

38/13/0420

1 KINGSTON ROAD LIMITED

**DEMOLITION OF SNOOKER HALL AND ERECTION OF 29 NO. ONE BEDROOM APARTMENTS AND 11 NO. TWO BEDROOM APARTMENTS WITH ANCILLARY BIKE STORAGE AND CAR PARKING AT THE FORMER RILEYS SNOOKER CLUB, 1 KINGSTON ROAD, TAUNTON AS AMENDED**

Location: SNOOKER HALL, KINGSTON ROAD, TAUNTON, TA1 7SA

Grid Reference: 322648.125525

Full Planning Permission

---

**RECOMMENDATION AND REASON(S)**

Recommended Decision: Conditional Approval

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

Subject to a Section 106 agreement to secure the following:

25% affordable housing,

A contribution of £2,904 for each 2 bed+ dwelling should be made towards the provision of children's play.

A contribution of £1571 for each dwelling should be made towards the provision of facilities for active outdoor recreation.

A contribution of £209 per dwelling should be sought for allotment provision

A contribution of £1208 per dwelling towards local community hall facilities. .

A public art contribution should also be requested, either by commissioning and integrating public art into the design of the building and public realm or by a commuted sum to the value of 1% of the development costs.

Should the decision be issued after the 1st April then other than the affordable housing element, the scheme would be liable for CIL.

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:

(A4) DrNo 13.17.01 Location Plan

(A4) DrNo 13.17.02 Site Plan

(A2) DrNo 13.17.03 Topographical Survey

- (A1) DrNo 13.17.04 Existing Elevations
- (A1) DrNo 13.17.10A Site Plan
- (A1) DrNo 13.17.11B Proposed Plans
- (A2) DrNo 13.17.12A Proposed Elevations
- (A1) DrNo 13.17.13A 3D Model Context Views
- (A3) DrNo 13.17.14A Proposed Street Elevations
- (A1) DrNo 13.17.15 Cross Section
- (A2) DrNo 13.17.16 Existing Cross Section
- (A4) Materials schedule

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

3. Only those materials specified in the submitted schedule, notwithstanding the stone shall be used in carrying out the development hereby permitted unless otherwise agreed in writing with the Local Planning Authority.

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

4. The development hereby permitted shall not be commenced until details of a mitigation strategy to accommodate 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 Richard Green Ecology Ltd submitted report, dated October 2013, and include:
  1. Measures for the enhancement of places of rest for bats and nesting birds

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 and nesting birds shall be permanently maintained. The development shall not be occupied until the scheme for the maintenance and provision of the new bat and bird boxes and related accesses have been fully implemented

Reason: To enhance the site for bats and nesting birds in accordance with the National Planning Policy Framework.

5. Provision shall be made for combined radio and TV/satellite aerial facilities to serve the development hereby permitted and no external radio, TV or satellite aerial shall be fixed on any individual residential property or flat or other unit of living accommodation.

Reason: In the interests of the visual amenity of the area in accordance with policy DM1 of the Taunton Deane Core Strategy.

6. The window(s) and/or balconies in the north elevation of flats 24 and 33 and

the western stair well shall be glazed with obscure glass in a manner to be agreed in writing by the Local Planning Authority and shall thereafter be so retained. There shall be no alteration or additional windows in this elevation without the further grant of planning permission.

Reason: To ensure the privacy of the adjoining occupiers in accordance with Policy DM1 of the Taunton Deane Core Strategy.

7. The bin storage facilities shown on the submitted plan shall be constructed and fully provided prior to occupation of the dwelling(s) hereby permitted, and shall thereafter be retained for those purposes, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that adequate facilities exist for the future residents of the site and that the proposed development does not harm the character and appearance of the area in accordance with Policy DM1 of the Taunton Deane Core Strategy.

8. The cycle storage facilities shown on the submitted plan shall be constructed and fully provided prior to occupation of the dwelling(s) hereby permitted, and thereafter 49 spaces shall be retained for those purposes unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that adequate facilities are included for the storage of cycles, in accordance with retained policy M4 of the Taunton Deane Local Plan.

