

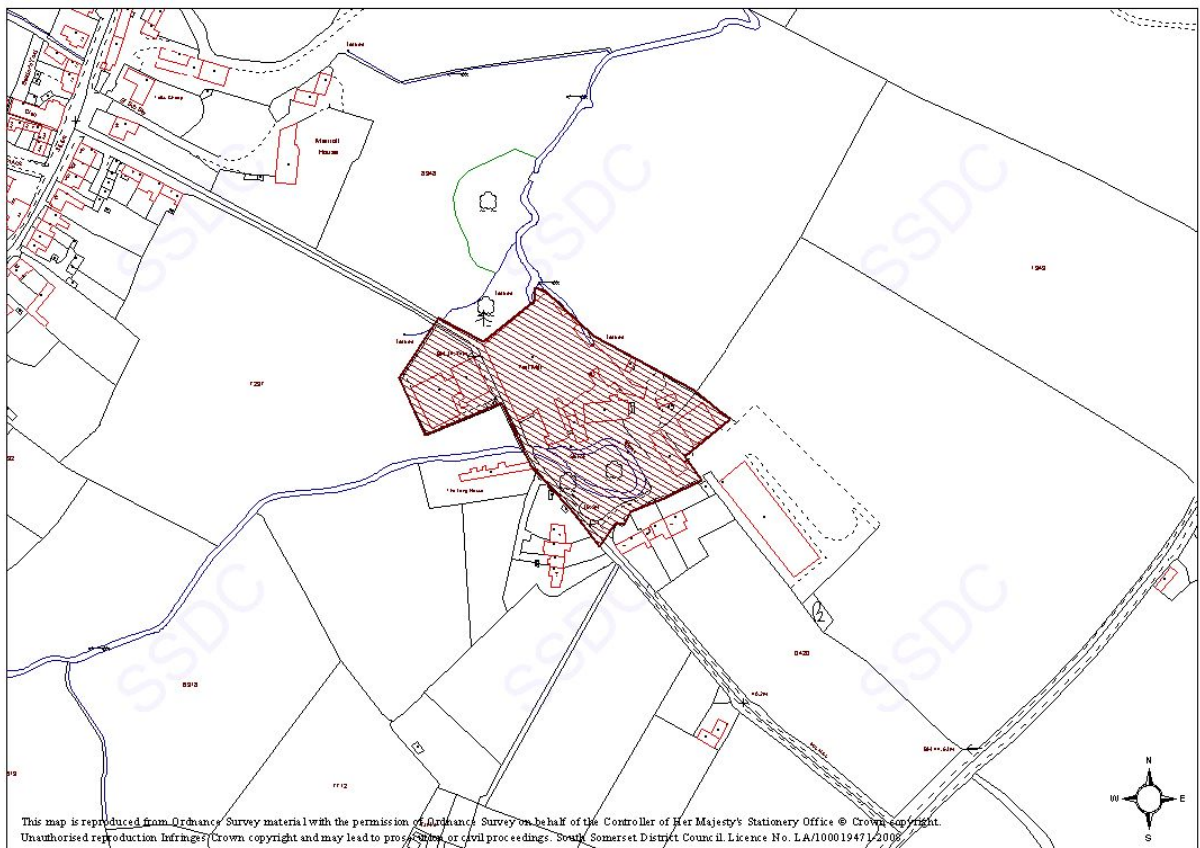
OFFICER: Dave Norris 01935 462382 [Item 2]
APPL.NO: 07/02775/FUL APPLICATION TYPE: Full Application
PARISH: Merriott WARD: EGGWOOD
DESCRIPTION: Conversion of existing factory buildings and erection of new dwellings to form 52 units together with alterations/improvements to access road and junction and other associated works (GR: 344886 / 112383)
LOCATION: Merriott Plastics Ltd Tail Mill Lane Merriott Somerset TA16 5PG
APPLICANT: Mr Ian Low
AGENT: Alun Sherwood Highway Field Associates 3 Cathedral Close Exeter Devon EX1 1EZ
DATE ACCEPTED: 20 June 2007

REASON FOR REFERRAL TO COMMITTEE:

Members will recall that this application was deferred by the Area West Committee at the September 2007 meeting to allow adequate time for certain issues to be clarified. The three issues were:

- Confirmation of the views of the Environment Agency
- Financial justification for additional dwellings
- Acceptability of amended plans

LOCATION:



The Tail Mill complex lies within a small valley with land rising away from the village to the north and east across open countryside. A large section of the site is located within the designated Merriott Conservation Area and the original historic factory buildings are listed. The site also falls within the Flood Risk Area.

The site is accessed from Tail Mill Lane, a private road that links the A356 with the village. The well-used walkers' route, the Parrett Trail also runs along Tail Mill Lane into the village.

