

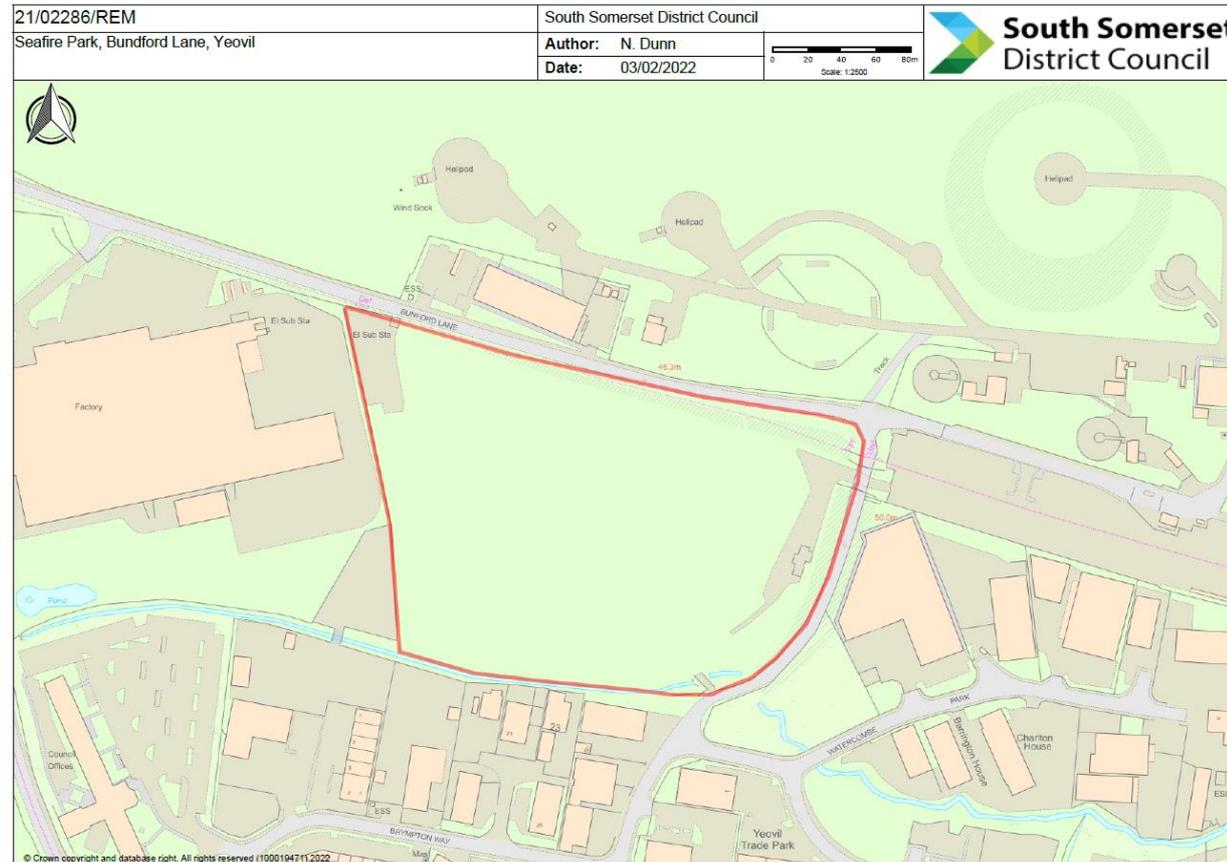
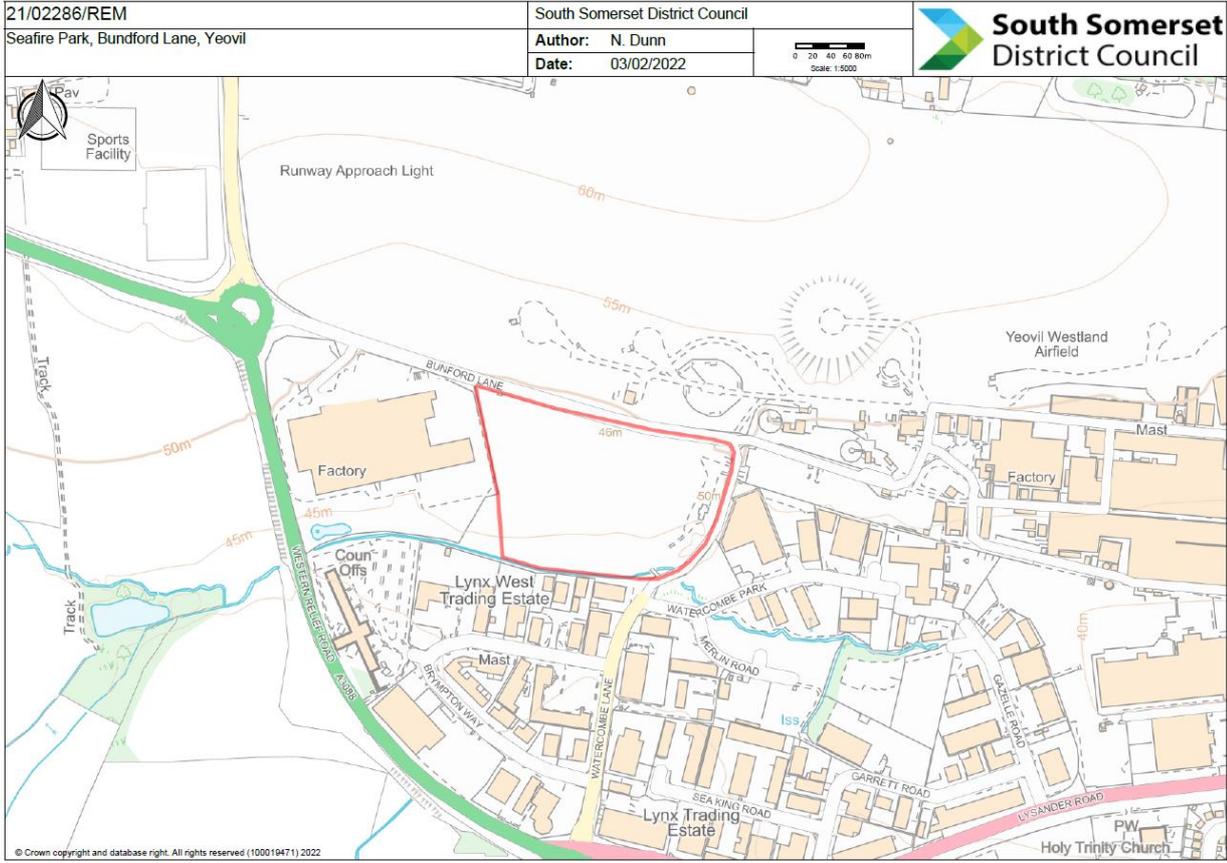
## **Officer Report On Planning Application: 21/02286/REM**

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|---|---|
| <b>Proposal :</b>                         | Application for approval of reserved matters (access, appearance, landscaping, layout and scale) pursuant to outline consent refs: 13/03410/OUT and 13/03413/OUT for the erection of a warehouse (Use Class B8) with ancillary office, associated vehicle parking, van storage, plant, ancillary structures, lighting, landscaping, and infrastructure works. |
| <b>Site Address:</b>                      | Seafire Park, Bunford Lane, Yeovil, Somerset,   |
| <b>Parish:</b>                            | West Coker  |
| <b>YEOVIL WESTLAND Ward (SSDC Member)</b> | Cllr David Gubbins, Cllr Andy Soughton, Cllr Karl Gill  |
| <b>Recommending Case Officer:</b>         | David Kenyon (Specialist)   |
| <b>Target date :</b>                      | 5th November 2021   |
| <b>Applicant :</b>                        | PMK Consult Ltd   |
| <b>Agent:<br/>(no agent if blank)</b>     | Ms Aarti O'Leary DWD LLP<br>6 New Bridge Street<br>London<br>EC4V 6AB   |
| <b>Application Type :</b>                 | Major Other f/space 1,000 sq.m or 1 ha+   |

### **REASON FOR REFERRAL TO COMMITTEE**

The application is referred to Regulation Committee as it comprises a large scale major development proposal ('Major Major'). No representations have been received raising any objections to the application proposal.

# SITE DESCRIPTION AND PROPOSAL



This is an application for the approval of 'reserved matters' which has been submitted pursuant to two grants of outline planning permission dated 18th September 2013 (ref. 13/03410/OUT) and 14th November 2013 (ref. 13/03413/OUT). The main part of the current site was subject to the November 2013 outline permission, with the November 2013 permission relating to a small parcel of the site at the north western corner, annexed to the larger main site. The outline permissions allowed for the use of the site for industrial purposes under Use Classes B1 (Business), B2 (General Industrial) and B8 (Storage or Distribution).

Noting the recent changes made by the Town and Country Planning (Use Classes) (Amendment) (England) (Regulations) 2020 since the outline permissions were granted, Use Class B1 (Business) has been replaced by Use Class E(g) (Commercial, Business and Service).

All matters (i.e. access, appearance, landscaping, layout and scale) are 'reserved' for consideration as part of this current application submission.

The application site and surrounds remain similar in character and appearance as at the outline stages. The site, known for marketing purposes as Seafire Park, is approximately 4.9 hectares in extent and comprises a grassed area of vacant land, having last been used as recreational facilities associated with the Westland Sports and Social Club. It is located on the south side of Bunford Lane which is immediately south of the Leonardo UK Ltd (formerly Agusta-Westland) airfield. Directly opposite the site in the airfield curtilage is the newly developed iAero building used for research and development functions, incubator office and light engineering facility. To the west is the Garador factory. To the east and south are the commercial developments at Brympton Way and Watercombe Lane. The site is accessed from Bunford Lane to the north (which is a private road owned by Leonardo UK Ltd), which provides access to the A3088 and to the wider highway network. In addition, there is a vehicular access point to the south from Watercombe Lane.