9.
  - (i) Before part of the development is occupied, 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 occupation 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 does not harm the character and appearance of the area in accordance with Policy DM1 of the Taunton Deane Core Strategy.

10. No demolition shall be undertaken until the implementation of an appropriate programme of building recording and analysis has been agreed in writing with the Local Planning Authority to be carried out by a specialist acceptable to the

Local Planning Authority and such work shall be carried out in accordance with the written brief.

Reason: To help protect the historic environment of the Borough in accordance with Taunton Deane Core Strategy Policy CP8.

11. The glazing and ventilation installed at the development shall be Rehau70 double glazing (and Rehau70 triple glazing on façades facing the railway line and Kingston Road) with ventilation using Greenwood MA3150 acoustic wall vents.

If the developer proposes to use glazing and ventilation different to that agreed they shall submit to the Planning Authority all details of the alternative sound reduction scheme and the reasoning upon which this is based. Such details are to be agreed, in writing, by the Planning Authority prior to the commencement of development works. All works that form part of the scheme shall be completed before the development is occupied.

Reason. To ensure the amenity of residential premises is not adversely affected by noise from traffic and rail sources.

12. No development shall commence until a Travel Plan for this development shall be submitted to and approved in writing by the Local Planning Authority. The approved plan implemented within two months of the development being first used or occupied. A person shall be identified as a co-ordinator and point of contact for the purposes of the Plan. The Travel Plan shall be carried out as approved.

Reason: To ensure a transport choice is provided and to ensure that occupants will travel to and from the site by means other than the private car in accordance with the relevant guidance in Section 4 of the National Planning Policy Framework.

13. Notwithstanding the submitted stone samples no wall construction shall begin until a panel of the proposed stone 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 ensure that the proposed development does not harm the character and appearance of the area in accordance with Policy DM1 of the Taunton Deane Core Strategy.

## Notes to Applicant

1. In accordance with paragraphs 186 and 187 of the National Planning Policy Framework the Council has worked in a positive and pro-active way with the applicant and has negotiated amendments to the application to enable the grant of planning permission.

## **PROPOSAL**

The proposal is for the demolition of the existing snooker hall building which is rendered and two storey and its replacement with a four/five storey block of flats. The flats would include 11 two bedroomed units and 29 one bedroomed units together with bin and cycle storage and two parking spaces. Provision for 10 affordable units is made.

## **SITE DESCRIPTION AND HISTORY**

The site consists of a two storey rendered building on the corner of Station Road and Railway Street. Historically the building was a cinema in the 1920's and 30's, was a nightclub in the 80's and more recently has been used as a snooker hall. This used ceased in 2012 and the site has been empty since.

## **CONSULTATION AND REPRESENTATION RESPONSES**

### **Consultees**

*SCC - TRANSPORT DEVELOPMENT GROUP* - The proposal relates to the demolition of the existing building to be replaced with a new block housing 40 flats.

Somerset County Council's Parking Strategy would require that sites within a town centre location are required to provide 1 space for either a one or two bedroom units. The applicant has proposed to provide a total of four spaces one of which would be a disabled space. This therefore represents a short fall of 36 spaces. This would normally be a cause of concern nevertheless the Parking Strategy does indicate that where development is located in a more sustainable location lower levels of parking might be considered acceptable. The Parking Strategy goes onto state that evidence detailing the local circumstances would need to justify the deviation and include it in a Travel Plan.

The applicant has not provided a Travel Plan as part of their submission however the applicant did provide a Transport Statement which does identify that the site is located in close proximity to regular public transport services and services and facilities. As a consequence there is a high probability that the proposal would provide a modal shift to alternative forms of transport therefore a development of this nature may be considered appropriate in this location.

Although the Highway Authority would accept that there is a strong likelihood there would be a modal shift to alternative modes of transport. The level of parking proposed is quite low. It is noted that the Local Planning Authority would accept car free development in this location however it is the opinion of the Highway Authority that the level of parking will need to be increased.

