

SUMMERFIELD DEVELOPMENTS LTD
46/2002/022

ERECTION OF INDUSTRIAL UNITS USE CLASSES B1 (LIGHT INDUSTRY), B2 (GENERAL INDUSTRY) AND B8 (WAREHOUSING AND DISTRIBUTION), LAND ADJOINING CHELSTON BUSINESS PARK, CHELSTON, WELLINGTON

15900/21260 FULL

1.0 **RECOMMENDATION**

Subject to the views of the Secretary of State under the Departure Procedures and the applicants entering into a Section 106 Agreement to provide for cyclepath links from the site to the A38, and the dedication of the land between the proposed buildings and the road to Ham to the Parish Council for use as an informal recreational area, the Chief Planning Officer in consultation with the Chair/Vice Chair be authorised to determine and permission be GRANTED subject to the following conditions:-

- 01 The development hereby permitted shall be begun within five years of the date of this permission.
- 01 Reason: In accordance with the provisions of Section 91(1) of the Town and Country Planning Act, 1990.
- 02 Prior to the commencement of development details of the arrangements to be made for the disposal of foul and surface water drainage from the proposed development, shall be submitted to and approved in writing by the Local Planning Authority before any work hereby permitted is commenced. The scheme shall be implemented in accordance with the approved programme and details.
- 02 Reason: The Local Planning Authority wish to ensure that satisfactory drainage is provided to serve the proposed development(s) so as to avoid environmental amenity or public health problems.
- 03 Before the commencement of any works hereby permitted, details or samples of the materials to be used for all the external surfaces of the building(s) shall be submitted to and be approved in writing by the Local Planning Authority, and no other materials shall be used without the written consent of the Local Planning Authority.
- 03 Reason: To safeguard the visual amenities of the area.
- 04 (i) Before any part of the permitted development is commenced, a scheme of planting of trees, shrubs and hedges, which shall include details of the species, siting and numbers to be planted, shall be submitted to and approved in writing by the Local Planning Authority.
- (ii) The scheme shall be completely carried out within a period of time or a phased programme agreed with the Local Planning Authority

before commencement of the development. (iii) For a period of five years after the completion of the planting scheme, the trees, shrubs and hedges shall be protected and maintained to the satisfaction of the Local Planning Authority and any trees, shrubs or hedges that cease to grow shall be replaced by trees, shrubs or hedges of similar size and species, or the appropriate trees, shrubs or hedges as may be approved in writing by the Local Planning Authority.

- 04 Reason: To maintain the health and amenity of the tree(s).
- 05 Before any part of the development hereby permitted is commenced detailed drawings showing which trees are to be retained on the site shall be submitted to and approved in writing by the Local Planning Authority and none of the trees so shown shall be felled, lopped, topped, lifted or disturbed without the prior written consent of the Local Planning Authority.
- 05 Reason: In the interests of the visual amenity of the area.
- 06 Before any part of the permitted development is commenced, the trees to be retained on the site shall be protected by a chestnut paling fence 1.5 metres high, placed at a minimum radius equivalent to the full spread of the tree canopy from the trunk of the tree and the fencing shall be removed only when the development has been completed. During the period of construction of the development the existing soil levels around the boles of the trees so retained shall not be altered.
- 06 Reason: In the interests of the visual amenity of the area.
- 07 No service trenches shall be dug within the canopy of any existing tree within the curtilage of the site without the prior approval of the Local Planning Authority.
- 07 Reason: To avoid potential harm to the root system of any tree leading to possible consequential damage to its health.
- 08 Before any part of the permitted development is commenced, the hedges to be retained on the site shall be protected by a chestnut paling fence 1.5 metres high, placed at a minimum distance of 2.0 metres from the edge of the hedge and the fencing shall be removed only when the development has been completed. During the period of construction of the development the existing soils levels around the boles of the hedges so retained shall not be altered.
- 08 Reason: In the interests of the visual amenity of the area.
- 09 No tree shall be felled, lopped, topped, lifted or disturbed in any way without the prior written consent of the Local Planning Authority.
- 09 Reason: The existing trees represent an important visual feature which the Local Planning Authority consider should be substantially maintained.
- 10 The layout and alignment, widths and levels of the proposed roads, road junctions, points of access, visibility splays, footpaths and turning spaces shall be provided in accordance with the standards set down in the County Council's booklet "Estate Roads in Somerset". Details shall be submitted to and approved in writing by the Local Planning Authority before their construction is commenced.
- 10 Reason: To ensure that the proposed estate is laid out in a proper manner with adequate provision for traffic.
- 11 The proposed roads, turning spaces and parking areas shall be

- constructed in such a manner as to ensure that each building before it is occupied shall be served by a properly consolidated carriageway, turning space and parking area.
- 11 Reason: To ensure that the proposed estate is laid out in a proper manner with adequate provision for traffic.
- 12 The accesses shown on the submitted plan shall be provided to the satisfaction of the Local Planning Authority before any other work on the site commences.
- 12 Reason: In the interests of highway safety.
- 13 The area allocated for parking on the submitted plan shall be properly consolidated, surfaced, drained and marked out before the use commences or the building(s) are occupied and shall not be used other than for the parking of vehicles in connection with the development hereby permitted.
- 13 Reason: To ensure that there is adequate space within the site for the parking of vehicles clear of the highway.
- 14 Before the building(s) hereby permitted is occupied provision shall be made for the loading/unloading and the turning of vehicles within the curtilage of the premises in accordance with a plan to be approved in writing by the Local Planning Authority and the areas so provided shall thereafter not be used for any other purpose other than loading/unloading and turning of vehicles.
- 14 Reason: In the interests of highway safety.
- 15 No raw materials, finished or unfinished products or parts, crates, packing materials or waste shall be stacked or stored on the site except within the building(s) or within the storage area(s) as may at any time be approved in writing by the Local Planning Authority.
- 15 Reason: In the interests of the visual amenity of the area.
- 16 There shall be no external loud speakers or tannoy systems operated.
- 16 Reason: To ensure that the proposed development does not prejudice the amenities of the locality by reason of noise.
- 17 Before any part of the permitted development is commenced, details of all boundary walls, fences or hedges forming part of the development, shall be submitted to and approved in writing by the Local Planning Authority and any such wall, fence or hedge so approved shall be erected/planted before any such part of the development to which it relates takes place.
- 17 Reason: In the interests of the visual amenity of the area.
- 18 No refuse or waste materials shall be disposed of by burning on any part of the site.
- 18 Reason: To safeguard the amenities of the area.
- 19 Any facilities for the storage of oils, fuels or chemicals shall be sited on impervious bases and surrounded by impervious bund walls, details of which shall be submitted to and approved in writing by the Local Planning Authority.
- 19 Reason: To prevent pollution of the water environment.
- 20 Prior to being discharged into any watercourse, surface water sewer or soakaway system, all surface water drainage from impermeable parking areas and hardstandings for vehicles, commercial lorry parks and petrol stations shall be passed through an oil interceptor designed

