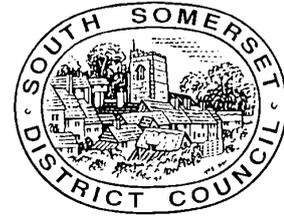


South Somerset District Council

Notice of Meeting



Area South Committee

Making a difference where it counts

Wednesday 6th March 2019

2.00 pm

**Council Chamber, Council Offices,
Brympton Way, Yeovil BA20 2HT**

(Disabled access and a hearing loop are available at this meeting venue)



The following members are requested to attend this meeting:

Cathy Bakewell
John Clark
Gye Dibben
John Field
Nigel Gage
Peter Gubbins
Kaysar Hussain

Andy Kendall
Sarah Lindsay
Mike Lock
Tony Lock
Sam McAllister
Graham Oakes
Wes Read

David Recardo
Gina Seaton
Peter Seib
Alan Smith
Rob Stickland

Consideration of planning applications will commence no earlier than **3.00pm**.

For further information on the items to be discussed, please contact the Case Services Officer (Support Services) on 01935 462011 or democracy@southsomerset.gov.uk

This Agenda was issued on Monday 25 February 2019.

Alex Parmley, *Chief Executive Officer*



This information is also available on our website
www.southsomerset.gov.uk and via the mod.gov app

Information for the Public

The council has a well-established area committee system and through four area committees seeks to strengthen links between the Council and its local communities, allowing planning and other local issues to be decided at a local level (planning recommendations outside council policy are referred to the district wide Regulation Committee).

Decisions made by area committees, which include financial or policy implications are generally classed as executive decisions. Where these financial or policy decisions have a significant impact on council budgets or the local community, agendas will record these decisions as “key decisions”. The council’s Executive Forward Plan can be viewed online for details of executive/key decisions which are scheduled to be taken in the coming months. Non-executive decisions taken by area committees include planning, and other quasi-judicial decisions.

At area committee meetings members of the public are able to:

- attend and make verbal or written representations, except where, for example, personal or confidential matters are being discussed;
- at the area committee chairman’s discretion, members of the public are permitted to speak for up to up to three minutes on agenda items; and
- see agenda reports

Meetings of the Area South Committee are held monthly, usually at 2.00pm, on the first Wednesday of the month at the Council Offices, Brympton Way, Yeovil (unless specified otherwise).

Agendas and minutes of meetings are published on the council’s website
www.southsomerset.gov.uk/councillors-and-democracy/meetings-and-decisions

Agendas and minutes can also be viewed via the mod.gov app (free) available for iPads and Android devices. Search for ‘mod.gov’ in the app store for your device, install, and select ‘South Somerset’ from the list of publishers, then select the committees of interest. A wi-fi signal will be required for a very short time to download an agenda but once downloaded, documents will be viewable offline.

Public participation at committees

Public question time

The period allowed for participation in this session shall not exceed 15 minutes except with the consent of the Chairman of the Committee. Each individual speaker shall be restricted to a total of three minutes.

Planning applications

Consideration of planning applications at this meeting will commence no earlier than the time stated at the front of the agenda and on the planning applications schedule. The public and representatives of parish/town councils will be invited to speak on the individual planning applications at the time they are considered.

Comments should be confined to additional information or issues, which have not been fully covered in the officer’s report. Members of the public are asked to submit any additional documents to the planning officer at least 72 hours in advance and not to present them to the Committee on the day of the meeting. This will give the planning officer the opportunity to respond appropriately. Information from the public should not be tabled at the meeting. It should

also be noted that, in the interests of fairness, the use of presentational aids (e.g. PowerPoint) by the applicant/agent or those making representations will not be permitted. However, the applicant/agent or those making representations are able to ask the planning officer to include photographs/images within the officer's presentation subject to them being received by the officer at least 72 hours prior to the meeting. No more than 5 photographs/images either supporting or against the application to be submitted. The planning officer will also need to be satisfied that the photographs are appropriate in terms of planning grounds.

At the committee chairman's discretion, members of the public are permitted to speak for up to three minutes each and where there are a number of persons wishing to speak they should be encouraged to choose one spokesperson to speak either for the applicant or on behalf of any supporters or objectors to the application. The total period allowed for such participation on each application shall not normally exceed 15 minutes.

The order of speaking on planning items will be:

- Town or Parish Council Spokesperson
- Objectors
- Supporters
- Applicant and/or Agent
- District Council Ward Member

If a member of the public wishes to speak they must inform the committee administrator before the meeting begins of their name and whether they have supporting comments or objections and who they are representing. This must be done by completing one of the public participation slips available at the meeting.

In exceptional circumstances, the Chairman of the Committee shall have discretion to vary the procedure set out to ensure fairness to all sides.

Recording and photography at council meetings

Recording of council meetings is permitted, however anyone wishing to do so should let the Chairperson of the meeting know prior to the start of the meeting. The recording should be overt and clearly visible to anyone at the meeting, but non-disruptive. If someone is recording the meeting, the Chairman will make an announcement at the beginning of the meeting.

Any member of the public has the right not to be recorded. If anyone making public representation does not wish to be recorded they must let the Chairperson know.

The full 'Policy on Audio/Visual Recording and Photography at Council Meetings' can be viewed online at:

<http://modgov.southsomerset.gov.uk/documents/s3327/Policy%20on%20the%20recording%20of%20council%20meetings.pdf>

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Area South Committee

Wednesday 6 March 2019

Agenda

Preliminary Items

1. Minutes of previous meeting

To approve the minutes of the Area South Committee held on Wednesday 6th February 2019.

2. Apologies for absence

3. Declarations of Interest

In accordance with the Council's current Code of Conduct (as amended 26 February 2015), which includes all the provisions relating to Disclosable Pecuniary Interests (DPI), personal and prejudicial interests, Members are asked to declare any DPI and also any personal interests (and whether or not such personal interests are also "prejudicial") in relation to any matter on the Agenda for this meeting.

