

38/2007/334

MCCARTHY & STONE ASSISTED LIVING

REDEVELOPMENT TO FORM 46 "ASSISTED LIVING" APARTMENTS FOR THE FRAIL ELDERLY, INCLUDING STAFF ACCOMMODATION, COMMUNAL FACILITIES, WITH ASSOCIATED CAR PARKING AND LANDSCAPING AT NOS. 2,4 AND KELLS,COMPASS HILL, TAUNTON AS AMENDED BY AGENT'S LETTER DATED 16TH JULY, 2007 AND DRAWING NO. 6455/02 REV A AND AGENT'S LETTER DATED 2ND OCTOBER, 2007 AND ACCOMPANYING DRAWINGS NOS. 5095/PO1-PO7.

322172/124284

FULL

PROPOSAL

Permission was refused in December 2005 for the redevelopment of Nos. 2 and 4 Compass Hill to provide 48 sheltered housing apartments for the elderly with community amenity space, car parking (10 spaces) and access. The application was refused on the basis that the Council was not satisfied on the basis of the evidence submitted that the limited level of parking would not give rise to highway danger on the adjacent Class 1 road, and because it was considered that the proposed development represented overdevelopment of the site out of keeping with the character and general scale of development in the area and would result in a loss of privacy for the neighbouring occupier to the north west (a property known as Kells). An appeal was subsequently dismissed. The Inspector upheld the second reason for refusal (overdevelopment and loss of privacy), but did not uphold the first reason relating to the parking provision.

This site comprises the previous site but also now includes the site of Kells. The proposal is now for 44 Assisted Living apartments for the frail elderly, including staff accommodation, communal facilities, associated car parking (15 spaces identified, plus a covered store for buggies) and landscaping. The development will be occupied by the frail elderly with a minimum age of 60 (spouse of 55). The applicant has strict criteria regarding the sustainability of the location of their developments with regard to public transport, shops and services. Sites generally require a location within an urban area, on a main road, close to a Town Centre. The scheme requires to be operated as one building, provide disabled access and 24 hour Manager Care Staff.

The application included a:- Design and Access Statement, Planning Statement, Report of Highway Issues, Report on the Pre-application Consultation, Ecological Scoping Survey and Bat Survey.

Prior to the submission of the application a public consultation exhibition was held by the applicants on 10/5/07. 40 people attended. Most of the comments on the day related to the mass of development - in particular the rear wing. Some people in Osborne Way thought it was too close, and some were concerned about access. Following the exhibition, 17 written comments were received. 2 supporters, 5

supporters with reservations, 8 objectors and 2 undecided. (Note - these figures differ from other figures given by the applicants in a different Statement submitted with the application which state that only 11 comment forms were received)

The Planning Officer had a meeting and also expressed concerns over the rear wing and suggested it be reduced.

Following the earlier pre-application consultations, the scheme was revised. The number of apartments were reduced from 51 to 46 and the average distance of buildings to Osborne Way increased from 15 m to 22 m. (This compares with the previous scheme where the distance had been approximately 10 m).

The site has an area of 0.6 hectare(1.42 acres) and has a slope upwards from north-west to south-east. There is a fall of some 6 metres across the site which allows a lower ground floor level to be introduced at the northern end halfway across the site. The site is currently occupied by 3 2-storey detached dwellings set in large gardens.

The main part of the proposed building will face towards Compass Hill and will be mostly 3-storey with a central 4-storey block. A lower 3-storey wing on the northern end of the site also facing towards Compass Hill will be set back some 8 and a half metres behind the forward block. The scheme has been amended to reduce the rear part of this block (where it faces towards Osborne Way) to 2-storeys. A rear wing runs at right angles behind the frontage block, facing towards the rear of properties which face Osborne Way. This wing is part 3-storey and part 4-storey.

A Tree Protection Plan was submitted. There are 7 trees with a Tree Preservation Order on the site. One of these in the centre of the site will be removed. The remaining 6 will be protected during construction. Several other trees on the site which are not subject to a TPO will be retained and the applicant has advised that new planting will be undertaken.

