

38/2007/070

PEGASUS RETIREMENT HOMES PLC

ERECTION OF FIVE STOREY BUILDING COMPRISING 65 CATEGORY II SHELTERED APARTMENTS FOR OLDER PEOPLE TOGETHER WITH COMMUNAL FACILITIES, GUEST SUITE, ESTATE MANAGERS OFFICE OVER TWO RETAIL UNITS, A CLASS A3 CAFE/RESTAURANT WITH OUTSIDE TERRACE AND COVERED PARKING AREA, SPECTATOR STANDS AND GROUNDSMAN'S STORE AT LAND ADJACENT TO WEST STAND AND COAL ORCHARD CAR PARK, SOMERSET COUNTY CRICKET CLUB, TAUNTON

322773/124942

FULL

1.0 RECOMMENDATION

Subject to the provision of a Section 106 Agreement to secure a limit to the age range of occupants of the elderly persons flats and a contribution towards the provision of a sum to secure the landscaping of Somerset Square the Development Manager in consultation with the Chair/Vice Chair be authorised to determine and permission be GRANTED subject to the following conditions:

- 01 The development hereby permitted shall be begun within three years of the date of this permission.
- 01 Reason: In accordance with the provisions of Section 51 of the Planning and Compulsory Purchase Act 2004 (Commencement No. 5 and Savings) Order 2005.
- 02 Before the commencement of any works hereby permitted, details or samples of the materials to be used for all the external surfaces of the building(s) shall be submitted to and be approved in writing by the Local Planning Authority, and no other materials shall be used without the written consent of the Local Planning Authority.
- 02 Reason: To reinforce the local character and distinctiveness of the area in accordance with Taunton Deane Local Plan Policies S1(D) and S2(A).
- 03 (i) Before any part of the permitted development is commenced, 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 commencement of the development, or as otherwise extended with the agreement in writing of the Local Planning Authority. (iii) For a period of five years after the completion of the planting scheme, the trees and shrubs shall be protected and maintained in a healthy weed free condition to the satisfaction of the Local Planning Authority 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.
- 03 Reason: To ensure that the proposed development makes a satisfactory contribution to the preservation and enhancement of the local character and distinctiveness of the area in accordance with Taunton Deane Local Plan Policy S2.
- 04 Details and samples of the materials to be used for the surfaces of the access road, turning area, terrace and square, shall be submitted to and be approved in writing by the Local Planning Authority, and no other materials shall be used without the written consent of the Local Planning Authority.
- 04 Reason: To reinforce the local character and distinctiveness of the area in accordance with Taunton Deane Local Plan Deposit Policies S1(D) and S2(A).
- 05 No development hereby approved 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 by the Local Planning Authority.
- 05 Reason: To help protect the archaeological heritage of the district in accordance with Taunton Deane Local Plan Policy EN23.
- 06 Provision shall be made for combined radio and TV aerial facilities to serve the development hereby permitted and no external radio or TV aerial shall be fixed on any individual residential property or flat or other unit of living accommodation.
- 06 Reason: In the interests of the visual amenity of the area in accordance with Taunton Deane Local Plan Policy C15.
- 07 The ground levels of the development must be set to minimum of 16.14 m AOD and the finished floor levels of the mixed-use development at 16.44 m AOD.
- 07 Reason: To protect the development from flooding in accordance with Taunton Deane Local Plan Policy EN28.
- 08 A strip of land 8 m wide adjacent to the top of the banks of the River Tone must be kept clear of all new buildings and structures (including gates, walls and fences). Ground levels must not be raised within such a strip of land and details of the final landscaped levels within this area shall be submitted to and approved in writing by the Local Planning Authority prior to landscaping commencing.
- 08 Reason: To preserve access to the watercourse for maintenance and improvement in accordance with Taunton Deane Local Plan Policy EN28.
- 09 No construction approved by this permission shall be commenced until a scheme for the provision and implementation of the flood defence improvements along the riverside boundary are raised as part of Phase 1. The defences must be raised to a minimum of 16.14 m AOD.
- 09 Reason: To mitigate against the risk of flooding in accordance with Taunton Deane Local Plan Policy EN28.
- 10 During construction no development approved by this permission shall be commenced until a scheme for prevention of pollution during the construction phase has been approved by the Local Planning Authority.

The scheme should include details of the following:- 1. Site Security; 2. Fuel oil storage, bunding, delivery and use, pollution incident containment; 3. How both minor and major spillage will be dealt with; 4. Containment of silt/soil contaminated run off; 5. Disposal of contaminated drainage, including water pumped from excavations; 6. Site induction for workforce highlighting pollution prevention and awareness; 7. Details of construction restriction zones e.g. rivers/working in/near water.

10 Reason: To prevent pollution of the water environment in accordance with Taunton Deane Local Plan Policy EN25.

11 Development hereby approved shall not commence until a Wildlife Plan, produced in conjunction with a construction Environmental Management Plan, has been submitted to and formally approved in writing by the Local Planning Authority.

11 Reason: To prevent disturbance of protected species and to protect and enhance the bio-diversity resources on the site in accordance with Taunton Deane Local Plan Policy EN5.

12 All lighting within the proposed public space shall be low level and directional to minimise light straying out the River Tone or its banks and details shall be submitted to and approved in writing by the Local Planning Authority prior to installation.

12 Reason: To prevent disturbance of protected species and to protect and enhance the bio-diversity resources on the site in accordance with Taunton Deane Local Plan Policy EN5.

13 Any facilities for the storage of oils, fuels or chemicals shall be sited on impervious bases and surrounded by impervious bund walls. The volume of the bunded compound should be at least equivalent to the capacity of the tank plus 10%. If there is multiple tankage, the compound should be at least equivalent to the capacity of the largest tank, or the combined capacity of interconnected tanks, plus 10%. All filling points, vents, gauges and sight glasses must be located within the bund. The drainage system of the bund shall be sealed with no discharge to any watercourse, land or underground strata. Associated pipework should be located above ground and protected from accidental damage. All filling points and tank overflow pipe outlets should be detailed to discharge downwards into the bund.

13 Reason: To prevent pollution of the water environment in accordance with Taunton Deane Local Plan Policy EN25.

14 No development approved by this permission shall be commenced until a scheme for the provision of foul drainage works has been submitted to and approved in writing by the Local Planning Authority.

14 Reason: To prevent pollution of the water environment in accordance with Taunton Deane Local Plan Policy EN25.

15 Prior to being discharged into any watercourse, surface water sewer or soakaway system, all surface water drainage from parking areas and hardstandings shall be passed through trapped gullies with an overall capacity compatible with the site being drained.

