

48/17/0043

MASHMRC

Erection of 4 No. commercial buildings for Class B1/B8 usage, with amenities, on land adjacent to the A38 off Hardys Road, Monkton Heathfield

Location: LAND ADJACENT TO A38 AND HARDYS ROAD, BATHPOOL,
TAUNTON, TA2 8BH

Grid Reference: 325816.126243

Full Planning Permission

Recommendation

Recommended decision: Conditional Approval

Recommended Conditions (if applicable)

1. The development hereby permitted shall be begun within three years of the date of this permission.

Reason: In accordance with the provisions of Section 91 Town and Country Planning Act 1990 (as amended by Section 51(1) of the Planning and Compulsory Purchase Act 2004).

2. The development hereby permitted shall be carried out in accordance with the following approved plans:

- (A3) DrNo 17-16.01 Location & Block Plan
- (A1) DrNo 17-16.03 Rev F Proposed Site Layout Plan
- (A1) DrNo 17-16.04 Rev B Proposed Site Sections
- (A2) DrNo 17-16.05 Rev B Block A Proposed Plans, Elevations & Section
- (A2) DrNo 17-16.06 Rev B Block B Proposed Plans, Elevations & Section
- (A2) DrNo 17-16.07 Rev B Block C Proposed Plans, Elevations & Section
- (A2) DrNo 17-16.09 Indicative Block B Large Units Plans, Elevations & Section
- (A3) DrNo 201 Rev P1 Drainage plans
- (A3) DrNo 301 Rev P2 Access Road Details
- (A3) DrNo 302 Rev P2 Access Road Sections 1 of 2
- (A3) DrNo 303 Rev P2 Access Road Sections 2 of 2
- (A3) DrNo 304 Rev P1 Road Construction Details
- (A3) DrNo 305 Rev P1 Site Entrance Layout

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

3. Prior to the construction of the buildings samples of the materials to be used in the construction of the external surfaces of the development shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details and

thereafter maintained as such.

Reason: To safeguard the character and appearance of the buildings and the surrounding area.

4. The premises shall be used for light industrial uses and for no other purpose (including any other purpose in Class B1 of the Schedule to the Town and Country Planning (Use Classes) Order 1987, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification).

Reason: In order to protect the residential amenity of nearby residential occupants.

5. (i) Prior to the completion or occupation of any of the buildings hereby permitted a plan showing the phasing of the proposed landscaping of the site shall be submitted to and approved in writing by the Local Planning Authority

(ii) The phased landscaping scheme shall be completely carried out in accordance with the approved plans within the first available planting season following the completion of the building to which it relates or as otherwise as agreed on the phasing scheme approved under (i) above.

(iii) Each phase of the landscaping scheme shall be completed before the development of the following phase commences.

(iv) For a period of five years after the completion of the development, the trees and shrubs shall be protected and maintained in a healthy weed free condition and any trees or shrubs that cease to grow shall be replaced by trees or shrubs of similar size and species.

Reason: To ensure that the proposed development does not harm the character and appearance of the area.

6. (i) The green walls shown on the approved plan shall be completely carried out within the first available planting season from the date of completion or first occupation of the development of Block A whichever is the earlier.

(ii) The green walls shall be protected and maintained in a healthy weed free condition for the duration of the life of the buildings and plants that cease to grow, shall be replaced by plants of similar size and suitable species for a green wall.

Reason: To ensure that the proposed development makes a positive contribution to the visual amenities of the surrounding area.

7. Prior to occupation of the building(s) works for the disposal of sewage and surface water drainage shall be provided on the site to serve the development,

hereby permitted, in accordance with the approved details. The works shall be retained in that form.

Reason: To prevent discharge into nearby water courses and ensure the adequate provision of drainage infrastructure.

8. No business operations, including loading and unloading of vehicles, shall take place within the site outside the hours of 7.30hrs – 19.00hrs Monday – Friday, or 8.00hrs – 13.00hrs on Saturdays and shall not take place on Sundays, Bank or Public Holidays.

Reason: To ensure that the proposed development does not prejudice the amenities of neighbouring properties.

9. The use of each block shall not be commenced until space has been laid out, drained and surfaced within the site in accordance with the approved plan(s) for the parking, turning, loading and unloading of vehicles in relation to that block, and such area(s) shall not thereafter be used for any purpose other than the parking, turning, loading and unloading of vehicles associated with the development.

Reason: To ensure that there is adequate space within the site for the parking, turning, loading and unloading, of vehicles clear of the highway, in the interests of highway safety.