Members are reminded that they need to declare the fact that they are also a member of a County, Town or Parish Council as a Personal Interest. Where you are also a member of Somerset County Council and/or a Town or Parish Council within South Somerset you must declare a prejudicial interest in any business on the agenda where there is a financial benefit or gain or advantage to Somerset County Council and/or a Town or Parish Council which would be at the cost or to the financial disadvantage of South Somerset District Council.

Planning Applications Referred to the District Council's Regulation Committee

The following members of this Committee are also members of the Council's Regulation Committee:

Councillors Peter Gubbins, Mike Lock, Tony Lock and David Recardo.

Where planning applications are referred by this Committee to the Regulation Committee for determination, Members of the Regulation Committee can participate and vote on these items at the Area Committee and at Regulation Committee. In these cases the Council's decision-making process is not complete until the application is determined by the Regulation Committee. Members of the Regulation Committee retain an open mind and will not finalise their position until the Regulation Committee. They will also consider the matter at Regulation Committee as Members of that Committee and not as representatives of the Area Committee.

4. Public question time

5. Chairman's announcements

6. Reports from representatives on outside organisations

This is an opportunity for Members who represent the Council on outside organisations to report items of interest to the Committee.

Items for discussion

7. **Yeovil Western Corridor Update** (Page 6)
8. **Yeovil Refresh and Economic Development Update Report** (Pages 7 - 10)
9. **Yeovil Crematorium Redevelopment Proposals** (Page 11)
10. **Area South Forward Plan** (Pages 12 - 13)
11. **Appeals (For information only)** (Pages 14 - 16)
12. **Schedule of Planning Applications to be Determined by Committee** (Pages 17 - 18)
13. **Planning Application 18/03973/R3D - Yeovil Country Park Centre Brunswick Street Yeovil** (Pages 19 - 27)

Please note that the decisions taken by Area Committees may be called in for scrutiny by the Council's Scrutiny Committee prior to implementation.

This does not apply to decisions taken on planning applications.

Agenda Item 7

Yeovil Western Corridor Update

*Contact Details: Andy Coupe, Somerset County Council
ajcoupe@somerset.gov.uk*

Somerset County Council's Strategic Manager Infrastructure Programmes (Andy Coupe) will attend the meeting to give a quarterly update on the Yeovil Western Corridor Improvements.

Agenda Item 8

Yeovil Refresh and Economic Development Update Report

Strategic Director: Martin Woods, Service Delivery
Service Manager: Natalie Fortt, Regeneration Programme Manager
Peter Paddon, Lead Specialist – Economic Development
Contact Details: Natalie.fortt@southsomerset.gov.uk
Peter.paddon@southsomerset.gov.uk

Purpose of the Report

To give a brief update on progress with the Yeovil Refresh and how the Refresh Programme works collaboratively with the district wide Economic Development Team.

Public Interest

Yeovil is South Somerset's principal town and the Yeovil Refresh is an important commitment by South Somerset District Council (SSDC) to invest in Yeovil town centre, working in close collaboration with local businesses, Somerset County Council and other stakeholders. Public consultation took place in March 2018 and both residents and local businesses provided feedback on the various priority projects identified in the document.

Recommendation

To note and comment on the progress to date

Background

The Yeovil Refresh was commissioned by SSDC and the document provides a summary of the strengths and weaknesses of Yeovil and a commercial overview of the town. It sets the town within the context of changes within town centres nationally and regionally and in particular, the significant changes occurring in the retail sector.

The Refresh aims to make Yeovil Town Centre a vibrant place to live, work, learn and visit. The revitalised public spaces will celebrate the town's civic life and heritage and help regenerate the town's retail heart.

The Yeovil Refresh details the necessary investigation and further strategy work required in the town centre through a programme of priority projects.

At the Area South Committee (ASC) meeting in January 2018 members approved the reallocation of various capital funds to assist with the delivery of the programme. The Refresh was then released for public consultation in March. The consultation event took place in the town centre on 9th and 10th March and was well attended. The key messages from the public consultation were that residents and businesses would like:

- the main high streets kept clean and better kept with nicer planters and other greenery, while keeping the streets from being too cluttered.
- improvements in vehicular and pedestrian access into the heart of Yeovil for locals and visitors
- concerns addressed about some vehicle access to parts of the town centre (in particular on Middle Street)
- to make the town's open areas more appealing, using the space that is available to encourage visitors.

This consultation has also enabled the final document to carry weight as a material consideration in determining planning applications.

A report was taken to the District Executive and Full Council meetings in May to agree the delivery arrangements for Strategic Development and Regeneration in South Somerset. The arrangements for Yeovil Refresh included establishing a new Yeovil Refresh Programme Board to oversee the delivery of the Refresh. At the same time, significant funding was ring-fenced for this and other Strategic Regeneration programmes contained in the Corporate Plan.

The Yeovil Refresh Board was established in July 2018 and the Regeneration Programme Manager was also appointed in July.

Refresh Programme Update

Following positive public reaction, delivery of the Yeovil Refresh has commenced, phased over a 4-5 year programme

Car Park Review

The review has been completed and a draft document has been produced detailing a new signage strategy, suggested improvements to the car parks and suggestions for possible development opportunities.

Yeovil Access Strategy

The initiation meeting has taken place between Somerset County Council (SCC) and SSDC and the brief and project management methods have been agreed. The aim of the strategy is to improve access to the town centre by all forms of transport. Work to assess and update the traffic modelling for the town centre has already begun and the Local Cycling and Walking Infrastructure Plan will be completed in the next financial year.

Public Realm Design Guide and Detailed Drawings

The Yeovil Refresh seeks to improve public spaces in the town centre. The spine from the Borough through to the Bandstand or Entertainment Area and then to the bottom of town is the busiest thoroughfare for pedestrians and the plan is for a sequential improvement of spaces along this spine to create a more pleasant experience.

Tenders have been sought from organisations interested in delivering a fresh new look for these public spaces and include both a general Design Guide for the whole of the town centre and detailed designs for particular spaces such as the Bandstand, which will create more space for special events and markets, which help bring visitors to the town.

The team have shortlisted the applications and interviews will be taking place the end of February.

Improvements to Middle Street

The top end of Middle Street experiences the highest levels of footfall in the town, yet it currently has the poorest provision for pedestrians with narrow pavements and space dominated by vehicle routes and parking.

