

38/18/0079

CHURCHILL RETIREMENT LIVING

Erection of 72 No. apartments for the elderly, guest apartment, communal facilities, access, car parking and landscaping at former Lidl site, Wood Street, Taunton

Location: LIDL, WOOD STREET, TAUNTON TA1 1UN

Grid Reference: 322567.124786

Full Planning Permission

Recommendation

Recommended decision: Non-Determination Refusal

I recommend that in the event that the Local Planning Authority was in a position to determine the application, the application would have been REFUSED for the following reason:

- 1 The proposed development by reason of its design and mass will detract from the character of the area in terms of the river frontage and the road frontage and the latter will be dominated by car parking provision detracting from the setting of the building. The scheme is not considered of a sufficiently high quality for such a predominant site in Taunton's townscape, is not supported by the Design Review Panel and would be contrary to advice in the NPPF (para 129), the Taunton Town Centre Design Code SPD and policies DM1d of the Core Strategy and D7 of the Site Allocations and Development Management Plan.

Notes to Applicant

Proposal

The proposal is to erect a block of apartments for the elderly comprising 72 units over 4 floors, together with a guest apartment, communal facilities, access, car parking for 37 spaces, buggy store and landscaping at the former Lidl site off Tangier Way.

Site Description

The site consists of a triangle of land that is hard surfaced and was the former car park and now demolished building of the former Lidl store. The site is bounded by walling of varying height on all sides including a flood defence wall on the river side.

Relevant Planning History

38/00/0249 - Erection of a retail foodstore, car parking and the construction of a new

road and junction with Wood Street at the former Graham Reeves site, Wood Street, Taunton - CA 14/2/01

38/17/0442ENQ - Redevelopment of site to provide elderly persons apartments, communal facilities, access, parking and landscaping at former Lidl site, Tangier Way, Taunton

Consultation Responses

SOUTH WEST HERITAGE TRUST - As far as we are aware there are limited or no archaeological implications to this proposal and we therefore have no objections on archaeological grounds.

LEAD LOCAL FLOOD AUTHORITY - We wish to object to the application until such time as the matters outlined below have been resolved or additional information submitted.

The FRA for this development includes a drawing showing the proposed drainage strategy. Surface water runoff from the site is proposed to be discharged to the River Tone via the existing outfall to the south of the site. The FRA states that approx. 66m³ of storage would be required to be provided.

However, the FRA asserts that, due to technical challenges of providing surface water storage within sites in the town centre, Taunton Deane Borough Council (TDBC) allows sites to purchase storage within Longrun Meadow located approx. 1km upstream of the site, rather than provide it on site. The FRA further states that it has been agreed with TDBC that the required attenuation storage can be provided off site by purchasing some of the available storage in Longrun Meadow.

However, the proposed drainage strategy appears flawed as to our knowledge the function of Longrun Meadow is to provide fluvial floodplain storage compensation, not surface water attenuation capacity. There appears to be sufficient space on site to provide 66m³ of storage. Therefore, the Applicant should provide further evidence of the agreement with TDBC and /or Environment Agency to utilise Longrun Meadow for this purpose, and why on-site attenuation storage is not a viable option.

The Applicant submitted a CCTV survey of the existing drainage system. It is unclear whether attenuation storage for the former Lidl supermarket was provided on site or off site or whether unrestricted discharge to the river was allowed.

It is unclear what discharge rate is proposed from the new development. The submitted FRA suggests that discharge rate will be limited to 120l/s. The FRA states that the estimated attenuation storage volume will be required to reduce site runoff rates by 30% (as it is required for the brownfield sites). We do not agree with this statement, as the storage volume was calculated based on the existing runoff rate estimated for the 1 in 100 year event with no reduction in the discharge rate. The Applicant should base their calculations on there being no increase in runoff between the 1 in 1 year event and the 1 in 100 year event (allowing for the potential

effects of climate change). In accordance with the West of England SuDS Guidance, the proposed discharge rate should provide a minimum 30% reduction in comparison with the existing discharge rates.

