

Officer Report On Planning Application: 07/05341/OUT

Proposal :	Formation of road access and the development of land for B1 office and industrial use buildings. GR (353075/115103)
Site Address:	Land South Of The A3088 Western Relief Road Yeovil
Parish:	Brympton
COKER and BRYMPTON Ward (SSDC Member)	Mrs Cathy Bakewell (Cllr) & Mrs L Boucher (Cllr) – Coker Ward Mr Peter Seib (Cllr) & Mr John Richardson (Cllr) – Brympton Ward
Recommending Case Officer:	Andrew Collins Tel: 01935 462276 Email: andrew.collins@southsomerset.gov.uk
Target date :	26th February 2008
Applicant :	Abbey Manor And Brympton Estate
Agent: (no agent if blank)	Jason Mills Managing Director Abbey Manor Capital Partners The Abbey Preston Road Yeovil BA20 2EN
Application Type :	Major Manfr f/space 1,000 sq.m or 1ha+

Reason for Referral to Committee

Since the decision to grant planning permission at the Joint Area South Committee on 5th August 2009 discussions have been ongoing regarding the requirements of the Section 106 Legal Agreement. Things have progressed on other matters but have been held up by the requirements for the Travel Plan.

Enclosed with this report is a copy of a letter from the agent written to Simon Gale, Assistant Director which explains the problems. In summary the County Highway Authority requires developers to raise a bond at the beginning of the development process. This bond is refundable after 5 years subject to meeting sustainable transport initiatives outlined in the Travel Plan. If targets are not met money is used from the bond to publicise / encourage people to meet the targets. Due the current financial climate, off site works required and the developer being "penalised" as opposed to the end user the applicant is not willing to agree to this. As such this application is brought back to committee for consideration of the above.

Consultation

As a response to the letter by the agent, the Transport Policy Manager of Somerset County Highways has made a number of comments, in his letter which is summarised below: -

"Summary.

The item being challenged by the developer is that of the requirement for a bonded sum, to be drawn down and utilised by the local highway authority (Somerset County Council) to put in place remedial measures should agreed targets on car-use at the site not be met. For the avoidance of doubt, this is not a 'fine' as suggested by the developer,

indeed the most satisfactory outcome would be for the entire sum to be returned to the developer after 5 years, as this would indicate that car trips have been kept within the targets set out within the travel plan (no more than 50% of all journeys to work being made by car). Without such a mechanism, the failure of the development to sufficiently manage its own modal split going forward will fall either as a burden to the public sector requiring public funds to address the resultant traffic problems caused, or as a burden to the economic and environmental wellbeing of Yeovil as congestion caused by this development impacts on the local area. This approach is in line with government guidance, and to release the developer from this obligation is unnecessary and unacceptable. It is therefore the firm recommendation of the county council in its role as local highway authority, that the committee go against the recommendation made by SSDC Case Officer Andrew Collins."

A full copy of this letter is appended to this report.(Appendix A)

Considerations

Whilst noting and considering the County Highways comments stated above, on discussion with the Highways Authority, they have not actually agreed a bond on any site in Somerset. Due to the strategic importance of this site to fulfilling economic land in Yeovil and not having a clear procedure in place as to how monies are collected and how they are utilised the proposals appear onerous. It is therefore proposed to vary condition 18 to require a Travel Plan but no bond, adding an additional condition regarding surveys connected to the Travel Plan and informatives regarding travel plan surveys and parking numbers. In addition for clarity and the requirement that condition 18 having to be reconsidered it is also proposed to vary condition 19. Condition 19 referred to an additional ecological survey if implemented after 1st November 2009. This date has now passed and as such additional Ecological Surveys will be required.

Conclusion

In considering the form of the proposed bond, how the onus is on the developer as opposed to the end user and no clear idea as to how the money would be spent the requirements do appear onerous. As such these alterations to the decision will still bring forward employment land on this site and the revised condition relating to the travel plan is considered robust enough and meet the requirements of Circular 11/95.

RECOMMENDATION

That planning permission be granted subject to,

a) the prior completion of a section 106 planning obligation (in a form acceptable to the Council's solicitor (s)) before the decision notice granting planning permission is issued, the said planning obligation to cover the following items / issues:

- i) Strategic Landscaping provision and future maintenance
- ii) Phasing
- iii) Heights of buildings
- iv) Any off site highway works not within the red line boundary
- v) Design Code
- vi) Travel Planning
- vii) Layout of external estate road;

b) the previously recommended conditions and amended conditions as follows,

REWORDED CONDITION 18

No part of the development hereby approved shall be occupied until such time as a Green Travel Plan relating to that part of the site has been submitted to and approved in writing by the LPA. Such Travel Plan(s) shall relate to individual unit(s) and should be based on the Site Wide Framework Travel Plan submitted with this outline application and shall include a list of elements to promote sustainable travel together with a timetable for the implementation of each such element. The final version(s) shall include provision for monitoring, including a baseline study, which should be established within 6 months of initial occupation through a staff travel survey. Thereafter provision shall be made for an annual monitoring survey to ensure these targets are being achieved and to identify new measures, as necessary, to meet the targets set out in the Travel Plan. Such monitoring report(s) shall be submitted annually to the LPA, for the first 10 years of occupation of the unit(s).

Once approved all parts of the Approved Travel Plan, including monitoring, shall be fully implemented after first occupation of the unit(s) to which they relate and shall continue to be implemented as long as any part of the development to which they relate is occupied unless otherwise agreed in writing by LPA.

Reason: In the interests of highway safety, sustainability and to accord with Policy T2 of the South Somerset Local Plan 2006.

REWORDED CONDITION 19

No part of any phase of the development shall be carried out unless it has been agreed in writing with the Local Planning Authority whether a further supplemental survey, in respect of that part, shall be commissioned in respect of any wildlife survey over two years old at the time of commencement. Should such a survey be required then any mitigation requirements that may be identified by it shall be fully implemented.

Reason: In order to protect a legally protected species in accordance with Policies EC7 and EC8 of the South Somerset Local Plan 2006.

ADDITIONAL CONDITION 30

No part of the development hereby approved shall be occupied until such time as secure, covered cycle storage facilities, in a location well related to the unit(s) they are intended to serve, have been submitted to and approved in writing by the LPA. Once approved such facilities shall be provided prior to first occupation of the unit(s) they relate to and shall be retained at all times thereafter unless otherwise agreed in writing by LPA.

Reason: To promote alternative means of travel to the private motor car in the interest of sustainable development in accordance with Policies T2 and T3 of the South Somerset Local Plan 2006.

ADDITIONAL INFORMATIVE 11

In relation to condition 18 it is recommended that the annual staff travel survey be carried out on the anniversary of first occupation of the unit to avoid variations in the time of year

and that a travel plan co-ordinator be appointed. It is suggested that this be a full time senior member of staff to demonstrate management support.

