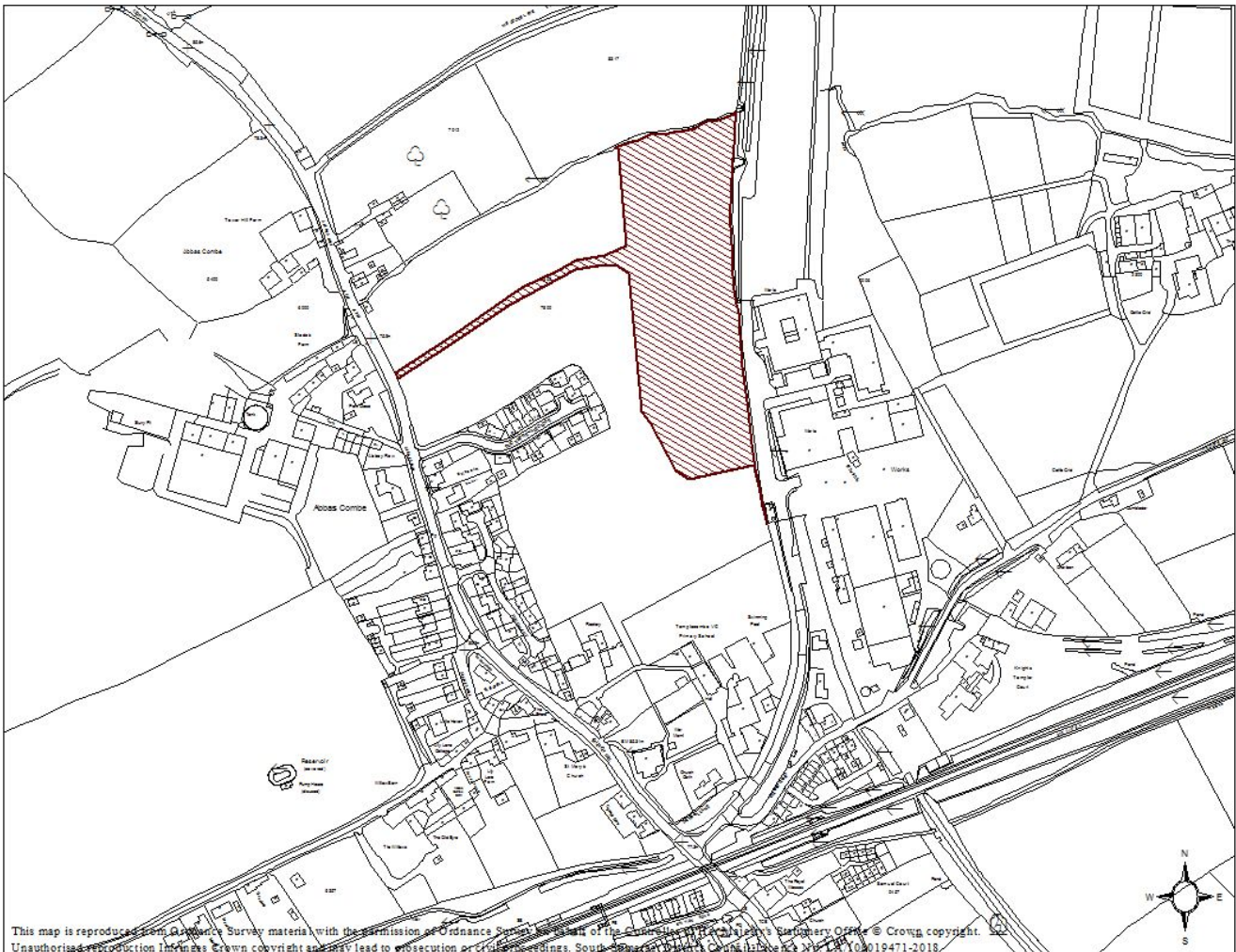


## Officer Report On Planning Application: 18/02738/FUL

<b>Proposal :</b>	Erection of manufacturing building (Use Class B2) and associated development including construction phase access/roadway (temporary), car park/yard area, perimeter security fencing, external plant, and landscaping works.
<b>Site Address:</b>	Land At Slades Hill Templecombe
<b>Parish:</b>	Abbas/Templecombe
<b>BLACKMOOR VALE Ward (SSDC Member)</b>	Cllr W Wallace Cllr Hayward Burt
<b>Recommending Case Officer:</b>	Dominic Heath-Coleman Tel: 01935 462643 Email: dominic.heath-coleman@southsomerset.gov.uk
<b>Target date :</b>	3rd December 2018
<b>Applicant :</b>	Thales UK
<b>Agent: (no agent if blank)</b>	Miss Alys Thomas Rivergate House 70 Redcliff Street Bristol BS1 6AL
<b>Application Type :</b>	Major Manfr f/space 1,000 sq.m or 1ha+

The two ward members have both exercised their right to call the application into committee, prior to any formal consultation under the scheme of delegation. They consider the scheme to be of such significance to the settlement as to warrant discussion at Area East Committee.

