

CREST NICHOLSON (SW) LTD AND ABBEY MANOR DEVELOPMENTS

**APPLICATION FOR THE APPROVAL OF RESERVED MATTERS FOLLOWING APPLICATIONS 38/99/0394 AND 38/06/0135 FOR THE ERECTION OF 204 NO. 2, 3 AND 4 BEDROOM DWELLINGS WITH ASSOCIATED INFRASTRUCTURE AND EXTERNAL WORKS, AREAS A, B, C AND D, FIREPOOL LOCK, TAUNTON**

Grid Reference: 323146.125341

Reserved Matters

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**RECOMMENDATION AND REASON(S)**

Recommended Decision: Conditional Approval

The development represents a sustainable use of brown field land for residential purposes of design layout and scale considered appropriate to the nature of the site and in accordance with development plan policies. The application comprises details pursuant to an outline consent for development and is considered to constitute an acceptable form of development in accordance with the requirements of PPS3 and Policies S1, S2 & T3 of the Development Plan

**RECOMMENDED CONDITION(S) (if applicable)**

1. The development hereby permitted shall be carried out in accordance with the approved plans listed in schedule\*

\* TO BE INCLUDED WITH THE COMMITTEE AMENDMENT SHEET

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

2. No development shall take place until samples of the materials to be used in the construction of the external surfaces of the development hereby permitted have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out and thereafter retained as such, in accordance with the approved details as above, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To protect the character and appearance of the existing building in accordance with Policy S2 of the Taunton Deane Local Plan.

3. No dwelling shall be occupied until the building hereby permitted is served by a properly consolidated and surfaced footpath and carriageway to at least base course level between the building and existing highway.

Reason: In the interests of highway safety in accordance with Policy 49 of the Somerset and Exmoor National Park Joint Structure Plan Review and relevant

## Notes for compliance

### **PROPOSAL**

This is a reserved matters application for the erection of 204 dwellings on areas, A, B, C and D of the East Goods Yard (Firepool Lock) in Taunton. Outline planning permission was granted in 2004 with a Section 106 legal agreement that secured Highway works, a footway/cycle link on the northern bank of the canal, contributions towards off-site transport infrastructure, education, public open space and 21% affordable housing.

This application seeks consent for the appearance, access, landscaping, layout and scale of the development and includes a mix of houses and apartments that front onto the proposed Northern Inner Distributor Road and Bridgwater and Taunton Canal. There are terraces of properties proposed in the centre of the site which follow a traditional 'back to back' layout.

This is a bespoke proposal with house types and apartments designed specifically for the site and maximise the development potential. The scheme includes:

- No. 112 Apartments/FOGs
- No. 92 Houses

There would be 308 parking spaces for these 204 dwellings and the development would include a mix of 2 to 5 storey buildings (with some undercroft parking to take advantage of the sloping site). There are significant changes in level from North to South across the site. There is a drop in height of approximately 6 metres from the newly constructed station approach/NIDR down to the proposed towpath on the northern bank of the canal.

The proposal has a contemporary feel based on historical town development and the palette of materials includes render, brick and timber and a mix of traditional pitched, mono-pitched and flat roofs.

### **SITE DESCRIPTION AND HISTORY**

The site lies to the north of the Bridgwater and Taunton Canal on land that was formerly operational railway land. It is generally known as East Goods Yard although it has also been referred to as Firepool Lock in the Town Centre Area Action Plan (TCAAP). The proposed Northern Inner Distributor Road (NIDR) runs through the centre of the site and this section of the new road has been constructed. To the north of the site is the main rail line, with Winkworth Way to the East. The entire site that has outline planning permission is approximately 4.8 Hectares.

Development is underway on Area E with the new Knightstone properties nearing completion and the remaining areas A, B, C, D (which are the subject of this application) have been re-graded as part of decontamination works and construction

of NIDR.