No information on the risk of water backing up the drainage system from the proposed outfall and how this risk will be managed was submitted. The Applicant shall submit the assessment of the risk of water backing up the drainage system and how it will be managed. This information shall be submitted prior the planning permission is granted to ensure that sufficient storage/management system is in place. The Applicant should confirm that the proposed drainage system will be designed to show no flooding from the system for up to and including the 1 in 30 year event. Detailed calculations will not be required at this stage.

The submitted FRA states that in the event of blockage or exceedance storm events, surface water will be stored in the area of the car park. The FRA states that finished floor levels will be established more than 0.9m above the car park area, hence there will be no increased risk of flooding to the property. No drawing showing the management of surface water runoff was submitted. The submitted Site Plan suggests that ground levels in the adjacent Tangier Road may be lower than the ground levels in the proposed car park. This could result in flooding of the road in the event of exceedance. The Applicant shall submit evidence that exceedance flows will be managed within the site boundary for up to and including the 1 in 100 year event with climate change and not pose risk to the development.

The submitted FRA states that the surface water drainage system has been designed to meet the requirements of Wessex Water as far as it is practicable. It is unclear what elements of the drainage system were designed in accordance with Sewers for Adoption.

The Applicant should confirm whether a Flood Defence Consent will be required from the Environment Agency for their proposed drainage strategy. This confirmation should be provided prior to planning permission being granted, but the consent can be provided at detailed design stage.

LEISURE DEVELOPMENT - No observations to make.

PLANNING POLICY -

Taunton Town Centre Area Action Plan (TCAAP)

Policy Tg1 proposes that the site be redeveloped for a range of uses to include residential development on 3-4 storeys.

Policy ED1 requires development on allocated sites to be 'appropriate and sensitive to context'.

Policy ED4 requires development to directly front public streets and spaces.

The Proposals Map makes clear that development should be in a 'perimeter block' form with active frontages to both the riverside and Wood Street/Tangier Way.

Whilst the proposal is appropriate in terms of land use and scale, the built form (a single block rather than a perimeter block, with no built frontage to Wood Street) seems wrong for the site – which at its deepest is 60m wide – and therefore in conflict with Policies ED1 and ED4 of the TCAAP. Whilst the continuous frontage to the river is welcome, the overall plan of the buildings does not really respond to the

site.

Other comments

This is one of the most visually prominent sites in the whole of Taunton – directly opposite Goodland Gardens – and a high-quality design is therefore essential. Given the dissatisfaction with the previous building on this site, Taunton simply has to get it right this time.

It is therefore disappointing that, given the acceptability of the land use from a policy point of view, the scheme seems ‘obviously poor’ in design terms. It is not the case that, as the applicant claims in their Planning Statement (paragraph 6.17) ‘full regard’ has been had to the character of the site and its surroundings.

It is interesting to note that Page 15 of the Design & Access Statement does refer to the issue of the Tangier Way frontage; however, this is then ignored in the actual design.

Care was taken to create a well-designed street frontage when Standish Court was developed on the opposite side of Wood Street/Tangier Way. It would seem inappropriate to permit a subsequent development to take place on the opposite side of the road that does not provide something complementary; i.e. a continuous built frontage to the street.

The development should take the existing highway visibility splays into the development site. These are based on former design standards that pre-date ‘Manual for Streets’. MfS suggests that a splay of no more than 2.4m x 43m is needed on most urban roads with a 30 mph speed limit; the existing splays are 4.5m x 70m. If the developer does not do this, there will be an inappropriate ‘leftover’ piece of land in front of the development.

The elevation facing the river does not appear satisfactory. Rather than reflecting on the exterior the interior repetition of individual units or pairs of units, the design of the façade appears to be an attempt to ‘stretch’ the façade to create the appearance of a single building, albeit with some articulation, over a length of nearly 100m.

Some of the roof pitches appear too low – typically roofs in this part of Taunton are pitched at between 30-40 degrees and use slates as the covering material. As drawn, the roofs risk appearing out of character and will not ‘register’ sufficiently. The main roofs appear to be at close to 45 degrees – an angle which has been referred to by leading architects as ‘ugly’.

Windows in the north-east elevation may overlook and potentially constrain future development of the Poundstretcher site.