PROPOSAL:

Planning permission was granted earlier this year for the erection of a large factory extension together with the conversion of the listed building into 33 residential units together with 10 new houses. This application was submitted in 2002 but due to lengthy legal agreements the decision was not issued for 4 years. The approval for this development was given on the basis that the residential development would allow the factory to fund a purpose built factory thereby helping the viability of the enterprise. It was also considered that the conversion works would safeguard the listed buildings as they were (and still are) in need of maintenance. The approval was accompanied by a legal agreement that amongst other items, required:

- the factory to be built prior to the occupation of any dwelling
- new junction at junction of Tail Mill/A356
- improvements to condition of Tail Mill Lane
- upgrading of southern end of Tail Mill to accommodate HGV's
- scheme to include measures to prevent HGV's accessing factory from the Merriott side
- creation of a footpath alongside Tail Mill Lane

This application seeks to amend the previous approval and increase the number of dwellings on the site. The revised scheme proposes an increase in the number of conversions to 39 units and increase the new build dwellings to 13. This scheme is therefore proposing 52 units, an increase of 9 on the previous scheme. The application was accompanied by a Flood Risk Assessment, Design and Access Statement, Ecology Report and other associated documentation including a financial justification. An application for listed building consent has also been submitted.

Following the last committee amended plans have been received that address the issues of the impact of the conversions works on the character and fabric of the listed building. These plans have also taken into account the concerns about the height of some of the new build units and has reduced the amount of taller dwellings to that as approved by the previous scheme.

A separate approval has recently been granted for the revised positioning of the factory extension. This approval was granted subject to a condition that required the developer to enter into a 'fresh' S106 agreement that will ensure that those requirements specific to the new factory will be carried out.

PLANNING HISTORY:

The application site has a very complex planning history. The previous occupants, Merriott Moulding Ltd, submitted an outline application in 1990 for the erection of 36 new dwellings and the conversion of the mill buildings into 43 units together with the erection of a replacement factory. The housing element of that scheme was intended to partially finance the relocation of the works into the new factory building. The siting of the new factory building and the conversion of some of the buildings was agreed in principle by the Council after a Committee site meeting in 1991.

A number of subsequent proposals were submitted between 1991 and 1993 that reduced and revised the housing layout and numbers. In 1992 the Council produced a Development Brief for the site, which set out clear development guidelines for both the new factory building, and the residential development.

In 1993 the Council resolved to grant permission for the erection of 30 dwellings, the conversion of existing buildings into 21 dwellings and the erection of a new factory subject to the completion of a detailed Section 106 Agreement, which included the occupation of the factory, highway improvements, traffic calming measures, landscaping and reclamation and management of the pond. Negotiations commenced on that Agreement but they were never completed and the application was subsequently withdrawn.

In March 2000 the historic core of buildings on the site was included on the Statutory List of Buildings of Special Architectural and Historic Interest. The list description concludes by saying the following:

"Tail Mill is a highly significant site in the history of the Somerset sailcloth industry, dating from the early 19th century. It is an evolved integrated textile factory, retaining characteristic structures from all periods of its development, including ancillary structures used for secondary and finishing processes. These, together with its mid 19th century weaving shed, and the very clear evidence of both water and steam power provision form an unusually complete and coherent survival, which despite 20th century alterations clearly demonstrates the major phases of development of a significant branch of the textile industry of South West England."

The most recent approval is referred to in the 'proposal' section. This consent for the factory and 43 units was issued approximately 12 months ago and will be extant for a further four years.

POLICIES:

The starting point for the Committee in considering this application and the related Listed Building application are the duties concerning Conservation Areas and Listed Buildings in the Planning (Listed Buildings and Conservation Areas) Act 1990. These are as follows:

Section 66: LPA shall have special regard to the desirability of preserving listed buildings or keeping any features of special architectural or historic interest

Section 72: The LPA shall pay special attention to the desirability of preserving or enhancing the character or appearance of a Conservation Area

Regional Spatial Strategy

Vis 1: Expressing The Vision

VIS 2: Principles for future development

HO6: Housing Types and Density

EN3: Historic Environment

EN4: Quality in the Built Environment

TRAN1: Reducing the Need to Travel

Somerset and Exmoor National Park Joint Structure Plan Review

Policy STR1: Sustainable development - development to be of high quality, good design and reflect local distinctiveness - give priority to the continued use of previously developed land and buildings.

Policy STR6: Development outside towns, rural centres and villages should be strictly controlled and restricted to that which benefits economic activity, maintains or enhances the environment and does not foster growth in the need to travel.

Policy 9: Setting, local distinctiveness and variety of buildings and structures of architectural or historic interest should be maintained and where possible enhanced. The character or appearance of Conservation Areas should be preserved or enhanced.