### SITE DESCRIPTION AND PROPOSAL



The proposal seeks full permission for the erection of a manufacturing building (B2) as an extension to an existing factory complex (Thales). The application also seeks permission for associated works, including a temporary construction access, a car park/yard area, security fencing, external plant, and landscaping works. The site consists of an area of agricultural land currently laid to grass, and forms part of a wider site with an extant permission for a mixed use development of up to 75 dwellings, and employment use. The wider site is a 6.57 hectare site located on the edge of a rural settlement (as defined by the local plan) and is currently in agricultural use. It sits at the base of a shallow dip, with the land rising to the east, north and west. It is bounded by the school and church to the south, the Thales industrial site to the east, existing residential development to the west and by agricultural land to the north. The nearest residential properties, in Blackmore Vale Close and The Hamlet, sit on raised ground relative to the development site, supported by a gabion wall. There is a grade II listed building located close to the wider site, but is some distance from the area of the site to be used for this scheme.

The proposed building is of 5,300 square metres (gross) of floorspace (approximately 156 x 45 metres at its largest dimensions). It is rectangular in design and will be approximately 11 metres high for much of its length, with an approximately 12.5 metre high section in the middle. It will have several chimneys rising to approximately 14 metres high. The building will be finished in smooth black facing brick up to 3 metres high with grey insulated composite panelling above. It is proposed that the building will ultimately be accessed through the existing Thales site using the existing access arrangements, although a temporary construction access will be provided across the wider site.

A concurrent application is being considered for the remainder of the wider site, which seeks outline permission for residential development of up to 70 dwellings and associated open space, landscaping works, and an area for school expansion together with a new access and drainage infrastructure.

## **HISTORY**

18/02739/OUT - Outline application for residential development comprising up to 70 dwellings and associated open space, landscaping works and area for school expansion, together with new access and drainage infrastructure - Pending consideration

18/02114/EIASS - Request for screening opinion for mixed development of land, incorporating up to 70 dwellings and general industrial floorspace along with associated parking and landscaping - EIA not required 18/07/2018

16/04551/REM - Application for the approval for the remaining reserved matters (appearance, landscaping, layout and scale) of outline planning approval 12/03277/OUT (Mixed use development comprising up to 75 dwellings, B1a, b and c employment, D1 multi purpose community building and associated development) - Application permitted with conditions 13/04/2017

16/03658/NMA - Application for a non material amendment to planning application 12/03277/OUT to allow minor changes to the wording of planning condition 5 - Application permitted 30/05/2017

13/03116/OUT- Mixed use development comprising up to 75 dwellings, B1 a, b and c employment, D1 multi purpose community building and associated development - Application withdrawn 16/10/2018

12/03277/OUT - Outline application for mixed use development comprising of up to 100 dwellings, retail unit, employment area, community building, area for potential school expansion, public open space, allotments together with new access - Application allowed on appeal 29/10/2013 for 75 dwellings

11/02183/EIASS - Proposed mixed development of land - EIA not required 15/08/2011

05/01336/OUT - The erection of two employment buildings each of 500 square metres, 72 dwellings (of which 35% would be affordable housing), extension to cemetery to 0.65 acre, extension to existing school playing fields of 1.11 acres, open space and construction of link road to existing employment site - Application withdrawn 03/09/2009

## **POLICY**

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

indicate it is a matter of law that applications are determined in accordance with the development plan unless material considerations indicate otherwise.

For the purposes of determining current applications the local planning authority considers that the adopted development plan comprises the policies of the South Somerset Local Plan 2006 2028 (adopted March 2015).

The policies of most relevance to the proposal are:

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

- Policy SD1 - Sustainable Development
- Policy SS1 - Settlement Strategy
- Policy SS2 - Development in Rural Settlements
- Policy EQ2 - General Development
- Policy EQ3 - Historic Environment
- Policy EQ4 - Biodiversity
- Policy TA1 - Low Carbon Travel
- Policy TA5 - Transport Impacts of New Development
- Policy TA6 - Parking Standards
- Policy EP4 - Expansion of Existing Businesses in the Countryside

**National Planning Policy Framework**

- Chapter 2 - Achieving Sustainable Development
- Chapter 6 - Building a Strong, Competitive Economy
- Chapter 12 - Achieving Well-Designed Places
- Chapter 16 - Conserving and Enhancing the Historic Environment