- and constructed to have a capacity and details compatible with the site being drained. Roof water shall not pass through the interceptor.
- 20 Reason: To prevent pollution of the water environment.
- 21 Prior to the commencement of any development works, the applicant shall, at his own expense, appoint a suitably qualified acoustics consultant with a remit to examine the premises/land and identify what measures, if any, may be necessary to ensure that noise nuisance to neighbouring premises will not be caused. The consultant shall submit a written report to the Planning Authority which shall detail all measurements taken and results obtained, together with any sound reduction scheme recommended and the calculations and reasoning upon which any such scheme is based. Such report is to be agreed, in writing, by the Planning Authority prior to the commencement of development works.
- 21 Reason: To ensure that the proposed development does not prejudice the amenities of the locality by reason of noise.
- 22 Activities carried out at this site may have caused contamination of soil, sub-soil and groundwater present beneath the site, and may present a threat to nearby surface waters and/or water resources. Therefore prior to the commencement of any development works, the applicant shall, at his own expense, carry out a site investigation to determine the nature and extent of contamination that may result. In the event that significant contamination is confirmed, the applicant shall adopt measures to mitigate against pollution of the water environment.
- 22 Reason: To prevent pollution of the water environment.
- 23 No development approved by this permission shall be occupied or brought into use until a scheme for the future maintenance of pollution prevention devices has been submitted to and approved in writing by the Local Planning Authority.
- 23 Reason: To prevent pollution of the water environment.

Notes to Applicant

- 01 Your attention is drawn to the agreement made under Section 106 of the Town and Country Planning Act 1990, relating to this site/property.
- 02 You are advised to contact the Divisional Fire Officer, Lisieux Way, Taunton regarding fire safety measures to be incorporated in the proposed development/ works.
- 03 With regard to Condition 02, the principle of surface water balancing in the formpave system is acceptable. Full design details should demonstrate that the system is capable of containing and attenuating the 1:100 year run-off from the developed site (1:140 year storm) back to green field rates.
- 04 With regard to Condition 19, the volume of the bunded compound should be at least equivalent to the capacity of the tank plus 10%. With regard to Condition 19, the volume of the bunded compound should be at least equivalent to the capacity of the tank plus 10%. If there is multiple tankage, the compound should be at least equivalent to the capacity of the largest tank, or the combined capacity of interconnected tanks, plus 10%; or 25% of the total volume which could be stored at any one time, whichever is the greater. All filling points, vents, gauges and sight glasses must be located within the bund. The drainage

- system of the bund shall be sealed with no discharge to any watercourse, land or underground strata. Associated pipework should be located above ground, where possible, and protected from accidental damage. All filling points and tank overflow pipe outlets should be detailed to discharge downwards into the bund.
- 05 Any waste oils must be collected and contained prior to disposal in an approved manner. On no account should waste oils be discharged to any drainage system.
- 06 During construction, the following comments apply:- (1) Pumps used for pumping out water from excavations should be sited well away from watercourses and surrounded by absorbent material to contain oil spillages and leaks. (2) Discharge of silty or discoloured water from excavations should be irrigated over grassland or a settlement lagoon be provided to remove gross solids. The Environment Agency must be advised if a discharge to a watercourse is proposed. (3) Storage of fuels for machines and pumps should be well away from any watercourses. The tanks should be bunded or surrounded by oil absorbent material (regularly replaced when contaminated) to control spillage and leakage. (4) The Environment Agency must be notified immediately of any incident likely to cause pollution. (5) Under the terms of the Water Resources Act 1991, the prior agreement of the Environment Agency is required for discharging dewatering water from any excavation or development to a surface watercourse. (6) You are advised to liaise directly with the Environment Protection Department of the Environment Agency regarding pollution prevention both during the construction and operation of the site.
- 07 If off-site waste disposal is utilised it must be in accordance with the Duty of Care and the Waste Management Licensing Regulations 1994.
- 08 With regard to Condition 02, inspection holes should be provided and clearly identified to enable discharge from individual premises or buildings to be inspected or sampled.
- 09 With regard to Condition 22, in the first instance it is recommended that a desk study is undertaken to identify historical land-use and potential for ground contamination, for example from escape of fuel oils. If the potential for significant ground contamination is confirmed then further assessment should be undertaken and include:- (a) a targeted investigation to identify soil and groundwater contamination that may be present; (b) a survey to identify water features (water interests survey) or other environmental 'targets' that could potentially be impacted; (c) assessment of actual or likely pollution migration pathways and threats to identified environmental targets; and (d) proposals where shown to be necessary for measures to mitigate against identified pollution threats.
- 10 Any oil storage facility of 200 litres or more must include a bund, and comply with the Oil Storage Regulations (The Control of Pollution (Oil Storage) (England) Regulations 2001).
- 11 There shall be no discharge of foul or contaminated drainage or trade effluent from the site into either groundwater or any surface waters, whether direct or via soakaways.
- 12 Regard should be had to the requirements for the handling and storage

- of any hazardous substance included in the Schedule to the Planning (Hazardous Substances) Regulations 1992.
- 13 Foul and contaminated drainage and trade effluent should be directed to the public foul sewer provided that adequate capacity is available for additional flows.
- 14 With regard to Condition 02 you should consider the use of Best Management Practices as a method of sustainable surface water disposal.
- 15 Under the terms of the Water Resources Act 1991, the prior written consent of the Agency is normally required for any discharge of sewage or trade effluent into controlled waters, and may be required for any discharge of surface water to such controlled waters or for any discharge of sewage or trade effluent from buildings or fixed plant into or onto ground or into waters which are not controlled waters.
- 16 The development is located within a foul sewered area. It will be necessary for you to agree a point of connection onto the Wessex Water system for the satisfactory disposal of foul flows generated by the proposal.
- 17 You are advised that there is a public foul sewer crossing the site. Wessex Water normally requires a minimum three metre easement width on either side of its apparatus for the purpose of maintenance and repair. The site layout shows that the proposed buildings fall within this easement width. Diversion or protection works may need to be agreed with Wessex Water. You should agree prior to commencement of works on site any arrangements for the protection of infrastructure crossing the site.
- 18 It is recommended that a long off-site sewer will be required to discharge surface water flows to the local watercourse. This will be subject to approval by the Environment Agency.
- 19 There are water mains within the vicinity of the site.