Is it not possible to consider placing the communal facilities at the south-western end of the building with residential units extending in a V-shape along both the road frontage and the river?

The developer needs to address the character of the highway adjacent to the site. Owing to the busy nature of Tangier Way, it is suggested that the footway on this frontage should be somewhat wider than the minimum – say 3.5m (similar to those which have been provided on the Third Way bridge over the River Tone). This would also facilitate containing the visibility requirements within the footway area. In view of Taunton’s designation as a Garden Town, it would also be good if some street trees could be introduced on this section of Tangier Way, which is currently very bleak.

WESSEX WATER - No comment.

BIODIVERSITY - The site is immediately adjacent to The River Tone, a local Wildlife site. ECOSA carried out a Preliminary Ecological Appraisal of the site in March 2018.

The site comprises predominately hardstanding with a small amount of scrub, tall ruderal vegetation and scattered broadleaf trees. It is immediately adjacent to the River Tone.

The scheme will include lighting but currently details are unknown. **The sensitive design of lighting is very important due to the possible impact lighting could have on wildlife using the river.**

Findings were as follows

Bats

The site itself provides negligible potential for foraging and commuting bats however the River Tone provides important habitat for bats, particularly pipistrelle, lesser horseshoe and noctule bats. The introduction of lighting is likely to have a negative impact on these bats so must be sensitively designed with lux levels as low as possible.

I support the installation of bat boxes

Birds

The site has potential to support nesting birds. Removal of vegetation should take place outside of the bird nesting season

I support the installation of bird boxes

Suggested Condition for protected species:

The development hereby permitted shall not be commenced until details of a strategy to protect wildlife has been submitted to and approved in writing by the Local Planning Authority. The strategy shall be based on the advice of ECOSA's Preliminary Ecological Appraisal, dated March 2018 and include:

1. Details of protective measures to include method statements to avoid impacts on protected species during all stages of development;
2. Details of the timing of works to avoid periods of work when the species could be harmed by disturbance
3. Measures for the retention and replacement and enhancement of places of rest for the species
4. Details of proposed lighting
5. A Construction Environmental Management Plan (CEMP)

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 birds shall be permanently maintained.

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

Reason: To protect and accommodate wildlife.

Informative Note

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

SCC - TRANSPORT DEVELOPMENT GROUP - There is no objection in principle to the application from the Highway Authority, we do have concerns with regards to

the proposed bin storage and collection area. It is to our understanding that the sites previous use as a supermarket would of involved refuse vehicles coming into the site and collecting the waste from the site, thus not blocking the highway.

It would appear that the current application would propose that the bins be emptied whilst the lorries are parked along Tangier Way, therefore blocking elements of the highway. Given that the access site has the capacity to accommodate large refuse vehicles into and out of the site in question, the Highway Authority would advise the applicant revisit the proposed internal layout that would allow for refuse vehicles to collect the waste without any potential to block the highway given they have the capacity to do so.

SOMERSET WASTE PARTNERSHIP - We are raising concerns over the proposed collection and return of at least 16 wheeled bins from the main road (A3087 - Tangier Way). We would block the road here while making collections which I estimate could take up to 20 minutes per collection. This would cause danger to our collection crews and members of the public using the road. We would much prefer to make the collection from the parking area for those homes where it would be safer for all. The bin store would need to be capable of holding at least 10 x 1100L (1335mm x 1360mm x 1030mm) refuse bins and at least 6 x 240L (1065mm x 575mm x 735mm) communal recycling bins. It is worth noting this service will be expanded in the future so additional capacity for this number of bins should be considered.

LANDSCAPE - The apartment block should be set back from the river as much as possible with tree planting forming a buffer between the river and the development. The development should also front Tangier Way which is a major route through town. The location of the parking should be rethought.