15 Reason: To prevent pollution of the water environment in accordance with Taunton Deane Local Plan Policy EN25.

- 16 Prior to the commencement of development approved by this planning permission (or such other date or stage in development as may be agreed in writing with the Local Planning Authority), a scheme to deal with the risks associated with contamination of the site shall be submitted to and approved, in writing, by the Local Planning Authority. That scheme shall include all of the following elements unless specifically excluded, in writing, by the Local Planning Authority. 1. A desk study identifying:- (i) all previous uses ; (ii) potential contaminants associated with those uses; (iii) a conceptual model of the site indicating sources, pathways and receptors; (iv) potentially unacceptable risks arising from contamination at the site. 2. A site investigation scheme, based on (1) to provide information for an assessment of the risk to all receptors that may be affected, including those off site. 3. The results of the site investigation and risk assessment (2) and a method statement based on those results giving full details of the remediation measures required and how they are to be undertaken. 4. A verification report on completion of the works set out in (3) confirming the remediation measures that have been undertaken in accordance with the method statement and setting out measures for maintenance, further monitoring and reporting. Any changes to these agreed elements require the express consent of the Local Planning Authority.
- 16 Reason: To prevent pollution to the water environment in accordance with Taunton Deane Local Plan Policy EN25.
- 17 If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until the developer has submitted, and obtained written approval from the Local Planning Authority for, an amendment to the Method Statement detailing how this unsuspected contamination shall be dealt with.
- 17 Reason: In order to prevent contamination to the surrounding environment in accordance with Taunton Deane Local Plan Policy EN25.
- 18 Piling or any other foundation designs using penetrative methods will not be permitted other than with the express written consent of the Local Planning Authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to groundwater.
- 18 Reason: In order to prevent contamination to the surrounding environment in accordance with Taunton Deane Local Plan Policy EN25.
- 19 Detailed proposals for the disposal of surface water shall be submitted to, and approved by, the Local Planning Authority in writing before the commencement of development. The agreed details shall be fully implemented before the building is occupied.
- 19 Reason: To enable consideration to be given to any effects of changes in the drainage regime on landscape features in accordance with Taunton Deane Local Plan Policy EN26.

- 20 Details of the exterior treatment to the parking area under the building shall be submitted to and approved in writing by the Local Planning Authority and carried out as agreed prior to the occupation of the building.
- 20 Reason: To reinforce the local character and distinctiveness of the area in accordance with Taunton Deane Local Plan Policies S1(D) and S2(A).
- 21 Prior to commencement of construction works details of the provision for vehicle turning and servicing of the Brewhouse site shall be submitted to and approved in writing by the Local Planning Authority and thereafter so provided.
- 21 Reason: In the interests of highway safety in accordance with Somerset and Exmoor National Park Joint Structure Plan Review Policy 49.

Notes to Applicant

- 01 All new water mains installed within the development should be of sufficient size to permit the installation of fire hydrants conforming to British Standards.
- 02 You are advised to contact Developer Services of Wessex Water to see if any of the on-site or off-site drainage systems can be adopted under a Section104 Agreement and to agree protection of any apparatus on site and connection to Wessex systems.
- 03 In respect of condition 10 invitation for tenders for sub-contracted works must include a requirement for details of how the above will be implemented. For further information please contact Mathew Sully Environmental Management on 01278 484743.
- 04 The Wildlife Plan shall detail provision for and mitigation of protected and national bio-diversity action plan species, especially those known to use the corridor of the River Tone (See Ecological Assessment Larry Burrows). Further to the above the Wildlife plan shall include a maintenance scheme ensuring future bio-diversity of the site is maintained. For further information please contact Francis Farrcox (biodiversity) on 01278 484791.
- 05 With regard to condition 14 this scheme should include: drainage plans detailing the routes of both foul & surface water. Further to this the Environment Agency will need reassurance from Wessex Water that there is sufficient capacity within the existing sewerage infrastructure to cope with additional flows without risk of causing deterioration in effluent quality or increased river loading.
- 06 The supporting information for this application includes a geo-environmental assessment which highlights that potential contamination (particularly hydrocarbons) has been identified on site. The information included in the geo-environmental assessment is very limited and further investigation and risk assessment is warranted. The Environment Agency recommends that developers should:- 1. Follow the risk management framework provided in CLR11, Model Procedures for the Management of Land Contamination, when dealing with land affected by contamination. 2. Refer to the Environment Agency Guidance on Requirements for Land Contamination Reports for the type of information that we require in order to assess risks to controlled

- waters from the site. The Local Authority can advise on risk to other receptors, e.g. human health. 3. For more information please refer to the Agency's website at: www.environment-agency.gov.uk .
- 07 Under the terms of the Water Resources Act 1991 and the Land Drainage Byelaws, the prior written consent of the Agency is required for any proposed works or structures in, under, over or within 8 m of the top of the bank of a designated 'main river'.
- 08 Exemptions from the Waste Management Licensing Regulations for moving waste spoil/subsoil off-site will also be required and developers will need to contact us to apply for such activities.
- 09 Foul drainage to be kept separate from clean surface and roof water.
- 10 The Environment Agency has land ownership rights by the cricket grounds (please see attached map for an outline of our properties). For further information please contact the Estates department (Kelly Woodgate tel number 01392352448). They strongly recommend that the proposed development includes sustainable design and construction measures, which comply with the Code for Sustainable Homes. The development should aim to achieve the highest number of stars possible, preferably six. The applicant is advised to visit http://www.planningportal.gov.uk/uploads/code_for_sust_homes.pdf for detailed advice on how to comply with the Code. It includes sections on energy and water efficiency and will soon be compulsory for all housing. In a sustainable building minimal natural resources and renewables are used during construction, and the efficient use of energy is achieved during subsequent use. This reduces carbon dioxide emissions and contributes to climate change mitigation. Running costs of the building are also reduced.
- 11 Water efficiency measures should be incorporated into this scheme. These could include, for example, water butts, rainwater recycling and the use of water-efficient internal appliances and systems. It would assist in conserving natural water resources and offer some contingency during times of water shortage. A copy of publication 'Conserving Water in Buildings' is available upon request.
- 12 You are advised to contact the Doctor's Surgery to discuss alleviation of parking concerns during the construction phase.

REASON(S) FOR RECOMMENDATION:- The proposed development is on a site within the settlement limits where redevelopment will enhance the facilities of the County Cricket Club and provide housing and is considered to accord with Taunton Deane Local Plan Policies S1, S2, H2, H4, M4 and T33.