The site itself lies within the parish of West Coker. The airfield to the north of Bunford Lane lies within Yeovil East parish.

The site is identified in the South Somerset Local Plan 2006-2028 (adopted March 2015) as an "Employment Development Site (carried forward, saved proposal)". The site is not subject to any specific protective designations, such as SSSI, Wildlife Site, Green Belt, AONB, or Special Landscape Area and it does not lie in, or adjacent to, a Conservation Area. However it lies within an Air Quality Management Area and there is a grade II listed designated heritage asset alongside the eastern boundary (Bunford Railway Bridge). The site lies predominantly within Flood Zone 1 and has a low probability of fluvial flooding. However, the existing watercourse, which borders the site to the south, falls within Flood Zone 3. 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 is within this catchment area.

The proposal is for the erection of a purpose-built distribution warehouse (Use Class B8) with ancillary office, associated vehicle parking, van storage, plant, ancillary structures, lighting, landscaping and infrastructure works. The proposed warehouse building would comprise a gross (GIA) total of 7,705 square metres of floor space, comprising the main storage and

distribution facility and also the ancillary office area on the ground and first floors which is required to aid with the operational requirements of the business. In order to support the main function of the warehouse the proposed development proposes a van storage deck and associated loading canopy to the west of the proposed warehouse building. The proposed development also comprises of other ancillary structures throughout the site associated with the primary function of the warehouse.

The site would effectively operate as a freight consolidation centre with HGVs providing goods from larger storage facilities and vans then distributing these goods to the local area. Local drivers would arrive at the site by various means of transport, collect a van and leave the site to make deliveries. Once all deliveries have been made, drivers would return the vans to the site, collect their own vehicles (if they have driven to the site), or travel home by other means of transport.

The vans that undertake the last mile element of distribution are located to ensure they can deliver goods for at least 6 hours in a single journey. This ensures efficiency of the operation and reduces vehicle movements. This is effectively the consolidation of existing activities as these deliveries are currently being made from distribution centres further afield using both the local and strategic highway network. By providing on-site van storage, trips can be removed from both the local and strategic network and consolidated to and from the site only. In addition, with vans parked on-site overnight, there is a greater potential to employ electric fleets and charge vehicles in-situ. This would not be possible without a dedicated storage area.

Conditions 02 and 03 of outline permission ref 13/03410/OUT state:

*02. Application for the approval of reserved matters shall be made to the Local Planning Authority before the expiration of eight years from the date of this planning permission*

*03. Approval of the access, appearance, landscaping, layout and scale (hereinafter called 'the reserved matters') shall be obtained from the Local Planning Authority in writing before any development is commenced.*

Condition 01 of the outline permission ref 13/03413/OUT states:

*01. Approval of the details of the access, layout, scale, appearance and landscaping of the site (hereinafter called 'the reserved matters') shall be obtained from the Local Planning Authority in writing before any development is commenced. Application for approval of the reserved matters shall be made to the Local Planning Authority not later than the expiration of ten years from the date of this permission. The development hereby permitted shall be begun, not later than the expiration of three years from the final approval of the reserved matters or, in the case of approval on different dates, the final approval of the last such matter to be approved.*

Considering each of the reserved matters in turn:

#### 1. Access

The proposed development would be served by four vehicular access/egress points, three from Bunford Lane and one from Watercombe Road.

a) A new access point on Watercombe Road, located towards the south-eastern corner of the

site, would accommodate HGV ingress movements.

b) The proposed HGV outbound movements would be undertaken from an upgraded access towards the north western extent of the site on Bunford Lane which would also provide access for the ingress and egress movements of the proposed vans.

c) A further access, centrally located on Bunford Lane, would facilitate van egress. This access would be sited in a similar location to a new access which was granted a 'reserved matters' approval on 8th May 2017 (ref. 16/04690/REM) but which has never been implemented.

d) Car parking for those working in the warehouse would be provided from a dedicated two-way access at the north eastern end of Bunford Lane.

The access points have been distributed throughout the site with the aim of ensuring minimal additional traffic along these routes. HGV access to the site would be restricted to the south eastern entrance to avoid the issue of the weak bridge that joins Watercombe Lane to Bunford Lane. HGV access would be towards the south of the site through a separate access point; this would also ensure further site security and would limit any light spill onto the airfield. The access arrangements aim to avoid conflicts between HGVs, vans and cars to promote highway safety.

In addition, in accordance with condition 04 of the outline planning permission ref. 13/03413/OUT, a separate 3 metres wide segregated cycle and pedestrian link from Bunford Lane to Watercombe Lane would be provided through the application site, sited along the western and southern boundaries of the site.

A total of 127 car parking spaces would be provided, including 7 Blue Badge Bays (of which 67 spaces would be served by electric vehicle charging points), and 362 operational van storage spaces are proposed to serve the operational needs of the unit and to allow vans to be stored on site overnight. Employees and visitors would not be allowed to make use of these storage spaces for parking purposes. A total of 13 no. motorcycle and 40 covered cycle spaces would also be provided on-site.

The proposed level of van storage has been derived from the forecast operations of the site based upon maximising operational efficiencies to avoid multiple trips to and from the site and minimising empty running of vehicles. The provision is also designed to future proof operations at the site and allow the adoptions of EV fleets to be maximised.

## 2. Appearance

The proposed warehouse seeks to implement a design approach to reflect its surroundings and complement the architectural design and fabric of the neighbouring industrial / employment uses. The submitted "Planning Statement" document states:

*"The warehouse proposes to implement a light-coloured horizontal spanning cladding panel scheme for the main façade of the warehouse. The proposed van storage deck shall comprise of main staircases which allow for the functionality of the van deck. These act as focal, vertical elements, providing features at every corner of the new structure. Rather than make this element simply functional, the use of light-coloured cladding is proposed with blue cladding at high level, laid horizontally with a light profile. The van storage deck edge is proposed to comprise of galvanised steel mesh, with a consistent opening elaborating on the horizontal feature of the storage deck."*

Photovoltaic panels would be installed on part of the roof of the proposed warehouse building.

Due to the parapet height being approximately 1.4 metres above the level of that part of the roof on which the PV panels are to be located, they would not be visible as they would not protrude above the height of the parapet. The panels would have a low reflective index and anti-reflective coating applied to them and all the panels would be proofed with netting or grids attached to the panels and the roof in order to prevent access to the underside of the panels and framework by birds for roosting or nesting purposes.

In addition, to facilitate the efficient operation of the site, the proposed development includes the following infrastructure associated with the storage and distribution facility usage:

- Automated vehicle barriers;
- Covered cycle storage totalling 40 no. spaces;
- Security gates and a guard shelter;
- Boundary Fencing;
- Smoking shelter;
- Toilet Block;
- Transformers and substations; and
- Sprinkler tanks and pump house.

### 3. Landscaping

A landscaping scheme has been prepared to respond to the local topography, visual amenity, arboriculture and hydrological considerations, together with its relationship with the neighbouring airfield, and where possible, has sought to enhance the existing green infrastructure.

The proposed landscaping scheme comprises approximately 60 no. additional trees throughout the application site, together with a variety of native shrubs and hedges. The planting mix proposed has taken into consideration the safety and operational requirements of the neighbouring airfield so to avoid increased chances of collisions with birds. Consideration has been given to enhancing the landscape provision along the northern boundary along Bunford Lane in order to improve the landscape quality in this part of the site and enhance the visual amenity of the site when viewed from the north. The landscaping scheme has also taken into consideration the proposed segregated cycle and pedestrian link from Bunford Lane to Watercombe Lane.

In terms of hard landscaping, a range of materials are proposed. The proposed segregated cycle and pedestrian link would comprise a tarmacked surface together with white lining and accompanying signage.

### 4. Layout

In terms of the proposed layout of the development, the van storage deck would be located to the west of the site to enable ease of access to the existing highway network so to ensure the movements are efficient on site. The main warehouse building would lie to the east of the van storage element, and the land between would be used for the proposed van loading areas, thus making efficient use of the available land. The HGV service yard for the warehouse would be to the south of the proposed unit so to avoid the unit backing onto the frontage of the site afforded from Bunford Lane. Parking for both cars, motorcycles and bicycles would be located to the east of the proposed warehouse.

### 5. Scale

The proposed warehouse would have a maximum roof parapet height of 15 metres from

finished floor level and the van storage deck, proposed to be laid out over 3 levels (ground plus two) which would provide the operational van storage spaces, would total 11.7 metres in height. This respects the requirements of condition 04 of the outline permission ref. 13/03410/OUT and condition 11 of the outline permission ref. 13/03413/OUT, both of which require that no proposed building on any part of the site are to exceed 15 metres in height in order to respect airfield safeguarding requirements.

#### Other Outline Conditions

In addition to the information required relating to the reserved matters, this application includes information required by specific conditions on both the outline permissions, namely conditions 05 and 06 of application ref. 13/03410/OUT and conditions 03, 04, 06, 07, 09, 10, 12 and 13 of application ref. 13/03413/OUT.

#### *External Lighting*

Condition 05 of 13/03410/OUT and condition 12 of 13/03413/OUT require the submission and agreement of details of external lighting to be installed within the site, such details to include the position of lights (including height off the ground), intensity and orientation. In accordance with the above, an External Lighting Assessment has been submitted in support of this reserved matters application. The proposed lighting scheme seeks to improve site safety and to reduce the fear of crime for those on site. In the interest of aviation safety, the design of the external lighting seeks to ensure that artificial light would not impact on the operations of the neighbouring airfield. In addition, the lighting scheme has been designed to avoid adverse impact on ecology or sensitive receptors, both on and neighbouring the site.

#### *Foul and Surface Water Drainage*

Condition 06 of 13/03410/OUT and condition 07 of 13/03413/OUT require the submission and approval of the proposed foul and surface water drainage arrangements. To accord with the requirements of these conditions, a Foul and Surface Water Drainage Scheme has been submitted as part of this reserved matters application, which seeks to demonstrate that the proposed development would be operated with minimal risk from flooding with the proposed mitigation measures and would not increase flood risk elsewhere.