Policy 19: In rural areas provision should be made for development that creates or enhances local employment.

Policy 49: Proposals for development should be compatible with existing transport infrastructure or if not provision should be made for improvements to infrastructure to enable development to proceed. In particular development should:

Provide access for pedestrians, people with disabilities, cyclists and public transport
Provide safe access to roads of adequate standard within the route hierarchy.

Policy 50: Provide access for pedestrians, people with disabilities, cyclists and public transport

Policy 60: Areas vulnerable to flooding should continue to be protected from development that would cause a net loss of flood storage area or interrupt free flow of water.

South Somerset Local Plan

Policy ST3:	Control over development in the countryside
Policy ST4:	Conversion of buildings
Policy ST5:	Quality of development
Policy ST6:	Landscape and Architectural Design
Policy ST7:	Outdoor play space
Policy EC3:	Landscape Protection
Policy EC7:	Habitat protection
Policy EC8 :	Protected species
Policy EH1:	Conservation Areas
Policy EH3:	Listed Buildings
Policy EH5:	Development proposals affecting setting of Listed Buildings
Policy ED5:	Contaminated land
Policy EP1:	Noise Sensitive Development
Policy EP5:	Contaminated land
Policy EU1:	Renewable energy
Policy EU5:	Flooding
Policy EU4:	Water Supply
Policy EU6:	Watercourse protection
Policy ME4:	Extensions to existing commercial uses outside settlements
Policy HG4:	Density
Policy CR2:	Open space provision
Policy CR9:	Rights of way

National Planning Guidance

PPS3:	Housing
PPS7:	Countryside
PPS9:	Biodiversity/ecology
PPG13:	Transport
PPG15:	Historic Environment
PPS24:	Pollution Control
PPS25:	Flooding

CONSULTATIONS:

Merriott Parish Council:

The council oppose this application to build an additional 9 dwellings at Tail Mill for the following reasons:

- No clear business case has been demonstrated in this environmentally sensitive area, which is outside of the development limit. The original case for 43 dwellings was narrowly passed on the basis that the new units were needed to ensure the viability of the factory. Since then the value of housing has far outstripped the rise in construction costs we see no commercial justification.
- The area falls within a medium-high flood risk area and would have to pass an exception test.
- Tail Mill Lane is narrow, single tracked and without pavement. Pedestrians use the lane frequently and walk children to and from school. An additional nine dwellings would

impose an unacceptable strain on the already existing traffic problems. There is insufficient provision for parking and parking in the lane will block access.

- 43 houses already approved constitutes an over-development and there is no provision for amenities or gardens. 9 further dwellings will exacerbate the problem.
- Concerns about on-going lack of maintenance of listed mill building.

Economic Development Officer:

Merriott Plastics employs 60 people, of which the majority live in either Merriott or Crewkerne. Only one person commutes more than 10 miles to work. A large proportion of the workforce has been with Merriott Plastics or their predecessor Merriott Mouldings for a very long time. The order books are currently very active, with some solid long-term contracts, which provides stability for the business. No longer is there a reliance on one customer for their work, reducing the risk of a poor debt or failed contract de-stabilising the business.

Having read the application and business plan, I concluded that the additional income that the proposed extra dwellings would provide will ensure the business is financially stable. I enquired what future there is for the business in Merriott if the additional residences were not approved. The response received stated quite clearly that the cashflow for the business was then a lot tighter and would probably restrict future investment in machinery and plant. An alternative could be to move the whole business to a sister company in Rochester, Kent, which would in turn create redundancies for the Merriott based employees.

A suggestion from the Economic Development service, which you may wish to consider is to make it a requirement for the new industrial building to be developed and occupied with expected highways and access improvements before any work is started on the residential development.

In summary, the additional dwellings would provide economic stability for the business, which should ensure it remains located in Merriott for many more years.

Following the last meeting the Economic Development Manager has further investigated the viability issue and has made the following comments:

'Members raised a question when this application was last presented in September 07. The following answer was sought through the applicants' agent.

An explanation was invited as to why there is a financial need to provide nine additional homes on the site, over and above the 43 residential dwellings already approved, particularly bearing in mind that property values have risen significantly in the period from 2002 - 2007.

In response, the agent informed that the original application did not have a cost model. There had been no financial provision for the Section 106 works, which have taken a considerable time to finalise and agree. Also the full extent of the flood alleviation and Defra requirements had not been appreciated.

In the five years since the original approval, the Economic Development Team Leader is informed that the cost of financing this scheme has risen by 20% and construction costs by 35%. The applicant's agent provided evidence that verifies the accuracy of this information through both the Bank of England and Building Cost Information Service.

The applicant's agent also pointed out the change in development guidance during the period in favour of smaller, cheaper properties.

