

MCARTHY & STONE RETIREMENT LIFESTYLES LTD

**ERECTION OF AN EXTRA CARE ASSISTED LIVING DEVELOPMENT
COMPRISING 58 NO. APARTMENTS WITH ASSOCIATED PARKING AND
LANDSCAPING AT THE FORMER COUNCIL NURSERIES, 15 MOUNT STREET,
TAUNTON**

Grid Reference: 323090.124042

Full Planning Permission

RECOMMENDATION AND REASON(S)

Recommended Decision: Conditional Approval subject to the provision of a commuted sum in lieu of affordable housing on the site and possibly maintenance of surface water attenuation if not maintained by a management company permission be granted.

The proposal, for an elderly residential care development, is located within defined settlement limits in a sustainable location where the principle of new housing is considered acceptable and in compliance with the NPPF. The proposed access and parking would be satisfactory and the development is sited so as not to be within flood zone 3 and would not have a detrimental impact on the amenity of surrounding residential properties in accordance with Somerset and Exmoor National Park Joint Structure Plan Review Policies STR4 and 49, Taunton Deane Local Plan Policies S1 (General Requirements), S2 (Design), EN28 (Flood Risk) and M4 (Residential Parking Provision) and emerging Core Strategy policies CP4 (Housing), CP8 (Environment) and DM1 (General Requirements).

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

(A3) DrNo PA01-1885-01 Site Location Plan
(A1) DrNo PF01-1885-02 Proposed Site Layout
(A1) DrNo PA01-1885-03 Contextual Elevations 1
(A1) DrNo PA01-1885-05 Ground Floor Plan
(A1) DrNo PA01-1885-06 First and Second Floor Plans
(A1) DrNo PA01-1885-07 Third Floor and Roof Plans
(A1) DrNo PA01-1885-08 Proposed Landscaping Layout

(A0) DrNo PA01-1885-09 Contextual Elevations
(A0) DrNo PA01-1885-10 Contextual Elevations
(A0) DrNo PA01-1885-11 Contextual Elevations
(A0) DrNo P08142_SX Rev A Topographical Survey
(A0) DrNo P08142_SX Rev A Topographical Survey
(A1) DrNo 1028_LMP_600 Landscape Master Plan
(A1) DrNo 7711/01 Tree Constraints Plan

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

3. 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.

4. No development, excluding site works, shall begin until a panel of the proposed stone/brickwork measuring at least 1m x 1m has been built on the site and both the materials and the colour and type of mortar for pointing used within the panel have been agreed in writing by the Local Planning Authority. The development shall be completed in accordance with the agreed details and thereafter maintained as such, 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.

5. No persons under 60 years of age and/or a partner of 55 years of age shall occupy any of the units hereby permitted with the exception of guests and/or warden(s) unless otherwise agreed in writing by the Local Planning Authority.

Reason: To limit the age range of users in the interests of limiting traffic to and from the site.

6. The development shall be carried out in strict accordance with approved Drawing Ref: 1205/2513 V3 (titled "*Safe Access Route*", prepared by Aardvark and dated 16 April 2012).

Reason: To avoid inappropriate development in the floodplain in accordance with NPPF paragraph 100 and TGNPPF Table 3.

7. Finished floor levels of the development shall be set no lower than 21.92m

AOD.

Reason: To ensure that the development is appropriately flood resilient and resistant in accordance with NPPF paragraph 103.

8. No part of the development hereby permitted shall be occupied until a flood emergency plan has been submitted to, and agreed in writing by, the Local Planning Authority. The plan shall include the following elements:
- Identify areas providing a safe refuge during a flood;
 - Identify safe access and egress routes within the development;
 - Details of the responsible person / party during a flood and appropriate actions to ensure the safety of occupants; and
 - Provision of flood marker boards on the access roads within the site, which indicate safe depths for driving.

The development shall subsequently be implemented and maintained in accordance with the approved details.

Reason: To ensure that the residual risk of flooding is managed safely on site in accordance with NPPF paragraph 103.

9. No development shall commence until details of flood resilience measures in the construction of the development to a minimum level of 22.3m AOD have been submitted to, and agreed in writing by the Local Planning Authority. The development shall be subsequently implemented and maintained in accordance with the approved details.