#### *Flooding Mitigation Measures*

Condition 06 of 13/03413/OUT requires the implementation of mitigation measures, submitted and approved as part of a Flood Risk Assessment submitted under that outline application. A separate Foul and Surface Water Drainage Scheme has been submitted as part of this 'reserved matters' application, which includes the details of the mitigation measures required, as proposed within the Flood Risk Assessment approved under 13/03413/OUT. The Foul and Surface Water Drainage Scheme identifies the scheme's provision of on-site attenuation storage and, because existing levels at the site are typically 1.6m above the minimum required finished floor levels, this satisfies the required flood risk mitigation measures in the FRA submitted with the outline application referenced within condition 6.

#### *Cycle and Pedestrian Link from Bunford Lane to Watercombe Lane*

Condition 04 of 13/03413/OUT requires written agreement of the specification and final routing of a 3 metre wide segregated cycle and pedestrian link from Bunford Lane to Watercombe Lane (at a point south of the bridge near the junction to Watercombe Park). The final scheme shall include details of suitable crossing points, visibility, gradients, drainage, headroom, lighting and signing/lining, plus a long-term maintenance schedule and confirmation of

ownership/conveyance. The agreed cycle and pedestrian link must thereafter be retained and maintained in perpetuity in accordance with the agreed specification.

As per the requirements of condition 04, a separate 3 metres wide segregated cycle and pedestrian link from Bunford Lane to Watercombe Lane is proposed to be constructed through the application site, sited along the western and southern boundaries of the site. The proposed path has been designed as part of the whole scheme and also included in all technical assessments, including drainage, lighting and landscaping.

#### *Widening of Shared Cycleway and Footway along Northern Side of Bunford Lane*

Works to widen part of the existing shared cycle and footpath that runs to the north of Bunford Lane to highway adoptable standards, together with realignment of part of the Airport security fencing, are proposed in order to accommodate the additional pedestrian and cycle movements. Such works would be carried out by the applicant in conjunction with the landowner (Leonardo UK Ltd), on whose land those works are to be carried out, and a legal Unilateral Undertaking between the applicant and landowner has been prepared accordingly.

#### *Badger Survey*

Condition 09 of 13/03413/OUT requires the carrying out of a badger survey, which is to be then submitted to and approved in writing by the Local Planning Authority. Where development is proposed within 30 metres of any recorded badger sett, a scheme of mitigation must be submitted to and agreed by the Local Planning Authority. In support of this reserved matters application, a Preliminary Ecological Appraisal has been prepared which includes a Badger Survey, together with an Ecological Impact assessment. The site was inspected for signs of badger activity, including sett entrances, latrines, footprints, runs through vegetation, guard hairs caught on fences and snuffle holes, and its suitability to support this species assessed. The Appraisal has set out various recommended construction and operation phase protection/enhancement measures related to the proposed development.

#### *Wildlife Buffer Zones*

Condition 10 of 13/03413/OUT requires the submission and approval of a management plan in respect of Buffer Zone 1 (a minimum of 3 metres in width between any development and the northern bank of the watercourse that borders the site to the south) and Buffer Zone 2 (a minimum of 4 metres in width between any development and the eastern boundary of the site). To accord with the requirements of this condition, a Preliminary Ecological Appraisal, an Ecological Impact Assessment and a Reptile Mitigation Strategy have been prepared and submitted as part of this reserved matters application.

#### *Travel Plan*

Condition 13 of 13/03413/OUT requires the submission and approval of a site wide Travel Plan framework, including initiatives and measures to encourage the use of sustainable forms of transport to and from the site together with a timetable for the implementation of each element within the Travel Plan. In accordance with this condition, a Travel Plan has been submitted, which sets out a strategy 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.

#### Submitted Technical Documents and Detailed Drawings

The following documents are included within the application submission:

Planning Statement (October 2021) prepared by DWD Property and Planning;  
Design and Access Statement Revision F (July 2021) prepared by S+SA Architects;  
Material Schedule (18 October 2021) prepared by S+SA Architects;  
Transport Compliance Statement (July 2021) prepared by Vectos;  
Response to Highway Authority comments (October 2021) prepared by Vectos;  
Travel Plan (December 2021) prepared by Vectos;  
Construction Environment Management Plan Rev B (17 January 2022) prepared by ISG;  
Landscaping Strategy prepared by TGP Landscape Architects;  
Lighting Assessment prepared by RED;  
Foul and Surface Water Drainage Strategy (30 June 2021) prepared by JPG;  
Foul and Surface Water Drainage Calculations (5 July 2021) prepared by JPG;  
Surface Water Drainage Calculations (28 September 2021) prepared by JPG;  
JPG Planning Response to LLFA Comments (19 January 2022) prepared by JPG;  
Flood Risk Assessment (18 November 2021) prepared by Delta Simons Environmental Consultants;  
Remediation and Verification Strategy (10 November 2021) prepared by Delta Simons Environmental Consultants  
BS 5837:2012 Arboricultural Survey (12 July 2021) prepared by Delta Simons Environmental Consultants;  
BS 5837:2012 Arboricultural Impact Assessment (17 September 2021) prepared by Delta Simons Environmental Consultants;  
Arboricultural Method Statement for Enabling and Construction Phases of Work (17 September 2021) prepared by Delta Simons Environmental Consultants;  
Preliminary Ecological Appraisal (14 July 2021) prepared by Delta Simons Environmental Consultants;  
Ecological Impact Assessment (19 October 2021) prepared by Delta Simons Environmental Consultants;  
Reptile Mitigation Strategy (20 October 2021) prepared by Delta Simons Environmental Consultants;  
Bird Hazard Management Plan (18 November 2021) prepared by Delta Simons Environmental Consultants;  
Biodiversity Enhancement Management Plan (22 November 2021) prepared by Delta Simons Environmental Consultants;  
Yeovil Westland Airport - Autumn Gull Survey (September 2021) prepared by Merlin Services Wiltshire Ltd;  
Built Heritage Statement (13 September 2021) prepared by RPS;  
Archaeological Desk Based Assessment (8 July 2021) prepared by RPS;  
Preliminary Geo-Environmental Risk Assessment (13 July 2021) prepared by Delta Simons Environmental Consultants;  
Geo-Environmental Assessment (10 November 2021) prepared by Delta Simons Environmental Consultants;  
Noise Assessment for Delivery Station (15 September 2021) prepared by Tetra Tech; and  
Statement of Community Involvement (September 2021) prepared by JBP.

The following drawings have been submitted:

21-6603 A000 Rev P2 - Site Location Plan  
21-6603 A001 Rev P2 - Existing Site Plan

21-6603 A002 Rev P1 - Topographical Survey  
21-6603 A003 Rev P8 - Proposed Site Plan  
21-6603 A014 Rev P3 - Van Deck Ground Floor Plan  
21-6603 A015 Rev P3 - Van Deck First Floor Plan  
21-6603 A016 Rev P3 - Van Deck Second Floor Plan  
21-6603 A022 Rev P5 - Boundary Details  
21-6603 A023 Rev P5 - Site Furniture and Equipment  
21-6603 A024 Rev P5 - Proposed Site Surface Treatment  
21-6603 A029 Rev P2 - External Buildings  
21-6603 A030 Rev P3 - LV Switchgear & Sprinkler Compound  
21-6603 A035 Rev P3 - Footpath/Cycleway Link  
21-6603 A101 Rev P3 - Proposed Ground Floor Plan 1  
21-6603 A102 Rev P4 - Proposed Ground Floor Plan 2  
21-6603 A103 Rev P6 - Proposed First Floor Plan 1  
21-6603 A104 Rev P6 - Proposed First Floor Plan 2  
21-6603 A105 Rev P5 - Proposed Roof Plan 1  
21-6603 A106 Rev P7 - Proposed Roof Plan 2  
21-6603 A204 Rev P8 - Proposed Building Elevations 1  
21-6603 A205 Rev P8 - Proposed Building Elevations 2  
21-6603 A216 Rev P4 - Proposed Van Deck Elevations  
21-6603 A301 Rev P5 - Proposed Site Sections  
21-6603 A305 Rev P4 - Proposed Building Sections  
21-6603 A308 Rev P3 - Proposed Van Deck Sections  
D285.L.001 Rev D - Landscape Masterplan  
P.018053-RED-XX-XX-DR-E-2300 Rev P6 - Electrical Services Site Wide Lighting Layout  
6006-JPG-ZZ-ZZ-DR-D-1401 S4 P02 - Proposed Drainage Layout Sheet 1 of 2  
6006-JPG-ZZ-ZZ-DR-D-1402 S4 P02 - Proposed Drainage Layout Sheet 2 of 2  
6006-JPG-ZZ-ZZ-DR-D-1451 S2 P02 - Flood Exceedance Plan  
194663-162 PD01 Rev H - Proposed Improvements  
194663-162 PD05 Rev B - Proposed Shared Cycleway/Footway on North Side of Bunford Lane  
194663-162 PD07 - Achievable Visibility with Proposed Footway

## **RELEVANT HISTORY**

The application site's planning history is set out below and identifies that there are currently two live outline consents relating to different parts of the application site.

Outline planning permission was granted on 24th August 2005 for the development of the land for industrial purposes (Use Classes B1, B2 and B8) (application ref. 04/01278/OUT). Subsequently, that permission was extended on 14th November 2013 (application ref. 13/03413/OUT). This outline consent relates to the main part of the current planning application site.

In respect of the north-western corner of the current application site, outline planning permission was first granted for the development of the site for industrial purposes on 25th August 2009 (application ref. 09/02128/OUT), including Classes B1, B2 and B8 uses. Subsequently, that outline consent was extended on 18th September 2013 (application ref. 13/03410/OUT). It was always the intention that this small piece of land neighbouring the main site would be developed

together.