ADDITIONAL INFORMATIVE 12

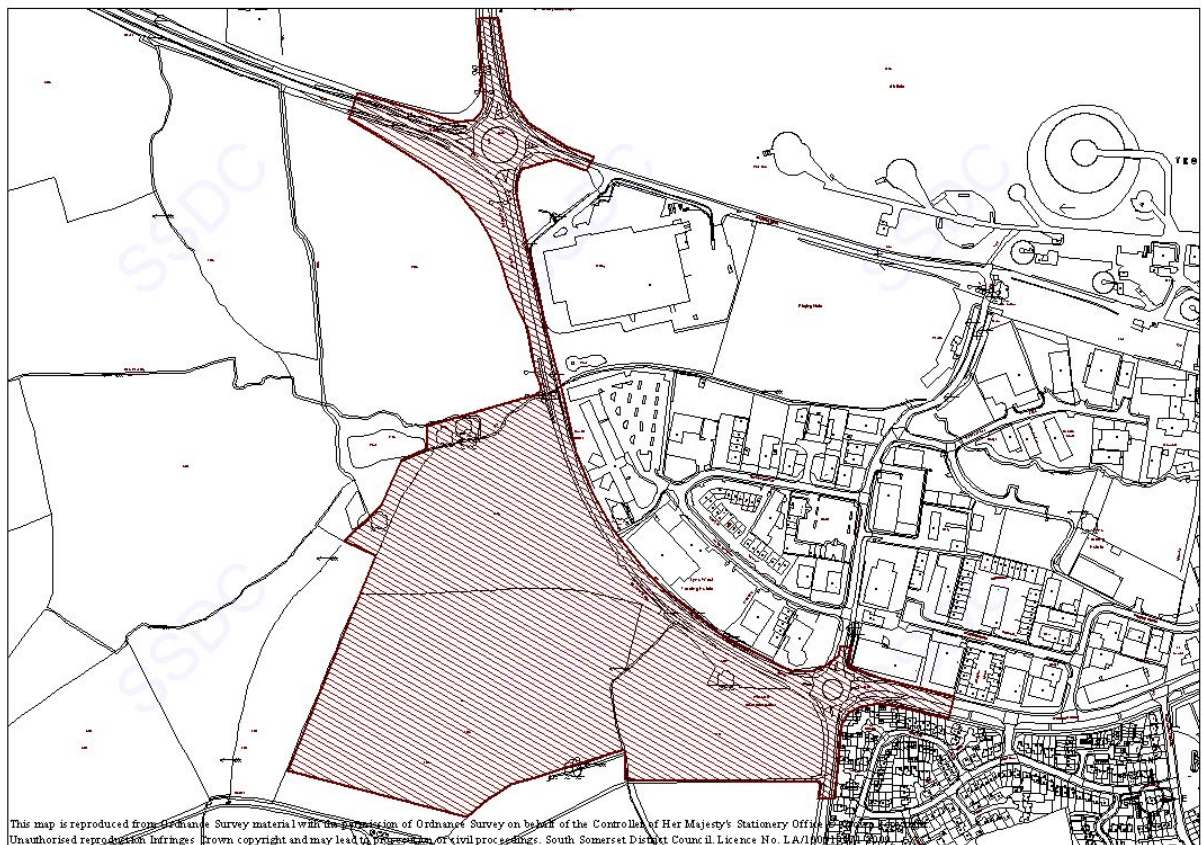
You are reminded that the Council's Car Parking Standards are set at a maximum. In the light of the Travel Plan required by condition 18 the Local Planning Authority will expect, where possible parking to be provided at a rate significantly lower than this maximum.

Below is a copy of the committee report of 5th August 2009. Appended to this report is the agents letter of 31 November 2009 (Appendix A) and the full comments of the County Highways Transport Policy Manager referred to in this report.(Appendix B)

This application has been 2 starred and if the recommendation is overturned would be considered at the Council's Regulation Committee. The application has been 2 starred as the site is a strategic allocation in the adopted South Somerset Local Plan 2006.

This application has been brought to Joint Area South Committee by The Head of Development and Building Control due to the significance of the proposals and in the public interest. The application was deferred from the November 2008 Area South Committee to resolve highway improvements.

Site Description and Proposal



The application site is located to the west of the A3088 Western Relief Road - opposite the District Council offices. The site measures 20.3ha and is proposed to be used for B1 uses. The site is allocated within the adopted Local Plan under policy ME/WECO/1 and is considered to be the employment key site for Yeovil.

This application is an outline application with the principle, access and strategic landscaping being considered at this stage.

With regard to the access, the Westlands / Cartgate and Lysander Road roundabouts are proposed to be upgraded. Access to the site would be in line with the northern end of the Wickes building in the form of a filter lane and traffic light junction. The Lysander Road Roundabout is proposed to be improved with additional pedestrian crossings but no traffic lights. The Westlands / Cartgate Roundabout is proposed to be enlarged with traffic lights on the Cartgate, Western Relief Road and northern Bunford Lane exit. In addition a filter lane is proposed through the middle of the roundabout and improved pedestrian / cycle crossings points are planned.

With regard to the strategic landscaping, revised drawings have been received with significant structural planting, include planting of a field, outside of the allocation site. This planting is required following comments made by English Heritage and the Garden History Society in order to protect the setting and impact upon the Grade I listed Brympton D'Evercy and the Grade II* Listed Parks and Gardens. In addition to this planting the existing tree lined corridor in the southeast of the site and a new landscape core from the southeast to the northwest is proposed.

In line with the policy requirements an attenuation pond is proposed in the north-eastern corner of the site.

Presentations have been carried out by the developer to Parish Councils and other interested parties in line with the Statement of Community Involvement.

An EIA has been submitted with this application and 2 addendums have included the following issues-Visual / Landscape Assessment -especially in relation to setting of historic park and garden and wider views of site
Ecological Assessment
Arboricultural Survey
Archaeological Study, which was provided at a later date

History

Extensive consideration of this site through the Local Plan process and its resultant allocation as the employment key site, specifically for B1(business and light industrial uses) and not general employment land.

01/01881/OUT - The construction of a business complex comprising of a distribution warehouse, office accommodation, telephone call centre together with ancillary service yards and associated car parking (GR 530/151) - Application Withdrawn - 17/12/2001

Policy

Section 38(6) of the Planning and Compulsory Purchase Act 2004 repeats the duty imposed under S54A of the Town and Country Planning Act 1990 and requires that decision must be made in accordance with relevant Development Plan Documents unless material considerations indicate otherwise,

Relevant Development Plan Documents

Regional Spatial Strategy:

VIS1 (Expressing the Vision)
VIS2 (Principles for Future Development)
SS6 (Other Designated Centres for Growth)
EN3 (The Historic Environment)
EN4 (Quality in the Built Environment)
TRAN1 (Reducing the Need to Travel)
TRAN10 (Walking, Cycling and Public Transport)
RE2 (Floodrisk)

South Somerset Local Plan (Adopted April 2006)

ST3 (Development Areas)
ST5 (General Principles of Development)
ST6 (Quality of Development)
EC8 (Protected Species)
EH5 (Development Proposals Affecting the Setting of Listed Buildings)
EH8 (Historic Parks and Gardens)
EH12 (Areas of High Archaeological Potential and Other Areas of Archaeological Interest)
EU4 (Water Services)
EU5 (Flooding)
TP1 (New Development and Pedestrian Provision)
TP2 (Travel Plans)
TP3 (Cycle Parking)
TP5 (Public Transport)
TP6 (Non Residential Parking Provision)
TP7 (Parking Provision in Residential Areas)
ME1 (Provision of New Employment Land)
ME2 (Provision of New Employment Land)
ME/WECO/1 (Land Off Bunford Lane, Yeovil)

Policy-related Material Considerations

Draft Regional Spatial Strategy for the South West (Proposed Changes June 2008)

Policy CSS

Development Policies A, B, E, F, G

RTS 1, 2, 3

ENV 1, 2, 4, 5

F1

RE6

ES 1, 2

SI2

PPS's/PPGs

PPS1 Sustainable Development and Climate Change
PPG4 Industrial and Commercial Development and Small Firms
PPS 9 Biodiversity and Geological Conservation
PPG13 Transport
PPG15 Planning and the Historic Environment
PPG16 Archaeology and Planning
PPS25 Development and Flood Risk

South Somerset Sustainable Community Strategy
Goal 3 Environment
Goal 4 Transport
Goal 6 Skills
Goal 7 Distinctiveness
Goal 8 Well Designed and Well Built
Goal 11 Natural Environment and Bio-Diversity

It is also considered that the Regional Economic Strategy (RES) 2006-2015 is relevant to consideration of this proposal.

Consultations

Area Engineer - "Details of surface water attenuation required to ensure run off from the site is no greater when developed to that in its present state."

Landscape Architect - I note the revised masterplan allied to a 2nd addendum to the Environmental Statement.

I can advise that I am content with the amended layout, which now provides a landscape context that is appropriate in both arrangement and extent. I consider that the points raised in my earlier memo (below) re; design and access are now satisfactorily met.

However, I continue to have concerns over the proposed building heights, particularly in those locations where the proposed heights do not facilitate a comfortable building relationship, e.g; building D1, both relative to D2 (8.1m > 16.4m) and in its central location within the site, which will appear incongruous in long views from the northwest and southeast; and C5, which is too isolated from adjacent form of similar scale to appear comfortable. If there is no potential for agreement on the heights, might it be advisable to make heights and materials the subject of a condition requiring a full design code to be devised following an outline consent but before any reserved matters application?"

Initial comments "Much of the environmental assessment, which concentrates on landscape and visual impacts, covers familiar ground, for I have previously undertaken landscape studies upon which this allocation was founded. Consequently, there is no landscape objection to the principle of development on this site.

Looking at the landscape and visual assessment, I am satisfied that the character of the site and its surrounds is fairly represented and evaluated, similarly so the visual impact of development, particularly in relation to Brympton d'Evercy HP&G. The resultant landscape masterplan, as recently modified in response to concerns raised by English Heritage, and presented on drawing 1924-10-A with covering letter dated 18/02, indicates a level of planting provision that is commensurate with both the footprint of the site, and the likely building scale, and is responsive to the main lines of view from sensitive receptors.