2.0 **APPLICANT**

Summerfield Developments Ltd.

3.0 **PROPOSAL**

The proposal is a full application for the erection of B1, B2 and B8 industrial units on land adjoining Chelston Business Park, Chelston, Wellington. A total of 7,810 sq m (84,200 sq ft) of floorspace is proposed. The submitted scheme provides for a range of building sizes as follows:-

4 x 929 sq m (10,000 sq ft)
8 x 232 sq m (2,500 sq ft)
9 x 186 sq m (2,000 sq ft)

together with a building of 564 sq m (6,068 sq ft) accommodating 7 'Anson Units' ranging in size from 70 sq m (750 sq ft) to 93 sq m (1,000 sq ft).

The height to the eaves of the buildings is 6.7 m and to the ridge 8.2 m.

Materials are to be colour coated profiled metal roof sheeting and wall cladding, with brick panels. The proposal will provide for an extension to the existing business park and will be accessed and serviced directly from the road network and services in the adjacent business park.

An application for a larger area providing 11,802 sq m (127,000 sq ft) was refused in August 2000. A subsequent Appeal was withdrawn on the submission of a further application in July 2001. In that application, the area for development was reduced by providing a 30 m wide landscaped bund adjacent to the A38 and leaving a gap (minimum 70 m) between the proposed buildings and the road to Ham. In a covering letter with that application, the applicants recognised that the land is outside the Local Plan, but that they have many businesses interested in the land at Chelston which they could no longer accommodate and are therefore unable to satisfy the demand. This demand has increased by the present occupiers of Norton Fitzwarren Trading Estate who are looking for alternative accommodation when the Trading Estate is developed. They contended that their layout caters for the smaller occupier with buildings which they consider will fit in well with the present business park and the adjoining housing. The plans submitted with the current application indicate even more extensive screening than the first application. The previous application submitted in July 2001 was refused by this Committee at its meeting on 1st May, 2002.

The current application is identical to the application refused in May, but is accompanied by a supporting statement from the applicant's solicitors together with a copy of the Interim Planning Policy on Extensions to Employment Estates. Copies of these are included as appendices to this Report.

The previous applications were accompanied by a Transport Assessment, an Ecological Assessment and a supporting statement on the landscape visual impact issues related to the proposed development. The applicants have asked that these reports be taken into account in the consideration of the current application. Accordingly copies of these reports are included as appendices to this Report.

4.0 **THE SITE**

The site comprises vacant agricultural land adjoining the A38 road on the north side. On the opposite south side of the A38 there is a mixture of residential properties (in particular Chelston Terrace), commercial premises, a chapel and agricultural land. The north-east side of the site is bounded by the road leading to Ham from the A38. Beyond this road there is the Piccadilly House Nursing Home, a residential property and agricultural land. To the north-west are the residential areas of Castle Cottages and Cob Castle, and the road leading to the former, together with the existing Chelston Business Park. To the south-west is open land. The site is generally bounded by fencing and hedging, more substantial on the north-west side opposite the residential areas and less substantial on the north-east side. The site is generally open to views from the surrounding public roads. The site itself is

vacant agricultural land.

5.0 **RELEVANT PLANNING HISTORY**

46/1997/002 Demolition of existing cottage, erection of two bungalows and the alteration of an existing access, Cob Castle, Ham, West Buckland. Outline planning permission refused September 1997.

46/2000/006 Erection of industrial units use classes (B1, B2 and B8), land adjoining Chelston Business Park, Chelston, Wellington. Full planning permission refused August 2000. A subsequent Appeal was withdrawn, The reasons for refusal on the application were as follows:-

- 01 The proposal conflicts with the provisions of the approved West Deane Local Plan and the emerging Taunton Deane Local Plan in that the site lies outside the areas which are allocated for development purposes and is within an unnoted or basically rural area wherein no major changes in land use are expected.
- 02 The proposed development comprises an undesirable spread of commercial development within this rural area, which would be to the detriment of the present open character of the area and would result in further undesirable consolidation and urbanisation of land alongside the A38 corridor between Taunton and Wellington.
- 03 The proposal is premature and prejudicial to the consideration of the emerging Taunton Deane Local Plan and the decision thereon. Furthermore, the proposed development is likely to be prejudicial to the successful implementation of the Taunton Deane Local Plan.

46/2001/017 Erection of industrial unit use classes B1 (light industry), A3 (general industry), and B8 (warehousing and distribution), land adjoining Chelston Business Park, Chelston, Wellington. Full planning permission refused May 2001. The reasons for refusal of the application were as follows:-

- 01 The proposal conflicts with the provisions of the approved West Deane Local Plan and the emerging Taunton Deane Local Plan in that the site lies outside the areas which are allocated for development purposes and is within an unnoted or basically rural area wherein no major changes in land use are expected.
- 02 The proposed development comprises an undesirable spread of commercial development within this rural area, which would be to the detriment of the present open character of the area and would result in further undesirable consolidation and urbanisation of land alongside the A38 corridor between Taunton and Wellington.
- 03 The proposal is premature and prejudicial to the consideration of the emerging Taunton Deane Local Plan and the decision thereon. Furthermore, the proposed development is likely to be prejudicial to the successful implementation of the Taunton Deane Local Plan.

- 04 The Local Planning Authority is of the opinion that the evidence of need for additional employment land is not such as to override the policy and amenity objections to this proposal in terms of its departure to the adopted and emerging local plans and its adverse impact on adjoining residential properties and the rural character of the area.

There have been various planning applications related to the existing business park to the north-west of the current site.

6.0 **RELEVANT PLANNING POLICIES**

Somerset and Exmoor National Park Joint Structure Plan (Adopted April 2000)

The following policies are relevant:-

STR1
STR2
STR6
STR7
POLICY 16

POLICY 18
LOCATION OF LAND FOR INDUSTRIAL, WAREHOUSING & BUSINESS DEVELOPMENT

When determining the location of land for employment generating activities, in the context of other policies in the plan, consideration should be given to the following:

where significant levels of freight traffic are likely to be generated, sites should be located close to the existing County or National road network or rail facilities;

activities which are environmentally compatible with other land uses may be located within or adjoining such existing or proposed uses;

activities which are not compatible with other land uses should be located where their impact on the local environment can be mitigated;

large developments with high employment density activities should be located close to established public transport nodes.

