

38/16/0345

QUANTUM TAUNTON LLP

Demolition of office block and erection of care led facility inclusive of 62 No. ensuite bedroom care home, 58 No. assisted living extra care apartments, ground floor retail space (Class A1, A3, D1 & D2), car parking, mobility scooter parking, cycle stores, ancillary buildings with public and private landscaping at Quantock House, Paul Street, Taunton as amended.

Location: QUANTOCK HOUSE, PAUL STREET, TAUNTON, TA1 3PB

Grid Reference: 322825.124299

Full Planning Permission

Recommendation

Recommended decision: Conditional Approval

Subject to:

1. The applicant entering into a Section 106 agreement to secure:

- Improvements to the pedestrian crossing facilities at the signalised Paul Street/Mary Street junction.
- A travel plan
- The inclusion of public art within the development

2. The expiration of the public consultation period on amended plans (Friday 3rd February 2017) and the receipt of no further representations raising new issues. In the event that further representations are received, the application should be referred to the Chairman of the Planning Committee to decide whether the decision should be delegated to the Assistant Director, Planning and Environment or whether the matter should be referred back to Committee.

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:

- (A1) DrNo 903-100 Existing Location Plan
- (A1) DrNo 903-200 Proposed Location Plan
- (A1) DrNo 903-201 Rev B Site Plan - LGF Level
- (A1) DrNo 903-202 Rev B Site Plan - UGF Level

- (A1) DrNo 903-203 Rev B Site Plan - LGF Level Delivery Entrance
- (A1) DrNo 903-204 Rev A Site Plan - Pedestrian Routing Plan
- (A1) DrNo 903-205 Rev A Site Plan - Parking Arrangement Plan
- (A1) DrNo 903-300 Proposed Level 00 Floor Plan (car park)
- (A1) DrNo 903-301 Proposed Level 01 Floor Plan (retail/care home)
- (A1) DrNo 903-302 Proposed Level 02 Floor Plan (care home)
- (A1) DrNo 903-303 Proposed Level 03 Floor Plan (care home)
- (A1) DrNo 903-304 Proposed Level 04 Floor Plan (Assisted living)
- (A1) DrNo 903-305 Proposed Level 05 Floor Plan (Assisted Living)
- (A1) DrNo 903-306 Proposed Level 06 Floor Plan (Assisted Living)
- (A1) DrNo 903-307 Proposed Level 07 Floor Plan (Assisted Living)
- (A1) DrNo 903-308 Rev B Proposed Level 08 Floor Plan (Assisted Living)
- (A1) DrNo 903-400 Rev E Proposed South & East Elevations
- (A1) DrNo 903-401 Rev E Proposed North & West Elevations
- (A1) DrNo 903-500 Rev C Section A-A & B-B
- (A1) DrNo 903-600 Proposed Refuse & Cycle Stores

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

3. No development including demolition and site clearance works shall commence unless a Construction Traffic Management Plan has been submitted to and approved in writing by the Local Planning Authority. The works shall be carried out strictly in accordance with the approved plan. The plan shall include:

- Construction vehicle movements;
- Construction operation hours;
- Construction vehicular routes to and from site;
- Construction delivery hours;
- Expected number of construction vehicles per day;
- Car parking for contractors;
- Specific measures to be adopted to mitigate construction impacts in pursuance of the Environmental Code of Construction Practice;
- A scheme to encourage the use of Public Transport amongst contractors; and
- Measures to avoid traffic congestion impacting upon the Strategic Road Network.

Reason: In the interests of highway safety.

4. Before development commences (including demolition and site clearance and any other preparatory works) a scheme for the protection of trees to be retained shall be submitted to and approved in writing by the Local Planning Authority. Such a scheme shall include a plan showing the location of the protective fencing, and shall specify the type of protective fencing, all in accordance with BS 5837:2012. Such fencing shall be erected prior to commencement of any other site operations and at least two working days notice shall be given to the Local Planning Authority that it has been erected. It shall be maintained and retained for the full duration of works or until such time as agreed in writing with the Local Planning Authority. No activities

whatsoever shall take place within the protected areas without the prior written agreement of the Local Planning Authority.

Note: The protective fencing should be as specified at Chapter 9 and detailed in figures 2 and 3 of BS 5837:2012.

Reason: To ensure the enhancement of the development by the retention of existing trees and natural features during the construction phase.

5. No development, including demolition and site clearance works, shall take place until the applicant, or their agents or successors in title, has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted by the applicant and approved in writing by the Local Planning Authority. The development shall be carried out at all times in accordance with the agreed scheme or some other scheme that may otherwise be agreed in writing by the Local Planning Authority.

Reason: To ensure the preservation of archaeological remains.

6. Other than the demolition of the existing building, site clearance and any highway works, no development shall be commenced until the detailed design for the surface water drainage scheme, based on submitted proposed drainage strategy, together with a programme of implementation and maintenance for the lifetime of the development, have been submitted to and approved in writing by the Local Planning Authority. The drainage strategy shall ensure that surface water runoff post development is attenuated on site and discharged at a rate and volume which provides a minimum of 30% betterment over existing runoff rates and volumes. Such works shall be carried out in accordance with the approved details.

Reason: To ensure that the development is served by a satisfactory system of surface water drainage and that the approved system is retained, managed and maintained in accordance with the approved details throughout the lifetime of the development.

7. Prior to their installation, samples panels of the materials to be used in the construction of the external surfaces of the development measuring at least 1m x 1m shall be built on the site and both the materials and the colour and type of mortar for pointing used within the panel shall be agreed in writing by the Local Planning Authority. The development shall be completed in accordance with the agreed details and thereafter maintained as such.

Reason: To ensure that the proposed development is compatible with the character and appearance of the area and the settings of listed buildings.

8. The applicant shall ensure that all vehicles leaving the site are in such condition as not to emit dust or deposit mud, slurry or other debris on the highway. In particular (but without prejudice to the foregoing), efficient means shall be installed, maintained and employed for cleaning the wheels of all lorries leaving the site, details of which shall have been agreed in advance in writing by the Local Planning Authority and fully implemented prior to

commencement of development and thereafter maintained until the use of the site discontinues.

Reason: In the interests of highway safety.

9. Other than the demolition of the existing building and other site preparatory works, no work shall commence on the development hereby permitted until the details of the access junctions generally in accordance with drawing number 903-201 Rev A Site Plan LGF Level, 903-202 Rev A Site Plan UGF Level, 903-203 Rev A Site Plan LGF Level Delivery Entrance have been submitted to and approved in writing by the Local Planning Authority. The access shall then be fully constructed in accordance with the approved plan, to an agreed specification before the development is first brought into use.

