



Regulation Committee

Tuesday 21st March 2023

10.00 am

**Council Chamber, Council Offices
Brympton Way, Yeovil, BA20 2HT**

(disabled access and a hearing loop are available at this meeting venue)



Members listed on the following page are requested to attend the meeting.

The public and press are welcome to attend.

Any members of the public wishing to attend, or address the meeting at Public Question Time or regarding the planning application are asked where possible to email **democracy@southsomerset.gov.uk** by 9.00am on Monday 20 March, so that we can advise on the options for accessing the meeting.

For further information on the items to be discussed, please contact **democracy@southsomerset.gov.uk**

This meeting will be live streamed and viewable on YouTube by selecting the committee meeting at: **https://www.youtube.com/channel/UCSDst3IHGj9WoGnwJGF_soA**

This Agenda was issued on Monday 13 March 2023.

Jane Portman, *Chief Executive Officer*



This information is also available on our website **www.southsomerset.gov.uk** or via the **mod.gov** app

Regulation Committee Membership

The following members are requested to attend the meeting:

Chairman: Peter Gubbins
Vice-chairman: Andy Soughton

Jason Baker
Tony Capozzoli
Adam Dance
Sarah Dyke

Tony Lock
Paul Maxwell
Sue Osborne
Paul Rowsell

Dean Ruddle
Peter Seib
Martin Wale
William Wallace

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Regulation Committee

Meetings of the Regulation Committee are usually held monthly, at 10.00am, on the third Tuesday of the month (unless advised otherwise), at the Council Offices, Brympton Way, Yeovil.

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Information for the Public

Public Participation at Committees

This is a summary of the Protocol adopted by the Council and set out in Part 3 of the Council's Constitution.

Public Question Time

The period allowed for participation in this session shall not exceed 15 minutes except with the consent of the chairman of the committee. Each individual speaker shall be restricted to a total of three minutes.

Planning Applications

Comments about planning applications will be dealt with at the time those applications are considered, rather than during the Public Question Time session.

Comments should be confined to additional information or issues, which have not been fully covered in the officer's report. Members of the public are asked to submit any additional documents to the planning officer at least 72 hours in advance and not to present them to the Committee on the day of the meeting. This will give the planning officer the opportunity to respond appropriately. Information from the public should not be tabled at the meeting. It should also be noted that, in the interests of fairness, the use of presentational aids (e.g. PowerPoint) by the applicant/agent or those making representations will not be permitted. However, the applicant/agent or those making representations are able to ask the Planning Officer to include photographs/images within the officer's presentation subject to them being received by the officer at least 72 hours prior to the meeting. No more than 5 photographs/images either supporting or against the application to be submitted. The Planning Officer will also need to be satisfied that the photographs are appropriate in terms of planning grounds.

At the committee chairman's discretion, members of the public are permitted to speak for up to 3 minutes each and where there are a number of persons wishing to speak they should be encouraged to choose one spokesperson to speak either for the applicant or on behalf of any supporters or objectors to the application. The total period allowed for such participation on each application shall not normally exceed 15 minutes.

The order of speaking on planning items will be:

- County Council, Town or Parish Council Representative
- Objectors
- Supporters
- Applicant and/or Agent

Ward members, if not members of the Regulation Committee, will speak after the town/parish representative.

If a member of the public wishes to attend or speak they should contact Democratic Services (democracy@southsomerset.gov.uk) by 9.00am on the day prior to the meeting and provide their name and whether they have supporting comments or objections, or who they are representing. If this is not possible and a member of the public wishes to speak, they must inform the committee administrator before the meeting begins of their name and whether they have supporting comments or objections and who they are representing - this must be done by completing one of the public participation slips available at the meeting.

In exceptional circumstances, the Chairman of the Committee shall have discretion to vary the procedure set out to ensure fairness to all sides.

If a Councillor has declared a Disclosable Pecuniary Interest (DPI) or a personal and prejudicial interest

In relation to Disclosable Pecuniary Interests, a Councillor is prohibited by law from participating in the discussion about the business on the agenda that relates to this interest and is also required to leave the room whilst the relevant agenda item is being discussed.

Under the new Code of Conduct adopted by this Council in July 2012, a Councillor with a personal and prejudicial interest (which is not also a DPI) will be afforded the same right as a member of the public to speak in relation to the relevant business and may also answer any questions, except that once the Councillor has addressed the Committee the Councillor will leave the room and not return until after the decision has been made.

Recording and photography at council meetings

Recording of council meetings is permitted, however anyone wishing to do so should let the Chairperson of the meeting know prior to the start of the meeting. The recording should be overt and clearly visible to anyone at the meeting, but non-disruptive. If someone is recording the meeting, the Chairman will make an announcement at the beginning of the meeting.

Any member of the public has the right not to be recorded. If anyone making public representation does not wish to be recorded they must let the Chairperson know.

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<http://modgov.southsomerset.gov.uk/documents/s3327/Policy%20on%20the%20recording%20of%20council%20meetings.pdf>

Regulation Committee

Tuesday 21 March 2023

Agenda

Preliminary Items

1. Minutes

To approve as a correct record the minutes of the Regulation Committee held on 14th February 2023. The draft minutes can be viewed at:

<https://modgov.southsomerset.gov.uk/ieDocHome.aspx?bcr=1>

2. Apologies for Absence

3. Declarations of Interest

In accordance with the Council's current Code of Conduct (as amended 26 February 2015), which includes all the provisions relating to Disclosable Pecuniary Interests (DPI), personal and prejudicial interests, Members are asked to declare any DPI and also any personal interests (and whether or not such personal interests are also "prejudicial") in relation to any matter on the Agenda for this meeting.