A reserved matters application relating to access only, submitted pursuant to both outline applications 13/03410/OUT and 13/03413/OUT, was approved on 8th May 2017 (application ref. 16/04690/REM). None of the pre-commencement conditions have been discharged for that reserved matters consent.

Most recently, an application submitted by the County Council was approved in September 2019 for the installation of underground infrastructure to serve the neighbouring iAero building (to the north), to include foul and surface water drainage, water main and telecoms duct (application ref. 19/01463/FUL).

#### *Summary*

19/01463/FUL: Installation of underground infrastructure to serve iAero development, to include foul and surface water drainage, water main and telecoms duct.

Application permitted with conditions 12/09/2019.

16/04690/REM: Reserved Matters approval for the formation of road access following outline approval 13/03413/OUT and 13/03410/OUT.

Approved 8/5/2017.

13/03413/OUT: Application to extend the time limit for implementation of planning application 06/02182/S73 (04/01278/OUT) for the use of land for industrial purposes (Use Classes B1, B2 and B8).

Application permitted with conditions: 14/11/2013.

13/03410/OUT: Application for the extension of time limit for implementation of extant planning permission 09/02128/OUT for the development of land for industrial purposes (Use Classes B1, B2 & B8).

Application permitted with conditions: 18/09/2013.

09/02128/OUT: The development of land for industrial purposes (Use Class B1, B2 & B8).

Application permitted with conditions: 25/08/2009

06/02182/S73: Amendment to conditions 1 and 3 of planning permission 04/01278/OUT (10 years and 8 years respectively).

Application permitted with conditions: 16/08/2006.

04/01278/OUT: Development of land for industrial purposes (use classes B1, B2 and B8).

Approved: 24/08/2005.

## **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.

Section 66 of the Planning (Listed Building and Conservation Areas) Act 1990 requires

authorities considering applications for planning permission for works that affect a listed building to have special regard to certain matters, including the desirability of preserving the setting of the building.

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  
YV4 - Yeovil Airfield Flight Safety Zone  
EP3 - Safeguarding Employment Land  
TA1 - Low Carbon Travel  
TA4 - Travel Plans  
TA5 - Transport Impact of New Development  
TA6 - Parking Standards  
EQ1 - Addressing Climate Change in South Somerset  
EQ2 - General Development  
EQ3 - Historic Environment  
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 12 - Achieving well-designed places  
Chapter 14 - Meeting the challenge of climate change, flooding and coastal change  
Chapter 16 - Conserving and enhancing the historic environment

### **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**

### **West Coker Parish Council**

Initially, the Parish Council agreed to support the application but felt it should be a condition of the approval that the large roof should be utilised with the addition of solar panels to provide solar energy to the building, making it more sustainable and environmentally friendly.

Subsequently, the applicant has considered the initial suggestion offered by the Parish Council and the application proposal now includes the installation of photovoltaic panels on part of the flat roof of the warehouse building. West Coker Parish Council has been informed of this addition and has now confirmed its support for the application and has expressed its appreciation to the applicant for the effort to make the building more sustainable by adding the PV panels as part of the overall scheme.

**Brympton Parish Council** (neighbouring parish)

A report from the Brympton parish working party has been received and is in SUPPORT of the application.

"..... There are no planning issues at all with the principle, and I'm supportive of developing it. As far as I can see there are no public amenity/biodiversity values that will be affected. The "hard runway" is a red herring and does not adversely affect this site (nor is it adversely affected by it). I'm sure the relevant agencies will deal with run-off, heritage and access issues. FYI, the existing "grass" runway is reinforced by steel underground. Unfortunately that is rusting and needs to be replaced..."

**Yeovil Town Council** (neighbouring parish)

Noted.

**County Highway Authority**

Having regard to the above and the fact that the principle of developing this site was accepted previously, the Highway Authority is now content that the impact of this scheme on the highway users and infrastructure will not be severe. No objections subject to conditions.

**Lead Local Flood Authority**

No objections.

**Environment Agency**

No objections. There is a low flood risk across the majority of the site, with all the areas designated within Flood Zones 2 & 3 having green landscaping or roadways/parking located within them, indicating a sequential approach has been taken.

**Wessex Water**

In accordance with Section 104 of the Water Industry Act Wessex Water will be adopting the main surface and foul water sewers draining the on-site drainage to the watercourse and existing public foul sewer respectively. The remaining on-site drainage will be owned and maintained by a private company. The LLFA and EA will need to be satisfied with arrangements in accordance with their statutory duties. The system will be subject to Building Regulations and inspections.

There is an existing 300mm public foul sewer crossing the southern boundary of the site. A minimum easement of 3 metres either side of the outside of the pipe must be observed. The pipe must be protected during construction. Any damage to this pipe is likely to lead to significant penalty.

Wessex Water has no objections to this application.

**County Ecologist**

The proposed application, with associated low levels of Phosphate production, is unlikely to add significantly to nutrient loading on the Somerset Levels and Moors Ramsar site.

No ecological objections subject to the imposition of mitigation and enhancement conditions.

**Natural England**

No objections.

**Somerset Badger Group**

Reference made to a potential badger sett noted on this site close to the old railway bridge. Wildlife interest on the site which will require appropriate mitigation measures to be put in place.

**South West Heritage Trust**

There are limited or no archaeological implications to this proposal and therefore no objections are raised on archaeological grounds.

**Leonardo UK Ltd**

No objections are raised but it is requested that consideration be given to heights of buildings to be kept below 15 metres; provision of bird nesting prevention measures for any rooftops; design of exterior lighting; use of anti-reflective PV panels.

In addition, no objections are raised to the proposed widening of the shared cycleway and footway to the north of Bunford Lane as shown on the submitted plan but it should be noted that a separate agreement is likely to be required between Leonardo UK Ltd and the applicant and/or owner of Seafire Park for the construction, maintenance and future rights of way over the cycle path, as the area currently included within the airfield will be a new addition to the existing private pathway that runs alongside Bunford Lane.

**Ministry of Defence**

No safeguarding objection to this application from an aerodrome height perspective subject to heights of buildings being restricted to no more than 15 metres and the agreement of a construction management strategy, including addressing the potential of birdstrikes during construction works and thereafter. Reference has also been made to addressing the potential of the development providing a desirable habitat for hazardous birds, the agreement of a Bird Hazard Management Plan, spacing of canopy forming tree species and species of new planting. Finally a condition is recommended relating to the operation of cranes and tall construction equipment above 15 metres in height.

**SSDC Environmental Protection Unit**

The Environmental Health Officer has reviewed this application and the submitted documentation including noise assessment, lighting plans and planning statement.

The noise assessment is satisfactory and has been carried out in line with current industry best practice and British Standards. He is in agreement with its outputs in that both plant and operation aspects of the development are unlikely to cause a significant impact and in fact the results show that noise levels will be within the no observed effects limit. No further action or risk assessment are needed on this matter unless material changes in the application are made. The lighting plans should not cause a nuisance to sensitive residential receptors based on the submitted plans; the lighting scheme should be installed as per plans.

During construction, the prevention of dust smoke and noise should be controlled, and a condition to this end is recommended to be applied to any granted permission.

**Somerset Waste Partnership**

No comments received.

## **REPRESENTATIONS**

15 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. No representations have been received.

## **CONSIDERATIONS**

### **Principle of Development**

Outline permissions, granted in September and November 2013 to extend the time limits for implementation of outline planning permissions for the development of the site for industrial purposes falling under Use Classes B1, B2 and B8, remain extant. As such, the principle of the proposed development in this location has been established and need not be considered further as part of this reserved matters application. Material considerations now to be considered include specific details relating to access, appearance, landscaping, layout and scale, as well as other matters such as impact on the landscape and visual amenity in general, impact on the nearby designated heritage asset (the grade II listed Bunford Railway Bridge), on-site parking and turning provision, impact on safety of aircraft using the adjacent airfield, drainage provision, biodiversity and impact of phosphates on the catchment area of the Somerset Levels and Moors Ramsar sites.

As such, the principle of erecting a warehouse building (Use Class B8) with ancillary office and associated vehicle parking, van storage, plant, ancillary structures, lighting, landscaping, and infrastructure works on the site is acceptable and accords with the policies of the Local Plan and the aims and objectives of the NPPF.

### **Impact on Designated Heritage Asset (Bunford Railway Bridge)**

Bunford Railway Bridge was listed recently in 2017. It was constructed in the early 1850s over the now dismantled Durston to Yeovil branch line. Constructed in local ashlar limestone, this designated heritage asset is an elliptical-arched bridge with a projecting string course and keystone over the opening. Abutments, which remain on both sides of the bridge, have shallow but wide buttressing. The western abutments sit within the site, though the remainder of the bridge falls outside of the Site. A stone parapet with coping stones sits at road level.

The loss of the railway line over which the bridge straddled has markedly impacted its significance as it now simply spans a trackway. The bridge has also been closed to traffic negatively impacting its significance with large steel gates on both approaches to the crest. It has therefore lost any role whatsoever as it no longer spans a railway or indeed allows traffic to pass over the structure. Steel security fencing now also spans the track bed under the arch preventing access.

The "Built Heritage Statement", submitted as part of the application documentation, comments that the application site presently makes no contribution to the significance of this bridge. Built development on the site would introduce development where previously no development has existed, including along the original course of the railway line. This should however be viewed in the context that there remains no tangible evidence, beyond the existence of the railway bridge, of the presence of any transport infrastructure, or indeed the direction through the site of this infrastructure. The built development would compound the degree of development already seen on and around the route of the former railway. It is proposed to leave the bridge unused which does not change the current context in which the bridge is found. As such, the

setting will change, but the current setting is one of a bridge largely devoid of any relatable infrastructure to define its role. Its functional and visual setting as a railway bridge is now historic only. The proposed development would not materially impact the remaining significance of the Bunford Bridge.

Officers concur with this opinion. Any harm to the significance and setting of the heritage asset would be at a low level in the spectrum of "less than substantial harm". Paragraph 202 of the NPPF advises that, where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal. In this instance, the public benefits arising from the development, in terms of employment opportunities and social and economic benefits, would outweigh the low level of harm to the heritage asset that would result.