2.0 APPLICANT

Somerset County Cricket Club

3.0 PROPOSAL

The redevelopment of the Somerset County Cricket Club and of the County Ground remains a huge challenge, but one which is of vital importance if the Club is to provide itself with long term stability. Many of the current facilities

are too old and reaching the end of their natural life, the capacity is too small, and the Club are unable to make best use of the commercial advantage that the town centre location affords. Furthermore, the Club has the opportunity to lead Taunton into its own large-scale redevelopment, and provide a significant impact on the economy and standard of living in the South West.

With this in mind the Club have a clear objective for the redevelopment of the ground. The Club wish to ensure that the future of first class cricket is secured and maintained at Taunton and the south west of England. The existing cricket pitch dimensions and outfield are not satisfactory for international cricket and they need to be improved so that they are capable of holding one day international matches. In addition the Club are seeking to guarantee their first class status over the medium to long term and provide the home for England's women's cricket. In terms of ground capacity the permanent facilities need to be able to provide for 10,000 seats with an additional 5,000 temporary seats for major matches and events. The redevelopment of the facilities needs to be completed by 2009, after which future television sponsorship revenues are uncertain. The cricket ground needs to provide a multi use facility to benefit the town, the county and the region. It needs to provide access to the widest possible cross section of society.

The Phase 1 proposal consists of a 5 storey building of 65 sheltered apartments for older people together with a guest suite, estate manager's office and communal facilities, including a lounge and roof garden. Category II accommodation is designed for the needs of the elderly but not to provide care assistance and full wheelchair mobility standards. Below the flats a ground floor will consist of an A3 café/restaurant, two retail units and a covered parking area providing for 34 spaces and 3 battery car spaces. An external terrace will be provided leading out on to landscaped square while within the cricket ground a new spectator stand and groundsman's store will be constructed. This Phase of the development is seen as being the essential enabling development to facilitate further phases of the project.

4.0 THE SITE

The application site lies on the western side of the existing cricket ground and involves land that forms part of the Coal Orchard car park as well as the cricket ground itself. The cricket pitch lies to the east, the river to the north, the Brewhouse to the west and the St James Medical Centre to the south.

5.0 PLANNING HISTORY

There have been a number of applications over the years relating to the provision of new pavilions and refurbishment of the ground with improved facilities. The current vision for the site as part of Project Taunton involves considerable change over the existing situation. The one relevant application in relation to the current scheme that has been approved is as follows

38/2006/503 Demolition of a section of boundary wall to churchyard, change of use of land and erection of new stand and boundary wall at St James Church, St James Street, Taunton - Application approved.

6.0 CENTRAL GOVERNMENT PLANNING POLICY

Planning Policy Statement 1 – ‘Delivering Sustainable Development’ PPS1

Paragraph 5 Planning should facilitate and promote sustainable and inclusive patterns of urban and rural development by:

- making suitable land available for development in line with economic, social and environmental objectives to improve people’s quality of life;
- contributing to sustainable economic development;
- protecting and enhancing the natural and historic environment, the quality and character of the countryside, and existing communities;
- ensuring high quality development through good and inclusive design, and the efficient use of resources; and,
- ensuring that development supports existing communities and contributes to the creation of safe, sustainable, liveable and mixed communities with good access to jobs and key services for all members of the community.

Paragraph 13 Key Principles

Paragraph 27 Delivering Sustainable Development – General Approach

Paragraph 29 In some circumstances, a planning authority may decide in reaching a decision to give different weight to social, environmental, resource or economic considerations. Where this is the case, the reasons for doing so should be explicit and the consequences considered. Adverse environmental, social and economic impacts should be avoided, mitigated, or compensated for.

Paragraphs 33 - 39 Design

Planning Policy Statement 3 – ‘Housing’ (PPS3)

Paragraphs 12 – 19 Achieving High Quality Housing

Paragraphs 25/26 Market Housing

Paragraphs 27 - 30 Affordable Housing

- Paragraph 40 A key objective is that Local Planning Authorities should continue to make effective use of land by re-using land that has been previously developed.
- Paragraph 45 Using land efficiently is a key consideration in planning for housing. Regional Spatial Strategies should set out the region's housing density policies, including any target.
- Paragraph 69 In general, in deciding planning applications, Local Planning Authorities should have regard to:-
- Achieving high quality housing.
 - Ensuring developments achieve a good mix of housing reflecting the accommodation requirements of specific groups, in particular, families and older people.
 - The suitability of a site for housing, including its environmental sustainability.
 - Using land effectively and efficiently.
 - Ensuring the proposed development is in line with planning for housing objectives, reflecting the need and demand for housing in, and the spatial vision for, the area and does not undermine wider policy objectives e.g. addressing housing market renewal issues.

Planning Policy Guidance Note 13 – 'Transport' (PPG13)

The introduction of this document gives the underlying objectives as integrating planning and transport at the national, regional, strategic and local level in order to:-

- (i) promote more sustainable transport choices for both people and for moving freight;
- (ii) promote accessibility to jobs, shopping, leisure facilities and services by public transport, walking and cycling, and
- (iii) reduce the need to travel, especially by car.

The underlying theme is that all traffic generating developments should be accessible by a choice of means of transport. Paragraphs 4 - 6 Objectives

- Paragraphs 12 - 17 Housing
- Paragraphs 28 - 30 Design, Safety and Mix of Uses
- Paragraphs 49 -55 Parking
- Paragraphs 72 - 74 Public Transport
- Paragraphs 75 - 77 Walking
- Paragraphs 78 - 80 Cycling
- Paragraph 82 Planning Conditions
- Paragraphs 83 - 86 Planning Obligations

Central Government guidance on the use of planning agreements and obligations is contained in Circular 5/2005. In particular, the Circular states that planning obligations should be sought only when they are:-

- (i) relevant to planning;
- (ii) necessary to make the proposed development acceptable;
- (iii) directly related to the proposed development;
- (iv) fairly and reasonably related in scale and kind to the proposed development; and
- (v) reasonable in all other respects.