**Other Material Considerations**

None

**CONSULTATIONS**

**Parish Council -**

*"At a recent meeting Members discussed the above application and made the following comments:-*

- *Not in line with current local planning policy namely SS2 and EP4 both relevant to any development in a rural settlement such as Templecombe*
- *Not in keeping with the character of a rural settlement in terms of scale, dominance, design or materials*
- *Would contribute to an already unacceptable level of traffic movements past the school. Consideration should be given to an alternative entrance.*
- *Concerns over loss of privacy, overshadowing, scale and dominance of building on the landscape, design and appearance of proposed development, noise, dust and pollution*
- *Not sustainable development as negligible benefit to the Village in terms of direct economic contribution to the economy of the Village*

*A vote was taken with three members against the application, one Member abstaining and five Members with declared interests unable to vote.*

*Parishioners at the meeting were concerned that their submissions had not appeared on the planning portal."*

**County Highway Authority -**

*"This site, and the adjoining one which have concurrent application, have been presented for planning consideration in the past. During the process the Highway Authority raised no major objections in principle but requested a suitable mitigation package be provided to improve highway and pedestrian infrastructure in the area.*

*This package was provided and has been implemented including speed calming measures, pedestrian footway improvements and the signalisation of the railway bridge.*

*Notwithstanding the information provided, in order for it to be efficiently used, cycle parking should be secure, and be positioned in close proximity to the building entrance. An amended layout should be provided to attend to this.*

*In this regard the Highway Authority raises no objections to this current application but would request that any permission granted be subject to the following conditions:"*

They go on to recommend conditions to:

- Ensure all vehicles leaving the site are in such condition as not to emit dust or deposit mud, slurry or other debris on the highway
- Secure a construction environmental management plan (CEMP)
- Secure the proposed parking and turning facilities in perpetuity
- Secure adequate cycle parking provision
- Secure a travel plan

**SSDC Environmental Protection Officer** - Raises no objections. Given the uncertainties associated with the precise noise characteristics of the plant associated with this development he recommends a condition to secure a noise attenuation scheme.

**SCC as Lead Local Flood Authority** - Initially raised questions in relation to the proposed drainage scheme. On the receipt of further information, they provided the following comments:

*"I have looked at the additional details that the applicant has provided. I would like to see an overall agreement to the principles from Highways regarding the diversion of the existing drainage, and feel this should be sought prior to planning permission being granted\*. In particular, I note that there has been no assessment of the quantum of flow from the highway into this system, nor how this will interact with proposed discharge from the site.*

*The drainage scheme appears sound, and any remaining detail should be sought via condition. I would like to emphasise to the developer that they cannot just discharge at the 1 in 100 year greenfield rate of 19l/s/ha into the brook. Whilst I am sure that the consultant is aware, the FRA is not explicit in this respect, and only calculations for the 1 in 100 year + cc have been submitted. Whilst sufficient storage has been provided, the calculations and plans submitted for DoC should demonstrate that discharge for the 1 year, 30 year etc will be no greater than the equivalent rate for those events.*

*The condition should provide details of the swale feature and tanks (including cross sections with any relevant levels / capacities etc) and any operation / maintenance provision (private, adoption etc), any retained culverts, pipes, and existing / new outfall structures. Works in the channel of the brook will require additional land drainage consent from ourselves and details of these should be forwarded to [flooding@somerset.gov.uk](mailto:flooding@somerset.gov.uk) when appropriate."*

\* Such confirmation has been sought and received from SCC Highway Authority.

**SCC Rights of Way** - Notes that a public footpath runs through the site. They note that the application and the concurrent application for residential development will obstruct the footpath. They state that they object to the application until such time as they have further details on how the footpath will be accommodated within the site. They recommend an informative on any permission granted to ensure that the applicant is aware of the need to keep the public footpath open and not commence work until a diversion is secured. They also recommend the use of Grampian-style condition to the same effect. They provide general comments as to the duties of the developer in relation to the footpath.

**SSDC Ecologist** -

*"The application is supported by an Ecological Assessment Report (EAR) by Peter Brett Associates, November 2018. I'm satisfied with the level of survey and assessment undertaken.*

**Bat roost**

*A bat roost has been recorded on the edge of the site, used by low numbers of lesser horseshoe bat - a species that is rare in the UK context. The roost site will be retained, and subject to the implementation of protective*

measures during works, the development is unlikely to give rise to any significant impacts.

For the protection of the bat roost (Optimus House application - 18/02738/FUL), I recommend a condition: The bat roost protection measures detailed in section 6.2.1 of the Ecological Assessment Report (Peter Brett Associates, November 2018) shall be implemented in full.

