

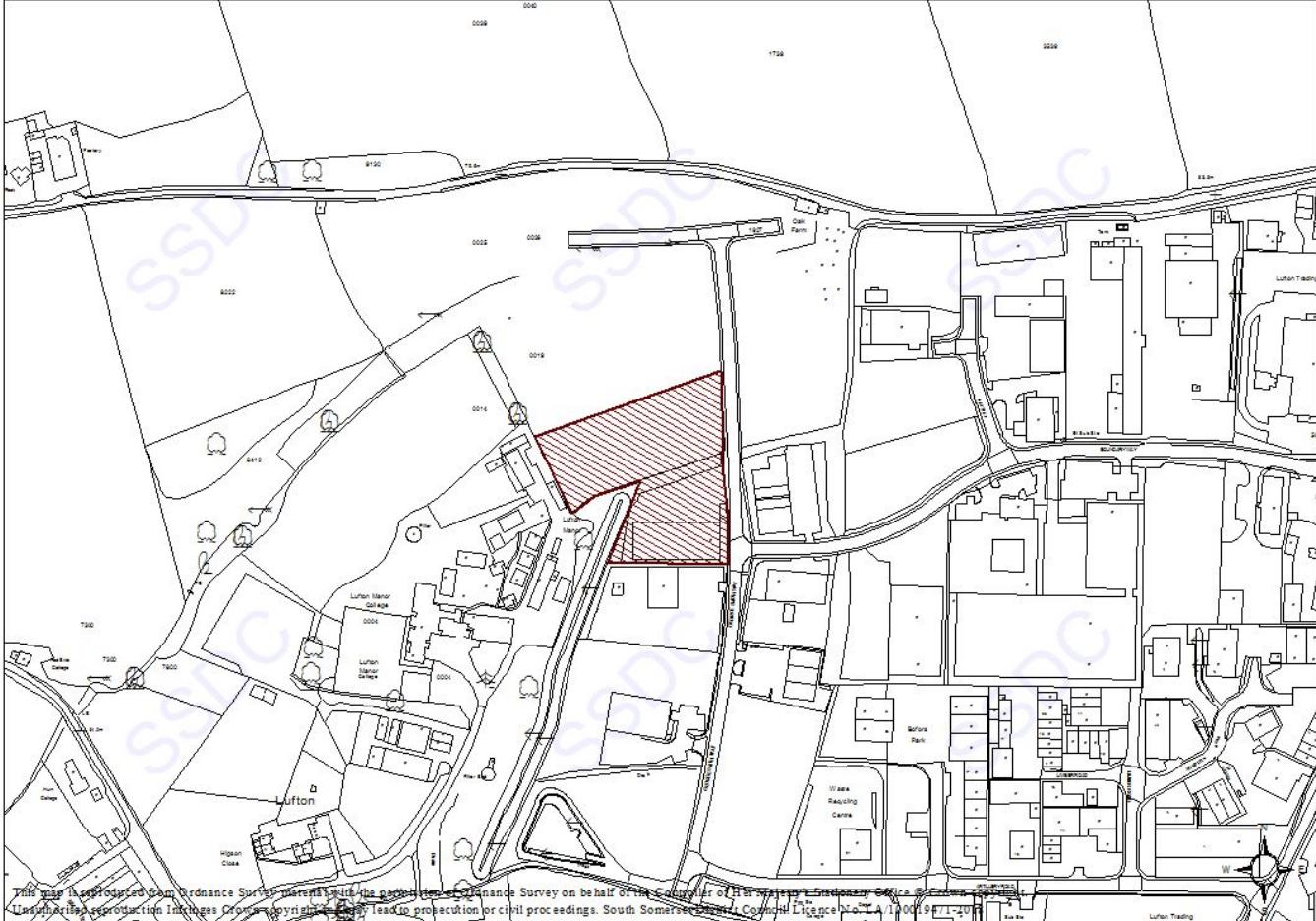
## **Officer Report On Planning Application: 18/01265/FUL**

