

ST MODWEN DEVELOPMENTS LTD

OUTLINE PLANNING APPLICATION FOR ERECTION OF UP TO 11,200 SQM OF OFFICE (B1) FLOORSPACE, UP TO 4,475 SQM OF HOTEL (C1) FLOORSPACE, UP TO 49 RESIDENTIAL UNITS TOGETHER WITH ASSOCIATED CAR PARKING, LANDSCAPING, INFRASTRUCTURE WORKS AND NEW VEHICULAR ACCESS ON TO PRIORY BRIDGE ROAD AT PRIORY BRIDGE ROAD CAR PARK AND 84-94 PRIORY BRIDGE ROAD, TAUNTON

Grid Reference: 323068.125123

Outline Planning Permission

RECOMMENDATION AND REASON(S)

Recommended Decision: Conditional Approval subject to the receipt of comments from the County Highways Authority and Environment Agency.

The development is on an allocated site in the Taunton Town Centre Area Action Plan and proposed an appropriate mix of uses to secure a strategic office site that has good sustainable access links, provides a high quality layout with public realm improvements and would not harm the amenity of the area. The proposal accords with polices FP1, FP2, IM1, IM2, TR2, TR3, TR4, TR5, F1, F2, and ED1 of the Taunton Town Centre Area Action Plan, Policies S1, S2 EN4 and T3 OF the adopted Taunton Deane Local Plan, Policies STR1 and STR4 of the Somerset and Exmoor National Park Structure Plan, and the advice and guidance contained in PPS4.

RECOMMENDED CONDITION(S) (if applicable)

1. Approval of the details of the layout, scale, appearance and landscaping of the site (hereinafter called "the reserved matters") shall be obtained from the Local Planning Authority in writing before any development is commenced.

Application for approval of the reserved matters shall be made to the Local Planning Authority not later than the expiration of three years from the date of this permission. The development hereby permitted shall be begun, not later than the expiration of two years from the final approval of the reserved matters or, in the case of approval on different dates, the final approval of the last such matter to be approved.

Reason: In accordance with the provisions of S92 (2) Town and Country Planning Act 1990 (as amended by S51 (2) Planning and Compulsory Purchase Act 2004).

2. Application for approval of the reserved matters as required by condition 1 shall accord with the submitted outline planning application parameters plan Drwg No. 023_DI_284.6.

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

3. The development hereby permitted shall not be commenced until details of a strategy to protect and enhance the development for wildlife has been submitted to and approved in writing by the Local Planning Authority. The strategy shall be based on the advice of Cotswold wildlife Surveys August-September 2009 and Halcrows Ecological appraisal May 2010 and any up to date surveys and include:

1. Details of protective measures to include method statements to avoid impacts on wildlife during all stages of development;
2. Details of the timing of works to avoid periods of work when wildlife could be harmed by disturbance,
3. Measures for the enhancement of places of rest for bats and 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.

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.

Thereafter the resting places and agreed accesses shall be permanently maintained

Reason: To protect and enhance the site for wildlife in accordance with relevant guidance in PPS9.

4. Unless otherwise agreed by the Local Planning Authority, development other than that required to be carried out as part of an approved scheme of remediation must not commence until conditions (a) to (c) below have been complied with. If unexpected contamination is found after development has begun, development must be halted on that part of the site affected by the unexpected contamination to the extent specified by the Local Planning Authority in writing until condition (d) has been complied with in relation to that contamination.

a) Additional Site Characterisation

Further investigation works should be carried out in line with Sec 8 of the St Mowden Firepool Taunton Ground Conditions Report 03/06/10. This includes delineating hotspots and an investigation in the area surrounding hole WS105 to delineate the extent of asbestos cement present. A risk assessment must be completed to assess the nature and extent of any contamination.

The investigation and risk assessment must be undertaken by competent persons and a written report of the findings must be produced. The written

report is subject to the approval in writing of the Local Planning Authority. The report of the findings must include an assessment of the potential risks to:

- human health,
- property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes,
- adjoining land,
- groundwater and surface waters,
- ecological systems,
- archaeological sites and ancient monuments;

This must be conducted in accordance with DEFRA and the Environment Agency's "Model Procedures for the Management of Land Contamination, CLR 11" and other authoritative guidance.

b) Submission of Remediation Scheme

A detailed remediation scheme to bring the site to a condition suitable for the intended use must be prepared. This should detail the works required to remove any unacceptable risks to human health, buildings and other property and the natural and historical environment, and is subject to the approval in writing of the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures.

c) Implementation of Approved Remediation Scheme

The approved remediation scheme must be carried out in accordance with its terms prior to the commencement of development other than that required to carry out remediation, unless otherwise agreed in writing by the Local Planning Authority. The Local Planning Authority must be given two weeks written notification of commencement of the remediation scheme works.

d) Reporting of Unexpected Contamination

In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with the requirements of section a), and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of section b), which is subject to the approval in writing of the Local Planning Authority.

e) Verification of remedial works

Following completion of measures identified in the approved remediation scheme a verification report (referred to in PPS23 as a validation report) must be produced. The report should demonstrate the effectiveness of the remedial works.