Officers have begun investigating the possibility of redressing the balance between pedestrians and cars in the town centre and creating a vehicle free area at the top of Middle Street through the use of a Traffic Regulation Order (TRO), which controls vehicle access. The proposal has been submitted to SCC and the official consultation is expected to start at the beginning of March, the exact date for which should be known in time for this committee meeting.

The road was shut on a temporary basis in December 2017 to enable a Christmas Market to take place. This was well received by businesses in the vicinity and they maintain that they would like to see the area used for more specialist markets throughout the year. Specialist Markets and town centre events such as September's Super Saturday and the Christmas Lantern Parade bring people in to the town and are an important element in increasing the vitality of the town centre.

A number of disabled bays would need to be relocated in order to accommodate the possible changes and space has been identified in the adjoining Union Street, Wine Street and Peter Street areas.

Glovers Walk

The Martin Property Group acquired the Glovers Walk Shopping Centre in Yeovil in late 2018. Glovers Walk is a 2.2 acre site which is a significant part of the town centre comprising a retail parade along Middle Street as well as a courtyard of shops on Glovers Walk. The acquisition of the site also included the town centre bus station.

The Martin Property Group has stated that the part vacant shopping centre is in line with its investment strategy of expanding their portfolio through selective acquisitions of challenging assets where repositioning is required. It has also spoken of its ambition to maximise the asset's important and strategic location by working closely with south Somerset District Council as part of Yeovil Refresh.

The Martin Group are in the early stages of drawing up a masterplan for redevelopment of the site and SSDC officers are working closely with the group to ensure the regeneration of this important town centre site.

Inward Investment

The Refresh officer group seek to support and work with a range of existing and potential investors in Yeovil. There have been some very positive developments in this respect indicating a renewed confidence, and although there is an agreed programme we remain flexible to respond proactively to emerging opportunities.

Economic Development Strategy

The new Economic Development Strategy sets a Vision, plus Priority Themes and an Action Plan with Year One Milestones to achieve Key Outcomes for the Districts' economy. The Strategy includes elected Members' and businesses priorities, which are reflected in the six Priority Themes of:

- Business Support, Retention, Innovation and Inward Investment
- Transport and Communications Infrastructure
- Economic Inclusion – Skills, Careers and Training
- Land, Sites and Workspaces
- Supporting Urban Economies
- Supporting Rural Economies.

Economic Development and the Yeovil Refresh

Priority Theme 5 Supporting Urban Economies relates directly to the Yeovil Refresh and the new Economic Development (ED) Team will work with the Refresh to deliver the Programme. Specific areas where the ED team are currently focusing are:

- Reach an agreement to establish an entrepreneurial co-working hub in Yeovil Town centre
- The Middle Street Traffic Regulation Order proposal
- Supporting business development and inward investment.

Financial Implications

None directly from this report.

Council Plan Implications

To complete the Yeovil Refresh for Yeovil town centre and progress implementation is one of the priority projects within the Council Plan for 2018/19.

The development of Yeovil town centre also assists the council in meeting several of its corporate objectives including:

- Lobbying for and support infrastructure improvements to enable growth.
- Capitalise on our high quality culture, leisure and tourism opportunities to bring people to South Somerset.
- Progress key infrastructure projects that unlock development

Carbon Emissions and Climate Change Implications

None directly from this report. The quality of regeneration schemes within Yeovil will be designed have a positive impact on future carbon emissions.

Equality and Diversity Implications

None directly from this report. However, Equality and Diversity, including Equality Assessments, will be fully explored in the implementation of the various projects within the Yeovil Refresh and Economic Development Strategy.

Background Papers

Yeovil Refresh Document.

Agenda Item 9

Yeovil Crematorium Redevelopment Proposals

*Contact Details: Paul Rayson, General Manager Yeovil Crematorium
Paul.rayson@southsomerset.gov.uk
Peter Biggenden, Specialist – Architecture & Projects, Commercial
Services & Income
peter.biggenden@southsomerset.gov.uk*

The General Manager, Yeovil Crematorium and Specialist, Architecture & Projects will attend the meeting to give a presentation on the Yeovil Crematorium redevelopment proposals.

Agenda Item 10

Area South Committee Forward Plan

Director: Netta Meadows, Strategy and Support Services
Agenda Co-ordinator: Jo Boucher, Case Services Officer – Support Services
Contact Details: jo.boucher@southsomerset.gov.uk or (01935) 462011

Purpose of the Report

This report informs Members of the agreed Area South Forward Plan.

Recommendations

Members are asked to:-

1. Comment upon and note the proposed Area South Forward Plan as attached at Appendix A.
2. Identify priorities for further reports to be added to the Area South Forward Plan, developed by the SSDC lead officers

Area South Committee Forward Plan

The forward plan sets out items and issues to be discussed by the Area Committee over the coming months.

The forward plan will be reviewed and updated each month, by the joint lead officers from SSDC, in consultation with the Area Committee Chairman. It is included each month with the Area Committee agenda, where members of the Area Committee may endorse or request amendments.

Members of the public, councillors, service managers, and partners may request an item is placed within the forward plan for a future meeting, by contacting the Democratic Services Officer.

Background Papers

None

Appendix A

Notes

- (1) Items marked in *italics* are not yet confirmed, due to the attendance of additional representatives.
- (2) For further details on these items, or to suggest / request an agenda item for the Area South Committee, please contact the Democratic Services Officer; Jo Boucher.