Vehicular access will be operated on an in and out system. Entrance is gained from an upgraded existing site entrance to no. 4 Compass Hill. The exit is located further down the road frontage near the access point to Kells (and no.2 Compass Hill). A separate pedestrian access to shops will emerge to the north of the vehicle exit, with a buggy lane in between. The car parking provision of 15 spaces has been based on a survey conducted by the applicant on 6 similar schemes in other parts of the country and equates to 1 space per 3 apartments.

Materials will be Ibstock bricks (Mercia Orange Multi,Antique Red,Brunswick Autumn),and off white render to main façade panels, with Redland Cambrian Slates Grey for the main roofs.

Since the original submission, amended plans have been received which show the following changes:

2 apartments (23 and 24) have been removed. This reduces the height of part of the rear wing from 3 storeys to 2 storeys.

2.Windows on the gable end of the south-east elevation and a patio door to a flat roofed terrace facing towards 5, Compass Rise have been removed.

3.Windows on the rear elevation (south-west) to apartments 20 and 37 and a stairwell at 3rd and 4th storey height facing towards Osborne Way have been removed. One window in each floor remains in this elevation. These serve a corridor and are required by building and fire regulations, but will be obscure glazed.

4.Applicant confirmed that minor alterations requested by the Highway Officer are acceptable and suggested they be conditioned.

Following these amendments, the scheme now relates to 44 apartments.

CONSULTATIONS AND REPRESENTATIONS

COUNTY HIGHWAY AUTHORITY The scheme is similar in access layout to the previous scheme(as amended). That application proposed 10 parking spaces compared to the current proposal for 15 spaces. However the site is now expanded to include Kells and a "Report of Highway Issues" has been provided. In consideration of the current application compared to the previous it would be unreasonable to object to the proposed increase in parking provision. To make the design acceptable - recommends 1)The inclusion of a pedestrian guard rail on the central island as recommended with the previous application and 2) A realignment of the exit to allow vehicles to wait "square" with the main road. If permission is granted, recommends conditions. COUNTY ARCHAEOLOGIST no objections. WESSEX WATER a public sewer crosses the site. No new building allowed within 3m of it. If this is a problem, diversion can be discussed. There is sufficient spare capacity to serve this site. Surface Water Drainage - Sewerage system is combined in this area. Surface water may be discharged to the same sewer as the foul connection but applicant is asked to investigate other possibilities. Sewage Treatment The sewage treatment works and terminal pumping station has sufficient capacity to accept the extra flows which will be generated. Water Supply There is adequate capacity in the water mains system to serve this development from the 9" cast iron main in Compass Hill. AVON AND SOMERSET POLICE (1) The Design and Access Statement does not appear to make any reference to potential crime and disorder issues which may affect this development and any measures taken to mitigate them, which it should do. (2) The road safety concerns expressed previously concerning the vehicular exit provisions onto Compass Hill appear to have been addressed and are now considered generally acceptable. (3) It appears from the plans that the existing wall fronting Compass Hill will be removed and a new wall incorporating pillars and railings, built set back from the road. In favour of this which will increase visibility for traffic entering and leaving the site, improve natural surveillance and defensible space at the front of the development. (4) In relation to vehicle movements ,it may be worthwhile from a personal safety angle, segregating the electric buggy lane from normal vehicle movements e.g. by use of lane markings and/or bollards or similar. (5) The existing boundary treatment running along the public footpath to the rear of Parkfield Road consists of close-boarded fencing between 1.8 -2.5m high, combined with a tree screen. Would recommend retaining this fencing/tree screen in order to prevent unauthorised access to the development from this footpath, which is a potentially vulnerable area. (6) Natural surveillance around the remainder of the development could be improved by pruning hedges etc. down to 1 m and trees up to 2 m from ground level. Any fencing should be minimum height 1.8 m and any new planting or landscaping areas should also be maintained

at a maximum growth height of 1m to assist staff and resident surveillance. Defensive planting (prickly plants) could be used in suitable locations to enhance security. (7) Recommend suitable lockable gates/fencing be erected either side of the building as near as possible to the front building line. Such gates should be 1.8 m minimum height and constructed of wrought iron or similar to allow for natural surveillance through them. (8) No lighting Schedule appears to have been provided. Recommend that all main access points to the development and the buildings themselves be suitably lit, in order to deter intruders and reduce the fear of crime for residents. Bearing in mind issues like light pollution etc. such lighting could be low wattage and operated by photo-electric cell or time switch. (9) A suitable form of access control should be provided to the communal entrance door, in the form of visual or audio verification. (10) May also be beneficial to provide a 24 hour Help alarm system monitored by staff and possibly linked to an intruder alarm. (11) Applicant is advised to formulate all physical design features of the buildings and apartments in accordance with the ACPO "Secured by Design" award scheme.