Reason: To ensure that adequate facilities exist for the traffic likely to be attracted to the site in the interests of highway safety.

10. Prior to its installation, a scheme of hard landscaping showing the layout of areas with stones, paving, walls, cobbles or other materials shall be submitted to and approved in writing by the Local Planning Authority. Such scheme shall be completely implemented before the development hereby permitted is occupied.

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

11.
 - (i) Prior to its implementation, a landscaping scheme, 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 the first available planting season from the date of first occupation of the development.
 - (iii) For a period of five years after the completion of each landscaping scheme, 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, or the appropriate trees or shrubs as may be approved in writing by the Local Planning Authority.

Reason: To ensure that the proposed development does not harm the character and appearance of the area in accordance with Policy DM1 of the Taunton Deane Core Strategy.

12. The applicant shall undertake all the recommendations made in Peach Ecology's Ecological assessment report dated September 2016, and provide mitigation for bats and birds as recommended.

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 bird and bat 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.

13. Prior to first occupation a servicing statement detailing measures to ensure that deliveries and refuse collection vehicles can safely move into the delivery area and avoid any conflict in entering and exiting vehicles shall be submitted to and approved in writing by the Local Planning Authority. Following occupation of the building, the measures detailed in the approved statement shall thereafter be fully complied with.

Reason: In the interests of highway safety.

14. Taxi and ambulance bays as detailed by drawing number 903-205 shall be formed at the point of access in accordance with the detailed plan and specifications. Such bay shall be completed before the development hereby permitted are first occupied and shall be available for the parking and checking of vehicles at all times. The bay shall at no time be used other than for the parking of vehicles on a short-stay basis.

Reason: In the interests of highway safety.

15. The access, parking and turning spaces detailed on the drawings hereby permitted shall be properly consolidated and surfaced in accordance with details which shall have been submitted to and approved in writing by the Local Planning Authority. Such parking and turning spaces shall be kept clear of obstruction at all times and shall not be used other than for the parking and turning of vehicles in connection with the development hereby permitted.

Reason: To ensure that adequate facilities exist for the traffic likely to be attracted to the site, in the interest of highway safety.

16. The access on the east boundary of the site hereby permitted shall be used for the purpose of "Entry Only" and physical measures to ensure compliance with this arrangement, including the erection of appropriate signs, shall be approved in writing by the Local Planning Authority prior to their installation. Such arrangements shall be implemented before the new access is brought into use and shall thereafter be maintained at all times.

Reason: To ensure that adequate facilities exist for the traffic likely to be attracted to the site in the interests of highway safety.

17. The access on the north boundary of the site hereby permitted shall be used for the purpose of "Exit only" for general traffic and physical measures to ensure compliance with this arrangement, including the erection of appropriate signs, shall be approved in writing by the Local Planning Authority. Such arrangements shall be implemented before the new access is brought into use

and shall thereafter be maintained at all times.

Reason: To ensure that adequate facilities exist for the traffic likely to be attracted to the site in the interests of highway safety.

18. There shall be no obstruction to visibility greater than 300 millimetres above adjoining road level in advance of lines drawn 2.4 metres back from the carriageway edge on the centre line of the access/egress and extending to points on the nearside carriageway edge 33 metres either side of the delivery and exit access. Such visibility shall be fully provided before the development hereby permitted is brought into use and shall thereafter be maintained at all times.

Reason: In the interest of highway safety.

19. The Restaurant/Bistro/Community Meeting Room space (shown coloured light pink) on Level 01 (drawing 903-301) may be used for any purpose within classes A1, A3, D1 or D2 of the Schedule to the Use Classes Order 1987 as amended.

Reason: To allow flexibility of the uses in order to ensure a viable and usable floorspace is provided.

Notes to Applicant

Proposal

This application, as amended, seeks full planning permission for the demolition of Quantock House and the erection of a new 8 storey building containing a 62 bedroom care home and 51 extra care apartments. Space would be provided on the ground floor for flexible 'retail' space, which could be provided for A1, A3, D1 or D2 purposes. The care home would occupy the next three floors and the apartments would be provided above that.

The site would be laid out with the new building sitting to the north side of the site, allowing the existing trees along the Mary/Paul street frontage to be retained. The lower (care home) floors would be finished with brick, surrounding large windows all set above a sandstone plinth. The upper (apartment) floors would be designed in two projecting wings, with a deep recess on the southern side, designed to allow light into the building. Most of the building would be glazed, with each apartment having glass balconies. Dark clad panels would be provided between the two projecting wings to give the appearance of two separate structures. The top floor would be clad in black facing material, designed to appear as a roof structure on top of the otherwise glazed tower.

Parking would be provided in an undercroft, accessible from Paul Street, with an exit onto the Old Pig Market (car park and service yard access) in the northwest corner. Cycle and bin storage would be provided.

During the consideration of the application, the proposal has been reduced from 9 storeys to 8 and the storey heights have been reduced. This has resulted in the building being 4m lower than originally proposed. Various amendments have also

been made to the external appearance of the building.

Site Description

The site is located on the corner of Mary Street and Paul Street, to the south of the library and multi-storey car park. It is currently the site of Quantock House, an 8 storey 1960s tower block of utilitarian design. There is a two-storey 'wing' to the south of the building, closest to Mary Street and the whole site is set behind mature trees on the corner of Mary/Paul Streets. An open parking area is provided to the north of the building, accessed from Paul Street on the east site boundary.

The building was former Government offices, but has been unused for some time and is now in a very poor condition.

Relevant Planning History

None.

Consultation Responses

The following consultation responses and representations relate to the scheme as originally submitted and do not reflect the latest amended plans. Members will be advised of any updates at the meeting.

SCC - TRANSPORT DEVELOPMENT GROUP – Comment as follows:

I refer to the above planning application, received in my Department on 20 September 2016 and additional information received in my department in November and December 2016, a site visit was undertaken on the 21st September 2016 to which I have the following observations on the highway and transportation aspects of this proposal:-

The development site is located at the Junction of Paul Street and Mary Street, in the eastern part of Taunton Town Centre. Access to the site will be gained via Paul Street an adopted D Class Highway. Paul Street connects with Mary Street and Billet Street a Class A adopted Highway, the roads connect by a signal controlled junction.

Road Records held by SCC identify that three Slight Personal Injury Accidents (PIA'S) have occurred within the vicinity of the Paul Street / Mary Street Junction in the last five years. The proposed development is not considered to adversely impact on highway safety at this junction.

Development Proposal

The Transport Assessment (TA) and Design and Access Statement supporting this application have been reviewed and comments are made within this response. Having reviewed the Transport Assessment it is understood that the proposed development will consist of a 60 bed care home and 58 extra care apartments (use class C2).

The former office block, currently on site will be demolished to accommodate the above proposal.