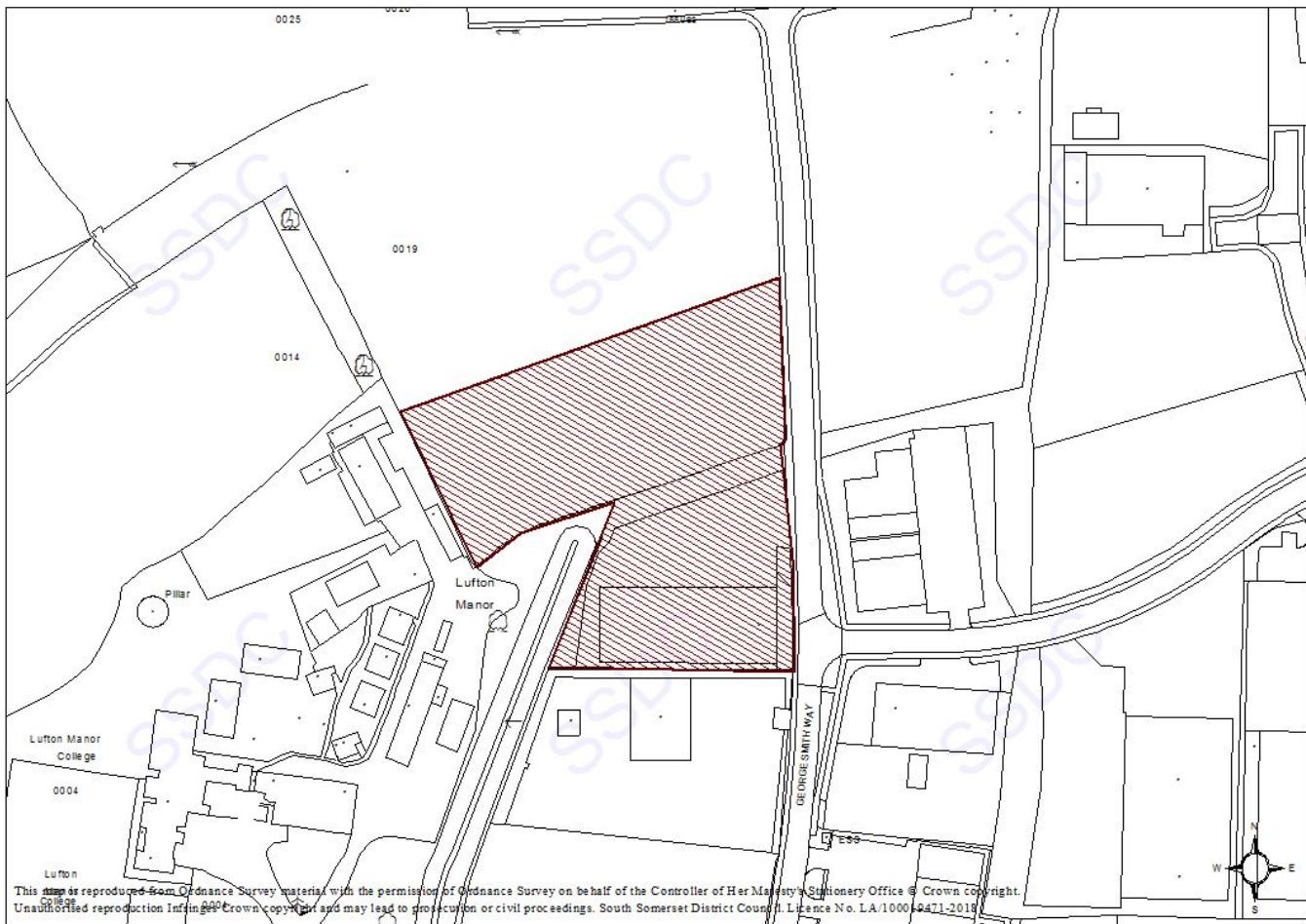
<b>Proposal :</b>	The erection of 1 commercial unit and the erection of an extension to existing unit with associated parking and turning facilities.
<b>Site Address:</b>	Resolution Interiors Ltd George Smith Way Brympton
<b>Parish:</b>	Brympton
<b>BRYMPTON Ward (SSDC Member)</b>	Cllr S Lindsay Cllr P Seib
<b>Recommending Officer Case</b>	April Waterman Tel: 01935 462499 Email: april.waterman@southsomerset.gov.uk
<b>Target date :</b>	10th August 2018
<b>Applicant :</b>	LC Pension Properties Ltd
<b>Agent:</b> <b>(no agent if blank)</b>	Mr Jeff Martin Boon Brown Architects Motivo Alvington Yeovil BA20 2FG
<b>Application Type :</b>	Major Manfr f/space 1,000 sq.m or 1ha+

### **Reason for Referral to Committee**

This application for planning permission is presented to the Area South Committee for determination because the Council is (by being a partner in the Luton 2000 Joint Venture) a part-owner of part of the site, and the application is not for a small-scale proposal. In consequence the application does not fall within the scope of decisions that may be delegated to the Lead Specialist under the Council's Scheme of Delegation, specifically as set out in Part 3 Section 6 function 151, part (e) of the Constitution.

### **Site Description and Proposal**





This irregularly shaped site lies to the west of George Smith Way, within the extended Lufton Business Park (KS/BRYM/1 Land at Lufton) on the north-western edge of Yeovil. The site is bounded on the south by other employment development, to the west and south west by mature tree cover with Lufton College land beyond, to the north by open grassland which forms part of the extension to the Lufton Business Park (permitted in outline in 2010) and to the east George Smith Way separates the site from further Business Park land.

The plot slopes generally downhill from its north-east corner, with the southern arm already built out as a warehouse with offices together with extensive hard-surfaced car parking and some landscaping. The northern arm of the site is undeveloped except for the creation of a surface water storage pond on the western part. Two pairs of substantial oak trees stand on the western edge and just to the north of the site respectively, and a significant Lime tree is located in the crook of the plot, to the north of the existing building. All five trees are protected by TPO. The two parts of the site are separated by a ditch running east-west along the boundary of the original Lufton Business Park.

The existing Resolution Interiors building is a brick and profiled metal sheeting structure, of simple rectangular form, punctuated by full height and smaller scale fenestration and a roller shutter door, with a shallow pitched roof (ridge height 7m). The footprint of the building covers approximately 1366 m<sup>2</sup>. The space inside is set out as full height storage for the majority of the ground floor, with offices and staff facilities taking up about the remaining third, together with additional office space on a mezzanine above this.

The site falls within the Yeovil Urban Framework, on land allocated for employment (KS/BRYM/1 Land at Lufton) in the adopted South Somerset Local Plan 2006 - 2028. The site comprises Grade 3a Agricultural land, within Flood Zone 1, and is identified as potentially contaminated. The plot lies to the immediate east of land forming the curtilage of Lufton Manor College, which is a Grade II Listed Building, and it is within the identified setting of the registered historic landscape at Montacute.

The proposed development comprises two constructions, together with engineering works to lay out access and parking. First a full height extension is proposed on the north face of the existing building of

just under 368 m<sup>2</sup> footprint, to increase its warehouse capacity. A new roller shutter door is indicated, and the interior is shown lit by roof lights in the north-facing roof plane. Second a new stand-alone building of 880m<sup>2</sup> is proposed to be located on the northern eastern part of the site, backing onto its northern boundary. This building would be of marginally lower ridge height (6.68m) although being positioned on the slightly higher ground would appear comparable with the existing building to its south. Similar materials are proposed for this building to its neighbour, comprising brick, profiled metal sheeting and dark-finished metal framing for glazed areas and doors. The design of the structure shows it split into three warehousing units, each with roller shutter doors and personal doors, full height glazing on the south elevation, roof lights on the north-facing roof plane, and kitchen and WC staff facilities. The eastern-most unit also shows an office and reception area. It is understood that the building could be operated as a single entity or be split into two or three units, although the façade design indicates four signage locations. It is further understood that all or parts of the new unit 2 and the extended unit 1 may or may not be operated by the same business. The access within the site linking its two sections may be closed, if the buildings are occupied separately.