4. Public Question Time

5. Planning Application 22/00612/FUL - Land at Millfield, Millfield Industrial Estate, Millfield, Chard TA20 2BB (Pages 6 - 31)

Agenda Item 5

Officer Report On Planning Application: 22/00612/FUL

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
Site Address:	Land At Millfield , Millfield Industrial Estate, Millfield Chard , Somerset, TA20 2BB
Parish:	Chard Town
CHARD JOCELYN Ward (SSDC Member)	Cllr D M Bulmer
Recommending Case Officer:	David Kenyon (Principal Specialist) Tel: 01935 462091 Email: david.kenyon@southsomerset.gov.uk
Target date :	21st June 2022
Applicant :	Numatic International Ltd - Andrew Smith
Agent: (no agent if blank)	Boon Brown Architects, Motivo, Alvington, Yeovil BA20 2FG
Application Type :	Major Other f/space 1,000 sq.m or 1 ha+

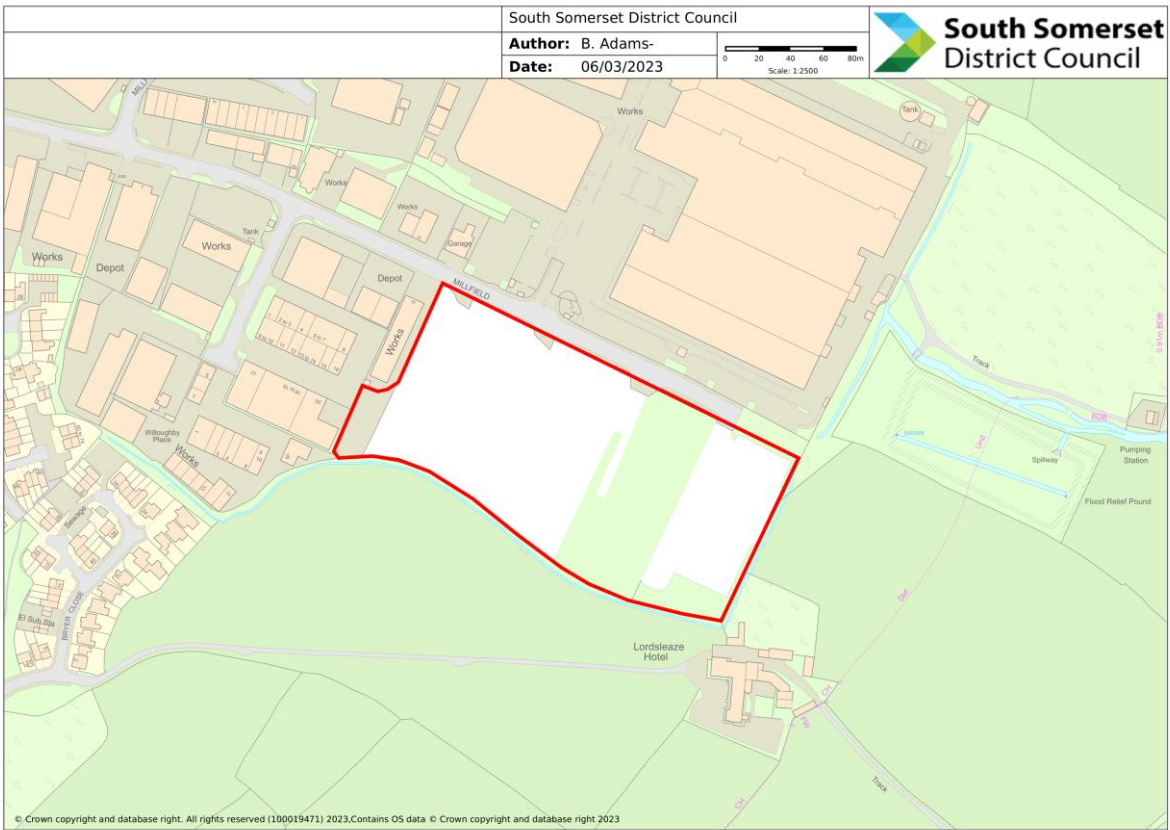
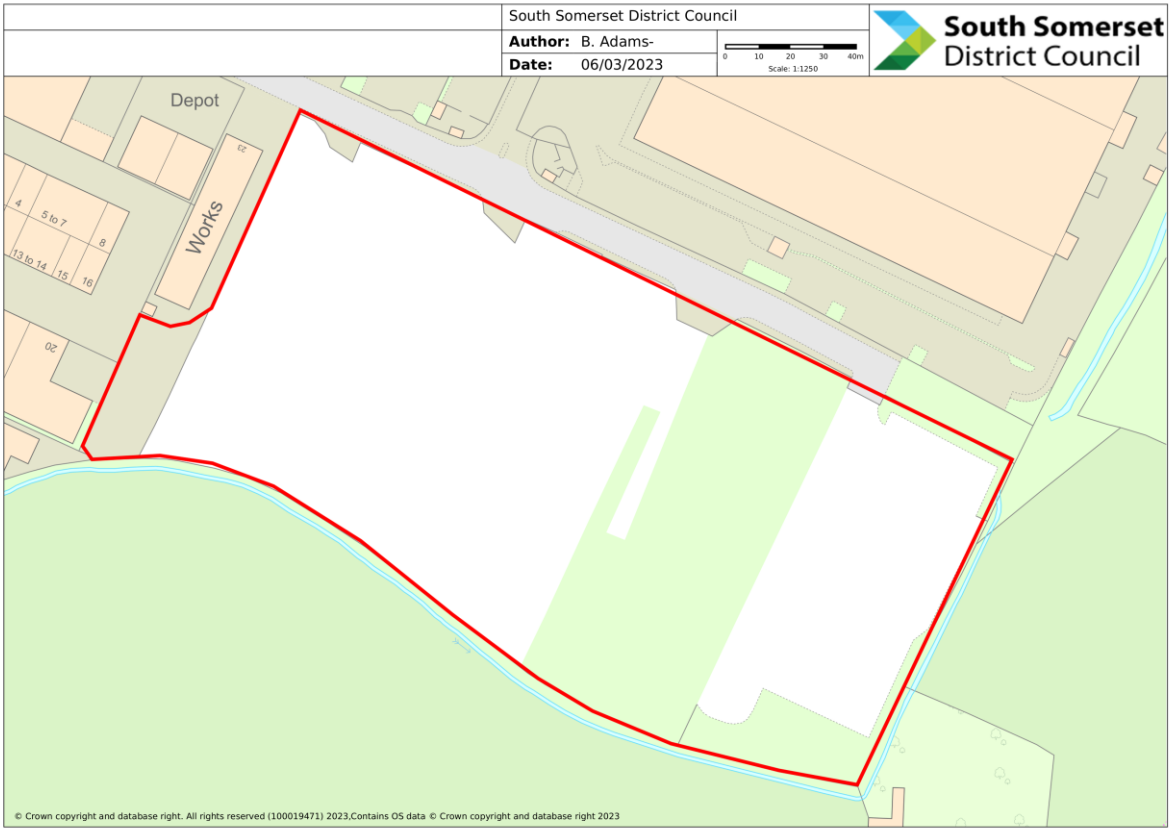
REASON FOR REFERRAL