10. Prior to the use commencing for each block the cycle parking shall be provided on site for that block in accordance with the approved details and shall be maintained thereafter in connection with the use hereby granted.

Reason: In the interests of highway safety.

11. The waste storage facilities shown on the approved plan for each block shall be constructed and fully provided prior to the commencement of use within that block hereby permitted, and shall thereafter be retained for those purposes.

Reason: To ensure that adequate facilities exist for the future residents of the site and that the proposed development does not harm the character and appearance of the area.

12. There shall be no storage of materials and waste other than in the designated areas shown on the approved plan.

Reason: To ensure the proposed development does not harm the character and appearance of the area and the residential amenities of surrounding properties.

13. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 or any order revoking and re-enacting the 2015 Order with or without modification), no fences or means of enclosure shall be erected on the site other than that expressly authorised by this permission shall be carried out without the further grant of planning permission.

Reason: To prevent adverse impacts upon the visual amenity of the area.

14. The Travel Plan approved for this development shall be implemented within two months of the development being first used or occupied. A transport mode and travel pattern survey shall thereafter be conducted not less than every 12 months for a minimum period of five years from the first use or occupation of the development and shall examine the contribution that can be made by cycling, public transport, car sharing, the provision and control of car parking, teleworking, and emergency taxi cover. A person shall be identified as a co-ordinator and point of contact for the purposes of the Plan. The Travel Plan shall be carried out as approved. The Local Planning Authority shall be notified of the results of the survey not later than the end of each calendar year.

Reason: To ensure a transport choice is provided and to ensure that staff and other users will travel to and from the premises by means other than the private car.

15. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that order with or without modification) the windows to be installed in the north elevation of the all blocks shall be obscured glazed. The type of obscure glazing shall be submitted to and agreed in writing by the Local Planning Authority prior to its installation and shall thereafter be so retained.

Reason To protect the amenities of adjoining residents.

16. Prior to the use of the each block the details of external lighting for that block shall be submitted to and approved in writing by the Local Planning Authority. The external lighting shall be carried out in accordance with the approved details and thereafter maintained as such.

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that order with or without modification) no other external lighting shall be erected without the benefit of planning permission.

Reason: To safeguard the amenities of surrounding residents.

17. The development hereby permitted shall not be commenced until details of a

strategy to protect and enhance the development for wildlife has been submitted to and approved in writing by the Local Planning Authority. The strategy shall be based on the advice of Richard Green Ecology's Preliminary Ecological appraisal dated July 2017, **AND a reptile survey** and include:

1. Details of protective measures to include method statements to avoid impacts on protected species during all stages of development;
2. Details of the timing of works to avoid periods of work when nesting birds could be harmed by disturbance.
3. Measures for the enhancement of places of rest for reptiles, bats and, nesting birds.

Once approved the works shall be implemented in accordance with the approved details and timing of the works, unless otherwise approved in writing by the Local Planning Authority.

The development shall not be occupied until the scheme for the maintenance and provision of the new reptile hibernacula, bat and bird boxes and related accesses have been fully implemented.

Thereafter the resting places and agreed accesses shall be permanently maintained

Reason: to protect and accommodate wildlife

Reason for pre-commencement - To ensure site works do not detrimentally affect wildlife

18. Development shall be constructed in accordance with the levels shown on the approved plans.

Reason In order to protect the amenity of adjacent residential properties.

Notes to Applicant

Proposal

Full planning consent is sought for 4no. industrial buildings to be sited on the corner of Hardy's Road and the A38.

Initially the application form stated class B1 and B2 use, this was revised to class B1 and B8 use. The design and access statement submitted with the application states that the proposed use or for buildings on the site will comprise B1 a (office) and B1 c (light industrial). The buildings are to be subdivided into multiple units and are designed to offer flexible working spaces to suit a variety of occupiers. Parking spaces are to be provided along the length of all the buildings on both sides of blocks D, C, and B and to the west of Block A. Specialist waste stores are shown to the south elevations of all blocks.

The four blocks of buildings will be sited parallel to each other running from North to

South, and will comprise some office space at first floor level. Some landscaping is proposed to the North the buildings and a few trees to the south of Block D and Block A.

The buildings will provide the following amount of floor space:

Block A; 1234sqm

Block B: 1324sqm

Block C: 1568sqm

Block D: 2330sqm

Following discussions, between the Council and the applicant and agents, revised plans have been submitted. The revised proposals show Block B to be replaced with two buildings with a grassed/landscaped area separating them, revised design of blocks A, B1, B2 & C. The plans show increased landscaping, in particular to the North elevations of the buildings and some tree planting amongst the parking areas. The design and access statement has been updated with an addendum to reflect the changes to the proposals.