The submitted layout plans have been corrected and amended on request a number of times, to show visibility splays, lorry turning space, car parking, cycle parking, electric vehicle charging points, drainage arrangements and indicative landscaping areas, as well as an altered footprint for the extension to the existing building, to accommodate the line of underground drainage infrastructure. The application is supported by a Design and Access Statement, a Tree Survey and Arboricultural Impact Assessment, and an Ecological Appraisal. The agent has confirmed that locker and shower facilities will be available within the proposed buildings.

## HISTORY

99/02363 Development of land for employment purposes within classes B1, B2 and B8. Permitted (in outline) 26.02.2000.

00/01766/S73 Development of land for employment purposes without compliance with conditions 5 and 6 of permission referenced 99/02363/R3D. Permitted 02.11.2000

02/01777/REM Erection of a warehouse with offices. Approved 17.10.2002.

06/04559/OUT Extension to Use Class B1/B2/B8 Business Park. Permitted 15.03 2010.

## CONSULTATIONS

### Brympton Parish Council

Initial plans: Recommends APPROVAL of the application.

Amended plans: Recommends APPROVAL of the application.

### Environment Agency

Comments awaited

### SCC Highways

Standing advice applies

### SSDC Highway Consultant

Initial plans: I recommend the following: (a) The plans should indicate the extent of visibility splays at the existing access, (b) a swept path analysis of an articulated vehicle turning into and out of the site and manoeuvring within the two turning circles, (c) justification for the level of on-site car parking (from my calculations Building 1 requires 7 spaces under a B1 use and Building 2 requires 15 spaces), (d) the provision of an electric vehicle charging point for each site. I recommend amended plans and justification are submitted addressing the above matters.

Amended plans: I have reviewed the amended plans. From the GFAs set out in the application form, the proposed car parking provision is still over-provided when referring to the SPS optimum standards but I would be minded to accept the current proposed provision/layout given the issues of on-road parking at Houndstone. Disabled parking provision exceeds the minimum levels so that element is acceptable. Two motorcycle spaces should be provided within the site but these could take place in one of the car parking spaces. From my calculations, there should be 22 cycle parking spaces provided but only 15 are shown. Cycle parking should ideally be undercover, using Sheffield stands and located in a position that offers

natural surveillance. In addition, to encourage cycling as a mode of travel, showers and lockers should be provided within the buildings. I note there are bus services that operate within 800m of the site.

#### SSDC Environmental protection

I have no comments.

#### SSDC Trees Officer

Initial plans: I have noted the incursion of proposed parking spaces within the radial Root Protection Area of TPO'd Lime T6. However, the relatively modest square metre-age affected could be considered acceptable, subject to the avoidance of excavations and the careful installation of permeable surfacing upon an anti-compaction sub-base.

There has been quite a significant number of tree removals (approximately x 37 trees plus the removal of numerous under-storey species) recently carried out at this site. A significant belt of early-mature trees has been recently felled on-site. Whilst the proposed layout appears to indicate some tree and shrub plantings, there appears to be opportunities to carry out a rather more ambitious planting scheme to enhance the site. The existing plantings surrounding the existing building appear rather shrubby, lacking stature and architectural form that could compliment the adjoining built-structure without obscuring the windows or causing a nuisance. There are existing large expanse of impermeable hard-surfacing on-site - I hope the proposal will provide an attractive business environment. I would have no objections to the proposal, subject to imposing suitable conditions. May I suggest the following:

**Tree & Hedgerow Protection Condition:** Prior to commencement of the development, site vegetative clearance, demolition of existing structures, ground-works, heavy machinery entering site or the on-site storage of materials, a scheme of tree and hedgerow protection measures (to specifically include details of the phased installation of no-dig anti-compaction permeable hard-surfacing within the designated Root Protection Area of the Lime tree described within the application as 'T6') shall be prepared by a suitably experienced and qualified arboricultural consultant in accordance with British Standard 5837: 2012 - Trees in relation to design, demolition and construction and submitted to the Council for their approval. Upon approval in writing from the Council, the tree and hedgerow protection measures (specifically the installation of fencing and signage) shall be installed and made ready for inspection. A site meeting between the appointed building/groundwork contractors and a representative of the Council (to arrange, please call: 01935 462670) shall then be arranged at a mutually convenient time. The locations and suitability of the tree and hedgerow protection measures shall be inspected by a representative of the Council and confirmed in-writing by the Council to be satisfactory prior to any commencement of the development (including groundworks). The approved tree and hedgerow protection requirements shall remain implemented in their entirety for the duration of the construction of the development and the protective fencing and signage may only be moved or dismantled with the prior consent of the Council in-writing.

**Reason:** To preserve the health, structure and amenity value of existing landscape features (trees and hedgerows) in accordance with the Council's policies as stated within The South Somerset Local Plan (2006 - 2028); EQ2: General Development, EQ4: Bio-Diversity & EQ5: Green Infrastructure.

**Tree & shrub planting condition:** No works shall be undertaken until there has been submitted to and approved in writing by the Local Planning Authority, a scheme of tree and shrub planting. Such a scheme shall confirm the use of planting stock of UK-provenance only, the planting locations, numbers of individual species, sizes at the time of planting, details of root-volumes and the approximate date of planting. The installation details regarding ground-preparation, weed-suppression, staking, tying, strimmer-guarding and mulching shall also be included within the scheme. All planting comprised in the approved details shall be carried out within the next planting season following the commencement of any aspect of the development hereby approved; and if any trees or shrubs which within a period of ten years from the completion of the development die, are removed or in the opinion of the Council, become seriously damaged or diseased, they shall be replaced by the landowner in the next planting season with trees/shrubs of the same approved specification, in the same location; unless the Local Planning Authority gives written consent to any variation.

**Reason:** To ensure the planting of new trees and shrubs in accordance with the Council's statutory duties relating to The Town & Country Planning Act, 1990 (as amended)[1] and the following policies of The South Somerset Local Plan (2006 - 2028); EQ2: General Development, EQ4: Bio-Diversity & EQ5: Green Infrastructure.