As this application addresses only the road access and structural landscape provision in detail at this stage, then I can confirm that there is no landscape objection to this application.

The design and access statement includes an indicative plan, and evolving details of the design proposal. You will know that I have been party to pre-application discussion that has seen the layout move toward that submitted. I can confirm that this layout

represents much of the conservation team's input to date, but would also say that I do not view it as a finished product, for there remains scope for improvement. In particular, I am looking for;

- 1) More 'park' and less 'parking' associated with the prestigious frontage plots;
- 2) A greater coherence to the internal green corridor (running east-west) around the point of its junction with the internal road crossing, and;
- 3) The building arrangement relative to the Bunford roundabout.

I would also confirm that I continue to have some unease over the scale of the 'technology park' buildings.

Turning to detail design matters, as touched upon in section 4.0 of the design and access statement, I have particular concerns relative to;

1) section 4.5 heights: Whilst the general principle of reducing the heights toward the southwest boundary is agreed (though the support of the L&VIA would underpin this approach, which I haven't seen) there are locations where the proposed heights do not facilitate a comfortable building relationship, e.g; building D1 relative to D2 (8.1m > 16.4m) and the group B3, A9 and A10.

2) section 4.9 materials: Again, the principle of a movement toward muted tones as the site grades into the rural surround is agreed, but this section requires much more work, to establish a tonal range limit across the site. Roof and side cladding materials are of critical interest. We will need to know precisely what tonal range relative to material types, will be utilised in all parts of the site, as distinct from each other.

On these latter points, further discussion with the applicant has been agreed, for this element of the scheme remains 'work in progress'."

Area South Regeneration - "The Proposal is for 60,000m² of employment based floor space on the western edge of Yeovil in accordance with the adopted South Somerset Local Plan.

Comment The site will provide much needed employment usage opportunities and potential for firms to grow and serve the needs of Yeovil. Over the next 10 years it could provide an attractive opportunity for inward investment.

The site breaks out of the urban area from the enclosure of the A3088 that skirts the western periphery of the town. Buildings A1, A2, B1 and B2, located very close to the A3088. The landscaping scheme proposed is on the line of the potential road widening. If this takes place then the buildings will be right up against the new road line.

I would agree with Gerard Tucker's comments regarding building 25, which would benefit from set back and possibly wrapped round.

Important precedents have been set along Lysander Road with a very wide landscaping area, which provides an attractive entrance to the town.

Landscaping to the east of the site, in particular around the Council offices, indicates how good landscaping can provide a softened corridor entrance to the town.

It is considered that these buildings, which are tall, should be setback in mirror, in cross-section form distance of the Brympton Way offices from the road. This will allow a green plinth to the buildings and proper opportunities for creating a pleasant landscaped approach that will enhance rather than detract from the entrance of the town. It is

important to ensure that the through traffic along the A3088 does not feel as if it is driving through a trading estate.

It is not clear what the arrangements are for the central square area, which could be made much more of a focus of with perhaps a central feature, such as a fountain, visible from the A3088. A scheme of this size could easily warrant a major central green space.

Although there are many comments in the supporting material about pedestrians and cycle access through the site, it is difficult to see from the scheme how this functions. The cycle path and footpath are currently on the east side of the A3088. Provision for a parallel route on the west would remove the need for cyclists and pedestrians to cross the A3088 twice if coming from Yeovil centre - once to get across at the SAAB garage then again to get into the site. This needs consideration.

Management Arrangements It is very easy to see how a good plan could degenerate over the years and it is important that there is an overall Management Arrangement with all occupiers and owners for unified repair, maintenance and enhancement of the green landscaping.

Leasehold / Freehold - Gerard Tucker makes an important point - many incoming / growing firms will want freehold; and may not wish for a design / build / rent arrangement. Does this scheme envisage this?

Overall, pleased to see the scheme, but it would benefit from more generous treatment of principle corridor areas with non-employment landscaping space setting back of the major buildings."

Economic Development - "I have the following observations and comments to make with regard to the planning application received for the development of land south of the A3088, Western Relief Road, Yeovil.

Building CF (between the Western Relief Road and Bunford Hollow) nearest the roundabout should in my opinion be either set at more of an angle or be designed similar to buildings B1 and A2. This site is probably the most prestigious of them all, where it is hoped to attract a significant employer who requires a building of distinction. This 'gateway' opportunity would be further enhanced with a building designed and planned in the way I have suggested which would serve to raise the profile of this commercial area to the passing motorist.

Both buildings A2 and B1 are significant and should be designed to an extremely high standard. Whilst I approve of their location within the site, as they are at the entrance, they really must be of an extremely high quality if we are to attract prestigious business to this business park.

Building D2 is designed to be 16+ metres tall. This is out of synchronisation with those that surround it, particularly D1 to D8, which are half this height. I am particularly concerned, as the site line from Odcombe and Brympton D'evercy house will be compromised by this isolated tall building.

There is no indication on the plans of the proposed class use for the industrial buildings on this site. It would be my suggestion that the B2, possibly B8 class use is allocated to buildings at the 'back' of the site (D3 - D10) which will serve to ensure the 'quality' feel of this development is upheld.

There is an enormous amount of car parking allocated, presumably in line with the guidance provided for such developments. There may be an opportunity to provide a Saturday Park and Ride service from this site on specific dates including Christmas.

With the changes in pension planning, there is now a higher demand for freehold property that can be used to support an individuals retirement planning. With this in mind, I hope that a significant proportion of this site will be offered up as a freehold opportunity to prospective purchasers, as this I am sure will widen the market for businesses looking to relocate to or expand within Yeovil."

Environment Agency - Have no objection to the proposed development subject to conditions and informatives being included in any planning permission granted. Conditions to include a 5m easement of the water course, details flood resilient construction, details of surface water drainage, any planting near watercourses being of native species, the future maintenance of green corridors, the submission of a Construction Environmental Management Plan, and a scheme for water efficiency.

Natural England - "Natural England requests that it be a condition of planning permission that the applicant be required to develop and implement an appropriate ecological mitigation / environmental management plan for the site - funded through 'developer contributions' or a Section 106 Agreement."

Wessex Water -"Foul Drainage - Further information on anticipated foul flows is required before it can be confirmed that the nearest public sewer in the Lynx Trading Estate has sufficient spare capacity. Further away in the site is a 375mm foul sewer that would have adequate capacity.

Surface Water Drainage - There are no public surface water sewers available to serve this development. Surface water is to discharge to the land drainage system with the consent from the Environment Agency who, no doubt, will impose a limit on the maximum rate of discharge. Adoption of attenuation systems can be discussed with Pete George / Simon Lipscombe.

Adoption of New Sewers In line with Government Policy the applicant is advised to contact Developer Services to see if any of the on-site or off-site drainage systems can be adopted under a Section 104 Agreement.

Sewage Treatment - The Sewage Treatment Works and terminal pumping station has sufficient capacity to accept the extra flows this development will generate.

Water Supply - Network Analysis is required to confirm whether the distribution system can serve this development. In the event that off-site mains reinforcements are needed, to ensure adequate supplies, developers are expected to contribute to the cost."

English Heritage - Initially objected, but on additional planting of the banana field said; "We welcome the applicant's decision to increase the depth of screen planting on the west boundary of the site. We believe that this will give greater protection to the setting of Brympton D'Evercy, a nationally important assemblage of listed buildings set within a registered landscape.

Although this consultation draws our attention to further amendments to the proposed

development at Bunford Lane, these do not have a significant impact upon the setting of Brympton D'Evercy and therefore we leave it to others to comment on these amendments."

Garden History Society - On the basis of the amended plans "Thank you for consulting The Garden History Society on the above revised application which affects Brympton D'Evercy, an historic designed landscape of national significance which is included by English Heritage on the Register of Parks and Gardens of Special Historic Interest at Grade II*.

We are pleased that you have negotiated an increase the area of screen planting and thank you for your help in this matter."

South West of England Regional Development Agency - "Overview The proposals will provide for substantial employment space in Yeovil which currently experiences a shortfall in employment land supply. The proposals specifically include much need office space which will help to ensure that the needs of businesses are met. This will ensure the successful future growth of the economy of Yeovil.