A detailed Construction Environmental Management Plan (CEMP) will be required subject to planning consent to ensure the impact on the Highway Network is minimised during both demolition and construction.

Access_ _

The proposed access of an 'In Only' from Paul Street and 'Out Only' onto Old Pig Market, for general traffic, with the exception of delivery and waste collection which will utilise the Old Pig Market access for entry and Exit. This arrangement will enable traffic to access the site and maintain existing movements of vehicles without increasing the risk vehicular conflicts.

The proposed access and exit points should be delivered generally in accordance with the following plans 903-201 Rev A Site Plan LGF Level, 903-202 Rev A Site Plan UGF Level, 903-203 Rev A Site Plan LGF Level Delivery Entrance. To ensure vehicles only move through the site in one direction the existing entrance will form an "in only" arrangement, vehicles will be required to stop prior to the "out only" junction onto Old Pig Market. As detailed, a servicing statement and Banksman will be required to ensure that deliveries and refuse collection vehicles can safely move into the delivery area and avoid any conflict in entering and exiting vehicles, a restriction on delivery times will also be required.

Pedestrian Movements_ _

It is noted that the development will facilitate the implementation of tactile paving and bollards at the crossing point into the town centre on Paul Street as shown in Drawing 902-202 Rev A Pedestrian Routing Plan. This improvement of pedestrian facilities will need to be secured and delivered through a s106 agreement.

The Plan indicates that the second desire line is likely to be across Paul Street towards Billetfield. It is also considered that due to the nature of the proposed development the pedestrian movement is likely to increase across Mary Street from the signal controlled crossing, there are a number of uses including a social club, several churches, as well as Vivary Park that are considered to be destinations for proposed residents. The crossing point in its current form is below standard for pedestrians, particularly for those who are mobility or visually impaired. The junction in its current form will not accommodate more than one wheel chair or mobility scooter at a time.

Given the change in use from an office to use to a residential care home and assisted living units, it is considered that the nature of the development and area will significantly change. The vehicular route into Paul Street is heavily trafficked by vehicles, the pedestrian facilities as they stand are not considered adequate to support the current proposal.

An improvement scheme to upgrade the pedestrian facilities in this location would be required. Given the form of the existing junction it is considered that the pedestrian facilities could not be retrofitted. A scheme or funding for such work, for

the re-configuration of the Paul Street/Mary Street signalised junction and its associated pedestrian crossing facilities will be required to be secured via s106. At this stage as a GIA scheme has not been provided a cost cannot be associated.

Parking Provision

Supplementary information indicates that 26 parking spaces will be provided on site. In line with Somerset County Councils Parking Standards, dated September 2013 the residential element of the development, including both the Care Home and Assisted living units would require a total of 20 spaces, the site is located within Zone A.

The level of parking has been calculated assuming that the 58 assisted living units are 'Sheltered Accommodation' rather than open market retirement units [which would require 1 space per 8 bedrooms]. If the restriction of use was to differ from that detailed within the supplementary information provided, and was to become open market retirement units the level of parking would not be adequate and would likely to result in an objection due to lack of parking, and contrary to SCC Standards.

In terms of the retail element given the town centre location, parking spaces for these propose A1, A2, A3, and A4 use are not considered essential in relation to this application.

It is noted that a parking permit scheme at the adjacent car park for care home parking spaces, will be appropriately managed to be used by the care home for staff promoting car share schemes, ride to work schemes and the use of sustainable transport by our staff, all of which should be detailed and secured in the Travel Plan.

Trip generation

Trip rates for the proposed uses on site have been calculated using the TRICS trip rate database. Analysis of the data extracted identifies that the proposed generation is robust. The proposed development is expected to generate in the region of 26 AM peak 60 PM peak trips, this is assuming that retail trips on the network are new, which in reality trips are likely to be linked with the existing town centre services. The combined site is expected to generate in the region of 400 daily trips.

Given that the extant 4,330 m² office use on site could generate in the region of 600 daily trips the current proposal is not considered in impact adversely on the existing highway network in terms of both safety and capacity.

Travel Plan

Comments with regard to the Travel Plan have been issued to the applicant. The Highway Authority are awaiting amendments. It should be noted that the Travel Plan will be required to be secured within the S106 agreement.

Summary

In summary the Highway Authority has no objection to the above application subject to conditions, providing the pedestrian facilities at Paul Street to the town centre and the Paul Street, Billet Field, Mary Street signalised crossing point.

ENVIRONMENTAL HEALTH - NOISE & POLLUTION – No comments received.

LANDSCAPE – I consider the proposed building to be very high and out of scale with surrounding buildings.

It is positive that the existing trees along Mary Street are to be retained. Could the applicant also consider some tree planting to the north of the new building along Paul Street?

BIODIVERSITY - Peach Ecology carried out an Ecological assessment of the site in September 2016. Findings were as follows

Bats

The surveyor carried out a detailed inspection of the building. One feature on the building (a crack in a concrete beam) was considered to have bat roosting potential. On closer inspection this did not show any signs of roosting bats. There is a small chance that the feature could be used by hibernating bats so demolition should avoid this time of year. If this is not possible then a detailed inspection of the crevice will need to be undertaken prior to demolition.

A single emergence survey was undertaken during the maternity season. A single common pipistrelle bat was recorded foraging nearby and a single noctule bat flew overhead. No bats emerged from the building.

The building generally has low value to bats. I support the introduction of four bat tubes in the new build. Trees near the building, which are to be retained, are suitable for foraging bats as well as nesting birds. These trees need to be protected from light spill.

Nesting birds

The surveyor recorded three herring gull chicks on the roof of the building and two nests.

Feral pigeons were noted nearby and swifts were noted flying above the building.

The interior of the building showed no signs of nesting birds but as so many windows are broken this can change. The building will need to be checked for birds prior to demolition.

I support the introduction of a range of bird nest boxes within the new build such as four swift boxes and a peregrine nest box.

WESSEX WATER - Sewerage infrastructure and Surface Water Drainage
The existing office block on the site has an established foul and surface water connection into our combined sewer.

Wessex Water have confirmed previously to the applicant that the foul flows can be accommodated. No further comments.

Wessex Water typically resist the discharge of surface water into foul or combined sewer. However in this circumstance as there is an existing connection and the applicant proposes to control flow rates we do not object to the proposal.

Water Infrastructure Developments over two storeys should be provided with internally boosted supply and storage.

SCC – LEAD LOCAL FLOOD AUTHORITY - The proposed development is a redevelopment of an existing office building site and therefore is classed as a brownfield site, therefore, the LLFA would expect to see a minimum 30% reduction in existing runoff rates and volumes post development.