Amended plans: The reduction of hard-surfacing within the Root Protection Area of the Lime is welcome, as are the indications of some tree plantings. I quite understand the desire to avoid linear swathes of trees in order to maintain cohesion between the two buildings. I would recommend well-spaced individual tree plantings - perhaps more widely dispersed across the entirety of the car-parking areas to break up the expanse of hard-surfacing. The thoughtful design of the planting pits could quite easily combine further benefits of surface-water attenuation without causing disruption to adjoining parking provision. If consent is to be granted, I would be grateful if you could consider applying both of the conditions previously recommended. I'm confident the benefits of some reasonably tough-growing trees - capable of sustainably providing a cooling environment for parked cars; would be greatly appreciated by both visitors and staff.

#### LLFA

Amended plans: I apologise for the LLFA's comments being late. We have no issue with the amended plans consultation which addresses the additional surface water storage required.

### **REPRESENTATIONS**

The application was publicised by press notice and by the display of a site notice, and notification letters were sent to 5 adjoining and nearby addresses. The following comments were received in response:

I would like to make comment as follows on behalf of the National Trust...(with an identical comment to the planning application for a builder's merchant nearby)

-The Montacute Setting Study 2009 indicates that Luton trading estate lies within the identified setting of the registered historic landscape at Montacute.

-New development in the trading estate's extension area could potentially be visible from St Michael's Hill and impact on the setting of the registered landscape.

-The trading estate's extension area is understood to be supported in principle through saved Local Plan policy.

It is requested that any development coming forward in this area respects the views and setting of the Montacute registered landscape, for example with appropriate building heights and external materials and finishes.

-In addition, as many existing trees should be retained as possible, and space should be made available for new tree planting to screen and soften the new development.

-Finally, any external lighting, particularly new flood lighting, should be tightly controlled in terms of its light spill and hours of operation.

### **POLICY**

Section 70 (2) of the Town and Country Planning Act 1990 and Section 38(6) of the Planning and Compulsory Purchase Act 2004 together govern how the Council makes decisions on planning applications. To the extent that development plan policies are material to an application for planning permission the decision must be taken in accordance with the development plan unless there are material considerations that indicate otherwise.

Section 40 of the Natural Environment and Rural Communities Act 2006 (as amended) requires that a Local Planning Authority must, in exercising its functions, have regard, so far as is consistent with the proper exercise of those functions, to the purpose of conserving biodiversity.

Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended) requires that "In considering whether to grant planning permission or permission in principle for development which affects a listed building or its setting, the local planning authority or, as the case may be, the Secretary of State shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses."

The National Planning Policy Framework 2012 was replaced with a new version in July 2018. This document is a material consideration in planning decisions. While the Framework should be read as a whole, attention is drawn here to the relevance of particular Chapters and paragraphs contained within it.

## National Planning Policy Framework

Chapter 2: Achieving sustainable development  
Chapter 6: Building a strong, competitive economy  
Chapter 8: Promoting healthy and safe communities  
Chapter 9: Promoting sustainable transport  
Chapter 11: Making effective use of land  
Chapter 12: Achieving well-designed places  
Chapter 15: Conserving and enhancing the natural environment  
Chapter 16: Conserving and enhancing the historic environment

## South Somerset Local Plan (2006-2028)

The development plan comprises the South Somerset Local Plan 2006-2028 (adopted March 2015), the Strategic Objectives and policies of which (that are relevant to this application) are set out below:

Strategic Objectives 1, 4, 5, 7 and 8  
Policy SD1 - Sustainable development  
Policy SS1 - Settlement strategy  
Policy SS3 - Delivering new employment land  
Policy TA1 - Low carbon travel  
Policy TA3 - Sustainable travel at Chard and Yeovil  
Policy TA4 - Travel plans  
Policy TA5 - Transport impact of new development  
Policy TA6 - Parking standards  
Policy EQ1 - Addressing climate change in South Somerset  
Policy EQ2 - General development  
Policy EQ3 - Historic environment  
Policy EQ4 - Biodiversity  
Policy EQ5 - Green infrastructure  
Policy EQ7 - Pollution Control

Somerset County Council Parking Strategy (September 2013) and Standing Advice (June 2017) are relevant to the interpretation of Policy TA6 above.

## **CONSIDERATIONS**

The key considerations in this case are:

- o Whether in principle this proposal in this location is acceptable, serves to progress the Strategic Objectives of the Local Plan, and comprises sustainable development;
- o What impacts the development would have on residential amenity or on the local environment, and whether these would be acceptable, and
- o Whether the development would maximise opportunities for sustainable transport in the area, and whether it would affect the safety and convenience of all highway users.

### Principle of development

The site is located on George Smith Way, which is a new route serving developments in the Luton Business Park (as extended). This is an area of existing and allocated Use Class B employment land (KS/BRYM/1 Land at Luton) within the Urban Framework of Yeovil, where the principle of new development is accepted and focussed (policies SD1, SS1 and SS3). This application is for the erection of new employment floorspace, and is considered to assist in fulfilment of the Local Plan allocation of the land for this purpose. The density of use on the size of site represents a reasonably efficient use of the land, given the constraints on and around it relating to protected trees, landscaping expectations, surface water drainage features and heritage impacts. It is considered that the proposed development would achieve an economic objective, and by increasing the supply of good quality business use class premises to help create the conditions in which businesses can invest, expand and adapt, as set out in paragraph 80 of the NPPF 2018. The location of the proposed development site adjoins similar development, to enable collaborative operations with other businesses, and is within reasonable distance of residential areas, and of public transport links, to enable sustainable modes of transport for workers to travel to the site. It is considered that, subject to safeguards on environmental matters, the proposed development would comprise sustainable development, in accordance with guidance set out in paragraph 8 of the NPPF 2018. In principle, therefore, the proposal supports the Council's expectations for the provision of

employment land, and is considered to comply with the relevant Local Plan Strategic Objectives, with Policies SD1, SS1 and SS3, and with the advice contained in the NPPF 2018, as identified above.