The application is referred to Regulation Committee as it comprises a large scale major development proposal ('Major Major'). One third party representation has been received raising an objection on access safety and parking issues.

INTRODUCTION

This is a detailed application seeking full planning permission for the redevelopment of the application site with 20,611 square metres (GIA) of commercial floorspace (Use Classes B2 and B8 with ancillary office space), creation of new access and all associated works on land at Milfield, Chard TA20 2GB.

SITE DESCRIPTION



The application site is existing commercial 'brownfield' land, being formerly occupied by Oscar Mayer (commercial scale food production) and forming part of the wider Millfield Industrial area. The site is located at the eastern side of Chard, on the south-eastern side of the Millfield Industrial Park. Chard is designated as a Primary Market Town within the adopted Local Plan with a population of circa 13,074 (2011 census). The town benefits from a high street with a range of retail options, many employment opportunities as well as educational, sports, leisure and medical facilities. Chard contains circa 14% of the district's employment land and is designated as having the second largest employment land need in the district.

The site is currently free from buildings but, prior to demolition, previously comprised two B2 Use Class commercial buildings, both a mix of single and two storeys. The primary use of these industrial units was to provide cold storage, and it offered an employment use. The existing main unit to the west had a Gross Floor Area (GFA) of 5,395 square metres, whilst the smaller depot to the east had a GFA of 652 square metres. The total GFA of those two units equated to 6,047 square metres. Several car parking spaces were provided to the front of those buildings adjacent to Millfield. This level of car parking served the existing uses on the site, and although the exact number of parking spaces previously available is not known, the provision was previously considered to be sufficient.

The site is bounded by mature hedging and larger trees to the east and south with the existing Numatic buildings to the north and other commercial buildings to the west. The site was predominantly hard standing or building with some scrub land. Overall, the site area is 30,938 square metres.

Access to the site is currently off Millfield which runs adjacent to the northern boundary of the site. Millfield provides access to several industrial units including the existing Numatic site as well as the application site, connecting it to the A358 via a mini-roundabout junction to the west. Millfield has no through access and terminates to the east of the application site. It is a single carriageway road and is subject to a 30mph speed limit. The road has footways on either side of the carriageway measuring approximately 2.0m in width and benefits from street lighting, dropped kerbs and tactile paving.

The site is identified in the South Somerset Local Plan 2006-2028 (adopted March 2015) as within the Development Area of Chard. The site is not subject to any specific protective designations, such as within a specific 'Employment Protection Area', SSSI, Wildlife Site, Green Belt, AONB, or Special Landscape Area and it does not lie in, or adjacent to, a Conservation Area. The site lies within Flood Zone 1. In addition, parts of the district fall within the Somerset Levels and Moors which are designated as a Special Protection Area under the Habitat Regulations 2017 and listed as a Ramsar Site under the Ramsar Convention. A significant area of South Somerset falls within the catchment. The application site lies at the boundary of both the Somerset Levels and Moors and the River Axe, both of which are protected.

Land to the south and east of the application site has been identified for housing within the adopted Local Plan (Policies PMT1: Chard Strategic Growth Area, and PMT2: Chard Phasing are of relevance). Immediately to the south east of the site is the Lordleaze hotel and restaurant which is the closest non-industrial neighbouring property. There is a mature tree screen between this property and the site.

THE PROPOSAL

Due to increased demand and evolving production methods Numatic International Ltd needs to expand its commercial operations and is seeking to invest in new purpose-built production facilities for its flagship product the 'Henry Vacuum'. The proposal has therefore been designed for this specific purpose. Numatics main operations are to the north of the site across Millfield. Up to 230 staff who currently work at the existing Numatic site to the north will transfer to the proposed application site. They would continue to park at the existing site to the north, before walking south to the proposed development site.

The site totals 30,938 square metres of brownfield land. The proposed development seeks the redevelopment of the land to create 20,611 square metres of B2 and B8 floor space. The application includes all associated works including parking, landscaping and drainage. As part of the proposal, a new access point would be created onto Millfield.

The proposed building is an industrial and functional building required for a specific and bespoke task. It has been designed to accommodate several interlinked functions. Indicative areas for each element of production is set out below.

Raw materials	5150 square metres floor area (indicative)
Injection Moulding	2735 square metres floor area (indicative)
Assembly	2600 square metres floor area (indicative)
Distribution	6000 square metres floor area (indicative)
Plant	550 square metres floor area (indicative)
Circulation/facilities	1376 square metres floor area (indicative)
Office	2200 square metres floor area (indicative)

The building layout has been designed in response to the manufacturing process. The main pedestrian access for staff and visitors would be in the centre of the main façade and it has been treated to invite people to the building and give a sense of arrival. Large areas of glazing are used to express the entrance. The building and external areas would be designed to provide inclusive access for users of all abilities in accordance with Part M of the Building Regulations.

The scale of the building would be commensurate with other similar high bay distribution warehouses and would be at a height to maximise the storage capacity. The proposed building would be approximately 210 metres long, 100 metres wide (at its widest point) with the majority of the building being 15 metres tall. However, the high bay warehouse is 20 metres at its tallest point. The building would make use of a number of sustainable technologies including PV panels, green walls and brown roofs.