Reason: To ensure that the development is appropriately flood resilient and resistant in accordance with NPPF paragraph 103.

10. No development shall commence until a surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydro-geological context of the development, has been submitted to, and approved in writing by the Local Planning Authority. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed. The scheme shall also include details of how the scheme shall be maintained and managed after completion.

Reason: To ensure that the development does not increase flood risk and, where possible reduces flood risk in accordance with NPPF paragraph 102.

11. 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, a remediation strategy detailing how this unsuspected contamination shall be dealt with. The development shall thereafter be carried out in accordance with the recommendations of the approved strategy.

Reason: To ensure that the site is appropriately remediated in accordance with NPPF paragraph 121.

12. The development hereby permitted shall not be commenced until details of a strategy to protect badgers, reptiles, bats and birds has been submitted to and approved in writing by the Local Planning Authority. The strategy shall be based on the advice of Aardvark reports dated October 2009 and July 2012 and Ambios Ecology's report, dated August 2010 and include:

- Details of protective measures to include method statements to avoid impacts on protected species during all stages of development;
- Details of the timing of works to avoid periods of work when the species could be harmed by disturbance;
- Measures for the retention and replacement and enhancement of places of rest for the species.

Once approved the works shall be implemented in accordance with the approved details and timing of the works unless otherwise approved in writing by the Local Planning Authority and thereafter the resting places and agreed accesses for bats, birds and reptiles shall be permanently maintained. The development shall not be occupied until the scheme for the maintenance and provision of the new **resting places** and related accesses **have** been fully implemented

Reason: To protect **species** and their habitats from damage bearing in mind **these species are** protected by law.

13. Details of any external lighting shall be provided prior to its installation and agreed in writing by the Local Planning Authority to ensure the lighting is directed downwards only.

Reason: To ensure lighting is controlled to prevent light pollution and impact on bats.

14. (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 each landscaping

scheme, the trees and shrubs shall be protected and maintained in a healthy weed free condition and any trees or shrubs that cease to grow shall be replaced by trees or shrubs of similar size and species, or the appropriate trees or shrubs as may be approved in writing by the Local Planning Authority.

Reason: To ensure that the proposed development 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.

15. The existing tree shown to be retained on site on proposed site layout drawing PF01-1885-02 shall be protected in accordance with BS5837:2005 Trees in relation to construction.

Reason: In the interests of the visual amenity of the area in accordance with Taunton Deane Local Plan Policy EN8.

16. A footway across the site frontage shall be provided prior to occupation of any of the residential units.

Reason: In the interests of highway safety and policy 49 of the Somerset and Exmoor National Park Joint Structure Plan Review.

Notes for compliance

1. Land Drainage Consent will be required from the Lead Local Flood Authority (Somerset County Council) for any connection to the Stockwell Stream.

There must be no interruption to the surface water drainage system of the surrounding land as a result of the operations on the site. Provisions must be made to ensure that all existing drainage systems continue to operate effectively and that riparian owners upstream and downstream of the site are not adversely affected.

2. WILDLIFE AND THE LAW. The protection afforded to wildlife under UK and EU legislation is irrespective of the planning system and any activity undertaken on the tree(s) must comply with the appropriate wildlife legislation.

BREEDING BIRDS. Nesting birds are protected under the Wildlife and Countryside Act 1981 (as amended) and if discovered must not be disturbed. If works are to be carried out during the breeding season (from February to August, possibly later) then the tree(s) should be checked for nesting birds before work begins.

BATS. The applicant and contractors must be aware that all bats are fully protected by law under the Wildlife and Countryside Act 1981 (as amended) and the Conservation (Natural Habitats) Regulations 1994 (as amended)

2007), also known as the Habitat Regulations. It is an offence to intentionally or recklessly damage, destroy or obstruct access to structures or places of shelter or protection used by bats, or to disturb bats whilst they are using these places.

Trees with features such as rot holes, split branches or gaps behind loose bark, may be used as roost sites for bats. Should a bat or bats be encountered while work is being carried out on the tree(s), work must cease immediately and advice must be obtained from the Government's advisers on wildlife, Natural England (Tel. 01823 285500). Bats should preferably not be handled (and not unless with gloves) but should be left in situ, gently covered, until advice is obtained.