#### Impacts on amenity and the environment

Policy EQ2 of the adopted South Somerset Local Plan 2006 - 2028 requires that development proposals should protect the residential amenity of neighbouring properties, and paragraph 124 f) of the NPPF 2018 advises that planning decisions should create places that are, among other things, of a high standard of amenity for existing and future users. The proposed development would take place in a location allocated for employment purposes in the Local Plan, where the impact and effect of business activity on any nearby residential property has already been judged to be acceptable in planning terms. No objections have been received from the residents of nearby housing. The scheme is considered to comply with this requirement of Policy EQ2, and with the objective of the NPPF guidance.

Other assessment criteria for this scheme set out in Local Plan policies EQ1, EQ2, EQ3, EQ4, EQ5 and EQ7 echo the expectations of guidance in the NPPF in relation to impacts and effects on the environment.

The proposal addresses climate change in a number of respects. The elevation drawings indicate roof-mounted solar or photovoltaic panels on the south-facing roof slopes of the proposed buildings. Details of these items and any other energy-generation or resource-saving embedded fabric or attached apparatus may be secured under the recommended conditions relating to external finishes and installations. The proposal also includes an appropriate drainage strategy to deal with surface water from the new areas of hard surface (roofs and paved areas), to protect the water environment and address flood risk. Provision is indicated for electric vehicle charging points, and for cycle parking on the site, together with a commitment to provide shower and locker facilities to encourage staff to adopt low/zero emissions and unpowered modes of transport. The proposed development is considered to be capable of compliance with the terms and objectives of Strategic Objectives 1 and 7, and Policies EQ1, EQ2 and EQ5 of the adopted South Somerset Local Plan 2006 - 2028, and with guidance contained within the NPPF 2018.

The proposed buildings would follow the general form and height of other existing and permitted industrial/warehouse/office buildings on the Luton Business Park, and in this respect would be appropriate for their employment land context. The layout of parking, access and landscaping areas within the site is considered to reflect the plot ratio (built form: space), density of activity and appearance typical of these land uses. The site forms the western edge of the business park where it meets the open countryside and the grounds of Luton Manor College, and the safeguarding, retention and enhancement of the tree and hedge growth along this boundary is considered to be crucial in ensuring an appropriate junction between these land uses. The recommended tree protection and landscaping conditions should secure this outcome. No details of lighting within the site for ease of activity or for security have been provided, but it is considered that with careful placement, choice of luminance and cast restrictions on lighting the site can offer a safe environment without causing light pollution into areas of tranquillity or darkness that it would be desirable to maintain, nor have a harmful impact on the setting of heritage assets at close or longer range.

The development site abuts the curtilage of the Grade II listed Luton Manor and is identified as being within the setting of the Montacute estate historic landscape - Montacute House is a Grade I Listed Building, and its formal gardens and surrounding parkland comprise a Grade I registered Park and Garden. The significance of these heritage assets, the contribution made to their significance by their settings, and the impact that proposed industrial/warehousing/office development on this site would be likely to have on that significance (and the appreciation of it) would have been assessed in the preparation, public examination and adoption of the South Somerset Local Plan 2006 - 2028, with regard to the allocation, with any necessary restriction, of land for employment development at Luton. As the allocation was included in the adopted plan, the impacts and effects of the proposed development have been assumed to be acceptable either because they are not harmful, or because any harm has been considered to be outweighed by the benefits of bringing forward employment land at this location. The request made to the Local Planning Authority to consider building height, materials selection, lighting and landscaping are all entirely reasonable, and as set out above and below these aspects of the proposed development are judged to be acceptable, or to be capable of being acceptable (with safeguarding conditions on any planning permission granted) in terms of the great weight to be afforded to the conservation and enhancement of these heritage assets. It is considered that with such conditions, the scheme would and could comply with the terms and objectives of the Local Plan Strategic Objective 8 and Policies EQ2 and

EQ3, and guidance contained within the NPPF 2018.

The application was accompanied by an Ecological Appraisal of the site (updated during the consideration of the scheme) together with recommendations to mitigate any negative impacts that the development would have on identified wildlife populations or the actual or potential habitat that the site represents. The appraisal found that the southern part of the site, being already developed with a modern building and hard standing, largely lacks ecological value, with the exception of some limited bat roosting potential. The grassland, scrub, marshy grassland and trees in the northern half of the site and the boundaries were identified as providing some naturalness and permanence, although rarity and fragility are lacking. The report further considered that the habitats on the site are common and widespread within the surrounding countryside, although the suitability of the site for, and possible presence of protected species such as bats, nesting birds and common reptiles in the grassland, trees and scrub provide sufficient value to prompt further investigation and safeguarding. A number of recommendations are made in the appraisal, for further survey, and for habitat enhancement measures, all of which are considered to be appropriate, and are therefore, in this case, the subject of a recommended condition. While it would normally be the case that additional survey work to ascertain more definitively the presence or absence of a protected species on a site, in this instance, because the appropriate season for undertaking such surveys (March to October) has passed, and because the mitigation measures that would safeguard such presence can be set out by condition already, it is, exceptionally, recommended that these matters can be dealt with after any grant of planning permission. It is considered, having had regard to the purpose of conserving biodiversity, that with the appropriate safeguarding and mitigatory measures being implemented as set out in the submitted ecological appraisal, the proposed development would be capable of compliance with the terms and objectives of Strategic Objective 8 and policies EQ2, EQ4 and EQ5 of the adopted South Somerset Local Plan 2006 - 2028, and of the guidance contained within the NPPF 2018.

The application was supported by a Tree Survey and Arboricultural Assessment (updated during the consideration of the scheme) which identified and categorised tree cover on and around the site, and set out recommendations for tree works required for the implementation of the proposed development, including works to lift the crown on the TPO'd Lime Tree located to the north of the existing building. The proposals for construction of the buildings and the laying out of parking hard standing have been amended, to better protect the welfare of this Lime. Other details, of tree protection measures, and the submission of a full landscaping scheme for the site, are the subject of recommended conditions. With these safeguards in place, the proposed development could result in an attractive scheme, incorporating and augmenting the important tree cover on and around the site, which would bring ecological, shading and water environment benefits to the development in addition to conserving the trees for their own natural and amenity value. Careful tree and shrub planting can assist the integration of the proposed development with the adjoining Luton Manor gardens, and with neighbouring open countryside, particularly in longer range views, to minimise any impact that the development may have on the setting of the protected Montacute Historic Park and Garden. It is considered that the proposed development would be capable of compliance with the terms and objectives of Strategic Objectives 5, 7 and 8 and policies EQ1, EQ2, EQ3, EQ4 and EQ5 of the adopted South Somerset Local Plan 2006 - 2028 and of guidance contained within the NPPF 2018.