A limited palette of materials has been chosen for the building. A strong black plinth aims to ground the building into the site and then each separate building element is treated to break the façade into smaller elements while creating a cohesive overall design. The use of non-metallic claddings and materials seek to lessen the development's impact into the wider landscape. This involves using matt cladding panels in dark colours for the larger roof and walls while the lower elements have a mix of timber effect cladding facing into the open countryside with a mix of glazing to lighten the structure and a ribbed cladding to add interest. The proposed green walls along the southern façade would also break up the building into smaller elements, which in turn would also lessen any adverse impact the development may have on the wider

context.

The site is situated within an industrial estate and as such the design is maximised for commercial floor space and operational space predominantly. There is limited opportunity to introduce widespread new landscaping. However new planting and supplemental planting has been proposed. The accompanying Landscape Visual Appraisal makes a number of recommendations to mitigate the impact of the new building in the wider landscape. As referred to above, these include green walls, brown roofs and the avoidance of metallic / shiny material choices. In addition, new landscaping would be planted along the Millfield frontage with the existing eastern and southern boundaries supplemented with native species planting.

An important element of the scheme is the green wall which is intended to have a dual role. Firstly, it would provide a green buffer to the tallest elements of the design to limit and mitigate their impact in the wider landscape setting. Secondly it would provide increased biodiversity of habitat and plant species on the site. The green wall structure would be set off of the building by two metres to provide a zone for access and maintenance and to maintain access and egress points at ground level.

Brown roof areas provide a multitude of biodiversity gains for both flora and fauna. This type of roof has less maintenance requirements than that of a green roof but provides as much benefit if not more. Having a muted natural roof covering and colours also benefits the development by reducing the visual impact by breaking up roof scape and avoiding a sea of metallic grey roof cladding.

The proposed development would be served by three vehicular access/egress points with Millfield. There would be a primary access to the west of the site which would link to the site's internal circulatory route. The circulatory route would loop around the site, with an egress provided to the east of the site, also along Millfield, ensuring the HGVs can enter and exit the site in a forward gear if required. It is expected that the majority of HGVs would turn and exit through the western access, with the eastern egress serving regular but infrequent material deliveries to the mould shop silos.

In between these access and exit points, there would be a dedicated staff and visitor access towards the centre of the site. This would offer direct access to the proposed staff car park to the front of the building as well as pedestrian access to the entrance of the site. To the east of the car park vehicular access, there would be a dedicated pedestrian access leading to the main entrance of the building.

All three access/exit points would be provided with 2.4m x 43m visibility in line with Manual for Streets guidance for a 30-mph road.

The Somerset County Council Parking Strategy indicates that for a Classes B2 and B8 development of this scale, a total of 99 spaces would meet the 'optimum' level of provision. As the proposed development expands upon the existing site to the north, the main site would accommodate the majority of staff car parking. This represents a continuation of the existing arrangement, with the 565 standard car parking spaces available at the main site sufficient to continue to serve the employees who would still park at the main site and walk south to the proposed facility.

The proposed development site would also accommodate 38 on-site parking spaces across the proposed car park adjacent to the main site entrance off Millfield and a second rear car park to the south of the site. Two out of the 38 spaces provided would be for disabled parking and four of the 38 parking spaces would be for electric vehicle parking, with 16-amp electric vehicle charging points provided.

Also provided would be a total of 12 HGV parking spaces alongside two separate HGV turning areas and a total of 40 cycle parking spaces in the form of four covered cycle shelters either side of the car park area, with each shelter able to accommodate 10 cycles. There would be provision for motorcycle parking.

Where applicable, symbols and pictures would be used to communicate important information. Such visual cues would clearly identify entrances and provide information for navigating the site and its buildings. This would be of particular use to those visiting the site or for maintenance reasons. Signage would also be used to inform people of changes in level and surface.

Submitted Technical Documents and Detailed Drawings

The following documents are included within the application submission:

- Planning Statement Rev PL02 (15/02/2023) prepared by Boon Brown
- Design and Access Statement Revision PL P-02 (15/02/2023) prepared by Boon Brown
- Landscape Visual Appraisal Revision P2 (08/08/2022) prepared by Boon Brown
- Tree Survey and Arboricultural Impact Assessment (September 2022) prepared by Hellis Solutions Ltd
- Arboricultural Method Statement (November 2022) prepared by Hellis Solutions Ltd
- Preliminary Ecological Appraisal (February 2022) prepared by Encompass Ecology Ltd
- Flood Risk Assessment Fifth Issue (July 2022) prepared by Such Salinger Peters Ltd Consulting Engineers
- Drainage Strategy Report Issue 4 (July 2022) prepared by Such Salinger Peters Ltd Consulting Engineers
- Foul and Surface Water Drainage and Maintenance Plan (12/07/2022) prepared by Such Salinger Peters Ltd Consulting Engineers
- Surface Water Calculations (12/07/2022) prepared by Such Salinger Peters Ltd Consulting Engineers
- Surface Water Calculation method (12/07/2022) prepared by Such Salinger Peters Ltd Consulting Engineers
- Travel Plan (Issue P04) (28 June 2022) (Ref 21658-HYD-XX-XX-RP-TP-6001) prepared by Hydrock
- Transport Statement (Issue P04) (4 July 2022) (Ref 21658-HYD-XX-XX-RP-TP-4001) prepared by Hydrock
- Noise Implications (22 July 2022) prepared by Tegwyn Jones Associates Ltd
- Geotechnical Assessment (December 2021) prepared by Tweedie Evans Consulting Ltd (TEC)
- Desk Study and Ground Investigation Report (October 2021) prepared by Tweedie Evans Consulting Ltd (TEC)
- Letter dated 8 November 2022 relating to additional ground gas monitoring, prepared by Tweedie Evans Consulting Ltd (TEC)

The following drawings have been submitted:

