

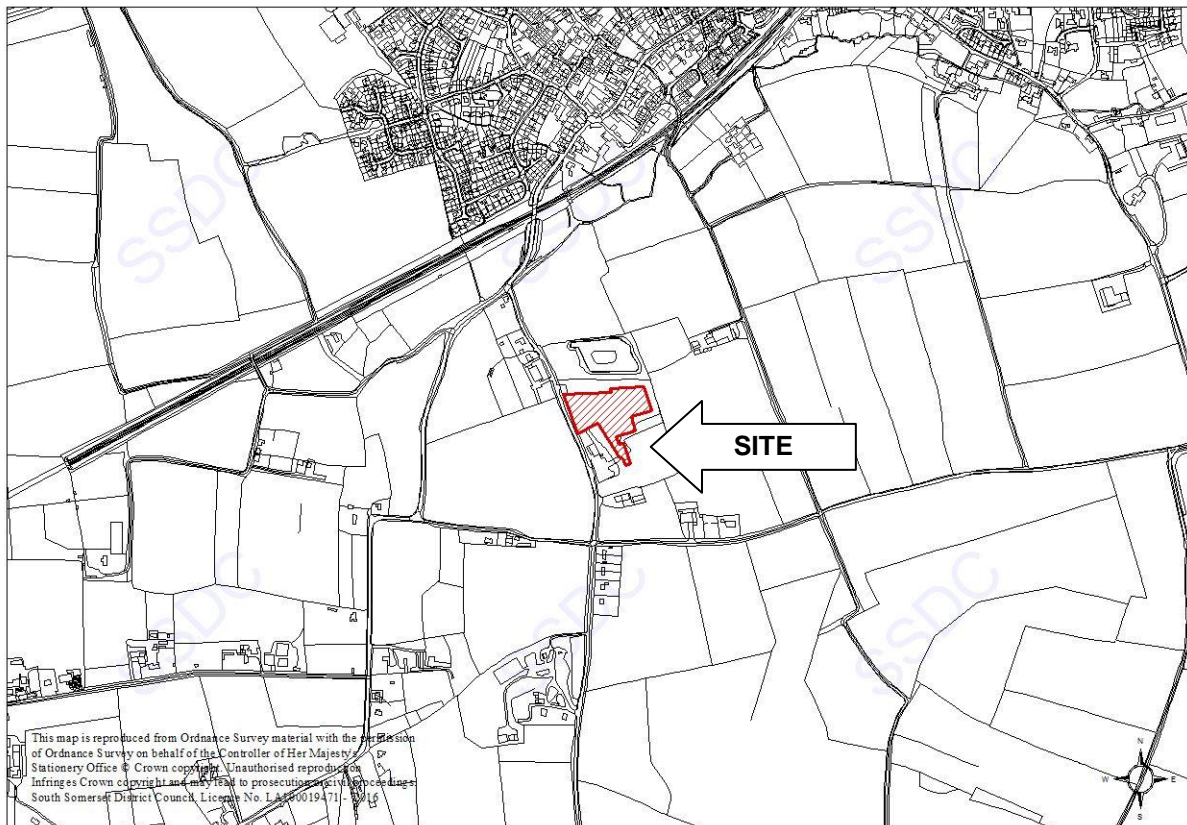
Officer Report On Planning Application: 16/01819/FUL