7.0 RELEVANT PLANNING POLICIES

RPG10 – Regional Planning Guidance for the South West

SS5 – Principal Urban Areas

EN3 – The Historic Environment,

EN4 – Quality in the Built Environment,

HO3 – Affordable Housing,

HO5 – Previously Developed Land and Buildings

Somerset and Exmoor National Park Joint Structure Plan Review

STR1 – Sustainable Development,

STR4 – Development in Towns,

Policy 9 – The Built Historic Environment,

Policy 33 – Provision for Housing

Policy 35 – Affordable Housing

Policy 48 – Access and Parking,

Policy 49 – Transport Requirements for New Development

Taunton Deane Local Plan

S1 – General Requirements,

S2 Development must be of a good design. Its scale, density, height, massing, form, layout, landscaping, colour, materials and access arrangements will be assessed to ensure that the proposal will, where reasonable and feasible:

- (A) reinforce the local character and distinctiveness of the area, including the landscape setting of the site and any settlement, street scene and building involved;
- (B) incorporate existing site features of environmental importance;
- (C) reinforce nature conservation interest;
- (D) minimise the creation of waste in construction and incorporate recycled and waste materials;
- (E) include measures to reduce crime;
- (F) minimise adverse impact on the environment, and existing land uses likely to be affected;
- (G) include facilities to encourage recycling;
- (H) make full and effective use of the site;
- (I) subject to negotiation with developers, incorporate public art; and
- (J) include measures to promote energy efficiency.

H2 Housing development will be permitted within defined limits of settlements, provided that:

- (A) there is safe and convenient access by bus or on foot to facilities and employment. In the case of proposals of a significant scale, bus or walking access to a town centre or rural centre will be required, taking account of any off-site works proposed in accordance with criterion (B);
- (B) necessary provision is made for off-site public transport, cycling and pedestrian facilities and highway improvements to cater safely for the expected number of trips generated by the development and minimise the proportion of car trips;
- (C) traffic calming, pedestrian, cycle and bus measures are incorporated where necessary to give priority to safe and convenient access and circulation by means other than the car;
- (D) the layout allows people with impaired mobility or a disability safe and convenient access and movement to and between

dwellings by careful positioning of potential obstructions, ramps, dropped kerbs, textured surfaces and reserved car parking;

- (E) small scale schemes in existing residential areas will increase the development density of these areas without individually or cumulatively eroding their character or residential amenity;
- (F) a coherent approach to the overall design is adopted, including layout, landscaping, building designs, materials, open spaces and circulation routes, to create locally distinctive developments well related to their surroundings;
- (G) existing and proposed dwellings will enjoy adequate privacy and sunlight; and
- (H) on housing developments and conversions of a substantial scale a reasonable mix and balance of housing types and sizes be incorporated to cater for a range of housing needs, particularly those low-cost housing types which are under-represented in the current stock.

H 4 - Self-contained Accommodation

H9 – Affordable Housing,

M3 and M4 – Parking,

C4 – Play and Recreation,

EN16 – Setting of Listed Buildings,

EN25 – The Water Environment

EN28 – Development and Flood Risk,

T33 Development which would detract from the distinct character and attractiveness of Taunton's skyline will not be permitted.

8.0 CONSULTATIONS

County Highway Authority

“There is no objection to the principle of the development proposed. I have looked at the traffic generation issues and consider that as the development replaces the public car park situated to the rear of the Brewhouse Theatre that it is very unlikely that the traffic generated by the development on the Local Highway network will be greater than the present situation. In detail there are two main areas of concern. The Highway Authority is aiming to improve the existing footway/cycleway alongside the River. The drawings are not particularly clear, but it appears that the new stands impinge on the existing

corridor. The footway/cycleway must be a minimum of 3 m, level and, if there is no restraint, 1 m away from the riverbank. It does not appear that this is available. Where the existing route meets the new Somerset Square/Riverside Promenade, it appears to disappear either into the steps leading down the riverbank or merge with the square itself. A specific corridor must be maintained through this area.(we can discuss finishes etc if you wish). Questions have been asked about the provision of facilities for servicing both the new development and The Brewhouse. These are not shown. It would appear that they are not on the public highway but it is essential that they are suitably provided.

In conclusion whilst I have no objection to the principle of the development it is clear that there are outstanding issues that must be resolved. I feel that these are best catered for by the use of Grampian style conditions requiring agreement on these issues prior to commencement of development.”

County Archaeologist

“An archaeological Desk Top Study has been carried out on site to inform on the potential for remains. It is clear from the DTA and earlier investigations (both within the proposal area and on adjacent sites) that any remains encountered will be highly significant. Remains from the medieval occupation of the site as part of the Augustinian Priory may include buildings, artefacts and valuable environmental evidence. It is highly probable that remains will be in an extremely well preserved state due to the waterlogging of material as seen in earlier investigations. Therefore there is a potential for preserved wood and leather as well as other organic material. I believe that the archaeology can be dealt with on this site but I need more information concerning details of the archaeological mitigation before this application is determined. “

Environment Agency

“The Environment Agency welcomes the submission of:

LDA design ‘s “Somerset Square General Arrangements and Levels” Drawing number 2468 LE/01.

LDA design Somerset square Typical Sections Drawing number 2468LE/02.

Armstrong Burton Architects drawing number 06189_P10

In light of the further information submitted the Agency now withdraws its objections (detailed in previous correspondence dated 08th May 2007 see attached) subject to the following conditions:

CONDITION: The ground levels of the development must be set to minimum of 16.14 m AOD and the finished floor levels of the mixed-use development at 16.44 m AOD.

REASON: To protect the development from flooding

CONDITION: A strip of land 8 m wide adjacent to the top of the banks of all watercourses fronting or crossing the site must be kept clear of all new buildings and structure (including gates, walls and fences). Ground levels must not be raised within such a strip of land.

REASON: To preserve access to the watercourse for maintenance and improvement.

CONDITION: No development approved by this permission shall be commenced until a scheme for the provision and implementation of the flood defence improvements along the riverside boundary are raised as part of Phase 1. The defences must be raised to a minimum of 16.14 m AOD.

REASON: To mitigate against the risk of flooding.

CONDITION: During construction No development approved by this permission shall be commenced until a scheme for prevention of pollution during the construction phase has been approved by the Local Planning Authority. The scheme should include details of the following:

1. Site Security
2. Fuel oil storage, bunding, delivery and use, pollution incident containment.
3. How both minor and major spillage will be dealt with
4. Containment of silt/soil contaminated run off.
5. Disposal of contaminated drainage, including water pumped from excavations
6. Site induction for workforce highlighting pollution prevention and awareness
7. Details of construction restriction zones e.g. rivers/working in/near water.

Note: Invitation for tenders for sub-contracted works must include a requirement for details of how the above will be implemented. For further information please contact Mathew Sully Environmental Management on 01278 484743.

REASON: To prevent pollution of the water environment.

CONDITION: Development hereby approved shall not commence until a Wildlife Plan, produced in conjunction with a construction Environmental Management Plan, has been submitted to and formally approved in writing by the Local Planning Authority.