In response to the question asking for confidence that this proposed increase in the number of dwellings will not be surpassed in the future by an application for yet more dwellings based on the financial needs not having been fully understood. The Economic Development Team

Leader can report that he has in writing a statement that 'there is no intention to seek further expansion within the footprint of the existing buildings'

Environment Agency:

At the time of the previous approval the Environment Agency did not object to the scheme provided that certain conditions were attached to any permission. The Agency have subsequently changed their requirements and as a result of this originally objected to this scheme. These objections were on the basis that the development may cause contamination problems in the area during construction. There were also concerns that the Flood Risk Assessment that was submitted by the applicant also did not meet with the EA's requirements. There was also an 'in principle' objection to any development within a Flood Zone if the applicants had not satisfied the EA that the development met the requirements of the tests contained within PPS25 (national planning guidance).

Since the last committee meeting the developer's agents have been involved in negotiations with the EA and as a result they have withdrawn their objections to the scheme. They are now satisfied that the development will not exacerbate flooding issues in the area and will not result in a danger to residents.

The EA have however requested that certain conditions be attached to any permission and these are included at the end of the report.

Highway Authority:

Raise no objection provided that the improvements that were required as part of the previous approval are the subject of a supplemental legal agreement. Do not consider that the 'uplift' of nine units would warrant any further works other than those required by the previous consent.

Landscape Officer:

- Concerns about the lack of amenity space within the development.
- Details required about the treatment of the approach road.
- A detailed landscape management plan is required for the residential area including details of new hard and soft landscaping and treatment of mill pond.
- Concerns about the 3-storey dwellings need to be overcome.

Conservation Officer:

At the time of writing the original report negotiations were currently ongoing to overcome the areas of contention. These include:

- scale of new dwellings
- details of some of the alterations required by the conversions
- retention of some of the historic features
- absence of some drawings

Since the last committee further negotiations have taken place and amended drawings have been received that overcome the concerns that were initially raised. The key area of change is the reduction in scale of the dwelling at the rear of the new build element. It was considered that the amount of 3 storey dwellings did not sit comfortably in this prominent, semi-rural location and the applicants have now conceded this point and as a result are proposing to substitute some of these units with traditional 2-storey cottages.

The Conservation Manager is now satisfied with the proposed scheme however he has requested that a significant amount of conditions are included within the consent to ensure that the character and fabric of the historic buildings is protected.

Environmental Protection Unit:

Adequate water supply should be available. An investigative report shall be carried out to assess land contamination issues.

Principal Engineer:

Conditions required relating to protection/improvements to watercourse. Floor levels to be agreed. Flood protection measures to be approved. Compensatory storage measures to be agreed.

Council's Ecologist:

Following the receipt of a survey in relation to bats and other protected species the ecologist is content that an appropriate condition can be added to the consent to ensure that the necessary mitigation is carried out.

Natural England:

Bat survey to be carried out prior to consent being granted.

Wessex Water:

The existing water supply should be sufficient to serve all of the dwellings and the existing public sewerage is also sufficient provided that surface water is excluded. Surface water disposal should be agreed with the Environment Agency.

Somerset Industrial Archaeological Society:

No objections as we believe the conversion is sympathetic. Would request that the previous conditions be imposed.

English Heritage:

The scheme is not significantly different from that previously approved and therefore do not wish to intervene.

OTHER REPRESENTATIONS:

12 letters have been received from nearby properties making the following points:

- additional impact upon village facilities
- do not believe that existing approval does not generate sufficient funds to make factory extension viable bearing in mind increase in house prices
- the area is a flood zone
- road will not withstand traffic
- who will reinforce boundary wall
- site outside development boundary
- no on-street parking
- poor public transport
- impact upon nationally important Parrett Trail
- applicant may come back for even more dwellings
- listed building needs improving
- hope road wont become a rat-run. Traffic calming required
- verges should be retained
- A356 speed limit should be lowered to 40mph
- No affordable homes
- Lack of amenity space
- Density is out of character

CONSIDERATIONS:

Members are reminded that a detailed consent exists for 43 units on this site and that the key consideration for this scheme is whether the additional 9 units are justified and whether they will have a detrimental impact.

Principle:

The application site is located outside of the development limits of Merriott and is therefore assessed against countryside policies i.e. development is strictly resisted unless there is a clear justification.

At the time of the previous application the Area West committee considered, that on balance, the retention of a significant local employer, together with the safeguarding of an important historic building justified development in this location.

The applicant has submitted information that he believes demonstrates that the 9 additional units are necessary to provide the income to fund the extension to the factory. Furthermore the applicant has stated that financial lenders are unwilling to provide a loan on the basis of the profit that will be generated by the 43 units and that 52 units will provide sufficient value to satisfy the risks identified.