Reason: To avoid disturbance to sensitive legally protected species (bats) and to ensure compliance with the Wildlife and Countryside 1981 (as amended) and the Conservation of the Species and Habitats Regulations 2017.

#### Bat activity

Bat activity surveys recorded nine species of bat at the site. Commoner species were recorded feeding at the site, although the site, due to its size and quality of habitat, is likely to constitute only a small part of the feeding range for the bats recorded. Three rare species of bat were recorded in low numbers, commuting through the site (along the boundaries).

Retained and new boundary vegetation (hedges and tree belts) will maintain commuting routes through the site, and some foraging habitat. The ecology report proposes a sensitive lighting strategy, to minimise harmful impacts, recommending details to be conditioned.

I consider the level of bat activity to be comparable to other similar sites in the district and not out of the ordinary. Therefore, along with the proposed mitigation (including a sensitive lighting scheme), I don't consider bats represent a significant constraint to the proposed development.

#### Landscape and Ecological Management

The application documents include a 'Landscape and Ecology Management Document' (Peter Brett Associates, October 2018). This includes objectives and actions for landscape/open space planting, and for the enhancement of biodiversity (e.g. bat and bird boxes), plus some measures in respect of legally protected and priority species.

In respect of the Optimus House application (18/02738/FUL), the above includes a Landscape and Ecology Management Plan (LEMP - chapter 4) that I'm satisfied with. I recommend its implementation is made a requirement by condition.

In respect of the housing application (18/02739/OUT), the above includes an overarching Landscape and Ecology Management Strategy (LEMS) that I'm satisfied with and should be taken into account when detailed plans are drawn up and submitted. Section 6.2.2 of the EAR (sensitive lighting scheme) is also relevant in this respect. I recommend a condition or informative to this effect.

#### Reptiles

A 'low' population of slow worm and evidence of grass snake were recorded on site, and mitigation will be required. I recommend a condition in this respect:

The development hereby permitted shall not be commenced (including any ground works or site clearance) until a mitigation plan or method statement detailing measures to avoid harm to reptiles, has been submitted to and approved in writing by the local planning authority. The works shall be implemented in accordance with the approved details and timing of the mitigation plan / method statement, unless otherwise approved in writing by the local planning authority.

Reason: For the protection and conservation of a priority species in accordance with policy EQ4 of the South Somerset Local Plan, NPPF and to ensure compliance with the Wildlife and Countryside Act 1981 (as amended).

#### Invasive species

An invasive species, variegated yellow archangel, was recorded on site. The EAR proposes in section 6.6.1 that

measures to prevent its spread are included in a Construction Environmental Management Plan (CEMP). I recommend this is included in a relevant condition (both applications).

#### Other protected species (summary)

The dormouse survey was negative and it's concluded they're likely to be absent from the site. Otter could potentially use the stream bordering the site on occasions as there are records downstream (some 400m away). 'Embedded mitigation' includes retention and protection of the north boundary hedge which will act to minimise any disturbance if and when otters do use the stream.

There's badger activity on the site but no setts. An update survey for setts prior to construction is proposed."

**Avon and Somerset Police** - No objection or comments

### **REPRESENTATIONS**

Letter of objection were received from the occupiers of 18 properties in Templecombe. Objections were raised in the following key areas:

Adverse highways impacts (during construction and once operational)

- Not in keeping with character of area
- Construction noise and disturbance
- Ongoing noise and disturbance and light pollution
- Reduction in property value
- Surface water drainage concerns
- Lack of community benefits (including local employment)
- Poor consultation
- Adverse impact on residential amenity
- Adverse impact on residential security
- Adverse impact on school amenity (harm to learning outcomes)
- Lack of local facilities to support development
- Does not comply with local plan policy (EP4 and SS2)
- Precedent for further undesirable development
- Use of greenfield rather than brownfield land
- Adverse impact on ecology
- Concern over use of two applications (confusing)
- Health risks from proposed use
- Adverse impact on views

A further letter was received from the occupier of a property in Templecombe that does not expressly object to or support the application, but requests that consideration is given to a second, northern, access to the site.

### **CONSIDERATIONS**

#### **History and Principle of Development**

The application is part of a wider site which has extant permission for a mixed use development consisting of up to 75 dwellings and employment use. The employment element of the extant scheme is speculative and of a smaller scale than the currently proposed employment scheme. It is also part of a wider mixed use scheme, so is not directly comparable with the current proposal. As the current application is separate from the concurrently submitted application for residential development, it must be considered entirely on its own merits. As such, the current proposal bears no similarity to the extant scheme and should be considered afresh.