The proposals will therefore help to deliver a number of the key Strategic Objectives identified in the Regional Economic Strategy (RES) 2006-2015, the most relevant one to this application being to: promote successful and competitive businesses in the South West.

Consequently, South West RDA supports the proposals subject to:

- Mechanisms being put in place to ensure that the employment space meets the needs of key businesses, ensuring that high quality office space is provided.
- Good practice urban design and sustainability measures be adopted in the development of the site."

The SWERDA continue by explaining the background behind their response and suggest the use of a Sustainability Checklist relating to construction techniques available from themselves.

Agusta Westland - Consulted as major employer and neighbour to the site. "Agusta Westland has the following concerns with the proposed amended plans as submitted. These are as follows;

1. ... diagram shows the UK MoD's guideline of the area to be kept free of obstacles that might compromise the safety of an aircraft departing from or making an approach to Yeovil Aerodrome. In the event that traffic is stationary on Bunford Lane caused by the traffic light system on the proposed new roundabout layout together with the proposed entrance to Bunford Park, this would pose a very serious obstacle to the safety of aircraft landing and taking off from the airfield.
2. Please not that licensed airfields have certain requirements for the safety of landings and take offs. As the town has been built up over and extended nearer to the eastern end of the airfield, this has meant that the take off and landing lines have had to be moved to the western side of the airfield. In the event that there is significant stationary traffic to the western side of the airfield this will result in the centre line for take offs and landings being constrained even further and shortening the airfield approach and take off. The reason for the current take off and landing position is to avoid excessive noise and down draft to residential areas to the east and north of the airfield. If

there is a build up of stationary traffic to the west of the airfield then in order to accommodate the safety of the aircrew and public it may result in additional noise and down draft for the existing residential areas situated around the airfield in order to avoid any stationary traffic.

3. The revised roundabout will restrict and potentially prevent any of the heavy goods vehicles that access the Westland site through Bunford Lane. As you are aware Westland has attempted to direct all of its heavy goods vehicles along the Cartgate and to approach the Westland site via the Bunford Lane entrance. We believe that the revised roundabout does not take into consideration the size of such heavy goods vehicles and that it will cause major delays and disruption to the local roads as they will be unable to manoeuvre around the proposed roundabout. We are surprised that no one from the Highway department has contacted Agusta Westland to discuss this as we have already provided to you details and dimensions for such heavy goods vehicles."

MoD Safeguarding - "We can confirm that the Ministry of Defence has no safeguarding objections to this proposal."

District Council Ecologist - Summarised - The submitted Environmental Statement has been assessed and provide a brief summary of the main findings and conclusions, and make recommendations for conditions.

The surveys undertaken were comprehensive and I consider they were sufficiently adequate to identify all significant ecological issues that are likely to be present. The following topics were covered;

Vegetation and plant surveys

The planned tree and shrub planting as part of the landscape proposals will compensate any impact to some extent.

Breeding birds

The impact was rated as minor, and the proposed erection of bird boxes, and shrub planting is appropriate mitigation and compensation.

Bats

Proposed supplementary planting, erection of bat boxes, and controls on lighting is predicted to result in a minor residual impact.

Dormouse

The close proximity to the site of a stream, major roads, and the urban edge of Yeovil are factors that reduce the likelihood of dormice inhabiting the site.

Badger

The badger population on site was assessed as being of lower value.

All setts located on the site are to be located within 30m badger protection zones and there is to be a green corridor across the central area of the site. However, construction phase disturbance, the increased levels of lighting, human activity and vehicle movements are considered to result in a minor negative impact.

Great Crested Newt

Since the construction site lies beyond the range that great crested newt are normally considered to disperse it is considered that the impact will be neutral.

Recommendations

1. I encourage the adoption of a 10 year management plan for the site that includes the appropriate ecological management of the existing and proposed semi-natural habitats on the site. This should include the proposed mitigation and compensation measures outlined in the Environmental Statement and is justified by PPS9 ('planning decisions should aim to maintain, and enhance, restore or add to biodiversity and geological conservation interests.') Such a plan is likely to overlap with landscape management and a joint plan may be appropriate in this case.
2. I recommend a condition requiring the submission of a protected species mitigation plan prior to any commencement of development. Such a plan shall be based upon up to date surveys and should ideally be submitted at the application stage of any future full or reserved matters application.

Mitigation

The mitigation and compensation package for the site includes:

Planting of 4-20m grassland and scrub buffer strips between woodland and hedgerows and the development so as to create a mosaic of scrub and grassland around perimeter of the site;

The erection of bird and bat boxes within trees surrounding the development;

The creation of dark areas through the central corridor of site and around boundary hedgerows to minimise disturbance to bats, birds and badgers;

The management of the pond to the north-west of the site, and,

The creation of badger protection zones around active sett entrances.

Following the instigation of these mitigation measures minor negative residual impacts are expected for hedgerows, bats and badgers these impacts relate to the loss of the east to west running central hedgerow and the bisection of the main central north to south running hedgerow and an increase in lighting levels and human activity across the site.

Following comments from a third party about otters, the ecologist says; the watercourse Dodham Brook connects to River Yeo where otters are known. It is also culverted for about 1km under Westlands making site rather inaccessible to otters. It is therefore concluded that the likelihood of otters being present and affected by this development being relatively low.

County Archaeologist - Based on a submitted mitigation strategy submitted during the course of the application, "The mitigation strategy submitted with this application does cover all the archaeological issues. It describes the initial stages of a project as involving trial trench evaluation and states that further mitigation including excavation may well have to occur. The point that the evaluation is likely to be only the initial phase is very important.

For this reason I recommend that the developer be required to investigate archaeologically those areas that are to be disturbed by the development." As such a condition is imposed.

Highways Agency - (Summarised) The Highways Agency is responsible for managing and operating a safe and efficient Strategic Road Network (SRN) and needs to consider the potential impacts of major development proposals on the network, which in this instance is the A303, located approximately 3 miles north of the application site.

Our assessment has included a review of the submitted Transport Assessment. We note the Transport Assessment contains no assessment of the impact on the A3088 junction with the A303 (Cartgate Junction), the scope of which would preferably been discussed with the Agency in advance of the formal submission of the application. The Agency would have requested this assessment as a result of our knowledge of this part of the network and concerns relating to the A303 as it is currently experiencing high flows of approximately 1000 trips in the AM and PM peak times. On the assumption that the application proposals would give rise to an additional 200 development trips (with 50% being east bound and 50% being west bound) during the AM and PM peak, it is our view that the impact of the development is likely to result in a 10% increase in vehicle movements on the A303 during the peak periods, which will have implications for the function and capacity of the A303.

The Agency recognises that the principle of development on the site has already been accepted through its allocation for employment use under Policy ME/WECO/1 of the adopted Local Plan and therefore has no principal objection to the application, however we are disappointed that the appropriate assessment hasn't been undertaken as this would have allowed the Agency to work with the developer in identifying an appropriate package of mitigation measures at the earliest opportunity.

As our investigations have identified the proposals will have an impact upon the function and capacity of the A303 and we would therefore recommend that should planning permission be granted a number of planning conditions are attached to the consent which will assist in mitigating the impact of the proposals on the A303. On that basis I recommend that planning permission is granted subject to a number of planning conditions relating to the following heads of terms:

Approval of a Travel Plan prior to the occupation of the development

Monitoring regime to be implemented 6 months after initial occupation through a staff travel surgery

Provision of a travel plan co-ordinator

Provision of secure cycle facilities

Submission of and approval of a Construction Management Plan prior to the commencement of development.

Somerset County Highways - (Summarised) In terms of planning policy, the Highway Authority has no objection in principle to the proposed development as it is and has been allocated in the SSDC local Plan for commercial development and identified as a 'key' site in the Yeovil area.

In considering the issue of traffic impact, it is important to realise that we are dealing with a large scale commercial development that in theory has the potential to be 'built out' over a number of years on a 'phased' basis, which brings with it a new set of issues insofar as any incremental development on this site would have a corresponding effect on the surrounding highway network, and it is essential that this impact is addressed in a suitable manner to ensure nil detriment is caused to the surrounding highway network, whilst at the same time maximising opportunities for sustainable travel to and from the site. It therefore necessary to ensure that a suitably worded negative 'Grampian' style condition is attached to any consent covering this particular issue, as well as ensuring that the details of any phasing of the various highway works is enshrined within any future S106 /S278 Agreement to ensure that the development proceeds in a comprehensive manner.