- 4455-PL-001 - Location Plan
- 4455-PL-002 Rev N - Site Layout Plan
- 4455-PL-003 Rev M - Ground Floor Plan
- 4455-PL-004 Rev K - First Floor Plan
- 4455-PL-005 Rev L - Second Floor Plan
- 4455-PL-006 Rev H - Elevations 1 of 2
- 4455-PL-007 Rev H - Elevations 2 of 2
- 4455-PL-008 Rev H - Sections A-A, B-B & C-C
- 4455-PL-009 - Block Plan
- 4455-PL-010 Rev A - Elevations 1 of 2 (Green Walling Omitted)
- 4455-PL-011 Rev A - Elevations 2 of 2 (Green Walling Omitted)
- 4455-BB-XX-XXX-DR-L-201 Rev B - Landscape Mitigation Plan
- 4455-BB-XX-XXX-DR-L-401 Rev B - Typical Section
- 21658-HYD-XX-XX-DR-TP-0001 Rev P02 - Western Site Access General Arrangements (within Transport Statement dated 4 July 2022)
- 21658-HYD-XX-XX-DR-TP-0002 Rev P02 - Central Site Access General Arrangement (within Transport Statement dated 4 July 2022)
- 21658-HYD-XX-XX-DR-TP-0003 Rev P03 - Eastern Site Access General Arrangement within Transport Statement dated 4 July 2022)
- 21658-HYD-XX-XX-DR-TP-0004 Rev P01 - Swept Path Analysis 16.5m Articulated Vehicle
- 21658-HYD-XX-XX-SK-TP-0002 Rev P04 - Site Layout Appraisal (within Transport Statement dated 4 July 2022)
- 80589-01 Rev F - Drainage Strategy
- 80589-03 Rev C - Proposed Road Levels
- 80589-07-01 - Proposed Site Levels Section A-A
- 80589-07-02 - Proposed Site Levels Section B-B & C-C
- 80589-07-03 - Proposed Site Levels Section D-D & F-F
- 80589-07-04 - Proposed Site Levels Section E-E
- 80589-07-08 - Existing Exceedance Flows
- Tree Protection Plan ref: TPPMIB (within Arboricultural Method Statement dated November 2022)

RELEVANT HISTORY

21/02769/DEM. Prior notification of proposed demolition of warehouse, packing and distribution buildings of various heights and construction.
Prior approval not required 22.09.2021.

13/02393/FUL. Change of use from B1(light industrial) to B2 (food production), erection of extensions for small Loading Bay and Packaged Chill Store.
Application permitted with conditions 21.03.2014.

POLICY

Section 38(6) of the Planning and Compulsory Purchase Act (2004) and paragraphs 2, 11, 12 and 47 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 application, the Local Planning Authority considers that the adopted development plan comprises the policies of the South Somerset Local Plan 2006 - 2028 (adopted March 2015).

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

SD1 - Sustainable Development
SS1 - Settlement Strategy
SS3 - Delivering New Employment Land
SS6 - Infrastructure Delivery
EP3 - Safeguarding Employment Land
TA1 - Low Carbon Travel
TA3 - Sustainable Travel at Chard and Yeovil
TA4 - Travel Plans
TA5 - Transport Impact of New Development
TA6 - Parking Standards
EQ1 - Addressing Climate Change in South Somerset
EQ2 - General Development
EQ4 - Biodiversity
EQ5 - Green Infrastructure
EQ7 - Pollution Control

National Planning Policy Framework - July 2021

Chapter 2 - Achieving sustainable development
Chapter 4 - Decision-making
Chapter 6 - Building a strong, competitive economy
Chapter 9 - Promoting sustainable transport
Chapter 11 - Making effective use of land
Chapter 12 - Achieving well-designed places
Chapter 14 - Meeting the challenge of climate change, flooding and coastal change

National Planning Practice Guidance, including National Design Guide - September 2019

Other Relevant Documents

Somerset County Council Parking Strategy (SPS) (September 2013) and Standing Advice (June 2017)

CONSULTATIONS

Chard Town Council

No comments received.

County Highway Authority

No objections subject to conditions relating to access provision, hard surfacing of accesses, visibility splays, parking and loading provision, surface water drainage disposal and submission of a Construction Management Plan together with the completion of a S106 agreement relating to Travel Plan implementation.

Lead Local Flood Authority

No objections.

Environment Agency

No objection subject to conditions relating to unidentified contamination, submission of site specific scheme for pollution prevention, siting of any oil or chemical storage facilities, measures applicable to any washing and/or re-fuelling of vehicles on site, and drainage.

SSDC Environmental Protection

No objections subject to conditions relating to reporting unsuspected contamination, construction working hours and collections and deliveries to and from the site during the construction stage.

SSDC Tree Officer

No objection subject to conditions relating to tree and hedgerow protection measures and implementation of new landscaping.

Somerset Ecology Services

No comments offered.

County Public Rights of Way team

No comments offered.

County Minerals and Waste team

No comments offered.

REPRESENTATIONS

11 individual third party neighbouring business properties have been notified of receipt of this application, a site notice displayed, and an advertisement placed in the local newspaper. One representation has been received objecting to the proposed development on highway safety grounds. This representation has been uploaded on the website for public information and consideration but can be summarised as follows:

- The access and exit for this site have not been designed with any consideration for safety, or existing business on the estate.
- The way that vehicles would be leaving the site would have a detrimental effect on local businesses due to the narrow nature of Millfield and the near right angle that the HGV's would have to manoeuvre out onto it, compounded by the extent of parked vehicles on Millfield.
- Unacceptable speeds of travelling vehicles leaving the site will cause accidents.

CONSIDERATIONS

Principle of Development

The application site forms part of the existing Millfield Industrial area. The current authorised use of the application site is for commercial and business. The grant of planning permission dated 21st March 2014 (planning application ref, 13/02393/FUL), and its subsequent implementation, established the use of the then existing, main building as Use Class B2 (General Industrial), as evidenced by the previous wider operations of the site (formerly Oscar Mayer - commercial scale food preparation). The proposed operations would fall within the existing B2 use class but would also incorporate an element of B8 and office space associated with the intended operations.