I note from drawing 13.17.10 that some parking has been provided for the site. Would the applicant please be able to provide further information on how these spaces are to be allocated?

To further offset the need to travel by private car the applicant has proposed 49 cycle stands. These have been indicated on the submitted plan. Please note that the detailed design of the stands would need to be submitted to the Highway Authority for approval.

As stated earlier the applicant has not provided a Travel Plan as part of their submission. The applicant should note that the Highway Authority would require a Travel Plan to be submitted for this site. In addition the Travel Plan would need to be secured via a S106 agreement.

Therefore to conclude the Highway Authority has no objection in principle due to the site's sustainable location but would require the applicant to raise the level of parking from the current level proposed. Furthermore the applicant would need to provide a Travel Plan via a S106 agreement and also provide detailed design of the proposed cycle stands.

#### ADDITIONAL COMMENTS

The applicant has indicated that they will provide a Travel Plan for this site. This document has been submitted and we are in the midst of auditing it. As indicated by the applicant this will need to be secured via a S.106 agreement.

Turning to the level of parking provided at the site. As you are aware the Highway Authority raised concerns over the level of parking on the site not meeting the optimum requirements set out in the Parking Strategy.

This additional information has provided further justification on why this departure would be acceptable. This indicates the proximity of alternative transport elements to the site (i.e. buses and the train station) furthermore the approximate distances to the facilities within the town centre.

Although the proposed level of parking is well below Somerset County Council's standards for a development of this nature in Taunton it is apparent that it is located in a sustainable location. As such there is a high chance that occupiers will utilise other more sustainable modes of transport coupled with a Travel Plan being secured via a S.106. Therefore it is likely to reduce the need for the private car and therefore the proposed level of parking could be considered acceptable.

If the Local Planning Authority were minded to grant permission they will need to attach the following conditions:

- Prior to first occupation or first use of the development hereby permitted, covered spaces for not less than (insert) residents and visitors and parking for motorcycles shall be laid out, constructed and drained in accordance with a detailed scheme [within the Travel Plan] to be submitted to and approved in writing by the Local Planning Authority.

*HERITAGE* - This building is of historic interest. If demolition is approved I suggest that the following condition is included:

No demolition shall be undertaken until the implementation of an appropriate

programme of building recording and analysis has been agreed in writing with the Local Planning Authority to be carried out by a specialist acceptable to the Local Planning Authority and such work shall be carried out in accordance with the written brief.

Reason: To help protect the historic environment of the Borough in accordance with Taunton Deane Core Strategy Policy CP8.

*ENVIRONMENTAL HEALTH - NOISE & POLLUTION -*

Thank you for consulting on the above application. The site is close to the railway line and on Kingston Road, therefore, the developer should ensure that the properties are designed and built so that there is an acceptable noise level in all of the properties.

A report has been submitted with the application:

- Kingston Road Noise Assessment, October 2013, SPL Acoustics Ltd

The report includes details of noise monitoring carried out in September 2013. This involved measuring noise levels on the Kingston Road side of the building and on Railway Street, above the parapet of the station (on the opposite side of the road from the application site). It uses this to estimate noise levels at the facades of the proposed apartments.

The report notes that the building should be designed and built to ensure that suitable internal noise levels are met, and outlines the criteria given in the World Health Organisation (WHO) guidance. It recommends that suitable thermal double glazing could be used. However, if windows are to remain closed to keep out external noise additional means of ventilation (e.g. passive through the wall ventilation) will be required for some upper floors.

The report does note that some apartments have balconies facing the railway or the road, and that the WHO noise criteria for amenity noise (i.e. outside space) is unlikely to be achieved.

**Comment**

The level of noise attenuation provided by standard double glazing does vary. It is important that adequate glazing is used, therefore, the developer should provide a more detailed specification for the glazing. Details should also be provided of the apartments that require additional ventilation, along with a specification of the vents to be used.