Meeting Date	Agenda Item	Background/ Purpose	Lead Officer
3rd April 2019	Somerset Highways – maintenance programme	A six monthly update report on the current and expected highways maintenance programme in Area South	TBC
<i>There is no meeting in May due to local elections</i>			
5th June 2019	Appointment of Working Groups & Outside Bodies	Annual Report	Jo Boucher, Case Officer – Support Services
	Scheme of Delegation	Annual Report	Jo Boucher, Case Officer – Support Services
	Yeovil Western Corridor Update Presentation	Quarterly update presentation from SCC on the Yeovil Western Corridor Improvements	Andy Coupe, SCC Strategic Manager Infrastructure Programmes
TBC	<i>Future demand and requirements for Education in Yeovil</i>	<i>To discuss future demand and requirements for education, in particular the requirement for future secondary school places.</i>	<i>Somerset County Council, Education</i>
TBC	<i>Yeovil Eastern Corridor Improvement Works</i>	<i>To give members the opportunity to feedback and discuss the ongoing problems and issues of the scheme.</i>	TBC

Agenda Item 11

Planning Appeals (For information)

Director: Martin Woods, Service Delivery
Lead Officer: Martin Woods, Service Delivery
Contact Details: martin.woods@southsomerset.gov.uk or (01935) 462071

Purpose of the Report

To inform members of the appeals that have been lodged, decided upon or withdrawn.

Recommendation

That the report be noted.

Background

The Area Chairmen have asked that a monthly report relating to the number of appeals received, decided upon or withdrawn be submitted to the committee.

Appeals Dismissed

Ward: Coker
Proposal: The erection of a two storey side and single storey rear extension to dwellinghouse (part retrospective)
Appellant: Mr Liam Delaney
Site: 10 Westbury Gardens Higher Odcombe Yeovil Somerset BA22 8UR

Financial Implications

None

Implications for Corporate Priorities

None

Other Implications

None

Background Papers: Planning application files



Appeal Decision

Site visit made on 29 January 2019

by **S J Papworth DipArch(Glos) RIBA**

an Inspector appointed by the Secretary of State

Decision date: 5 February 2019

Appeal Ref: APP/R3325/D/18/3217332

10 Westbury Gardens, Higher Odcombe, Yeovil, Somerset BA22 8UR

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr Liam Delany against the decision of South Somerset District Council.
 - The application Ref 18/02667/FUL, dated 18 July 2018, was refused by the Council by notice dated 8 November 2018.
 - The development proposed is the erection of a two storey side and single storey rear extension to dwellinghouse (part retrospective).
-

Decision

1. I dismiss the appeal.

Reasons

2. The main issue in this appeal is the effect of the development on the character and appearance of the street-scene. Policy EQ2 of the South Somerset Local Plan states that development is 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. In particular, extensions and alterations to existing buildings will be considered against criteria which include the creation of quality places and the reinforcement of local distinctiveness and which respect local context.
3. The Council have published '*Extensions and Alterations to Houses - a Design Guide*' which makes reference to constraints such as the character of both the area and the house. A 2-storey side extension is shown as an example which is subservient in ridge line and building line. Elsewhere it is stated that side extensions may be detrimental to the quality of the neighbourhood by infilling characteristic gaps between houses.
4. Paragraph 124 of the 2018 National Planning Policy Framework states that good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.
5. Planning permission was granted in December 2017 for a single-storey side and rear extension. Whilst the approved rear extension has a flat roof, that to the side of the property was to have a lean-to style pitched roof. In the event a start has been made on a 2-storey side extension and the appeal drawings show a lower ridge line and a set-back from the front face of the house, as sought in the Design Guide.

6. There are 2 strands to the Council's objections and the first is to the use of render to the south elevation. Render was approved on the single storey extension but this would have been a more limited and low-level area. There are other, albeit limited, examples of render at low level on a garage nearby and on other buildings referred to by the appellant. However, the dwellings in this part of Westbury Gardens are constructed with reconstituted stone facings to flank gable ends. This material gives a slightly varied texture as well as varied coursing where it is not possible to trace a single continuous bed joint, with use made of deep and shallow blocks in combination. Notwithstanding that natural stone is not used, this gives a good representation of a traditional vernacular walling method.
7. Whilst it is the case that the photograph on the title page of the Design Guide shows a 2-storey extension with a rendered flank gable end, the impression is of a 'one-off', somewhat isolated, building, whereas the appeal building is one of a group of similar buildings that utilise materials in a similar way. Context is an important element when considering the effect on the street-scene.
8. In this situation, the use of a taller flank wall in render would appear out of character with the other 2-storey buildings, and being adjacent to a bungalow would appear prominent, stark and intrusive, lacking the variation and interest of the coursing evident elsewhere. The proposed more extensive use of render would cause harm to the present attractive uniformity of design in the area.
9. The second strand of objection was to the height of the 2-storey gable, with particular regard to the proximity of the boundary and the bungalow to the south. There do not appear to be characteristic gaps between houses as referred to in the Design Guide, the 3 houses on this side of the road having varied gaps between. The gap to the bungalow would have been wider and more open, but the approved single storey extension would reduce that in any event. There would be a change from 2-storey to the single storey of the bungalow at a point nearer the boundary, but that change occurs already and the nearer placement would not cause harm to the street-scene.
10. The lean-to arrangement of the approved single-storey side extension would provide a transition but would be high where it meets the house and uncharacteristically high over the window and consequently at the eaves, compared with that to a garage two plots to the north. As an alternative to the approved side extension, the 2-storey stepped-down continuation of the existing house would be acceptable, but without the use of render, and would accord with Policy EQ2 and the aims of the Design Guide, as well as guidance on design in the Framework.
11. However as previously set out, the use of render is unacceptable and would cause harm to the character and appearance of the street-scene, contrary to the Development Plan policy and guidance referred to. For the reasons given above it is concluded that the appeal should be dismissed.

S J Papworth

INSPECTOR

Agenda Item 12

Schedule of Planning Applications to be determined by Committee

Director: Martin Woods, Director - Service Delivery
Service Manager: Simon Fox, Lead Specialist - Planning
Contact Details: simon.fox@southsomerset.gov.uk or 01935 462509

Purpose of the Report

The schedule of planning applications sets out the applications to be determined by Area South Committee at this meeting.

Recommendation

Members are asked to note the schedule of planning applications.

Please note: Consideration of planning applications will commence no earlier than 3.00pm.

Members of the public who wish to speak about a particular planning item are recommended to arrive for 2.45pm.

SCHEDULE					
Agenda Number	Ward	Application	Brief Summary of Proposal	Site Address	Applicant
13	YEOVIL CENTRAL	18/03973/R3D	Extension to rear of existing building and provision of PV panels to front elevation	Yeovil Country Park Centre Brunswick Street Yeovil	South Somerset District Council

Further information about planning applications is shown below and at the beginning of the main agenda document.