The revised proposals show the buildings the following floorspace:

Block A; 1120sqm

Block B1: 537sqm

Block B2: 537sqm

Block C: 1568sqm

Block D: 2330sqm

The design of blocks A, B1, B2 and C incorporates the use of timber cladding and Block A includes areas of green living walls. The blocks will have colour-coded roller doors to give identity to each block. The buildings will be approximately 20 m wide. Block a is approximately 50 m in length, Block B1 and B2 are approximately 30 m in length, Block C is approximately 85 m length and Block D is approximately 98 m in length. The eaves height of all the buildings scales at approximately 6.5 m.

Notifications have been sent out regarding the revised plans. The notification period expires on Tuesday, 30 January 2018.

Site Description

The site is allocated for employment use and has outline planning consent for class B1 & B8 use as part of Monkton Heathfield Urban Extension.

The site is currently undeveloped and has until recently been laid to grass. A landscaped bund the southern boundary was constructed as part of the formation of the new section of the A38. Whilst there is meant to be landscaping at the top of the bund the plans have not been maintained to a level which has enabled them to grow and for the landscaping which was intended.

To the north of the site are residential properties which have been built as part of Monkton Heathfield Urban Extension, access to these properties is off Hardy's Road. Two of the properties to the North front directly onto the site access. There were also residential properties to the South West boundary of the site.

The red line encompasses the majority of the site which is allocated for employment

use, however there are two parcels of land (1 to the North and 1 to the West) which are included in the blue line boundary and whilst they are within the applicant's ownership they do not form part of this application.

Development works have recently commenced on site to implement the permitted consent for an access road.

Relevant Planning History

Consultation Responses

WEST MONKTON PARISH COUNCIL –

- WMPC notes this site has been allocated employment land since the earliest iterations of the Monkton Heathfield Urban Extension being part of the sustainable development of the site allowing people to live and work in the same place. Nevertheless, the site requires landscaping and planting to soften its industrial outline, and the buildings need superficial treatment to ensure the employment land blends sympathetically with the adjoining areas of residential use. The Parish Council's comments mostly relate to these two concerns.
- In particular the eastern elevation of Block A and the southern end elevations of Blocks A, B C and D need to be softened by brick or timber cladding to reflect the built environment to the north and west of the site. The extent of metal shed type buildings visible from the residential area is not acceptable and the appearance has to be softened in some way; the Parish Council suggests brick or timber cladding of those sides of the blocks visible from the ERR and Hardy's Road.
- It is appreciated that there is not much room beyond the end of the Blocks and the red line boundary of the site, nevertheless the planting plan at the southern elevation of each of the blocks needs denser planting with shrubs under planted below the trees indicated: this is necessary to ensure sufficient screening of the buildings from the ERR. If possible, could another tree be planted at the end of Block B and Block C? The 'proposed site sector drawings', drawing no. 17-16.04A, does not provide sufficient information to clearly ascertain the extent of screening provided by the height of the ERR bund. The purpose behind this suggestion is to ensure the buildings are screened from the ERR and the access to the residential areas. The tree planting along the top of the ERR does not provide screening, contrary to the drawing showing 'Transport Assessment Site Plan'.
- The planting plan needs to be strengthened to provide more, taller trees than those indicated in the planting plan on the northern elevations of blocks A, B, C and D. The under planting in those 4 areas is acceptable, but some of the species chosen would not grow high enough to screen the buildings from the houses.
- The tree planting between the site access road and the houses needs to include taller tree specimens as well as the shrubs listed, so that when grown the trees will provide a real and genuine thick screen between the employment site and the houses. The Parish Council notes and supports that the under planting in this location will match the under planting at the northern ends of blocks A, B, C and D and therefore will enhance the

entrance road onto the site.