ENVIRONMENT AGENCY - Thank you for referring the additional information concerning the above application, which was received on 12 June 2018. The Environment Agency would request that the latest drawings refers to the crucial level of 16.37m Above Ordnance Datum, as mentioned in the Flood Risk Assessment (FRA). This is the height the development should be protected by defences. Section 1.2.6 page 1 of the FRA and section 5.1.1 page 10 says that the development frontage would form a flood defence at a minimum level of 16.37 m AOD. This line of defence is no longer showing on the latest drawings. This level of defences is also what was agreed at the pre application stage with the applicant and forms the basis of the FRA. The drawing and the FRA need to be aligned. From the FRA and previous discussions our understanding was that the existing wall would be enhanced to provide a protection to 16.37 m AOD. If the current proposal is to raise ground level on the development side of the wall and not to increase the wall height, we will need to understand how the entire site is protected and how and where it ties in to the existing high ground to provide the necessary protection for the entire site and not just the river frontage.

HOUSING ENABLING - I have had a look at the viability statement submitted in conjunction with the above application and this would need to be independently verified. We would like to arrange to discuss alternative tenure mixes and options, as part of this verification process.

POLICE CRIME PREVENTION DESIGN ADVISER - No objection subject to

comments.

Guidance is given considering 'Crime Prevention through Environmental Design', 'Secured by Design' principles and 'Safer Places'.

Comments:-

1. Crime Statistics – reported crime for the area of this proposed development (within 200 metre radius of the grid reference) during the period 01/04/2017 - 31/03/2018 is as follows:-

Burglary – 10 Offences (comprising 8 business/community burglaries & 2 attempts)

Criminal Damage - 28 Offences (incl. 13 criminal damage to buildings & 9 criminal damage to vehicles)

Drug Offences – 8

Robbery – 5 (all personal property)

Sexual Offences - 14

Theft & Handling Stolen Goods - 155 Offences (incl. 4 theft from motor vehicles, 71 shoplifting & 20 thefts of pedal cycles)

Violence Against the Person - 213 Offences (incl. 5 wounding/GBH, 81 assault ABH, 58 common assault & battery, 4 possess blade in public & 56 causing intentional harassment, alarm, distress)

Other Offences - 12

Total - 445 Offences

This averages 37 offence per month, almost 9 offences per week, which is high level in a fairly small area, probably related to the fact that the proposed development is near the town centre and potentially vulnerable to crime and ASB.

2. **Design & Access Statement** – the DAS at page 37, under the heading '**Security**', explains some of the measures proposed to be introduced to ensure the safety of residents and security of the block. This indicates to me that the applicant has considered some crime prevention measures in the design of this proposed development. I would support the comments made and will expand on some of them below.

3. **Defensible Space** – it is important that boundaries between public and private space are clearly defined and the Site Layout plan shows that the perimeter will be enclosed by a low wall and railings which should prove sufficient. There appears to be a lack of defensible space adjacent to ground floor windows around the block and the provision of areas of planting in front of these windows would make unlawful access more difficult, even if these apartments are alarmed. There is a pedestrian gate near the temporary bin storage area in Tangier Way but no gate or barrier at the vehicle entrance, although privacy signage will be displayed. Despite the signage, the lack of any form of access control at this point means that the external areas of the development will be accessible to any potential intruder. The provision of a fob operated rising barrier or similar form of access control at this entrance would enhance the security of the car park and residential block.

4. **Natural Surveillance** – optimum natural surveillance should be incorporated whereby residents can see and be seen, this should include unobstructed views from the development of all external spaces, including footpaths, roadways, car park and landscaping. Any recesses, blind corners or potential hiding places should be eliminated. There are numerous windows in all elevations and, generally speaking, this appears to be the case.

5. **External Security Lighting** – appropriate 'dusk to dawn', low energy security lighting should be designed to cover potential high risk areas including main

site access points, footpaths associated to main building, buggy store, bin store and any other secluded areas around the site. Also main entrance doors, secondary access doors and fire exit doors. All lighting should be vandal-resistant and automatically controlled by photo-electric cell or time switch with manual override.

6. **Landscaping/Planting** – The majority of landscaping around the development appears to be laid to lawn with interspersed trees. As a general rule, where good visibility is needed shrubs should be selected which have a maximum 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. This also appears to have been catered for.

7. **Car Parking** – is in straight rows at the front of the building enabling good surveillance and is well overlooked from residents rooms at the front and by dwellings opposite in Tangier Way.