The applicant has provided outline details within the submitted Flood Risk Assessment of the proposed drainage designs for the capture and removal of surface water from the development. These indicate that the reduction in runoff rates and volumes post development meet the required 30% reduction. The proposed drainage strategy includes the use of buried attenuation tanks within the development area and the use of a hydrobrake to control flow rates at the outfall to the existing surface water drainage system on Paul Street. However, It is not clear within the application as to whether the existing system on Paul Street is a combined foul and surface water system or a separate system, this will need to be established and confirmation received from Wessex Water that they are satisfied with the proposed drainage strategy for the redevelopment.

The LLFA supports the proposed drainage strategy in principle and has no objection to the proposed development, as submitted, subject to the following drainage condition being applied.

Condition recommended to secure detailed design.

ENVIRONMENTAL PROTECTION CONTAMINATED LAND – No comments received.

HISTORIC ENGLAND - Thank you for your letter of 23 September 2016 notifying Historic England of the scheme for planning permission relating to the above site. Our specialist staff have considered the information received and we do not wish to offer any comments on this occasion.

Recommendation: The application(s) should be determined in accordance with national and local policy guidance, and on the basis of your specialist conservation advice.

It is not necessary for us to be consulted again on this application.

SOMERSET WASTE PARTNERSHIP – Comments as follows:

I believe this will be classed as commercial waste and as such collections will need

to be arranged with a contractor.

58 Assisted Living Apartments

I believe this will be classed as domestic refuse and the local authority will provide a collection service for these properties. Refuse and Recycling for the assisted living part of the development will be provided by the local authority in a Communal collection facility. I would suggest 12 communal refuse bins should be provided of 1100L in size (H 1335mm x W 1360mm x D 1030mm) and at least six recycling bins (At least 2 for each of the following materials: paper, glass bottles and jars and food and drinks cans) these bins are 240L in size (H 1065mm x W 575mm x D 735mm). The communal recycling service is likely to be expanded in the future to include plastic bottles and cardboard and consideration should be given to accommodating extra bins for this. There will need to be segregation between the commercial and domestic waste elements at this property and I would suggest each storage area for the care home and assisted living apartments is secured so waste cannot be placed in the wrong waste stream. Further details on the requirements of bin stores (for example gradients and acceptable distances between the access road and the bin store) can be gained via the developers' guidance document on the Somerset Waste Partnership website.

SW HERITAGE TRUST (ARCHAEOLOGY) - The applicant has submitted a desk based assessment (DbA) and a settings appraisal to support the application. I agree with the conclusions within the DbA that only limited archaeological remains are likely to be encountered during development.

For this reason, I recommend that the applicant be required to provide archaeological monitoring of the development and a report on any discoveries made as indicated in the National Planning Policy Framework (Paragraph 141). This should be secured by the use of a condition.

ECONOMIC DEVELOPMENT OFFICER - We are supportive of this application as the proposition will create a new facility which could employ 55 people full time and 48 people part time (24 FTEs). These jobs are predominantly in the health and care sector which is an element of the council's adopted growth prospectus. The building will offer a new start for the area and of course will create jobs through the construction period. We support the creation of 1,065 sqm of retail space which should give an opportunity for a range of businesses to locate within the building and support not only the community of individuals within the building but also the wider retail environment in Paul Street. This will create an additional job creation opportunity. We would expect the residents to add spend to the Town centre businesses through general usage.

POLICE – ARCHITECTURAL LIAISON OFFICER - Sections 58 and 69 of the National Planning Policy Framework March 2012 both require crime and disorder and fear of crime to be considered in the design stage of a development and ask for:-

"Safe and accessible environments where crime and disorder, and the fear of crime,

do not undermine quality of life or community cohesion."

Guidance is given considering 'Crime Prevention through Environmental Design', 'Secured by Design' principles and 'Safer Places'.

Sections 58 and 69 of the National Planning Policy Framework March 2012 both require crime and disorder and fear of crime to be considered in the design stage of a development and ask for:- *"Safe and accessible environments where crime and disorder, and the fear of crime, do not undermine quality of life or community cohesion."*

Guidance is given considering 'Crime Prevention through Environmental Design', 'Secured by Design' principles and 'Safer Places'.

Comments

1. Crime Statistics – reported crime for the area of this proposed development (within 200 metre radius of the grid reference) during the period 01/10/2015-30/09/2016 is as follows:-

Arson - 1 Offence

Burglary - 14 Offences (all non-dwelling).

Criminal Damage - 49 Offences (incl. 4 criminal damage to dwellings, 16 criminal damage to buildings other than dwellings & 19 criminal damage to vehicles)

Drug Offences - 7

Robbery - 3 Offences

Sexual Offences - 4

Other Offences - 7

Theft & Handling Stolen Goods - 267 Offences (incl. 194 shoplifting, 14 theft of pedal cycles & 8 theft of or from motor vehicles)

Violence Against the Person - 129 Offences (incl. 13 assault ABH, 40 common assault & battery, 54 causing harassment, alarm distress 7 threatening behaviour).

Total - 482 Offences

This averages 40 offences per month, over 9 per week which are considered to be 'high' reported crime levels, partly due to the proximity to the town centre. Offences are spread fairly evenly throughout the week with peak offending times being afternoons and either side of midnight. Although a large proportion of these offences relate to retail premises and the night time economy, a proportion could easily be displaced to this development e.g. criminal damage and theft.

2. Defensible Space – it is important that boundaries between public and private space are clearly defined and the open nature of this development, with public gardens fronting Mary Street and to a lesser extent Paul Street, has disadvantages from a crime prevention perspective in that it enables easy access by the potential criminal to the shell of the building and associated areas including formal gardens, cycle storage areas and undercroft car park.

Bearing in mind the nature of this development, additional attention should therefore be paid to the security of these areas, including any street furniture or fittings which should be vandal-resistant and securely fixed to prevent removal or

vandalism.

3. Natural Surveillance – optimum natural surveillance should be incorporated whereby residents and staff can see and be seen, this should include unobstructed views from the development of all external spaces, including footpaths, roadways, communal areas and landscaping. Any recesses, blind corners or potential hiding places should be eliminated. Consideration could also be given to providing a monitored CCTV system covering the site area with particular focus on key access points and the undercroft car park.

4. Public Access – the security of the Care and Assisted Living areas of the development is enhanced by discouraging casual intrusion by non-residents, so public access should be restricted, either by Reception staff or a suitable electronic access control system or a combination of both. There should be no unnecessary paths which could be used to gain unobtrusive access and escape. Good signage should be displayed to deter unauthorised access and assist emergency services.

