

## South Somerset District Council

**Minutes** of a meeting of the **Regulation Committee** held in the **Council Chamber, Council Offices, Brympton Way, Yeovil on Tuesday 21 March 2023.**

(10.00 - 11.05 am)

**Present:**

**Members:** Councillor Peter Gubbins (Chairman)

Tony Capozzoli	Peter Seib
Adam Dance	Andy Soughton
Tony Lock	Martin Wale
Sue Osborne	Mike Stanton
Paul Rowsell	

**Also present:**

Dave Bulmer

**Officers**

Jo Boucher	Case Officer (Strategy & Support Services)
Becky Sanders	Case Officer (Strategy & Support Services)
John Hammond	Lead Specialist (Built Environment)
Paula Goddard	Specialist (Legal Services)

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### 155. Minutes (Agenda Item 1)

The minutes of the Regulation Committee meeting held on 14<sup>th</sup> February 2023, copies of which had been circulated, were agreed as a correct record and signed by the Chairman.

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### 156. Apologies for Absence (Agenda Item 2)

Apologies for absence were received from Councillors Jason Baker, Sarah Dyke, Paul Maxwell and William Wallace.

Apologies for absence were also received from Councillor Dean Ruddle who was substituted by Councillor Mike Stanton.

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### 157. Declarations of Interest (Agenda Item 3)

There were no declarations of interest.

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### 158. Public Question Time (Agenda Item 4)

There were no questions from members of the public.

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**159. Planning Application 22/00612/FUL - Land at Millfield, Millfield Industrial Estate, Millfield, Chard TA20 2BB (Agenda Item 5)**

***Proposal: Redevelopment of site with 20,611sqm (GIA) of commercial floorspace (use class B2 and B8 with ancillary office space), creation of new access and all associated works.***

The Lead Specialist presented the application and with the aid of slides showed the site, location and proposed plans. He also highlighted:

- Existing Numatic building opposite the site.
- Former Oscar Mayer site prior and post demolition.
- Proposed landscaping design including proposal of 'green wall' and 'brown roof' to provide biodiversity benefits.
- Site layout.
- Various elevations of the proposed building.

The Lead Specialist presented the key considerations and comments in summarised form were:

- Principle of Development – Need to support local economic growth and following the closure of Oscar Mayer will help to provide long term investment and productivity for the local area as a principal employer.
- Landscape/Visual Amenity– Sited on relatively low-lying ground and with the proposed boundary hedge planting and landscape design with no loss of trees is considered to have little impact to the character or landscape of the area.
- Highway Safety – Proposed provision for parking and cycle parking and complies with highway authority requirements with regards to the range of parking opportunities. Noted that SCC broadly accept the submitted travel plan however are seeking a safeguarding fee which would allow them to take remedial work if the travel plan were to fail.
- Flood Risk – Extensive consultation has taken place between the applicant and the Lead Local Flood Authority (LLFA) who have recognised the existing site is largely hard surfaced and considered to provide no significant harm.
- Biodiversity – Proposed biodiversity enhancement measures to be included on site.
- Phosphates – Commercial development is excluded from the phosphate requirement as approach taken that in general employees would already work and live within the catchment area.
- Amenity – There is significant screening between the site and the nearest property Lordleaze Hotel. Acoustic assessment has been carried out which is also considered acceptable.

He referred to the consultation and representations received, with statutory consultees raising no objections and only one third party objection regarding highway and access. He concluded that after considering all the responses and advice, as outlined in the agenda report, his recommendation was to approve the application subject to the conditions as set out in the agenda report.

The Lead Specialist also clarified in detail the current position regarding the submitted travel plan and background discussions with SCC, who are seeking a safeguarding fee which would allow them to take remedial work if the travel plan were to fail. He

explained the suggestion to split the travel plan in two, with the bulk of work to be governed by condition with the safeguarding fee being undertaken by a stand-alone Unilateral Undertaking. He clarified the two likely options being:

1. Should the committee believe the monitoring fee is necessary to provide the Highways Authority with 5 working days to provide any comments upon the wording of the Unilateral Undertaking insofar as it secures and protects the Safeguarding Sum and thereafter conclude the S.106 as soon as reasonably possible.
2. If the committee do not consider it necessary, then to approve subject to a measures only travel plan (i.e. with no sum taken for specific monitoring) given the applicant are already carrying out much of what SCC require.

