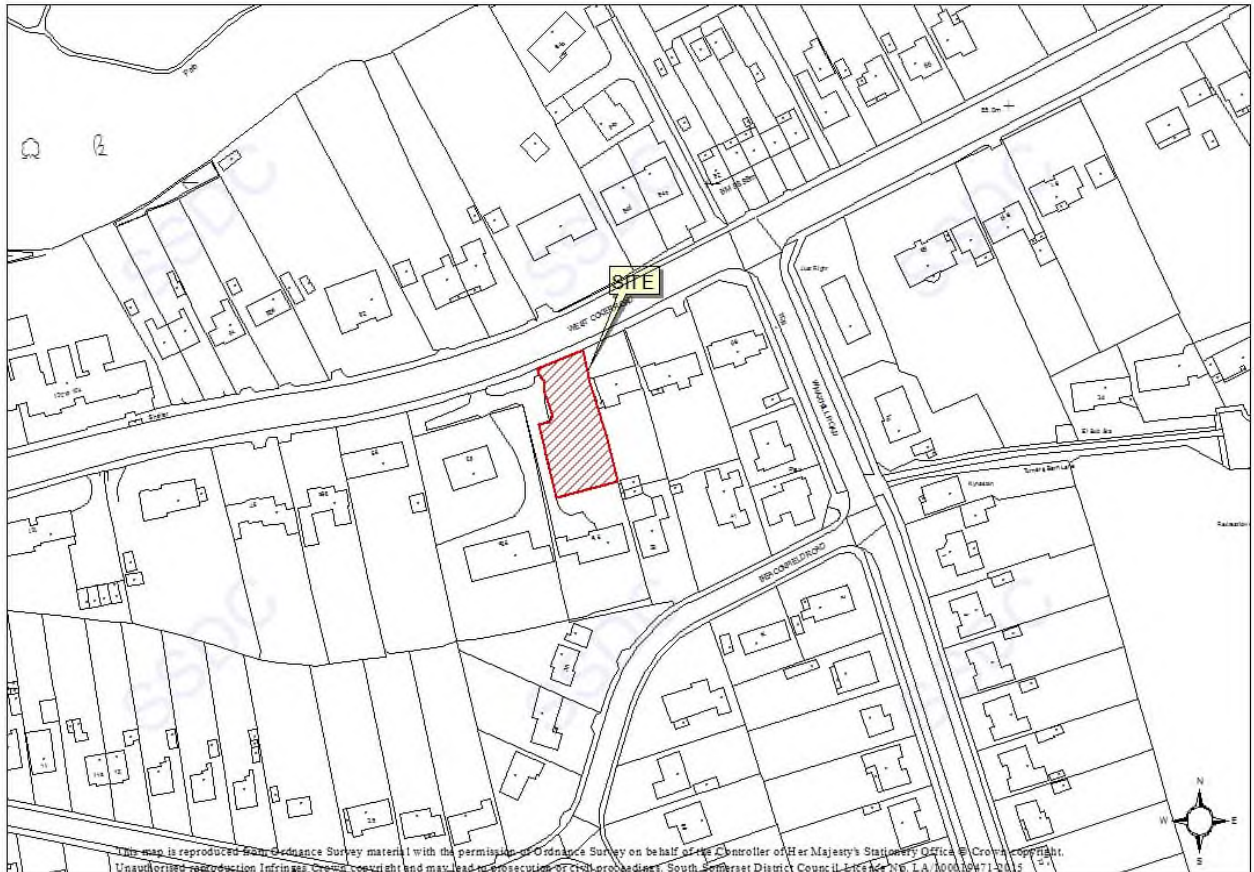
RECOMMENDATION

The view of the Town Council is sought.

2. **Officer Report On Planning Application: 15/01471/FUL**

Site Address:	91 West Coker Road Yeovil Somerset
Ward :	Yeovil (South)
Proposal :	The erection of a single storey rear extension and re-roof complete dwelling. (GR 354264/114553)
Recommending Case Officer:	Jacqui Churchill
Target date :	19th May 2015
Applicant :	Mrs P J Cave
Type : 13	Other Householder - not a Change of Use

SITE DESCRIPTION AND PROPOSAL



91 West Coker Road is located on the Southern side of the road, approximately 60m to the West of Wraxhill Road.

The existing property is a 3 bed detached bungalow constructed of brick under fibre cement slates. Chimneys are located on the Eastern and Western end of the bungalow. To the front of the property is a natural stone wall with vegetation behind. The property is raised up from the road.