The proposal seeks permission for the expansion of an existing employment use in a rural settlement (countryside). As such, policies SS2 and EP4 of the South Somerset Local Plan are of most relevance. Policy SS2 states:

*Development in Rural Settlements (not Market Towns or Rural Centres) will be strictly controlled and limited to that which:*

- *Provides employment opportunities appropriate to the scale of the settlement; and/or*
- *Creates or enhances community facilities and services to serve the settlement; and/or*
- *Meets identified housing need, particularly for affordable housing.*

*Development will be permitted where it is commensurate with the scale and character of the settlement, provides for one or more of the types of development above, and increases the sustainability of a settlement in general. Proposals should be consistent with relevant community led plans, and should generally have the support of the local community following robust engagement and consultation.*

*Proposals for housing development should only be permitted in Rural Settlements that have access to two or more key services listed at Paragraph 5.41.*

The current proposal provides employment opportunities. Whether the scale of these are appropriate to the scale of the settlement is debateable, but the actual net increase of employment in Thales (an existing large employer) will be relatively small - estimated between 30 and 50 new jobs.

It is considered that, although the proposed building is large, it is commensurate in scale to the wider Thales site, and therefore to the scale and character of the existing settlement (this is discussed further below).

There are no relevant community led plans. The proposal does not generally have the support of the local community.

As such, the proposal is largely consistent with policy SS2 of the South Somerset Local Plan, with the exception of a lack of community support.

Policy EP4 is the other key policy of the local plan in regards to the principle of development. Policy EP4 states:

*Proposals for the expansion of existing businesses in the countryside will be permitted where:*

- *The business has been operating successfully for a minimum of 3 years, and is a viable business;*
- *It is demonstrated that the proposal is needed in this location;*
- *The proposal is of a scale appropriate in this location and appropriate to the existing development;*
- *Existing buildings are reused where possible;*
- *Firstly, use is made of land within the curtilage of the development where possible, and outside of the curtilage only where it is demonstrated that additional land is essential to the needs of the business;*
- *There is no adverse impact on the countryside with regard to scale, character and appearance of new buildings and/or changes of use of land;*
- *There is no adverse impact upon designations for wildlife and conservation reasons, at either local, national or international level; and*
- *The proposed development ensures that the expected nature and volume of traffic generated by the development would not have a detrimental impact on the character or amenity of the area and would not compromise the safety and/or function of the road network in terms of both volume and type of traffic generated."*

Thales has been successfully operating from the site for a number of years and is clearly a viable business. Thales has stated that they have a need for this proposal and it is difficult to imagine they would be proposing such a significant investment without such a need. They have stated that there are no existing buildings that could be reused, and it is clear that the existing site is at capacity, hence the need to use land outside the curtilage. As discussed below, there will be no adverse impact on the countryside or wildlife and conservation designations. Again, as discussed below, there will be no adverse impact on highway safety. On this basis, the proposal is considered to comply with policy EP4 of the South Somerset Local Plan.

On this basis, notwithstanding local objections, the principle of development is considered to be acceptable and to largely accord with the policies of the local plan and the aims and objectives of the NPPF. The lack of general support by the local community is noted, but is not considered sufficient reason on its own to object to the principle of development.

The parish council has raised a specific objection to the scheme on the grounds that the proposal will provide negligible benefit to the village in terms of direct economic contribution to the economy of the village. However, the proposal represents the sustainable expansion of an existing employer, which is clearly beneficial to the

economy of the village as a whole. Firstly, in this respect, Thales employs in the region of 700-750 on site at any one time, some of which are bound to use local services and facilities. Secondly, and perhaps more importantly, they currently employ 51 people that live in the BA8 postcode. Thales must therefore be seen currently as making a contribution to the local economy, and the proposal will allow the existing business to develop and, by securing a significant investment into the business at this site, will secure its future in the locality. A more general concern has been expressed locally as to the lack of local benefits. However, the benefits to the local economy are considered to be sufficient to justify the principle of development in terms of the relevant local plan policies.

### **Visual Amenity**

There has been significant local concern expressed as to the scale, design, and position of the proposed building and ancillary structures, and the impact they will have on the character of the area and the wider landscape. Whilst the SSDC Landscape Architect has not been involved in the formal application process, he was heavily involved in the pre-application process, and was happy (subject to appropriate landscaping) with the impact of the proposed development on the wider landscape. On this basis, it is considered that the proposed building, although large, can be comfortably accommodated in the wider landscape. The proposed design and materials are considered to be appropriate to the context. A condition should be added to any permission issued to ensure that the proposed landscaping scheme is implemented and maintained.

The proposed building is some distance from the nearest listed building and is not considered to have any significant impact on the setting of that building.

As such, notwithstanding local concerns, and subject to suitable conditions on any permission issued, the impact on visual amenity is considered to be acceptable in accordance with policies EQ2 and EQ3 of the South Somerset Local Plan.