A statement should also be provided by the developer which is signed by some one in a position to confirm that the works detailed in the approved

scheme have been carried out (The Local Planning Authority can provide a draft Remediation Certificate when the details of the remediation scheme have been approved at stage b) above).

The verification report and signed statement are subject to the approval in writing of the Local Planning Authority.

f) Long Term Monitoring and Maintenance

If a monitoring and maintenance scheme is required as part of the approved remediation scheme, reports must be prepared and submitted to the Local Planning Authority for approval until the remediation objectives have been achieved.

All works must be conducted in accordance with DEFRA and the Environment Agency's "Model Procedures for the Management of Land Contamination, CLR 11" and other authoritative guidance.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with policies S1 and EN32 of the Taunton Deane Local Plan.

5. Prior to development commencing details of replacement public car parking with a minimum of 200 spaces shall be submitted to and approved in writing by the Local Planning Authority. Such replacement parking shall be provided in accordance with the approved details during the construction of the development.

Reason: To ensure that adequate public parking spaces are provided in accordance with the provisions of Policy FP2 of the adopted Taunton Town centre Area Action Plan 2008

Notes for compliance

The condition relating to wildlife requires the submission of information to protect wildlife. The Local Planning Authority will expect to see a detailed method statement clearly stating how wildlife will be protected through the development process and be provided with a mitigation proposal that will maintain favourable status for these species that are affected by this development proposal.

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.

PROPOSAL

This is an outline planning application for a mixed use development of offices and residential with an option for hotel accommodation in lieu of office space. All matters are reserved other than access into the site which would be derived from Priory Bridge Road.

The maximum total amount of floorspace for the commercial development would be 11,200 sq m (gross external) with 112 car parking spaces and 65 cycle parking spaces.

Within that total floorspace, up to 4,475 sq m could be for hotel accommodation with the remainder being offices. Alternatively, the total amount of commercial floorspace could be offices.

It is also proposed to construct up to 49 apartments on the northern part of the site with up to 52 car parking spaces and 74 cycle parking spaces.

The submitted parameters plan shows the development blocks (building zone) being set back between 30m and 40m from the riverside edge which is to become an area of public realm with integrated flood defence. This area would also allow vehicle access across that site frontage. The public realm works have previously been presented to the Planning Committee and has a resolution to grant planning permission.

The development blocks which would face onto Priory Bridge Road would be set back to the existing building line, about 6m from the back edge of the footway.

The maximum building height would rise from the north of the site at 12m high to the south east corner at 24m high. This would equate to a commercial building of approximately 6 stories. The block facing onto Priory Bridge Road would have a maximum height of 20m (approximately 5 commercial stories).

Two vehicle access are proposed from Priory Bridge Road, one of which would move the existing car park access to the west so as to be opposite St Augustine Street. A second access would be provided in the area of the of the existing narrower car park access between Nos. 88 and 92 Priory Bridge Road

The application is accompanied by the following documents:

- Planning Supporting Statement
- Statement of Community Involvement
- Design and access Statement
- Ground Conditions Report
- Framework Travel Plan
- Flood risk Assessment
- Drainage Statement
- Ecological statement
- Tree Survey Methodology and Schedule
- Transport Assessment.

A confidential financial appraisal has been provided in order to assess the viability with regard to Section 106 contributions.

SITE DESCRIPTION AND HISTORY

The site extends to 1.54 hectares and forms part of the redevelopment allocation known as Firepool. The application forms the first phase of development on the Priory Bridge Road Car Park and includes Nos. 84 to 94 (residential and commercial buildings).

The site is triangular in shape and bordered by Priory Bridge Road to the South, the River Tone to the North West and the residential development of Priory Park and Winters Field to the East.