POLICY 19
POLICY 49

West Deane Local Plan (Adopted May 1997)

WD/SP/2 OUTSIDE DEFINED SETTLEMENT LIMITS, DEVELOPMENT WILL NOT BE PERMITTED UNLESS IT IS FOR THE PURPOSES OF AGRICULTURE OR FORESTRY OR

ACCORDS WITH A SPECIFIC DEVELOPMENT PLAN POLICY OR PROPOSAL

WD/IE/1

EMPLOYMENT PROPOSALS WILL BE ASSESSED AGAINST THE FOLLOWING CRITERIA;

- (A) THE CONTRIBUTION TO LOCAL EMPLOYMENT OPPORTUNITIES;
- (B) THE RELATIONSHIP TO THE ROLE, FUNCTION AND SIZE OF THE SETTLEMENT;
- (C) IMPACT ON THE LOCAL ENVIRONMENT, PARTICULARLY SETTLEMENT CHARACTER, LANDSCAPE, WILDLIFE, ARCHAEOLOGY, RESIDENTIAL AMENITY AND VALUABLE OPEN SPACES;
- (D) COMPATIBILITY WITH ADJOINING LAND USES;
- (E) THE POTENTIAL AIR, WATER, NOISE AND OTHER FORMS OF POLLUTION CAUSED;
- (F) THE EFFECT ON HIGHWAY CONGESTION, THE SAFETY OF ROAD USERS AND PEDESTRIANS AND RESIDENTIAL ROADS;
- (G) THE ABILITY TO PROVIDE SATISFACTORY UTILITY SERVICES; AND
- (H) THE IMPACT ON AGRICULTURE.

ONLY IN EXCEPTIONAL CIRCUMSTANCES WILL ANYTHING OTHER THAN SMALL SCALE, UNOBTRUSIVE PROPOSALS BE PERMITTED WITHIN AREAS OF OUTSTANDING NATURAL BEAUTY.

WD/IE/2

THE BOROUGH COUNCIL WILL NOT NORMALLY PERMIT CONSTRUCTION OF NEW BUILDINGS FOR INDUSTRY, WAREHOUSING OR OFFICE USE OUTSIDE THE DEFINED SETTLEMENT LIMITS. THIS CONTROL WILL BE PARTICULARLY STRONG WITHIN THE QUANTOCK HILLS AND BLACKDOWN HILLS AREAS OF OUTSTANDING NATURAL BEAUTY.

WHERE THERE IS NO SUITABLE SITE WITHIN THE VILLAGE, SMALL SCALE EMPLOYMENT DEVELOPMENTS WILL BE PERMITTED OUTSIDE BUT ADJACENT TO THE VILLAGE LIMITS, WHERE THE DEVELOPMENT CONTROL CRITERIA IN WD/IE/1 ARE SATISFIED.

WD/IE/3
WD/IE/4
WD/IE/8

Taunton Deane Local Plan Revised Deposit

S1
S2
S3

S8 OUTSIDE DEFINED SETTLEMENT LIMITS, NEW BUILDING WILL NOT BE PERMITTED UNLESS IT MAINTAINS OR ENHANCES THE ENVIRONMENTAL QUALITY AND LANDSCAPE CHARACTER OF THE AREA AND

- (A) IS FOR THE PURPOSES OF AGRICULTURE OR FORESTRY;
- (B) ACCORDS WITH A SPECIFIC DEVELOPMENT PLAN POLICY OR PROPOSAL;
- (C) IS NECESSARY TO MEET A REQUIREMENT OF ENVIRONMENTAL OR OTHER LEGISLATION; OR
- (D) SUPPORTS THE VITALITY AND VIABILITY OF THE RURAL ECONOMY IN A WAY WHICH CANNOT BE SITED WITHIN THE DEFINED LIMITS OF A SETTLEMENT.

NEW STRUCTURES OR BUILDINGS PERMITTED IN ACCORDANCE WITH THIS POLICY SHOULD BE DESIGNED AND SITED TO MINIMISE LANDSCAPE IMPACT, BE COMPATIBLE WITH A RURAL LOCATION AND MEET THE FOLLOWING CRITERIA WHERE PRACTICABLE:-

- (E) AVOID BREAKING THE SKYLINE;
- (F) MAKE MAXIMUM USE OF EXISTING SCREENING;
- (G) RELATE WELL TO EXISTING BUILDINGS; AND
- (H) USE COLOURS AND MATERIALS WHICH HARMONISE WITH THE LANDSCAPE.

EC4 OUTSIDE THE DEFINED LIMITS OF SETTLEMENTS, THE DEVELOPMENT OF NEW SMALL SCALE BUILDINGS FOR BUSINESS, INDUSTRIAL, WAREHOUSING, TOURISM, RECREATION, COMMUNITY, COMMERCIAL OR OTHER EMPLOYMENT GENERATING USE, EXCLUDING RETAILING WILL BE PERMITTED PROVIDED:

- (A) THE SITE IS NEAR A PUBLIC ROAD;
- (B) THE SITE IS ADJACENT TO THE LIMITS OF A VILLAGE WITHIN WHICH THERE IS NO SUITABLE SITE AVAILABLE; AND

- (C) THERE WOULD BE NO HARM TO THE RESIDENTIAL AMENITY OF NEIGHBOURING PROPERTIES, LANDSCAPE OR HIGHWAY SAFETY AND ADEQUATE ARRANGEMENTS CAN BE MADE FOR THE PROVISION OF SERVICES.

M1

M3

Interim planning Policy on Extensions to Employment Sites (Approved by The Executive on 18th June, 2002)

Whilst the Taunton Deane Local Plan has allocated sufficient land to meet the Structure Plan employment requirement within the Plan period for Taunton Deane, the Council recognises that in order to secure economic growth and inward investment, additional employment land will be required for implementation within the early years of the Local Plan (i.e. pre 2006). Accordingly the following interim policy has been approved as a non-statutory policy:-

SUBJECT TO OTHER DEVELOPMENT CONTROL CONSIDERATIONS, PROPOSALS FOR THE EXTENSION OF EXISTING EMPLOYMENT ESTATES WILL BE PERMITTED WHERE (A) IT WILL HELP MEET THE SHORT-TERM NEED FOR STRATEGIC ESTATES SUITABLE FOR B1 LIGHT INDUSTRIAL, B2 AND B8 USES, (B) THE EXISTING ESTATE HAS GOOD ACCESS TO THE NATIONAL ROUTE NETWORK (ROAD AND/OR RAIL) AND (C) DEVELOPMENT WOULD NOT RESULT IN SIGNIFICANT ADVERSE ENVIRONMENTAL OR AMENITY IMPACT.