### **Residential Amenity**

Although neighbours have expressed concerns in these areas, due to the position and scale of the building, it is not considered that the proposed building is likely to have any significant impact on the residential amenity of neighbouring occupiers by way of overlooking, overshadowing or overbearing.

The proposed building, being B2, is likely to be a noise generating use. Local concern has been expressed in regards to the potential for noise and light pollution emanating from the proposed use. As such, the SSDC Environmental Protection Officer was consulted. He considered the scheme and detail and raised no objection to the proposal, subject to the imposition of a noise attenuation condition on any permission issued. Such a condition is considered to be reasonable and necessary. On this basis, it is considered that the impact on residential amenity by way of light, noise and disturbance will not be significant.

Concerns have been raised locally as to the potential for disturbance during the construction phase of the development. Such disturbance is likely. However, by its very nature it will be transitory and can be mitigated to some extent using a construction management plan condition on any permission issued. On this basis, any harm arising through disturbance during the construction phase is not considered to be significant enough to warrant refusal of the application.

On this basis, it is not considered that the proposal would have any significant adverse impact on the residential amenity of any adjoining occupiers in accordance with policy EQ2 of the South Somerset Local Plan.

### **Highways**

The highway authority was consulted and considered the scheme in detail. They raised no objections to the proposal, subject to the imposition of various conditions on any permission issued. Such conditions, subject to re-wording and with the exception of a condition relating to the wheel washing of construction vehicles, are considered to be reasonable and necessary. Wheel washing should be addressed as part of the CEMP, which is to be submitted by virtue of a separate condition. As such, notwithstanding the significant local concerns raised in this area, it is considered that there will be no adverse impact on highway safety in accordance with policies TA5 and TA6 of the South Somerset Local Plan. Although not suggested by the highway authority it is considered appropriate to add a condition to any permission issued to ensure that the temporary construction access proposed is not used once the building becomes operational.



## **Flood and Drainage**

Concern has been raised locally as to surface water drainage matters. This issue has been considered in great detail by the LLFA, who are satisfied that the submitted drainage scheme is sound. They require further information in relation to several aspects, but are satisfied that these details can be satisfactorily resolved by way of a detailed condition on any permission issued. They requested confirmation that the highway authority was satisfied with the general drainage approach. The highway authority has indicated that they are content.

## **Public Footpath**

There is a public footpath that traverses the site. SCC Rights of Way has objected to the development on the grounds that the proposal will obstruct this footpath. However, the footpath is already obstructed by the existing Thales operation, so the current proposal will make the situation no worse, and should not constrain the proposed development. The legalities of obstructing a footpath would override any planning permission granted in any case. Thales are aware of the need to divert the existing footpath and have an application to do so in hand. An informative making sure that Thales are aware of their obligations regarding the footpath is considered to be sufficient.

## **Ecology**

Concerns were raised as to the impact of the proposal on local ecology. The SSDC Ecologist was consulted and considered the scheme in detail. He raised no objections to the proposal, subject to the imposition of various conditions on any permission issued. Such conditions are considered to be reasonable and necessary.

## **Parish Council Concerns and Other Issues**

The parish council has objected to the scheme for a number of reasons. These are all addressed in the commentary above.

A concern has been raised locally as to the potential for the development to cause a reduction in property value. However, it is a long standing tenet of the planning system that a reduction in private property value is not a material consideration that should constrain development.

Concern has been raised locally that public consultation has been insufficiently robust. However, public consultation by the applicant and by the LPA during the processing of the application has been more than sufficient to discharge statutory obligations in this regard.

A concern has been that the proposal would have an adverse impact on the residential security of neighbouring occupiers. However, Avon and Somerset Police has been consulted in this regard and has raised no objections.

A neighbouring occupier has raised a concern regarding a potential adverse impact on the amenity of pupils at the school, specifically in relation to potential harm to learning outcomes. However, the school itself, despite being notified of the application has raised no such concerns. As discussed above, disturbance during the construction phase will be transitory and the SSDC Environmental Protection officer is satisfied that noise can be successfully mitigated.

A concern has been raised regarding a lack of local facilities to support the proposed development. It is unsure what is meant by this, but there is no reason to assume that there is not sufficient infrastructure in the locality to support the development. Local service providers have raised no such concerns.

A concern has been raised regarding the setting of a precedent for further undesirable development. However, the circumstances of this proposal are unique. Any further applications to expand the business would be considered on their own merits.

Concerns have been raised regarding the proposed use of greenfield rather than brownfield land. Whilst brownfield land is preferable, there is no policy requirement for such and, in any case, there is no brownfield land available that is contiguous with the existing business.