The Committee will consider the applications set out in the schedule. The Planning Officer will give further information at the meeting and, where appropriate, advise members of letters received as a result of consultations since the agenda had been prepared.

Referral to the Regulation Committee

The inclusion of two stars (**) as part of the Development Manager's recommendation indicates that the application will need to be referred to the District Council's Regulation Committee if the Area Committee is unwilling to accept that recommendation.

The Lead Planning Officer, at the Committee, in consultation with the Chairman and Solicitor, will also be able to recommend that an application should be referred to District Council's Regulation Committee even if it has not been two starred on the Agenda.

Human Rights Act Statement

The Human Rights Act 1998 makes it unlawful, subject to certain expectations, for a public authority to act in a way which is incompatible with a Convention Right. However when a planning decision is to be made there is further provision that a public authority must take into account the public interest. Existing planning law has for many years demanded a balancing exercise between private rights and public interest and this authority's decision making takes into account this balance. If there are exceptional circumstances which demand more careful and sensitive consideration of Human Rights issues then these will be referred to in the relevant report.

Agenda Item 13

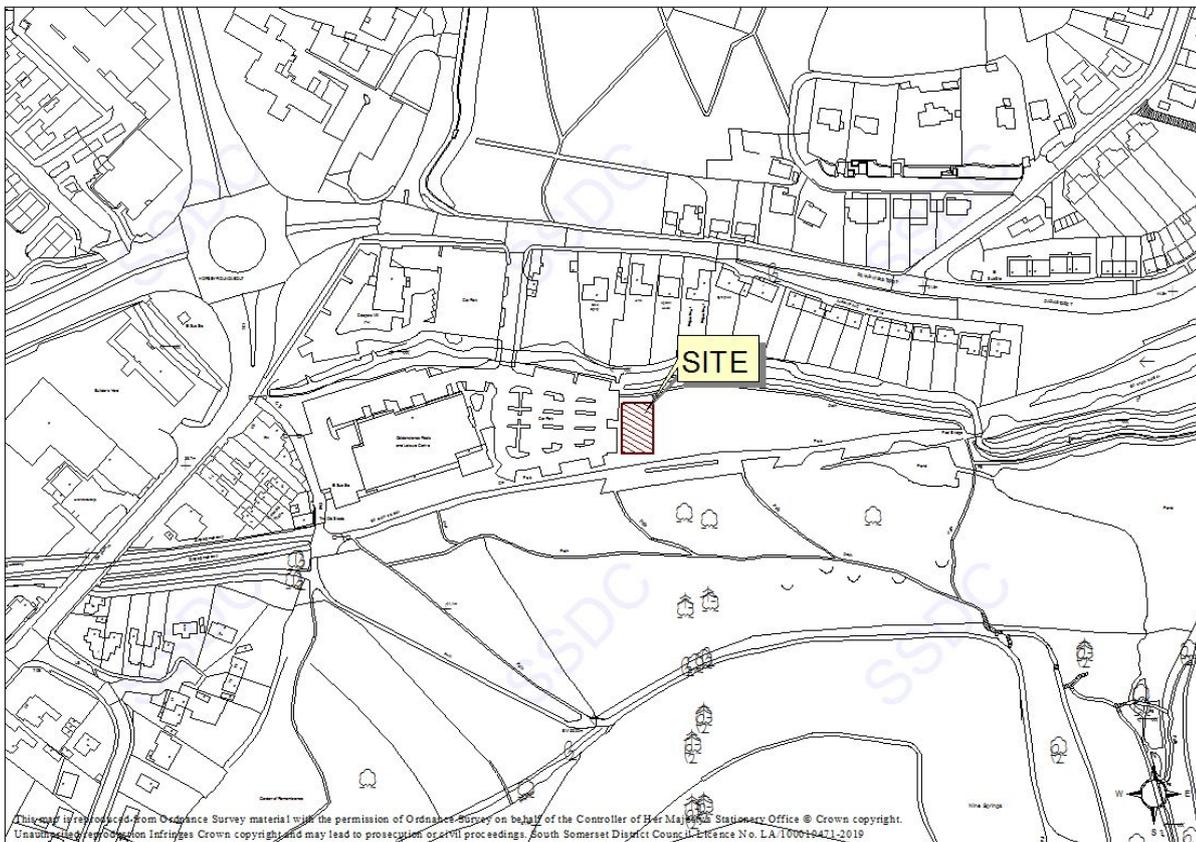
Officer Report On Planning Application: 18/03973/R3D

Proposal :	Extension to rear of existing building and provision of PV panels to front elevation
Site Address:	Yeovil Country Park Centre Brunswick Street Yeovil
Parish:	Yeovil
Yeovil (Central) Ward (SSDC Member)	Cllr K Hussain Cllr A Kendall Cllr P Gubbins
Recommending Case Officer:	David Kenyon Tel: 01935 462091 Email: david.kenyon@southsomerset.gov.uk
Target date :	15th February 2019
Applicant :	South Somerset District Council
Agent: (no agent if blank)	
Application Type :	Minor Other less than 1,000 sq.m or 1ha

Reason for Referral to Committee

This application is referred to Area South Committee for determination because the District Council is the applicant and the landowner and the application has generated two letters/emails of objection from third parties, as well as 20 letters of support from third parties and a recommendation of approval from the Town Council.

Site Description and Proposal





The application seeks full planning permission for the erection of a rear extension to, and provision of PV panels on the front roof slope of, the existing Café, Education & Information Centre at Yeovil Country Park.

The existing building is of a pitched roof design, with external finishing material comprising Marley Eternit roof tiles and the walls being mainly of timber cladding but with some render on the rear elevation. The maximum length of the building is approximately 20.5 metres, its maximum width approximately 10 metres and heights to eaves and ridge being approximately 2.5 metres and 5 metres respectively. The building accommodates a café seating area, workshop, staff area, office, store and public W.C's.