The supporting text to accompany the policy considers that the aims of the policy can be achieved through the modest rounding-off of existing industrial estates. The criteria for the identification of these aims to provide for the development of employment land with good access to the main transportation route network (road and/or rail) of a scale and quality of design and layout that provides the opportunity for a range of unit sizes to assist the Borough's short-term strategic land and growth requirements.

7.0 **RELEVANT CENTRAL GOVERNMENT POLICY ADVICE**

The general guidance regarding compliance with the current Development Plan contained in Planning Policy Guidance Note No. 1 'General Policies and Principles' is relevant. The following paragraphs are particularly relevant to the current proposal:-

Para. 4

Para. 21

Para. 22

Para. 40 The Government is committed to a plan-led system of development control. This is given statutory force by section 54A of the 1990 Act. Where an adopted or approved development

plan contains relevant policies, section 54A requires that an application for planning permission or an appeal shall be determined in accordance with the plan, unless material considerations indicate otherwise. Conversely, applications which are not in accordance with relevant policies in the plan should not be allowed unless material considerations justify granting a planning permission. Those deciding such planning applications or appeals should always take into account whether the proposed development would cause demonstrable harm to interests of acknowledged importance. In all cases where the development plan is relevant, it will be necessary to decide whether the proposal is in accordance with the plan and then to take into account other material considerations. The status of plans which are not yet adopted or approved is covered in paragraph 48.

Para. 46
Para. 47
Para. 48
Para. 49

Para. 54 If the development plan contains material policies or proposals and there are no other material considerations, the application or appeal should be determined in accordance with the development plan. Where there are other material considerations, the development plan should be the starting point, and the other material considerations weighed in reaching a decision. One such consideration will be whether the plan policies are relevant and up-to-date (the age of the plan is not in itself material). Particular policies of the plan may, for example, have been superseded by more recent planning policy guidance issued by the Government.

Para. 56

The following paragraphs from Planning Policy Guidance Note No. 4 'Industrial and Commercial Development and Small Firms' are relevant:-

Para. 3
Para. 13
Para. 24

The following paragraphs from Planning Policy Guidance Note No. 7 'The Countryside - Environmental Quality and Economic and Social Development' are relevant:-

Para. 1.3
Para. 1.4
Para. 2.2
Para. 2.3

The following paragraphs from Planning Policy Guidance Note No. 13 'Transport' (1994) are relevant:-

Para. 2.10
Para. 2.11
Paras. 3.4 - 3.6

The following paragraphs from Planning Policy Guidance Note No. 13 'Transport' (Public Consultation Draft) are relevant:-

Para. 4
Para. 13
Para. 14

8.0 **CONSULTATIONS**

County Highway Authority

Comments not received at time of compiling report. The following comments were received on the earlier identical application:-

“The Planning Authority will be aware of our comments with regard to previous planning application 46/00/006 with regard to the extension of the industrial business park at Chelston. I have no objections in principle to the above planning application, however there are various issues with regard to the layout which need to be addressed. I have invited the applicant to contact the Highway Authority in order to discuss footway/cycleway links from the site to the A38 in the vicinity of the bus stop in order that an amended plan may be forthcoming.”

The current application addresses the points raised.

County Archaeologist

“As far as we are aware there are limited or no archaeological implications to this proposal and we therefore have no objections on archaeological grounds.”

Environment Agency (Initial response)

“The Agency OBJECTS to the proposed development, as submitted, on the following grounds:-

We recommend that your Council should defer consideration of this application until sufficient details are provided by the applicant.

Surface water discharges need to be restricted to greenfield rates. The applicant has previously indicated that this would be achieved using the Formpave system. While accepting the principle of surface water balancing

via the formpave system, we consider that further detail is required. Full design details of the system should be provided. This should demonstrate that the system is capable of containing and attenuating the 1:100yr run off from the developed site (1:140yr storm) back to green field rates.

Should the Agency's objection to the proposal subsequently be overcome, the Agency would seek the application of the following conditions:-

CONDITION: No development approved by this permission shall be commenced until a scheme for the provision and implementation of surface water run-off limitation has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented in accordance with the approved programme and details.

REASON: To prevent the increased risk of flooding.

CONDITION: Inspection manholes shall be provided and clearly identified on foul and surface water drainage systems, in accordance with a scheme to be submitted to and approved by the Local Planning Authority.

REASON: To enable discharges from individual premises or buildings to be inspected and sampled.

There is no information relating to previous land use therefore the Agency will require the following condition:-

CONDITION: Activities carried out at this site may have caused contamination of soil, subsoil, and groundwater present beneath the site, and may present a threat to nearby surface waters and/or water resources.

Consequently it is recommended that any planning permission require the applicant to carry out a site investigation to determine the nature and extent of contamination that maybe present and the likely impact on the water environment that may result. A further planning condition is sought that in the event that significant contamination is confirmed, the applicant is required to adopt measures to mitigate against pollution of the water environment. Model conditions 56-8 given within DTLR circular 11/95 may be suitable for this purpose.

To meet these requirements, in the first instance it is recommended that a desk study is undertaken to identify historical land-use and potential for ground contamination, for example from escape of fuel oils. If the potential for significant ground contamination is confirmed then further assessment should be undertaken and include:-

- a targeted investigation to identify soil and groundwater contamination that may be present;

- a survey to identify water features (water interests survey) or other environmental 'targets' that could potentially be impacted;

assessment of actual or likely pollution migration pathways and threats to identified environmental targets; and

proposals where shown to be necessary for measures to mitigate against identified pollution threats.

REASON: To prevent pollution of the water environment

CONDITION: Any facilities for the storage of oils, fuels or chemicals shall be sited on impervious bases and surrounded by impervious bund walls, details of which shall be submitted to the Local Planning Authority for approval. The volume of the bunded compound should be at least equivalent to the capacity of the tank plus 10%. If there is multiple tankage, the compound should be at least equivalent to the capacity of the largest tank, or the combined capacity of interconnected tanks, plus 10%; or 25% of the total volume which could be stored at any one time, whichever is the greater. All filling points, vents, gauges and sight glasses must be located within the bund. The drainage system of the bund shall be sealed with no discharge to any watercourse, land or underground strata. Associated pipework should be located above ground, where possible, and protected from accidental damage. All filling points and tank overflow pipe outlets should be detailed to discharge downwards into the bund.

REASON: To prevent pollution of the water environment.

NOTE: Any oil storage facility of 200 litres or more must include a bund, and comply with the Oil Storage Regulations ("The Control of Pollution (Oil Storage) (England) Regulations 2001"), a copy of which has been forwarded to the Applicant/Agent.