Local Plan Policy SS3 has allocated 13 hectares of new employment land to Chard with the objective of creating a total of 1,083 jobs over the plan period (2006-2028). Of those total number of jobs, 661 jobs would be in the Use Class B (industrial) operations. Policy SS3 states that a permissive approach to new employment land within the 'direction of growth' of the Market Towns will be taken. Whilst the site forms part of an existing commercial area it is adjacent to the direction of growth and therefore its objectives are considered applicable.

Policy EP3 seeks to safeguard existing employment land. The existing floorspace that has now been demolished would be replaced and expanded upon allowing the expansion of one of the area's largest employers. The proposed levels of floorspace would make a considerable contribution to the overarching economic objectives for the town and district.

Paragraph 7.8 of the Local Plan states:

The ongoing recognition of Chard's employment heritage, coupled with the high proportion of major manufacturers still operating in Chard means that the town is still an important centre for employment and manufacturing. Chard has an employment density of 0.98 (number of jobs to economically active population).

This manufacturing heritage is reflected in the identified deliverables for the town (referred to in paragraphs 7.25 to 7.27 of the Local Plan) which sets out a clear intention to encourage economic growth through creation of new employment opportunities. It also notes that much of the need is likely to arise from existing manufacturing industries. The intention to encourage economic growth and capitalise on the town's legacy of manufacturing is reflected in the Chard Regeneration Plan (2010).

This principle of seeking to build a strong and competitive economy is reflected in the NPPF. Paragraph 81 of the NPPF states that planning decisions should help create the conditions in which businesses can invest, expand, and adapt. Significant weight should be given to the need to support economic growth and productivity, considering both local business needs and wider opportunities for development.

The proposed development would maintain long-term investment from one of the region's principal employers and would provide the opportunity for an existing business to invest and grow in a suitable location. As such, the principle of the proposed development in this sustainable location on an industrial estate is acceptable and is supported by Local Plan Policies SD1, SS1, SS3 and EP3 and the aims and objectives of the NPPF.

Impact on Landscape and Visual Amenity

Local Plan Policy EQ2 'General Development' sets out policy criteria for development in general. Development needs to preserve or enhance the character and appearance of the district. Development proposals will be considered against various criteria, including conserving and enhancing the landscape character of the area, reinforcing local distinctiveness and addressing local context. In addition, infrastructure, service availability and accessibility are material considerations to be taken into account, together with the protection of the residential amenity of neighbouring properties.

The site is situated in a natural dip in the landscape which makes it harder to locate in the wider landscape. A detailed Landscape Visual Appraisal (LVA) has been submitted in support of the application. Its purpose is to assess the visual impact of the proposed development and make recommendations on mitigation where necessary. The LVA has considered several viewpoints covering 360 degrees around the site which have been identified to provide a general overview of the landscape impacts. The impacts assessed range from negligible to severe, with context provided within the report. The report recommends mitigation measures to lessen any adverse impacts. The mitigation measures proposed, and which have been reflected as part of the development scheme, include the retention and strengthening of existing hedge and trees belts around the site with the reinforcement planting of new native hedgerow species. To further mitigate against the impact of the built form it is recommended that the building should use varying roof heights with recessed facades utilising differing non-reflective dull and muted tones. The roofs should include green or brown roofs that would help visually break up the mass of the building as well as providing opportunities to promote biodiversity. Elevations should also be broken up with varying non-reflective dull and muted tones with green living walls on the facades to break up the mass of the building. If these mitigation measures are employed, it is considered that the visual impact could be reduced over time.

Whilst any new development will inevitably have some impact, the context of the proposed building is an important consideration. As identified in the LVA, views to the site are set against a backdrop of existing development, primarily commercial buildings. Whilst the introduction of a new building would change the area, it would not change the character or how the area is read.

In addition, a detailed Arboricultural Assessment has been submitted which assesses existing trees on or adjacent to the site. There are no protected or heritage trees either on or immediately adjacent to the site. The proposed building would not encroach within the root protection areas of any of the retained trees. The proposed new access and turning circle would encroach within the root protection area of the hedgerow along the southern boundary of the site (identified as 'H1') that has developed into a line of trees, mainly beech trees with ash and oak, at various points along its length. It is proposed to construct these using a cellular confinement root protection system.

The Council's Tree Officer accepts that the proposed landscape mitigation measures would be constrained within the limitations of the application site boundaries and he is content that they are as resilient and robust as they reasonably can be. In addition, he advises that the submitted tree and hedgerow protection scheme has appropriately identified the most vulnerable rooting areas of the adjoining linear tree and hedgerow feature ('H1'), whilst providing a targeted scheme of arboriculturally supervised engineering installations that should prove effective at

preserving the quality of the soil-environment. He recommends approval subject to the imposition of conditions relating to tree and hedgerow protection and implementation of new landscaping.

It is considered that the proposed appearance, design, scale and layout of the development proposal, together with the implementation of the proposed landscaping scheme, is acceptable. The proposed development would not result in significant and demonstrable harm to landscape character and appearance that would justify a refusal of consent. Conditions are recommended in respect of landscaping and lighting. Consequently, it is considered that the proposed development complies with Policies EQ2 and EQ5 of the Local Plan and relevant aims and objectives of the NPPF.

Highway Safety

Local Plan Policy TA5 requires all new development to securing inclusive, safe and convenient access on foot, cycle, and by public and private transport that addresses the needs of all, and to ensure that the expected nature and volume of traffic and parked vehicles 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 local or strategic road networks in terms of both volume and type of traffic generated.

Policy TA6 states that parking provision in new development should be design-led and based upon site characteristic, location and accessibility. The parking arrangements within SCC's Parking Strategy will be applied within the District.