Although the site has been identified as having potential for contamination, the Environmental Protection Officer has no comment to make on the proposed development. An informative, relating to contingency actions in the event of the discovery or disturbance of contaminated land in the course of construction work is recommended.

#### Access and highways

The site is located adjacent to an existing area of business park, served by an immediate and wider highway network on the west side of Yeovil that has been and is undergoing extension and improvement in capacity and traffic flow terms for vehicles, cyclists and pedestrians. As noted above, the proposals include or commit to facilities to encourage unpowered and low emission transport means. The site itself is not served by public transport at present, the nearest bus service route being some 800 m distant.

The application has been amended more than once to address concerns relating to the number and layout of private car parking spaces, the provision and location of cycle parking, the extent of visibility splays at both points of access onto George Smith Way, and tracking information for lorries entering and leaving the site, and turning within it. In its amended form the application is considered to demonstrate that both

access points achieve appropriate visibility (43 metres in each direction) for the speed of the route (30 mph) and that lorries are able to negotiate the site whether or not it is divided into north and south parts, or works on a flow through basis.

The internal floor areas of the resultant buildings guide the optimal number of car parking spaces. The estimated mix of floor space uses (office/warehousing) in the existing building (Unit 1) triggers an optimal parking requirement of 16 car parking spaces. The proposed extension and new unit 2, adding 1248m<sup>2</sup> gross floor area, at most brings the optimal additional parking provision for cars to 23 (39 in total) if all new floor space were to be devoted to B1 use (prompting 1 car parking space per 55 m<sup>2</sup>). This is not the indicated case: the extension on Unit 1 is shown as B8 use for which a much lower car parking figure is appropriate (1 space per 400 m<sup>2</sup>). Notwithstanding the over-provision of parking on the site, the highways consultant is content that the development is acceptable.

The proposals show appropriately located and dimensioned parking spaces to be reserved for disabled employees/visitors to the site. The scheme includes the required number of electric vehicle charging points for the development, but the applicant has been encouraged to consider the installation of further such facilities not only to improve the sustainability of the development but also to further increase the attractiveness of the site to potential users. This matter is addressed by informative, as suggested below.

Overall the proposed development is considered to accord with and satisfy the requirements of Local Plan policies T1, T5 and T6, and to comply with guidance set out in chapter 9 of the NPPF 2018.

## **CONCLUSION**

The proposed development would extend the provision of employment premises within existing and appropriately sited employment land, and thereby add to the attractiveness and economic value of the site to the town: with suitable safeguards, it would address appropriately climate change, have an acceptable impact on the residential amenity and wider environmental resource of the locality, including the historic environment and the biodiversity of the area, and not harm the safety or convenience of users of the local highway network, but would instead enable the adoption of sustainable building and operational practices and modes of travel. The proposed development is therefore considered to comprise sustainable development, for which there is a presumption in favour. The proposed development is considered to accord with the terms and objectives of policies SD1, SS1, SS3, EP3, TA1, TA5, TA6, EQ1, EQ2 and EQ7 of the adopted South Somerset Local Plan 2006 - 2028 and with guidance set out in the NPPF 2018. No material considerations in the NPPF 2018 or elsewhere indicate that a decision should be made otherwise.

The agent has agreed to the imposition of pre-commencement conditions on any planning permission granted relating to the submission and approval of tree protection measures, a landscaping scheme, and a Construction Environment Management Plan.

## **RECOMMENDATION**

To grant planning permission subject to conditions.

01. The proposed development is considered to constitute sustainable development, being located appropriately on allocated employment land within the urban framework of Yeovil, having an acceptable impact on the amenity of nearby residents and the wider environment, and causing no harm to the safety and convenience of all users of the highway network close to the site. The Council has had regard to the purpose of conserving biodiversity, and has had special regard to the desirability of preserving nearby Listed Buildings and their settings. The scheme, as would be controlled by the recommended conditions, is considered to accord with the terms and objectives of national and local planning policy and guidance, comprising the NPPF 2018 and the adopted South Somerset Local Plan 2006 - 2028 with particular regard to the following policies: SD1, SS1, SS3, EP3, TA1, TA5, TA6, EQ1, EQ2, EQ3, EQ4, EQ5 and EQ7.

## **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 and documents:
- Ecological Appraisal prepared by Crossman Associates, referenced B1119.023 issue One, and dated 27 March 2018;
- Tree Survey and Arboricultural Impact Assessment prepared by Hellis Arboriculture and Landscape Design, referenced 17/10/167/NH, and dated September 2018;
- Drainage Strategy prepared by JVT Consulting Engineers Ltd., referenced JVT/JPT/1299, and dated 13th April 2018;
- Surface Water Disposal Philosophy prepared by JVT Consulting Engineers Ltd., referenced JVT/JPT/1290, Revision A and dated 26th February 2018;
- Drainage Strategy drawing referenced 1299/001 Stage 4 Rev A dated 03 September 2018;
- 3804-LCPP\_YEOVIL-RIL-00-XX-DR-A-0001-LOCATION-P1-R2;
- 3804-LCPP\_YEOVIL-RIL-00-XX-DR-A-0003-SITE-P3-R4;
- 3804-LCPP\_YEOVIL-RIL-B1-XX-DR-A-0004-BUILDING\_01-P3-R1;
- 3804-LCPP\_YEOVIL-RIL-B2-XX-DR-A-0005-BUILDING\_02-P1-R1;
- 3804-LCPP\_YEOVIL-RIL-00-XX-DR-A-0007-SECTIONS-P3-R3;
- 3804-LCPP\_YEOVIL-RIL-00-XX-DR-A-0009-SITE-P3-R2;
- 3804-LCPP\_YEOVIL-RIL-00-XX-DR-A-0010-LORRY1-P3-R2;
- 3804-LCPP\_YEOVIL-RIL-00-XX-DR-A-0011-LORRY2-P3-R2;