I recommend that a condition is used to ensure that this is carried out (example attached, the report that has been submitted could be used to satisfy part of the condition)

**Noise condition**

Prior to the commencement of any development works, the applicant shall examine the premises/land and identify what measures, if any, may be necessary to ensure that noise from existing sources and the proposed strategic road will not be detrimental to the amenity of the occupants of the premises on the completed development.

The applicant shall submit to the Planning Authority all details of any sound

reduction scheme recommended and the reasoning upon which any such scheme is based. Such details are to be agreed, in writing, by the Planning Authority prior to the commencement of development works. All works that form part of the scheme shall be completed before the development is occupied.

Reason. To ensure the amenity of residential premises is not adversely affected by noise from traffic and rail sources.

Note. Re noise

Guidance on suitable internal noise levels can be found in British Standard BS8233 1999. This recommends that internal noise levels arising from external sources should not exceed 40 decibels LAeq in all living and bed rooms during the day (0700h to 2300h) and 30 decibels LAeq during the night (2300h) to 0700h). In addition a 45 decibel L<sub>Amax</sub> applies in all bedrooms during the night (2300h to 0700h).

Additional Comment

I refer to my previous memo dated 3<sup>rd</sup> January 2014 and the additional information that has been submitted by Reed Holland regarding noise – details of Rehau Total70 windows, Greenwood Verio heat recovery system and MA3051 acoustic wall ventilator

The acoustic report that was submitted in February (SPL Acoustics Ltd) estimated the noise levels at the facades of the proposed flats and assumed that a good standard of internal noise could be achieved if the windows provided a level of noise attenuation of 32dB. It noted that for a number of the flats windows would need to remain closed to achieve this, therefore an additional means of ventilation would be needed which should also have a suitable level of noise attenuation.

The email from Reed Holland dated 22<sup>nd</sup> February 2014 states that the windows for the proposed development will be Rehau PVCu System 70 and that glazing will be triple glazed to Railway Street and Kingston Road frontage. It also states that the flats will have mechanical ventilation with heat recovery system with acoustic wall vent such as the MA3051.

The information provided include details of the acoustic performance of some types of the Rehau70 glazing, i.e. 4-12-14 is 30dB and 6-12-6 is 34dB (although it is not clear what acoustic criteria are being used). There are no details of the acoustic performance of the triple glazing, however, it is likely to be higher than the double glazed units.

The acoustic wall ventilation details for MA3051 state that the vents provide acoustic attenuation of D<sub>nw</sub> of 55dB(A)

Based on the information provided, it is likely that the proposed glazing and ventilation will provide adequate sound insulation for the properties. To ensure that the specified glazing and ventilation is installed I would suggest that a condition is used (see attached below). This could also cover the situation where the developer chooses to use a different glazing or ventilation.

*HOUSING ENABLING* - 25% of the new housing should be in the form of affordable homes. Housing enabling with a representative from Housing Option have



discussed the affordable housing provision in detail with the applicant.

Owing to the schemes close proximity to the town centre and the high demand for one bedroom properties it is proposed that the affordable provision consists of 10 x 1 bed flats for a rental level that must not exceed 80% of open market rent or the relevant Local Housing Allowance level, inclusive of any liability for service and management charges – an affordable intermediate rent.

The proposed location of the affordable housing units within this application has been approved by Housing Enabling and the representative from Housing Options.

It is proposed the applicant retains control of the affordable housing as Acorn Developments are accredited landlords through the Somerset West Private Sector Housing Partnership to which Taunton Deane is a partner.

It is proposed that there is provision within the S106 planning agreement that in the event Acorn Developments are no longer an accredited landlord or the property is disposed of in the future that the affordable homes are not to be disposed to any other than the Council, Registered Provider or Accredited Landlord.

Nominations for the affordable housing will be taken from Homefinder Somerset and a local lettings plan will be agreed with the TDBC Housing Options Team.

*DRAINAGE ENGINEER* - No observations.