REASON: To prevent disturbance of protected species and to protect and enhance the bio-diversity resources on the site.

Note: The Wildlife Plan shall detail provision for and mitigation of protected and national bio-diversity action plan species, especially those known to use the corridor of the River Tone (See Ecological Assessment Larry Burrows).

Further to the above the Wildlife plan shall include a maintenance scheme ensuring future bio-diversity of the site is maintained. For further information please contact Francis Farrcox (biodiversity) on 01278 484791.

CONDITION: All lighting within the proposed public space shall be low level and directional to minimise light straying out the River Tone or its banks.

REASON: To prevent disturbance of protected species and to protect and enhance the bio-diversity resources on the site.

Notes: Surveys for road schemes in Taunton have identified that the use of flood lighting adjacent to the river tone prevents use of the River Tone by the species when switched on, thereby causing temporary disturbance to the commuting and feeding habits of the species (from Larry Burrows ecological assessment).

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

REASON: To prevent pollution of the water environment.

CONDITION: No development approved by this permission shall be commenced until a scheme for the provision of foul drainage works has been submitted to and approved in writing by the Local Planning Authority.

REASON: To prevent pollution of the water environment.

Note: This scheme should include: drainage plans detailing the routes of both foul & surface water. Further to this the Environment Agency will need reassurance from Wessex Water that there is sufficient capacity within the existing sewerage infrastructure to cope with additional flows without risk of causing deterioration in effluent quality or increased river loading.

REASON: To prevent pollution of the water environment.

CONDITION: Prior to being discharged into any watercourse, surface water sewer or soakaway system, all surface water drainage from parking areas and

hardstandings shall be passed through trapped gullies with an overall capacity compatible with the site being drained.

REASON: To prevent pollution of the water environment.

CONDITION: Discharge of silty or discoloured water from excavations should be irrigated over grassland or a settlement lagoon be provided to remove gross solids.

REASON: To prevent pollution of the water environment.

CONDITION: Prior to the commencement of development approved by this planning permission (or such other date or stage in development as may be agreed in writing with the Local Planning Authority), a scheme to deal with the risks associated with contamination of the site shall be submitted to and approved, in writing, by the Local Planning Authority.

That scheme shall include all of the following elements unless specifically excluded, in writing, by the Local Planning Authority.

1. A desk study identifying:
 - all previous uses
 - potential contaminants associated with those uses
 - a conceptual model of the site indicating sources, pathways and receptors
 - potentially unacceptable risks arising from contamination at the site.
2. A site investigation scheme, based on (1) to provide information for an assessment of the risk to all receptors that may be affected, including those off site.
3. The results of the site investigation and risk assessment (2) and a method statement based on those results giving full details of the remediation measures required and how they are to be undertaken.
4. A verification report on completion of the works set out in (3) confirming the remediation measures that have been undertaken in accordance with the method statement and setting out measures for maintenance, further monitoring and reporting.

Any changes to these agreed elements require the express consent of the Local Planning Authority.

REASON: To prevent pollution to the water environment

Note: The supporting information for this application includes a geo-environmental assessment which highlights that potential contamination (particularly hydrocarbons) has been identified on site. The information

included in the geo-environmental assessment is very limited and further investigation and risk assessment is warranted.

The Environment Agency recommends that developers should:

1. Follow the risk management framework provided in CLR11, Model Procedures for the Management of Land Contamination, when dealing with land affected by contamination.
2. Refer to the Environment Agency Guidance on Requirements for Land Contamination Reports for the type of information that we require in order to assess risks to controlled waters from the site. The Local Authority can advise on risk to other receptors, e.g. human health.
3. For more information please refer to the Agency's website at: www.environment-agency.gov.uk .

CONDITION: If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until the developer has submitted, and obtained written approval from the Local Planning Authority for, an amendment to the Method Statement detailing how this unsuspected contamination shall be dealt with.

REASON: In order to prevent contamination to the surrounding environment.

CONDITION: Piling or any other foundation designs using penetrative methods will not be permitted other than with the express written consent of the Local Planning Authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to groundwater.

REASON: In order to prevent contamination to the surrounding environment.

The following informatives and recommendations should be included in the Decision Notice.

Under the terms of the Water Resources Act 1991 and the Land Drainage Byelaws, the prior written consent of the Agency is required for any proposed works or structures in, under, over or within 8 metres of the top of the bank of a designated 'main river'.

Exemptions from the Waste Management Licensing Regulations for moving waste spoil/subsoil off-site will also be required and developers will need to contact us to apply for such activities.

Foul drainage to be connected to the public sewage system

Foul drainage to be kept separate from clean surface and roof water.

The Agency has land ownership rights by the cricket grounds (please see attached map for an outline of our properties). For further information please contact our Estates department (Kelly Woodgate tel number 01392352448).

We strongly recommend that the proposed development includes sustainable design and construction measures, which comply with the Code for Sustainable Homes. The development should aim to achieve the highest number of stars possible, preferably six. The applicant is advised to visit http://www.planningportal.gov.uk/uploads/code_for_sust_homes.pdf for detailed advice on how to comply with the Code. It includes sections on energy and water efficiency and will soon be compulsory for all housing.

In a sustainable building minimal natural resources and renewables are used during construction, and the efficient use of energy is achieved during subsequent use. This reduces carbon dioxide emissions and contributes to climate change mitigation. Running costs of the building are also reduced.

Water efficiency measures should be incorporated into this scheme. These could include, for example, water butts, rainwater recycling and the use of water-efficient internal appliances and systems. It would assist in conserving natural water resources and offer some contingency during times of water shortage. A copy of our publication 'Conserving Water in Buildings' is available upon request. “

Wessex Water

“Foul Sewerage – There is sufficient capacity to serve the site. The site is crossed by public combined sewers that are protected by statutory easement. There is to be no building within 6.5m of a public sewer. Sewer diversions should be discussed with our Engineers. Surface Water Drainage – Surface water is to discharge to the River Tone with consent from the Environment Agency. Public Adoption of New Sewers – In line with Government policy the applicant is advised to contact Developer Services to see if any of the on-site or off-site drainage systems can be adopted under a Section104 Agreement. Sewage Treatment – The sewage treatment works and terminal pumping station has sufficient capacity to accept the extra flows this development will generate. Water Supply – The existing system is adequate to serve the proposed development. A connection may be made to the 100mm diameter ductile iron main in Coal Orchard. Wessex Water suggests that on site pressure boosting will be necessary for buildings with more than two storeys.”