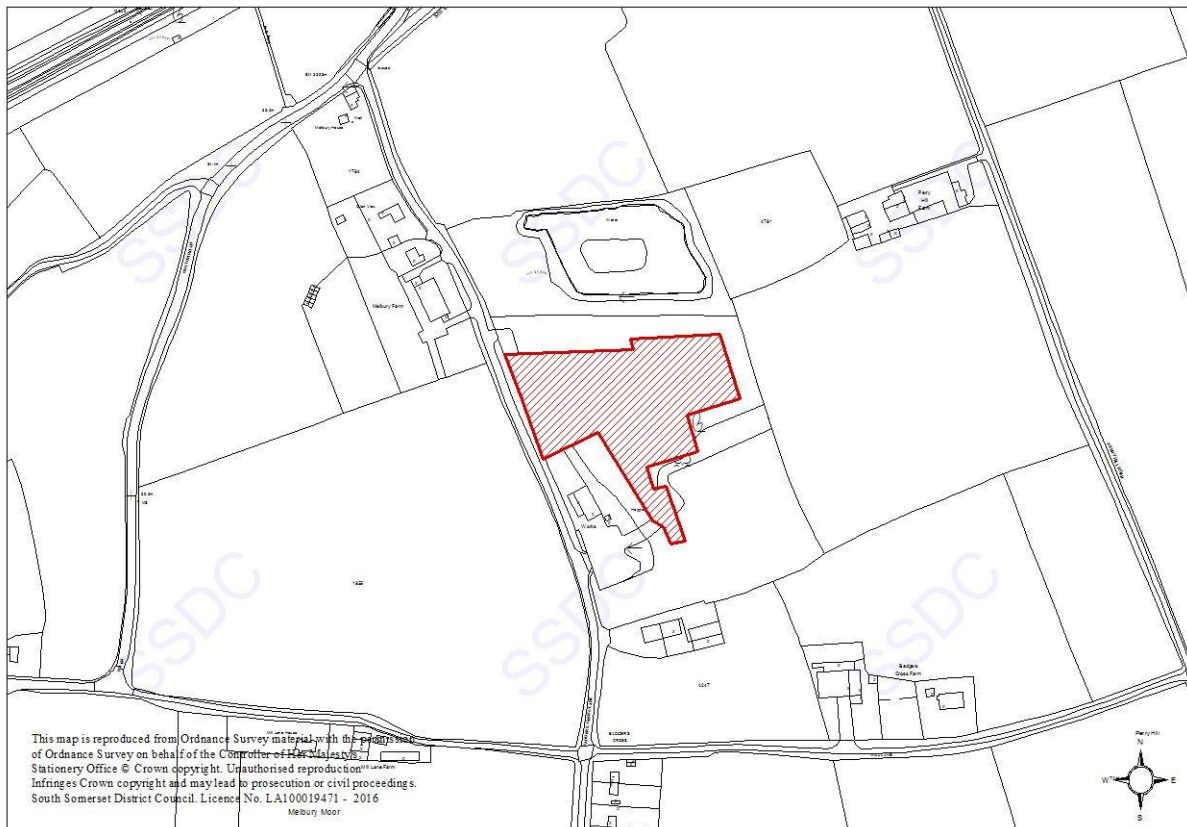
Proposal :	Erection of Commercial Building under Use Class B2 of the Town and Country Planning (Use Classes Order) 1987.
Site Address:	Land OS 3769, Badgers Cross Lane, Somerton.
Parish:	Somerton
WESSEX Ward (SSDC Member)	Cllr S Page Cllr D Ruddle
Recommending Case Officer:	Alex Skidmore Tel: 01935 462430 Email: alex.skidmore@southsomerset.gov.uk
Target date :	3rd August 2016
Applicant :	Pitney Fabrication Co. Ltd.
Agent: (no agent if blank)	Mr Shaun Travers - 3637 Motivo, Alvington, Yeovil BA20 2FG
Application Type :	Major Manfr f/space 1,000 sq.m or 1ha+

REASON FOR REFERRAL

The application has been brought to committee at the request of the Development Manager and the agreement of the Area Chair to allow the issues of principle and other related planning matters to be considered further.

SITE DESCRIPTION AND PROPOSAL





This application is seeking planning permission to erect an industrial building with a footprint of 3929 square metres) to accommodate a single business falling within Use Class B2 (general industry). The application follows the granting of permission of several previous schemes for industrial development and an educational facility on this wider quarry site.

The application site forms part of a wider former quarry site, which whilst it is still considered to be a mineral safeguarding area has according to Somerset County Council been previously extracted. The site is located in the open countryside approximately 1.5km from the town centre of Somerton and is accessed via Badgers Cross Lane which passes along the western boundary of the site. A stonemason's business already operates from another part of the quarry site, on land which formed the quarry depot, and one of the buildings approved under application 15/00559/FUL has also now been completed and is in use by a training business.

As part of the stonemasons development a new access was formed leading on to Badgers Cross Lane which is of a width and nature suitable for accommodating industrial traffic. It is intended that this access would also serve the proposed new industrial unit as well as those already approved within the quarry site.

Native hedgerows are growing along the east, west and south boundaries of the application site. The levels of the site have been raised up as a result of an in-filling exercise undertaken by the landowner and is at a similar level to the wider site and raised up above the adjacent land to the south and east and road to the west. At the time of visiting the site it was in an uncultivated state.

There are a number of residential properties in the locality with the closest dwelling situated approximately 60m to the northwest on the opposite side of Badgers Cross Lane.