8. **Buggy Storage & Bin Stores** – the Buggy Storage area is some distance from the main building in an area with limited natural surveillance and I recommend it be relocated to an area nearer the building with improved surveillance opportunities. The Bin storage area appears to be well overlooked and ‘wheelie’ bins should be secured to prevent their use as climbing aids or for arson.

9. **Climbing Aids** – the ground floor and upper level balconies at the rear and sides of the building are potentially vulnerable to climbing and any potential climbing aids should be avoided.

10. **Doorsets & Windows** – in order to comply with **Approved Document Q: Security Dwellings** of Building Regulations, all easily accessible external doorsets (including flat entrance doorsets) and ground floor or easily accessible windows (including rooflights) must be tested to PAS 24:2016 security standard or equivalent (BS 7950 has now been superseded). Care should also be taken to ensure that the louvres in the louvred windows on the ground floor at the sides of the building cannot be removed to gain access from outside the building.

11. **Access Control** – the security of the building is enhanced by discouraging casual intrusion by non-residents, so public access should be discouraged. The DAS indicates that an audio/visual access control system will be installed allowing either the lodge manager or residents to remotely identify any visitors from within the building and release the doors accordingly. This should prove sufficient to deter casual entry and a ‘tradesman’ button should be excluded from this system.

12. **CCTV** – the only cctv system proposed appears to be that linked to the access control system to the building in order to verify the identity of visitors. In addition to this, I recommend consideration of the installation of cctv cameras to monitor external areas including the grounds, car park, entrances and any other potentially vulnerable areas.

13. **Intruder Alarm** – the DAS states that all ground floor and any easily accessible apartments externally will be fitted with PIR’s linked to a master intruder alarm which should be monitored by the lodge manager or remotely. Flat entrance doors will also be connected to the intruder alarm system.

14. **Other Internal Security Issues** – the Entrance Lobby incorporates an ‘airlock’ type arrangement with an internal secondary door and is well monitored from the adjacent Reception/Office. It is recommended that internal doors leading off the Owners Lounge and on each level be incorporated into the access control system. In addition, 24 hour lighting should be provided to

communal parts of the building including the lobby, lounge, corridors, landings, stairwells and all entrance/exit points. The building design does appear to provide good sight lines throughout the various levels of the building.

15. **Secured by Design(SBD)** – if planning permission is granted, the applicant is advised to refer to the additional comprehensive information available in the ‘SBD Homes 2016’ design guide available on the on the police approved SBD website – www.securedbydesign.com.

DESIGN REVIEW PANEL -

The Panel raised the following points: -

The Panel considers that the presentation given at the design review panels session was clear, thorough, and professional. It is considered that this clear and professional presentation has been of benefit to the design review panel process.

Overall the Panel is not supportive of the design of the proposals, which it is felt are not of a sufficiently high standard for such a predominant site within Taunton’s townscape. Furthermore, it is felt that the proposals have not demonstrated an appropriate response to the sites context or setting.

It is felt that the proposals site is an ideal site for the proposed use; that is to say that as a result of the sites close proximity to the town center, its good public transport links, its adjacency to an existing residential area, and its proximity to a green space, the proposal site is an appropriate site for a retirement living development.

The Panel feels that the site is a very prominent site within the centre of Taunton in

terms of townscape. It is located in close proximity to the River Tone, opposite Goodland Gardens, and the Museum of Somerset, also close to a conservation area.

As such it is felt that the design quality of the proposals on this site are particularly

important, and should be of a very high standard demonstrating a response to the

unique and special context. Whilst it is considered that the site, due to its prominent

location, requires a very high level of design quality, it is also felt that this prominence

within Taunton’s townscape represents a very exciting opportunity for the applicant in

terms of added value.

The Panel is concerned that the proposals presented do not project any strong statement in terms of design or identity; it is felt that the design proposals feel retro in terms of their aesthetics and approach, and do not demonstrate an enhancement to the site or the immediate setting. In an effort of helpfulness, it is suggested that it may be beneficial for the elevations to any future proposals to be illustrated within the wider street context.