- The planting plan identifies amenity on the planting scheme for the eastern and western ends of the site, lying alongside the eastern elevation of Block A, and adjacent to the western elevation of Block D, on the other side of the road access. WMPC requests that both these areas are planted with trees and shrubs, on the western elevation adding to and complementing the existing hedge boundary. The purpose of this suggestion is to complete the screening on all sides of the employment site.
- WMPC supports the use of staked heavy standard trees, and requests that if possible, extra heavy, semi-mature trees are planted in order to relate to the scale of the buildings in the short term: the idea being to achieve full screening in the shortest possible time from planting. The tree species listed in the planting scheme are:
 - Acer campestre (Field maple), 10 -20 mtrs;
 - Crataegus monogyna (Hawthorn), 10mtrs;
 - Malus spp (Crab apple), 10 -20 mtrs;
 - Prunus spinosa (Blackthorn), 5 mtrs;
 - and Tilia cordata (Lime), 20 – 40 mtrs.
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- The heights of the Blocks are not provided in the elevations drawings. To ensure screening of the buildings is effective, the Parish Council suggests other native species might be more appropriate e.g.:
 - Fagus sylvatica (Beech), 50mtrs;
 - Fraxinus excelsior (Ash), 30 mtrs;
 - Pinus sylvestris (Scots Pine), 35mtrs;
 - Quercus spp (Oak), 20 – 40mtrs.
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- The Parish Council would expect and anticipate that some of the planted trees would reach the height of the upper storey windows in the buildings, therefore, where appropriate, Tree Preservation Orders should be placed on the trees to ensure they are allowed to grow to full height.
- West Monkton Parish Council welcomes the fact that the planting scheme includes a number of native English species, but requests that the tree planting scheme is revisited to ensure native species are included in preference to other species.
- The Parish Council is of the opinion that the turning head shown on the plans does not allow for articulated lorries to turn around. Given that deliveries to the Blocks may involve articulated vehicles, the Parish Council requests that a full turning splay drawing is provided before the layout is approved.
- Local residents in Roys Place have indicated that vehicles working on the site are able to see into their bedroom windows. This comment was checked, and the houses fronting onto the Bridgwater Road, being lower than the site, are negatively affected by the difference in levels. The visual impact of the site on these properties is considerable. The Parish Council suggest that, although outside the red line of the detailed application, screening should be planted along the boundary of the triangle of land to the north of the site. It was assumed that a suggestion to extend the screening planting to the end of the site road would be less acceptable for future development.
- It is noted that land outside the red line site outline adjacent to the A3259 would lend itself to a different employment use e.g. nursing and/or residential care home, in accordance with emerging WM & CF NP policy E4.

SCC - TRANSPORT DEVELOPMENT GROUP –

Clarification / further information is required with regard to the following:

- A Framework Travel Plan in line with the County Councils Travel Planning Guidance for the whole of the site.
- Parking for vehicles should be provided in line with the County Councils Parking standards – Monkton Heathfield is located within the Amber zone. The current proposed provision is not justified. Based on the SCC assuming the majority of the site is B8 as proposed the parking requirement would be approximately 60 spaces. It appears that the parking has been calculated based on the B1 use but traffic generation based on light industrial movements. Further information is required.
- It should be noted the motorcycle and cycle parking are generous and are over the current standard requirement, however this is considered appropriate, in order to encourage sustainable travel.
- Accident data should include most recent data if available. The A38 which has been re-routed has not been included within this study area. Given that all traffic will use the ERR this should be addressed.
- Scaled drawings should be provided at 1:200
- Tracking should be provided at 1:200 scale
- Para 4.2.1 refers to the junction being realigned, however this is not clear on the plans, please confirm. Para 4.2.4 makes reference to the road, footway, margin and car parking which would be flush to allow ease of movement of larger vehicles. This is not considered safe or appropriate, over run is not acceptable and should be addressed.
- Trip rates – no reference is made to the B1 element a break down would be useful.
- Daily traffic generation including vehicle types would be useful if known
- HGV parking should be identified and provided in line with appropriate parking standard.
- No. of Hgv'S- parking bays, expected daily movements time should be provided.

Until the Highway Authority have clarification with regard to the above information I cannot make an informed recommendation.

BIODIVERSITY –

The application is for the erection of 4 commercial buildings on land adjacent to the A38 off Hardys Road, Monkton Heathfield.

The site consists of 1.75 ha of semi improved grassland, ruderals, scrub, short perennials, bare earth, amenity grassland and rubble piles.

Richard Green Ecology carried out a Preliminary Ecological appraisal of the site in July 2017.

Findings are as follows

Reptiles

The site is considered to be favourable reptile habitat. The rubble piles may be used by basking and hibernating reptiles.

I agree that a reptile survey should be undertaken at the appropriate time of year (April to September).

If reptiles are found then they will need to be caught and translocated to a receptor site. The loss of reptile habitat should be mitigated with the provision of suitable habitats.

Bats

Bats may forage across the site. Lighting should be sensitively designed.

I support the recommendation to erect a bat box on site.