LANDSCAPE OFFICER this is a better scheme than the previous submission as it provides more space for landscape setting and screening. Main concern is that street frontage needs careful landscaping with trees as well as the proposed shrubs. Given the distance from the street to the buildings there is scope for larger growing trees. Details of landscape proposals will be required. RIGHTS OF WAY OFFICER no observations. HOUSING OFFICER supports application subject to a commuted sum of £350,000 to be paid up front on the granting of permission for affordable housing. It has been agreed that there are other sites which can provide the elderly accommodation nearby and the commuted sum will be transferred accordingly. CONSERVATION OFFICER development will clearly have a significant impact on the Conservation Area by virtue of its positioning and significant scale. Doesn't object in principle to a development on the footprint of the site, but has reservations regarding the height and configuration of the façade. Has seen similar treatment carried out on another McCarthy Stone development to particularly negative effect. The problem is that large stand alone buildings always read as one so the varied treatment of the façade simply appears a peculiar and very artificial mish mash. It is worth noting that all the other buildings with large footprint in the broader area carry an individual and unified style. Also has some concern regarding the appropriateness of attempting to echo the architecture of the Conservation Area as this can only dilute its inherent quality. In this regard the properties currently on the site and indeed built all along this side of the road are detached 2 storey houses in a more arts and crafts vein distinct from the taller terraced Georgian/Victorian formats opposite. It would have better to see similar distinction with regard to context worked into the design here. The forest of walls and railings proposed along the boundary would benefit from simplification, while the whole frontage area would benefit from a greater level of planting. NATURE CONSERVATION AND RESERVES OFFICER report recommendations of RPS's submitted ecological survey include the recommendation for bat emergence surveys(May to September) because features of the houses, such as roof and wall tiles were identified as having potential to support bats. Three trees were identified as having potential for bats to roost. Breeding birds may be affected by the proposals - Conditions and informative notes must be agreed in order to safeguard species protected by law. ENVIRONMENTAL HEALTH OFFICER no observations. DRAINAGE OFFICER no observations.

WARD MEMBER comments on the original submission. The scheme has improved since public consultation. Remaining major concerns are the degree of overlooking of adjacent residential properties in Osborne Way and Parkfield Road, and the mass of the end elevation visible from Compass Hill House, Compass Rise. Appreciates applicants desire to maximise the units on the site by building 4 storeys. However this is unacceptable where floors overlook residential properties. Tree screening of 3rd and 4th floor flats is unlikely to be totally effective and cannot be relied on as a permanent solution. Believe a solution would be to reduce the height to two storeys where development is adjacent to residents properties. May be possible to replace some lost units by building more 2-storey units on site. In addition, believe it is essential that the applicants provide an answer to how the discharge of water from the site and the increased level of vehicular movements resulting from this development will be achieved.

14 LETTERS OF OBJECTION have been received to the original scheme, raising the following issues:- too large, too high in relation to existing buildings and will exaggerate overlooking; complete loss of privacy; development borders too close to gardens; will be overbearing - should not be higher than two storeys; four storeys high is out of proportion with the area; building of flats would change the whole tone of the surrounding area; no attempt has been made to give consideration to the neighbouring buildings in Osborne Way, Compass Rise, and Parkfield Road; only properties similar in design are some distance away within the Town Centre; the rear wing is the major problem - too close to Osborne Way boundaries and too high - with overlooking aggravated by French windows; concerned about mobility buggies coming on to the busy A38, and into and out of the site; the three existing houses are of beautiful character and blend in with other properties in the area; could be sold on open market for larger families; a Private Members Bill, new clause 71B relates to preserving gardens and green urban spaces; preservation of all existing trees is desirable; developer is proposing to take out 28 established trees together with some clusters; objection to removal of the Scots Pine protected by a TPO; existing tree screen is not effective; increase in traffic on to Compass Hill 1-way system; difficulty for vehicles entering and leaving the site; possible aggravation from exterior lighting; insufficient parking spaces; another objector considers 15 too many, as a reduction to 10 was imposed by the Highway Authority for the earlier proposal; potential noise/dust/air pollution would be a health hazard; will increase risk of localized flooding because density will reduce existing level of rainwater run-off; footprint of the building should be reduced; insufficient distance between rear wing and Osborne Way properties; unhappy with boundary treatment;