Devon & Somerset Fire and Rescue Service

“Means of escape in case of fire should comply with Approved Document B1 of the Building Regulations 2000. Detailed recommendations concerning other fire safety matters will be made at Building Regulations stage.

Access for fire appliances should comply with Approved document B5 of the Building Regulations 2000. All new water mains installed within the

development should be of sufficient size to permit the installation of fire hydrants conforming to British Standards.”

Police Architectural Liaison Officer

“The principles applied to application 38/2007/025 apply to this application and having had the opportunity of viewing the plans on-line I would like to make the following additional comments: Access and control measures for both vehicles and persons should be implemented in respect of the proposed undercroft parking for the sheltered apartments. Similarly access control measures should also be implemented for the proposed goods delivery area adjacent to the undercroft parking. Access control for persons should also be implemented at the entrance foyer to the proposed sheltered apartments. He storage areas under the west stand should be lockable and controllable. Comprehensive guidance regarding a range of security issues including access control, lighting, surveillance, landscaping, physical security, etc for both sheltered apartment and multi-storey buildings is available on the Secured by Design website.”

Taunton Civic Society

“The Civic Society has grave concerns both about the design of the building proposed in this application, and the effect that the proposal may have on the development of the central riverside of Taunton - and the "Vision" made the river the centre and heart of the regeneration plans.

Our objections to the design are:

1. The apartments ("Somerset House") are too near to the river. We consider that they will greatly damage the prospect along the river, from just about every viewpoint, because they approach several metres too close to the river edge. We suggest that the northernmost apartments are reduced in size by at least 50%.
2. They are also too high (at about 33 m above datum, and 16.5 m above ground floor level) at the river end. Even if the building was reduced as suggested above, they are at least one storey too high at the river end. We would prefer that they be one storey (3 m) lower north of the access core (the vertical line that has the apartment foyer on the ground floor).
3. The isolated part of the stand by the river edge to the north east of the apartments appears to overhang the river walkway. Again, this will damage the sightlines along the river. Further, will it interfere with plant used to maintain the river and its banks? We suggest that the higher cantilevered section be somewhat truncated.
4. The plans do not indicate how access to the stands is controlled. If one believed them, people would just wander in from the river walkway. Since there must be some form of wall, and since this itself will affect

the landscaping of this sensitive area, this should be explicit before the application is approved. 5. The long run at ground level between the main west stand and the apartments seems to invite trouble. Even given CCTV coverage, it may be an area for antisocial behaviour, and in event of an emergency a potential bottleneck for those trying to escape.

6. Sheltered apartments may well have people with limited mobility, and we are concerned that there appears to be only one lift - and in case of emergency there are only 3 stairways, down which any residents with poor mobility would have to be assisted or carried. We consider this to be unsafe.
7. There appears to be absolutely no common space on the 2nd and 3rd floors, apart from stair/veils. Oppressive and restrictive, and the ambience will not be helped by the monotonous long central (and except on the 4th floor, internal) corridor.
8. We note that there are several discrepancies between the various images supplied. The projection of the balconies shown in P08 seems less than those in P07 (North Elevation), yet the plan in P03 indicates that, if anything, the reverse is true. We consider the projection of balconies as shown in profile on P07 at the northwest end of the apartments to be too great, giving a very jagged edge to the building as seen from across the river.
9. Another oddity is that the top of the access core projects quite noticeably above the roofline in P06 but does not appear on PI 0. More seriously, and indicating a rather cavalier disregard for how the building will sit in the landscape, are the trees drawn adjacent to the river in P10 (East) and P06 (West) elevations. There is no way that these, or the land they stand on, could exist in those sightlines if the plan view is correct. These images suggest that the apartment building is much further from the river than is actually the case.
10. The ground floor features indicated by grey rectangles on the western side of the undercroft parking area (in P06) are not described. While one is clearly the entrance (see P02 A), what are the others? What are the materials?
11. We think the ground floor balcony for the visitor suite is irrational. P02A and P06 do not agree as regards the windows and doors in this area.
12. The materials proposed include a "Taunton Buff" brick. This does not seem to be a good fit to the surroundings and we would prefer to see a warmer colour.

Apart from the above objections, we are concerned with the quality of the documentation of this application. There appears to be no Design and Access statement (at least none on the TDBC website), no roof plan, and the images

- one could hardly say "drawings" - are very sparsely dimensioned. Can it be proper to allow an application about which so little is precisely disclosed to be determined?

Moving on to our concerns about the development of Taunton's central riverside, we are concerned about the impact of this very large building on a key area. Even if the apartments and northwest stand are reduced as we suggest, they will still dominate the riverside and the area to the west that is referred to as "Somerset Square". This has two consequences:

- (a) The area between the existing Brewhouse and the proposed building can in no way be described as a "square" - it will, in fact, be a rather mean, awkwardly shaped, piece of ground with restricted views eastwards (downriver) which will signally fail to act as a worthy public space right in the centre of Taunton.
- (b) The options available to the Brewhouse Theatre if it seeks to redevelop on its present site will be restricted. The only reasonable option, if it seeks an enlarged footprint, will be to shift westward, which will therefore reduce the space for retail or mixed developments between the theatre and North St. Of course, in an ideal world Project Taunton would be able to cajole the Cricket Club and the Brewhouse into producing coordinated plans that preserved the central riverside as an area of some distinction - but as their planning cycles are so badly out of phase it seems that the "Vision" for this area is in great danger of coming apart. While we are aware that delay will be deeply frustrating to the Cricket Club, we suggest that the Council should establish a clear plan to mitigate and resolve these difficulties before this development is allowed to proceed in any form.

The Council expects economic benefits from the Cricket Club's redevelopment and there is therefore a great deal of support for it. The Club has produced a paper slating its need for the funds that this development will generate. However, we believe it would be improper to approve an inferior design in such a sensitive location in order to assist the Club's finances. In the past a similar perception of public benefit may have contributed to the approval of Lidl's application for their riverside site - and that is now generally conceded to be a disastrous eyesore. The Club's financial issues are their business (and perhaps for the bodies that fund cricket), and in this respect they are not dissimilar from any other private sector developer: the Council's concern should be the quality and general viability of Taunton town centre, and we would urge the Council to resist any undue pleading.