In response to members' questions the Lead Specialist clarified:

- Should the safeguarding fee not be required by SCC he understood there would be the provision to repay this fee after a ten-year period.
- With the aid of slides clarified the tree boundary planting between the Lordlease Hotel which he considered provided a significant break.
- The distribution area and activity of lorries serving the site with no condition imposed restricting evening working.
- The position with SCC and the reason to include a five-day period of response was to ensure timely resolution.
- This application was part of the bigger site and therefore appropriate provision for EV charging points would be part of the travel plan across the whole site and obligation of the applicant.
- The outcome risk if the committee did not consider a safeguarding sum necessary, (i.e. with no sum taken for specific monitoring) given the applicant are already carrying out what SCC require.
- The Legal Specialist also advised the committee of the condition included regarding the travel plan and that enforcement rules would apply should the applicant breach any of the travel plan measures.

Councillor Dave Bulmer, ward member then addressed the committee and spoke in support of the application. His comments included:

- Had initial concerns due the recent flooding in Chard, however, was pleased these issues have now been addressed within the application and agreed with the LLFA.
- Excellent biodiversity elements proposed within the application.
- Any further delay in the application could compromise the progress of Numatics long term plans.
- Felt the submitted travel plan measures were sufficient given that many of the locally employed people already walk and cycle to the site on a regular basis.

The applicant then addressed the committee. His comments included:

- Referred to a recent employee travel survey as part of their sustainability programme showing around 26% of employees already cycle or walk to work.
- Confirmed 16 EV charging points were already located on the main site and with any further alterations these are to be increased.
- Explained the history and growth of the business over the years including the increase in production, site development and employees.

- This proposal will help reconfigure the existing factory buildings to produce other product ranges more efficiently and increase total growth capacity.

A further representative of the applicant addressed the committee. His comments included:

- Numatic were an excellent local charitable company who had recently given land to SCC and carried out infrastructure works to help develop and link the national cycle route through Chard.
- Globally the company had many worldwide distribution sites and that this application would allow them to continue production in this country and in Chard.
- Noted only one objection of concern had been received regarding highways.
- Proposed orientation of the buildings had been designed not only regarding the levels of the site, but consideration of the nearby hotel to help mitigate any noise nuisance or disturbance.

Following members discussion, comments included:

- Numatic were an excellent local company and praised the influence the company had on the local area including the recent purchase and proposed development of the Oscar Mayer site.
- Did not consider it necessary to pursue the obligation of a unilateral undertaking to secure the payment of a safeguarding fee of £90,466 as set out within the agenda report as believed the applicant were a very respectable and compliant company and that this money would be put to better effect supporting the travel plan.
- Numatic are a critical strategic employer both locally and nationally and therefore should do everything to support and encourage this business to provide high quality employment for the future and therefore should remove the safeguarding fee as believe this is not necessary.

Following a short discussion, it was then proposed and subsequently seconded to approve the application with the conditions as set out in the agenda report but with an amendment to the recommendation to remove the wording regarding the obligation to secure a safeguarding sum of £90,466 to the highway authority.

For clarification, the Lead Specialist then provided the following wording to support this:

*'The Regulation Committee recognised that this application represents the expansion of a business that is long established within Chard and is reliant upon a number of buildings that are not the subject of any travel plan. The committee also recognises that Numatic has to date put in place a number of travel plan initiatives including covered cycle parking and showers. Car share and high levels of walking and cycling. As such the committee considered that Numatic has demonstrated a commitment to deliver modal shift across its estate and as such, the residual risks of non-delivery of a safeguarding sum represents a marginal level of risk to the authorities. '*

Members fully agreed to this wording and on being put to the vote was carried unanimously.