The site was allocated for redevelopment in the adopted Taunton Deane Local Plan, has formed a key part in the Taunton Vision and forms part of a larger riverside allocation in the Taunton Town Centre Area Action Plan (TTCAAP). The riverside allocation includes the surface car park, the former livestock market and railway siding sheds between Canal Road and the Station. Policies FP1 and FP2 of the TTCAAP state:

Policy FP1

Riverside - Development Content

The Riverside development will provide:

- a. at least 47,000 sq m (net) office space
- b. approximately 8,000 sq m gross of additional retail and leisure floorspace, of which 4,000 sq m gross should be convenience retailing
- c. approximately 400 dwellings, including 25% affordable housing
- d. a 500 space multi-storey car park (screened with single aspect development where it adjoins public space)
- e. a 3- or 4-star hotel with at least 100 bedroom
- f. primary healthcare facilities
- g. the relocation of the Produce Market within the town centre
- h. a 'boulevard' linking the railway station with the River Tone and Priory Bridge Road
- i. public conveniences close to public parking and the River Tone, to replace the existing facilities at Canal Road and Priory Bridge Road
- j. potential for active street level uses at locations shown on the Proposals Map
- k. high quality riverside promenades
- l. a contribution towards public art at 0.3% of construction costs

Policy FP2

Riverside - Transport Measures

The Riverside development will provide the following transport measures:

- a. travel plans on the basis identified in Policy Tr4 and agreed with the County Council
- b. car and cycle parking within developments in accordance with the Somerset Parking Strategy
- c. a minimum of 200 public parking spaces during construction and on

- completion of the development
- d. a priority bus and cycle route from the railway station via the boulevard to Priory Bridge Road, including high-quality provision for waiting passengers
- e. initiatives to encourage rail and bus use by employees and visitors
- f. high-quality pedestrian and segregated cycle routes along each bank of the River Tone
- g. shared pedestrian and cycle bridges across the River Tone
- h. an internal layout that facilitates improved pedestrian and cycle links to North Taunton and Taunton East

CONSULTATION AND REPRESENTATION RESPONSES

Consultees

SCC - TRANSPORT DEVELOPMENT GROUP - comments awaited

BRITISH WATERWAYS - comment:

We understand that the current outline application does not include the area of land occupied by the Canoe Club. We would ask that access to the canoe club and slipway remains available throughout the development .

Normally, British Waterways would request that a contribution be made to alleviate the additional cost of upkeep of the canal towpath as a result of increased usage by the occupiers of the development, both for recreational purposes and commuting purposes. We have successfully justified and achieved contributions elsewhere under appendix B of Circular 05/2005. However we note the Developers comments regarding viability and that a viability assessment will be submitted to the Council.

We would request that the Council consider whether a contribution is necessary to mitigate the impact of additional usage of the Canal towpath which forms an important part of the green infrastructure of the area. We would ask that the application is considered against the Council Green Infrastructure Delivery Plan. We would be willing to provide a more detailed response on this matter, if, after considering the Viability Appraisal, the Council is minded to seek contributions.

POLICE ARCHITECTURAL LIAISON OFFICER - comments:

I would make the following initial general observations:-

PPS1 makes it clear that a key objective for new developments should be that they create safe and accessible environments where crime and disorder or fear of crime does not undermine quality of life or community cohesion. Design & Access Statements should therefore demonstrate how crime prevention measures have been considered in the design of the proposal and what measures are proposed to mitigate any identified potential problems. With regard to this application, the DAS makes only brief references to safety and security e.g. *active frontages providing safe overlooked routes for pedestrians, safe and secure parking for residents etc.* Whilst these comments are relevant, in my view, the crime and disorder aspect should have been addressed more fully by the applicant.

Judging by the illustrative Layout, the orientation of the three blocks does appear to provide active frontages and also permits good surveillance of the parking courtyards at the rear of the blocks.

Casual intrusion by the public between and at the rear of the blocks should be discouraged and controlled, including vehicular access, by the use of appropriate signage and symbolic measures e.g. rumble strips, change of road surface colour/texture or similar physical measures. Any unobserved access routes avoided.

The DAS mentions 'secure car parking for residents' but does not describe the proposed boundary treatment for the resident's car park, other than to mention a 'secure landscaped boundary' between the development and the existing dwellings in Priory Fields. Any side/rear boundary of whatever description should be minimum height of 1.8m and permit an element of visibility through it e.g. wall topped by railings or similar. I note a 'drive through' access for residents into the resident's car park but similarly there is no mention of how this 'drive through' is to be secured. An appropriate form of access control should be provided for this 'drive through' e.g. electronically operated gates or similar, otherwise, the security of the rear courtyard resident's parking will be compromised.

Secure motor cycle and pedal cycle parking should also be provided for both the Residential and Commercial Blocks which should be within view of residents/employees.

Any design features of the blocks which allow climbing and access points should be avoided. In particular, recesses and blind corners should be eliminated.

Natural surveillance of all access points should be maximised. Formal surveillance in the form of CCTV should be considered for preventing and detecting crime and property management.