Finally, and to return to a well-worn theme, this proposal is sited on an existing car park. 65 apartments have, at most, 34 parking spaces - less if any are allocated for the estate manager, the retail units or the restaurant. Even sheltered housing residents may drive. This is yet another development that will lead to increased pressure on an ever-decreasing number of public parking spaces, while there is still no assurance that public transport will - or even can - be improved. "

Landscape Officer

“This is a large imposing building which will create long shadow areas next to the river and will therefore need careful landscaping to make best use of the space and the river frontage. Given the right species of trees and surfacing I think the grid planting proposed could work well. However I think that the area also needs a more intimate landscape space where it is possible to sit and enjoy the river. It would be useful to combine this with screening to the car park area. There is a large growing London Plane along the river frontage that should be retained as it provides immediate amenity and scale to the proposed Pegasus building. Cross section P06A incorrectly shows trees along the river frontage.”

Housing Officer

“This is a key town centre site where there is very little affordable housing in the area. In view of the demand for all types of affordable housing I would be looking for 30% of the total numbers. This would equate to 19 units of affordable housing plus £25,553 as a commuted sum. I fully support this application and would emphasize the need for affordable housing. The 19 units will help towards the provision of elderly accommodation and I require 50% of the 19 units to be socially rented housing and the remaining 50% for shared ownership and low cost outright purchase. “

South West Design Review Panel

(Comments on original scheme prior to submission)

“We have stated that we support the redevelopment of the cricket ground in principle and were convinced by the masterplan concept. It follows we support the Phase 1 scheme in principle but do have some concerns over its execution. The complex viewed across the ground seemed stark and stolid. We did not see a perspective showing the scheme with the church and phases 0 and 2 but urge you to consider this view carefully. We felt the scheme could contribute more to the interest and grace of the view around the ground than it does so far. In sum, the building should enjoy its splendid sporting setting a bit more. The rear side of the stand, especially as seen from the riverside walk will be important and requires very careful design. We also queried that gap between the homes and the stand that implied a rather unpleasant corridor for spectators, albeit in transit. We have some suggestions but we intend them to aid rather than limit a reappraisal:

- A more horizontal emphasis would help (currently the vertical divisions are too insistent when seen in relation to the composition of the pavilion, and they suggest a structural solidity that is not the case);
- The corporate box level of the new pavilion (which we're suggesting to FCBA be a datum for the ground as a whole) could be picked up in some way;
- The ends of the housing and the stand should probably not coincide in plan sliding one past the other would emphasize the continuity of the stands around the ground, and their independence from the housing;

- The homes' footprint could peel away even more from the stand and perhaps do something different e.g. swinging out for river views;
- The outlook from the apartments to the rear should be enhanced such as with balconies and windows better angled towards the river?;
- There might be a garden terrace (by enclosing the corridor) for residents of the lowest level of homes to enjoy the cricket, thus differentiating this from the floors above;
- The western elevation could be quite different from the east, differences could be positive.

We would encourage you to think further about the entrance to the ground from the riverside. It struck us as impacted and unresolved. It might work better a little to the north. The entrance should be easily identifiable and attractive for approaching spectators but without jarring the continuity around the ground seen from within.

Turning to the space behind the complex, we would have liked to see an analysis of pedestrian flows relating to the ground, the theatre, the riverside walk, the footbridge and so on. Without this, our views are slightly tentative, but we did form the view that the space between the back of the theatre and the homes, serving as it does a servicing and access route, and given its narrow shape, should be a street and not a square. Somerset Square, rather, should start north of the theatre beyond the turning area for theatre deliveries. We queried the ground floor arrangement adjacent to Somerset Square since there appeared to be no real connectivity between the indoor and outdoor uses as implied by all the sketches.

We are glad that Project Taunton has commissioned designers to look at the riverside, and proposals for the square must be seen in that context - it makes no sense to design up to the SCC ownership boundary. There should be one unified space north, east and south of the theatre. We back the concept of a major pedestrian route connecting, among other things, the railway station, cricket ground and town centre and we like the idea of the square forming a stop on this route. At the same time, design work needs to take account of different scenarios, particularly the theatre remaining or moving.

In developing the riverside environment as a comprehensive scheme, proper account needs to be taken of the view of the ground from the opposite bank. The stands immediately north and south of this entrance, and indeed those further along the riverside, should offer more than a blank frontage to the river. The potential for visual and active interest should be investigated e.g. could retail/food outlets be included here to occupy the below-stand space and present a more interesting aspect?"

9.0 **REPRESENTATIONS**

4 letters of objection have been received raising the following issues:-

1. The building is going to be too high and the design will not be in keeping with any of the existing properties in the area.

2. A 5 storey building is too high a 4 storey maximum would be in keeping with surrounding buildings and ensure surroundings are not cast in shadow.
3. The west facade is unattractive and dated in appearance.
4. The view from some angles of St James Street Church will be compromised and views of the tower should be protected.
5. It is a pity to ruin the town centre zone, its vista and atmosphere with tower blocks of flats which never fit in with old buildings.
6. The architecture is utility and hideous in appearance.
7. Elderly folk feel trapped and cannot cope with high rise flats, many obtain mobility transport and where would they store them.
8. Car parking is a problem for visitors to the flats as I doubt 65 spaces will be available on site.
9. Atmosphere and community spirit will be lost in the long term and planners will regret mammoth crammed buildings in the town centre when they see all the rubbish, especially around the waste disposal areas, not environmentally friendly with increased pollution, pigeons, seagulls and rats all scavenging on rubbish.
10. Pleasant development requires space, which is like gold dust in town centres, and the Cricket Ground does not have space to sell.
11. Where are they going to park cars and coaches when all the land is sold off?
12. If the Brewhouse lose their staff parking it should not be relocated to the front of the Brewhouse so spoiling the visual amenity of the "old house" part of the building.
13. The riverside should be kept free of clutter such as parking, it can then be developed for the benefit of pedestrians.
14. The Priory Bridge Road side of the cricket ground would be more appropriate for flats which would mellow with flats on the opposite side of the road car park, if there is no alternative for the club to collect revenue for their ground development.

1 letter of support has been received raising the following issues:-

1. That without the development the future of Somerset cricket in the centre of Taunton is at risk and it would be a disaster for the cricket club and town if this were the case.

1 letter of concern has been received raising the following issues:-

1. Access and parking during construction, site traffic needs to be organised to ensure minimal disruption.
2. Noise and dust pollution during construction and better to build south west boundary first to act as a barrier.