The 'Site Layout Strategy' drawing is welcomed by the Panel, however there is a concern that this may have been lost in the design process; it is suggested that it maybe beneficial for any future design proposal to revert to this site analysis, and demonstrate how the design has responded to the analysis.

The Panel notes and accepts that the proposed use of the building operationally requires the development to be provided within one built form. Furthermore, the Panel acknowledges the attempt to breakdown the mass of the building, however it is felt that this is done through a series of lightweight gestures which are not successful in this regard. The Panel suggests that it may be beneficial for the proposals to refer to the detailing and materials found in the nearby conservation area.

Generally, there is a concern that the proposals lack immediate contextual and wider analysis, which it is felt may represent a missed opportunity.

From an urban design context and conservation area perspective, the Panel notes that from the traffic light crossing point located to the south of the site, there is an excellent existing view looking towards the park and the town which provides a view of an existing church tower, (St Mary's), and other building forms, which creates visual links & draws pedestrians towards the town. There is a concern that the proposals may block this view in their current form. The Panel feels this may be an important view that should be considered, and that generally any design proposals on this site may benefit from giving greater consideration to the surrounding urban design and conservation area context.

In an effort of helpfulness, it is suggested that it may be beneficial for any future design proposals to incorporate a conservation area appraisal which may help to inform and ground the proposals within the locality.

It is felt that the scale of the proposed building and its relationship with the immediate context and neighbouring buildings may benefit from being explored further; currently the Panel feels that this aspect has not been clearly demonstrated, and there is a concern that the form of the proposals may not be appropriate in this regard.

Regarding the proposed siting, the Panel is supportive of the aspiration to provide garden/ green landscape area to the southern part of the site. Notwithstanding this the Panel feels that these proposed external garden areas are very small, and may benefit from being increased in size. Garden sizes aside, it is felt that the proposals may benefit from providing an increased space between the proposed building and the river.

It is suggested that it may be beneficial to explore and demonstrate alternative iterations regarding siting of the building; for example, it is suggested that there may be an opportunity to explore the orientating of the building to relate to the orientation of the adjacent road rather than the river, which may help to address some of concerns noted within this feedback document.

In an effort of helpfulness, the Panel suggests that it may be beneficial for any future new proposals to incorporate long sections through the site, demonstrating the

relationship between Tangier Way, the external spaces, the proposed building floor levels, and the river.

Furthermore, in an effort of helpfulness, the Panel suggests that any future proposals may benefit from demonstrating a better integration between the river and the proposed building; for example, it is suggested that there may be an option to create stepped terraces that incorporate planting.

It is suggested that it may be beneficial for any future proposals to demonstrate the way in which end users may utilize the building, and how this has informed the design; for example, but not limited to the storage and charging of mobility scooters, and the access to and from the town centre.

Internally the Panel has concern regarding to the long corridors, particularly as indicated on the upper floors. It is suggested that there may be an opportunity to provide smaller break out spaces with external views on each floor that may help to break up the corridors, and create a better and more sociable living environment for the end users.

The Panel feels that the parking is satisfactory, however, it is felt that as a result of the sites town centre location, the proposals would be acceptable with less parking if this helped to facilitate an overall more contextually appropriate design. Furthermore, regarding parking, it is felt that it is very centralized, and it is suggested that there may be an opportunity to create a larger buffer between the car park and the road using landscape. Alternatively, it is suggested that there may be another option of integrating the car parking into any proposed open space to the street side of the proposals, creating parking within a garden space.

The Panel has a concern regarding the proposed ramp levels, and suggests that it may be beneficial for a section to be provided to demonstrate accessibility from the street level through the car park and into the ground floor of the proposed building.

The proposed bolt on balconies are supported by the Panel, but it is suggested in an effort of helpfulness that there may be an opportunity to go further in this regard, and integrate these into the built form.

The Panel notes the stated aspirations regarding sustainability and low energy performance of the building. However, it is suggested that it may be beneficial for any future design proposals to be developed demonstrating how low energy and renewable energy considerations may have informed the building design and building form on a site-specific basis.; for example, the Panel notes the potential large area of south facing roof area.