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

03. Prior to the commencement of development on the site, including any demolition or site clearance operations, a Construction Environment Management Plan shall be submitted to and approved in writing by the Local Planning Authority, the content of which shall include details of:
- a) the location of a temporary works compound for the storage of building materials, construction staff offices and welfare facilities and storage of construction waste;
  - b) the points of accesss and egress to and from the site for construction vehicles;
  - c) parking provision for construction staff;
  - d) the location and drainage arrangements for vehicle and wheel washing facilities;
  - e) temporary security fencing or hoardings around the site;
  - f) the temporary lighting scheme for the site and compound, and hours of illumination;
  - g) a noise management scheme, including details of construction vehicles' manoeuvring alarms;
  - h) hours of working within the site, which shall include hours of receipt and dispatch of materials and waste to and from the site, and
  - i) means of contacting the site manager during and out of working hours, to be displayed on a location accessible by the public.
- The construction activities shall be carried out in accordance with the approved details, and on completion of the construction phase all temporary compound facilities, hoarding, fencing, lighting and parking areas shall be removed from the site.

Reason: to ensure that the development is carried out in a manner that ensures the safety and convenience of residents and other users of the locality, and in the interests of the protection of the environment, in accordance with policy EQ2 and EQ7 of the South Somerset Local Plan 2006 - 2028.

04. Prior to the commencement of the development, including any site vegetative clearance, demolition of existing structures, ground-works, heavy machinery entering the site or the on-site storage of materials, a scheme of tree and hedgerow protection measures (to specifically include details of the phased installation of no-dig anti-compaction permeable hard-surfacing within the designated Root Protection Area of the Lime tree described within the application as 'T6') shall be prepared by a suitably experienced and qualified arboricultural consultant in accordance with British Standard 5837: 2012 - Trees in relation to design, demolition and construction and submitted to the Council for its approval. Upon approval in writing from the Council, the tree and hedgerow protection measures (specifically the installation of fencing and signage) shall be installed and made ready for inspection. A site meeting between the appointed building/groundwork contractors and a representative of the Council (to arrange, please call: 01935 462670) shall then be arranged at a

mutually convenient time. The locations and suitability of the tree and hedgerow protection measures shall be inspected by a representative of the Council and confirmed in writing by the Council to be satisfactory prior to any commencement of the development (including groundworks). The approved tree and hedgerow protection requirements shall remain implemented in their entirety for the duration of the construction of the development and the protective fencing and signage may only be moved or dismantled with the prior consent of the Council in writing.

Reason: To preserve the health, structure and amenity value of existing landscape features (trees and hedgerows) in accordance with the terms and objectives of local and national planning policy and guidance, as set out in Policies EQ2, EQ4 and EQ5 of the South Somerset Local Plan 2006 - 2028 and in guidance contained in the NPPF 2018.

05. Prior to the commencement of the development, including any site vegetative clearance, demolition of existing structures, ground-works, heavy machinery entering the site or the on-site storage of materials, a scheme of landscaping for the site shall be submitted to and approved in writing by the Local Planning Authority. This scheme shall include details of all existing trees and other vegetation on the site that are to be retained, together with a programme of new tree and shrub planting, and a management regime for the landscaping to cover the period of five years from the date of planting of the last specimen in the approved scheme. New planting shall comprise planting stock of UK-provenance only, and the landscaping scheme shall include the planting locations, numbers of individual species, sizes at the time of planting, details of root volumes and the approximate intended date of planting. The installation details regarding ground preparation, weed suppression, staking, tying, strimmer guarding and mulching shall also be included within the scheme. All planting comprised in the approved details shall be carried out within the next planting season following the commencement of any aspect of the development hereby approved; and if any trees or shrubs which within a period of ten years from the completion of the development die, are removed or in the opinion of the Council, become seriously damaged or diseased, they shall be replaced by the landowner in the next planting season with trees/shrubs of the same approved specification, in the same location; unless the Local Planning Authority gives written consent to any variation.

Reason: To ensure appropriate landscaping of the site, to secure an appropriately high quality development in accordance with local and national planning policy and guidance as set out in Policies EQ2, EQ4 and EQ5 of the South Somerset Local Plan 2006 - 2028 and in guidance contained in the NPPF 2018.

06. The recommendations for further survey work, and for the carrying out of mitigation measures, to identify and protect the biodiversity resource on and in the vicinity of the site, as set out in the Ecological Appraisal prepared by Crossman Associates, dated 27th March 2018 and referenced B1119.023, shall be implemented in full. The findings of survey work, together with a record of the nature and implementation of any mitigation measures carried out shall be submitted to the Local Planning Authority prior to the commencement of construction works on the site. If at this point further surveys or mitigation measures are considered to be required in the interests of protected species or habitats on the site their scope and timing shall be set out in writing by the Local Planning Authority, and the construction works on the site shall not commence until these surveys and mitigation measures have been carried out in full, to the written satisfaction of the Local Planning Authority.

Reason: To ensure the protection of species and habitats on and in the vicinity of the site in accordance with British and European law, and in accordance with the terms and objectives of local and national planning policy and guidance, as set out in Policies SD1, EQ2, EQ4 and EQ5 of the South Somerset Local Plan 2006 - 2028, and in guidance contained in the NPPF 2018.

07. No construction of the buildings hereby permitted shall be commenced until details of the type, finish and colour of all external materials of the buildings shall have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason: To secure an appropriately high standard of design and appearance for the development, in accordance with the terms and objectives of Policies SD1 and EQ2 of the adopted South Somerset Local Plan 2006 - 2028 and of guidance contained within the NPPF 2018.