In terms of archaeological considerations, South West Heritage Trust has advised that there are limited or no archaeological implications to this proposal and therefore raises no objections on archaeological grounds.

As such, the proposed development is considered to accord with the aims and objectives of Local Plan Policy EQ3 and relevant heritage guidance within 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.

In terms of the appearance and scale of the development, it has been designed to complement the industrial nature of the site and its surrounding area, and would make use of materials and finishes that match those of the existing buildings. The proposed warehouse building would have a maximum roof parapet height of 15 metres and would be fully clad in varying tones of colour, in a banded arrangement which would complement the window arrangements, to provide horizontal detailing to break up the elevations. The proposed van storage structure would be 11.7 metres in height and would be predominantly be open sided with bands of horizontal cladding to compliment the proposed warehouse, providing necessary edge protection and screening. The proposed fabric of the scheme would reflect the industrial context of its surroundings within this employment allocation site and would contribute towards the identity of the area and this part of Yeovil.

In terms of layout, the proposed van storage deck would be situated on the western part of the application site to afford ease of access to the existing highway network. The main warehouse building would be constructed to the east of the van storage element which would allow the land between to be used for the proposed van loading areas, thus making efficient use of the available land. The HGV service yard for the warehouse would be located to the south of the proposed unit so to avoid the unit backing onto the frontage of the site afforded from Bunford Lane. Parking for both cars, motorcycles and bicycles would be to the east of the proposed warehouse, which would allow ease of access onto Watercombe Lane. The layout for the

proposed site is arranged with the active ancillary office frontage toward the main access off Watercombe Lane.

The layout of the proposed scheme and its consolidation in the centre of the application site also enables the implementation of landscaped areas to the north, east and south of the site, together with providing a route for the segregated pedestrian and cycle link between Bunford Lane and Watercombe Lane. The Landscape Strategy demonstrates that alongside the proposed development, the proposed planting scheme provides a range of native tree and shrub planting, including approximately 60 trees which would contribute to enhancing the visual quality of the site and its ecological value. The proposed landscaping design has also taken into account the operational and safety requirements for the neighbouring airfield, and has been designed to reduce the risk of birds in the proximity to the runway. Landscape buffer zones have been provided along the southern and eastern boundaries of the site to reflect the requirements of condition 10 of outline planning permission 13/03413/OUT, the reason for imposing such a condition being to *"facilitate the unfettered movement of wildlife along the extremities of the site including the watercourse corridor"*.

It is considered that the proposed appearance, 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**

Access to this site is a reserved matter and access points have been distributed throughout the site to ensure minimal additional traffic along Bunford Lane and Watercombe Lane. HGV access to the site would be restricted to the south eastern entrance to avoid the use of the weak bridge that joins Watercombe Lane to Bunford Lane. HGV access towards the south of the site through a separate access point would also ensure further site security and limiting any light spill onto the airfield.

In respect of the proposed segregated cycle/path, the proposed layout of the segregated route is considered to represent the most suitable route through the site as it would allow the allocated employment site to be utilised for employment generating uses. The proposed route would afford improved permeability for pedestrians and cyclists in this part of Yeovil and would contribute towards promoting more sustainable modes of transport and healthy lifestyles. In addition to the proposed lighting scheme along the route, an element of natural surveillance would be provided from the elevated windows on the southern elevation of the proposed warehouse building.

To accommodate the additional pedestrian and cycle movements on Bunford Lane, part of the existing shared footpath and cycle route along the northern edge of the road would be upgraded and would be widened in a northerly direction to provide a segregated footway and cycle route. This would necessitate realigning part of the airport's security fencing. Such works would be carried out to adoptable standards by the applicant (in consultation with the landowner, Leonardo UK Ltd) and a legal unilateral undertaking has been prepared by both parties to secure the implementation of such works.

A detailed Construction Environment Management Plan (CEMP) has been submitted. The primary aim of the CEMP is to assess the impact of construction on the local community and ecological interests. The report sets out the proposed construction vehicle routing strategy, indicative details concerning the type of construction vehicles required to serve the site daily, and operating procedures to be employed at the Site to help mitigate the impact of development on the local highway network. Clear routes and procedures are outlined that would be adhered to at all times as a means of limiting the effect of construction. It addresses the practical considerations of construction, including the proposed construction methodology and anticipated timescales, and more importantly assesses the impact of construction on the local community giving consideration to issues such as traffic congestion, air quality impacts associated with dust and vehicle emissions, noise, hours of operation and site security.

In addition, a Travel Plan has been submitted, which sets out a strategy 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.

The County Highway Authority considers the following points to be salient to the submitted proposal.

- a) The level of HGV activity associated with the development has been presented using TRICS data. However, the actual level of HGV activity associated with the proposed operation is anticipated to be lower.
- b) The bridge on Watercombe Lane is no longer available as a through-route. Therefore, vehicles would not be able to use this route to get to the site accesses on Bunford Lane.
- c) There are benefits to more vulnerable highway users in providing the cycleway footway through the site.

Having regard to the above and to the fact that the principle of developing this site has been accepted, the Highway Authority is content that the impact of this scheme on the highway users and infrastructure will not be severe. All works which affect the highway, including provision of the cycleway/footway, would need to be undertaken in agreement with the Highway Authority.

No objections are raised by the Highway Authority subject to conditions relating to the strict implementation and adherence to the submitted CEMP and Travel Plan; implementation of the submitted drainage strategy particularly in respect of the provision for the disposal of surface water so that none drains onto the highway; construction of the on-site segregated cycleway/footway and widening of the shared cycleway/footway to the north of Bunford Lane both prior to occupation/use of the development; provision and retention of all access works, vehicular and bicycle parking, electric vehicle charging points, turning and servicing areas; and no obstructions within the visibility splays at all access points.

### **Flood Risk and Drainage**

The Environment Agency (EA) has raised no objections to this application. There is a low flood risk across the majority of the site, with all the areas designated within Flood Zones 2 and 3 having green landscaping or roadways/parking located within them, indicating a sequential approach has been taken. The access bridge over the watercourse in the southeast corner of the site will need to have approval from the Lead Local Flood Authority (LLFA) to ensure that the soffit levels are set at agreeable levels, as the watercourse is an ordinary watercourse. This site will not require a Flood Risk Activity Permit for any of the works as not near to a designated

main river.

The EA has confirmed that it considers the submitted Construction Environment Management Plan to be acceptable.

In addition the EA has reviewed the submitted report entitled 'Geo-Environmental Assessment' prepared by Delta Simons Environmental Consultants. On the basis of the information provided in this report there would appear to be some potential for land contamination at the site, although the EA understands that limited concentrations have thus far been identified. However the site is relatively sensitive with respect to groundwater (Principal Aquifer) and is located adjacent to a watercourse. Therefore a condition is recommended with respect to unexpected contamination. If, during development, contamination not previously identified is found to be present at the site then no further development in the area where contamination has been found (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until a remediation strategy detailing how this contamination will be dealt with has been submitted to, and approved in writing by, the LPA. The remediation strategy shall be implemented as approved. Provided at any time there is shown to be a risk to the water environment due to movement of any unidentified contamination, work must stop until mitigation and remediation is provided.

The LLFA has raised no objections to the submitted drainage details. 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.

### **Airfield User Safety**

Mindful of the very close proximity of Yeovil Airfield, a Bird Hazard Management Plan (BHMP) has been submitted which assesses the potential of the proposed development to be attractive to nesting, roosting and "loafing" birds and advises on the measures that should be put in place to ensure that the site would not increase bird strike risk. The proposed development has been assessed against relevant bird management criteria in order to negate potential bird attractants where they exist. This is in order to adhere to a 'best practice safeguarding process' and to minimise any potential risks to operational aircraft associated with the Airfield. Through the inclusion of the proposed site management documented within the submitted BHMP as part of the proposed development, it is anticipated that the proposed development would not increase the bird strike risk to the Airfield.

The main potential issues identified from the development proposals are likely to be in relation to the following hazardous bird species, including:

- Pigeon species (feral pigeon, stock dove, collard dove and wood pigeon);
- Starlings;
- Corvid species (primarily jackdaw, magpie and carrion crow); and
- Gull species (Future potential from roof-top nesting gull species such as a lesser black-backed gull and herring gull).

The key elements of the building design that could be attractive to hazardous bird species are listed below and would require mitigation in the form of management measures to be put in place to eliminate potential bird attractants. These are as follows:

1. Flat roof with photo voltaic (PV) panels - PV panels are to be fitted to the roof of the proposed new building which shall include two separate banks of panels located across the centre of the roof. Areas under the photo voltaic panels have the potential to be utilised as nesting, roosting and loafing sites for hazardous bird species. Gaps, recesses, ledges, holes and spaces within these structures may offer the potential for hazardous species to exploit them for nesting, roosting and loafing.

2. Undisturbed areas of the Van Deck - There is potential for gull species to use undisturbed areas of the Van Deck for roosting, loafing and / or nesting.

3. Security Fencing - The boundary fencing of the site comprises galvanised palisade metal fencing that has the potential to offer perching for hazardous bird species.