*WESSEX WATER* - According to our records there is an existing 600mm public combined sewer which runs close/under the existing building which serves the upstream catchment. The sewer must be accurately located on site and marked on site layout drawings. Wessex Water normally require a 3m easement either side of its pipes for protection, repair and access purposes. The applicant must contact our engineer as soon as possible to agree easements and protection measures. The water main also appears close and warrants further discussion.

On other matters the site will be served by separate systems of drainage; surface water discharge rates are to the public combined system to be agreed. We would expect betterment over existing arrangements.

Water supply - point of connection to be agreed and boosted storage will be required for buildings above two storeys.

*LEISURE DEVELOPMENT* - In accordance with Local Plan Policy C4, provision or play and active recreation should be made for residents of these dwellings.

A contribution of £2,904 for each 2 bed+ dwelling should be made towards the provision of children's play. The contribution to be spent on additional facilities for the benefit of new residents within the vicinity of the development.

A contribution of £1571 for each dwelling should be made towards the provision of facilities for active outdoor recreation.

A contribution of £209 per dwelling should be sought for allotment provision together with a contribution of £1208 per dwelling towards local community hall facilities. The contributions should be index linked.

A public art contribution should also be requested, either by commissioning and integrating public art into the design of the building and public realm or by a commuted sum to the value of 1% of the development costs.

*BIODIVERSITY* - The application is for the demolition of a snooker hall and the

erection of 40 apartments at Kingston Road , Taunton.

Richard Green Ecology Ltd carried out a Protected Species Survey for the site in October 2013.

Findings of the survey are as follows

#### Bats

The surveyor found no evidence of bats within the building and no bats emerged during the emergence survey. I agree that it is unlikely that the building is used by roosting bats.

Two common pipistrelle bats were recorded flying around the trees to the east but these will not be impacted on by the development.

I support the suggestion to provide bat roosts in the new buildings

#### Birds

No evidence of nesting birds was found within the building. I support the suggestion to provide bird boxes in the new buildings.

#### Suggested Condition

The development hereby permitted shall not be commenced until details of a Mitigation strategy to accommodate 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 Richard Green Ecology Ltd submitted report, dated October 2013, and include:

1. Measures for the enhancement of places of rest for bats and nesting birds

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 and nesting birds shall be permanently maintained. The development shall not be occupied until the scheme for the maintenance and provision of the new bat and bird boxes and related accesses have been fully implemented

**Reason:** To enhance the site for bats and nesting birds in accordance with the National Planning Policy Framework.

#### Informative Note

1. The condition relating to wildlife requires a mitigation proposal that will enhance the site for bats and nesting birds.
2. Most resident nesting birds are protected under the Wildlife and Countryside Act 1981 (as amended)
3. It should be noted that the protection afforded to species under UK and EU legislation is irrespective of the planning system and the developer should ensure that any activity they undertake on the application site (regardless of the need for planning consent) must comply with the appropriate wildlife legislation.

*DEVON AND SOMERSET FIRE & RESCUE SERVICE* - No comment

*POLICE ARCHITECTURAL LIAISON OFFICER* - Having reviewed the documentation submitted in support of the application, I would make the following observations

**Crime & ASB Statistics** – reported crime for the area of this development (within 200 metre radius) of the grid reference during the period 01/12/2012□30/11/2013 is as follows:-

Arson - 1 Offence

Burglary - 8 Offences (including 5 dwelling burglaries)

Criminal Damage - 10 Offences (including 1 damage to dwelling and 7 damage to vehicles)

Drug Offences - 5

Fraud/Forgery - 5

Sexual Offences -1

Theft & Handling Stolen Goods - 16 Offences (incl. 2 theft of motor vehicle, 4 theft from motor vehicle, 3 theft of pedal cycle)

Violence Against the Person - 20 Offences (incl. 1 assault GBH, 5 assault ABH, 3 possess bladed article, 7 common assault)

Total - 66 Offences

This averages just over 1 offence per week, with peak days being Friday and Saturday and peak times

being evening into early hours. The level of crime is classed as 'average'.