It is for this reason that the highway consultants acting for the developer have produced a number of reports detailing the potential impact on both the Western Relief Road itself

and the two roundabouts located to the north and east of the development site (e.g. Bunford Hollow and the Westland's Roundabout at the end of the Cartgate A303 link road) and it is only recently that agreement has been reached on the specific aspects of this modelling, whilst at the same time addressing the issues associated with the detailed engineering of the three main off site highway improvements.

Having regard to the detail aspects of these specific mitigation measures, the agents have now provided a significantly revised and innovative design proposal for the Westland's roundabout which is considered to be generally acceptable and we have given approval in principle to this design being suitable for inclusion within any future S278 or S106 Agreement associated with this development. The principal driving factor behind this design, as shown on the latest drawing BH07196/D02 Rev A, is the desire to increase the overall capacity of the roundabout to cope with development traffic and normal background traffic growth, whilst taking into account also committed development in the vicinity (e.g. Seafire Park).

This has been done principally by altering both the geometry and physical layout, whilst at the same time incorporating traffic signals to aid the free flow of traffic through the roundabout and providing a safe environment for pedestrians and cyclists. Following careful consideration of these latest proposals, I can now confirm that the general design has been accepted by the Highway Authority, although it has been acknowledged and accepted by the developer that due to the complexity of the junction, further detailed design work will be required at the S278/S106 technical approval / road safety audit stage prior to any works commencing on the highway and it is my intention therefore to recommend that a negatively worded Grampian style condition be attached to any consent covering these critical highway works.

In relation to the other off site highway improvements, agreement has been reached on the general layout of both the main signalised site access onto the Western Relief Road and alterations to the Bunford Hollow roundabout which is generally in accordance with previously published proposals in the Eastern Corridor Study. These works being as shown on drawings BH07196/D03 and BH07196/D04.

In addition to the above, it will be necessary to deal with other matters listed below by both suitably worded planning conditions and inclusion in any S106 Agreement forming part of this development:-

- Travel Planning
- Public transport infrastructure (linked to the approved S106 TP)
- Parking levels
- Cycle parking
- Layout of internal estate road
- Construction traffic
- Phasing of 'off site' highway works with individual reserved matters applications to avoid incremental development with associated highway infrastructure.
- Changes to Traffic regulation orders (ie speed limits)

In light of the above therefore I would raise no formal objection to this application subject to conditions."

West Coker Parish Council - Re-consulted on the amended plans. No comments have been received at time of writing report. These comments will be verbally updated at the committee.

Initially commented. (summarised) I must record that the WCPC is steadfastly against this building application.

It has been previously recorded that WCPC was initially against any such development. Those objections were put to the Government Inspector at the Local Inquiry in 2005. The result of the Inquiry was relayed to the SSDC who accepted the recommendations. The report advised that the proposed Bunford site should be reduced in size and should be accepted as the site for suitable for development as a "High Quality Business Park" occupied only by businesses within the definition of B1. We would maintain that the development suggested within the subject building application pays little or no regard to this previously accepted recommendation. It also fails to reflect the views of the local residents of Sampson's Wood and Watercombe Heights, the majority of whom recorded their objections to the possibility of unsightly, low grade industrial units being included in the development. As has already been mentioned, the Government Inspector accepted these concerns and made specific directions as to the site's usage.

As the Parish Council in whose ward this development is proposed, we are horrified that a private firm can make recommendations so contrary to the advice of an officially appointed government inspector and the SSDC, when the only aim appears to be to make money with no regard to the wishes of the local residents or the impact that the industrial estate will have upon the community and the local landscape."

On the basis of revised information further commented. " ... the first thing that comes to mind is fact that the route under consideration is part of the link between the A37 and the A3088/303/M5 main thoroughfare for traffic carrying freight from the South Coast Ports to the Midlands and South West of England. It is already a bottleneck every working day and this works proposal gives us an ideal opportunity to begin to solve it. On the plans that you have sent us, it is shown that the road is to be widened at several strategic points. Why not do the job properly and make the whole of the route between the Cartgate roundabout and the Bunford Hollow roundabout into a dual carriageway? By doing this work now the need to dig up the road and delay traffic for a second time at a later date will be removed. It will also lessen the overall cost of "dualing" the road in the future. The plans show that part of this idea is already to be undertaken so go the whole distance and provide the correct size of road for the volume of traffic that is already using the route and won't get any lighter.

The Junction allowing traffic to move off the Western Relief Road onto the proposed Bunford Industrial Estate Does not seem to pay sufficient attention to the volume of traffic that currently uses the road let alone notes the increased amount that will be using it when the Industrial Estate is built. By making the whole relief road into a dual carriageway, there will be greater potential for vehicles to wait on the lane turning into the Estate and thereby reduce waiting for vehicles travelling to other destinations. At the very least, the lane carrying traffic into the site from Cartgate link end should be increased to take more vehicles waiting to turn.

The second roundabout under consideration looks to have been streamlined somewhat. The only comment is that the pedestrian crossing seems to allow walkers to cross over the whole width of the road in one go. The original plan showed a Toucan crossing that would require pedestrians to use two sets of lights in order to make the crossing. We regard this as being a more sensible and safer approach since it would take the pressure off the pedestrian rushing to get across the whole road and would permit the vehicles on both sides of the road to move independently but under the control of the lights.

We believe that our proposals will save the SSDC/SCC money in the long run and will prove to be safer for pedestrians and drivers."

Brympton Parish Council - Commented on the revised highway details - "Refuse - the proposed design of the roundabout is unsatisfactory and there are major concerns over the safety of cyclists and pedestrians using the area. No explanations or calculations have been given to show how traffic flows through this new 'roundabout' and internet research of existing "throughabouts" roundabouts do not give rise to a confidence that the proposed design will work. This over-complicated design will give rise to an increase in traffic problems in the Western Corridor - approximately 28 sets of lights (traffic, pedestrian/toucan) will lead to considerable traffic queues on what is already a very busy road.

Has consideration been given to the use of land to the southwest of the roundabout to create a larger roundabout - as agreed during the planning enquiry, indicated on the original application for this development and set out in the Western Corridor Study. Use of this land would obviate the necessity for third-party involvement in selling of land.

Commented on the revised planting details - "At its meeting held on 28th May 2008 Brympton Parish Council made the following recommendation. REFUSAL

The Parish Council remains concerned about pedestrian access across the Western Relief link - there are serious doubts that people will only drive to work. The other changes made are welcome. However, previous comments still apply - as follows:

The Parish Council is very concerned that the Planning Inspectors Report and instructions are not being adhered to regarding quality development of this special site. At various District Council meetings the Parish Council were given to understand that the Inspector's views would be paramount.

The submitted indicative proposals show buildings of up to 4 storeys high at prominent locations. Although it is appreciated that the submitted layout and associated documents may not be relevant at this time this highly visible concept is very much against the views expressed by the Planning Inspector and should be discouraged at an early stage.

It is also perhaps worth noting that the Inspector's views indicated a need to preserve "an overall semi rural appearance" whereas the submitted application purports to achieve a "semi urban appearance".

The approved Planning Policy (ME/WECO/1) states "that the land is allocated for employment development to provide a high quality business park for uses within B1 of the Use Classes Order".

It is now apparent that Class B1 incorporates 3 'sub-orders' namely,

- (a) Offices
- (b) Research and development, studios, laboratories, high technology
- (c) Light Industry

The planning application documentation argues that light industry is therefore acceptable at this site. It is perhaps regrettable that the situation was not made clearer in the Local Plan Policy although the use of the expression 'high quality business park' in the preamble should have given an indication. Also, the expression 'uses within B1 of the Use Classes Order' does not necessarily construe that all of the B1 uses are acceptable.

The Parish Council's view is that, bearing in mind the history of this site, the inclusion of light industry should not be permitted here and should be strongly resisted.

The Parish Council is concerned that Community Involvement outcomes expressed in the Local Plan Policy are also being ignored.

The Parish Council feel that this outline application is being used as a "Trojan Horse" to lever in low standard employment types and buildings. The Highway element of this planning application is subsumed under the effort to alter the quality requirement of this site as specifically required by the Planning Inspector. These requirements should be strictly adhered to and not surrendered for short term gain.

The Parish Council feel that the High Tech, High Quality element of this site has potential outside this Region and should be considered of Nationally Strategic Value if not possible international value if marketed properly.

The Parish Council would therefore recommend refusal for the above reasons, in addition to the reasons for refusal previously given, which included the serious concern of the Parish Council that the Planning Inspectors Report and instructions are not being adhered to."