This application seeks permission for demolition of an existing conservatory on the rear elevation and the erection of a single storey extension. The extension would comprise two elements, a bedroom and lounge. The lounge element would project 4.7m and be 4.9m in width. Attached to this to the side would be a smaller bedroom extension measuring 3.6m in width and projecting 4.1m. Two separate pitched roofs are proposed on the separate elements. These would match the roof pitches on the existing roof. Internally it is detailed that the existing bedroom would be converted to an en-suite. Therefore there would be no increase in the number of bedrooms for the property.

In addition it is proposed to demolish the existing chimneys reroof the whole property with an artificial slate. The extension will be constructed of brick to match the existing bungalow.

No alterations are proposed to the existing access and parking arrangements on site.

HISTORY

In the 1960's planning permission was granted for the erection of a bungalow to the rear of 91. This is known as 91A.

POLICY

Section 38(6) of the Planning and Compulsory Purchase Act (2004), and Paragraphs 2, 11, 12, and 14 of the NPPF indicate it is a matter of law that applications are determined in accordance with the development plan unless material considerations indicate otherwise.

On the 5th March 2015 the South Somerset Local Plan (2006 - 2028) was adopted. Therefore it is considered that the development plan comprises this plan.

Policies of the adopted South Somerset Local Plan (2006-2028)

EQ2 - General Development

TA6 - Parking Standards

National Guidance

National Planning Policy Framework

Chapter 4 - Promoting Sustainable Transport

Chapter 7 - Requiring Good Design

CONSULTATIONS

COUNTY HIGHWAY AUTHORITY - Comments pending

REPRESENTATIONS

None received at time of writing report.

CONSIDERATIONS

- The Impact upon residential amenity
- The impact upon visual amenity

RECOMMENDATION

The comments of Yeovil Town Council are invited.

3. Officer Report On Planning Application: 15/00950/LBC

Site Address:	Nine Springs Natural Health Centre 70 Hendford Yeovil
Ward :	Yeovil (Central)
Proposal :	The carrying out of internal and external alterations including the erection of an internal partition wall and alterations to archway and the erection of handrails to front door (Implemented) (GR 355341/115626)
Recommending Case Officer:	Jacqui Churchill
Target date :	13th May 2015
Applicant :	Ninesprings Natural Health Centre
Type : 15	Other LBC Alteration

SITE DESCRIPTION AND PROPOSAL



70 Hendford is a large detached Grade II villa from circa 1840. Originally a dwelling, the building was used as a restaurant and then as an accountancy office. The present owners use the building as a clinic for complementary medicine. It benefits from an area of hardstanding to the front with attractive boundary gates and wall.

This retrospective application for listed building consent is for a number of fairly small scale alterations including the erection of an internal partition wall in a ground floor rear reception room, alterations to the archway to reduce the size between the front and rear reception rooms and the erection of safety handrails on the steps to the front entrance door.

HISTORY

The site has a long and varied planning history with the following most recent:

14/05610/PREAPP - Retention of unauthorised partition

14/04079/PREAPP - Provision of handrails

06/03241/LBC - The carrying out of internal alterations to premises to include tiling of conservatory roof - permitted with conditions 13.11.06

06/02325/COU - Change of use from dwelling to Clinic for complementary medicine - application withdrawn 07.9.11

06/02328/LBC - The carrying out of minor internal alterations to reinstate two rooms - application withdrawn 07.09.11

05/03211/COU - Change of use from residential to offices - application permitted with conditions 20.01.06

POLICY

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

Paragraph 132 of the NPPF: Chapter 12 - Conserving and Enhancing Historic Environment is applicable. This advises that '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.'

Whilst Section 38(6) of the 2004 Planning Act is not relevant to this listed building application, the following policies should be considered in the context of the application.

The policies of most relevance to the proposal are:

South Somerset Local Plan 2006-28

EQ2 - Design and General Development

EQ3 - Historic Environment

National Guidance

National Planning Policy Framework - March 2012
Chapter 7 - Requiring Good Design
Chapter 12 - Conserving and Enhancing the Historic Environment

CONSULTATIONS

Yeovil Town Council - Observations sought

SSDC Conservation Officer - Awaiting response

REPRESENTATIONS

A site notice was displayed, no representations were received at the time of writing this report.

CONSIDERATIONS

The main consideration is to assess the impact of the proposal on the character, integrity and setting of the Listed Building.

- Do the proposed changes adversely affect the historic character of the building?
- Do the proposed changes adversely affect the architectural character of the building?

RECOMMENDATION

The views of the Town Council are invited.