Birds

Birds may nest in the scrub on site. Removal of vegetation should take place outside of the bird nesting season

I support the recommendation to erect a bird box on site

Condition for protected species:

The development hereby permitted shall not be commenced until details of a strategy to protect and enhance the development for wildlife has been submitted to and approved in writing by the Local Planning Authority. The strategy shall be based on the advice of Richard Green Ecology's Preliminary Ecological appraisal dated July 2017, **AND a reptile survey** and include:

1. Details of protective measures to include method statements to avoid impacts on protected species during all stages of development;
2. Details of the timing of works to avoid periods of work when nesting birds could be harmed by disturbance.
3. Measures for the enhancement of places of rest for reptiles, bats and, nesting birds.

Once approved the works shall be implemented in accordance with the approved details and timing of the works, unless otherwise approved in writing by the Local Planning Authority.

The development shall not be occupied until the scheme for the maintenance and provision of the new reptile hibernacula, bat and bird boxes and related accesses have been fully implemented.

Thereafter the resting places and agreed accesses shall be permanently maintained

Reason: to protect and accommodate wildlife

Suggested Notes to applicant:

1. The condition relating to wildlife requires a mitigation proposal that will maintain favourable status for these species that are affected by this development proposal.

2. It should be noted that the protection afforded to species under UK and EU legislation is irrespective of the planning system and the developer should ensure that any activity they undertake on the application site (regardless of the need for planning consent) must comply with the appropriate wildlife legislation.

ECONOMIC DEVELOPMENT –

- Employment zones within new housing areas are critical to the success of the economy of the wider borough, therefore I am happy to support this application which will provide modern, flexible units potentially enabling a number of local businesses to develop and grow.

LANDSCAPE

At the time of my site visit, the site was being cleared.

The smaller unit near to Hardy Rd will impact on the amenity of the occupied houses facing the site. If permission is granted for all four units I would like to see further tree planting along Hardy Rd. Full landscape details are required. Boundary trees should be retained and protected.

ARCHEOLOGY

- The site lies within an area where relatively significant archaeological remains have been found (and excavated) in advance of development in the surrounding environs. These remains includes a Neolithic ring ditch, a number of Bronze Age cremations (contained in urns), Roman burials and Iron Age/Roman settlement activity. Therefore the proposal has a high potential to impact on buried heritage assets relating to the prehistoric and Roman periods. However, there is currently insufficient information contained within the application on the nature of any archaeological remains to properly assess their interest. This is contrary to paragraph 128 of the NPPF that requires an archaeological assessment where there is the potential to impact on a heritage asset with archaeological interest.
- For this reason I recommend that the applicant be asked to provide further information on any archaeological remains on the site prior to the determination of this application. This is likely to require a desk-based assessment, geophysical survey and a trial trench evaluation as indicated in the National Planning Policy Framework (Paragraph 128).
- Thank you for passing on the plan of archaeological areas from the applicant. Based on this I am happy that the archaeology in the application area has indeed been investigated and I therefore advise that there is no requirement to place a condition on permission.

Representations Received

Cllr Cavill

- Supports employment site as part of the sustainable development of Monkton Heathfield
- B8 use if unregulated will cause disturbance of adjoining properties and pose conflict on the residential road to the site.
- External noise limits for lorries parked overnight should be stipulated.
- Lighting should be controlled LED down lighters
- Properties in Roy's place are lower and will have noise and visual impact, suggest additional screening around Roy's Place properties.

Cllr Fothergill

- Objection to B8 use, as inappropriate for commercial activity with noise and disturbance to be so close to residential properties.
- Additional screening of the site from all residential properties should form part of the application and thereby become an enforceable planning requirement.

71 letters of Objection received;

- Planning Classification system has specially dedicated group, B1 use, for commercial activities which are compatible with residential properties
- Buildings are too big
- Will ruin the landscape visually
- Light intrusion
- Odour
- Increased traffic
- Noise
- Air pollution
- Shading/loss of daylight
- Overbearing/out of scale
- Potentially increase crime in the area
- Bring too much noise to the existing housing area
- Commercial buildings should be constructed on the other side of the A38
- Loss of green space
- Proximity to children's play area – within 50 meters of entrance
- Do not want windows to overlook home and garden
- The Electricity Transformer will be very close to my house and cause electro-magnetic fields.
- B8 use is not suitable adjacent to residential development.
- Likely to lead to overspill parking on narrow residential roads
- B8 use goes against what residents were told when buying their homes
- Site should be developed for shops and amenities
- Should be strict and enforceable limits on working hours, noise and traffic flow
- Design not on keeping with local area
- Site is already a nice public space overlooked by residential development
- Development will not protect views from Hestercombe House & the Quantocks or enable a defined green edge.
- Previous application granted consent for B1 use only, not B8
- B8 encourages larger vehicles
- Concerned about the safety of the general public using footpaths and cycle paths
- Development should be screened as soon as its built
- Development is out of context with aesthetic layout of homes and nearby school
- It makes no sense to build industrial units here at a time when industrial units are planned down the road by the M5
- Lack of understanding for child safety
- The Aldi store should have been built on this site
- A two storey building will overlook residential properties
- Work has started on site but planning permission is not yet granted
- Proposals at odd with Biodiversity Officer, adverse impact on wildlife and environment – impact on birds, bats and reptiles
- There must be more suitable sites for the development
- The several large units are more in keeping with Priorswood Industrial Estate than the surrounding residential area
- The access will cause un-necessary congestion
- Impact on property prices
- Why has Bishops Close not been notified?