## RESOLVED:

That application **22/00612/FUL** be granted planning permission:

### Reason:

The Regulation Committee recognised that this application represents the expansion of a business that is long established within Chard and is reliant upon a number of buildings that are not the subject of any travel plan. The committee also recognises that Numatic has to date put in place a number of travel plan initiatives including covered cycle parking and showers. Car share and high levels of walking and cycling. As such the committee considered that Numatic has demonstrated a commitment to deliver modal shift across its estate and as such, the residual risks of non-delivery of a safeguarding sum represents a marginal level of risk to the authority.

And for the following reason:

01. The proposal represents an appropriate form of development on an established employment site which is acceptable in principle having regard to up-to-date guidance within the National Planning Policy Framework. Subject to the imposition of various planning conditions, the proposed new employment development, alongside existing commercial development, and associated external activities associated with such employment use, would cause no demonstrable harm to the character and appearance of the area and to landscape setting and would have no significant detrimental impact on highway safety, flood risk and drainage, biodiversity, residential amenity or impact on the Somerset Levels and Moors catchment area.

Accordingly, the proposed scheme is considered to accord with Policies SD1, SS1, SS3, SS6, EP3, TA1, TA4, TA5, TA6, EQ1, EQ2, EQ4, EQ5 and EQ7 of the South Somerset Local Plan and relevant guidance within 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. Except for any details which require the submission of additional information being the subject of any condition attached to this permission, in all other respects the development hereby permitted shall be carried out in accordance with the following approved drawings:

- Drawing no. 4455-PL-001 - Location Plan
- Drawing no. 4455-PL-002 Rev N - Site Layout Plan
- Drawing no. 4455-PL-003 Rev M - Ground Floor Plan
- Drawing no. 4455-PL-004 Rev K - First Floor Plan
- Drawing no. 4455-PL-005 Rev L - Second Floor Plan
- Drawing no. 4455-PL-006 Rev H - Elevations 1 of 2
- Drawing no. 4455-PL-007 Rev H - Elevations 2 of 2
- Drawing no. 4455-PL-008 Rev H - Sections A-A, B-B & C-C
- Drawing no. 4455-PL-009 - Block Plan
- Drawing no. 4455-PL-010 Rev A - Elevations 1 of 2 (Green Walling Omitted)

- Drawing no. 4455-PL-011 Rev A - Elevations 2 of 2 (Green Walling Omitted)
- Drawing no. 4455-BB-XX-XXX-DR-L-201 Rev B - Landscape Mitigation Plan
- Drawing no. 4455-BB-XX-XXX-DR-L-401 Rev B - Typical Section
- Drawing no. 21658-HYD-XX-XX-DR-TP-0001 Rev P02 - Western Site Access General Arrangements (within Transport Statement dated 4 July 2022)
- Drawing no. 21658-HYD-XX-XX-DR-TP-0002 Rev P02 - Central Site Access General Arrangement (within Transport Statement dated 4 July 2022)
- Drawing no. 21658-HYD-XX-XX-DR-TP-0003 Rev P03 - Eastern Site Access General Arrangement within Transport Statement dated 4 July 2022)
- Drawing no. 21658-HYD-XX-XX-DR-TP-0004 Rev P01 - Swept Path Analysis 16.5m Articulated Vehicle
- Drawing no. 21658-HYD-XX-XX-SK-TP-0002 Rev P04 - Site Layout Appraisal (within Transport Statement dated 4 July 2022)
- Drawing no. 80589-01 Rev F - Drainage Strategy
- Drawing no. 80589-03 Rev C - Proposed Road Levels
- Drawing no. 80589-07-01 - Proposed Site Levels Section A-A
- Drawing no. 80589-07-02 - Proposed Site Levels Section B-B & C-C
- Drawing no. 80589-07-03 - Proposed Site Levels Section D-D & F-F
- Drawing no. 80589-07-04 - Proposed Site Levels Section E-E
- Drawing no. 80589-07-08 - Existing Exceedance Flows

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

03. No removal of potential bird nesting habitats, comprised of hedgerows, trees, scrub, shrubs and ruderal vegetation shall take place between 1st March and 30th September inclusive, unless a competent ecologist has undertaken a careful, detailed check of vegetation for active birds' nests immediately before works proceed and vegetation is cleared and provided written confirmation that no birds will be harmed and/or that there are appropriate measures in place to protect nesting bird interest on site. Any such written confirmation should be submitted to the Local Planning Authority and written agreement from the Local Planning Authority so obtained.