Anti-social behaviour reports

during the same period in the same area total 9, which are fairly low levels.

**Public Access** – security of the apartment block would be enhanced by discouraging casual intrusion by non-residents, so public access should be restricted. A suitable access control system in the form of door entry phone with audio/visual verification, proximity fob or similar system should be provided to the main communal entrance door. Good signage should also be provided to deter unauthorised access and assist emergency services, tradespersons etc. Bearing in mind the lack of any gate at the entrance to the courtyard, the provision of surface changes at this entrance would also help reinforce the defensible space of the development giving the impression that the area is private.

**Natural Surveillance** – optimum natural surveillance should be incorporated whereby residents can see and be seen. The design of the apartment block with a lack of any deep recesses or potential hiding places and considerable amount of glazing incorporated into the elevations on all sides would appear to do this. The external spaces including courtyard, footpaths, roads etc all appear to be clearly observable from the block.

**Balconies** – the design incorporates balconies from the first floor level upwards and they should be designed to exclude handholds and to eliminate the opportunity for climbing up, down or across between balconies.

**Cycle Store** – the management office seems to be well located to supervise the internal communal cycle store which appears to be of substantial construction and devoid of windows, which is recommended. The store should be fitted with a secure doorset, the locking system being operable from the inner face by use of a thumb turn to ensure that residents are not accidentally locked in by another person. The store should be provided with secure anchor points or cycle stands. Bearing in mind the flat, green roof over the cycle store incorporating rooflights, any potential climbing aids in this area should also be avoided.

**Bin Store** – the communal internal bin store also appears to be of substantial construction and secure which should deter the use of wheelie bins as climbing aids or for arson.

**Lighting** – appropriate lighting should be designed to cover high risk areas including main site access, courtyard, main entrance door, fire exit doors etc. All lighting should be automatically controlled by photo-electric cell or time switch with manual override and fittings should be vandal resistant.

Streetlighting already exists in Kingston Road and neighbouring streets.

**Landscaping/Planting** – little appears to be proposed but, if so, it should not impede opportunities for natural surveillance so shrubs should be selected which have a mature growth height of no more than 1 metre and trees should be devoid of foliage below 2 metres, so allowing a 1 metre clear field of vision.

**Car Parking** – the plans indicate that this is a ‘car free’ development and only four parking spaces appear to be proposed in the courtyard. Where communal car parking is necessary, it should be in small groups, close and adjacent to the owners they serve and open to view of the residents from regularly habitable rooms. This would appear to be the case although I seriously doubt whether this number of spaces is sufficient to service 40 flats.

**Internal Security** – communal internal circulation areas including entrances, corridors, staircases and lift lobbies should be well lit. Access staircases should be linked to the minimum number of apartments and, if possible, the main door entry system should be extended to the landings. Recesses, blind corners and hiding places should be eliminated wherever possible and a means of emergency communication provided from lifts and adjacent lobbies.

**Doorsets** – the main communal entrance door and individual flat entrance doorsets on the ground floor should comply with PAS 24:2012 to offer minimum standards of security. Flat entrance doorsets above the ground floor should comply with the same standard but should have lock hardware that is operable from both sides of an unlocked door without the use of a key (*this enables occupants to unlock the door from the inner face without the use of a key, investigate the cause of a fire or other emergency and return to raise the alarm without the use of a key*).

**Windows** – ground floor windows and those easily accessible should also comply with PAS 24:2012 and incorporate laminated glass.

**Secured by Design** – the applicant’s attention is drawn to the additional comprehensive information provided on the police approved ‘Secured by Design’ website – [www.securedbydesign.com](http://www.securedbydesign.com) - under the heading ‘**Design Guides**’.

*SCC - CHIEF EDUCATION OFFICER* - No comment received

*NETWORK RAIL* - No comment received

*SW DESIGN REVIEW PANEL* - Overall, subject to the comments in this report, the panel felt that the scheme was well considered and supported the proposals. Although it was felt that ideally the the scheme may have benefitted from The Design review proces at an earlier stage, prior to being submitted for planning approval.