7 LETTERS OF OBJECTION have been received to the amended scheme raising the following issues:- still concerned about loss of privacy, overlooking and visual impact and character and appearance of the surrounding area; objectors in particular consider that the height and massing of the building in relation to their properties is still too great and will be overbearing and dominating, particularly the remaining 4 storey wing facing Osborne Way; removing windows improves the overlooking situation at the expense of visual impact; the issue of the impermanent tree screen has not been addressed; great emphasis was made in the previous application on reducing traffic flow in and out of the site, and parking spaces were reduced to 10; the entrance and exit to the site are identical to previous scheme - request the

Highway Authority reconsider acceptance of 15 spaces; the site is located in the worst possible place for the affluent, active, frail elderly; it is isolated from the amenities of the town by major roads with continuous traffic flow varying from high speed to congestion; in response to the results of the public consultation exhibition where there is a discrepancy in the results, a local resident has conducted a survey of neighbouring residents response to the proposals, a site access survey and a traffic survey; results are very detailed, but in brief, 22 neighbours expressed views on the proposals based on the above points of objection.

POLICY CONTEXT

PPS1 - Delivering Sustainable Development

PPS3 - Housing

Somerset and Exmoor National Park Joint Structure Plan Review Policies STR1 (Sustainable Development), STR2 (Towns), 48 (Access and Parking Arrangements) 49 (Transport Requirements of New Development).

Taunton Deane Local Plan Policies S1 (General Requirements), S2 (Design), H16 (Residential Care Homes), M4 (Residential Parking Requirements), EN8 (Trees in and around Settlements).

ASSESSMENT

The site is an irregular shaped piece of land of some 1.42 acres and is currently occupied by three 2-storey detached dwellings in large gardens. These dwellings abut the south-west side of Compass Hill and whilst they are sited towards the front of the plots, they are not prominent or obtrusive because of both the topography of the land and retaining walls plus vegetation at the front. They all have long back gardens, and there are several mature trees within the site.

There are residential properties adjacent to the south, west and northern boundaries of the site.

To the south is 5, Compass Rise. This is a detached 2-storey dwelling built in the 1930's. Further to the south are the 2 modern blocks of flats on the corner of Trull Road (Osborne Court and Compass Court). These are 3-storey blocks of flats with basement level parking areas underneath.

To the west of the site are the rear gardens of properties on Osborne Way. These are mostly detached 2-storey dwellings, with a small 2-storey block of flats. Nos. 2, 4, 6, 8 and 10 Osborne Way are adjacent to the site.

To the north of the site is a public footpath with No.1 Wellington Road, and Nos. 1, 3, 5 Parkfield Road to the north. These are all 2-storey detached dwellings.

On the opposite side of Compass Hill is a block of flats, Dovetail Court, 2 and 3 storeys in height and 1 Compass Hill and 15 and 15a Park Street, 2 and 3 storey properties.

As with the previous application, the main issues to be considered are the impact of the development on the street scene and the character of the area, the impact on adjacent properties, highway impact and parking provision, trees on the site and landscaping.

With regard to the street scene on Compass Hill, this has never been an issue. The proposed 3 and 4 storey block along this frontage relates well to other development in Compass Hill, Trull Road and Park Street, and design, scale, massing and height are considered to be acceptable.

The main concern has been the impact of bringing development further into the rear of the site, with particular reference to its relationships with existing dwellings around the site.