Under no circumstances should blocking bird access to certain areas and features in using plastic bird netting hung over the gaps and apertures be carried out, as this can lead to entrapment from birds caught in netting.

Reason: To provide adequate safeguards for nesting birds, which are afforded protection under the Wildlife and Countryside Act 1981 (as amended), having regard to Policy EQ4 of the South Somerset Local Plan and relevant guidance within the NPPF.

04. Prior to construction works commencing, any vegetation on the application site shall initially be reduced to a height of 10 centimetres above ground level by hand, brushings and cuttings removed and the remainder left for a minimum period of 48 hours of fine warm weather (limited rain and wind, with temperatures of 10°C or above) before clearing to minimise the risk of harming/killing any reptiles that may be present and to encourage their movement onto land retained in the northern section of the site. This work may only be undertaken during the period between March and October under the supervision of competent ecologist. Once cut, vegetation shall be maintained at a height of less than 10cm for the duration of the construction period. A letter confirming these operations and any findings shall be submitted to the Local Planning Authority by the ecologist

responsible and acknowledged in writing by the Local Planning Authority within 14 days of receipt.

Reason: This condition is imposed to maintain this unfavourable status in the interests of UK protected species and in accordance with Policy EQ4 of the South Somerset Local Plan and relevant guidance within the NPPF.

05. Prior to commencement of the groundworks and construction phases of this development, the phased requirements of the submitted scheme of tree and hedgerow protection measures as prepared by Hellis Solutions Ltd within the document titled "Arboricultural Method Statement" (November 2022) and the Tree Protection Plan ref: TPPMIB contained therein shall be installed, implemented and completed in strict accordance with the approved details, and the applicant's appointed competent Arboriculturalist shall inspect and confirm in writing to the Local Planning Authority that the approved tree and hedgerow protection measures (in particular, any required fencing, signage and ground-protection installations) are installed to the required approved standard, prior to any such development works commencing.

Thereafter the approved tree and hedgerow protection requirements shall remain implemented in accordance with the requirements of the approved scheme throughout the duration of the construction of the development (inclusive of hard and soft landscaping measures) and shall only be moved, removed, or dismantled in accordance with the terms of the approved scheme, or as otherwise may previously be agreed in writing by the Local Planning Authority.

Reason: The implementation and completion of an approved scheme for the protection of all retained trees and hedges, and confirmation in writing from a competent Arboriculturalist that such an approved scheme has been carried out to an approved standard, prior to the commencement of works is fundamental to satisfy the Local Planning Authority that the trees and hedges to be retained will not be damaged during construction thus retaining continuity of tree cover and maintaining and enhancing the quality and character of the area, including ecological, environmental and biodiversity benefits, having regard to Policies EQ2, EQ4 and EQ5 of the South Somerset Local Plan and relevant guidance within the NPPF.

06. At no time during the construction phases of the development hereby permitted shall the following works be carried out within the Root Protection Areas (RPA as defined in BS5837:2012) of any retained tree and hedgerow, except with the prior written approval of the Local Planning Authority:
- (a) Notwithstanding the provisions of Article 3, Schedule 2, Part 4, Class A of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (or any Order revoking, re-enacting or modifying that Order), no materials, equipment, machinery or structure shall be attached to or supported by a retained tree or hedgerow within said RPA and no materials shall be stored, temporary buildings erected, moveable structures, works, plant or machinery placed or ground levels altered within any part of the RPA).
  - (b) No mixing of cement or use of other contaminating materials or substances shall take place within, or close to, a RPA that seepage or displacement could cause them to enter a RPA.