- This are should only be designated for use in normal working hours
- Those making this planning decision should visit the site to understand the impacts on the residential area
- Size and style is very imposing
- Additional screening with mature trees should be planted to screen the out of place buildings
- This is not a good look for a Garden Town
- The change in the application from B1 & B2 to B1 & B8 is not an improvement as only B1 is compatible with housing
- It is not clear if he use of the building will be compatible with the local residential area
- Notification process was random
- No consideration has been given to how the buildings look from Roy's Place
- The Outline consent (48/05/00720 does not diminish TDBC's obligations to ensure the any development is designed and implemented in accordance with pre-approved policy, design specification, Design Code and guidance.
- The Design Code states the District A; Southern Employment will be designed to a residential scale and comprise B1 light industrial space
- The development will occupy over 80% of the site and is not illustrative of a small footprint; masterplan indicative footprints are considerably smaller than proposed footprints
- Proposed proportion of landscaping to compensate immense size of buildings is inadequate
- Size of species of proposed tree inadequate
- Lack of landscape buffer abutting housing
- Materials in Design Code state brick and timber cladding; materials have not been chosen to fit into traditional vernacular design of the area
- There is a direct line of sight into my garden since the ground levels have been built up.
- The development will be an eyesore.
- Development has stated before the plans have been approved and not completing a wildlife survey.
- The new road is 1meter higher than the ground level on Roy's Place so mature planting is required.
- Where will the waste be stored and disposed of, in particular to Block D?
- Application form states hours of opening as 00:00:00.
- Headlights from traffic will shine into properties.
- Pollution from exhaust fumes.
- Previously told that the site would be light commercial use and consist of offices in a small business park.
- There has been pollution in the form of smoke from burning the fruit trees that were dug up from the site.
- There should be risk assessments with guarantees for the surrounding buildings.
- Is there plans for 24hour security?
- Has any consideration been given to lighting?
- Will green areas be assigned to replace those removed?
- The assigned colours of the blocks will make them stand out and they do not suit the surrounding area.
- Traffic will increase at peak times, causing problems on Hardy's Road and A38 and Creech Castle.
- Value of properties will be affected.

- Planting should be dense and mature and screen at a height which will block the buildings from view.
- Intentions for use of land to the west should be made clear.
- What will prevent land shown in blue from being a dumping ground?
- Will seek Judicial Review in the event of an approval.

5 letters of objection following notification of amended plans:

- Proposals not designed to residential scale
- Does not have small footprint
- Re-design does not create a rural/green setting, the wooden/camouflage panelling does little to improve the impacts
- Proposals do not provide a distinctive frontage
- Planting to boundaries adjacent to housing is inadequate and fails to mitigate impact of development
- Fails to create landscape buffer
- Does not provide robust infrastructure planting
- Industrial units are overbearing
- Proposals do not comply with Design Code
- Applicant has failed to mitigate impacts to travel and parking, no provision for two lorries to pass at the entrance.
- Adverse impacts significantly and demonstrably outweigh the benefits
- Application is ill considered, disproportionate and inconsistent with local planning policy.
- Objection to B8 use as unsuitable for residential area.
- Size, design and appearance of revised structures still not in keeping with surrounding area
- Transport statement wholly inadequate: not fit for purpose in estimated volume of traffic, does not take into account B8 element, how do large vehicles get on /off Hardy's Road?
- Site better allocated to A1 use
- Impact of Block D on Roy's place needs to be considered
- Was one business now proposed for nearly 40 units
- Land could be used for park/children's play area
- Heavy machinery and goods lorries will be going into residential areas
- Two houses sit on the entrance to the site
- Rectory is opposite entrance and there are road safety concerns in the use of the community facility
- Surely the Council has powers to change the use of the land

Planning Policy Context

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that applications are determined in accordance with the development plan unless material considerations indicate otherwise.