Yeovil Town Council - Went on 13/10/08 for information. They support the principle of the key site development as shown. Went again on 20/7/09 for information supported the principle but wanted to ensure that the developer meets the design and construction costs of implementing an acceptable landscaping scheme for the Cartgate Roundabout.

Representations

5 letters of representation have been received during the course of the application, including 1 from a planning agent representing the former owner of Brympton D'Evercy.

They are concerned over additional noise, congestion, consider that Yeovil is large enough and initial concerns over the setting / affect upon Brympton D'Evercy.

Applicant's Case

The applicant has written to the Council regarding these comments. They note that the MoD have no safeguarding objections to the application contrary to the comments made in Augusta Westland's representation. They state that the majority of new development in the last 25 years have been to the west of the airfield and also note that the objector have sold their land for redevelopment of the B&Q and Morrisons on Lysander Road and securing planning permission for Seafire Park. The roundabout proposals have been carefully examined by the applicant's agents and County Highways Authority. Detailed works have included swept path analysis to the satisfaction of the National Road Freight Haulage Association for the largest lorries to successfully circumnavigate the junction. As the roundabout has increased in size the proposal is stated would assist lorries using the junction.

In addition the applicant has written to the Council attempting to address the concerns of Brympton Parish Council. The applicant has worked closely with Somerset County Council to analyse and test a number of potential junction designs. The principle has been to increase the capacity of the Westlands roundabout. The traffic lights provide a safer and controlled environment for pedestrians and cyclists. Each design alteration resulted in detailed significant technical modelling and traffic and safety audits. The

finally submitted design, Somerset County Council agree has been made within the context of the conclusions of the Yeovil Western Corridor Study.

Considerations

Members are reminded that the application was debated at length at the Area South Committee in November 2008. For members information and clarification the minutes and report are appended to this report at Appendix 1. Due to the previous comprehensive report the considerations and conclusions in this report are summarised.

Policy Principle/ Allocation

This site is similar in format to the recent residential Key sites which have been before committee in that it has been allocated in the Local Plan under policy ME/WECO/1 (Land off Bunford Lane, Yeovil). As such the general principle of developing this site has already been established. Policy ME/WECO/1 says;

"Land off Bunford Lane, Yeovil (approximately 16.5 hectares/40/8 acres) is allocated for employment development to provide a high quality business park for uses within B1 of the Use Classes Order.

Development will be required to provide the following:

- An integrated transport strategy that will meet the needs of the development;
- Surface water attenuation (approximately 0.5 hectares / 1.2 acres) in the north-eastern corner of the site, or immediately adjacent to the site, adjoining the water course; and
- A safeguarding corridor to protect the specimen oaks on the western boundary of the easternmost field.

The design and layout of buildings should pay particular regard to the visual relationship to the historic park and garden of Brympton D'Evercy."

The application is submitted in outline form, with an indicative layout plan. The access arrangements and strategic landscaping are the only things being considered at this stage with all other matters being reserved.

Brympton Parish Council raise concerns over the nature of high quality and refer to the Planning Inspectors comments at the Public Local Inquiry. The Planning Inspectors report has resulted in the above policy being included in the adopted Local Plan. The high quality element of the development refers specifically to the design of the building as opposed to the end use of the site. In considering the high quality, included within the legal agreement is proposed to be a design code to ensure that there is a palette of materials and colours across the whole site that results in a comprehensive development, despite phasing of the site and development progressing over many years.

Strategic Landscaping

The amended plans in relation to the proposed planting of the "banana" field to the northwest which is outside of the red line have addressed concerns from English Heritage and the Garden History Society. The landscaping within and around the site has also been increased. These changes are in accordance with discussions with the landscape architect and are now considered acceptable.

Concerns were also expressed over the central square / bus stop area. This area has been changed with greater strategic landscaping around this area to create a more attractive space and central area of the development.

Whilst concerns have been raised over the layout of the site and heights of buildings all of these details are all indicative at this moment in time. However, obviously the strategic landscaping on the site would dictate the final layout of the buildings on the site. Conditions will need to be imposed to ensure heights of buildings and levels are controlled.

Highways

On going discussions have been carried out between the County Highways Authority and the applicant's Highways Consultants. They have recently reached an agreement in relation to the level of works needed at the Lysander /Bunford Hollow Roundabout and the Cartgate/Westlands Roundabout. The proposed highway works would be subject to agreement on the details, which will be set out in the S106 legal documents. It is accepted that substantial works will be required to facilitate the turning lanes to ensure adequate access to the site and to other existing employment uses served by the two existing roundabouts concerned. Proposals will also need to have regard to access to the site for pedestrians, buses and cyclists.

The Highways Agency do not object to the proposals subject to the inclusion of conditions for travel plans and a management scheme when works are being undertaken.

Concerns have been expressed by West Coker and Brympton Parish Councils regarding future widening of the road and highway congestion. Space has been set aside from the edge of the Western Relief Road to allow future widening. In considering the additional traffic, the County Highways Authority is satisfied that the proposed highway improvements will be able to meet this demand.

Lengthy discussions and traffic modelling have resulted in an innovative solution for the Westlands Roundabout. This 'through-about' is to increase capacity of the junction with the roundabout becoming larger and traffic lights controlling the peak flows. With improved pedestrian and cycle crossings this will create greater and safer links across this junction. It is accepted that there are local concerns about the appropriateness of this modified roundabout, however the highways authority is supportive of the proposal and there is not considered to be any justification to override their advice.

Ecology

The District's ecologist has examined the Environmental Statement submitted for the site. It is concluded that the ecological impact is minimal subject to mitigation measures as detailed in the report. On this basis the proposals are compliant with development plan policies.

Neighbour Comments (Agusta Westland)

It is noted that neither the Highways Authority nor the Ministry of Defence have any objections to the proposals. In the past such concerns have not stymied development in the west of Yeovil.

Other Consultees

Some internal consultees have made specific detailed comments on aspects of the proposals. However, at this time this is an outline application with only access and strategic landscaping being considered. The precise layout of the buildings could change, but what is being considered is the main landscaping, including the banana field and the highways requirements. The design code with the agreed materials and colours would also be agreed in the legal agreement as would details of the phasing of the development and estimated time scales.

Conclusion

In considering the above, it is considered that the proposals are generally in accordance with Policy ME/WECO/1 as defined and allocated in the local plan and compliant with other development plan policies. Although there will need to be significant detailing addressed in subsequent reserved matters applications. Revised planting details have been submitted which have addressed the initial concerns relating to the impact upon Brympton D'Evercy's Listed Park and Garden and thus have overcome a number of objections. The comments of the two Parish Council's are acknowledged but the majority of the concerns raised relate to the principle of the development, which has already been addressed through the Local Plan stages. The scheme is indicative at the present but indicates a number of buildings set within a framework of landscaping as envisaged at the Local Plan inquiry. Whilst the buildings themselves may change in position and design a Design Code condition has been included to ensure consistency of approach throughout the development and the landscaping will dictate the format of buildings in the future.

Subject to the Section 106 Agreement and the tight conditions imposed the proposed scheme would offer a high quality designed development that would be an important employment base for Yeovil's future.

Section 106 Planning Obligation

A section 106 agreement would need to be agreed in order to meet the aims of the policy in creating a high quality business park in this important location. On this basis the Section 106 Heads of Term will include landscaping provision, phasing, heights of buildings. In addition to a Section 106 agreement there would also need to enter into separate 278 agreements with the County Highways Authority in relation to the proposed highway works.

Recommendation

That application reference 07/05341/OUT be approved subject to:

a) the prior completion of a section 106 planning obligation (in a form acceptable to the Council's solicitor (s)) before the decision notice granting planning permission is issued, the said planning obligation to cover the following items / issues:

- i) Strategic Landscaping provision and future maintenance
- ii) Phasing
- iii) Heights of buildings
- iv) Any off site highway works not within the red line boundary
- v) Design code
- vi) Travel Planning
- vii) Layout of external estate road; and

b) the imposition of the following planning conditions on the grant of planning permission.

01. The proposal meets the aims and objectives of the key site allocation ME/WECO/1 and causes no demonstrable harm to ecology, residential amenity, the nearby listed building, the historic park and garden or archaeology. It also will not increase flooding, provide important employment land and improve highways, pedestrian and cycling provision. As such the proposal complies with policies ST3, ST5, ST6, EC8, EH5, EH8, EH12, EU4, EU5, TP1, TP2, TP3, TP5, TP6, TP7, ME1 and ME2 of the adopted South Somerset Local Plan 2006.