It is suggested that there may be an opportunity to incorporate ecological biodiversity and habitat measures into the proposals in an integrated manner; it is felt that empirically demonstrating an ecological enhancement may be a consideration in favour of the proposals.

SUMMARY OF RECOMMENDATIONS, (to be read in conjunction with the above).

In summary the main conclusions of the Panel are: -

- The presentation given at the design review panels session

was clear, thorough & professional.

- The Panel is not supportive of the design of the proposals which it is felt are not of a sufficiently high standard for such a predominant site within Taunton's townscape.
- It is felt that the proposals have not demonstrated an appropriate response to the sites context or setting.
- It is considered the site is an appropriate site for a retirement living development.
- The Panel feels the proposals are retro in terms of their aesthetics & do not demonstrate an enhancement to the site or the immediate setting.
- It may be beneficial for any future design proposal to demonstrate how the design has responded to the site analysis.
- The Panel feels that the attempt to break down the mass of the building has not been successful.
- There is a concern that the proposals lack immediate contextual & wider analysis.
- It is suggested the scale of the proposed building & its relationship with the immediate context & neighbouring buildings should be further considered & demonstrated.
- It may be beneficial to provide an increased space between the proposed building & the river.
- Future proposals may benefit from demonstrating a better integration between the river & the proposed building.
- Internally the Panel has concern regarding to the long corridors.
- It is felt less parking would be appropriate if this helped to facilitate an overall more contextually appropriate design
- The Panel has a concern regarding the proposed ramp levels between the car park & the ground floor.
- It may be beneficial to demonstrate how low energy & renewable energy considerations may have informed the building design & building form on a site-specific basis.
- Empirically demonstrating an ecological enhancement may be a consideration in favour of the proposals.

Representations Received

6 letters of objection on basis of design being pastiche that looks like it belongs on a business park, town deserves better, no need to fit in with a particular style, riverside terrace is too small. should be cafes, bars and restaurant not housing, concern over architecture and materials concern over landscaping and lighting to the river, poorly sited buggy store, site should be mixed use swift nesting boxes should be incorporated into the design impact on retail viability of the town

Planning Policy Context

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that applications are determined in accordance with the development plan unless material considerations indicate otherwise.

The development plan for Taunton Deane comprises the Taunton Deane Core Strategy (2012), the Taunton Site Allocations and Development Management Plan (2016), the Taunton Town Centre Area Action Plan (2008), Somerset Minerals Local Plan (2015), and Somerset Waste Core Strategy (2013).

Relevant policies of the development plan are listed below.

SP1 - Sustainable development locations,
CP1 - Climate change,
CP4 - Housing,
CP5 - Inclusive communities,
CP6 - Transport and accessibility,
CP8 - Environment,
DM1 - General requirements,
A1 - Parking Requirements,
A2 - Travel Planning,
D7 - Design quality,
D13 - Public Art,
ENV4 - Archaeology,
ENV5 - Development in the vicinity of rivers and canals,
ENV2 - Tree planting within new developments,
ED1 - Design,
ED4 - Density,
TG1 - Wood Street Sites,
ED6 - Off-site Public Realm Enhancements,
F1 - Flooding,
F2 - Developer Contributions to Waterways and Flooding,

This takes into account the recent adoption of the SADMP.

Local finance considerations

Community Infrastructure Levy

Creation of dwellings is CIL liable.

The application is for residential development in Taunton Town Centre where the Community Infrastructure Levy (CIL) is £0 per square metre. Based on current rates, there would not be a CIL receipt for this development.

New Homes Bonus

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

1 Year Payment

Taunton Deane Borough	£77,963
Somerset County Council	£19,423

6 Year Payment

Taunton Deane Borough	£466,157
Somerset County Council	£116,539

Determining issues and considerations

The application has been appealed against for non-determination so the consideration is what decision Members would have reached if the application was before them for consideration. The main considerations are compliance with policy, the use, the design, access and drainage.