Members will see from the Economic Development Manager's comments that he is satisfied that the applicants have demonstrated that there is a clear need for these 9 additional units to make the scheme viable.

Aside from the principle of the additional dwellings, the conversion of the listed buildings into apartments is considered to be the only realistic future use for the building and plans have demonstrated that this can be achieved at the same time as protecting its historic character. The additional 6 converted units appears, subject to details being agreed, to be acceptable and makes effective use of the buildings and provides a wider range of dwelling size.

Members should also bear in mind that this is a 'brownfield' site that is not remote from the village and that the additional units will be located within the same area as previously approved.

Impact upon the Listed Building/Conservation Area:

As has already been stated, the safeguarding of the important mill building and associated structures was one of the reasons why the previous permission was granted. The Mill is a very important building that is both architecturally and historically significant. Currently the building is of no real benefit to the business and its maintenance is therefore not a priority. Consequently the condition of the building is worsening and requiring an ever increasing amount of finance to restore it to the appropriate standard. Therefore, finding an appropriate future use for these buildings accords with government advice.

The Conservation Manager raises no objections to the principle of the development and considers that the number of units will not be to the detriment of the character and setting of the listed building - subject to the submission of amended details.

The density of the housing is not considered to be inappropriate for Merriott, especially the Lower Street area, which is characterised by groups of buildings. The form of the new dwellings is also considered to be acceptable, using simple traditional designs and materials.

Negotiations have taken place since the last committee and these have resulted in a variety of amendments. The key area of change is the reduction in scale of the dwelling at the rear of the new build element. It was considered that the amount of 3 storey dwellings did not sit comfortably in this prominent, semi-rural location and the applicants have now conceded this point and as a result are proposing to substitute some of these units with traditional 2-storey

cottages. As a result of this the Conservation Manager does not object to the scheme and recommends appropriate conditions to safeguard the historic buildings.

Highways:

The Highway Authority have assessed this application in relation to the planning permission that was granted earlier this year. They are firmly of the opinion that the additional nine units will not create an unacceptable situation and they consider that the required works required under the S106 from the previous consent will be adequate to mitigate the impact of this scheme.

Affordable housing/planning contributions:

Policies contained within the adopted Local Plan require the planning authority to secure a planning contribution to mitigate the impact of the development. Such contributions normally take the form of affordable housing, play areas, community facilities etc and these costs are absorbed by the developer. If members do accept that the proposal for 52 units is justified in terms of safeguarding the factory then it is considered inappropriate to require such contributions as the applicant believes that 52 is the minimum number of units that will produce the required financial return. If the developer was required to provide 35% of units for affordable housing then it follows that the number of units required would increase substantially.

The Landscape Officer has also referred to the lack of defined amenity space in the locality. This concern is understandable however it is important to bear in mind that no such provision was included in the previous scheme and this application is for the same site area.

It is also important to bear in mind that there is a recently approved permission for 43 units and that the additional 9 units would not in themselves generate any requirement for affordable housing etc. The developer is also required to carry out significant highway works as part of any approval.

Ecology:

Following the last committee a wildlife survey has been carried out and addresses the ecologists concerns about the impact of the development upon wildlife and more particularly bats. This survey has addressed the nature of the conflict and has made recommendations that will avoid an adverse impact. Furthermore, it will be necessary for the applicants to obtain a separate licence from DEFRA before any work can be carried out that will impact upon the bats.

Flooding Issues:

At the time of the previous approval the Environment Agency were satisfied that provided appropriate conditions were imposed, the development would not be at risk from flooding or create flooding issues elsewhere. Furthermore the issue of contaminated land was to be addressed through relevant conditions.

Since the approval the Environment Agency's requirements have become more rigorous and there are other tests that have to be satisfied.

Following the last meeting the applicants have been involved in detailed discussions with the Environment Agency and they have now issued a letter stating that they withdraw their objections to the proposal provided that conditions are imposed. They are satisfied that the Exceptions and Sequential tests have been addressed and that the development will not create additional problems in the locality.

Neighbour Amenity:

It is considered that the proposed dwellings will not have a significant impact upon the amenity of neighbouring properties. The increase in units from 43 to 52 will result in additional activity but it is not considered that this will cause any demonstrable harm to the locality. The new dwellings are some distance from other properties whilst the conversions will not have any additional impact on adjoining properties than already created by the factory use.

Summary

It is considered, on balance, that the creation of 3 additional new builds and 6 additional conversions is acceptable. The applicant has put forward a case explaining that the previous scheme was not viable and did not provide sufficient profit to make it an attractive enough scheme to achieve financial support. This case has been assessed by an independent assessor and the Economic Development Manager and they believe that the applicant's assertions appear to be sound.