CONDITION: Prior to being discharged into any watercourse, surface water sewer or soakaway system, all surface water drainage from impermeable parking areas and hardstandings for vehicles, commercial lorry parks and petrol stations shall be passed through an oil interceptor designed and constructed to have a capacity and details compatible with the site being drained. Roof water shall not pass through the interceptor.

REASON: To prevent pollution of the water environment.

CONDITION: There shall be no discharge of foul or contaminated drainage or trade effluent from the site into either groundwater or any surface waters, whether direct or via soakaways.

REASON: To prevent pollution of the water environment.

CONDITION: No development approved by this permission shall be commenced until details of the use, handling or storage of any hazardous substance included in the Schedule to the Planning (Hazardous Substances) Regulations 1992 has been submitted to and approved by the Local Planning

Authority.

REASON: To prevent pollution of the water environment by the use, handling or storage of hazardous substances in lesser quantities than prescribed in the Regulations.

CONDITION: No development approved by this permission shall be occupied or brought into use until a scheme for the future maintenance of the pollution prevention devices has been submitted to and approved by the Local Planning Authority.

REASON: To prevent pollution of the water environment.

The Agency should be consulted on any details submitted pursuant to the above conditions.

The following informative and recommendations should be included in the Decision Notice:-

Foul and contaminated drainage and trade effluent should be directed to the public foul sewer provided that adequate capacity is available for additional flows.

The applicant should consider using 'Best Management Practices' as a method of sustainable surface water disposal. Further information regarding this is available from the Agency.

Any waste oils must be collected and contained prior to disposal in an approved manner. On no account should waste oils be discharged to any drainage system.

Under the terms of the Water Resources Act 1991, the prior written consent of the Agency is normally required for any discharge of sewage or trade effluent into controlled waters, and may be required for any discharge of surface water to such controlled waters or for any discharge of sewage or trade effluent from buildings or fixed plant into or onto ground or into waters which are not controlled waters. Such consent may be withheld. (Controlled waters include rivers, streams, groundwater, reservoirs, estuaries and coastal waters).

During construction the following comments apply:-

Under the terms of the Water Resources Act 1991, the prior agreement of the Agency is required for discharging dewatering water from any excavation or development to a surface watercourse.

Pumps used for pumping out water from excavations should be sited well away from watercourses and surrounded by absorbent material to contain oil spillages and leaks.

Discharge of silty or discoloured water from excavations should be irrigated

over grassland or a settlement lagoon be provided to remove gross solids. This Agency must be advised if a discharge to a watercourse is proposed.

Storage of fuels for machines and pumps should be well away from any watercourses. The tanks should be bunded or surrounded by oil absorbent material (regularly replaced when contaminated) to control spillage and leakage.

This Agency must be notified immediately of any incident likely to cause pollution.

The developers should be advised to liaise directly with the Environment Protection department regarding pollution prevention both during the construction and operation of the site.”

Wessex Water

“The development is located within a foul sewer area. It will be necessary for the developer to agree a point of connection onto the system for the satisfactory disposal of foul flows generated by the proposal. This can be agreed at the detailed design stage.

According to our records, there is a public foul sewer crossing the site. Please find enclosed a copy of our sewer records indicating the approximate position of the apparatus. Wessex Water normally requires a minimum three metre easement width on either side of its apparatus, for the purpose of maintenance and repair. Plans of the site layout show that the proposed buildings fall within this easement width. Diversion or protection works may need to be agreed.

It is further recommended that a condition or informative is placed on any consent to require the developer to protect the integrity of Wessex systems and agree prior to the commencement of works on site, any arrangements for the protection of infrastructure crossing the site.

The foul flows from this development will discharge to Hockholler Pumping Station towards Bradford on Tone. It is understood that the Environment Agency has previously raised objection to this development following a pollution incident at the pumping station in wet weather. The pumps have now been uprated and our Operations Staff will continue to monitor the situation.

It is recommended that a long off site sewer will be required to discharge surface water flows to the local watercourse. This will be subject to approval by the Environment Agency.

With respect to water supply, there are water mains within the vicinity of the proposal.

Again, connection can be agreed at the design stage.

Sufficient capacity is available in the public foul sewerage and water supply systems on the understanding that there will be no industries on site that will require unusually high water usage or trade effluent agreements.

It is recommended that the developer should agree with Wessex Water, prior to the commencement of any works on site, a connection onto Wessex Water infrastructure.”

Landscape Officer

“If the application is to be allowed I would like to see the 2 m mounding spread through the whole of the southern boundary landscape buffer zone; a block of tree planting on the open area to the east of the site and continuous shrub planting on either side of the internal spine road. I would also like to see a larger block of structure planting in the south west corner of the site to replace the corner unit and tree planting along the western boundary.”

Business Promotion Unit

“This application is welcomed and strongly supported. Currently there is a lack of employment space within the Borough and this application will go some way to meeting the immediate shortfall.

Chelston Business Park is strategically sited with excellent links to the national road network. This extension will take advantage of those links and consequently it is expected that the proposed buildings will be occupied without much delay. In particular the mixture of building sizes is welcomed. This will allow for a range of businesses to occupy the site thus encouraging both small and medium sized enterprises to relocate. Hopefully this will allow for a diversification of the local economy.

Failure to encourage such a proposal in this location will result in opportunities for economic growth being curtailed or proposals in less sustainable and advantageous locations being promoted which may prove less attractive locationally or/and may result in greater environmental problems such as increasing industrial traffic through urban areas to access the national route network or other amenity concerns. The high level of planting is a feature that is welcomed. This will minimise the visual impact of the development whilst providing a high quality working environment that will attract businesses to the area.

Bus links from Taunton & Wellington to the entrance of the Business park are good thus giving the opportunity to use sustainable transport to access the site.

My only concern is that the landscaping and adjacent open area of grassland is properly managed. Failure to do this will detract from the site as a whole.”

Planning Policy Unit

“Such a proposal would be compatible with the aim of the Councils interim planning policy on extensions to employment estates, which was agreed by the Councils Executive on 18th June 2002.

The interim policy is not part of the statutory plan but, as an agreed statement of the Councils corporate intent must be considered as a material planning consideration. The origin of this policy is based upon an Economic Development Review Panel report of 15 May 2002, drawing attention to the current shortage of strategic employment land and the need to attract and facilitate business opportunities and focus growth in sustainable locations.

The policy comments made for the previous application (46/2001/017) are still applicable. Paragraph 40 of PPG1 advocates adherence to the 'plan led system' unless material planning considerations indicate otherwise. Whilst the current proposal lies outside of the defined settlement limit and is thus contrary to the emerging Local Plan policies, the currently recognised shortage of quality employment sites, well related to the trunk road network is an important material planning consideration.