3. The applicant will be required to enter into a suitable legal agreement with the Highway Authority to secure the construction of the highway works necessary as part of this development. Please ensure that this advisory note is attached requesting that the developer contact the Highway Authority to progress this agreement well in advance of commencement of development.
4. The applicant shall ensure that all vehicles leaving the site are in such condition as not to emit dust or deposit mud, slurry or other debris on the highway. In particular (but without prejudice to the foregoing), efficient means shall be installed, maintained and employed for cleaning the wheels of all lorries leaving the site, details of which shall have been agreed in advance in writing by the Local Planning Authority and fully implemented prior to development commencing, and thereafter maintained until the use of the site discontinues.
5. The applicant should be aware that it is likely that the internal layout of the site will result in the laying out of a private street, and as such under Sections 219 to 225 of the Highways Act 1980, will be subject to the Advance Payments Code (APC). Given the constraints of the existing access, it will not be possible to construct an estate road to a standard suitable for adoption. Therefore in order to qualify for an exemption under the APC, the road should be built and maintained to a level that the Highway Authority considers will be of sufficient integrity to ensure that it does not deteriorate to such a condition as to warrant the use of the powers under the Private Streetworks Code.

PROPOSAL

The proposal is to utilise the redundant Council former Nurseries site at the end of Mount Street to create an assisted living extra care facility for 58 apartments. The accommodation would be for the over 55's and would have accommodation designed over 2 to 4 floors with 23 parking spaces and associated amenity space and flood attenuation on site. The development meets an identified need for elderly care facilities.

SITE DESCRIPTION AND HISTORY

The site consists of the former Council nursery site at the eastern end of Mount Street. The site has open land to the south east and south west with the Stockwell Stream to the north east and the residential properties of St Joseph's Field beyond.

To the north lies Mount Street and there is a listed terrace of properties on the opposite side of the road within the conservation area. There is a modern two storey dwelling on site to be demolished together with a number of brick and block disused storage buildings that are also to be removed.

CONSULTATION AND REPRESENTATION RESPONSES

Consultees

SCC - TRANSPORT DEVELOPMENT GROUP - Although the proposals are acceptable in principle, an assessment of the Transport Statement has flagged up a number of minor issues which should be addressed.

3/8 Revised comments

Traffic Impact

The supplementary traffic generation analysis has estimated that the proposals could generate an additional 8 vehicle trips during the peak hour. Based on the survey information provided for other similar sites, it is our view that the proposals could generate up to 16 movements during the peak hour as a worst case. However, given that this level of traffic would still be less than what the previous nursery use would have generated, the proposed level of traffic which the proposals would generate is considered to be acceptable.

Parking

The overprovision of vehicle parking was previously raised as an area of concern. The updated TS provides evidence to justify the proposed level of parking, including data on car ownership at similar sites. We consider that the provision of this information justifies the level of parking proposed and are satisfied that this level of parking is suitable for the size of the proposed development.

Additional information on cycle parking has also been provided. Although this is acceptable in principle, we suggest that the spaces proposed in the buggy store are supplemented by Sheffield stands, close to the entrance for visitor use. This is something that can be secured by appropriate planning condition.

The assumption within the TS that motorcycles would not be commonly used by residents, staff or visitors is disputed. Such presumptions, particularly regarding staff and visitor travel modes, should not be made as it cannot be controlled. Whilst it is acknowledged that motorcycle demand may not be huge, it is likely that there would be the occasional requirement for parking for staff and visitors. On this basis a condition is suggested to provide a minimum of one space, in accordance with the SCC Parking Strategy.

Access and Internal Layout

It is proposed to utilise the existing point of access on Mount Street to serve the application site. The layout of the access is considered to be suitable for the type and amount of traffic which will regularly visit the site. Visibility splays of 2.4m x 43m are shown to be achievable in each direction. This level of visibility is usually required where traffic speeds on the highway are 30mph. However, given the geometry of the highway in the vicinity of the access, traffic speeds are likely to be lower; therefore the proposed level of visibility is in accordance with the required standards. It is also noted that the current vegetation within the highway will be removed and replaced with a footway. This will be achieved without reducing the

width of the carriageway. This is considered to be a benefit as it will ensure that visibility is achieved, whilst providing segregated pedestrian provision where none currently exists.