In order to ensure that the aspects of the current site design with the potential to attract hazardous bird species are negated, 'Active Management' would be undertaken by the applicant/occupier (as appropriate). This would involve:

- The designation of a permanent on-site representative (site manager) made responsible for on-site bird hazard management (bird control) associated with the new buildings who would be suitably trained in bird identification and control and would be in contact with, and accountable to, Yeovil Airfield Operations Staff;
- Roof-top inspections would be undertaken at a regular frequency and this would be weekly by the designated person. A log would be kept which would detail dates and times of inspections, who carried out the inspections, bird numbers and species seen, details of any dispersal action taken along with details of any nests/eggs removed; and the log would be available to Yeovil Airfield Operations to view upon request;
- A walkover of the wider site to identify any changes in use of it by potentially hazardous species should be completed. This person would have continual access to a hand-held distress call unit (scarecrow handheld device or similar) in order to undertake bird dispersal at short notice. Over reliance on one technique could lead to habituation and birds ignoring the control, and a range of techniques would be used, including spikes on ledges, hawk kites and similar deterrents;
- The framework of the PV panels would be proofed with netting or grids attached to the panels and the roof in order to prevent access to the underside of the panels and framework, therefore, reducing the risk of gulls or pigeons from nesting beneath the panels;
- Ongoing responsibility would remain with the applicant/site occupier to provide / employ a pest control contractor, if required, to deal with any potential hazardous bird species (gulls, corvids, pigeons and starlings) under the appropriate licences from Natural England, and once the nests / eggs have been removed any adult birds remaining would be actively displaced. These would be informed / notified by assessments made during the weekly inspections;
- Inspections would be particularly important during the gull breeding season (early April to the end of June), although they should be carried out all year as feral pigeons can breed at any time. The removal or control of eggs or nests of large gulls and feral pigeons subject to the relevant legislation will be undertaken to ensure no successful breeding by large gulls or feral pigeons on the roof spaces. All adults would be actively displaced to reduce the risk of the birds re-establishing nests;
- Any birds found roosting and/or loafing outside of the breeding season would be dispersed when detected and/or when requested by Yeovil Airfield Operations Staff;

- Inspections are particularly important during cold spells in the winter months to deter roosting hazardous bird species such as corvids, starlings, gulls and pigeons, and should individuals or colonies target the site then daily inspections would be completed and appropriate measures taken, including the use of audio equipment until the birds have been successfully deterred;
- The applicant/ site occupier would be responsible for ensuring that all litter and colonising plant growth is removed in order to prevent a food source being provided (attracting hazardous bird species such as woodpigeon and corvids). Checks and the necessary clearance would be documented within the Site Management Plan; and
- Additional bird control and pest control measures would be implemented if regular monitoring identifies any unforeseen attractants or hazards present at the site impacting the safe operation of Yeovil Airfield.

The BHMP would be subject to regular review to reflect changes in habitat or populations of bird species. In relation to long term management, the BHMP would remain enforceable by Yeovil Airfield, the Local Planning Authority, the CAA or any successor to these bodies throughout the existence of the buildings. These obligations would be passed to any subsequent owners/operators of these buildings and land.

In summary therefore, the proposed development, with the appropriate and responsible implementation of the proposed active bird management measures would negate the potential attraction posed by the site design to hazardous bird species. These active bird management measures would safeguard against any potential for exploitation by opportunistic hazardous bird species.

#### Ministry of Defence

The MOD notes that the application site is approximately 0.3 km from Yeovil Airport and 7.1 km from the RNAS Yeovilton and occupies the statutory aerodrome and birdstrike safeguarding consultation zones surrounding both aerodromes.

#### *Height Safeguarding Zones*

Aerodrome Safeguarding Zones define zones around aerodromes to regulate the height of structures to prevent the obstruction of the critical air space encompassing the aerodrome in which the principal take-off, landing and circuiting procedures are contained. Therefore buildings should be no higher than 15.0M above ground level.

#### *Cranes*

The MOD recognises that cranes maybe used during the construction of buildings at this site. Due to the close proximity of Yeovil Airport, these may affect the performance of the air traffic safety. If the redevelopment of this site does progress, it will be necessary for the applicant/developer to liaise with the MOD prior to the erection of cranes or temporary tall structures. A condition is recommended requiring the approval from the Local Planning Authority and Yeovil Airport for the operation of cranes/tall construction equipment above 15 metres. Subject to the above condition being imposed, the MOD maintains no safeguarding objection to this application from an aerodrome height perspective.

#### *Birdstrike*

Within this zone, the principal concern of the MOD is that the creation of new habitats may attract and support populations of large and, or, flocking birds close to the aerodrome. The

principal safeguarding concern of the MOD in relation to this development in the vicinity of Yeovil Airport and RNAS Yeovilton relates to the potential increase in birdstrike risk to aircraft operations as a result of the initial earthworks stage of this development, areas of new hedgerow and tree planting, and the proposed design of the roof space on the new buildings is of a large 'flat' roof style.

There is the potential for the initial earthworks stage of this development to create an increase in hazardous bird activity through the exposed earth, temporary puddling after storm events and discarded food waste. Therefore, the submitted Bird Hazard Management Plan, detailing the management and mitigation measures that will be in place to prevent an increase in bird strike risk, must be in place and adhered to.

The proposed landscaping scheme involves areas of new tree planting and hedgerow. It is acknowledged by the MOD that new trees are proposed in relatively small numbers, and it is proposed that Oak will be one of the species used. It is encouraging that Oak will make up only 15% of the tree species mix and it is recommended that the developer keeps the use of dense canopy forming species of trees, such as Oak and Scots Pine, to this figure to reduce the attractant to corvid and Wood Pigeon species which may utilise the site for a new breeding site. Fruit/berry bearing species of plant are also proposed and it is recommended that the total amount of berry/fruit bearing plants used on site is less than 25% of the total mix.

To address the potential of the development to provide a desirable habitat for hazardous birds, the MOD requests the imposition of conditions requiring the implementation and adherence to the submitted Bird Hazard Management Plan; canopy forming tree species to be kept to a minimum (maximum of 15%) and spaced apart to prevent the forming of a continuous barrier; and Berry/fruit bearing plants to be kept to a minimum (maximum of 25%).

Subject to the above mentioned conditions, the MOD raises no objections to the application proposal.

#### *Summary*

No proposed building exceeds the stipulated 15 metres height referred to by the MOD and various conditions form part of the formal Officer recommendation to reflect all the other comments and recommendations offered by the MOD.

#### Leonardo UK Ltd

Whilst raising no concerns regarding the proposed design height of the development, to comply with the current airfield safeguarding procedures any building on the proposed development must remain below a height of 15 metres. Objection would be raised if there were any proposals for the inclusion of any masts (e.g. telecoms etc.) in the vicinity of the new development.

It has been noted that, as a consequence of the proposed development, there is a risk of increased urban gull activity in the area, which has a potential to impact airfield and flight safety. It is therefore requested that bird nesting prevention measures for any rooftops within the proposed development are incorporated into the roof design, to mitigate this issue. This should also be taken into consideration in relation to any proposed landscaping designs.

In relation to lighting for the proposed development, in order to maintain flight operation safety, no lighting schemes, street lighting etc. should be erected which could be mistaken from the air

to look like a layout/pattern of an airfield runway lighting system. Any proposed exterior lighting scheme should not be angled upwards west facing, towards the runway 09 final approach.

If there is to be any future installation of PV panels for solar energy, it is requested that only panels with a low reflective index and Anti-Reflective (AR) coating are used.

It is noted that the proposed development is set to have a public cycle path around its perimeter, which would discharge onto Bunford Lane. However, Bunford Lane does not have a Department of Transport (DoT) compliant combined cycle and pedestrian footpath. The footpath would need to be a minimum width of 3 metres for a shared cycle/pedestrian path. As this development has the potential to create higher flows with cyclists and pedestrians travelling in opposite directions, frequently having to pass each other, then the minimum width should be 5 metres. Currently, Bunford Lane does not have sufficient space to accommodate this increased width.

As advised above in response to the MOD comments, no proposed building exceeds the stipulated 15 metres height referred to by Leonardo UK Ltd and various conditions form part of the formal Officer recommendation to reflect the other comments raised by the Company. Given that Bunford Lane is a privately owned road, the applicant and Leonardo UK Ltd have arrived at an agreement to widen the existing shared footway and cycle route alongside the northern edge of Bunford Lane to an adoptable standard so that it becomes a widened segregated route for pedestrians and cyclists.

### **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.

There are no internationally important statutory designated sites within 6 km of the site and no locally or nationally important statutory designated sites within 2 km of the site centre.

A detailed Biodiversity Enhancement Management Plan (BEMP) has been submitted which addresses the potential impacts of the proposed development on the existing ecology and nature conservation at the site and within the immediate surrounding land, having due regard to recommended avoidance, mitigation, and compensation measures in accordance with BS42020 (2013): Biodiversity - Code of practice for planning and development.

The measures proposed would ensure that the biodiversity protection and enhancements for the site would be incorporated into both the construction and operational phases of the development, and that overall there would be a net gain in the biodiversity value of the site in accordance with the NPPF and the Planning Practice Guidance (PPG). The NPPF advises that opportunities to incorporate biodiversity in and around developments should be encouraged and that the planning system should contribute to and enhance the natural and local environment through a number of means, including "Minimising impacts on biodiversity and providing net gains in biodiversity where possible, contributing to the Government's commitment to halt the overall decline in biodiversity, including by establishing coherent

ecological networks that are more resilient to current and future pressures."

The landscaping plan and proposed management have been developed to enhance the biodiversity of the site and to provide a range of resources for locally occurring wildlife (birds, reptiles, bats, badgers, and water vole). The habitats present on site are widespread in the local area, and on a national scale. None of the habitats on the site are considered to be rare, bar the watercourse on-site, which is considered valuable. Whilst the majority of habitats on-site would be lost to facilitate the development, they are of low nature conservation value in themselves. The more valuable habitats, including the small area of mixed plantation woodland (0.06 ha) and line of broadleaved trees along the site's southern boundary would be retained.

The proposals include tree planting to be undertaken around the boundaries of the site to provide structural screen planting, and to enhance the existing woodland. In addition, scrub planting would be undertaken in the north-eastern corner of the site and along the southern site boundary in order to provide protection for the watercourse. In all cases, a range of native species, and those of known value to wildlife, would be incorporated which would enhance the ecological value of the site and would provide increased foraging and connectivity for species on-site. The creation of wildflower grassland would be undertaken within landscaped areas.