Accompanying the application is a Design and Access Statement which sets out the history of the country park; local context and landscape features; the current use of the building; the physical, social and economic characteristics of the site and surroundings and clarifies the benefits of the proposed development. The existing building is almost equally split between the 'front of house' Café and the operational Ranger Workshop and Office. The Café space is multi-disciplinary, as it includes Country Park information and free literature for visitors, and therefore acts as an information point for the wider greenspace. The Café seating area can be sub-divided by a movable screen to enable the Rangers to use the space for school groups or talks. Therefore, visitors to the Country Park can make good use of the facility and the entire building is a benefit to the area as a whole.

The proposed development relates to the erection of an extension on part of the rear (east) elevation of the building to accommodate an additional seating area. Covers within the café would increase from 40 to 55 which, according to the submitted Design and Access Statement, would allow "greater community use of the flexible classroom space and provide extra space for local heritage displays, a TIC function and local and bespoke products for sale." The extension would be of a pitched roof design, the heights of its eaves and ridge being the same as the existing main building. It would protrude from the rear wall of the building by approximately 5.1 metres and would be of a length of approximately 9.8 metres.

External finishing materials would match existing, namely external timber cladding for the walls and roof tiles. Windows and doors would be installed in the south and east elevations only (no windows or doors in the north elevation) and would be of painted timber to match existing. PV panels would be installed on the southern roof slope of the extension and three rooflights on the northern roof slope.

In addition, it is proposed to install PV panels along the entire length of the western roof slope of the existing building fronting onto the car park.

The site lies within Flood Zones 2 and 3. A submitted Flood Risk Assessment states that there is earth banking alongside Dodham Brook, which runs to the north of the proposed extension, which provides protection from flooding. The floor level of the proposed extension will be the same as the existing. Rainwater from the roof and hard surfaces being provided to the rear will connect into the existing stormwater drains which were installed when the existing building was constructed in 2014.

The nearest residential properties lies some 50 to 60 metres to the north and north east on the opposite side of the watercourse at a higher level than the building and the country park.

The site does not lie within a Conservation Area nor are there any nearby Listed Buildings that would be affected by the proposal.

The proposals do not include the felling or removal of any trees within the vicinity of the existing building.

RELEVANT HISTORY

10/01760/R3D. The erection of a single storey ranger centre to include office, kitchen, workshop, storage, education, meeting room, tea room and public toilet.
Approved with conditions 29.07.2010.

13/01873/R3D. Application for a new planning permission to replace extant permission 10/01760/R3D for the erection of a single storey ranger centre to include office, kitchen, workshop, storage, education, meeting room, tea room and public toilet.
Approved with conditions 04.07.2013.

In addition, there have been several advertisement consents granted relating to fascia signage and flagpoles.

POLICY

Section 38(6) of the Planning and Compulsory Purchase Act (2004), and Paragraphs 2, 11, 12, and 14 of the NPPF 2018 state that applications are to be 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 comprises the policies of the South Somerset Local Plan 2006 - 2028 (adopted March 2015).

The policies of most relevance to the proposal are:

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

Policy SD1 - Sustainable Development

Policy SS1 - Settlement Strategy

Policy EP8 - New and Enhanced Tourist Facilities

Policy EP15 - Protection and Provision of Local Shops, Community Facilities and Services

Policy TA5 - Transport Impact of New Development

Policy TA6 - Parking Standards
Policy EQ1 - Addressing Climate Change in South Somerset
Policy EQ2 - General Development
Policy EQ4 - Biodiversity

National Planning Policy Framework

Chapter 6 - Building a strong, competitive economy
Chapter 7 - Ensuring the vitality of town centres
Chapter 9 - Promoting sustainable transport
Chapter 12 - Achieving well-designed places
Chapter 14 - Meeting the challenge of climate change, flooding and coastal change
Chapter 15 - Conserving and enhancing the natural environment

Other Material Considerations

None

CONSULTATIONS

Yeovil Town Council

Approval

County Highway Authority

Refers to standing advice.

SDDC Highway Consultant

It is unlikely that the development proposal would have any significant highways or transport implications.

SDDC Environmental Health Officer

No comments raised.

Lead Local Flood Authority

Minor development proposal. No need for the LLFA to be consulted.

County Ecologist

No bat potential in the building. No further ecological concerns.

REPRESENTATIONS

33 neighbouring and other properties have been notified and two site notices have been displayed.

20 letters/emails of support and 2 letters/emails of objection have been received from third parties. These representations are available for public inspection in full on the website but the support and objections can be summarised as follows, and in no particular order:

Support

- Invaluable asset to the country park and the various users of the park. The proposal will have a positive impact on the local community.
- The café is too small to keep up with demand. Approving the extension will allow not only more capacity as a café but the hosting of more events and use as a TIC.
- Will allow more school children to visit the centre.
- Will enable the incorporation of items from the closed museum.
- The proposed extension will be in keeping with the area. It will be tasteful, proportionate and

have minimal environmental and ecological impacts.

- The proposal will help cater well for increasing visitor numbers in a way which is considerate of the local environment.

Objection

- Further piecemeal development and further loss of open space which runs contrary to the prime objective of the country park - reference made to various historical issues.
- The building was supposed to be a badly needed facility for the Park Rangers to carry out their work. Instead what has been constructed is a commercial café with the rangers only inhabiting a small part of the completed building. This proposal is further development which does not meet the original aims of accommodating the Park Rangers.
- Proposal will add to the dominating impact of a modern building on the landscape.
- No trees have been planted to replace those that have been removed.
- No approved landscaping scheme has been carried out.

CONSIDERATIONS

Principle of Development

Section 38(6) of the Planning and Compulsory Purchase Act (2004), and Paragraphs 2, 11 and 12 of the NPPF state that applications are to be determined in accordance with the development plan unless material considerations indicate otherwise.

When considering development proposals, the Council takes a proactive approach to reflect the presumption in favour of sustainable development and seeks to secure development that improves the economic, social and environmental conditions within the District. Planning applications that accord with the policies in the Local Plan shall be approved without delay, unless material considerations indicate otherwise. This reflects Local Plan Policy SD1 and the general thrust of policy guidance within the NPPF.