Internally the proposed layout of the parking areas, service vehicle turning facility and general vehicular and pedestrian layout is considered to be acceptable.

Sustainability

Following on from our previous comments, the Applicant has submitted additional information on accessibility to the site by non-car travel modes, including the provision of a Travel Plan. This document is considered to be generally acceptable; however, there are issues which should be addressed.

In summary, the site audit within the TP should identify any obvious highway constraints, such as the narrow footways, presence on street parking and staggered footway patterns, which are likely to affect the usage of the routes by foot or mobility scooters. The TP should be amended to remove non committal words such as 'would', 'should' etc. and replace them with 'will' shall' etc. Details of staff travel discount public transport vouchers should also be provided.

Please note that the above TP comments are not exhaustive, and the attached document discusses the TP issues in much more detail. This document should be passed on to the Applicant. A copy has also been forwarded to the Highways Consultant for their information. Somerset County Council will only approve the TP following agreement of the document content. A monitoring fee would also be applicable.

In light of the above, it is suggested that the Applicant enters into a Unilateral Undertaking to secure the detail of the TP. This would ensure that development is not commenced until an amended TP has been received, and that the measures agreed would be implemented prior to occupation.

Flood Risk

A Flood Risk Assessment (FRA) has been submitted as part of the development proposals. This document confirms that the proposals would not present any issues in terms of the effect upon the existing highway from a drainage perspective. It is noted that the Drainage Engineer has requested that a condition is included to approve details of a full surface water drainage scheme.

Recommendations

The proposals are considered to be acceptable, subject to the following conditions:

- No development shall commence unless a Construction Environmental Management Plan has been submitted to and approved in writing by the Local Planning Authority. The works shall be carried out strictly in accordance with the approved plan. The plan shall include:
 - Construction vehicle movements;
 - Construction operation hours;
 - Construction delivery hours;
 - Expected number of construction vehicles per day;
 - Specific measures to be adopted to mitigate construction impacts in pursuance of the Environmental Code of Construction Practice;

- A scheme to encourage the use of Public Transport amongst contactors; and
- Before the development hereby permitted is first occupied, a footway shall be constructed along Mount Street in accordance with details which have previously been approved by the Local Planning Authority.
- In the interests of sustainable objectives the development hereby permitted shall not be occupied until a cycle parking area has been constructed within the development site in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority.
- NOTE: The applicant will be required to enter into a suitable legal agreement with the Highway Authority to secure the construction of the highway works necessary as part of this development. Please ensure that this advisory note is attached requesting that the developer contact the Highway Authority to progress this agreement well in advance of commencement of development.
- NOTE: The applicant shall ensure that all vehicles leaving the site are in such condition as not to emit dust or deposit mud, slurry or other debris on the highway. In particular (but without prejudice to the foregoing), efficient means shall be installed, maintained and employed for cleaning the wheels of all lorries leaving the site, details of which shall have been agreed in advance in writing by the Local Planning Authority and fully implemented prior to development commencing, and thereafter maintained until the use of the site discontinues.

NOTE: The applicant should be aware that it is likely that the internal layout of the site will result in the laying out of a private street, and as such under Sections 219 to 225 of the Highways Act 1980, will be subject to the Advance Payments Code (APC). Given the constraints of the existing access, it will not be possible to construct an estate road to a standard suitable for adoption. Therefore in order to qualify for an exemption under the APC, the road should be built and maintained to a level that the Highway Authority considers will be of sufficient integrity to ensure that it does not deteriorate to such a condition as to warrant the use of the powers under the Private Streetworks Code.

HERITAGE - Comments on submission:

1. Design and access statement - some errors on the maps but none of any significance eg Richard Huish College wrongly identified.
2. Ratio of solid to void generally reflective of the area.
3. I am however unhappy with the way render and brick are proposed to be used eg the upside down L of render on the north elevation and the way it is mixed on the most eastern block on the north elevation. I know it would not be appropriate to use one material on such a large building and could be potentially bland and over-bearing. The elevation could however be broken up by the use of render and brick but used full height, per "unit".
4. Generally voids should have a vertical emphasis and not be square as commonly expressed here.
5. The comments above are equally relevant to other elevations.
6. The choice of brick and colour of mortar will be very important.
7. Is there an opportunity to introduce "chimneys", to be used for air handling or other device extracts etc?