Notwithstanding the above, conditions should be attached to maintain the amenity of nearby residential occupiers, eg retention of trees/boundary hedging, screen planting, operating hours etc. in line with policy S1.”

Environmental Health Officer

“I would recommend the following condition due to the possibility of noise issues affecting nearby residential property:-

Prior to the commencement of any development works, the applicant shall, at his own expense, appoint a suitably qualified acoustics consultant with a remit to examine the premises/land and identify what measures, if any, may be necessary to ensure that noise nuisance to neighbouring premises will not be caused.

The consultant shall submit a written report to the Planning Authority which shall detail all measurements taken and results obtained, together with any sound reduction scheme recommended and the calculations and reasoning upon which any such scheme is based. Such report is to be agreed, in writing, by the Planning Authority prior to the commencement of development works.”

Drainage Officer

“I note that in the accompanying statement for this application it stated that this is a reapplication for an identical scheme refused planning permission earlier this year. On this application item it stated that surface water is to be discharged to the mains. Can this be confirmed as I am not aware of any public sewer system in that area that could cope with surface water flows. Wessex Water should be contacted and confirmation sought for the agreed point of connection and whether any below ground attenuation works are to be provided.

If there is an error and surface water is to be made to a watercourse than I shall require full details including attenuation and proposed sustainable drainage system measures (SIDS) before I can give any approval.

I wait further details in due course and it is strongly recommended that no approval be given until an agreed drainage condition can be attached to any permission.”

The following further response has been received indicating that he would be happy with a recommendation for a condition requesting details of attenuation below and calculations.

Wellington Town Council

“Wellington Town Council is strongly opposed to this application because it is contrary to the Taunton Deane Local Plan and is prejudicial to the Taunton Deane Local Plan.”

West Buckland Parish Council

“Despite the change of policy, the Council is adamantly opposed to this. They still feel this is too near residents on all four sides.

This is a vital open space on the approach to Wellington. There are several sites which have been designated for years and these could be developed now.”

9.0 **REPRESENTATIONS**

7 letters of objection were received making the following points:-

1. Noise at nearby nursing home will be intolerable from the lorries turning, reversing, closing doors, etc., late at night and early morning.
2. Surprised that application re-submitted so soon after previous application turned down.
3. Query what incentives/inducements have been offered to the Council to alter their planning rules in favour of developers.
4. Increased air and noise pollution which is a breach of human rights.
5. Will be an extension of the vandals' playground.
6. Developers have no thought for the people whose lives they are blighting - only for their own financial well being.
7. Residential area already shut in enough with buildings other houses and greenhouses.
8. The beautiful Vale of Taunton Deane is becoming more and more

scarred by the construction of sheds of one kind or another.

9. There is land closer to Wellington which must be available for such buildings. The Northern Relief Road is Wellington's greatest requirement, which would give adequate room for both housing and industrial development.
10. Earlier developments nearby have resulted in traffic, litter and noise problems.
11. Ham is a rural community that has already suffered from excessive development in recent years.
12. Development of this site was clearly not an option when the units now built were applied or in the first instance some years ago.

10.0 **PRINCIPAL ISSUES FOR CONSIDERATION**

- A. Do the proposals comply with the current policies of the Local Planning Authority? PLANNING POLICY
- B. What change in circumstances has there been since the previous refusals of permission on this site? CHANGE IN CIRCUMSTANCES - NEED
- C. What effect will the proposed development have on the rural character of the area? IMPACT ON CHARACTER OF AREA
- D. Will the proposal have an acceptable impact on the highway network of the area? HIGHWAYS
- E. Is the proposed development sustainable? SUSTAINABILITY
- F. OTHER ISSUES

A. Policy

The area of land the subject of the application is not allocated for development in the West Deane Local Plan (the current adopted plan for the area) or the Taunton Deane Local Plan (the emerging local plan). Although it is adjacent to the existing Chelston Business Park, it lies beyond the recognised limits of any recognised settlement where open countryside policies apply. In this respect, therefore, the proposals are contrary to the currently operative and emerging Development Plans.

The County Structure Plan indicates the broad levels of land which will be made available for industrial warehouse and business development over the plan revised (currently to 2011) and recognises Wellington as a location for employment use. The West Deane Local Plan allocated land to meet employment requirements to 2001 on other land also adjacent to Chelston Business Park and at Rylands Farm at Bagley Green. These have only been

partly developed. The emerging Taunton Deane Deane Local Plan also proposes the development of further land in the Wellington area, primarily at Chelston House Farm, which is close to the current site.

Whilst there is a policy presumption against the proposal it will be noted that the Business Promotion Unit strongly support the application and consider that there is an acknowledged shortfall of available industrial premises within the Borough as a whole. They consider that this proposal will go some way to meeting that demand, they also consider that failure to encourage such a proposal in this location will result in opportunities for economic growth being curtailed or proposals in less sustainable and advantageous locations being promoted. Reference is made to the site at Chelston House Farm proposed in the Taunton Deane Local Plan. This site will require considerable infrastructure provision (including the provision of a new roundabout) before it can become operational and is therefore seen as a necessary but long term provision. Largely because of the easy access directly from the existing Business Park road network, the current site is seen as capable of providing industrial units in the short term.

The applicants also confirm that readily available industrial land is in very short supply on their existing Chelston Business Park site. They indicate that they are now having to turn potential industrial clients away from Chelston and there is no other readily available business park land suitable for industrial/warehouse occupiers in Taunton Deane (Blackbrook not being suitable for this type of use). They consider that the expensive infrastructure works required to open up the land at Chelston House Farm can only readily be achieved on the back of a large occupier.

Since the refusal of the previous planning permission for a similar proposal in May of this year, the Council has approved an Interim Planning Policy on Extensions to Employment Estates. This is a non-statutory policy aimed at promoting the development of land for employment use in the early period of the Taunton Deane Local Plan. Subject to other development control considerations, the introduction of this interim policy means that there is a presumption in favour of the extension of existing employment estates, provided certain criteria are met. Those criteria are considered to be met in this case.

B. Change in Circumstances - Need

It is acknowledged by the Borough Council and also the Regional Development Agency that there is a shortage of available employment land at Wellington and in the Borough as a whole. The principle of bringing forward employment land at Wellington has the support of the Regional Development Agency. The release of the Chelston House Farm site as proposed in the Taunton Deane Local Plan will be dependent upon the outcome of the Local Plan Inquiry which is currently taking place and is therefore unlikely to be available for at least two years.