RELEVANT HISTORY

- 16/01849/S73: Application to vary condition 2 (approved plans) of planning approval 15/05513/FUL to allow the removal of part of the proposed landscaping bund. Pending consideration.
- 16/01847/S73: Application to vary condition 2 (approved plans) of planning approval 15/00559/FUL to allow substitution of plans to accommodate landscaping scheme. Pending consideration.
- 15/05514/S73: Application to vary condition 2 (approved plans) of planning approval 15/00559/FUL. Permitted.
- 15/05513/FUL: Erection of commercial building to accommodate mixed uses (Use Classes B1, B2 and B8). Permitted.
- 15/00559/FUL: Erection of Commercial Buildings to accommodate mixed uses (Use Classes B1, B2, and B8 Town and Country Planning (Use Classes Order) 1987 (Block 1) and Use D1(Town and Country Planning (Use Classes Order) 1987 (Block 2). Permitted.
- 14/04180/FUL: Erection of a commercial building to accommodate mixed uses (Use Classes B1, B2 and B8). Permitted.
- 12/04095/FUL: Extension of building and change of use of land to accommodate an extension and yard for B2 use. Permitted.
- 11/02594/FUL: Application to extend time limit of extant permission 08/03000/FUL, to erect 2 agricultural buildings for storage of fodder and machinery and erection of two polytunnels. Permitted.
- 11/00609/COL: Application for a certificate of lawfulness for the proposed use of the site and building thereon for any purpose falling within B2 use class. Refused.
- 10/02027/FUL: Use of existing building for B2 use, refurbishment and extension of existing building and associated improvements to access and landscaping. Permitted.
- 09/03655/CPO: Construction of a household waste recycling centre. Withdrawn.
- 08/03000/FUL: Erection of two agricultural buildings for storage of fodder and machinery and erection of two polytunnels. Permitted.
- 08/01021/AGN: Erection of an agricultural building for the over-wintering of cattle and calving. Permission required.
- 01/01430/COU: Use of land and buildings for storage, repair and retail of damaged motor vehicles, carry out engineering works and erection of a new covered area for accident damaged cars. Permitted.

POLICY

Section 38(6) of the Planning and Compulsory Purchase Act (2004), and Paragraphs 2, 11, 12, and 14 of the NPPF states 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).

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

SD1 - Sustainable Development

SS1 - Settlement Strategy

SS3 - Delivering New Employment Land

LMT3 - Somerton Direction of Growth

TA1 - Low Carbon Travel

TA5 - Transport Impact of New Development

TA6 - Parking Standards
EQ2 - General Development
EQ4 - Biodiversity
EQ7 - Pollution Control

National Planning Policy Framework:

Part 1 - Building a strong, competitive economy

Part 3 - Supporting a prosperous rural economy

Part 4 - Promoting sustainable transport

Part 7 - Requiring good design

Part 10 - Meeting the challenge of climate change, flooding and coastal change

Part 11 - Conserving and enhancing the natural environment

Part 13 - Facilitating the sustainable use of minerals

CONSULTATIONS

Somerton Town Council: Support application

County Highways: No objection, subject to conditions to address surface water runoff to prevent it running into the highway and to secure the on-site parking and turning provision. The existing access is sufficient to cope with the existing and proposed traffic. Badgers Cross Lane is a classified un-numbered road with a speed limit of 60mph. The width of the road varies between 4.8m and 5.5m which is wide enough to allow a vehicle to pass an HGV lorry. The previous applications have allowed the increase in use of the road and again it would be unreasonable to make an objection on this matter. The vehicle tracking plan shows that an articulated lorry can enter the site and has enough space to turn around and exit in forward gear. The proposal provides for adequate on-site car parking that meets SCC's parking strategy.

County Minerals: No comments received

Environmental Protection: Recommended conditions to control the following:

- Hours of operation;
- Fitting of noise attenuated reversing alarms to any forklift trucks operating on the site;
- Prevent any shot blasting, paint spraying being carried out out of the building;
- A noise mitigation scheme; and
- Remedial measures to address contamination.

Environment Agency: No objection subject to a condition to address contamination concerns.

Lead Local Flood Authority: No objection subject to a drainage condition to safeguard against potential increased flood risk.

Wessex Water: Raised no objection.

Planning Policy: It is noted that this is the fourth planning application for commercial uses to have been submitted on this site in a relatively short period of time. The three previous applications have been approved (14/04180/FUL, 15/00559/FUL, 15/05513/FUL) - the same key policies will apply to the current application, so please refer to these previous comments for general policy principles.

Regarding issues specific to the current application, the proposed site covers some 1.24 ha and comprises a B2 use building of 3,929 sq m. The end user is identified as Pitney Fabrications, a steel manufacturer currently located at Bancombe Road Trading Estate. The adopted Local Plan includes a direction of growth for new development to the west of Somerton (Policy LMT3), and it is noted that the direction of growth is located adjacent to Pitney Fabrications' existing premises (albeit beyond a field boundary). The Design and Access Statement states that the likely residential hope value is likely to preclude new employment land in the direction of growth; however, this falls short of confirming that this land is not available following discussions with the relevant landowner.

Overall, as with the previous proposals, there are concerns relating to its isolated location with regards to the strategy set out in the Local Plan. Given the approach in the Local Plan, and the existing location of the business, the option to extend/locate the proposal in the direction of growth should be fully explored. It is recognised that significant weight should be given to supporting sustainable economic growth (NPPF, para 19). In determining the application, it should be considered whether material considerations outweigh the conflict with the Local Plan.

Economic Development: Support this application as it will bring forward new employment land in the district and represent an opportunity for an established local business to expand and employ more people.

Notwithstanding the comments of the SSDC Policy Planner regarding availability or otherwise of the land adjacent to the end user's current site and within the direction of growth for Somerton, I am supportive of this application as from an Economic Development perspective:

- Employment land is constrained in the Somerton area and this will deliver substantial commercial space;
- There is an end user already secured for the site;
- The end user, Pitney Fabrications, is an established local business desperate to expand as soon as possible but is constrained in its current location;
- The end user has estimated that the new site will enable them to create 65 additional jobs which would be of significant benefit to the local economy.

