

38/09/0400

ST. MODWEN DEVELOPMENTS LTD.

**APPLICATION FOR PUBLIC REALM WORKS TO THE RIVER TONE CORRIDOR  
AT LAND ADJACENT TO PRIORY BRIDGE ROAD, FIREPOOL, TAUNTON**

322994.125181

Full Planning Permission

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**PROPOSAL**

Public realm improvement works to riverside edge of Priory Bridge Road Car Park and under the road bridge on both sides of the river.

The works include ecological improvements along the riverbank between Priory Bridge and the cattle market bridge. Works are proposed to improve the visual appearance of both of these bridges including lighting and widening footpaths. Other works are proposed to provide new flood protection measures that are integrated into an increased area of soft and hard landscaping, provision of new wider footpaths, retention of existing trees and provision of new street furniture.

This development is proposed in advance of future applications for the wholesale redevelopment of The former livestock market site and Priory Bridge Road car park.

**CONSULTATION AND REPRESENTATION RESPONSES**

**Consultees**

*SCC - TRANSPORT DEVELOPMENT GROUP* - comments awaited

*COMMUNITY ARTS OFFICER* - no comments received at time of writing

*BRITISH WATERWAYS* - no objections.

*SOMERSET WATERWAYS ADVISORY COMMITTEE* - no comments received at time of writing

*LEISURE DEVELOPMENT MANAGER* - If the land is to be adopted as open space, comments should be sought from the Council's Parks Section.

*FORWARD PLAN & REGENERATION UNIT* - comment:

The new paths should not be less than 4m wide to allow for unimpeded cycle access in a shared use context. Paths in French Weir Park are about 3.5m and this is not really wide enough, given the presence of pedestrians, dogs, etc.

There should be greater formality of the landscape treatment to reflect the straight alignment of the river bank, and encourage a corresponding formal response from the new buildings that will be erected on the adjoining land. Otherwise there is a risk that the landscaping may come to be seen as 'filling up' space.

*HERITAGE AND LANDSCAPE OFFICER* - subject to the substitution of hawthorn for blackthorn (vicious thorns in a public place) the proposals are well considered to the existing amenity of the site. I would also substitute and hard surfacing within the tree protection areas for soft landscaping to avoid damaging tree roots.

*NATURE CONSERVATION & RESERVES OFFICERS* - detailed comments:

This application is for the redevelopment of land adjacent to the River Tone between Priory Road Bridge and the old market Cattle Bridge in Taunton. On the south bank, the public realm work involves the formation of a new park with improved footpaths and cycleways, planting and lighting and improvements to the cattle bridge and the underside of Priory Bridge. The land between the bridges will be raised as a flood defence measures. The proposals on the north bank include partial lowering of the riverbank and waterside planting.

The submitted Protected Species Report submitted by Cotswold Wildlife Surveys dated September 2009 covers the whole of the Firepool Project Area as well as this application site. This report builds upon a report carried out in January 2006 by Clarke Bond Geo-Environmental and by Knight Ecology in June 2009. These comments are concerning the application site only.

#### Bats

The survey found no signs of bat occupation in the built structures adjoining the application site or within trees on site. The emergence surveys indicated that pipistrelles, brown long eared and noctule bats were in the vicinity. Lighting can have an impact on bats but the designer would appear to have taken this fully in considerations when designing the lighting.

#### Reptiles

No signs of reptiles were discovered however I agree with the surveyor's recommendation that care should be taken when removing vegetation on site.

#### Otters and water voles

No signs of water voles were seen but several otter spraints were found under the cattle bridge.

#### Birds

No bird nests were found in the trees however this situation could always change so no works to trees or shrubs should be undertaken within the bird- nesting season.

*PARKING SERVICES MANAGER* - no comments received at time of writing

*DRAINAGE ENGINEER* - No observations

*ENVIRONMENTAL HEALTH - NOISE & POLLUTION* - no comments received at time of writing

*TAUNTON VISION DELIVERY TEAM* - no comments received at time of writing

*WESSEX WATER* - There are major combined sewers which cross the site which will need protection. Relevant details have been provided to the applicant and their consultants.

## *ENVIRONMENT AGENCY -*

*NATURAL ENGLAND* - requests that the recommendations of Taunton Deane Borough Council's Nature Conservation and Reserves Officer and those of Somerset County Council's ecologist (Larry Burrows) are used in determining the application and attaching conditions.

*SOMERSET WILDLIFE TRUST* - The Trust is pleased to see that Project Taunton has designed a framework of public realm improvements that will benefit rather than harm the biodiversity interest associated with the important riparian wildlife corridor.

Blackthorn may not be the most suitable species for hedgerows in a widely used public area, and could be substituted with hawthorn. The lighting as proposed would seem the most suitable to minimise impacts to bats, but the Trust would like to see a monitoring programme for bats devised as part of an overall strategy for biodiversity along the River Tone and environs – given the level and scale of development proposed for Firepool and along the river corridor, it is essential that biodiversity is addressed at a landscape scale, rather than in a piecemeal fashion as and when planning applications for sections of the regeneration work are submitted. The River Tone, as identified in the Taunton Town Centre Area Action Plan, is an important linear corridor facilitating wildlife movement and a habitat in its own right – ensuring that this feature is enhanced for biodiversity as well as for people is critical.

*SCC - MINERAL & PLANNING CONTROL* - no comments received at time of writing

*SCC - ECOLOGY* - agree with the comments of TDBC's Nature Conservation and Reserves Officer

*SCC - ENVIRONMENT & PROPERTY DEPARTMENT* - no comments received at time of writing

## **Representations**

none received

## **PLANNING POLICIES**

EN28 - TDBCLP - Development and Flood Risk,  
T1 - TDBCLP - Extent of Taunton,  
STR2 - Towns,  
STR4 - Development in Towns,  
M2 - TDBCLP - Non-residential Car Parking Outside Taun & Well,  
M4 - TDBCLP - Residential Parking Provision,  
FP1 - TTCAAP - Riverside - Development Content,  
F1 - TTCAAP - Developments within the Floodplain,

## **DETERMINING ISSUES AND CONSIDERATIONS**

## **RECOMMENDATION AND REASON(S)**

Recommended Decision:

**RECOMMENDED CONDITION(S) (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 applicant should follow recommendations made in Cotswold Wildlife Surveys report dated September 2009. No site clearance or development shall take place between 1st March and 31st August without the prior written approval of the Local planning authority.

Reason - To ensure that wild birds building or using nests are protected. The Authority will require evidence that no breeding birds would be adversely affected before giving approval under this condition bearing in mind that all wild birds, their nests and eggs (with certain exceptions) are protected under section 1 of the Wildlife and countryside Act 1981 (as amended) in accordance with the relevant guidance in PPS9

Notes for compliance

1. British Waterways advise that the applicant/developer contact third party works Philip J White (01452 318000) in order to ensure that any necessary consents are obtained and the works are compliant with the current British Waterways' "Code of Practice for Works Affecting British Waterways"

**In preparing this report the Planning Officer has considered fully the implications and requirements of the Human Rights Act 1988.**

**CONTACT OFFICER: Mr B Kitching Tel: 01823 358695**