ENVIRONMENT AGENCY - We have no objection to the application as submitted subject to suggested conditions being imposed upon any permission granted:

BIODIVERSITY - comments

The proposal is for the erection of 58 dwellings with associated parking and landscaping at the former Council nurseries at 15 Mount Street, Taunton. Aardvark carried out an Ecological Addendum Report of the site in February 2012. The site had previously been surveyed in October 2009 and August 2010. Since these assessments the site development has reduced and now only comprises the former nursery buildings. The remaining scrub area to the south and west is to remain untouched. Findings in the latest report are as follows:

Bats - the surveyor concluded that the buildings and vegetation on site are conducive to the presence of bats. I agree a bat activity survey should be undertaken during the summer months. The results of this survey are needed prior to determination of this application.

Badgers - The surveyor found a badger sett to the east of the site. There are also numerous pathways and snuffle holes across the site. The suggested mitigation is a 30m exclusion zone. An additional badger sett was also discovered in the middle of the site and this sett will need to be closed under licence from Natural England.

Water Vole - There are records of water vole using the nearby stream adjacent to the site. A section along the watercourse which has recently been cleared exposed water vole holes. The stream should be protected with a 5m buffer. Should any works be proposed to the stream as part of the development then water vole mitigation must be included in a wildlife strategy and a licence will be required from Natural England.

Eels - no eels were encountered during the latest survey although anecdotal evidence suggested that they were present.

Dormice - The surveyor did not consider the site suitable for dormice.

Birds - The vegetation on site provides potential nesting sites and foraging habitat for birds. Site clearance should take place outside of the bird nesting season. I support the provision of bird boxes.

Reptiles - The site provides habitat for reptiles, in particular slow worms. Reptiles should be translocated from the site prior to clearance of any vegetation or buildings. The reptile fencing to be erected should be badger proof.

Great Crested Newts - A pond and ditch identified to the south and 3 ponds found in the NW corner of the site were assessed as being of low suitability for GCN using the Habitat Suitability Index.

I suggest a further bat survey is carried out.

HOUSING ENABLING LEAD - The commuted sum in lieu of affordable housing is £862,408. The commuted sum money is ring fenced and must be used to provide affordable housing in the locality. The commuted sum money should be paid upon completion of the sale of the land.

ENVIRONMENTAL HEALTH OFFICER - A contaminated land condition is required due to the nature of the site.

DRAINAGE ENGINEER - I note the Environment Agency's response and am in agreement with their comments, especially those referring to the provision of a surface water drainage scheme for the site, its maintenance and allowable discharge rates. suggests a full surface water drainage scheme for approval as a condition of any permission given.

Representations

20 objections raising the following issues

- 23 parking spaces does not seem sufficient for 58 dwellings
- There are parking issues in the area
- Increase in traffic volume and will cause traffic jams
- The development will generate more traffic than the old nursery
- An increase in traffic will make accidents more likely
- The roads aren't suitable for either construction traffic or service vehicles
- There is a conflict between vehicles and child cyclists and pedestrians
- There are a lack of pavements in the area
- A large percentage of pedestrian traffic will be senior citizens and students using bicycles, electric and ordinary wheelchairs and shopping buggies and will be vulnerable to motor vehicle traffic
- There are inadequate road junctions serving Mount Street and Mountway and access on/off Mary Street will be difficult.
- Car speeds along Mountway have increased and there is less consideration of pedestrians by drivers.
- The controlled Crossings of the A38 at Vivary Park and Paul Street are inadequate as are the nearby road junctions.
- The park is not an alternative in winter months during commuting hours.
- The introduction of shared space concept to the constrained parts of Mountway and Mount Street would be of benefit and home-zone style features should be considered
- With the addition of disability buggies an accident is inevitable
- Mountway has no footways and should be made one way with a 20mph speed limit.
- The footpath at St. George's School entrance should be extended by purchasing a strip of land next to the road.
- No part should be more than 3 storey.
- Main block faces north to Stockwell Stream
- The 4 storey buildings running parallel with Stockwell Stream is out of keeping architecturally.
- A development of a less 'institutional' nature would find more favour