Ecology: No objection or recommendations.

Climate Change Officer: Encourages the orientation of the building to be reconsidered to improve potential solar gain. He further observes that there are few constraints that impact on the orientation of the building and would have liked to have seen justification for the solar orientation of the building.

Landscape Officer: Raises concerns.

Latest comments - It is ironic that in sorting out the level issues, we have arrived at a slab level that is 30cm higher than previously presented - relative to external site levels, that increases the massing extent.

I acknowledge that the additional land available for planting (and we need confirmation of this) to the east of the building will enable a more substantive planting belt, which may help to balance out the increased massing impact, and as before, I agree that the building design is well considered, to play down the worst excesses of massing effects, and to create a horizontal emphasis. However, that doesn't mitigate the overall landscape impact arising

from the scale and mass of the proposal, nor from the cumulative building presence on this rural site, as set out in detail in my consultation response, thus I still consider the proposal to fail to meet the requirements of LP policy EQ2, and this offers a basis for refusal unless the economic development case is more compelling.

Initial comments - This application proposes the construction of a substantially-scaled single commercial building, circa 0.37ha footprint, and height to ridge of 9.83 metres, on a former quarry site that is now characterised in-part by recently constructed employment buildings over the southern half of the site. Its immediate surround is characterised by agricultural fields, which are primarily pasture and defined by enclosure hedgerows, whilst the urban edge of Somerton lays circa 0.4km to the north.

The site clearly lays within a rural context, despite the close proximity of the town's edge. Whilst the land to the south and west of the town is primarily open, with little development presence, there are a number of sporadic building groups and small farm clusters to either side of the B3165 Long Sutton road, to introduce the characteristic of scattered development form within the farmland context through this broad corridor. As such, the present site development is not greatly at variance with this local characteristic. However, the scale of this application proposal is clearly substantial, and in excess of those currently constructed on the site, and those of the surrounding holdings, to thus be likely to appear incongruous, whilst the cumulative impact of both the constructed; consented; and proposed buildings will establish a building group that express a development mass which is at variance with those that characterise the locality. In this respect, and given the farmland context, there are potentially landscape grounds for refusal, LP policy EQ2.

This erosion of local landscape character will be apparent in immediate; passing and local public views. Visibility becomes an issue where a proposal is assessed as likely to generate adverse or uncharacteristic landscape effects, and those effects are apparent to public perception. The extent of this impact is reviewed by a landscape and visual impact assessment (LVIA) submitted with application. The LVIA primarily reviews the views from local lanes, and it is apparent that the zone of visual influence is closely drawn, to thus place a limit on potential adverse effects. In most part the LVIA considers the significance of the effects arising from development impact to be minor, rising to moderate where viewed from Perry Hill Road, which hosts the route of the McMillan Way. It further contends that these effects can be reduced by the form of the building design, and on-site planting mitigation.

I agree that the building has a local visual profile only to limit adverse effects (though I consider these effects on receptors using the local lane network will also be shared by a small number of residential properties that have a prospect of the site) and that the design - particularly its roof profile; horizontal treatments; and cladding tones, will help to play down its presence. I am not convinced however, that the scale of the building can be successfully mitigated as suggested, particularly if established at the datum levels shown. Whilst the D&A statement places an emphasis upon the building being dug-in, a datum level of 49.00 places the building at the same level as the Medusa Stone building, and only 1.00 metre below the recently consented workshop range, which stands on made-up ground to the immediate south. I do not consider this building datum to be set sufficiently low to moderate the landscape impact predicted by the LVIA, and without a reduction in the building profile relative to its landscape surround, consider both the scale and mass of the proposal, and the cumulative building presence on this rural site, to fail to conform with the requirement of LP policy EQ2.

I acknowledge that the building design has been evolved with a great deal of thought to play down massing effects and create a horizontal emphasis, and with careful selection of cladding and roofing tones, I agree it to be the right approach to accommodating an outsize

building on a small site. However, to integrate it successfully into its landscape context, and thus overcome the landscape objection, I would advise;

- (a) The building profile is reduced. If the overall height of the structure cannot be reduced, then seek to genuinely lower the building platform, and;
- (b) Shift the building circa 5 metres to the west, to create sufficient space for a robust planting scheme, which will then have the capacity to moderate the landscape impact as advised by the LVIA.

Given the scale of the proposal, I also consider it essential that a planting and ground modelling proposal is agreed pre-determination, and with the above amendments, will provide the package necessary to secure appropriate landscape mitigation.