No hedgerows have been recorded on-site but a native species hedgerow would be planted along the northern, western, and southern boundaries, and to the south of the retaining wall. Such new hedgerows would provide a boundary to the Lynx Trading Estate to the west, comprising industrial buildings to the south, to the west and to the east. An infrequent management regime could be applied to increase their value to wildlife.

To further enhance the ecological value of the site, and to provide additional nesting opportunities for birds, a variety of bird boxes would be placed at suitable locations around the site. These would be suitable to accommodate a range of species known to occur in the local area, and particularly those most likely to be attracted to the site following completion of the proposed development. Bird boxes would include four hole-fronted boxes (suitable to support blue tits *Cyanistes caeruleus* and great tits *Parus major*) and two open-fronted boxes (suitable to support wrens *Troglodytes troglodytes* and robins *Erithacus rubecula*). The boxes would be placed on suitable trees around the site.

In addition, in order to provide roosting opportunities for bats following completion of the proposed development, a variety of bat roosting features would be incorporated at suitable locations around the site. These would be suitable to accommodate a range of species known to occur in the local area and would include three Schwegler 2FN bat boxes (or similar). The bat boxes would be installed on appropriate trees within the eastern or southern, or trees to be retained that are not in direct light.

Landscape planting across the site would incorporate native species, or those of known value to wildlife, to encourage pollinating insects and subsequently a food source for bats, as such the scrub and trees that form the northern and western boundaries would be retained, therefore providing suitable commuting and foraging habitat to allow bats to disperse on to and off the site. Furthermore, the creation of a pond within the north-western area of the site would also encourage invertebrate prey and a mosaic of habitats for bats.

The mixed plantation woodland, where the two badger setts and signs of badger activity have

been recorded, are to be retained as part of design proposals for the site. Although most foraging habitat would be lost from site during the construction phase, soft landscaping plans would retain suitable foraging and commuting habitat for badger around the site boundaries during the operational phase.

In addition, the proposed landscaping plan includes a 15 - 20 metres vegetation buffer from the watercourse to protect water voles from any disturbance from the operational phase of the development.

The County Ecologist has provided a very detailed response and has described the site's characteristics, the various habitats present on the site and notable and protected species at the site (including slow worms, bats, badgers, water vole and hedgehog). He raises no objections to the proposal subject to the inclusion of various conditions relating to ecological mitigation and enhancement measures contained within the submitted documentation. Such conditions are considered to be both reasonable and necessary and form part of the final recommendation.

In addition, Natural England has raised no objections.

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 is within this catchment area.

It is considered by Natural England that, although improvements to Sewage Treatment Works along with more minor measures to tackle agricultural pollution, have been secured these will not reduce phosphate levels sufficiently to restore the condition of the Ramsar Site. Therefore, the scope for permitting further development that would increase phosphates either directly or indirectly to the site is limited. This means that before determining certain planning applications for proposals that may give rise to additional phosphates within the catchment, competent

authorities (i.e. the local planning authority) should undertake a Habitats Regulations Assessment (HRA), proceeding to an Appropriate Assessment (AA) where a likely significant effect cannot be ruled out.

Notwithstanding this, 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 in to 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 confirmed 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 in close proximity to the site. Thus there would be no resultant detriment to residential amenity as a result of this development proposal.

### **Conclusion**

The proposal represents an appropriate form of development on an allocated employment site which has been considered to be acceptable in principle having regard to up-to-date guidance within the National Planning Policy Framework. Having regard to the public benefits that would result, the proposed development would cause no overriding harm to the significance and setting of the nearby designated heritage asset. 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 residential amenity, highway safety, flood risk and drainage, airport safety, biodiversity or impact on the Somerset Levels and Moors catchment area.

Accordingly, the proposed scheme is considered to accord with Policies SD1, SS1, SS3, SS6, YV4, EP3, TA1, TA4, TA5, TA6, EQ1, EQ2, EQ3, EQ4, EQ5 and EQ7 of the South Somerset Local Plan and relevant guidance within the NPPF and the proposal is recommended for approval.

### **RECOMMENDATION**

Approve for the following reason:

01. The proposal represents an appropriate form of development on an allocated employment site which has been considered to be acceptable in principle having regard to up-to-date guidance within the National Planning Policy Framework. Having regard to the public benefits that would result, the proposed development would cause no overriding harm to the

significance and setting of the nearby designated heritage asset. 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 residential amenity, highway safety, flood risk and drainage, airport safety, biodiversity or impact on the Somerset Levels and Moors catchment area.

Accordingly, the proposed scheme is considered to accord with Policies SD1, SS1, SS3, SS6, YV4, EP3, TA1, TA4, TA5, TA6, EQ1, EQ2, EQ3, EQ4, EQ5 and EQ7 of the South Somerset Local Plan and relevant guidance within the NPPF.

### **SUBJECT TO THE FOLLOWING:**

01. This notice of approval of reserved matters shall only relate to outline planning permissions ref. 13/03410/OUT dated 18th September 2013 and ref. 13/03413/OUT dated 14th November 2013.

Reason: For the avoidance of doubt and to comply with Section 92 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. 21-6603 A000 Rev P2 - Site Location Plan
- Drawing no. 21-6603 A001 Rev P2 - Existing Site Plan
- Drawing no. 21-6603 A002 Rev P1 - Topographical Survey
- Drawing no. 21-6603 A003 Rev P8 - Proposed Site Plan
- Drawing no. 21-6603 A014 Rev P3 - Van Deck Ground Floor Plan
- Drawing no. 21-6603 A015 Rev P3 - Van Deck First Floor Plan
- Drawing no. 21-6603 A016 Rev P3 - Van Deck Second Floor Plan
- Drawing no. 21-6603 A022 Rev P5 - Boundary Details
- Drawing no. 21-6603 A023 Rev P5 - Site Furniture and Equipment
- Drawing no. 21-6603 A024 Rev P5 - Proposed Site Surface Treatment
- Drawing no. 21-6603 A029 Rev P2 - External Buildings
- Drawing no. 21-6603 A030 Rev P3 - LV Switchgear & Sprinkler Compound
- Drawing no. 21-6603 A035 Rev P3 - Footpath/Cycleway Link
- Drawing no. 21-6603 A101 Rev P3 - Proposed Ground Floor Plan 1
- Drawing no. 21-6603 A102 Rev P4 - Proposed Ground Floor Plan 2
- Drawing no. 21-6603 A103 Rev P6 - Proposed First Floor Plan 1
- Drawing no. 21-6603 A104 Rev P6 - Proposed First Floor Plan 2
- Drawing no. 21-6603 A105 Rev P5 - Proposed Roof Plan 1
- Drawing no. 21-6603 A106 Rev P7 - Proposed Roof Plan 2
- Drawing no. 21-6603 A204 Rev P8 - Proposed Building Elevations 1
- Drawing no. 21-6603 A205 Rev P8 - Proposed Building Elevations 2
- Drawing no. 21-6603 A216 Rev P4 - Proposed Van Deck Elevations
- Drawing no. 21-6603 A301 Rev P5 - Proposed Site Sections
- Drawing no. 21-6603 A305 Rev P4 - Proposed Building Sections

Drawing no. 21-6603 A308 Rev P3 - Proposed Van Deck Sections  
Drawing no. D285.L.001 Rev D - Landscape Masterplan  
Drawing no. P.018053-RED-XX-XX-DR-E-2300 Rev P6 - Electrical Services Site Wide Lighting Layout  
Drawing no. 6006-JPG-ZZ-ZZ-DR-D-1401 S4 P02 - Proposed Drainage Layout Sheet 1 of 2  
Drawing no. 6006-JPG-ZZ-ZZ-DR-D-1402 S4 P02 - Proposed Drainage Layout Sheet 2 of 2  
Drawing no. 6006-JPG-ZZ-ZZ-DR-D-1451 S2 P02 - Flood Exceedance Plan  
Drawing no. 194663-162 PD01 Rev H - Proposed Improvements  
Drawing no. 194663-162 PD05 Rev B - Proposed Shared Cycleway/Footway on North Side of Bunford Lane  
Drawing no. 194663-162 PD07 - Achievable Visibility with Proposed Footway

and, for the avoidance of doubt, the external surfaces of the new development shall be of materials as indicated on the approved materials schedule dated 18th October 2021. No other external finishing materials shall be used without the prior written approval of the Local Planning Authority.

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

03. Prior to any construction activity that is conducive to the disturbance of badgers within the identified badger exclusion zone, the applicant shall submit to the Local Planning Authority either:
- a) a copy of the licence issued by Natural England pursuant to The Protection of Badgers Act 1992 authorising the development to go ahead; or
  - b) a statement in writing from a qualified competent ecologist to the effect that he/she does not consider that the development will require a licence.

The Local Planning Authority shall acknowledge receipt and confirm its acceptance in writing of either the licence or written statement required by a) or b) within 21 days thereafter its receipt.

Reason: The submission to, and written confirmation of acceptance by, the Local Planning Authority of either a copy of the licence issued by Natural England or a written statement from a qualified competent ecologist to the effect that he/she does not consider that the development will require a licence prior to any construction activity that is conducive to the disturbance of badgers within the identified badger exclusion zone is fundamental to ensure there is strict protection afforded to a protected species, having due regard to Policy EQ4 of the South Somerset Local Plan, relevant guidance within the NPPF and relevant statutory legislation, including The Protection of Badgers Act 1992.

04. Prior to the commencement of the reptile active season (March, weather dependant), a detailed reptile off-site translocation strategy shall be submitted and approved in writing by the Local Planning Authority. Such a strategy shall include details of the location and status of translocation site. This phase of the development shall thereafter be carried out in accordance with the approved off-site translocation strategy.

All other works shall be undertaken in accordance with the document "Reptile Mitigation Strategy" (October 2021) prepared by Delta Simons and confirmation of the completed works by the competent ecologist shall be submitted to the Local Planning Authority within one week of completion.

Reason: In the interests of UK protected and priority species and in accordance with Policy EQ4 of the South Somerset Local Plan and relevant guidance in the NPPF.