- The scale of buildings and number of units should be reduced and reduce traffic pressure.
- As there is no convenient bus service residents will use taxis which will add to traffic
- Development at Kings College will drain to the stream and cause problems for the development
- Impact on wildlife with loss of trees
- A tree screen should be planted along the perimeter and north west boundary of the site
- Site on a flood plain

PLANNING POLICIES

NPPF - National Planning Policy Framework,
 STR1 - Sustainable Development,
 STR4 - Development in Towns,
 S&ENPP49 - S&ENP - Transport Requirements of New Development,
 S1 - TDBCLP - General Requirements,
 S2 - TDBCLP - Design,
 H9 - TDBCLP - Affordable Housing within General Market Housing,
 M4 - TDBCLP - Residential Parking Provision,
 EN12 - TDBCLP - Landscape Character Areas,
 EN14 - TDBCLP - Conservation Areas,
 EN28 - TDBCLP - Development and Flood Risk,
 T1 - TDBCLP - Extent of Taunton,
 CP1 - TD CORE STRAT. CLIMATE CHANGE,
 CP4 - TD CORE STRATEGY - HOUSING,
 CP6 - TD CORE STRATEGY - TRANSPORT AND ACCESSIBILITY,
 CP8 - TD CORE STRATEGY- ENVIRONMENT,
 SP1 - TD CORE STRATEGY SUSTAINABLE DEVELOPMENT LOCATIONS,
 DM1 - TD CORE STRATEGY - GENERAL REQUIREMENTS,

LOCAL FINANCE CONSIDERATIONS

The development of this site would result in payment to the Council of the New Homes Bonus.

1 Year Payment

Taunton Deane Borough Council (Lower Tier Authority)	£62,586
Somerset County Council (Upper Tier Authority)	£15,646

6 Year Payment

Taunton Deane Borough Council (Lower Tier Authority)	£375,516
Somerset County Council (Upper Tier Authority)	£93,879

DETERMINING ISSUES AND CONSIDERATIONS

The main considerations with the site are the impact on the character and appearance of the area and the adjacent conservation area, sustainability, drainage and wildlife issues, affordable housing and highway access and parking.

Character of the Area

The existing site lies within the settlement on the edge of the existing conservation area of Mount Street. The design has been carefully considered with the Mount Street frontage designed to reflect the scale and appearance of terrace properties opposite. The proposed terrace to Mount Street is two storey with a low wall and railings defining the front boundary with the road. This design approach is considered to be an acceptable one.

The site is largely undeveloped and lies outside of the conservation area. The provision of a modern contemporary housing scheme on the site is considered to be acceptable in principle. For flooding reasons the built form of the development has to be limited to the north of the site. Beyond the Mount Street frontage there is a two storey link building to the corner with Mount Street and then the building is stepped up to 3 storey 'villa' building before a glazed link and a 3.5 storey contemporary design section running parallel to the Stockwell Stream. This finishes in a 4 storey element at the end rounding off the development which is set back some 8-11m from the stream with landscaping in between. There is already 3 storey development in St Joseph's Field and this is set on higher ground to the north. The provision of the height of development as proposed on this site is considered acceptable and not to harm the appearance of the area.

While the concern of the Landscape Officer is noted with regard to the hedgerow, replacement planting is to be conditioned to soften this elevation which will be visible across the Stockwell Stream. Given the site constraints it is necessary to ensure an outlook in this direction is provided and it would also give a degree of surveillance to the footpath on the opposite side of the stream.

The treatment of the northern elevation to Stockwell Stream has been amended to reflect the comments of the Conservation Officer in terms of the use of the render and brick elements of the elevation and this revision is considered an improvement over the original submission. The internal elevation to the site has a similar render and brick mix and looks over the amenity space for the site and is not clearly visible from any public vantage point. This elevation provides balconies overlooking the amenity space and countryside beyond. Any distant views of the site from the south will view the site against the back drop of the residential scheme at St. Joseph's Field and the development as designed is considered a high quality scheme that complies with the NPPF and policy S2 of the Local Plan.

Sustainability

The new NPPF puts an emphasis on allowing sustainable development. The site is considered to be in a highly sustainable location within around 350m of the town centre and local shops and there are bus stops in the town centre. Electric buggy recharging points will be incorporated in the scheme.