4. **Officer Report On Planning Application: 15/01263/FUL**

Site Address:	132 Hendford Hill Yeovil Somerset
Ward :	Yeovil (South)
Proposal :	The carrying out of restoration/re-painting of front door, roof soffits and fascia boards, rain water goods and windows (GR 355013/115176)
Recommending Case Officer:	Jane Green
Target date :	12th May 2015
Applicant :	Mr Christopher Watt
Type : 13	Other Householder - not a Change of Use

SITE DESCRIPTION AND PROPOSAL



132 Hendford Hill is a two storey semi-detached dwellinghouse located in a large plot on the west side of the road. It is an imposing building constructed of red brick with ashlar stone quoins under a natural slate roof. It has many architectural features and contributes positively to the character and appearance of the conservation area of Hendford Hill.

The application seeks planning permission for the repair of timber soffits and fascia boards in the existing style and repainted in black to match the front door and adjoining neighbour. The existing windows are to be repaired in keeping with the existing style and repainted in white. Retention of existing period front door and frame but refurbished and repaired in existing style and repainted frame in white and front door painted black.

Planning permission is required for the works to the front of the property due to the Article 4 direction imposed which prevents works to the front of the property without consent.

HISTORY

None relevant

POLICY

Section 38(6) of the Planning and Compulsory Purchase Act (2004), and Paragraphs 2, 11, 12, and 14 of the NPPF indicate it is a matter of law that applications are determined in accordance with the development plan unless material considerations indicate otherwise.

For the purposes of determining current applications the local planning authority considers that the adopted development plan is the South Somerset Local Plan (2006 - 2028).

On this basis the following policies are considered relevant:

Policies of the South Somerset Local Plan (2006-2028)

Policy EQ2 (General Development)

Policy EQ3 (Historic Environment)

National Planning Policy Framework (March 2012)

Chapter 7 (Requiring Good Design)

Chapter 11 (Conserving and Enhancing the Natural Environment)

Chapter 12 (Conserving and Enhancing the Historic Environment)

South Somerset District Council Supplementary Guidance - Extensions and Alterations to Houses - A Design Guide

CONSULTATIONS

Yeovil Town Council - Observations sought

Highways Authority - No observations

SSDC Conservation Officer - Observations sought

SSDC Ecologist - Observations sought regarding bats

REPRESENTATIONS

2 neighbours notified and site notice (general interest) displayed, no representations received at time of writing this report.

CONSIDERATIONS

This is alterations to a domestic property and therefore the principle of development is acceptable. The main consideration of the application lies with policy EQ2 of the Local Plan, which requires development to be designed to achieve a high quality, which promotes South Somerset's local distinctiveness and preserves or enhances the character and appearance of the district. It also requires development proposals to protect the residential amenity of neighbouring properties.

Policy EQ3 is also a consideration as new development proposals relating to the historic environment will be expected to:

- Safeguard or where appropriate enhance the significance, character, setting and local distinctiveness of heritage assets;
- Make a positive contribution to its character through high standards of design which reflect and complement it and through the use of appropriate materials and techniques

RECOMMENDATION

The views of the Town Council are invited.

PLANNING DECISIONS

15/00353/FUL Erection of 3 No flats over garages (GR 354930/115624) at Land at Former Seatons Garage Site West Hendford Yeovil Somerset
Applicant: Stonewater & Brookvale Homes

APPROVAL subject to conditions

15/00401/FUL Alterations and conversion of existing building to form 6 No. flats and 1 No. studio and the erection of 2 No. dwellinghouses and associated works (Revised application 14/01534/FUL). (GR 354875/116430) at 72 Grove Avenue Yeovil Somerset BA20 2BE
Applicant: Mr D Paull

APPROVAL subject to conditions

15/00457/S73A Application to vary condition 1 of planning permission 10/04950/REM (approved plans) (GR 354930/115624) at Land At Former Seatons Garage, West Hendford, Yeovil, Somerset
Applicant: Stonewater Ltd & Brookvale Homes

APPROVAL subject to conditions

15/00485/FUL Removal of conservatory to front elevation and construction of new two storey extension to front elevation with porch canopy to front door, construction of new two storey extension to rear elevation and alterations (355566/115576) at Steep Holme Penn Hill Park Yeovil Somerset BA20 1SE
Applicant: Mr and Mrs K Antoski

APPROVAL subject to conditions

15/00603/FUL Demolition of existing garage and the erection of a replacement garage/workshop (GR 354433/116149) at 105 Preston Grove Yeovil Somerset BA20 2DB
Applicant: Mr Andrew Brooks

APPROVAL subject to conditions

15/00975/FUL The formation of a pitched roof on existing studio/workshop (GR 355295/115646) at 21 Everton Road Yeovil Somerset BA20 1UF
Applicant: Mr Graham Bartlett

APPROVAL subject to conditions

Note:

Highlighted Planning Decisions:

Decision of District Council differs from Yeovil Town Council Recommendation.