SUBJECT TO THE FOLLOWING:

01. The development hereby permitted shall be begun either before the expiration of ten years from the date of this permission, or before the expiration of three years from the date of approval of the last of the reserved matters to be approved, whichever is the later.

Reason: As required by Section 92(2) of the Town and Country Planning Act.

02. For each phase, or part thereof, all reserved matters which shall include details of the layout, scale, appearance, materials, boundary treatment and landscaping (hard and soft) shall be submitted in the form of one application to show a comprehensive and coherent scheme in accordance with the masterplan and objectives of Proposal ME/WECO/1 of the South Somerset Local Plan adopted April 2006. Such application(s) shall be submitted within 5 years of the date of this permission.

Reason: As required by Section 92(2) of the Town and Country Planning Act.

03. For each phase, or part thereof, all reserved matters, which shall include details of the layout, scale, appearance, materials, boundary treatment, access arrangements and landscaping (soft and hard) excluding strategic landscaping including any bunding, shall be submitted in the form of one application to show a comprehensive and coherent scheme.

Reason: As required by Section 92(2) of the Town and Country Planning Act 1990.

04. No development shall take place on any phase or part thereof, unless the applicant or their agent or successors in title have secured the implementation of a programme of archaeological work involving further evaluation and subsequent mitigation in accordance with a written scheme of investigation which has been submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of preserving the archaeological interests of the County in accordance with Policies 11 and 13 of the Somerset and Exmoor National Park Joint Structure Plan Review and EH12 of the South Somerset Local Plan adopted April 2006.

05. No development shall take place on any phase or part thereof, unless a Construction Environmental Management Plan (CEMP) for that part of the development has been submitted to and approved in writing by the Local Planning Authority. The plan shall include construction vehicle movements, access points, construction operation hours, construction vehicular route to and from site, expected number of construction vehicles per day, car parking for contractors clear

of the highway, specific measures to be adopted to mitigate construction impacts in pursuance of the Environmental Code of Construction Practice and a scheme to encourage the use of public transport amongst contractors. Subsequent development shall be carried out in accordance with the requirements of the approved CEMP.

Reason: To ensure that protected species and other wildlife interests are properly provided for through the development in accordance with Policies EC7 and EC8 of the South Somerset Local Plan adopted April 2006.

06. No works shall be undertaken unless details of the proposed foul drainage have been submitted to and approved in writing by the Local Planning Authority. Such details will need to demonstrate that the system is adequately sized to accommodate and accept the flows that will be generated by this proposal. (Ref: Wessex Water letter dated 17th December 2007)

Reason: To prevent pollution in accordance with the aims and objectives of Policy EU4 of the South Somerset Local Plan adopted April 2006.

07. No building work shall be commenced unless a further fully detailed masterplan to provide full details of the philosophy for the design of streets and open spaces, their design coding and a full materials palette to be used for the whole of the area covered by this outline application, has been submitted to and approved in writing by the local planning authority.

Reason: The local planning authority wish to ensure that the whole of the key site makes a positive contribution to the setting and design of Yeovil and that the site is developed following a comprehensive design theme in accordance with the aims and objectives of Policies ST6 and ME/WECO/1 of the South Somerset Local Plan adopted 2006.

08. No works shall be carried out, including any ground clearance, unless an Environmental Management Plan (EMP), which shall address in detail how negative impacts of the development will be avoided or mitigated during construction and subsequently (eg protection for badger setts, timing of vegetation clearance, protection of trees and hedges), and an ecology management plan to address how the open space areas and areas and features of particular wildlife value will be maintained, for people and wildlife, in future, have been submitted to and approved in writing by the local planning authority. Any mitigation shall be fully implemented for each phase or part thereof in accordance with timings, which shall be first agreed in writing by the local planning authority.

Reason: To ensure that protected species and other wildlife interests are properly provided for through the development in accordance with Policies EC7 and EC8 of the South Somerset Local Plan adopted April 2006.

09. Full details of proposed street lighting shall be submitted to and approved in writing by the local planning authority prior to installation. Any such lighting shall be fitted with maximum cut-off and downlighting and be minimum necessary light intrusion in watercourse and other green corridors. There shall be no variation of the street lighting once approved unless variation is agreed in writing by the local planning authority.

Reason: To protect wildlife habitat and to prevent unnecessary light pollution in accordance with Policy EP3 of the South Somerset Local Plan adopted April 2006

10. No phase of development or part thereof hereby permitted in outline shall be commenced unless detailed landscape plans for the main areas of strategic landscape provision have been submitted to and approved in writing by the local planning authority. Such structural planting areas include:
- a) the landscaped entrance road,
 - b) the line of preserved oak trees.
 - c) the south-eastern corner of the site by the A3088 and wildlife corridors
 - d) the line of landscaping from the south-east to the north-west.

Such planting shall be carried out in accordance with a planting schedule, to include timings, which shall form part of the landscape proposal submission for that phase or part thereof.

Reason: To ensure that a quality development with structural planting is achieved for this key site in accordance with Policies ST6 and Proposal ME/WECO/1 of the South Somerset Local Plan adopted April 2006.

11. No construction of buildings shall commence on any phase or part thereof, unless detailed plans indicating the design and location of the attenuation pond within that phase or part, incorporating level information, and landscape/ecological treatment have been submitted to and approved in writing by the local planning authority. Such works as shall be agreed shall be undertaken in accordance with a timetable to be agreed in writing.

Reason: To ensure that a quality development is achieved for this key site in accordance with Policies ST6 and Proposal ME/WECO/1 of the South Somerset Local Plan adopted April 2006

12. No development of building shall be commenced unless details of the provision and implementation of a surface water run-off limitation scheme have been submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented in accordance with the agreed programme and details and shall accord with the overall drainage masterplan for the entire site.

Reason: To prevent the increased risk of flooding in accordance with the aims and objectives of Policy EU5 of the South Somerset Local Plan adopted April 2006.

13. There must be no new buildings, structures (including gates, walls and fences) or raised ground levels within the floodplain and/or within 5m of any watercourse, inside or along the boundary of the site, unless agreed otherwise in writing by the Local Planning Authority.

Reason: To ensure that floodplain volume is not lost, maintenance access is provided for, and flood risk is not increased to the development or elsewhere in accordance with Policy EU4 of the adopted South Somerset Local Plan.

14. No development approved by this permission shall be commenced until a scheme for flood resilience in the construction of the development has been submitted to and approved in writing by the Local Planning Authority.

Reason: To reduce the impact of any flooding on the development in accordance with EU4 of the adopted South Somerset Local Plan 2006.

15. No development on any phase or part thereof hereby permitted in outline shall be commenced unless details of all existing and proposed finished ground and floor levels have been submitted to and approved by the local planning authority. The scheme shall be completed in accordance with the approved plans.

Reason: To ensure that the development is subject to minimum risk of flooding in accordance with the requirements of PPS25 and Policy EU5 of the South Somerset Local Plan adopted April 2006.

16. The development hereby permitted shall not be used other than for those activities which fall within the definition of Class B1 (Business) of the Schedule of the Town and Country Planning (Use Classes) Order 1987, or in any provision equivalent to that Class in any statutory instrument revoking or re-enacting that Order with or without modification.

Reason: To comply with Policy ME/WECO/1 of the adopted South Somerset Local Plan 2006.

17. No works of any phase or part thereof, hereby permitted in outline, shall be commenced unless details of the proposed estate roads, footways, footpaths, cycle ways, verges, junctions, street lighting, floodlighting, sewers, on-site waste pumping station(s), on-site waste booster station, electricity sub-stations, drains, retaining walls, service routes, surface water drainage, ponds, vehicle overhang margins, embankments, visibility splays, accesses, carriageway gradients, drive gradients, car parking, street furniture, bus stops and shelters have been submitted to and approved in writing by the Local Planning Authority. Such works shall be constructed and laid out in accordance with the details approved as agreed. For this purpose plans and sections, indicating as appropriate the design, layout, gradients, materials and method of construction shall be submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of highway safety in accordance with Policy ST5 of the adopted South Somerset Local Plan 2006.