As the site straddles a high risk flood zone it was necessary for the Environment Agency to become involved and this has resulted in lengthy discussions. It is however now clear that they do not believe this development will exacerbate any problems.

The Highways Authority are satisfied that the 9 extra units will not warrant any additional improvements to those secured by the previous permission and therefore they raise no objections.

The Conservation Manager is also generally content that the scheme will preserve the character of the buildings and Conservation Area as well as finding a new use for these historically important structures.

RECOMMENDATION:

Application Permitted With Conditions

The application is recommended for approval subject to the attached list of conditions that will also ensure that the requirements of the previous S106 are still maintained.

The residential development of this site has been accepted by the District Council on the basis that it will provide funding for a modernised factory building that will contribute towards the vitality of this important local employer. It is considered that the applicants have demonstrated that the additional units are necessary to provide funding for the required works and that the increase in conversions and 3 additional new build on a brownfield site will not have an adverse impact upon the character of the Conservation Area.

The proposed development will also safeguard the character of this important group of listed buildings, will not be prejudicial to highway safety, amenity or ecology and will not create additional problems within the flood zone.

1. 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.

2. No dwelling shall be occupied unless those buildings that are not identified for retention have been wholly removed, in accordance with a scheme that shall have first been submitted to and approved in writing by the Local Planning Authority.

Reason: To safeguard the character and appearance of the area and safeguard amenity and to accord with ST5 and ST6 of the South Somerset Local Plan 2006.

3. The areas allocated for parking on the submitted plans shall be kept clear of obstruction and shall not be used other than for the parking of vehicles in connection with the development hereby approved.

Reason: In the interests of highway safety and to accord with TP7 of the South Somerset Local Plan 2006.

4. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order) no garage shall be erected on the application site without the express grant of planning permission in respect thereof.

Reason: To safeguard the character and appearance of the area and to accord with ST5 and ST6 of the South Somerset Local Plan 2006.

5. No development approved by this permission shall be commenced until a detailed scheme for improved flood conveyance under the Tail Mill Lane (to the north west of the development site) has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be fully implemented before any dwelling is occupied and shall thereafter be permanently maintained.

Reason: The proposals for the development on the western side of the site depend on this to reduce flood levels in the vicinity and ensure the development is safe and to accord with advice contained within PPS25.

6. No works shall commence unless details of the internal floor levels of the residential units have been submitted to and approved in writing by the Local Planning Authority. Floor levels shall be set at least 300mm above the relevant 1 in 100 year including climate change flood level, as given in Table 4.2 of the Flood Risk Assessment.

Reason: To protect the development from flooding and to accord with advice contained within PPS25.

7. No development approved by this permission shall be commenced until a scheme for flood resilience in the design and construction of the development has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be fully implemented before any dwelling is occupied and shall thereafter be permanently maintained.

Reason: To reduce the impact of any flooding on the development and to accord with advice contained within PPS25.

8. No development approved by this permission shall be commenced until a scheme for the provision of surface water drainage works has been submitted to and approved in writing by the Local Planning Authority. Such a scheme shall utilise Sustainable Drainage Principles and shall not result in an increase in the rate &/or volume of surface water discharge to the local land drainage system. The drainage works shall be completed in accordance with the details and timetable agreed.

Reason: To prevent the increased risk of flooding by ensuring the provision of a satisfactory means of surface water management and to accord with advice contained within PPS25.

9. Prior to the commencement of development approved by this planning permission (or such other date or stage in development as may be agreed in writing with the Local Planning Authority), a scheme to deal with the risks associated with contamination of

the site shall be submitted to and approved by the local planning authority. That scheme shall include all of the following elements unless specifically excluded, in writing, by the Local Planning Authority.

1. A desk study identifying:
 - all previous uses
 - potential contaminants associated with those uses
 - a conceptual model of the site indicating sources, pathways and receptors
 - potentially unacceptable risks arising from contamination at the site
2. A site investigation scheme, based on (1) to provide information for an assessment of the risk to all receptors that may be affected, including those off site.
3. The results of the site investigation and risk assessment (2) and a method statement based on those results giving full details of the remediation measures required and how they are to be undertaken.
4. A verification report on completion of the works set out in (3) confirming the remediation measures that have been undertaken in accordance with the method statement and setting out measures for maintenance, further monitoring and reporting.

Any changes to these agreed elements require the express consent of the local planning authority.

Reason: To prevent pollution of controlled waters and to accord with EP5 of the South Somerset Local Plan 2006.

10. No development approved by this permission shall be commenced until a Construction Environmental Management Plan, incorporating pollution prevention measures, has been submitted to and approved by the Local Planning Authority. The plan shall subsequently be implemented in accordance with the approved details and agreed timetable.

Reason: To prevent pollution of the water environment and harm to amenity and to accord with ST6, EU4 and EU5 of the South Somerset Local Plan 2006.