REPRESENTATIONS

Written representations have been received from five local residents raising the following objections and concerns:

- Clear that a staged approach has been deliberately adopted to develop this site which is unacceptable.
- Piecemeal development.
- This is not about bringing more jobs and saving the economy, Pitney Fabrications already exists in Somerton.
- Harm to visual amenity.
- Not in keeping with the rural area.
- This is an enormous development, is set in an elevated position and will have a serious impact on this rural area.
- As yet the planting scheme for the implemented schemes has not been carried out. The developer has planted a cheap laurel hedge instead of a native hedgerow on the roadside by the new building. Is there any reassurance that any of the proposed planting schemes will be adhered to.
- Harm to the local environment.
- The quarry was supposed to be returned to nature once the quarrying had finished.
- Increased noise and light pollution.
- Steel fabrication is very noisy, the plans do not adequately deal with this.
- There is already light pollution coming from the site, which is on all night long.
- We already put up with noise from the stone masons.
- Sound proofing of this building needs to be of the highest specification so ensure it does not impact on local residents.
- Inadequate road infrastructure to serve this level of development.
- Despite the owner's assertion that there will be a very low increase in traffic, Badgers Cross Lane and the associated road network has already seen a large escalation of HGV traffic to this site.
- Lorries turning in and out of this access on a blind bend is a severe road hazard. Plus the junctions to the south and north of the lane (leading to the A372 and Sutton Road) are not conducive to large amounts of industrial traffic.
- This application will double the amount of traffic in and out of the site on this minor country lane.
- Badgers Cross Lane is currently a quiet country lane and regularly used for recreational purposes (horse riding, jogging, dog walking etc). The increase in traffic resulting from the development will deter recreational use and greatly increase the risk of a road traffic accident. Many of the entrances leading on to the lane are on

blind bends.

- This will make a dangerous traffic situation worse.
- The safety concerns of local residents in respect of the entrance to the site are well documented. There is an independent assessment which documents the unsuitability of this road for what has now become an industrial complex. This is not trumped by a further assessment by the same individual in another capacity saying otherwise.
- Additional traffic onto the small roads is damaging tourism in the area.
- There are no options for employees to get to the site other than by driving in a private vehicle.
- The Sutton Road end of the lane already suffers from flooding during wet weather. The run-off from the buildings on this site and raised landscaping will increase the probability of flooding.
- Contamination. The site was previously a quarry and has been landfilled with industrial, commercial and domestic waste since the 1960's, probably with no control of hazardous contamination. Is it safe to build on?
- Run-off from the site will be huge. Water already gathers at the bottom of Badgers Cross Lane by Melbury House during prolonged rain events, this proposal can only add to this problem. If approved there should be an attenuation pond to allow slower dissipation to minimise flooding.

CONSIDERATIONS

This application is seeking full planning permission to erect an industrial building for Use Class B2 comprising a footprint of 3929 square metres. The application follows the granting of permission of several previous schemes for the industrial development of this site.

Principle

The application site forms part of a former quarry site, which is classed as greenfield land, and is located beyond any development area within open countryside and approximately 1.5km from the centre of Somerton.

The local plan sets out the overall scale of employment growth for South Somerset in policy SS3, with an additional requirement of 5.07 hectares of employment land for Somerton to deliver the jobs required to support the town and wider district. Policy LMT3 identifies the direction of growth as being to the west of the town, i.e. close to the existing Bancombe Road trading estate. The application site however sits away from the identified direction of growth and does not therefore strictly conform with policy LMT3.

The application has been submitted with a specific business in mind and as such is not speculative in nature. Economic Development are supportive of this proposal noting that employment land in the Somerton area is constrained and that it will allow an existing established business, Pitney Fabrications, to expand and to create an additional 35 full-time jobs.

It is noted that the applicant has stated in his Design and Access Statement that the likely residential hope value is likely to preclude new employment land within the direction of growth, which falls short of confirming that this land is not available. SSDC's Policy Officer goes on to raise concerns about the relatively isolated location of the site and the extent to which the option to extend / locate within the direction of growth has been explored. He acknowledges however that significant weight should be given to supporting sustainable economic growth (paragraph 19 of the NPPF) and that it should be considered whether material considerations outweigh the conflict with the local plan.

In response to these concerns the applicant has confirmed that there is insufficient space to expand at their current site and that neither Pitney Fabrications or the owner of much of the Bancombe Road Trading Estate (and the current application site) do not have control over any other land within the direction of growth. No other sites of a size capable of accommodating this development have come forward or have been identified as being available to meet this need at the present time. Furthermore, the applicant has stated that the reason for looking to expand the business now is both due to the success of the business but also because of a grant that is currently available which would help to meet the costs of this expansion project, the grant however is only available for a very limited period.

At present the prospect of new employment land becoming available that could accommodate this development in the preferred area at any time in the near future cannot be relied upon. The Core Principles (paragraph 17) of the NPPF, states that planning should "proactively drive and support sustainable economic development", and is particularly pertinent in the considerations of the application and given considerable weight.