POLICY

The site lies within the town centre and is subject to a number of planning policies including the Core Strategy, the Site Allocations and Development Management Plan and the Taunton Town Centre Area Action Plan. Policy Tg 1 of the latter plan set out the potential requirements for individual sites in Wood Street. The Lidl site was identified for residential use, a potential swimming pool or library and an improved riverside path with development of 3-4 storey envisaged by the design guide. The Town Centre Area Action Plan was adopted in 2008 and given the circumstances over the intervening 10 years it is no longer envisaged that there is a need for additional swimming pool or that the library will move to this location. The site is available for residential use and there is scope to improve the riverside as part of any development.

The applicant has demonstrated that there is a need for elderly persons accommodation and that such provision would have social, economic and environmental benefits for the area. The applicant has submitted a viability assessment which demonstrates that affordable housing provision in terms of a commuted sum would not be viable. In addition to this the new NPPF suggests a minimum 10% requirement for affordable housing in certain circumstances but also provides exemptions to this. The provision of purpose-built accommodation for the elderly is one such case, so consequently no affordable provision can be required in this instance.

The use for elderly person's accommodation is one that is considered acceptable in principle given the central location of the site and ease by which residents could access facilities. The issue to consider are whether there are any adverse impacts from the proposal to outweigh the benefits.

DESIGN

The main issue here is the design given that the site is a very prominent one in terms of townscape as it will be clearly visible from the road and from the conservation area on the opposite side of the river. The site is already set above river level and to satisfy the Environment Agency requirements to allow for residential use it is necessary to increase the level of the site around 1m. This will accentuate the prominence of the building and it is vital that given the poor design of the previous building the replacement here is of a good design.

As a consequence the Authority took the scheme to the Design Review Panel and their comments are included above. The panel was not supportive of the design and considered it not of sufficiently high standard for such a predominant site within the townscape. The new NPPF supports the use of such panels and the need to support good design and advises 'Permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area' (para130). The design forms a large monolithic block running parallel to the river and it does not adequately address the road frontage. The gables on the river frontage are rather flat and do not reflect the character of the area and the gables on the road elevation are a mix of brick and cladding which again is not reflective of the character of the area. The parking is excessive given the nature of the development and is located in a large mass in front of the building with limited landscaping. A revised design submission is expected to address the concerns raised, however the applicant wanted the current scheme determined as submitted.

ACCESS

The access to the site is off Tangier Way and the scheme utilises the existing access point. The Highway Authority consider this access, parking and visibility suitable and raise no objection. The issue of concern is the siting of the bin collection area and the intended servicing of this from the highway. The submitted turning details indicate a fire appliance can be accommodated within the site and so similarly it is considered a refuse vehicle could equally. The Waste Partnership do not consider the approach of servicing from the highway to be safe and provision for collection within the site should be addressed through any revised scheme.

The current layout indicates 37 parking spaces for 72 units set out in one area. The car parking requirement of policy A1 is flexible and allows for the consideration of impact on urban design, the accessibility of the site and the nature of the development. The policy states reductions in level of car parking will be expected for the elderly person's accommodation. Consequently the nature of the current layout impacts on the design and forms part of the objection while a reduction of numbers of spaces would be expected as part of any re-design to improve the layout and landscaping.

DRAINAGE

The site lies within the flood risk area adjacent to the river and a FRA has been submitted with the scheme. The site is allocated in the Local Plan and passes the

sequential test as a result. The developer has approached the Environment Agency for pre-application advice and seeks to raise levels across the site and provide a new flood defence level of 16.37m AOD. This would help safeguard the site and help prevent flooding to other parts of the town centre. As a result of this intended enhancement the Environment Agency does not consider provision of off site flood mitigation storage is required.

The surface water drainage currently operates to existing drains and agreement would need to be reached with Wessex Water and the Lead Local Flood Authority. The latter has raised objection as there is a lack of information in terms of the surface water provision on site. The developed site will have a greater permeable area and will reduce the surface water run-off and it is considered a suitable condition could be imposed to address this. The foul drainage scheme is to link into the existing Wessex Water system and there is no objection to this.

SUMMARY

In conclusion the use of the site for elderly person's accommodation is considered acceptable in principle and subject to an appropriately designed scheme could be supported. However the current submission is not considered an acceptable one in design terms and in line with policy and the NPPF it would have been recommended for refusal.

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

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