5. Lighting – appropriate lighting should be designed to cover potential high risk areas including main site access points, undercroft car park, footpaths associated to main building, cycle stores, bin stores and any other secluded areas around the site. Also main entrance doors, secondary access doors and fire exit doors. All lighting should be vandal-resistant and automatically controlled by photo-electric cell or time switch with manual override. There is existing street lighting around the site.

6. Landscaping/Planting – should not impede opportunities for natural surveillance and must not create potential hiding places for intruders, especially adjacent to footpaths and buildings where it may obscure doors and windows. In areas where visibility is important shrubs should be selected which have a mature growth height of no more than 1 metre and mature trees should be devoid of foliage below 2 metres, so allowing a 1 metre clear field of vision. Defensive planting (prickly shrubs) could be used in appropriate locations to deter unauthorised access.

7. Car Parking – for residents is in the undercroft car park, however, there does not appear to be any indication in the DAS or on the plans that an access control system will be applied to all vehicular and pedestrian entrances to prevent unauthorised access into the car park, which I consider essential. Normally, such system is in the form of a roller grille or similar which can be remotely operated by the driver whilst sitting in the vehicle. In addition, lighting to BS 5489 standard should be installed in the car park, walls and ceilings should have a light coloured finish to maximise the effectiveness of the lighting and any internal door giving access to the Mobility Scooter Store and residential floors should also be part of the access control system.

8. Cycle and Bin Stores – appear to be of substantial construction and lockable, which should assist in deterring theft of cycles and mis-use of wheelie bins for climbing or arson.

9. Doorsets & Windows – bearing in mind the large areas of glazing, all external ground floor doorsets and windows (including any easily accessible windows) should comply with PAS 24:2012 standard.

10. Internal Security Issues – I note from the DAS that the Care Home element

will be staffed 24/7, which should assist the personal safety and security of all residents. The Extra Care Apartments will be fitted with burglar alarms which can double up as personal alarms should the need arise which is also beneficial.

11. Secured by Design(SBD) – if planning permission is granted, the applicant is advised to refer to the additional comprehensive information available in the ‘**SBD Homes 2016**’ design guide available on the on the police approved SBD website – www.securedbydesign.com.

Representations Received

The representations detailed below pre-date the latest amendments which reduce the height of the proposed building. At the time of writing, your officers are consulting on the recent amendments and members will be updated at the meeting as to any further comments received.

Somerset Wildlife Trust: “We have noted the above mentioned Planning Application submitted on behalf of the Quantum Group as well as the supporting Ecological Assessment provided by Peach Ecology. In general we would agree with the findings of that Assessment. We would fully support the proposals for Mitigation and Enhancement as set out in Section 5.0 of the report and we would request that they are implemented in full, particularly as regards the bird and bat box provision if it should be decided to grant planning permission”.

Arts Taunton: “I have high regard for the developers, Quantum Group, who are top quality operators in the field of care homes and retirement living. The scheme they have produced for Quantock House is distinctive, attractive and sensitively landscaped. It will make a worthy and striking new addition to the urban environment of Somerset’s County town.

I am also particularly pleased that Qantum has confirmed its full support for the delivery of exciting public art for Taunton and *ArtsTaunton* is already engaged in discussions with the Company in this regard”.

9 letters of **objection** raising the following comments:

- There is an excessive amount of retail provided, disproportionate to the care home, which cannot be considered ancillary.
- Taunton’s retail pitch will be further elongated without proper integration into the existing provision.
- The building is totally out of scale with its surroundings.
- The scheme would be more appropriate at an airport.
- The building is too high for its surroundings.
- Any building should be restricted to 6 storeys to avoid it dominating the skyline.
- The proposed salon may detract from existing businesses.
- The care provision could be better designed for dementia sufferers.
- The design is lumpish and uninteresting.
- The town centre is gradually being taken over with old people’s accommodation.

9 letters of **concern** raising the following points:

- Nearby businesses will be disturbed during construction.
- There were H&S malpractices during the stripping out process.
- The developer has unrealistic expectations for parking. The Orchard Centre car park is closed overnight, there is local parking congestion in the area.
- Public transport facilities are insufficient to meet the needs of staff.
- Visiting professionals (doctors etc.) would need dedicated parking spaces.
- The whole highway network around the site needs reconsideration as part of the development.
- The pedestrian crossing facilities in the vicinity are unsafe; footways need to be widened; there are particular problems for mobility scooters.
- The building does not respect the local vernacular.
- The view onto the car park is poor.
- No need for more upmarket OAP accommodation.

81 letters of **support** raising the following comments:

- This part of Taunton needs to have people living here and committed to it.
- The application will provide an inclusive caring community.
- The proposal will benefit the NHS and one would hope have some impact on local bed blocking at Musgrove Park.
- The location is good, close to the town centre and accessible.
- The local church may benefit from its proximity to its well designed and well-resourced community.
- The development will have a positive effect on the town centre and revitalise an area which is currently standing derelict.
- The proposal will create much needed employment and have a positive impact on the local economy.
- The proposal will bring residents, visitors and workers into the town centre and benefit surrounding traders.
- The applicants have experience of delivery this type of quality development and should be supported.
- The design and planning process has been very well managed with sensitivity to local residents.
- The development reflects the future interests of public and private sector needs in the locality.
- The proposed dementia friendly environment and facilities to support people living with dementia will be beneficial.
- We should embrace this and build a Taunton of the future.
- The design is suitable to this type of build and will enhance the area.
- The building would be an icon piece for Taunton.
- The proposal will allow the Paul Street area to grown and create a community of 'quality of life' and help us create a strong and vibrant community.
- S106 or CIL contributions could be used to enhance Paul Street.
- The glass should not be see-through from the outside, to prevent curtains detracting from the visual appearance.
- The cycle store is in a sensible location, but the mobility scooter store location should be more accessible.
- The development should not have a significant impact on the local highway network.

- Proposal would provide an excellent opportunity for local businesses to provide services.
- Taunton has evolved over the centuries. This is an appropriate site for a restrained modern development such as this.

15 letters of general support but raising **comments**

- Inadequate parking provision
- There is no need for any further retail provision in Taunton
- Cyclist needs need to be better understood
- A more traditional design may be more appropriate.
- The building may make the street between the building and the car park very dark and shady
- There is a need for better pedestrian crossing facilities around the site.

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), saved policies of the Taunton Deane Local Plan (2004), 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. Policies from emerging plans are also listed; these are a material consideration.

EN23 - TDBCLP - Areas of High Archaeological Potential,

Local finance considerations

The proposed development falls within Class C2 of the Town and Country Planning (Use Classes) Order 1987 (as amended) and, therefore, would not be CIL liable nor result in the payment of the New Homes Bonus.

Determining issues and considerations

The main issues in the consideration of this application are the principle of the development and the design of the proposal, connected to its impact upon heritage assets. The impact on highways, ecology and surface water drainage must also be considered.