- (c) Levels shall not be raised or lowered in relation to existing ground levels within the RPA of any retained tree or hedgerow.
- (d) No roots shall be cut, trenches dug, or soil removed within the RPA of any retained tree or hedgerow.
- (e) No buildings, hardened areas or other engineering operations shall be constructed or carried out within the RPA of any retained tree or hedgerow.
- (f) No vehicles shall be driven over the area of the RPA of any retained tree or hedgerow.

Reason: To ensure the wellbeing of trees and hedges to be retained and continuity of tree cover and maintaining and enhancing the quality and character of the area, including ecological, environmental and biodiversity benefits, having regard to Policies EQ2, EQ4 and EQ5 of the South Somerset Local Plan and relevant guidance within the NPPF.

- 07. No development shall take place until a Construction Environmental Management Plan (CEMP), including a method statement detailing the working methods to be employed on site during the construction works (and preparation associated with construction works) and a scheme for the prevention of pollution, has been submitted to and approved in writing by the Local Planning Authority. Thereafter, throughout the construction period, the approved details within the CEMP shall be strictly adhered to.

The CEMP shall include:

- (a) 24 hour emergency contact number
- (b) The hours of construction operations, and deliveries to and removal of plant, equipment, machinery and waste from the site. Such construction works and deliveries shall be carried out only between 08.00 hours and 18.00 hours Mondays to Fridays; 08.00 hours and 13.00 hours on Saturdays, and at no times on Sundays and Bank or Public Holidays, unless the Local Planning Authority gives prior written agreement to any changes in the stated hours
- (c) Parking of vehicle of site operatives and visitors (including measures taken to ensure satisfactory access and movement for existing occupiers of neighbouring properties during construction)
- (d) Routes for construction traffic
- (e) Locations for loading/unloading and storage of plant, waste and construction materials
- (f) Method of preventing mud being carried onto the highway, including the siting and design of wheel washing facilities and management of any subsequent run-off resulting from their use, together with the regular use of a road sweeper for the local highways. Any washing of vehicles or vehicle wash facilities must be connected to the foul sewer, with the necessary approval from the relevant sewerage undertaker.
- (g) Measures to protect vulnerable road users (cyclists and pedestrians)
- (h) Any necessary temporary traffic management measures
- (i) Arrangements for turning vehicles
- (j) Arrangements to receive abnormal loads or unusually large vehicles
- (k) Methods of communicating the Construction Management Plan to staff, visitors and neighbouring residents and businesses.
- (l) Methods and means to ensure site security
- (m) Locations of areas for any fuel oil storage, bunding, deliveries of fuel oil and use. Any oil or chemical storage facilities should be sited in bunded areas. The capacity of the bund should be at least 10% greater than the capacity of the



- storage tank or, if more than one tank is involved, the capacity of the largest tank within the bunded area. Hydraulically inter-linked tanks should be regarded as a single tank. There should be no working connections outside the bunded area.
- (n) Locations of designated and protected areas where any re-fuelling of any vehicles may be carried out. If vehicles are re-fuelled on site, then this must be carried out in a designated area positively drained via an interceptor, of suitable standard, to foul sewer, subject to the consent of the sewerage undertaker.
  - (o) Methods of dealing with, containing and disposing of any minor and major spillages of pollutants
  - (p) Containment of silt/soil contaminated run off
  - (q) Means of disposal of contaminated drainage, including water pumped from excavations. There shall be no discharge of foul or contaminated drainage from the site into either groundwater or any surface waters, whether direct to watercourses, ponds, or lakes, or via soakaways/ditches
  - (r) Confirmation of site induction for workforce highlighting pollution prevention and awareness.

