



See application above

## **History**

See application above

## **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,

Relevant Development Plan Documents

Regional Spatial Strategy:

VIS 1

VIS 2

Somerset and Exmoor National Park Joint Structure Plan  
Policy 9 The Built Historic Environment

South Somerset Local Plan (Adopted April 2006)

Policy EH1 Conservation Areas

Policy EH3 Alterations to Listed Buildings

Policy MS7 Control of Advertisements

## **Consultations**

The application was considered by Yeovil Town Council on 1 October 2007 and they supported the recommendation for approval.

## **Representations**

None.

## **Considerations**

The application for the alteration to a listed building (see application above) was considered by Yeovil Town Council on 3 September 2007. The Town Council recommended refusal on the grounds that the mural would have a harmful impact upon the character of the listed building. This current application is for the same proposal, but is seeking advertisement consent under the Town and Country Planning (Control of Advertisements) Regulations which only allows decisions for such applications to be made with regard to amenity and public safety.

The advertisement is proposed on a Grade II listed building within the Yeovil conservation area. However, there has previously been a mural of similar size on the same wall advertising the arts centre which was accommodated within the building. The Yeovil Vision staff now occupy the building and therefore it would seem appropriate that the mural is changed accordingly.

## **RECOMMENDATION**

Subject to any relevant and significant comments being received by the end of the consultation period, grant advertisement consent for the following reason:

## JUSTIFICATION

01. The proposed replacement mural is considered to be in keeping with the character of the surrounding area in terms of the siting, design, materials and scale, and it does not prejudice public safety in accordance with Policy MS7 of the South Somerset Local Plan 2006.

### Application Permitted with Conditions

01. (a) All advertisements displayed and any land used for the display of advertisements shall be maintained in a clean and tidy condition to the reasonable satisfaction of the Local Planning Authority.

(b) Any hoarding or similar structure or any sign, placard, board or device erected or used principally for the purpose of displaying advertisements shall be maintained in a safe condition to the reasonable satisfaction of the Local Planning Authority.

(c) Where any advertisement is required under these Regulations to be removed, the removal thereof shall be carried out to the reasonable satisfaction of the Local Planning Authority.

(d) Before any advertisement is displayed on land in accordance with the consent now granted, the permission of the owner of that land, or of a person entitled to grant such permission, shall be obtained.

(e) The consent now granted is limited to a period of five years from the date hereof.

Reason: To accord with the Town and Country Planning (Control of Advertisement) Regulations 1992

### Extract from Area South Committee minutes – 3<sup>rd</sup> October 2007

#### **07/03961/ADV - Proposed new mural on end elevation of premises. 80 South Street Yeovil - South Somerset District Council**

The Committee agreed that the Regulation Committee be recommended to grant permission.

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