As advised by the Policy Officer it is accepted that the development of this site for industrial purposes would be contrary to policy LMT3 which seeks to direct such development in Somerton to the west / southwest side of the town. It is therefore necessary to consider whether there are such exceptional circumstances that the development of this site can be supported.

Although the application site is in policy terms greenfield and not industrial its previous use as a quarry can hardly be described as an unfettered greenfield site. Although it would be preferable for the site to be physically more closely connected to Somerton with good pedestrian links etc, it is within a relatively short distance of the main hub of Somerton and within a distance that could realistically be walked or cycled with relative ease. The Planning Policy team has acknowledged in comments for an earlier application on this quarry site that the site is part of the functional economic area for Somerton. Furthermore, there is no evidence to suggest that the approval of this development would detract from the existing employment land to be found within the town.

Bearing all of these factors in mind, along with the lack of available sites in a more preferred location and the applicant's time constraints in regard to their grant application, it is considered that the economic and social merits of this scheme, in this instance, outweigh the identified conflict with development plan policy. On this basis it is considered that a policy exception is justified in these circumstances subject to the consideration of the impacts of the locality of the proposal.

Highway Safety

One of the principle concerns raised by local residents relates to highway safety and traffic generation upon the local road network, which they consider unsuitable for the traffic that this scheme is likely to generate.

Access to the development will be via the existing access which is / will be shared with the other businesses already permitted on the wider quarry site. The highway authority has raised no objection to this access or to the level of on-site parking, cycle storage and turning proposed. A Transport Statement accompanied the application setting out detailed likely traffic generation information both in terms of HGV traffic (36 two-way trips per day, staff vehicles (72 two-way trips per day) and peak traffic movements. The highway authority has raised no objection to these traffic levels or the cumulative impact this will have along with the other schemes already approved on site upon the local highway network. There is no evidence that counters the highway authority's views in regard to traffic and highway safety

matters and for these reasons it is concluded that the development should not lead to any substantive highway safety concerns.

Residential Amenity

The nearest residential property to this site is located approximately 60m to the northwest. The proposed industrial use and associated activities could potentially generate noise and disturbance to surrounding neighbours.

Environmental Health has been consulted in regard to the application and raised no objection to the proposal. The applicant has stated that other than loading, unloading and vehicle access all activities are performed within the building and that they do not operate on a shift system. Therefore, subject to a number of conditions to secure hours of operation (to between 0700 and 1800 hours Monday to Saturday), to prevent activities other than loading/unloading/ storage occurring outside the building, noise attenuation conditions and to prevent any panel beating/shot blasting/paint spraying taking place anywhere on the site, the development is not considered to cause any demonstrable harm to neighbour amenity or the rural amenities of the locality. Nor, given the intervening distance of the site from the nearest neighbours does it raise any more general concerns such as loss of light, privacy etc. For these reasons, the development is not considered to raise any significant amenity concerns for nearby residents.

Visual and Landscape Amenity

Local Plan policy EQ2 requires development to conserve and enhance the landscape character of the area and to respect local context.

The application site lies within a rural context in an area that is open in character but with some sporadic building groups and in this respect the site at present is not greatly at variance with this context. The sheer scale of the development however is not reflective of these building groups or of that already permitted on this site and so from this perspective has a certain incongruity within the surrounding landscape.

The application has been submitted following pre-application discussions and it is accepted that the design of the building does much to break up its overall massing and that combined with a comprehensive landscaping scheme will help to mitigate its presence within the landscape. The Landscape Officer however is concerned about the levels and noted that although the building will be dug-in it will still have a datum level of 49.30 which will result in a ridge height 1.23 metres higher than that of the industrial building approved immediately alongside to the south and will not be sufficiently low to fully moderate its landscape impact. He also made a request to widen the landscaping belt along the east boundary.

Whilst the applicant has amended the position of the development to facilitate the wider planting area they have been unable to reduce the height or finished floor level of the building and so this remains an outstanding concern. The Landscape Officer is of the opinion that due to its height the proposal will have a greater presence within the landscape than would be desirable and as such its scale and massing remain a matter of concern and the scheme therefore does not strictly accord with the objectives of policy EQ2. He goes on to suggest that this could be a sufficient reason to refuse the application if the economic development case is not sufficiently justified.

Planning Balance

The development will enable Pitney Fabrication, an established local firm, to carry out their expansion program whilst remaining in the Somerton area and it is anticipated that this project will result in the creation of an additional 34 jobs. Paragraph 19 of the NPPF makes it clear that "significant weight should be placed on the need to support economic growth" as

such it is considered that the economic and social benefits associated with this development should be afforded considerable weight.

The concerns raised by the Landscape Officer must also be acknowledged and that in this regard the proposal fails to strictly accord with the requirements of LP policy EQ2. The application site, however, is not located in an area that is subject to any special landscape or wildlife / biodiversity designations and the level of harm identified by the Landscape Officer, whilst significant, is not in this instance considered to be so severe as to outweigh the economic and social benefits that will arise. Indeed the Landscape Officer has acknowledged that if the economic arguments are sufficiently compelling that this may override his landscape concerns.