Policy SS1 of the Local Plan identifies Yeovil as a Strategically Significant Town and the prime focus for development in the District.

When considering the merits of the principle of the current application, the most relevant Local Plan policies are: (i) Policy EQ2: 'General Development'; (ii) Policy EP8: 'New and Enhanced Tourist Facilities'; and (iii) Policy EP15: 'Protection and Provision of Local Shops, Community Facilities and Services'.

Policy EQ2, as the title suggests, sets out policy criteria for development in general. Development needs to preserve or enhance the character and appearance of the district. Development proposals, extensions and alterations to existing buildings will be considered against various criteria, including conserving and enhancing the landscape character of the area, reinforcing local distinctiveness and addressing local context. In addition, infrastructure, service availability and accessibility are material considerations to be taken into account, together with the protection of the residential amenity of neighbouring properties.

Policy EP8 sets out the policy criteria for new and enhanced tourist facilities. New facilities will be supported where, amongst other criteria, they are of a scale appropriate to the size and function of the settlement; they will ensure that tourist assets and facilities are accessible through sustainable modes of travel; and they do not harm environmental, cultural and heritage assets. Policy EP15 seeks to protect community or cultural facilities or other services that contribute towards the sustainability of a settlement.

The NPPF advises that significant weight should be given to supporting economic growth and productivity.

In addition both the NPPF and the Local Plan contain guidance and policies relating to maximising energy efficiency measures.

There is clear policy support within the Local Plan and the NPPF for the principle of extensions to new buildings and for new energy efficiency measures. As such, the principle of the proposed development, which would help cater towards visitors and tourists to the Country Park as well as providing educational and cultural experiences, is considered to be acceptable and to accord with Policies SD1, SS1, EQ1, EQ2, EP8 and EP15 of the Local Plan and the aims and provisions of the NPPF.

Nevertheless, detailed considerations relating to such matters as impacts on the character and appearance of the locality and landscape setting and residential amenities of occupiers of nearby properties, together with resultant impact on highway safety, drainage issues and ecology will be addressed elsewhere within this report.

Visual Amenity

The existing building occupies a prominent position within the country park being sited at the edge of the car park and alongside footpaths well used by visitors to the country park. The proposed extension and the various solar PV panels being proposed will equally be noticeable within the public domain. However, the design, appearance and external finishing materials of the proposed extension would not be out of keeping with the general functional character of the main building and would retain a subservient feel, albeit the ridge height would be of the same height as existing. The PV panels would be a new design feature on the existing building but would not appear so incongruous in this location as to justify a refusal of planning permission.

As such, it is considered that the proposal would not have a significant adverse impact on the character and appearance of the area that would justify a refusal of permission, and would therefore accord with Policy EQ2 of the Local Plan and reflect the relevant national guidance within the NPPF.

Residential Amenity

It is considered that the proposed extension and PV panels would be of sufficient distance from the residential properties to the north and north east, which are some 50 to 60 metres distant and on higher ground overlooking the site, so as to have no unacceptable significant impact on residential amenity in terms of dominance, overshadowing, overlooking, loss of privacy and loss of outlook. No third party representations have been received raising objections on grounds of direct adverse impact on residential amenity.

As such, the development is in accordance with Policy EQ2 of the Local Plan and the aims and provisions of the NPPF

Highways

The County Highway Authority was consulted and referred to their standing advice. The SSDC Highway Consultant considered the scheme and raised no objections.

Paragraph 109 of the NPPF advises that development should only be prevented or refused on highways grounds if there would be unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

The proposed development would not by itself generate any additional unacceptable traffic movements to and from the site. In addition, the building lies in very close proximity to existing car parks. As such, it is considered that the impacts on highway safety are acceptable in accordance with Policies TA5 and TA6 of the South Somerset Local Plan and guidance within the NPPF.

Flood Risk and Drainage

The site lies within Flood Zones 2 and 3. Certain development proposals for operational development

in Flood Zone 3 (high risk) are required to pass a Sequential Test as required by the NPPF and the associated Planning Practise Guidance, the aim being to keep development out of medium and high flood risk areas (Flood Zones 2 and 3) and other areas affected by other sources of flooding where possible. Application of the sequential approach in the plan-making process, in particular application of the Sequential Test, helps ensure that development can be safely and sustainably delivered and developers do not waste their time promoting proposals which are inappropriate on flood risk grounds. Nevertheless, when applying the Sequential Test, a pragmatic approach on the availability of alternatives should be taken. For example, in considering planning applications for extensions to existing business premises it might be impractical to suggest that there are more suitable alternative locations for that development elsewhere.

The NPPF and the associated Planning Practise Guidance clarify the differences between major and minor developments. 'Minor development' includes minor non-residential extensions with a footprint less than 250 square metres. The current proposal falls within this definition. Minor developments are unlikely to raise significant flood risk issues unless they would have an adverse effect on a watercourse, floodplain or its flood defences; or they would impede access to flood defence and management facilities; or where the cumulative impact of such developments would have a significant effect on local flood storage capacity or flood flows. The proposed extension would have no such impacts or effects and would thus raise no significant flood risk issues.

As such, the proposed development is not contrary to Policy EQ1 of the Local Plan and the aims and provisions of the NPPF.

Biodiversity

Local Planning Authorities have a statutory duty to ensure that the impact of development on wildlife is fully considered during the determination of a planning application under the Wildlife and Countryside Act 1981 (as amended), Natural Environment and Rural Communities Act 2006, The Conservation of Habitats and Species Regulations 2017 (Habitats Regulations 2017). Policy EQ4 of the Local Plan also requires proposals to pay consideration to the impact of development on wildlife and to provide mitigation measures where appropriate.

Mindful the site is occupied by an existing building with various hardstanding surrounds, the land on which the extension would be constructed site is considered to be of a low ecological value and unlikely to impact on any protected species or their habitat. In addition there is no evidence of any protected species within the roof spaces of the building. The County Ecologist has raised no ecological concerns and has noted the intention to provide some bat boxes to the gable end of the proposed extension. A condition is recommended requiring submission of details of the bat boxes to be provided.