The allocation in the TCAAP reflects previous planning permissions and states:

Policy FP3 - The Firepool Lock development will provide:

- a. approximately 500 dwellings, including 21% affordable housing.
- b. at least 7,00 square metres of office space.
- c. refurbishment of the listed pump house building.

### Relevant Planning History

An outline application was submitted in 1999 to redevelop the former East Goods Yard for a mix of uses including residential, B1 employment, conversion of pumphouse, access road and new canalside walkway. Permission was granted in August 2004 (ref 38/99/0394).

In 2006 a further application to vary the time limit and masterplan conditions was submitted and subsequently approved. This extended the time period for the submission of reserved matter applications for 6 years until 19<sup>th</sup> May 2012 and required the submission of an indicative masterplan. (ref 38/06/0135).

In 2007, following a public consultation and presentation to the Regional Design Review Panel, a masterplan was submitted and agreed by TDBC. This document was referred to as the Design and Access Statement and allocated/zoned 10 areas for a mix of uses that were predominantly residential. It proposed 460 dwellings comprising 443 apartments and 17 houses at an average density of 140 dwellings per hectare.

In April 2007 a reserved matters application for B1 office development on Area I (with additional surface level car parking on Area J) was submitted. This included 7,200 sq m of B1 office space in a building ranging from 5 to 7 stories. Permission was granted in December that year and remains extant. (ref 38/07/0193) – *Area I does not form part of the current reserved matters application although Area J is the subject of a separate application.*

A reserved matters application for 100 apartments and 4 town houses was submitted in 2008 for Area A. This had a Planning Committee resolution to approve subject to a variation in the Section 106 Agreement, but the development has not progressed.

In 2009 a reserved matters application was submitted by Knightstone Housing Association for 108 apartments that was compliant with the approved masterplan and is under construction. This provided the affordable housing element of the outline planning permission. (ref 38/09/0190)

## **CONSULTATION AND REPRESENTATION RESPONSES**

### **Consultees**

*ENVIRONMENT AGENCY* – no objections (conditions on the outline permission will

need to be complied with)

*NATURAL ENGLAND* – This application does not appear to fall within the scope of consultations that Natural England would routinely comment on.

*NETWORK RAIL* – There are restrictive covenants in place that protect Network Rail's position regarding access to our retained operational land and provided these are complied with we have no objection in principle to the proposed layout.

*HERITAGE LEAD* – no comments

*COMMUNITY LEISURE* – As this is a reserved matters application and not a full application I am unable to request contributions to community development

*DRAINAGE ENGINEER* – No objection

*ECONOMIC DEVELOPMENT* - no comments received

*ENVIRONMENTAL PROTECTION CONTAMINATED LAND* – contaminated land requirements are subject to a planning condition on the outline permission therefore no further comment

*ENVIRONMENTAL HEALTH - NOISE & POLLUTION* – Comments on noise made on other application on Area J (between the NIDR and railway).

*STRATEGY AND COMMUNICATIONS* – no observations

*HOUSING ENABLING LEAD* – The affordable housing provision has been provided within the 108 units under construction within Area E of Firepool Lock.

*LANDSCAPE LEAD* – my main concerns are:

- The poor quality canalside landscape that does little to integrate the proposals with one of the Boroughs most important tourist resources.
- There is little scope for Tree Planting along the main road
- The eastern and western Corners are poorly related to their immediate environments

*PROJECT TAUNTON* – no comments received

*POLICE ARCHITECTURAL LIAISON OFFICER* –

Having reviewed the documentation submitted in support of the application, I would comment as follows:-

- Many of the comments in respect of Area J would also seem to be appropriate in respect of Areas A, B, C, and D. In particular:-

The lack of information in the DAS in respect of crime and disorder prevention measures,

The lack of defensible space around the various apartment blocks and some of the residential housing,

The crime statistics provided for the area of this development, and

The information provided regarding the police approved 'Secured by Design'

award scheme.