Reason: The agreement of details of a Construction Environmental Management Plan and details for the prevention of pollution prior to the commencement of development is fundamental to ensure a satisfactory level of environmental protection, including prevention of pollution to the water environment; to minimise disturbance to local residents; the prevention of harm being caused to the amenity of the area; and in the interests of highway safety during the construction process, having regard to Policies TA5, EQ2, EQ4 and EQ7 of the South Somerset Local Plan and relevant guidance in the NPPF.

08. Notwithstanding the details indicated on the submitted drawings and Design and Access Statement, prior to construction/progression of any part of the development hereby permitted above slab level/ground floor level, a schedule of materials and (colour) finishes (including samples and trade descriptions/brochure details where appropriate) of materials to be used in the external surfaces of the development (including windows and doors) and a detailed specification of the green walls (detailing quantity, size, species, position and the proposed time of planting of all elements of the green walls, together with details of anticipated routine maintenance and protection) shall be submitted to and approved in writing by the Local Planning Authority.

The development shall be constructed in accordance with the approved details and completed before the development is first occupied/used (or completed to a stage previously agreed in writing by the Local Planning Authority) and thereafter shall be retained and maintained in that form, unless the Local Planning Authority gives prior written approval to any subsequent variation.

Reason: To enable the Local Planning Authority to consider the details of all external finishing materials/landscaping prior to their installation/construction/planting at an appropriate stage during the development to ensure that the development displays good design practise and reflects local distinctiveness, having due regard to safeguarding visual amenity and in accordance with Policy EQ2 of the South Somerset Local Plan and relevant guidance within the NPPF.

09. A scheme of hard and soft landscaping shall be completely carried out in accordance with the details indicated on the approved drawings nos. 4455-BB-

XX-XXX-DR-L-201 Rev B "Landscape Mitigation Plan" and 4455-BB-XX-XXX-DR-L-401 Rev B "Typical Section" within the first available dormant planting season (November to February inclusive) from the date of first occupation/use of the development, or as otherwise extended with the prior agreement in writing of the Local Planning Authority.

For a period of five years after the completion of the approved landscaping scheme, the trees, hedges, and shrubs shall be protected and maintained in a healthy weed free condition. Any trees, hedges or shrubs that cease to grow or are felled, removed, uprooted, destroyed, or die, or become in the opinion of the Local Planning Authority seriously damaged, diseased or defective, shall be replaced by trees, hedges or shrubs of similar size and species, or other appropriate trees, hedges or shrubs as may be approved in writing by the Local Planning Authority. This replacement planting shall be undertaken before the end of the first available planting season (October to March inclusive for bare root plants), following the removal, uprooting, destruction or death of the original trees or plants.

Reason: To safeguard and enhance the landscape character and visual amenity of the area; to help assimilate the development into its immediate surrounds; to prevent the use of the site by hazardous birds at all stages of the development and in perpetuity; and to provide ecological, environmental and biodiversity benefits, having regard to Policies EQ2 and EQ4 of the South Somerset Local Plan and relevant guidance within the NPPF.

10. Prior to first occupation/use of the development hereby permitted, a minimum of two Woodcrete bat boxes (or similar) and a wooden barn owl box shall be installed within the line of trees along the southern boundary of the site, in accordance with details indicating the siting, exact type and design of such bat and barn owl boxes which shall be previously submitted to and approved in writing by the Local Planning Authority.

Photographs showing the erection or installation of these ecological enhancement measures shall be submitted to the Local Planning Authority by the applicants/developer and the Local Planning Authority shall acknowledge receipt and confirm its acceptance of the photograph within 21 days thereafter following its receipt.

Thereafter, such ecological enhancement features shall be retained and maintained in-situ and shall not be removed, either in whole or in part, without the prior written approval of the Local Planning Authority. Under no circumstances should blocking of these approved bat and barn owl boxes be carried out and they shall be kept free from vegetation.

Reason: The provision of, and submission to, and written confirmation of acceptance by, the Local Planning Authority of the photographs of the stated ecological enhancement measures is fundamental to ensure that the development contributes to the Government's target of no net biodiversity loss as set out in the NPPF, Policy EQ4 of the South Somerset Local Plan, and obligations for biodiversity under the Natural Environment and Rural Communities Act 2006.