In regard to form and massing the panel was encouraged to see the proposals had explored alternative layout options and overall it was felt that the scheme responded well to the various contextual constraints and considerations. The panel felt that due to the proximity and height of the railway bridge and level of Kilkenny car park opposite, that the site could satisfactorily accommodate the height of the proposed building along the Kingston Road.

The Panel had some concerns over the height of the of the proposed building at the rear and the potential for it being perceived as overbearing in the north west corner of the site in relation to the backs of the nearby residential terraced houses situated along Thomas Street. Further concerns were expressed that the winter shadow study shows that the courtyard area and garden of the adjacent property to the

north of the site will be in continuous shadow during the winter period.

The panel suggested it may be useful for a north-south section to be provided that cuts through the rear of the building and site. It was felt that this would help better illustrate the relationship and change in levels between Railway Street, the internal floor levels, the courtyard space and the terraced houses situated along Thomas Street (and their rear amenity spaces).

It was suggested that any sense of unacceptable overbearing and overshadowing to the terraced houses in Thomas Street could be addressed by reducing the height of the building by a storey, by the loss of the top two floor apartments along the western elevation. By reducing the height of the rear of the building it was felt that an additional storey could be provided to the front (Kingston Road) section of the building in order to maintain the proposed number of units.

It was suggested subject to highways acceptance that the proposed parking area would be better used as amenity space for the apartments. By providing the absolute minimum amount of parking required in this area it may allow the building to be pulled slightly further into the site allowing an increased buffer zone along Railway Street. This amenity space would allow the currently proposed integrated bin and bicycle store to be relocated as a separate element within this amenity space. This may significantly improve the thermal fabric performance of the building, as concerns were expressed in regard to the integration of heated and non heated spaces. This may also represent an opportunity to relocate the manager's office to a more prominent location within the building. In order to offset the much reduced parking provision it was suggested that the provision of an electric pool car could be investigated.

The panel was pleased to note the defensible space provided to the front of the property along Kingston Road and strongly supported the location of the main building entrance.

The panel was supportive of the proposal to provide appropriate low level lighting externally to the building particularly within the proposed amenity space/parking area and along Railway Street in order to prevent any antisocial areas being created. The panel suggested that secure gated access to the courtyard area may be a benefit to the scheme. It was recommended by the panel that the proposals demonstrated how they provided a response to the principles set out by 'Secure by Design Guidance'.

The panel applauded and was very supportive of the sustainable aspirations of the scheme and the desire to exceed the minimum building regulation standards in regard to energy efficiency. It was suggested that a 'fabric first' approach should be adopted in regard to thermal efficiency and air tightness of the project with renewable energy resources being utilised as a secondary measure if required.

The depth of the green roof structure should be investigated further and the clarification in regard to the types of planting and its requirements be provided to ensure that the depth of structure indicated is sufficient.

The proposed provision of a feature tree along Railway Street was supported, although careful consideration in regard to the species and planting methodology of this tree in such close proximity to the proposed building needs careful consideration.

Overall subject to successfully demonstrating that the proposals are not overbearing to the residential terraced properties located along Thomas Street, the panel was supportive of the proposals.

### **Representations**

4 letters of objection on grounds of

- overdevelopment,
- overlooking and loss of privacy,
- overbearing and loss of light,
- lack of parking and impact on surrounding neighbourhood

### **PLANNING POLICIES**

NPPF - National Planning Policy Framework,  
CP1 - TD CORE STRAT. CLIMATE CHANGE,  
CP4 - TD CORE STRATEGY - HOUSING,  
CP5 - TD CORE STRATEGY INCUSIVE COMMUNITIES,  
CP6 - TD CORE STRATEGY - TRANSPORT AND ACCESSIBILITY,  
CP8 - CP 8 ENVIRONMENT,  
DM1 - TD CORE STRATEGY - GENERAL REQUIREMENTS,  
C4 - TDBCLP - Standards of Provision of Recreational Open Space,  
M4 - TDBCLP - Residential Parking Provision,

### **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)	£43,163
Somerset County Council (Upper Tier Authority)	£10,791

#### 6 Year Payment

Taunton Deane Borough Council (Lower Tier Authority)	£258,976
Somerset County Council (Upper Tier Authority)	£64,744

#### Community Infrastructure Levy

In the event that planning permission is granted for this development after 1<sup>st</sup> April 2014, the development would be liable for CIL at a rate of £70 per square metre.