On this basis it is considered that it is justified to make a policy exception in this instance.

Other Matters

Local concerns regarding the piecemeal nature of development coming forward on the quarry site are noted however the applicant is at liberty to do this.

The site is located within flood zone 1 and as such is not considered to be at risk of flooding. A Surface Water Drainage Strategy has been provided with the application, neither the Environment Agency or the Lead Local Flood Authority have raised any objection to this proposal, subject to a condition being imposed requiring a detailed surface water drainage scheme.

Bearing in mind the site's former quarry status and the landfill that has been carried out in the vicinity there is the risk of landfill related gas and other contamination affecting the site. Conditions have therefore been recommended to address these concerns.

There are no identified ecology issues and the Council's Ecologist has raised no objection or recommendations in respect of the proposal.

A local resident has stated that the site was supposed to revert back to nature once the quarrying had ceased. Whilst this might have been a condition on the original quarrying consent the LPA are obliged to consider the scheme submitted and its merits.

Conclusion

Notwithstanding the concerns and objections raised by local residents, it is considered that for the reasons set out above the proposal is an appropriate form of development that broadly meets the aims and objectives of the NPPF for sustainable economic development. The identified landscape concerns, subject to the proposed landscape mitigation measures, are not considered to be so severe as to outweigh the social and economic benefits resulting from the expansion of this local firm. Furthermore, the proposal raises no other substantive environmental, highway safety, visual or residential amenity concerns that cannot be adequately addressed by condition. The application is therefore recommended for approval.

RECOMMENDATION

Grant permission for the following reason:

This proposal for new industrial development will result in the creation of new employment opportunities in the locality and make a valuable contribution towards the delivering the Council's employment land requirements. Notwithstanding the landscape impact concerns, the proposal is considered to accord with the principles of sustainable development without

resulting in any substantive residential amenity, highway safety or environmental concerns and to therefore accord with the aims and objectives of policies SD1, SS1, SS3, TA5, TA6, EQ2, EQ4 and EQ7 of the South Somerset Local Plan and the provisions of the National Planning Policy Framework.

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 plans drawings numbered 3637/PL/100 and 3637/PL/105 received 25/04/2016, 3637/PL/104 received 04/05/2016, 3637/PL/102 and 3637/PL/103 received 06/05/2016 and 3637/PL/101 Rev A and 3637/PL/106 Rev A received 20/06/2016

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

03. The building hereby permitted shall not be used other than for those activities which fall within the definition of Class B2 of the Schedule to the Town and Country Planning (Use Classes) Order 1987, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification.

Reason: The local planning authority would not have been prepared to grant planning permission but for the need for additional employment land to accord with the aims and objectives of the NPPF and policy SS3 of the South Somerset Local Plan.

04. The accommodation comprised in the development hereby permitted shall not be used other than as part of the premises of a single business operating from the site outlined in red on the submitted site plan (drawing number 3637/PL/100). There shall be no subdivision without the prior express grant of planning permission by the local planning authority.

Reason: In order to determine the scope of this permission and in the interest of highway safety and the rural amenity of the area to accord with policies EQ2, TA5 and EQ2 of the South Somerset Local Plan.

05. The development hereby permitted shall not be commenced unless particulars of the materials (including the provision of samples where appropriate) to be used for external walls and roofs (including two different coloured roof materials) have been submitted to and approved in writing by the Local Planning Authority.

Reason: In the interest of visual amenity to accord with policy EQ2 of the South Somerset Local Plan.

06. No external lighting or illuminated signage shall be installed on site unless plans showing the type of light appliance, the height and position of fitting, illumination levels and light spillage have been submitted to and approved in writing by the Local Planning Authority. The lighting assessment shall consider the Institute of Engineers lighting zone. The lighting approved shall be installed and shall thereafter be maintained in perpetuity in accordance with the approved details.

Reason: To minimise light pollution and safeguard the rural amenities of the area to accord with policies EQ2 and EQ7 of the South Somerset Local Plan.

07. No works shall commence unless the detailed designs for the surface water drainage, together with a programme of implementation and maintenance for the lifetime of the development have been submitted to and approved in writing by the local planning authority. Such works shall be carried out in accordance with the approved details and be permanently retained and maintained thereafter.

Reason: To prevent the risk of flooding and to ensure that the development is served by a satisfactory system of surface water drainage and to secure the future maintenance of the surface water drainage system in accordance with the requirements of the National Planning Policy Framework.

08. No work shall be carried out on the site on any Sunday, Bank or Public Holidays, or other than between the hours of 0700 and 1800 hours on weekdays and Saturdays.

Reason: To protect the amenity of the locality, especially for people living and working nearby in accordance with policies EQ2 and EQ7 of the South Somerset Local Plan.

09. No deliveries shall be taken at or despatched from the site between the hours of 1830 and 0630 on weekdays and Saturdays, nor at any time on Sundays, Bank or Public Holidays.