18. Building on the details enclosed within the Site Wide Framework Travel Plan the development shall not be brought into use until a travel plan, has been submitted to and approved in writing by the Local Planning Authority, such travel plan to include a list of elements to promote sustainable travel together with a timetable for the implementation of each such element. The final version shall be based on this draft and amended to include the following;

enforcement - a list of potential mitigation and remediation measures to be included within the Travel Plan including the potential for further contributions to sustainable transport measures, should targets not be met

monitoring - a baseline mode share should be established 6 months after initial occupation through a staff travel survey, with an annual monitoring survey to ensure these targets are being achieved and to perhaps identify new measures to meet targets. The annual staff travel survey should be done on the anniversary of the travel plan to avoid variations in the time of year. A report should also be submitted to the appropriate authorities to outline the results and analysis of the results of the staff travel survey and their results of the on-going monitoring undertaken throughout the proceeding period.

travel plan co-ordinator - the travel plan co-ordinator needs to be a full time senior member of staff to demonstrate management support.

pedestrians and cyclists - the cycling facilities are to be in a secure, covered location preferably outside the site entrance. Once survey data has been collected, if the results of the staff survey indicate that there is demand for cycling, then increased cycle facilities (parking and showers) should be put in place to meet such demand.

No part of the development shall be occupied prior to implementation of the Approved Travel Plan (or implementation of those parts identified in the Approved Travel Plan as capable of being implemented prior to occupation). Those parts of the Approved Travel Plan that are identified therein as being capable of implementation after occupation shall be implemented in accordance with the timetable contained therein and shall continue to be implemented as long as any part of the development is occupied.

Reason: In the interests of highway safety and to accord with policy T2 of the adopted South Somerset Local Plan 2006.

19. If any phase of the development is to be commenced after 1st November 2009, no part of that phase of the development shall be carried out unless it has been agreed in writing with the Local Planning Authority whether a further supplemental survey, in respect of that part, shall be commissioned in respect of any wildlife survey over two years old at the time of commencement. Should such a survey be required then any mitigation requirements that may be identified by it shall be fully implemented.

Reason: In order to protect a legally protected species in accordance with Policies EC7 and EC8 of the South Somerset Local Plan adopted April 2006.

20. No raw materials, products of any description, scrap or waste materials whatsoever shall be stored in the open and no work shall be carried out on any part of the subject land without the prior written consent of the Local Planning Authority.

Reason: To safeguard the amenities and character of the area in accordance with Policy ST5 and ST6 of the South Somerset Local Plan 2006.

21. No work shall be undertaken unless the highway works shown generally in accordance with drawing BH07196/D03 Rev A have been carried out in accordance with a design and specification to be approved in writing by the Local Planning Authority and to be fully implemented in accordance with those details that have been approved.

Reason: In the interests of highway safety and to accord with Policy ST5 of the adopted South Somerset Local Plan 2006

22. There shall be no means of vehicular (or pedestrian) access (other than indicated generally in accordance with submitted drawing BH07196/D03 Rev A) to the development hereby permitted from the A3088 Western Relief Road unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of highway safety and to accord with Policy ST5 of the adopted South Somerset Local Plan 2006

23. When the application is made to the Local planning Authority for the approval of reserved matters that application shall show details of the arrangements for the parking/turning/manoeuvring/loading/unloading of vehicles within the site. These arrangements shall be provided before the first use of the development hereby permitted and shall be kept permanently free for such use at all times thereafter.

Reason: In the interests of highway safety and to accord with Policy ST5 of the adopted South Somerset Local Plan 2006.

24. No works shall be undertaken unless details of the proposed estate roads, footways, footpaths, tactile paving, cycle ways, bus stops/bus lay-bys, verges, junctions, street lighting, sewers, drains, retaining walls, service routes, surface water outfall, vehicle overhang margins, embankments, visibility splays, accesses, carriageway gradients, drive gradients, car parking and street furniture are submitted to and be approved in writing by the Local Planning Authority. The details shall be constructed and laid out in accordance with the approved details before their construction begins. For this purpose, plans and sections, indicating as appropriate, the design, layout, levels, gradients, materials and method of construction shall be submitted to the Local Planning Authority.

Reason: In the interests of highway safety and to accord with Policies ST5 and TP1 of the adopted South Somerset Local Plan 2006.

25. No works shall be undertaken unless a scheme for the network of cycleway and footpath connections within the development site have been submitted to and agreed in writing by the Local Planning Authority. No part of the development hereby permitted shall be brought into use until the agreed scheme has been constructed.

Reason: In the interests of sustainable development to accord with Policies 42 and 44 of the Somerset and Exmoor National Park Joint Structure Plan Review 1991 - 2011

26. No works shall be undertaken unless details of the precautions to be taken to prevent the deposit of mud on public highways by vehicles travelling from the site during construction of the development have been submitted to and approved in writing by the Local Planning Authority. These facilities shall include the provision of wheel washing facilities where considered necessary by the Local Planning Authority. These precautions shall be made available before commencement of the construction of the development and be kept available and in full working order until such time as the Local Planning Authority agrees in writing to their withdrawal or the completion of the development.

Reason: In the interests of highway safety and to accord with Policy ST5 of the adopted South Somerset Local Plan 2006

27. No works shall be undertaken unless a scheme shall be submitted indicating cycle parking to a design and in positions, which shall be approved in writing by the Local Planning Authority, such parking to be completed before any unit is occupied.

Reason: In the interests of highway safety and to accord with Policy TP3 of the adopted South Somerset Local Plan 2006.

28. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking or re-enacting that Order) no building or structures (including walls, fences and drainage works) shall be constructed or planted within the area identified in the Design and Access statement as being reserved for future widening of the Western Relief Road.

Reason: To avoid prejudicing any future road improvements in accordance with Policy ST5 of the adopted South Somerset Local Plan 2006

29. The development shall be carried out in accordance with amended drawing 1924-10-A from Cooper Partnership received 20 February 2008 and drawings BH07196/D02A, BH07196/D03A and BH07196/D04A by Byways and Highways received 2 July 2009 unless otherwise agreed in writing by the Local Planning Authority.

Reason: To avoid confusion as to the approved plans.

Informatives:

01. The development should include water efficient appliances, fittings and systems in order to contribute to reduced water demand in the area. These should include, as a minimum, dual-flush toilets, water butts, spray taps, low flow showers (no power showers) and white goods (where installed) with the maximum water efficiency rating. Greywater recycling and rainwater harvesting should be considered.

The submitted scheme should consist of a detailed list and description (including capacities, water consumption rates etc. where applicable) of water saving measures to be employed within the development. Applicants should visit <http://www.environment-agency.gov.uk/> > Subjects > Water Resources > How We Help To Save Water > Publications > Conserving Water in Buildings, for detailed information on water saving measures. A scheme of water efficiency should be submitted in accordance with the information supplied on the website. The following may also be helpful - <http://www.savewatersavemoney.co.uk/>.

02. Foul and contaminated drainage and trade effluent should be directed to the public foul sewer, provided that the sewerage undertaker (Wessex Water) agrees to accept your foul sewage.

03. All foul and surface water must be kept separate.

04. Any planned connections to the watercourses must only be clean surface water with no trade effluent, sewage or contaminated surface water. Any polluting discharges will require prior consent from the Environment Agency

05. Any imperviously surfaced car park with a capacity for 50 vehicles or more will require a drainage system that include an oil interceptor. The applicant is advised to refer to our Pollution Prevention Guidelines 3, found at the following link for further information on this matter.

www.environment-agency.gov.uk/business/444251/444731/ppg/?version=1&lang=_e

06. We strongly recommend that the proposed development includes sustainable design and construction measures. In a sustainable building minimal natural resources and renewables are used during construction, and the efficient use of energy is achieved during subsequent use. This reduces greenhouse gas

emissions and helps to limit and adapt to climate change. Running costs of the building can also be significantly reduced.

07. You are reminded that a S106 agreement runs with this planning application.
08. The applicant is reminded that there is likely to be infrastructure improvements for the site that may require funding.
09. Where works are to be undertaken on or adjoining the publicly maintainable highway a licence under Section 171 of the Highways Act 1980 must be obtained from the Highway Authority. Application forms can be obtained by writing to Roger Tyson of the Transport Development Group, Environment Department, County Hall, Taunton, TA1 4DY, or by telephoning him on 01823 356011. Applications should be submitted at least four weeks before works are proposed to commence in order for statutory undertakers to be consulted concerning their services.
10. The fee for a Section 171 Licence is £250. This will entitle the developer to have his plans checked and specifications supplied. The works will also be inspected by the Superintendence team and will be signed off upon satisfactory completion.