Principle of development

The site is allocated within the Taunton Town Centre Area Action Plan (TTCAAP) for retail development. It is part of a larger allocation east of the High Street which seeks to deliver substantial additional retail floor space for the town. Policy Hs1 indicates that the 'East of High Street' allocation should deliver a minimum of 20,000

sq. m gross of additional comparison and convenience retail space, 120 dwellings, 440 parking spaces and the relocation of the Taunton library. Policy Hs2 sets out design principles and indicates that buildings should be a maximum of 5-7 storeys high with good permeability and active frontages at ground level. There should be a new public square and public realm improvements to (*inter alia*) Mary Street and Paul Street and the provision of public art.

The proposal aims to provide some retail space. However, this would be accessed from the Mary Street side of the building and poorly connected to the surrounding retail offer. Therefore, whilst the provision of ground floor retail might, strictly speaking, be policy compliant it is unlikely to contribute towards delivering the aims of the policy.

In this context, your officers have commissioned independent advice from Savills in respect of the impact of the proposal on the retail allocation. Savills' advice is that the development of the Quantock House site in isolation will render the remainder of the East of the High Street Allocation undeliverable. This is because there would no longer be sufficient critical site area remaining for a commercially viable scheme. In granting permission, therefore, the Council would have to accept that the long proposed retail expansion on land East of the High Street would not take place. The TTCAAP allocation policies make clear that a comprehensive development of the area is intended. It is clear that the proposals would conflict with Hs1 in a number of ways and the proposal is, therefore contrary to policy.

Savills' advice goes on to assess the impact of such a decision. Based upon up to date assessments of retail capacity and spending forecasts, there is no longer a need to deliver the quantum of retail floorspace proposed by the TTCAPP. In light of the retail allocations at Firepool and Coal Orchard, Savills consider that there is sufficient retail capacity in the short to medium term to deliver the town's retail needs and avoid a threat from any out of town proposals. In this context, Savills advise that the Council would not be able to demonstrate the need to retain the retail allocation east of the High Street and accordingly its loss would not cause significant harm to the vitality and viability of the town centre. Given the lack of harm, the social and economic benefits stemming from the delivery of care facilities and associated accommodation in the town centre, on a highly accessible brownfield site can be afforded sufficient weight to outweigh the policy conflict and this makes the development acceptable in principle.

The proposed use itself is a mixed care home and assisted living/close care apartments. This use is considered to be appropriate in a town centre location. The applicant has submitted substantial arguments around the types of tenancy agreements that residents of the apartments would receive and the facilities that would be available to them. These facilities include mandatory care packages, which means that any residents must be in need of some type of care in order to occupy the apartments. The level of care can increase as the needs of the occupants change and this, along with the scale of ancillary facilities provided within the building is considered to bring the use firmly into the C2 use class. Such means that the development does not trigger affordable housing or children's play contributions.

Design of the building, its visual impact and the impact on the setting of heritage assets

These matters, in this case, are inextricably linked and are therefore considered here as one main issue. There are numerous listed buildings in the vicinity of the site and some further afield likely to be affected due the scale of the building proposed.

Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that special regard is paid to the desirability of preserving a listed building, its setting and any features of historic or architectural interest when deciding whether to grant planning permission. The site is also visible from the Vivary Park conservation area and the Crescent Conservation Area. Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that special regard is paid to the desirability of preserving or enhancing the character and appearance of the conservation area when deciding whether to grant planning permission.

The design of the building has undergone significant evolution from initial pre-application discussions, following consideration by Devon and Somerset Design Review Panel. Substantial amendments have been made to the design of the building and the Panel have accepted that this is all positive, however, they have remained consistent in raising concerns over the bulk and mass of the proposed building. Since the latest Design Review, further amendments have been made to the scheme, with the input of your conservation officer, and most recently a significant reduction in height following concerns expressed by your officers. These amendments have also resulted in the top most storey being clad in a dark, recessive material, reducing its prominence; and the introduction of dark cladding down the centre of the upper floors between the projecting wings, both of which serve to reduce the bulky appearance of the building to a degree. Amendments have also been made to improve the proportions of the lower floors. The design of the building, in itself, is now considered to be acceptable, although the design review panel have not been invited to comment any further.

The settings of the affected listed buildings are considered below. With regard to the NPPF, the impact on a heritage asset can be considered to result in no harm, less than substantial harm, or substantial harm. The NPPF explains that *“when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset’s conservation. The more important the asset, the greater the weight should be. Significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting. As heritage assets are irreplaceable, any harm or loss should require clear and convincing justification. Substantial harm to or loss of a grade II listed building, park or garden should be exceptional. Substantial harm to or loss of designated heritage assets of the highest significance, notably scheduled monuments, protected wreck sites, battlefields, grade I and II* listed buildings, grade I and II* registered parks and gardens, and World Heritage Sites, should be wholly exceptional.*

Where a proposed development will lead to substantial harm to or total loss of significance of a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or loss is necessary to achieve substantial public benefits that outweigh that harm or loss...

Where a development proposal will lead to less than substantial harm to the

significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use”.

In drawing the conclusions below, then, it should be noted that a conclusion that any harm is ‘less than substantial’, this does not mean that the harm is unimportant, it merely means that in NPPF terms, that harm can be legitimately weighed against the public benefit of the proposal in the planning balance.

Buildings on Paul Street

In terms of the immediate street scene and setting of the closest listed buildings on the opposite side of Paul Street, it is considered that the impact will be mostly influenced by the lower floors – the ‘plinth’ section of the building. Here, the latest amendments to the scheme have resulted in a well-proportioned building in well landscaped grounds. Compared to the existing building, both the quality of the building and the landscaping of the grounds is not considered to result in a significant change to the setting of these buildings closest to the site, which is already dominated by the existing Quantock House, and in some respects may provide a slight improvement in the amenity of the area.

Buildings on Mary Street and Billetfield

The impact on the setting of the buildings to the south on Mary Street is likely to be greater. The existing building, whilst considered by many to be unattractive, is a slender building that, at close range, is largely masked by the trees from street level during the summer months. The proposed new building will be significantly bulkier and around 4.5m taller. Whilst the top floor is set in from the building and will not have a significant presence at close range, the trees will have less effect on masking the building as a whole and it will be much more present in any views. Given that the settings of the buildings are mainly defined by the row in which they sit, however, it is considered that any harm to the setting will be less than substantial.