The Economic Development Review Panel meeting on 19th March, 2002

considered a Report on the Supply and Demand of Employment Land in Taunton Deane. The Report concluded that evidence points to the fact that the demand for commercial premises in the Borough remains strong. A survey of businesses in and adjacent to the Borough indicate that 34 had a relocation issue. Of these, 6 wished to locate in Wellington and a further 10 businesses indicated that they would consider relocating to a specific site in Wellington. It was considered that there is an urgent need for a strategic employment site, in the short and long term, in order to allow the Borough to attract new inward investment and to diversify its commercial base.

The Panel resolved that the Executive be advised that on the extensive evidence received by the Panel, the present supply of employment land was completely insufficient to meet current demand. Furthermore, the Council's vision for a strong economy would necessitate an immediate review of the Local Plan allocations. It was also resolved that the Strategic Planning and Transportation Review Panel be urgently requested to consider the possibility of an interim planning policy.

As a result the Executive in June approved the interim planning policy referred to in the previous section. This was approved against the background of the currently acknowledged shortfall of immediately available good quality strategic sites. What is particularly required are good quality employment sites with good access to the motorway and trunk road network and of sufficient size to accommodate small and larger units capable of encouraging inward investment and enabling existing firms to relocate for expansion within the Borough.

An earlier Panel meeting on 19th February, 2002 considered the Prism Report on the Commercial Property Market in Somerset In this it was noted that the supply of commercial accommodation and development land in Taunton Deane is scarce.

C. Impact on Character of Area

The site comprises an area of vacant agricultural land. It does contribute towards the open nature of this area between Taunton and Wellington. There are a number of attractive open views across this area, in particular views towards the Blackdown Hills when travelling south out of Ham and towards Heatherton Park when viewed travelling east along the A38 away from the Chelston roundabout. However, development of the site as proposed will replace the openness currently present, which affords these views, with large areas of tree planting surrounding the new buildings.

My conclusion remains that this scheme, with its additional tree planting, will still give a rural edge to the site and despite the closer proximity of the proposed industrial buildings, will to an extent improve the outlook from the existing adjacent residential dwelling.

D. Highways

On the earlier application, the County Highway Authority indicated that the road network leading to the site is acceptable in capacity terms to serve the site. The layout of the site is also generally acceptable in highway terms. The County Highway Authority therefore raise no objection to the proposed development subject to conditions and a Section 106 Agreement to provide for a cycle path network sufficient to link the proposed cycle link from Wellington to Chelston. There is consequently no objection to the proposal from a highways point of view, subject to the above requirements.

E. Sustainability

Although the site is some distance beyond the settlement limits of Wellington, it is adjacent to an existing business park at Chelston and is also adjacent to a regular, frequent bus services along the A38 between Taunton and Wellington. The proposed development would also be able to utilise the existing infrastructure on the existing, adjacent business park.

It is not anticipated that there will be such a detrimental impact on wildlife habitats to justify refusal on these grounds. This is confirmed by the submitted Ecological Assessment, a copy of which is appended to this Report.

F. Other Issues

At this stage, the Drainage Officer is satisfied with the drainage proposals subject to a condition that further details be submitted.

The Environmental Health Officer recommends that prior to commencement of any works, a suitably qualified acoustics consultant submits a report to ensure that the proposed development will not have a detrimental impact from a noise point of view on the amenities of the occupiers of the nearby residential properties. The applicants have sought professional advice on this matter from W S Atkins, whose report is that the usual conditions set by Taunton Deane for noise can be achieved at all adjacent properties to the site during day time, and at night time, so long as garage doors are kept closed where particularly noisy operations take place inside any unit. They also contend that the noise containment will be significantly helped by a planted noise bund on all three exposed sides of the site.

11.0 **CONCLUSIONS**

The site is in open countryside where there is a policy presumption against new development unless there is an agricultural or other appropriate need. The site is not allocated for development in the West Deane Local Plan or the emerging Taunton Deane Local Plan and consequently the release of the site at the present time would constitute a departure from the Development Plan.

The initial application for the larger area of development was refused because it was considered that the release of the site at the time would prejudice the successful implementation of the Taunton Deane Local Plan, in particular the bringing on stream of the nearby Chelston House Farm site. It was also

considered that the corridor of land between Taunton and Wellington is particularly fragile and that it would be inappropriate to release for development an area of land that would result in an increase in the urbanisation of the rural areas adjacent to the A38.

Since the previous refusal of permission on the site, the Economic Development Review Panel has reviewed the employment land supply situation and concluded that there is an urgent need to consider an interim policy statement to enable the possible release of additional land in the short term. As a consequence the Council has approved an interim planning policy which allows for the extension of existing employment estates.

The Chelston Business Park has been very successful and I am confident that the current proposal would help to accommodate the demand for additional units in the short term. The Business Park is strategically sited with excellent links to the national road network. This extension would take advantage of these links and consequently it is expected that the proposed buildings would be occupied without much delay. The mix of building sizes would allow for a range of businesses to occupy the site, thus encouraging both small and medium sized enterprises to establish. This would allow for a diversification of the local economy.

With the scarcity of readily serviced employment land in the Wellington area, close to the motorway junction, it is clear that companies will not consider the area for relocation. The acknowledged deficiency of immediately available employment development land is a material issue of considerable importance. Advice given in PPG4 and in the County Structure Plan stresses the importance of maintaining an adequate supply of land for employment development purposes which can provide a range of choice of location, tenure and size.

Compared to the initial proposal, the current application reduces the scale and extent of the proposed development in response to my concerns regarding local impact. I maintain that in view of the scarcity of short term employment land in the area the current proposal is the best opportunity to address this shortfall, pending the release of sites coming forward in the Taunton Deane Local Plan. With regard to the site at Chelston House Farm proposed for development in the Taunton Deane Local Plan, development would be unlikely to commence until late 2004. Funds for its development will be dependent on the cost of infrastructure (which is likely to be very substantial) and the availability of occupiers at that time on a sufficient scale to warrant the initial investment being made. It is therefore most unlikely that any serviced land available for employment development at Chelston House Farm will be available before 2005.

The clear advantage of the application site is that all services are immediately available and it can be developed to meet an immediate need. I do not consider that there is any other suitable site in or around Wellington to cater for the short-term demand for employment land. There are first class links to the motorway and class 1 road network and I do not consider that the

proposed development would result in significant adverse environmental or amenity impact. Against the background of the interim planning policy recently approved, my conclusion, therefore, is that subject to the views of the Secretary of State under the Departure Procedure and a Section 106 Agreement, the proposal should be supported and I therefore recommend favourably.

In preparing this report the Planning Officer has considered fully the implications and requirements of the Human Rights Act 1998.

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