11. Any facilities for the storage of oils, fuels or chemicals shall be sited on impervious bases and surrounded by impervious bund walls. The volume of the banded compound should be at least equivalent to the capacity of the tank plus 10%. If there is multiple tankage, the compound should be at least equivalent to the capacity of the largest tank, or the combined capacity of interconnected tanks, plus 10%. All filling points, vents, gauges and sight glasses must be located within the bund. The drainage system of the bund shall be sealed with no discharge to any watercourse, land or underground strata. Associated pipework should be located above ground and protected from accidental damage. All filling points and tank overflow pipe outlets should be detailed to discharge downwards into the bund.

Reason: To prevent pollution of the water environment and to accord with EU7 of the South Somerset Local Plan 2006.

12. Prior to being discharged into any watercourse, surface water sewer or soakaway system, all surface water drainage from parking areas and hardstandings shall be passed through trapped gullies with an overall capacity compatible with the site being drained.

Reason: To prevent pollution of the water environment and to accords with EU6 of the South Somerset Local Plan 2006.

13. No development approved by this permission shall commence until a scheme for water efficiency has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented in accordance with the agreed details.

Reason: In the interests of sustainable development and prudent use of natural resources and to accord with ST8 of the South Somerset Local Plan.

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

Reason: In the interests of visual amenity and to accord with ST5, ST6 and EH1 of the South Somerset Local Plan 2006.

15. No development shall take place unless details of all windows, doors, fascias, soffits, downpipes, rainwater goods and other external surfaces have been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved details unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of visual amenity and to accord with ST5, ST6 and EH1 of the South Somerset Local Plan 2006.

16. No works shall be carried out to the doors and windows of the existing buildings that are to be converted unless details of any repairs or refurbishment have been submitted to and approved in writing by the Local Planning Authority. The works shall thereafter be carried out in accordance with the approved plans unless otherwise agreed in writing by the Local Planning Authority.

Reason: To safeguard the character of the listed building and to accord with EH3 of the South Somerset Local Plan 2006.

17. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that order with or without modifications) no fences, gates or walls shall be erected on the site without the prior express grant of planning permission.

Reason: To safeguard the character and appearance of the area and to accord with EH1, ST5 and ST6 of the South Somerset Local Plan.

18. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), no additional windows, including dormer windows, or other openings (including doors) shall be formed in the building, or other external alteration made without the prior express grant of planning permission.

Reason: To safeguard the character and appearance of the area and to accord with ST5, ST6 and EH1 of the South Somerset Local Plan 2006.

19. All new external walls and alterations and making good to existing walls shall be constructed and carried out in matching natural materials (including the matching of pointing and coursing) samples of which shall have been submitted to and approved in writing by the Local Planning Authority before any of the development hereby permitted is commenced.

Reason: To safeguard the character and appearance of the area and to accord with ST5, ST6 and EH1 of the South Somerset Local Plan 2006.

20. The windows comprised in the development hereby permitted shall be recessed in accordance with details to be submitted to and approved in writing with the Local Planning Authority before any work on the development hereby permitted is commenced.

Reason: To safeguard the character and appearance of the area and to accord with ST5, ST6 and EH1 of the South Somerset Local Plan 2006.

21. Before any of the development hereby permitted is first occupied provision shall be made for combined radio, TV aerial and satellite facilities to serve the development and no individual external radio, TV aerial or satellite dish or aerial shall be fixed on any individual residential property or flat or other unit of living accommodation or on any wall or structure relative thereto without the prior express grant of planning permission.

Reason: To safeguard the character and appearance of the area and to accord with ST5, ST6 and EH1 of the South Somerset Local Plan 2006.

22. Details of the surface treatment for all open areas on the site shall be submitted and approved in writing by the District Planning Authority before any development is commenced on site and the development shall thereafter be carried out in accordance with the approved details unless otherwise agreed in writing by the Local Planning Authority.

Reason: To safeguard the character and appearance of the area and to accord with ST5, ST6 and EH1 of the South Somerset Local Plan 2006.

23. Details to provide for the supply of an adequate and clean drinking water supply to all dwellings shall be agreed in writing by the District Planning Authority before any work is commenced on site. Such agreed supply shall be connected to the dwellings before they are first occupied.

Reason: In the interests of public health and to accord with EU4 of the South Somerset Local Plan 2006.

24. The development hereby permitted shall not be commenced until there has been submitted to and approved in writing by the Local Planning Authority a scheme of landscaping, which shall include indications of all existing trees and hedgerows on the land, and details of any to be retained, together with measures for their protection in the course of the development, as well as details of any changes proposed in existing ground levels; all planting, seeding, turfing or earth moulding comprised in the approved details of landscaping 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. The scheme of landscaping shall include details of the protection of trees and hedgerows alongside the access road, details of additional planting alongside the access road and details of the treatments of all boundaries.