A concern has been expressed that the use of two separate applications is confusing. However, the division of the development into two separate applications is perfectly legitimate. Although previously part of the same application site, the separation is not artificial, as the proposal is for two unconnected uses, with separate accesses. Furthermore, one is a full application and one seeks outline permission only.

A neighbour has raised an objection to the proposal on the grounds of the potential health risks from the proposed use. However, there is no reason to assume that the proposed use represents any type of health risk to neighbouring occupiers, and other, non-planning, legislation would control any such risk.

Finally, a concern has been raised regarding the potential loss of or disruption to views. However, the planning system cannot protect private views, and there is no known harm to views available from public vantage points.

## **Conclusion**

The proposed development is considered to be acceptable in principle and will have no adverse impact on the character of the area, and will cause no demonstrable harm to residential amenity, the setting of the nearby listed building, biodiversity or highway safety in accordance with policies SD1, SS1, SS2, EP4, EQ2, EQ3 EQ4, TA5, and TA6 of the South Somerset Local Plan and the aims and objectives of the NPPF.

## **RECOMMENDATION**

Approve for the following reason:

01. The principle of development is considered to be acceptable in this location and the proposal, by reason of its size, scale and materials, respects the character of the area, and causes no demonstrable harm to residential amenity, the setting of the nearby listed building, biodiversity, and highway safety in accordance with the aims and objectives of Policies SD1, SS1, SS2, EP4, EQ2, EQ3 EQ4, TA5, and TA6 of the South Somerset Local Plan and the aims and provisions of the NPPF.

## **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:

17.25.F01A - Site Location Plan  
17.25.F02 - Block Plan and Site Layout Plan  
17.25.F10 - Proposed Ground Floor and Entrance Level  
17.25.F11 - Proposed First Floor Plan  
17.25.F12 - Proposed Second Floor Plan  
17.25.F13 - Proposed Roof Plan  
17.25.F20 - Proposed Elevations  
17.25.F25 - Proposed Detail Part Elevation and Sections  
17.25.F28 - Proposed Site Sections  
17.25.F29A - Proposed Perimeter Security Fence  
17.25.R04 - Masterplan  
42622 - Landscape Strategy  
42622-2003-700-A - Access Design Pavement Construction and Standard Details  
42622-3016-01 - Landscape Proposals  
A03936-SI-EX-50-001-A Combined External Services Site Plan  
Lighting Plan and Luminaire Schedule

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

03. Before use of the development commences, a noise mitigation scheme shall be submitted in writing and approved in writing by the Local Planning Authority detailing measures to ensure that any noise

associated with the development does not cause detriment to amenity or a nuisance, especially to those living and working in the vicinity. The scheme shall be maintained and not altered without the prior permission of the Local Planning Authority.

Reason: To protect the amenity of the locality, especially for people living and/or working nearby, in accordance with Local Planning Policy

04. The bat roost protection measures detailed in section 6.2.1 of the Ecological Assessment Report (Peter Brett Associates, November 2018) shall be implemented in full.

Reason: To avoid disturbance to sensitive legally protected species (bats) and to ensure compliance with the Wildlife and Countryside 1981 (as amended) and the Conservation of the Species and Habitats Regulations 2017.

05. The development shall be carried out strictly in accordance with the Landscape and Ecology Management Plan (LEMP - chapter 4) contained within the submitted Landscape and Ecology Management Document' (Peter Brett Associates, October 2018), unless otherwise agreed in writing with the Local Planning Authority.

Reason: In the interests of protected species and biodiversity and in accordance with policy EQ4 of the South Somerset Local Plan.

06. The development hereby permitted shall not be commenced (including any ground works or site clearance) until a mitigation plan or method statement detailing measures to avoid harm to reptiles, has been submitted to and approved in writing by the local planning authority. The works shall be implemented in accordance with the approved details and timing of the mitigation plan / method statement, unless otherwise approved in writing by the local planning authority.

Reason: For the protection and conservation of a priority species in accordance with policy EQ4 of the South Somerset Local Plan, NPPF and to ensure compliance with the Wildlife and Countryside Act 1981 (as amended).

07. All planting, seeding, turfing or earth moulding comprised in the approved details of landscaping, as specified in chapter 5 and Appendix C of the Landscape and Visual Appraisal by Peter Brett Associates (dated 30 August 2018), shall be carried out in the first planting and seeding season following the occupation of the building or the completion of the development, whichever is the sooner; and 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 the Local Planning Authority gives written consent to any variation.

Reason: In the interests of visual amenity and in accordance with policy EQ2 of the South Somerset Local Plan.