Additional general comments are as follows:-

- The canalside properties appear to be accessible from both the front and rear. The majority of burglaries occur at the side or rear of premises, so the more vulnerable boundary treatments at these locations should be minimum height of 1.8m. The ground floor balconies facing the canal at the front of these premises could also be accessible from the public footpath/cycleway. Appropriate measures should therefore be taken to prevent this.
- In this regard, I have some concerns regarding the comment in the DAS that '*fences/walls adjacent to public spaces will be minimised*', as this could allow the potential offender direct access to premises. Some form of defensible space should be provided for all dwellings and other buildings comprising low level walls, fences, hedges or similar for frontages and higher boundary treatments for the side and rear. Bearing in mind the number of flat roofs throughout the development, any potential climbing aids should also be avoided.
- The majority of the remaining dwellings appear to be orientated 'back to back' with no rear access alleys. This is the preferred orientation as it enables neighbours to watch over one another and makes the potential offender feel vulnerable to detection whilst restricting unauthorised access to the rear of dwellings.
- A number of the perimeter blocks appear to have undercroft parking. Vehicles parked in such locations can be vulnerable to attack, particularly during the hours of darkness, as by their very nature there is unrestricted access into them. The undercroft can also impede surveillance from surrounding buildings. I note that a range of parking solutions is proposed and police advice is that cars should be parked in locked garages or on a hard-standing within the dwelling boundary, preferably behind a gate. Where communal parking areas are necessary they should be in small groups, close and adjacent to homes and within view of active rooms within these homes. Judging by the plans, this generally seems to be the case.

SCC - *ECOLOGY* - no comments received

SCC - *CHIEF EDUCATION OFFICER* - no comments received

SCC - *DEVELOPMENT CONTROL ARCHAEOLOGIST* - no comments received

SCC - *TRANSPORT DEVELOPMENT GROUP* – meeting held between applicants and Highway Authority on 22<sup>nd</sup> November resulting in amended plans being submitted. Detailed comments on amended plans are pending.

*SOMERSET INDUSTRIAL ARCHAEOLOGICAL SOCIETY* – We have looked at the proposals in these applications and note that they recognise the importance of the Pumping Station as a key feature of the landscape. However, we do have some concerns over the relative heights of the proposed adjacent buildings. Unfortunately the contextual elevation drawings do not extend to show the Pumping Station, but the plans do show that the buildings immediately to the east of the Pumping Station

are 4 storey, whereas most of the other canalside buildings are 3 storey. The Pumping Station is, and should remain, an imposing structure especially when viewed from the canal. We would therefore have preferred to see a lower building alongside.

*SOMERSET WATERWAYS ADVISORY COMMITTEE* – SWAC would like to see gains for the canal as part of this development. They would include dredging the canal from Firepool to Obridge, refurbishment of the pumphouse, a landing and mooring stage, we would also recommend a wider grass margin between the path and the buildings.

*SOMERSET WILDLIFE TRUST* - no comments received

*TAUNTON & DISTRICT CIVIC SOCIETY* - no comments received

*WESSEX WATER* – no observations

*WESTERN POWER DISTRIBUTION* – There are high and extra high voltage cables in the vicinity of the development that will require deviation.

*BRITISH WATERWAYS* – comments on amended plans pending

## **Representations**

1 letter of support

- Good use of land and positive move for Taunton
- Wish to see the accommodation built to the highest environmental standards with consideration given to cycle paths, cycle storage space and green community growing and recreation spaces.

1 letter of objection

- There is not enough land for the build
- There will not be enough parking spaces
- More thoughtful long-lasting regeneration and building programme is required.

## **PLANNING POLICIES**

S1 - TDBCLP - General Requirements,  
S2 - TDBCLP - Design,  
FP3 - TTCAAP - Firepool Lock,  
T3 - TDBCLP - Firepool Major Development Site,

## **DETERMINING ISSUES AND CONSIDERATIONS**

### Principles of Development

The principles of residential development on this site have long-standing approval with an extant outline planning permission. Areas A through to D have always been allocated for residential development with significant opportunities to provide high quality housing of a significant scale that would address both the canal and NIDR.