11. Prior to the erection, installation, fixing, placement and/or operation of any external lighting on the site, details of such external lighting (including amenity and security lighting) shall be submitted to and approved in writing by the Local Planning Authority, including through the provision of technical specifications. Such details shall include the equipment and supporting structures, positions, sizes, heights, type, luminance/light intensity, direction and cowling of all external lights to the buildings and any other parts of the application site edged red and the hours at which such lighting is to be operated, so that it can be clearly demonstrated that areas to be lit will not disturb or prevent bats using their territory or having access to their resting places.

The external lighting shall thereafter be carried out in accordance with the approved details (unless the Local Planning Authority gives prior written approval to any subsequent variations) and shall thereafter be retained in that form and under no circumstances shall it cause light pollution.

Reason: To safeguard any biodiversity interests and in the interests of public safety and convenience, having regard to Policies EQ2, EQ4 and TA5 of the South Somerset Local Plan and relevant guidance within the NPPF.

12. Prior to first occupation/use of the development hereby permitted, the proposed accesses shall be constructed in accordance with details shown on the approved drawings. The proposed accesses over at least the first 20 metres of their length, as measured from the edge of the adjoining highway, shall be properly consolidated, and surfaced (not loose stone or gravel) and provision shall be made within the site for the disposal of surface water so as to prevent its discharge onto the highway.

Once constructed the accesses and on-site drainage shall thereafter be maintained in that condition in perpetuity.

Reason: In the interests of sustainable development and highway safety, further to Policies TA5 and EQ2 of the South Somerset Local Plan and relevant guidance within the NPPF.

13. There shall be no obstruction to visibility greater than 600mm above adjoining road level in advance of lines drawn 2.4m back from the carriageway edge on the centre line of the access and extending to points on the nearside carriageway edge 43 metres either side of them. Such visibility shall be fully provided before the development hereby permitted is first occupied/used and shall thereafter be maintained at all times.

Reason: In the interests of highway safety and public convenience, having regard to Policies TA5 and EQ2 of the South Somerset Local Plan and relevant guidance within the NPPF

14. Prior to first occupation / use of the development for the purposes hereby permitted, all vehicular and bicycle parking, electric vehicle charging points, turning, loading and servicing areas shall be provided, laid out and completed in accordance with the details indicated on the approved drawings.

Thereafter the vehicular, motorcycle and bicycle parking spaces, electric vehicle charging points and the turning, loading and servicing areas shall be maintained

and retained for such purposes and shall only be used for their designated purposes for the parking and turning of vehicles and for the loading and unloading of vehicles used by persons working, visiting or attending at the site (unless otherwise agreed in writing by the Local Planning Authority), and shall be kept permanently free from any other forms of obstruction.

Reason: To ensure that safe and convenient on-site parking, turning and servicing/loading/unloading areas are provided and thereafter retained in the interests of public safety and convenience, and to ensure provision of electric vehicle charging points for low emission vehicles as part of the transition to a low carbon economy, having regard to Policies TA1, TA5 and TA6 of the South Somerset Local Plan and relevant guidance within the NPPF.

15. Notwithstanding the details set out within the submitted Travel Plan (Issue P04) document dated 28 June 2022 (Ref 21658-HYD-XX-XX-RP-TP-6001) prepared by Hydrock, prior to first occupation/use of the development for the purposes hereby permitted, a Travel Plan shall be submitted to and approved in writing by the Local Planning Authority (in consultation with the Local Highway Authority)

Thereafter, the details set out within the approved Travel Plan document shall be strictly implemented and adhered to and maintained and retained in perpetuity and there shall be no variations to the approved Travel Plan without the prior written approval of the Local Planning Authority (in consultation with the Local Highway Authority).

Reason: To support future staff and potential visitors in making informed decisions about their travel and to provide staff with the necessary management tools to enable them to choose sustainable modes of travel to the site. In doing so, the adverse impacts of travel on the environment and the local highway network will be minimised, thus having regard to Policies SD1, TA1, TA4, TA5 and EQ2 of the South Somerset Local Plan and relevant guidance in the NPPF.