In detail, relationships are as follows :-

To the south-east

No. 5 Compass Rise is a 2-storey dwelling set 6.7 m in from its boundary with the site, with a single storey garage in between. Whilst the main windows are in the front and rear of the property, it also has 2 first floor bedroom windows and 2 ground floor sitting room windows in the side elevation(north-west) overlooking the site. These will face towards the end of the block which fronts Compass Hill, and which is 9 m from the boundary. Part of this end wall is 3-storeys high (7.5 m high to eaves with a roof sloping away), for a length of 11 m. It then drops down to a single storey building. All windows above ground floor level have been omitted from this elevation in the amended scheme. The owners of Compass Rise are grateful that the windows have been omitted, but are still concerned that the 3-storey block will overlap part of 1 sitting room window and all of the second sitting room window and both bedroom windows. At present they have uninterrupted views because No. 2 Compass Hill is set forward of their building line. But as the ridge height of the proposed block would be higher than the ridge height of no. 5, they consider that this 3-storey block would compromise their access to light and sunlight, and would be a dominant mass. They point out that there is only 1 tree existing (not a substantial tree screen as the applicant claims) at the end of the wing facing 5, Compass Rise, and this is to be removed.

In response to this, all overlooking windows have been removed, so there will be no overlooking and loss of privacy. Whilst the ridge height will be just under two and a half metres higher than no. 5, the roof plane slopes away above the eaves, the 3-storey block is on the north side and at an overall distance of nearly 16m between buildings, this would not justify refusing permission. Additional planting can be required along this section of the boundary.

To the south-west

The south-west elevation faces towards the rear gardens of Nos. 2, 4, 6, 8 and 10 Osborne Way. The main issues relate to the relationships with Nos. 6 and 8 Osborne Way. These are both 2-storey properties angled towards their rear boundary. The rear garden of No. 6 varies between 11 m and 19 m in depth, and the rear garden of No.8 has an average depth of 26 m. The proposed building facing towards No.6 is

part 3-storey/part 4 storey, with roof planes sloping away. The nearest building, 3-storeys (8 m to eaves) is 21 m in from the site boundary. Windows above ground level have been omitted from the amended scheme. The nearest part of the 4-storey building is 2.2m from the boundary and all windows at 3rd and 4th floor level have now been omitted (except for 2 obscure glazed corridor windows). Eaves level is at the same height as the adjoining 3-storey part, as the lowest level is at lower ground floor level cut into the site. The other part of the 4-storey block with main windows remaining is some 29 m in from the boundary, and will be screened to some extent by 12-13 m high conifer trees inside the boundary. This is considered to be acceptable.

With regard to No.8 Osborne Way, the 4-storey block is 28 m in from the boundary, with conifers in between, and a 3-storey block has been reduced to 2 –storeys. This is considered to be acceptable.

To the north-west

No. 1 Wellington Road and Nos. 1, 3 and 5 Parkfield Road back on to the footpath which abuts the northern boundary of the site. A 3-storey block faces towards 1 Wellington Road and 1 Parkfield Road, some 7 m from the boundary. Building to building distance above ground floor level ranges between 19 m and 30 m. There are no windows in this part of the north-west elevation of the proposed block, so overlooking will not occur. Some trees inside the boundary will be kept and new ones planted. This is considered to be acceptable.

The Highway Authority considers the proposal is acceptable in terms of access and parking provision, subject to appropriate conditions.

The Landscape and Wildlife Officers consider the proposal is acceptable, subject to appropriate conditions.

RECOMMENDATION

Subject to the Completion of a Section 106 Agreement to provide a commuted sum of £350,000 for offsite affordable housing provision and tying the occupancy (excluding the Manager and staff) to the elderly (over 60), the Development Manager in consultation with the Chair/Vice Chair be authorised to determine and permission be GRANTED subject to conditions of time limit, materials, sample panel, landscaping, existing trees to be retained, protection of trees to be retained., service trenches beneath trees, hard landscaping, surface water, boundary treatment, lighting, GDPO windows, obscure glazing, highway conditions. Notes re Contact Highways, contact Wessex Water.

REASON(S) FOR RECOMMENDATION:- The proposal is considered to be an appropriate redevelopment site close to the Town Centre, and the proposal is considered to be in accordance with Taunton Deane Local Plan Policies S1, S2, H16, M4 and EN8 and material considerations do not indicate otherwise.

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

CONTACT OFFICER: 356454 MRS H PULSFORD (MON/TUES/WED)

NOTES:

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