Reason: To protect the amenity of the locality, especially for people living and working nearby in accordance with policies EQ2 and EQ7 of the South Somerset Local Plan.

10. The development hereby permitted shall not begin until a scheme to deal with contamination of land, controlled waters and/or ground gas has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include all of the following measures, unless the Local Planning Authority dispenses with any such requirement specifically in writing:

1. A Phase I site investigation report carried out by a competent person to include a desk study, site walkover, the production of a site conceptual model and a human health and environmental risk assessment, undertaken in accordance with BS 10175 : 2011 Investigation of Potentially Contaminated Sites - Code of Practice.
2. A Phase II intrusive investigation report detailing all investigative works and sampling on site, together with the results of the analysis, undertaken in accordance with BS 10175:2011 Investigation of Potentially Contaminated Sites - Code of Practice. The report should include a detailed quantitative human health and environmental risk assessment.
3. A remediation scheme detailing how the remediation will be undertaken, what methods will be used and what is to be achieved. A clear end point of the remediation should be stated, such as site contaminant levels or a risk management action, and how this will be validated. Any ongoing monitoring should also be outlined.
4. If during the works contamination is encountered which has not previously been identified, then the additional contamination shall be fully assessed and an appropriate remediation scheme submitted to and approved in writing by the Local Planning Authority.

5. A validation report detailing the proposed remediation works and quality assurance certificates to show that the works have been carried out in full accordance with the approved methodology. Details of any post-remedial sampling and analysis to show that the site has reached the required clean-up criteria shall be included, together with the necessary documentation detailing what waste materials have been removed from the site.

Reason: To protect the health of future occupiers of the site from any possible effects of contaminated land, in accordance with policy EQ7 of the South Somerset Local Plan.

11. Before the development commences a scheme shall be submitted to and agreed in writing by the Local Planning Authority that specifies the provisions to be made for the control of noise emanating from the site. The noise mitigation scheme shall be maintained and shall not be altered without the prior written approval of the Local Planning Authority.

Reason: To protect the amenity of the locality, especially for people living and working nearby in accordance with policies EQ2 and EQ7 of the South Somerset Local Plan.

12. No shot blasting or paint spraying shall be carried out in any building or otherwise on the subject land.

Reason: To protect the amenity of the locality, especially for people living and working nearby in accordance with policies EQ2 and EQ7 of the South Somerset Local Plan.

13. Any forklift trucks used on the application site shall be fitted with noise attenuated reversing alarms. All such alarms are to be kept in working condition and operable wherever a forklift truck is used on the site.

Reason: To protect the amenity of the locality, especially for people living and working nearby in accordance with policies EQ2 and EQ7 of the South Somerset Local Plan.

14. There shall be no external storage unless a scheme detailing the nature of the goods / equipment to be stored, the method of storage (if appropriate), the area to be used and maximum height for such goods. The development shall thereafter be carried out in accordance with the approved details unless otherwise agreed in writing by the local planning authority.

Reason: In the interests of visual amenity and to safeguard the environment and rural amenities of the area, in accordance with policies EQ2 and EQ7 of the South Somerset Local Plan.

15. No manufacturing, fabrication or other industrial process shall take place outside the confines of the building on the site.

Reason: To protect the amenity of the locality, especially for people living and working nearby in accordance with policies EQ2 and EQ7 of the South Somerset Local Plan.

16. There shall be no burning of any produce or material whatsoever on the site other than in a properly installed incinerator within a building.

Reason: In the interests of the local amenities of the area, in accordance with policies EQ2 and EQ7 of the South Somerset Local Plan.

17. No system of public address, loudspeaker, amplifier, relay or other audio equipment shall be operated outside the building hereby permitted.

Reason: To protect the amenity of the locality, especially for people living and working nearby in accordance with policies EQ2 and EQ7 of the South Somerset Local Plan.

18. The internal ground floor levels for the building hereby permitted and the altered site levels shall accord with the details set out on drawings XXX, unless otherwise agreed in writing by the local planning authority.

Reason: In the interest of visual amenity to accord with policy EQ2 of the South Somerset Local Plan.

19. The landscaping scheme, as detailed on drawing XXX and the accompanying written schedule XXX, shall be planted in the first planting and seeding season following either the completion of the development or the first occupation of the building hereby permitted, whichever is the sooner. Any trees or plants which within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interest of visual amenity and to safeguard the rural character of the area to accord with policy EQ2 of the South Somerset Local Plan.

20. The area allocated for parking and turning on drawing number 3637/PL/101 Rev A, shall be kept clear of obstruction and shall not be used other than for the parking and turning of vehicles in connection with the development hereby permitted.

Reason: In the interest of highway safety to accord with policy TA5 of the South Somerset Local Plan.

Informatives:

01. The applicant's attention is drawn to the advice and recommendations set out in the Environment Agency's letter dated 25/05/2016.