08. No development shall commence unless a Construction Environmental Management Plan has been submitted to and approved in writing by the Local Planning Authority. The works shall be carried out strictly in accordance with the approved plan. The plan shall include:

- Construction vehicle movements;
- Construction operation hours;
- Construction vehicular routes to and from site;
- Construction delivery hours;
- Expected number of construction vehicles per day;
- Car parking for contractors;
- Specific measures to be adopted to mitigate construction impacts in pursuance of the Environmental Code of Construction Practice
- A scheme to encourage the use of Public Transport amongst contractors; and
- Measures to avoid traffic congestion impacting upon the Strategic Road Network.
- Measures to prevent the spread of the variegated yellow archangel recorded on site

Reason: In the interests of highway safety and efficiency and in accordance with policy TA5 of the South Somerset Local Plan.

09. The Development hereby permitted shall not be occupied until the parking spaces for the buildings and the properly consolidated and surfaced turning areas for vehicles as shown on plan number 17.25.FO2 have been provided and constructed to the satisfaction of the Local Planning Authority. Such parking and turning spaces shall be kept clear of obstruction at all times and shall not be used other than for the parking and turning of vehicles in connection with the development hereby permitted.

Reason: To ensure all vehicles attending the site can do so in a controlled manner and to remove the risk of indiscriminate parking within the highway. In the interests of highway safety and efficiency and in accordance with Policy TA5 of the South Somerset Local Plan.

10. Prior to the first use of the building hereby approved a scheme for the parking of bicycles in a secure position in close proximity to the front entrance of the building shall be agreed in writing with the Local Planning Authority. Such scheme shall be implemented in full prior to occupation and shall be retained in that condition in perpetuity.

Reason: In the interests of sustainable transportation and to reduce the reliance on private cars. In accordance with policy TA1 of the South Somerset Local Plan.

11. Prior to occupation any existing commercial travel plan covering the whole site shall be updated to include the development hereby permitted. In the event of no such plan existing, a suitable Commercial Travel Plan covering the existing units south and south east of this site shall be agreed in writing with the Local Planning Authority prior to the first use of the building hereby approved.

Reason: In the interests of sustainable transportation and to reduce the reliance on private cars. In accordance with policy TA1 of the South Somerset Local Plan.

12. No development shall be commenced until details of the surface water drainage scheme based on sustainable drainage principles 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. The drainage strategy shall ensure that surface water runoff post development is attenuated on site and discharged at a rate and volume no greater than greenfield runoff rates and volumes. Such works shall be carried out in accordance with the approved details.

These details shall include: -

- Details of phasing (where appropriate) including the provision and maintenance of any temporary drainage provision during construction phase and any other subsequent phases.
- Detailed calculations demonstrating that runoff from the development will not exceed greenfield runoff rates for all events up to and including the 1 in 100 year (+40% climate change). This should include information about the design storm period and intensity, discharge rates and volumes (both pre and post development). We would expect the developer to use FEH methodology and rainfall data.
- Flood water exceedance routes both on and off site, note, no part of the site must be allowed to flood during any storm up to and including the 1 in 30 event, flooding during storm events in excess of this including the 1 in 100yr (plus 40% allowance for climate change) must be controlled within the designed exceedance routes demonstrated to prevent flooding or damage to properties and/or the highway.
- Any works required off site to ensure adequate discharge of surface water without causing flooding or pollution (which should include refurbishment of existing culverts and headwalls or removal of unused culverts if and where relevant). This should include evidence of a formal agreement with Wessex Water (or other relevant parties) for the requisition of new sewer to include details of land ownership and access, size, capacity and route of the new sewer and point of connection.

- Demonstration of the utilisation of appropriate and effective SUDS techniques for the collection, delay/control, conveyance, storage and treatment of surface water to prevent flooding and in addition to provide wider environmental, pollution prevention and amenity benefits. Construction and implementation details will also be required, including relevant drawings and cross sections.
- A management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by an appropriate public body or statutory undertaker, management company or maintenance by a Residents' Management Company and / or any other arrangements to secure the operation and maintenance to an approved standard and working condition throughout the lifetime of the development

Reason: To ensure that the development is served by a satisfactory system of surface water drainage and that the approved system is retained, managed and maintained in accordance with the approved details throughout the lifetime of the development, in accordance with paragraphs 163 and 165 of the National Planning Policy Framework (July 2018) and Technical Guidance to the National Planning Policy Framework.

13. The temporary construction access hereby approved, shall not be used to access the development site once the building hereby approved is first brought into use.

Reason: In the interests of highway safety and in accordance with policy TA5 of the South Somerset Local Plan.

**Informatives:**

01. Development, insofar as it affects a right of way should not be started, and the right of way should be kept open for public use until the necessary diversion/stopping up Order has come into effect. Failure to comply with this request may result in the developer being prosecuted if the path is built on or otherwise interfered with.
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