Greater impacts will start to be felt from slightly further afield in the views along Mary Street towards the site (from both directions). To the west, the tree cover is good and in the summer months will help to assimilate the building into the townscape. There are further listed buildings to the west along Mary Street, Upper High Street and the southern end of High Street, although their settings are largely derived from the immediately surrounding townscape. Part of that is formed by views along the street and the new building, being deeper than the existing, will have a greater presence in the street, which will cause an impact. However, given the attributes that define the setting of these buildings, this is considered to result in less than substantial harm in NPPF terms. Opposite Temple Methodist Church, these views are also within the Vivary Park Conservation Area, although its setting is unlikely to be harmed by the proposal.

The same can be said in respect of views from the east along Billetfield, where the building can be seen in glimpsed views between other buildings. The increased bulk and height of the proposed building will make it more present in views where the current building blends into the background. However, the townscape is relatively dense in these locations and it is considered any additional harm would be less than substantial.

Mount Street/Vivary Park conservation area and associated listed buildings

The existing building is also very present in certain views within Vivary Park and, therefore, key views within the Mount Street/Vivary Park conservation area. The impact of the development is likely to be similar to that on the settings of those listed buildings set further back from the site – the new building, being taller and bulkier is likely to be more present and, therefore, more harmful. The setting of the War Memorial (grade II) within the park would also be affected in this way, as the new building would appear in views, whereas the existing building barely breaks the ridgeline of the dwellings in the foreground. However, the latest amendments to the scheme, significantly reducing the height of the building will mean that the impact is reduced to a low level. Furthermore, the setting of the war memorial is considered to be largely derived from the park itself, rather than the backdrop of the townscape and overall, therefore, it is considered that there would 'low level' less than substantial harm to its setting.

The buildings on the northern end of Mont Street are important to the character of Vivary Park and, although it is their rear elevations that are visible from the park, they provide an attractive backdrop to it. The rear elevations and their relationship to the park is also considered to be as important to the setting of the listed buildings as the front. Here the dwellings sit nestled against the relatively low rise, albeit slightly higher buildings, behind with the roof of Quantock House sitting quietly above. The proposed building, will be more visible than the existing, due to its increased height, but the dark cladding to the top storey will mean that this is not overly detracting to the setting of these buildings. As with the war memorial, their settings are largely derived from the relationship with the park, so it is considered that this harm will be less than substantial in NPPF terms.

Further south, The Keep at Jellalabad Barracks (grade II) towers above the surrounding townscape. The proposed building will sit in a gap between this and other nearby buildings at a low level such that the Tower will remain very imposing. In this regard, it is considered that the proposal would not have an adverse impact upon the setting of this building.

St Mary's and St James' Church

Following the reduction in the height of the building, only the top of the building is likely to be visible from St. Mary's churchyard. The dark materials proposed for the top floor will make this more recessive and it will be seen above the very cluttered townscape at the north end of Magdalene Lane and the plant on the top of the car park and Orchard Centre. These views are not fundamental to the setting of the church itself and, therefore, any harm is considered to be less than substantial. There will be more impact upon the setting of the church in mid-distance views.

In views from Cotlake Hill, St. Mary's church tower can be seen rising off the northeast corner of Quantock House, behind the multi-storey car park. The increased bulk of the proposed building will mean that it stands in greater conflict with the church tower, when viewed from this location. That said, the church tower is already compromised in these views, so it is considered that less than substantial harm to its setting would arise from this impact.

From the north and west, the church towers are a significant feature of the townscape. The proximity of St. Mary's and St. James' mean that they are frequently seen together (especially from the north) and their relationship is part of each building's setting. From viewpoints around the station (which will be similar to views from the NIDR, when open) the church towers punctuate the Blackdown Ridge. In these views, they do not have to compete with other buildings for dominance in the townscape. The submitted photo montage imagery of views from these locations is not of good quality due to the weather conditions and it is difficult to discern the relationship of the proposal with the Blackdown Ridge. However, having personally visited the locations, your officer's view is that the building will not break the ridgeline of the hills and, therefore, the dominance of the churches and their respective settings will be preserved. The same can be said for classic views of the churches from within the Somerset County Cricket Ground – at ground level, the churches clearly dominate the skyline and will continue to do so. The increased bulk of the building will mean that it is more prominent in the townscape, but overall it is considered that it will result in less than substantial harm to the setting of these churches in NPPF terms.

The masterplan for the Firepool site was designed, in part, to frame the views of the churches along the new boulevard. Although there is no approved scheme for that site, there is a high likelihood that the two church towers and new building would be in near perfect alignment along the proposed boulevard if the masterplan were followed. It is not considered that this cause's substantial harm to the setting of the churches as this view does not currently exist.

The Market House

The impact on this building has been of significant concern to your officers. The Grade II* listed Market House, is a symmetrical building that is framed by North Street. Whilst the multi-storey car park and existing plant tower on Quantock House are visible from North Street these are only a thin sliver across the top of the buildings on Fore Street. As originally proposed, the new building would have towered above the existing buildings and been very dominant in the setting of the Market House.

The reduction in height now means that the proposal will sit fairly quietly above the top of the multi-storey car park. The view is already harmed by the clutter of the various plant towers and the proposal will no longer significantly detract from this. It is, therefore, considered that the harm to this view will be limited and will be less than substantial in terms of the setting of the Market House.

Fore Street and around

As with the market house, the previous proposal would have been highly visible in views of Fore Street from Corporation Street. This includes the Grade II listed nos. 16 and 17 and 21 and the Grade I listed Tudor Tavern. It is likely that the top of the building will be visible above the multi-storey car park, slightly detracting from the setting of these buildings but given that these buildings are part of the street scene rather than stand-alone 'focus buildings' the harm would be less than substantial in NPPF terms.

The Crescent

The setting of the main terraced buildings on the crescent will be unaffected as the buildings are too high for the proposal to stand above. However, there are gaps at either end where there will be impact. The building will be visible between 14 Bath Place and Unison House (both grade II) when looking from Park Street, where the existing building is also clearly visible as an incongruous feature of the townscape. Its increased bulk is much greater than the existing and, therefore, the building will be very visible, however, given the distance from the application site compared to the closeness of the listed buildings in the view, it is not considered to cause substantial harm.

There is a similar impact adjacent to the Masonic Hall (Grade II*) and 21 The Crescent (grade II), although the gap is relatively narrow and the setting of the buildings is not considered to be substantially harmed by the development, given that their settings are so clearly defined by the local street scene.

The views of the proposal through these gaps and also down Crescent Way towards the surface level car park are considered to detract from the character and appearance of the conservation area – they change the character by introducing clearly visible bold ‘city style’ architecture, whereas the existing buildings (including Quantock House) sit relatively quietly. That said, the special characteristics of The Crescent will, by and large, be preserved and, therefore, overall, there will be less than substantial harm to these heritage assets.