10.0 PRINCIPAL ISSUES FOR CONSIDERATION

- A. Is the design and impact of the development appropriate in terms of policy and the context of the Project Taunton vision? **POLICY AND DESIGN**
- B. Is the lack of affordable housing acceptable? **VIABILITY**
- C. Is access and parking provision suitable? **ACCESS**
- D. Are adequate measures provided to protect against flooding? **FLOOD RISK**
- E. Is the proposed development sustainable? **SUSTAINABILITY**

A. Policy and Design

The site lies within the settlement limit of Taunton and has been identified as part of the Project Taunton redevelopment of the town. As part of the redevelopment the Phase 1 scheme seeks to provide a five storey building 16m high consisting of 65 sheltered apartments and a mixed ground floor use with a new spectator stand 5.8 m high. The apartments are proposed for the elderly and there has been a need identified for such provision within the area. The norm in providing apartments for the elderly is not to provide children's play and recreation space. To ensure there is no future requirement which would conflict with policy it is necessary to limit the age usage of the flats through a Section 106 Agreement.

The rear of the stand to the east of the residential block is largely screened by the new apartment building. The stand is designed to continue past the end of the residential block so as to emphasize the continuity of the stands around the ground and the independence from the housing as suggested by the Design Review Panel. The drawback of this is that at 5.8 m high part of the back of the stand will be visible above the ground's boundary wall and railings. The proposal has to be considered specifically in terms of policy S2 and H2. The materials of the apartment block will be brick with rendered columns, laminated glass balcony panels and aluminium framed glazed bays. A more horizontal emphasis to the building has been given by the spacing on the rendered columns and the glazing of the balconies. This latter point also reflects more the corporate box features of the new main stand. The rear apartments on the river side of the building have balconies which look towards

the river and the design of this north western side of the building has been varied with more enclosed glazed sections so there is a difference between the two main elevations of the building. All these points address suggestions in the appraisal of the South West Design Review Panel. Clarification is being sought in terms of the treatment of the ground floor openings on the west elevation in relation to the undercroft parking area as identified by the Civic Society and a condition is proposed to address this point.

The building is not adjacent to any existing residential properties and the amenity impact of the proposal has to be assessed in general in terms of its street scene impact and views of the church towers. The building is a contemporary design that is curved and considered to fit with the new stand design. It will be tall in relation to the adjacent doctor's surgery and the back of the Brewhouse, however the impact in terms of the amenity setting of these buildings is considered to be an acceptable one. While it will be visually prominent in views across the river and will average around 16 m high, its skyline impact has been considered and it is not considered to block any important views of the churches. English Heritage has previously considered the issue and commented on the acceptability of the impact.

Specific design advice has been taken from a qualified panel of architects and the application has been submitted to address many of the points raised. The Civic Society raise objection, however, the principle of the proposed scheme is considered acceptable in design terms and is considered one that can be supported.

B. Viability

The provision of affordable housing is covered by policy H9 of the Local Plan and states that the provision of affordable housing will be sought based on identified need. In assessing the level of provision on individual sites regard will be paid to the need to balance other important planning requirements and to any abnormal costs associated with the development of the site which would threaten its financial viability. The current scheme proposes 65 sheltered apartments and this is above the original identified threshold of 25 in the Local Plan which has since been revised in the new PPS3 which came into force in April. The revised threshold is 15 and clearly the proposed scheme exceeds this. The proposals for the site however have been developed over some considerable time and there are issues identified with the funding of the development and a reliance on third party sources to reduce the gap. The imposition of an affordable housing requirement has been identified as having a significant affect on the scheme. The benefits of the Phase 1 scheme is vital to help ensure that Phase 2 takes place. The viability of the scheme as a whole would not stack up if there were to be an affordable housing requirement in respect of Phase 1. In terms of the Phase 1 development the view has been taken that the importance of the scheme's success given the social and economic benefits to the town that the redevelopment would result in is sufficient to not require a contribution towards affordable housing in this instance.

C. Access

The proposal provides for access to the site via Coal Orchard with servicing/turning space to serve the Brewhouse and the new sheltered flats to the west of the site. Parking for 34 covered spaces as well as 3 battery car spaces are to be provided for within the new building. The parking for sheltered accommodation for the elderly is normally accepted as a third of the normal requirement in central locations and the current scheme provides for 34 spaces for 65 units which is more than the norm and is considered acceptable by the Highway Authority.

The Highway Authority concern over the footway/cycle way will be addressed in terms of the final design of the landscape plan which is covered by condition suggested by the Environment Agency in terms of maintaining a maintenance strip and control over changes in levels. The other concern is to ensure adequate servicing of the site and The Brewhouse and this is addressed by a condition.

D. Flood Risk

The site is identified being within the flood risk zone and a Flood Risk Assessment was submitted with the application. The site has been discussed for some time in terms of the re-development of the Cricket ground as part of Project Taunton. There is clearly a risk of flooding in relation to the existing site however no suitable alternative site has been identified. In terms of the new Exception Test under PPS25 there are clear sustainability benefits of maintaining the Cricket Club within the town, the site is previously developed land and the flood risk assessment shows that the development will not increase risk elsewhere and will be safe. The proposal will increase levels of flood defences to the ground and the reduction in the probability of flooding will offset possible consequences arising from the increased use of the site. In addition to increased flood protection the resistance and resilience of existing buildings within the site will be improved. The Environment Agency has suggested conditions in respect of flood defences and levels to address flooding issues.

Two other areas of concern were the need to improve the environment and biodiversity and the need to ensure adequate access for maintenance is maintained. Again these issues have been addressed by conditions in respect of landscaping, a wildlife plan and maintaining levels within the Agency's maintenance strip. Further conditions are imposed to address concerns over potential pollution during construction.

E. Sustainability

The national and local planning policies support and encourage sustainable development on previously developed land in central locations and the current proposal is entirely compatible with these policies. The site lies within easy walking distance of the town centre, the railway station and the bus station, all of which are within the recommended preferred walking distance of 800m.

The scheme provides for 30 covered parking spaces plus 5 battery car spaces set below the building. The scheme provides specialist housing for the elderly on a brownfield site at a high density. It will allow for the release of under occupied housing stock with the net affect of releasing housing types through the housing chain.

The design allows for the use of renewable sources for construction materials and the opportunity for water conservation and sustainable drainage. The specialist nature of the development also allows for intrinsic security in the design such as controlled management and door entry and an emergency call system.

11.0 CONCLUSION

The proposals put forward represent a full and effective use of the site in a way that would achieve a quality development that would make a positive contribution to the environment of the area. A contemporary design approach has been chosen and it is considered that this compliments the Phase 2 design of the ground development. The building has been designed with a dual aspect and to address issues such as access, flooding and skyline impact. The scheme represents a main part of the Project Taunton vision and the benefits of retaining an enhanced Cricket Club in this central location is seen as vital for the future of the town and the scheme is recommended for approval.

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

CONTACT OFFICER: Mr G Clifford Tel. 356398