05. Throughout the construction period, the approved details within the approved document "Construction Environment Management Plan" Rev B (CEMP) (dated 17 January 2022) prepared by ISG shall be strictly implemented and adhered to and maintained and retained for the duration of the construction period. There shall be no variations to the approved CEMP without the prior written approval of the Local Planning Authority (in consultation with the Ministry of Defence as applicable to subsections 4.4 'Artificial Lighting' and 9.3 'MOD Engagement').

A report prepared by the Ecological Clerk of Works or similarly competent person certifying that the required mitigation and compensation measures identified in the approved CEMP have been completed, and detailing the results of site supervision and any necessary remedial works undertaken or required, shall be submitted to and approved in writing by the Local Planning Authority before occupation/use of the development or at the end of the next available planting season, whichever is the sooner. Any approved remedial works shall subsequently be carried out under the strict supervision of a professional ecologist following that approval.

Reason: To ensure that ecological mitigation measures are delivered; to safeguard protected /priority species and habitats; to minimise the potential of the initial construction works approved to provide a habitat desirable to hazardous large and/or flocking birds which have the potential to pose a considerable hazard to aviation safety which is exacerbated by the proximity of Yeovil Airport and RNAS Yeovilton; to ensure a satisfactory level of environmental protection; to minimise disturbance to local businesses; to prevent harm being caused to the amenity of the area; and in the interests of highway safety during the construction process, having regard to Policies YV4; TA5, EQ2, EQ4 and EQ7 of the South Somerset Local Plan and relevant guidance in the NPPF.

06. The operation of cranes/tall construction equipment above 15.2M AGL shall not commence until:
- a) notice is provided in writing by the applicant/site operator to the Local Planning Authority and to Yeovil Airport clarifying the extent of such operation(s), numbers and heights of cranes to be used and their approximate duration on site; and
  - b) receipt by the applicant/site operator from the Local Planning Authority and Yeovil Airport in writing, within 28 days from the date of service of such notice, providing confirmation of their approval to such operation(s) occurring; or
  - c) the expiry of 28 days following the date on which the notice was served on the Local Planning Authority and Yeovil Airport without either the Authority or Yeovil Airport notifying the applicant/site operator as to whether approval or refusal is given to the carrying out of such operation(s).

Reason: To ensure that the use of any cranes or other tall construction equipment does not affect the performance of air traffic safety at the nearby Yeovil airport, having regard to Policies YV4, EQ2 and EQ7 of the South Somerset Local Plan.

07. All ecological enhancement, management, monitoring and remediation measures and/or works shall be carried out strictly in accordance with the details contained in the document entitled "Biodiversity Enhancement Management Plan (BEMP)", issued on 22nd November 2021 and prepared by Delta-Simons Environmental Consultants Ltd. Prior to occupation/use of the development photographs showing the implementation, planting, erection or installation of these various ecological measures shall be submitted to the Local Planning Authority by the applicant/developer and the Local Planning Authority shall acknowledge receipt and confirm its acceptance of the photographs within 21 days thereafter following its receipt.

Thereafter, such ecological measures contained within the approved BEMP 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.

Reason: To ensure the development contributes to the Government's target of no net biodiversity loss as set out in the National Planning Policy Framework, Policy EQ4 of the South Somerset Local Plan, and the Council's obligations for biodiversity under the Natural Environment and Rural Communities Act 2006.

08. The details within the approved document "Bird Hazard Management Plan" Issue no. 3 (BHMP) (dated 18th November 2021) (project no. 21-0601.11) prepared by Delta-Simons Environmental Consultants shall be strictly implemented and adhered to and maintained and retained in perpetuity and there shall be no variations to the approved BHMP without the prior written approval of the Local Planning Authority (in consultation with the Ministry of Defence).

Reason: The implementation and adherence to the details within the approved BHMP will ensure that there is a comprehensive bird management plan in situ to prevent the use of the site by hazardous birds at all stages of the development and in perpetuity, having regard to Policies YV4, EQ2 and EQ7 of the South Somerset Local Plan.

09. All external lighting shall be installed strictly in accordance with the specifications and locations indicated on drawing no. P.01853-RED-XX-XX-DR-E-2300 Rev P6 and shall be maintained thereafter in accordance with the approved design details. Under no circumstances shall any other external lighting be installed without the prior approval in writing from the Local Planning Authority.

Reason: In the interests of the 'Favourable Conservation Status' of populations of European protected species and in accordance with Policy EQ4 of the South Somerset Local Plan and relevant guidance in the NPPF.

10. Prior to occupation/use of the development hereby permitted, a segregated cycleway and footway shall be constructed as indicated on the approved drawings, allowing pedestrian and cycle movements through the site linking together Bunford Lane and Watercombe Lane.

Thereafter, the approved segregated cycleway and footway within the site linking Bunford Lane and Watercombe Lane shall be retained and maintained and remain open for public access in perpetuity and shall, at no times, be obstructed and public use prevented, unless there is a need for the carrying out of essential repairs and maintenance to any part of the cycleway and footway, in which case prior written notification from the applicant/developer shall be submitted to the Local Planning Authority with clear details provided as to the extent of repair or maintenance works to be carried out and the length of time such obstruction will occur, and subsequent written approval provided by the Local Planning Authority.

Reason: In the interests of sustainability and allowing ease of movement for pedestrians and cyclists from Bunford Lane to Watercombe Lane in perpetuity in accordance with Policies EQ2 and TA5 of the South Somerset Local Plan and relevant guidance in the NPPF.

11. Prior to occupation/use of the development hereby permitted, a shared cycleway and footway shall be constructed along the northern side of Bunford Lane as indicated on the approved drawing no 194663-162 PD05 Rev B.

Reason: In the interests of sustainability and public safety and convenience, allowing ease of movement for pedestrians and cyclists along Bunford Lane in perpetuity in accordance with Policies EQ2 and TA5 of the South Somerset Local Plan and relevant guidance in the NPPF.

12. For all access points onto the public highway, there shall be no obstruction to visibility greater than 600 millimetres above adjoining road level in advance of lines drawn 2.4 metres 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 the access. Having regard to the size and weight of vehicles accessing the site during the construction phase, such visibility shall be fully provided before the development hereby permitted is commenced and shall thereafter be maintained at all times.

Reason: In the interests of highway safety and public convenience, having regard to Policies TA5 and TA6 of the South Somerset Local Plan and relevant guidance within the NPPF.

13. All access works, vehicular and bicycle parking, electric vehicle charging points, turning and servicing areas shall be provided, laid out and completed in accordance with the details indicated on the approved drawings prior to first occupation / use of the development for the purposes hereby permitted. Thereafter the vehicular, motorcycle and bicycle parking spaces, electric vehicle charging points and the turning 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.

14. The details set out within the approved "Travel Plan" document, dated December 2021, prepared by Vectos 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 County 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.

15. A scheme of hard and soft landscaping shall be completely carried out in accordance with the details indicated on the approved drawing no. D285.L.001 Rev D "Landscape Masterplan" within the first available planting season from the date of commencement of the development, or as otherwise extended with the prior agreement in writing of the Local Planning Authority. Canopy forming tree species shall be kept to a minimum (maximum of 15%) and spaced apart to prevent the forming of a continuous barrier and berry/fruit bearing plants shall be kept to a minimum (maximum of 25%).

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 YV4, EQ2 and EQ4 of the South Somerset Local Plan and relevant guidance within the NPPF.

16. Provision shall be made within the site for the disposal of foul and surface water drainage in accordance with the drainage strategy detailed in the following approved drawings and documents.

- a) Foul and Surface Water Drainage Calculations prepared by JPG (ref: 6006-JPG-XX-XX-CA-D-0500-S2-P03), dated 5th July 2021;
- b) Foul and Surface Water Drainage Strategy prepared by JPG (ref: 6006-JPG-XX-XX-RP-D-0621-S2-P03) dated 30th June 2021;
- c) Drawing no. 6006-JPG-ZZ-ZZ-DR-D-1401 S4 P02 - Proposed Drainage Layout Sheet 1 of 2;
- d) Drawing no. 6006-JPG-ZZ-ZZ-DR-D-1402 S4 P02 - Proposed Drainage Layout Sheet 2 of 2;
- e) Drawing no. 6006-JPG-ZZ-ZZ-DR-D-1451 S2 P02 - Flood Exceedance Plan; and
- f) JPG Planning Response to LLFA Comments, dated 19th January 2022.

The approved drainage infrastructure shall be installed prior to occupation/use of the development hereby permitted and thereafter so retained and maintained as such.

Reason: In order to safeguard against pollution and flooding of adjoining roads, having regard to Policies EQ1, EQ2, EQ7 and TA5 of the South Somerset Local Plan and relevant guidance within the NPPF.

17. If, during development, contamination not previously identified is found to be present at the site then no further development in the area where contamination has been found (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until a remediation strategy detailing how this contamination will be dealt with has been submitted to, and approved in writing by, the LPA. The remediation strategy shall be implemented as approved.

Provided at any time there is shown to be a risk to the water environment due to movement of any unidentified contamination, work must stop until mitigation and remediation is provided.

Reason: To ensure that the development does not contribute to, and is not put at unacceptable risk from or adversely affected by, unacceptable levels of water pollution from previously unidentified contamination sources at the development site, having regard to Policies EQ1, EQ2, EQ7 and TA5 of the South Somerset Local Plan and relevant guidance within the NPPF.

### **Informatives:**

- 01. All conditions and informatives attached to the original grants of outline planning permission ref. 13/03410/OUT dated 18th September 2013 and ref. 13/03413/OUT dated 14th November 2013 still apply and must be read and complied with in conjunction with this approval of reserved matters unless superseded by any conditions imposed on this reserved matters permission.
- 02. 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 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. 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. Advice from Wessex Water - There is an existing 300mm public foul sewer crossing the southern boundary of the site. A minimum easement of 3 metres either side of the outside of the pipe must be observed. The pipe must be protected during construction. Any damage to this pipe is likely to lead to significant penalty.