In terms of construction and energy efficiency each habitable room will have independent thermal controls and communal lighting will be linked to daylight and/or

movement sensors. Main areas will be fitted with low energy light fittings and the hot water heating system is energy efficient to reduce heat loss and used recycled copper piping. The use of low-e solar double glazing is also proposed. The construction and insulation of the scheme is also designed to achieve a SAP rating to satisfy Part L of the Building Regulations.

Drainage

The site lies with a flood risk area with part of which lies within zone 2 and part in zone 3. The built form is designed to be in the area of lesser risk and surface water attenuation is designed into the scheme on site. The Sequential Test has been carried out in respect of the site and it is recognised that there are no other identified sites within the built up area that could be utilised for a sheltered housing scheme. This approach has also been applied to determine the site layout with the most vulnerable uses (residential) being located in areas at lowest risk of flooding. The site is previously developed and in a sustainable location and the FRA demonstrates the site is safe and will not increase flood risk elsewhere. Consequently the proposal is also considered to pass the Exception Test. The Environment Agency raise no objection to the development subject to suitable conditions and the Drainage Officer is also satisfied in principle subject to a suitable condition.

The suggested conditions include a drainage scheme for the site and future maintenance. The developer has advised that a management company would run the site and be responsible for water attenuation. Should this not be the case in the future an alternative maintenance arrangement will need to be agreed through a legal agreement.

A condition is also proposed by the Environment Agency to address possible contamination on site. The Environmental Health Officer has also sought a condition to address contamination. Given the previous use of the site there is unlikely to be any contamination and the Environment Agency condition is considered a more suitable approach to this issue in the circumstances.

Wildlife

A number of wildlife surveys have been undertaken in relation to the site including a recent bat survey. In respect to bats the survey did not find any use of the existing buildings to be demolished on site and a recommendation was made with regard to external lighting to limit the extent of any light spillage in the future. A condition is considered appropriate to address this point. A landscape strategy for the site is also proposed to enhance biodiversity.

Other wildlife such as badgers, water voles, dormice and reptiles have been considered and mitigation recommendations are made where necessary to protect any species found on site and specifically to address the badger sett within the site. The mitigation proposed is considered necessary and a condition to address this is considered acceptable.

Affordable Housing

The development of the site falls to be considered in light of the new Core Strategy given its advanced state. Policy CP4 relates to housing and requires an affordable provision of 25%. In this particular case there is a critical size involved in provided housing schemes for the frail elderly, as proposed in this case. The current scheme is at the lower end of the viability scale in terms of such provision. Consequently given the flood risk constraints of the site it is not possible to provide an affordable housing element on site. Instead a commuted sum is being offered in lieu of on site provision to allow for provision elsewhere in the town. The Housing Lead recommends a sum of £862,408 to be ring fenced for the provision of affordable housing and to be payable on the sale of the land. This will need to be sought through a legal agreement, though not a Section 106 as the Authority own the land concerned.

Access

The access to the site is to be moved to provide visibility and a footway across the site frontage. The provision of this footway is to be a condition of the development. The Highway Authority had previously agreed the current scale of development in principle given the previous use of the site and levels of traffic that were using local roads. The roads serving the site are narrow in places, however there is no ability to secure improvements to these roads serving the site. The proposed development has been shown to generate significantly less traffic in the morning and evening peak periods than the existing use and the commercial vehicle use would be removed.

The car parking provision is made on the basis of similar schemes allowed elsewhere in the town and the experience of the applicant in providing sheltered housing schemes across the country. The Highway Authority have asked for a justification of the car parking given that it is more than their standard, however the parking level proposed is considered adequate despite the concerns of local residents that there is a lack of parking. The parking provision is just over a third and provides 23 spaces for 58 units of residential care for the elderly. There is provision on site for bicycle and mobility buggy parking. The occupation of these residential units is to be age restricted by condition and the level of parking for the nature of the use is considered to be an acceptable one.

Conclusion

The proposed development is considered to be a suitable and sustainable reuse of a previously developed site within the settlement limits of the town in accordance with the NPPF and local development plan policies. The scheme makes adequate provision for access, parking, affordable housing, wildlife mitigation, drainage provision and landscaping.

The receipt of the New Homes Bonus is noted, however, it is considered that this matter carries limited weight in this case.

The scheme is considered to provide a needed facility for the frail elderly and secures a high quality design in a highly sustainable location and it is 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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