The proposal does not conflict with Policy EQ4 of the Local Plan or relevant guidance within the NPPF.

Other Issues

History

Whilst not an overriding material planning consideration, nevertheless having reviewed the objections lodged in response to this application, the Council's Leisure and Recreation Manager has carried out research into the claim that SSDC gave an undertaking not to build anything further on the Ninesprings green space subsequent to the construction of Goldenstones Leisure centre in the early 1990's.

The Council's records include reference to Goldenstones in an SSDC committee meeting minute of May 1990 which records members requested "That a copy of the recent South Somerset District Council agreement/declaration safeguarding surrounding open space from development be supplied to the Yeovil Town Council for retention."

In turn, and at SSDC's request, Yeovil Town Council have searched their records and found the following

from details of a Planning meeting dated 30 July 1990;

"a letter dated 13.07.90 from South Somerset District Council in response to the request of the Committee at the meeting on 18.06.90 for a copy of the District Council's declaration safeguarding open space from development. The following Resolution had been made by the District Council and a copy would be retained on file:

The Council in pursuance of an undertaking given at the meeting on 26th May 1988, appropriate the land at Penn Hill, Hendford and south of Hendford Brook, the subject of the undertaking, so that it will be held as public trust land as detailed in section 122 of the Local Government Act 1972. (Plan indicating the land referred is not with the note)."

Consideration has been given to the legislation cited in the above extract, namely section 122 of the Local Government Act and, by reference, section 10 of the Open Spaces Act section 10, and it is noted these describe authorities' power to appropriate land and, while not overtly restricting development, set out a requirement for land acquired as open space to be kept as such. The Open Spaces Act defines open space as "any land, whether enclosed or not, on which there are no buildings or of which not more than one-twentieth part is covered with buildings, and the whole or the remainder of which is laid out as a garden or is used for purposes of recreation, or lies waste and Unoccupied." Building on the greenspaces of Penn Hill (10 acres) and Ninesprings (49 acres), as now designated as Country Park, does not exceed 1/20th of the area. Accordingly, the current application does not appear to be at odds with the original undertaking given by SSDC in the 1990's.

As both the 2014 and the currently proposed extension are buildings designed to help in the practical site and visitor management of the Country Park they are considered to be appropriate development.

Loss of Trees and Landscaping

In response to third party objections raising the issues of loss of trees and no replacement planting, and lack of landscaping, the Leisure and Recreation Manager has confirmed that two standard trees have been removed from the greenspace immediately east of the building. Both trees (ash) were identified through the Council's annual tree safety surveys, as being either "dead, diseased or dying" and having deteriorated to such an extent that leaving them in situ, so close to the outside seating, was not safe. Standard trees were not replaced at this location as it is not a suitable site to plant a mature tree. With regards the removal of further trees it is assumed that this comment refers to the false acacias from the banks to the south of the building and a further ash tree in the flat greenspace to the east. All these trees were identified as diseased and in need of removal by the qualified Rangers on the annual inspection rounds. To mitigate for these removals throughout Ninesprings, 350 trees were planted in 2018.

With regards plantings and landscaping to screen the original building from Brunswick Street, shrubs have indeed not been planted to date. The Rangers and volunteers used the spoil from the development to create a series of banks adjoining the Dodham Brook which were seeded and tended as wildflower banks. Subsequently wildlife cameras and bird feeding stations have been installed to create appropriate interest. The shrubs to create screening will be planted this winter season, by mid-March and will comprise a mix of hazel, holly and some thorn species.

Summary

It is considered that the issues raised by the third party objectors have been responded to in a satisfactory manner and there are no overriding material planning reasons why permission should be withheld for this current development proposal.

Conclusion

Section 38(6) of the Planning and Compulsory Purchase Act 2004 provides that where regard is to be had to the development plan for the purpose of any determination to be made under the Planning Acts, the determination must be made in accordance with the plan unless material considerations indicate

otherwise.

The scheme would cause no demonstrable harm to (i) visual amenity; (ii) residential amenity; and (iii) highway safety. In addition, there would be no material exacerbation of flood risk as a consequence of this development and there is no evidence that any harm would be caused to interests of biodiversity. As such, the proposal accords with Policies SD1, SS1, EP8, EP15, EQ1, EQ2, EQ4, TA5 and TA6 of the South Somerset Local Plan and relevant guidance within the NPPF and its associated Planning Practise Guidance and is recommended for approval.

RECOMMENDATION

Permission be granted for the following reason:

01. The scheme would cause no demonstrable harm to (i) visual amenity; (ii) residential amenity; and (iii) highway safety. In addition, there would be no material exacerbation of flood risk as a consequence of this development and there is no evidence that any harm would be caused to interests of biodiversity. As such, the proposal accords with Policies SD1, SS1, EP8, EP15, EQ1, EQ2, EQ4, TA5 and TA6 of the South Somerset Local Plan and relevant guidance within the NPPF and its associated Planning Practise Guidance.

SUBJECT TO THE FOLLOWING:

01. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: To accord with the provisions of section 91(1) of the Town and Country Planning Act 1990.

02. The development hereby permitted shall be carried out in accordance with the following approved drawings:

Site Location Plan - scale 1:1250;
Drawing no. 1381-03A "Proposed floor plan and elevations; and
Drawing no. 1381-11B "proposed site layout plan"

and the external surfaces of the new extension shall be of materials to match the existing building, as indicated on the submitted application form and the Design and Access Statement. No other external finishing materials shall be used without the prior written approval of the Local Planning Authority.

Reason: For the avoidance of doubt and in the interests of proper planning.

03. Prior to any use of the development for the purposes hereby permitted, provision for access for bats shall have been made in accordance with details previously submitted to and approved in writing by the Local Planning Authority. Such details shall include the number, location, design, appearance and size of bat boxes to be installed either on the new extension hereby permitted and/or the existing building. The approved bat boxes shall be maintained and retained thereafter in perpetuity, unless otherwise approved in writing by the Local Planning Authority.

Reason: In the interests of protecting biodiversity throughout construction and thereafter, having regard to Policy EQ4 of the Local Plan and relevant guidance within the NPPF.