The development plan for Taunton Deane comprises the Taunton Deane Core Strategy (2012), the Taunton Site Allocations and Development Management Plan (2016), the Taunton Town Centre Area Action Plan (2008), Somerset Minerals Local Plan (2015), and Somerset Waste Core Strategy (2013).

Relevant policies of the development plan are listed below.

A1 - Parking requirements,
A2 - Travel Planning,
A3 - Cycle network,
A5 - Accessibility of development,
ENV2 - Tree planting within residential areas,
ENV4 - Archaeology,
D7 - Design quality,
D8 - Safety,
D13 - Public art,
CP1 - Climate change,
CP2 - Economy,
CP6 - Transport and accessibility,
CP8 - Environment,
DM1 - General requirements,
SP2 - Realising the vision for Taunton,
SS1 - Monkton Heathfield,
DM4 - Design,

This takes into account the recent adoption of the SADMP.

Local finance considerations

Community Infrastructure Levy

None

New Homes Bonus

The development of this site would not result in payment to the Council of the New Homes Bonus.

Determining issues and considerations

The allocated site is positioned alongside residential development. The aspirations for the site are to provide employment to the local area through the provision of light industrial and office units which reflect the scale which do not detract from the visual residential amenities of the surrounding area. The Design Code (July 2015) sets out guidance for developing the employment areas.

Design and Visual amenity

The proposals are for long blocks of industrial units, typical of those found on large industrial estates. In many instances industrial estates are not positioned in close

proximity to residential areas and can therefore benefit from large-scale developments. This site adjoins residential properties to the north and to the West. As already stated to properties front directly onto the site. It is acknowledged that the height of the buildings have been kept low in relation to their overall size. The revised sections showed the ridge height block A will be slightly higher than the ridge height of the dwellings to the North. The scale of the buildings are not determined just by their height but also by their footprint. The width of the blocks is similar to the width of four terraced properties in Roy's Place. The length of the proposed buildings is of larger proportions than the surrounding, smaller, residential properties or the nearby school and other buildings. In an attempt to reduce the impact such large-scale buildings Block B has been subdivided. The two buildings still provide a large amount of floorspace and flexibility in their format but with a much reduced impact upon the visual amenities and character of the area. The amended plans have sought to address some of the concerns raised in respect to the application.

Revised proposals, with the use of green walls and timber cladding, help to soften the appearance of blocks A, B1, B2 and C. The increased use of glazing also adds interest to the fenestration of those buildings. It has been suggested to the applicant that the use of brick would help to integrate the blocks with the surrounding buildings. The re-design of Block A has improved its appearance as viewed from the A38 and Hardy's Road. The addition of green living walls will enable the landscaping to take effect soon after the buildings are built. It is considered that Block C could be sub-divided similar to block B and reduced in length to enable greater landscaping to the north and south elevations thereby producing a development which has a better relationship with the surrounding area.

This is a full application and the applicant has been advised that it should reflect the principles set out in the Design Code (July 2015). These require robust infrastructure planting and landscape buffers to residential development. The amended plans show increased planning to the north elevations and wrapping the landscaping around the edges of the buildings in order to reduce the overbearing impact of the buildings. The addition of trees amongst the parking areas will help to break up the industrial appearance of the site. It is considered that, whilst the amended plans generally increase the landscaping, there still the potential to improve the landscaping around the buildings and further amended plans have been requested to ensure the provision of robust landscaping planting to adequately screen the development from the surrounding area.

Use of buildings/site

It is understood that the applicant requires a large building in which to operate his engineering business. In most instances an engineering use would fall into Class B2 use (General Industrial). The applicant has been advised that only the permitted uses would be able to operate from the site and that if a business was to cause unacceptable harm to the amenity of the area it would be deemed to be Class B2 use (General Industrial) and would no longer comply with the use class restriction placed on the building.

The amount of B8 use proposed is not defined. The Design and Access statement refers to B1 use only.

The site has never been allocated or granted consent for retail use. The local centre has been granted consent for 5 retail units to be sited opposite the primary school and further retail development will be coming forward in Phase 2 of the urban Extension. The site is not an area of public recreation space and is privately owned.