The outline planning permission included a Section 106 Agreement that secured contributions towards open space/recreation and education and also required the provision of highway improvements, a pedestrian/cycle footpath along the canal and onsite affordable housing. The affordable housing is currently being provided as part of the Knightstone development that is nearing completion. As this is a reserved matters application that is not considering the principles of development, matters such as community development contributions have already been secured and are not open for consideration now.

The scale of development in terms of its height and density has been reduced in response to changes in the residential development market. In 2007, when the Masterplan was prepared, it was envisaged that the residential element would be almost solely apartment led and have an average height of about 4, 5 and 6 storeys. This could have provided 460 units whereas the current proposals (together with the Knightstone development) would provide 348 units with a much greater proportion of houses. The overall site density has reduced from 140 to 105 dwellings per hectare and this is considered to be an appropriate level and efficient use of previously developed land.

### Design

The submitted Design and Access Statement sets out the design concept and principles that are based on the Masterplan, TCAAP and Design Code. These include:

- A general orientation towards the canal and river corridor;
- A well-defined built form achieved through the establishment of continuous frontages and consideration of building height in response to street hierarchy; and
- New streets that are orientated perpendicular to the canal to capitalise on views towards this landscape feature and to allow solar penetration taking into account the solar pathway.

The proposal represents a good quality scheme of bespoke design to address different parts of the site. The 3 storey town houses that front onto the canal are of an appropriate appearance and scale for the waterside element whereas, higher apartments are proposed along the route of the NIDR and will form the required sense of enclosure and rhythm along the wide distributor road.

The terraces of 'back to back' dwellings that run north/south are a well thought out response to the significant drop in levels across the site. The palette of materials and window proportions result in a contemporary approach to the redevelopment of this site that accords with the principles of the Design Code and represents a strong architectural response on this important town centre site.

### Pumping Station

It should be noted that Firepool Pumping Station is not included in this reserved matters application and will come forward as a separate proposal under the outline planning permission.

A comment has been made on this current application with regard to the impact of

the Development on the Pumping Station which is a listed building and heritage asset. The previous application for 100 apartments on Area A (immediately to the east of the Pumping Station) has a planning committee resolution to grant permission. This included a five storey block, of a similar height, adjacent to the Pumping Station. A further two storeys were proposed on the building fronting onto the NIDR which would be higher than the Pumping Station. The current proposal for a four storey apartment block has a much better relationship with the heritage asset and is of an appropriate scale.

### Landscaping

The houses that will front onto the canal will have projecting balconies that maximise the potential for a strong edge against this important feature. Landscaping is provided on both sides of the new towpath with the existing grass bank on the canalside and proposed planning at the properties edge. It is considered that when looking at the design as a whole, it is more important to have a strong urban edge facing the canal rather than a landscaped screen or buffer.

Tree planting is proposed along the route of the NIDR but again, the design philosophy is for strong urban frontage to the public realm and therefore specimen feature trees would be planted rather than thicker 'belts' of landscaping.

It is considered that the landscaping strategy is appropriate to the form of development .

### Highways

During the processing of this application a meeting was held with the applicants, architects, planning agents and County Highways Authority. This resulted in some minor amendments to the internal road layout and construction. It also led to extra pedestrian routes being provided between the housing and canalside towpath. Due to the significant changes in levels across the site from the NIDR to the canal, these routes are stepped and not necessarily suitable for cycles. Cycle routes are provided where the levels allow and a canalside route is provided as required by the Section 106 Agreement. The detailed comments on the amendments are awaited however it is considered that the outstanding issues have been addressed.

### Conclusion

This proposal is a well considered development that allows an important town centre site to be redeveloped in a difficult housing market. Although it differs from what may have been expected in 2007 when the Masterplan proposed a greater number of apartments, the scale is appropriate for Taunton and will deliver a high quality housing scheme. The proposals are therefore recommended for approval.

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

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