Paragraph 111 of the NPPF states that development should only be prevented or refused on highways grounds if there would be unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

Paragraph 108 of the NPPF advises that maximum parking standards for residential and non-residential development should only be set where there is clear and compelling justification that they are necessary for managing the local road network.

A detailed Transport Statement forms part of the application submission. It concludes that the site is in a sustainable location, close to Chard Town Centre which offers a range of public transport, retail and healthcare facilities within walking distance of the site. A good provision of existing walking and cycling routes are available from the site and provide access to Chard Town Centre, with bus services offering access to other local destinations. Therefore, there are ample opportunities for employees of the proposed site to be able to travel by sustainable modes of transport, which is consistent with the policies set out in the NPPF.

A review of Personal Injury Accident data covering the latest available five-year period has been undertaken which has confirmed that two accidents occurred on the local road network surrounding the site. On review these accidents do not represent an existing highway safety concern.

The re-development of the existing accesses onto Millfield, provision of cycle and pedestrian access, and creation of on-site car parking whilst also making use of the existing parking

arrangements at the Numatic site to the north are deemed to be acceptable and policy compliant. Existing employees would transfer from the wider site to the north to the proposed facility. As a result, there would be no new trips associated with this development, with employees continuing to commute to the existing site, where the majority of them would also park. Therefore, the proposed development represents a decrease in trips when compared to the previous use on the application site. In addition, the proposed development would not exacerbate any existing capacity or safety issues. As such, the proposed scheme is not considered to result in a severe impact on the local highway network, as required at paragraph 111 of the NPPF if a scheme is to be refused on highway grounds.

The Highway Authority generally concurs with the comments set out in the Transport Statement and raises no major objections to the development proposal in this respect. Conditions are recommended relating to access provision, hard surfacing of accesses, visibility splays, parking and loading provision, surface water drainage disposal and submission of a Construction Management Plan.

In accordance with Local Plan Policy TA4, a Travel Plan with a package of measures has been submitted in support of this application to promote sustainable transport practices for employees. It sets out a strategy to support staff and 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. The Travel Plan's purpose is to raise the profile of sustainable travel options and support these sustainable options through marketing, delivering suitable infrastructure and establishing an ethos of sustainability at the site that goes beyond transport, influencing the attitudes and behaviour of employees with regards to a more sustainable lifestyle.

In general, the Highway Authority raises no objections to the submitted Travel Plan but does seek additional information to be set out in the Travel Plan including a monitoring strategy and installation of automatic traffic counters. In addition, the Highway Authority recommends the payment by the applicant of a safeguarding sum of £90,466 which would be used towards monitoring the site to ensure compliance with the approved Travel Plan measures.

In this respect the Highway Authority's comments are duly noted. A condition is recommended requiring the Travel Plan to be fully agreed with the LPA (in consultation with the Highway Authority) prior to occupation/use of the new development and the completion of a S106 (or similar) agreement towards the payment of the safeguarding sum. In respect of the latter requirement for a legal agreement, the applicant has submitted a draft Unilateral Undertaking confirming that the Travel Plan Monitoring Fee of £90,466 will be paid to the Council prior to occupation of the new development.

With the imposition of such highways related conditions and the completion of the legal agreement relating to the payment of the financial contribution, the proposed development accords with Local Plan Policies EQ2, TA1, TA4, TA5 and TA6 and relevant highways guidance set out in the NPPF.

Flood Risk and Drainage

The site lies within Flood Zone 1. The submitted Flood Risk Assessment shows that the application site is not at risk of flooding.

The Environment Agency (EA) has raised no objections to this application.

There has been extensive consultation between the applicant's drainage consultant and the LLFA regarding the proposed drainage strategy. Without going into extensive detail, evidence has been provided of consideration of above ground SuDS including a Bisolar roof and infiltrating green areas. In this instance, the inclusion of swales and detention basins are considered unusable in the space due to the use of heavy vehicles and limited space for surface storage. The inclusion of extended permeable paving has been added to the surface water drainage strategy.

Under the assumption that the site poses a medium pollution hazard area, the proposed method of treatment is Klargestor AquaTreat. The proposed method of treatment is based on the site as a low-risk area; however, consideration has been taken if it is deemed that the site is a medium risk area and these details have been added to the surface water drainage drawing. This has been deemed to be acceptable to the LLFA. No objections are raised to the submitted drainage strategy.

Provision must be made within the site for the disposal of foul and surface water drainage in accordance with the drainage strategy detailed on the submitted drawings and the drainage infrastructure should be installed prior to occupation or use of the development and thereafter so retained and maintained as such. A condition is recommended to this effect.

On this basis, the proposed development accords with Local Plan Policies EQ1 and EQ2 and relevant technical guidance set out in the NPPF and NPPG.

Biodiversity

Local Planning Authorities have a statutory duty to ensure that the impact of development on wildlife is fully considered during the determination of a planning application under the Wildlife and Countryside Act 1981 (as amended), Natural Environment and Rural Communities Act 2006, The Conservation of Habitats and Species Regulations 2017 (Habitats Regulations 2017). Policy EQ4 of the Local Plan also requires proposals to pay consideration to the impact of development on wildlife and to provide mitigation measures where appropriate.

A preliminary ecological assessment has been undertaken by qualified ecologists and a Preliminary Ecological Appraisal document has been included as part of the application submission. The application site comprises extensive sealed surfaces (concrete) and recently derelict factories. Other habitats on site include minor areas of scrub, mainly marginal, ephemeral/short perennial habitat, and an area of isolated rank grassland. There was also a tree-lined hedgerow feature that extends along the contiguous southern and eastern site boundaries. No significant floral interest has been identified and no further protected species surveys have been recommended although site supervision of works has been recommended in regard to both working within the bird breeding season and also any ground works within the central grassland area.

Specific mitigation and enhancement measures have been proposed to promote biodiversity gain through development, including timing of works in relation to nesting birds, prevention of potential disturbance or injury to reptiles and amphibians, prevention of possible disturbance to

badgers and provision of bat boxes within the line of trees along the southern site boundary.