08. No energy-generation or -recovery installation, resource re-cycling equipment, flue, chimney, extractor or emissions equipment, air conditioning or refrigeration unit or other apparatus, or its housing, shall be erected or installed on the external surface of the buildings or elsewhere within the site unless details of its location, dimensions, appearance and the nature, level, rate and intensity of emissions related to it, and measures to mitigate any harmful or undesirable emissions, have been submitted to and approved in writing by the Local Planning Authority. Installation of the apparatus including its housing and mitigation shall be carried out in accordance with the approved details, and shall be so operated and maintained in good working order for the duration of the activity on the site for which the apparatus was designed.

Reason: To secure appropriate safeguards for the amenity of nearby residents and to protect the natural environment in the locality in accordance with the terms and objectives of Policies EQ1, EQ2 and EQ7 of the adopted South Somerset Local Plan 2006 - 2028 and with guidance set out in the NPPF 2018.

09. No part of the development shall be first occupied until a lighting scheme of the site has been implemented in accordance with details that shall have been submitted to and approved in writing by the Local Planning Authority. The details shall include the location and design of lighting units and the level, cast area and hours of operation of their illumination. The lighting scheme shall demonstrate that its design takes account of the findings and recommendations of the Ecological Appraisal, and any consequent requirements relating to the protection of species and habitats on or in the vicinity of the site, specified in condition X of this permission.

Reason: To secure an appropriate lighting scheme for the development, in the interests of crime prevention, the character and appearance of the locality, the impact of the development on the setting of heritage assets in the area and the preservation of protected species and habitats on or using the site and its environs, in accordance with local and national planning policy and guidance as set out in Policies SD1, EQ1, EQ2, EQ3, EQ4, EQ5 and EQ7 of the South Somerset Local Plan 2006 - 2028 and in guidance contained in the NPPF 2018.

10. No use of the northern access point onto George Smith Way, and no occupation of the extension to Unit 1 or of the new Unit 2 building on the site shall take place until visibility splays measuring 2.4 m back from the carriageway edge and 43 m to the carriageway edge to the north and to the south of a point central to the access shall have been created for both the northern and southern access points identified on the approved plans, such that there is no obstruction to visibility within these areas above 0.6 m above the level of the adjoining carriageway. The visibility from and of vehicles emerging from the site at either access point shall be maintained as described for the duration of any construction or business activity on the site.

Reason: To secure a safe and convenient transport and movement arrangement for all users of the site and of the local highway network, in accordance with the terms and objectives of local and national planning policy and guidance as set out in Policies SD1, TA5 and EQ2 of the South Somerset Local Plan 2006 - 2028 and in guidance contained in the NPPF 2018.

11. No barrier or gate shall be erected across the access points within a distance into the site of 18.5 m from the edge of the adjoining carriageway.

Reason: To prevent unnecessary congestion or danger occurring on the highway as a result of vehicles being unable to enter the site in a single manoeuvre, in accordance with the terms and objectives of local and national planning policy and guidance as set out in Policy T5 of the South Somerset Local Plan 2006 - 2028 and in guidance contained in the NPPF 2018.

12. No floorspace within the buildings to which this permission relates shall first be used unless facilities have been erected or installed for the parking of 22 cycles within the site, for staff shower, changing room and locker provision related to each employment unit, and for two electric vehicle charging

points, in accordance with design details which shall have previously been submitted to and approved in writing by the Local Planning Authority. These cycle parking, staff facilities and electric vehicle charging points shall be kept available and in good working order for this purpose for the duration of employment activity within the site.

Reason: To secure appropriate facilities within the development, in the interest of enabling and encouraging the adoption of sustainable modes of transport by users of the site, in accordance with the terms and objectives of Policies SD1, TA1, TA5, TA6 and EQ2 of the adopted South Somerset Local Plan 2006 - 2028 and with guidance set out in the NPPF 2018.

13. Prior to the first occupation of Unit 2 a Measures-only Travel Statement, which indicates how the proposed development will comply with the requirements of the Lufton Employment Travel Plan as revised in September 2009 (ref. 2038 Travel Plan Sept 2009), shall be submitted to and approved in writing by the Local Planning Authority. The approved development shall thereafter be carried out and operated in accordance with the terms of the Travel Statement.

Reason: To secure appropriate sustainable transport practices on the site, which forms part of the Lufton Business Park to which an over-arching Travel Plan applies, in accordance with local and national planning policy and guidance, as set out in Policies SD1, TA1, TA4 and EQ2 of the South Somerset Local Plan 2006 - 2028 and in guidance contained within the NPPF 2018.

14. No development hereby permitted shall be first brought into use unless the parking and circulation spaces, including spaces identified for motor cycles and for disabled users, as indicated on the approved drawings have been laid out, surfaced and marked out in accordance with details that shall have been submitted to and approved in writing by the Local Planning Authority. The parking and circulation space shall be retained as implemented for the duration of business activity on the site.

Reason: To ensure the provision of appropriate car and motorcycle parking and manoeuvring within the site, in the interests of the safe and convenient operation of the local highway network, in accordance with the terms and objectives of local and national planning policy and guidance, as set out in Policies SD1, TA1, TA5, TA6 and EQ2 of the South Somerset Local Plan 2006 - 2028 and in the guidance contained in the NPPF 2018.

15. The buildings hereby permitted shall be used only for purposes within classes B1, B2 and B8 of the Town and Country Planning (Use Classes) Order 1987 (as amended) (or any equivalent Class in any other Order amending or revoking and re-enacting that Order), and shall not be used for any other purpose which may be permitted by the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended), including any use where the prior approval of the Local Planning Authority may need to be sought, without planning permission or permission in principle and technical details consent having first been granted for such development by the Local Planning Authority. No additional floor space shall be created, by the insertion of a mezzanine, within either building.

Reason: To safeguard the provision and potential provision of employment land for which the site has been allocated in the Local Plan, to meet the assessed employment needs of the District, and to ensure the provision of adequate parking provision and facilities to enable the adoption of sustainable modes of transport for staff and visitors to the site and to ensure the safe and convenient operation of the local highway network in accordance with Policies SD1, SS1, SS3, EP1, TA1, TA5, TA6 and EQ2 of the adopted South Somerset Local Plan 2006 - 2028, and with guidance contained within the NPPF 2018.