16. In the event that contamination is found at any time when carrying out the approved development that was not previously identified, work shall cease, and it must be reported in writing immediately to the Local Planning authority by the applicant/developer. An investigation and risk assessment must be undertaken and, where remediation is necessary, a remediation scheme must be prepared; these will be subject to the written approval of the Local Planning Authority. Following the completion of any measures identified in the approved remediation scheme a validation report must be prepared, which shall be subject to approval in writing from the Local Planning Authority prior to the occupation/use of any part of the development so affected by the contaminated area.

Reason: In the event that unsuspected contamination is encountered, the agreement of various risk assessments and any necessary remediation measures and validation report undertaken is fundamental to ensure that risks from land contamination to the future users of the land are minimised, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other off-site receptors, having regard to Policies EQ2 and EQ7 of the South Somerset Local Plan and relevant guidance within the NPPF.

Informatives:

01. Legal Agreement

This permission shall be read in conjunction with the planning obligation by way of unilateral undertaking, made pursuant to Section 106 of the Town and Country Planning Act 1990 (as amended), given by Numatic International Limited to South Somerset District Council, and dated xx March 2023.

02. Bats and Bat Roosts

The developers and their contractors are reminded of the legal protection afforded to bats and bat roosts under legislation including the Conservation of Habitats and Species Regulations 2017. In the unlikely event that bats are encountered during implementation of this permission it is recommended that works stop and advice is sought from a suitably qualified, licensed and experienced ecologist at the earliest possible opportunity.

03. Birds

The developer/applicant is reminded of the legal protection afforded to nesting birds under the Wildlife and Countryside Act 1981 (as amended). In the event that nesting birds are encountered during implementation of this permission it is recommended that works stop until the young have fledged or then advice is sought from a suitably qualified and experienced ecologist at the earliest possible opportunity.

In the event that vegetation removal will be taking place then further consultation must be sought prior to this.

04. Badger Protection

The applicant/developers are reminded of the legal protection afforded to badgers and their resting places under the Protection of Badgers Act 1992 (as amended). It is advised that, during construction, excavations or large pipes (greater than 200mm diameter) must be temporarily capped or covered at night. Any open excavations will need a means of escape, for example a plank or sloped end, to allow any animals to escape. In the event that badgers, or signs of badgers, are unexpectedly encountered during implementation of this permission it is recommended that works stop until advice is sought from a suitably qualified and experienced ecologist at the earliest possible opportunity.

05. Lighting

In respect of condition 11, light could cause nuisance to existing properties and ecological interests. Any lighting should be screened to minimise direct illumination falling on land outside of the development. Appropriate shields, baffles, louvres or diffusers should be installed prior to their use to ensure that nuisance to nearby properties is minimised. As well as giving consideration to direct glare, any lighting scheme shall also take into account upward reflection. Any lighting scheme should be designed in accordance with the Institute of Lighting Engineers "Guidance Notes" for the Reduction of Light Pollution (2011) or similar guidance recognised by the Council, and also Guidance Note 08/18 "Bats and artificial lighting in the UK", issued by the Bat Conservation Trust and Institution of Lighting Professionals. The design should accord with Step 5 of Guidance Note 08/18, including submission of contour plans illustrating

Lux levels. Lux levels should be below 0.5 Lux on the identified horseshoe bat commuting routes.

06. Highways Agreement

In respect of condition 12, as approval of the construction either on or directly adjacent to the highway will require an Agreement or Licence with the Local Highway Authority, no discharge of this condition will be agreed until either technical approval or the licence has been granted.

Any systems provided for the purposes of draining the site shall be constructed and maintained privately until such time as the drainage is adopted. At no point will the Highway Authority accept private infrastructure being connected into highway drainage systems. Consent from the riparian owner of any land drainage facilities affected, that are not within the developer's title, will be required for adoption.

(voting: unanimous)

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Chairman

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Date