Reason: In the interests of visual amenity and to accord with ST5, ST6 and EH1 of the South Somerset Local Plan 2006.

25. In this condition 'retained tree' means an existing tree, which is to be retained in accordance with the details that are required to be submitted and approved in accordance with condition 24 of this approval.

- a) No retained tree shall be cut down, uprooted or destroyed, nor shall any retained tree be topped or lopped other than in accordance with the approved plans and particulars, without the written approval of the Local Planning Authority. Any topping or lopping approved shall be carried out in accordance with British Standard 3998 (Tree Work).
- b) If any retained tree is removed, uprooted or destroyed or dies, another tree shall be planted at the same place and that tree shall be of such size and species, and shall be planted at such time, as may be specified in writing by the Local Planning Authority.
- c) The erection of fencing for the protection of any retained tree shall be undertaken in accordance with the approved plans and particulars before any equipment, machinery or materials are brought onto the site for the purposes of the development, and shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed in any area fenced in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavation be made, without the written consent of the Local Planning Authority.

Reason: In the interests of visual amenity and to accord with ST5, ST6 and EH1 of the South Somerset Local Plan 2006.

26. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), there shall be no extensions to any of the dwellings (including enlargement/extension of roofs) without the prior express grant of planning permission.

Reason: In the interests of neighbour and visual amenity and to accord with ST5 and ST6 of the South Somerset Local Plan 2006.

27. No works shall commence on site unless a Construction and Environmental Management Plan has been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved details unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of neighbour amenity and to accord with EP6 of the South Somerset Local Plan.

28. The scheme hereby granted consent shall not be carried out otherwise than in complete accordance with the submitted plans and specifications and revised scheme. In the event that the work is not completed strictly in accordance with such approved plans and specifications, or shall become impracticable for whatever reason, work shall thereupon cease and only be recommenced if and when Listed Building Consent shall have been obtained in regard to a further amended scheme of works which renders completion of the scheme practicable.

29. No works shall be commence on site unless a detailed submission has been submitted to and approved in writing by the Local Planning Authority giving details of the wildlife mitigation measures as identified in the ecology survey dated August 2007. The submission shall give details of the location of the appropriate measures together with an implementation programme and a future management plan. The development shall thereafter be carried out in accordance with the approved details unless otherwise agreed in writing by the Local Planning Authority.

Reason: For the protection of legally protected species and to accord with EC8 of the South Somerset Local Plan 2006.

30. No works shall commence unless a scheme for the management of the Mill Pond have been submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of clearance, restoration and planting together with an implementation programme. The development shall thereafter be carried out in accordance with the approved scheme unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of visual amenity and biodiversity and to accord with EH1, ST5 and ST6 of the South Somerset Local Plan 2006.

31. No dwelling shall be occupied unless provision has been made for waste and recycling collection, details of which shall have been submitted to and approved in writing by the Local Planning Authority. The provision shall be carried out fully in accordance with the approved details and permanently maintained unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of amenity and to accord with ST6 of the South Somerset Local Plan 2006.

32. No works shall commence upon the conversion of the buildings unless details of all staircases and handrails have been submitted to and approved in writing by the Local Planning Authority. The works shall thereafter be carried out in accordance with the approved details unless otherwise approved in writing by the Local Planning Authority.

Reason: In the interests of the character of the listed building and to accord with EH3 of the South Somerset Local Plan 2006.

33. No works shall commence on the conversion of the buildings unless details of all works to floors, ceilings, walls and all other internal structural alterations have been submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of the character of the listed building and to accord with EH3 of the South Somerset Local Plan 2006.

34. No works shall commence on the conversion of the buildings unless a scheme of external works required for each building has been submitted to and approved in writing by the Local Planning Authority. The scheme shall provide photographic records of the existing situation together with plans and specifications for the required works. The works shall thereafter be carried out in accordance with the approved plan unless otherwise agreed in writing by the Local Planning Authority.

Reason: To safeguard the character of the listed building and to accord with EH3 of the South Somerset Local Plan 2006.

35. No development shall begin on site unless details of a scheme have been submitted to and approved in writing by the Local Planning Authority that will ensure that the requirements of the previous approval are fully adhered to:

- the highway works as required by the highway authority and approved as part of the previous application(02/01696/FUL) are fully carried out at the appropriate time
- the factory building approved under planning reference 07/02464/FUL is fully constructed prior to the occupation of any dwelling approved as part of this application

Reason: To ensure that the appropriate infrastructure is in place and to ensure that the replacement employment floor space is provided so as to ensure the future viability of the business and to accord with ST10 of the South Somerset Local Plan.