No comments have been received from the County Ecologist. In the absence of any comments, it is considered reasonable to reflect the ecological mitigation and enhancement measures set out in the submitted Preliminary Ecological Appraisal in conditions attached to any grant of permission. Such conditions are both reasonable and necessary and form part of the final recommendation.

Subject to the inclusion of the various conditions requiring implementation of the proposed mitigation and enhancement measures, the proposal does not conflict with Policy EQ4 of the Local Plan or relevant guidance within the NPPF.

Somerset Levels and Moors – Phosphates

The Somerset Levels and Moors are designated as a Special Protection Area (SPA) under the Habitats Regulations 2017 and listed as a Ramsar Site under the Ramsar Convention. The Ramsar Site consists of a number of Sites of Special Scientific Interest (SSSIs) within what is the largest area of lowland wet grassland and wetland habitat remaining in Britain, within the flood plains of the Rivers Axe, Brue, Parrett, Tone and their tributaries. The site attracts internationally important numbers of wildlife, including wildfowl, aquatic invertebrates, and is an important site for breeding waders.

Natural England has written to various Councils in Somerset (including SSDC) advising about the high levels of phosphates in the Somerset Levels and Moors that are causing the interest features of the Ramsar Site to be unfavourable, or at risk, from the effects of these high levels. This is as a result of a Court Judgement known as the Dutch N case, which has seen a greater scrutiny of plans or projects by Natural England, regarding increased nutrient loads that may have a significant effect on sites designated under the Habitats Regulations 2017 (including Ramsar Sites).

A significant area of South Somerset falls within the catchment. The application site lies at the boundary of both the Somerset Levels and Moors and the River Axe, both of which are protected. On previous occasions, both Natural England and the County Ecologist have confirmed that commercial development can be ruled out of needing a HRA as the majority of employees will potentially live within the catchment and, though some employees may travel into the catchment, this will be roughly offset by those travelling out of the catchment to work. Any commercial or light industrial developments, which do not have any form of overnight accommodation, are excluded from requiring a HRA. This is driven by not wanting to "double count" nutrient input into the system as it is expected that employees would live within the catchment of the RAMSAR.

This general advice is reflected in respect of this current application proposal. Both Natural England and the County Ecologist have offered no comments leading to the reasonable assumption that this proposal is unlikely to add significantly to nutrient loading on the Somerset Levels and Moors Ramsar site. There is therefore no requirement for an HRA and the application is acceptable in this regard.

Residential Amenity

There are no residential properties near the site. Thus, there would be no specific detriment to residential amenity as a result of this development proposal.

Noise

An acoustic assessment carried out by Tegwyn Jones Associates in accordance with industry guidance and British Standards. The assessment identified that the current source of potential noise nuisance from the factory is that of forklift trucks. The proposed development aims to streamline the production process and so much of the forklift truck use would not be needed and thus noise would be reduced because of this. The report also proposes further mitigation measures such as restricted work at night-time hours and preferential areas for HGV use including reduced need to reverse and so limited use of reversing beepers.

The Council's Environmental Protection Officer has raised no objections. If the development goes ahead as planned and as per acoustic report, he would not envisage noise being a hindrance to this development proposal. He recommends the imposition of conditions relating to construction working hours and hours when collections from or deliveries to the site should take place. No construction work shall be carried out or plant operated on the site, and there shall be no collections from or deliveries to the site during the construction stages, outside the hours of 0800 hours and 1800 hours on Monday to Friday, 0800 hours and 1300 hours on Saturday and at no time on Sundays, Bank or Public Holidays.

With the imposition of such a condition, the proposed development would accord with Local Plan Policies EQ2 and EQ7.

Contamination and Pollution

The Council's Environmental Protection Officer has considered a desk study and ground investigation report which has been submitted with investigations carried out by consulting engineers. Whilst some visual and olfactory indications of contamination were identified in the investigations, no gross contamination was identified, and most determinants were below their related Generic Assessment Criteria (GAC) for commercial end use.

Made Ground was expected and indeed identified in the investigation as well as peat in natural ground leading to a potential for ground gas to be present. As such, additional ground gas monitoring has taken place, the results of which have led to the conclusion that no specific ground gas protection measures are necessary.

The Environmental Protection Officer does not consider that contamination is a barrier to this development proposal. However, he does recommend the inclusion of a condition where, in the event of contamination being found at any time when carrying out the development works that was not previously identified, work must stop, and it must be reported immediately to the LPA. An investigation and risk assessment must then be undertaken in accordance with industry best practice and British Standards and, where remediation is necessary, a remediation scheme must be prepared in accordance with relevant industry standards.

This is reflected in the advice offered by the Environment Agency which also recommends the

imposition of a similar 'unsuspected contamination' condition.

In addition, the Environment Agency notes that construction activities have the potential to cause significant pollution. Standard pollution prevention measures need to be incorporated into every development. Therefore, it is recommended that conditions or informatives are imposed requiring the production of a scheme for prevention of pollution during the construction stages, storage areas of any oil or chemical facilities, vehicle wash facilities and areas for re-fuelling vehicles.

With the imposition of the various conditions and informatives recommended by the Council's Environmental Protection Officer and the Environment Agency, the proposed development would not result in significant and demonstrable air, noise, water quality or other environmental pollution or harm to amenity, health or safety. As such, the proposed development would accord with Local Plan Policies EQ2 and EQ7.

Conclusion

Section 38(6) of the Planning and Compulsory Purchase Act 2004 provides that where regard is to be had to the development plan for the purpose of any determination to be made under the Planning Acts, the determination must be made in accordance with the plan unless material considerations indicate otherwise.

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 and the proposal is recommended for approval.

RECOMMENDATION

Permission be granted, subject to the prior completion of a planning obligation by way of unilateral undertaking made pursuant to Section 106 of the Town and Country Planning Act 1990 before the decision notice granting full planning permission is issued to secure the payment of a safeguarding sum of £90,466 to the Highway Authority to be used towards monitoring the site to ensure compliance with the approved Travel Plan measures.

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.