In light of 'affordable housing relief' provisions, it is likely that the CIL would be payable on 30 of the units.

## **DETERMINING ISSUES AND CONSIDERATIONS**

The proposed scheme is the redevelopment of a brownfield site to provide 40 flats and involves the demolition of the existing building. The main considerations are the design, noise, amenity impact and parking.

The proposed building is a four and five storey structure and there was initial concern over the scale of the development and the application was put before the Local Devon and Somerset Design Review Panel. The Panel considered the height of the building could be accommodated along Kingston Road and queried the impact of five storey at the rear. The application was subsequently amended to delete a storey at the western end and amend the parking, bin and cycle store areas. The materials are proposed to be render and cladding with a green roof and pv panels. The Panel was supportive of the defensible space and the low level external lighting on the building and the energy efficient approach to the design and overall were supportive of the proposal.

The site lies adjacent to Station Road and close to the railway station. A noise assessment was submitted with the application and further details in respect of elements of the construction to address these issues have been submitted to the Environmental Health department to address their suggested condition. The submitted details are considered to be acceptable and revised condition wording is proposed to reflect the details suggested.

The development provides a four and five storey development on a sloping site. Concern was initially raised over the potential impact of the five storey scheme for properties to the north west. This was commented on by the Design Review Panel and as a result the scheme has been modified to reduce the height of the western end of the building by a storey. This lessens the height and impact of this end of the building. The impact of the revised scheme on the commercial premises to the west is considered acceptable as is the impact on the ends of gardens in Thomas Street to the north. Balconies on the northern elevation have also been removed and the impact on overlooking reduced. There will be an element of overlooking to the rear of existing commercial properties on Kingston Road however such properties are already mutually overlooked and there has been no objection from these properties. There is still a concern over the impact for the two upper storey flats at the western end which are 9m from the boundary to the north, however a condition in respect of obscure glazing of windows here is considered sufficient to address the issue.

The site lies opposite the railway station and is considered to be a sustainable location for development close to the town centre. There is very limited parking at the existing site and two spaces are required for the adjoining property. Only 2 parking spaces are proposed as well as covered storage for 49 cycles. The County Highway Authority recognise the nature of the location and ability to access different modes of transport and have not raised objection to the scheme. A grantpian condition is proposed to require a travel plan. It is recognised that there are objections on the basis of lack of parking, however the site lies opposite a public car park and there is adequate cycle storage provided on site. Other sites further out of town have been considered as suitable for car free development and while the scheme is larger in scale, the site here is still considered suitable.

The scheme proposes 40 flats which qualifies for affordable housing under policy

CP4 of the Core Strategy. The development incorporates 25% affordable housing to comply with this policy and in agreement with the Housing Enabling Officer. This requirement will need to be secured through a Section 106 agreement.

The development requires a contribution towards play and outdoor recreation through policy C4 of the Local Plan. In addition contributions are sought for allotments, community hall provision and public art and these will need to be secured through a legal agreement. The property is not listed and while it is not considered listable it is of historic interest and therefore a recording condition is recommended prior to demolition.

In summary the design of the proposal is considered an acceptable one as amended and the impacts of the scheme on neighbours and parking are suitably addressed and comply with policy. The affordable housing will be secured by legal agreement and the other contributions sought will either be similarly secured or achieved through the CIL process. The scheme is considered an acceptable one and recommended for permission.

**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: 01823 356398**