Other visual impacts

The height of the proposal means that it has the potential to cause significant impact upon Taunton’s skyline. This is, in itself, considered to be a regionally significant non-designated heritage asset given that it is defined by the distinct church towers that rise prominently above the surrounding townscape. Furthermore, Policy D1 of the Site Allocations and Development Management Plan (SADMP) states that ‘Development which would detract from the distinctive character and attractiveness of Taunton’s skyline will not be permitted’.

It is perhaps surprising that the existing building is not actually that prominent in key views from the north such as from the railway station and Obridge viaduct. It can be seen – and does detract – from the surrounding townscape, but it sits independent to the key tall listed buildings from these viewpoints. The new building would be finished shinier (glass) materials at its higher levels (except the top-most storey). From the north, this is unlikely to cause significant reflection and glare and the dark materials should appear more recessive than the existing building. That said, its additional height could mean that it comes close to breaking the ridgeline of the Blackdown Hills from Obridge. This is likely to be a similar view to those from the NIDR, once open, but the evidence suggests that the building will sit below the ridgeline of the hills.

From the south, there are key views across the townscape from Cotlake Hill – a popular (and promoted) walking route. From here Quantock House is clearly visible within the townscape and is reasonably prominent. It is possible that the new building will be more recessive – the glass façade is generally likely to be darker

than the white concrete of the existing building. That said at certain times of day, there could be significant glare from the façade, which could increase the prominence.

Taken in the round, then, it is considered that the proposal would detract from the distinctive character and attractiveness of Taunton's skyline, being more prominent than the existing building and, therefore, conflicts with Policy D1 of the SADMP. It is perhaps for these reasons that Policy Hs2 of the TTCAAP sets a maximum storey height of 5 storeys for this part of the site which would have reduced the impact from the existing situation to the overall benefit of the skyline. However, with the design alterations and reduction in height, it is not considered that the impact on the skyline would be so harmful as to warrant refusal of the application in itself.

In terms of general wider impacts, it is clear that the proposal would become a defining part of Taunton's character, visible from a large number of locations. The submitted Landscape and Visual Impact Assessment picks up on these and suggests that the experiences of people visiting the town will not be significantly harmed by the proposed building. Your officers concur with these points in terms of the general amenity of the town. Therefore, it is considered that the impacts on the settings of the various listed buildings are more important than the general visual impact.

As noted above, paragraph 134 of the NPPF advises that "where the development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefit of the proposal". The above analysis has demonstrated that each of the impacts can be categorised as less than substantial in their own right, so this test is engaged. However, there will be some harm to the settings of many buildings and this must be weighed against the benefits.

The proposed development will provide care facilities and accommodation for older people. The applicants have provided a substantial amount of information on the demographics of the local area, and that there are an increasing number of people requiring care and suitable accommodation in older life. Whilst there is no planning policy setting a target for such accommodation, it is accepted that there is an increasing need for older persons accommodation and this development provides a new model for providing accommodation that allows people to stay in private accommodation for longer. It could also go some way to reducing pressures on hospital wards to the overall benefit of the wider population. In addition, the proposal would release some of the general housing stock for family accommodation. The proposal would also generate 79 FTE jobs, bringing a significant economic benefit. These are considered to be weighty public benefits and sufficient to outweigh the less than substantial harm to the heritage assets and the conflict with Policy D1 (skyline impact).

Impact on the highway network

Having considered the submitted transport assessment and additional information provided by the applicant, the Local Highway Authority have confirmed that they have no objection to the proposal in terms of the impact on the highway network in terms of likely traffic generation, which is likely to be lower than if the existing office

use were put to its full potential.

The Highway Authority initially raised concerns over the detail of the access/egress arrangements, in particular for service vehicles who will have to manoeuvre in in the highway opposite the multi-storey car park, but these matters have now been resolved and suitable conditions recommended.

There is, however, a substantial concern about pedestrian safety in the vicinity of the site, particularly for those who are visually or mobility impaired. The development proposes to reconfigure the uncontrolled pedestrian crossing facilities onto the top of Paul Street, outside the library which is acceptable. However, given the busyness of the road, some users would prefer to use the signal controlled crossing at the junction of Paul Street and Mary Street. These facilities would also likely be used by pedestrians crossing towards Sainsbury's, Marks and Spencer and those wishing to visit Vivary Park. Safety audits have revealed that these crossings are significantly below standard, with poor facilities for pedestrians. There is a particular concern over the safety of users of mobility scooters given the configuration of the signals, crossing points and central island (this is echoed by some of the representations received from the public). The Highway Authority believe that there will be a significant increase in the users of these crossing points over and above any office use and that more of those users are likely to be visually or mobility impaired. They believe that it is necessary for the signalised crossing to be upgraded to meet modern standards. The detail of how this may be achieved is, as yet, unresolved and this should be picked up through an S106 agreement.

Provided that the necessary junction safety improvements can be agreed, it is considered that the impact on the highway network is acceptable.

Ecology

Wildlife surveys were undertaken over the summer and revealed that the site has limited potential for wildlife. However, the condition of the building, with a number of broken windows, means that there is potential for nesting birds to enter the building. Further checks will, therefore, be required prior to demolition. The protection of nesting birds, along with proposals to enhance the site for wildlife can be secured by condition.

Drainage

The development proposes underground surface water attenuation tanks. On this highly constrained brownfield site, this is considered to be appropriate. The proposal will result in a 30% reduction in surface water discharge from the current site and, accordingly, the proposal should contribute to a reduction in off-site flood risk.

Conclusions

The proposed development is considered to be an acceptable town centre use. The provision of retail floor space accords with the retail allocation within which the site

sits. The development of the site will render the retail allocation undeliverable, there is currently sufficient allocations for retail development elsewhere. Therefore, whilst there is a conflict with the development plan in terms of the use of the site, it is considered that this is not harmful and the benefits of providing high quality accommodation of this type in a highly accessible location is considered to outweigh the conflict with the plan. The proposal is, therefore, considered to be acceptable in principle and the main issue is the design of the development, its impact upon heritage assets and visual impact generally.

In terms of the visual impacts, the presence of the new building would be felt from a good many locations across the town. However, this is unlikely to cause a significant adverse visual impact in its own right to the detriment of the general amenity of the area. There will clearly be an impact on the skyline, contrary to Policy D1 of the SADMP and that the proposal will adversely impact upon the setting of many heritage assets. Your officers consider that the proposal will cause less than substantial harm to the setting of heritage assets and that, on balance, this is outweighed by the benefits of providing bespoke elderly persons accommodation in this highly accessible location, in accordance with Paragraph 134 of the NPPF. Other matters can be satisfactorily mitigated by conditions and it is, therefore, on balance considered that the proposal is acceptable and it is recommended that planning permission is granted.

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

Contact Officer: Mr M Bale