Residential Amenity

A lot of concerns have been raised in respect to impacts upon residential amenities. The buildings are shown to have first floor elements and will have windows at ground and first floor. Given the height of the buildings and potential overlooking, it is considered to be appropriate to condition the windows on the north elevations to be obscure glazed to prevent overlooking onto neighbouring residential properties and gardens. The buildings are sufficient distance away to not result in loss of light to the dwellings or the garden areas. Due to the scale of the buildings there is some impact to the properties adjoining the north boundary. This is reduced, although not removed, by the proposed landscaping, subject to appropriate species. The height of the buildings has been kept to a minimum so in reality the parts of the buildings facing the residential properties will not be much higher than that of residential buildings. It is not considered appropriate or necessary to require the triangle of land to the north, edged in blue, to form part of this application.

The business operating from the buildings under B1 use should not, by their nature, affect the residential amenities of the area. If they were to cause pollution (for example noise, smoke, fumes, vibration) they would not have consent to operate from the site. B8 use on the site has raised a lot of concerns in respect to impact upon residential amenities in terms of noise, operational hours and traffic generation. Storage and distribution may result in long term storage with little disturbance and infrequent traffic to a distribution centre operating throughout the day/night with multiple vehicle movements. Unrestricted B1 and B8 use could result in the site being used in a manner which significantly affects the amenities of the surrounding area. In the event that a B8 use is allowed it may be appropriate to condition that only certain units (i.e. those furthest from the residential areas) or a restricted floorspace are used for B8 but on balance it would be better, to address these potential concerns and in light of the Design and Access Statement reference to B1, to ensure that the application is changed to B1 use only.

It is also considered to be appropriate to condition the operational times of the businesses to limit potential disturbance to residential amenity, although it is necessary to be aware of other problems that may result from this, for example; parking in surrounding areas waiting to get onto the site.

Light pollution may be caused from high levels of external lighting and a suitable condition would be needed to ensure control of the lighting.

Highways

A Transport Statement and Travel Plan has been submitted with the application. The Highways Officer has noted that there is an oversupply of parking provision associated with the units. Parking is a key concern for the nearby residents. In respect to this development with such proximity to residential area the oversupply of

parking spaces is not deemed to be an issue. There is adequate provision for cycle parking and it is recommended that the Travel Plan is conditioned.

The entrance to the site and the access road have already been granted consent under the 2015 application. The access is deemed to be suitable for traffic using the site for employment uses.

Further comments from the Highways Officer are awaited following the submission of additional information by the agents.

Biodiversity

Ecology reports have been undertaken and it is considered that the recommendations from the Biodiversity officer should be implemented.

Archaeology

Following the additional information submitted there are no archaeological concerns in relation to the site.

Other matters

Public safety – There is considered to be no threat to the safety of users of the nearby children's play facility. Entrance to the site off the A38 does not go past the children's play area. The plans show footpaths to both sides of the access roads to enable safe pedestrian access in and out of the site and to the nearby Rectory.

Public notifications – Site notices for the application were placed in Hardy's Road, Roy's Place, along the A38 and along the old A38. All members of the public who made representations and consultees have been notified of the amended proposals.

Other employment land – this application does not preclude other allocated employment land from coming forward. The site was deemed acceptable for employment use under the outline consent (48/05/0072).

Conclusion

The principle of employment use on the site has already been accepted. Whilst the revised proposals seek to reduce the visual impact of the development the buildings, the recommendation enables the proposals to be improved by further revisions to the Blocks C and D. As it stands Blocks C and D are considered to be out of keeping and/or out of scale with their surroundings. It is understood that in order to facilitate the applicant's requirements Block D has to be at a much larger scale than the other blocks. There are no direct impacts from Block D to the amenities of surrounding properties but it needs to be considered in the context of the whole site. If the materials on Block D are revised to incorporate the elements on the other units and Block C is reduced in scale and sub-divided (as in block B) to allow greater landscaping through the site and to the north and south elevations, the proposals would be considered to not detract from the visual amenities of the surrounding area. The impacts from the scale of the proposals are dramatically reduced by dividing the blocks into two. Block D is situated furthest into the site and its impact is mitigated by the area of land to the north and east which are outside of this

application boundary (but with outline planning permission for B1 use) and serve to separate the buildings from the surrounding residential areas.

As such the application as it stands is recommended for conditional approval subject to receiving revised forms and plans for B1 use only, alterations to the appearance of Block D and subdivision of Block C into two blocks to allow greater landscaping to the north and south elevations and between the blocks.

Conditions; time limit, samples of materials, PD restriction for B1 use only, levels as proposed, landscaping, green wall, drainage, hours of operation, storage of waste, wildlife, lighting, obscure glazing, parking, cycle parking, Travel Plan, PD restriction on fencing.

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

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