The development should have a defined perimeter e.g. hard landscaping, planting, symbolic surface changes or similar. In addition, each block should incorporate clearly defined defensible space around it comprising low wall/fence, planting or similar. This is particularly important in respect of the Residential Block to deter crime and ASB affecting residents on the ground floor.

Landscaping should not impede natural surveillance. For this reason, shrubs should be maintained below 1m in height and mature trees have a clear trunk height of 2m from ground level. Defensive planting i.e. thorny shrubs could be used in appropriate locations to deter unauthorised access and enhance security.

Lighting should be carefully designed to cover high risk areas, deter intruders and reduce the fear of crime. All adopted and unadopted roads, footpaths, car parks etc should comply with BS 5489.

With regard to the physical security of the actual buildings i.e. doorsets, windows, security lighting etc, in particular the Residential Block, the applicant is advised to formulate all measures in accordance with the police approved 'Secured by Design' award scheme, full details of which are available on the SBD website - www.securedbydesign.com - under the headings 'New Homes 2010' and 'Multi-Storey Dwellings'.

SCC - ECOLOGY - no comments received

SOMERSET WATERWAYS ADVISORY COMMITTEE - no comments received

SOMERSET WILDLIFE TRUST - comment:

The proposed development site lies adjacent to the River Tone, which represents a valuable wildlife corridor for many species, including otters and bats. The river corridors value is attested to by the various designated site along its length, including the Childrens Wood, Hankridge Riverside LNR, and Netherclay Community Woodland. Given the proximity of this proposed development to such an important biodiversity resource, and the prestige of this urban regeneration project, the Trust firmly believes that the proposal should deliver enhancements for local biodiversity, in line with PPS 9 (Biodiversity and Geological Conservation). The Trust has on many occasions previous suggested to Project Taunton that it could work with stakeholders such as the Trust and Somerset County Council to produce a long-term Biodiversity Management Plan covering the entirety of the Firepool site, and encompassing other developments along the river, such as the Castle Green public realm improvements. It is imperative that the functionality of this river corridor be maintained in the face of increased urban pressures, and the only way to achieve this is through a co-ordinated approach to the conservation and enhancement of the features that engender its value. Piecemeal mitigation of potential impacts will deliver nothing less than a reduction in ecological value and functionality of the corridor, as such a site-only approach invariably fails to consider the cumulative pressures distorting population dynamics in different sections of the linear feature. The Trust would therefore strongly urge the planning authority to address this issue, by at least conditioning the production of a biodiversity management plan for the whole Firepool site – this is not an unreasonable or burdensome request, but a fundamental consideration in the delivery of genuinely sustainable development.

As it is, the proposal submitted fails to mention any site-specific enhancement of the natural environment, relying on the habitat creation applied for under 38/09/0400 (Application for public realm works to the River Tone corridor at land adjacent to Priory Bridge Road, Firepool, Taunton). It is the Trusts firmly held opinion that biodiversity should be enhanced within this development area through additional areas of planting, to create a contiguous network of multi-functional green-space across this section of the Firepool site. As a bare minimum, the recommendations contained within the ecological assessments should be incorporated into the design of the site:

Maintenance and buffering of linear habitat features

The area of dense native scrub and shrubs located to the northeast of the Firepool site should be retained. Provision should be made for the improvement of habitat connectivity by creating linked up green spaces within the development area and down to the river corridor. Areas of river corridor should be planted with native shrubs, to provide shelter and lying up sites for otters. Landscaping of the Firepool site should incorporate features that will benefit a range of invertebrate groups, to maintain the forage interest for swifts, swallows and bats.

Artificial roost provision

Bat and bird boxes (particularly for swifts) should be placed around the site to off-set potential impacts to these species.

Further survey work

The single end-terrace property to the northwest of the Firepool site should be surveyed for roosting bats. The previous survey did not cover the whole area covered in this planning application and it is therefore important that the areas which were missed out are surveyed; this is particularly important as although bats are known to utilise the section of the river along Childrens Wood, the roost the bats come from is as yet unidentified. Given the time after sunset at which they are seen foraging, the roost is very close to the river.

WESTERN POWER DISTRIBUTION - no comments received

WESSEX WATER - comment:

The Drainage Strategy submitted with the planning application is in accordance with Wessex Water's discussions with the Applicant's agents regarding servicing the site at Priory Bridge Road.

We would like to reiterate, however, that Wessex Water require continuous access to the siphon chamber in Area 1. There is to be no building within 3m of the chamber and it should be noted that there is likely to be an odour nuisance when the chamber is being maintained.

I trust that you will find the above comments of use, however, please do not hesitate to contact me if you require further information or clarification

CONSERVATION OFFICERS - comments awaited

DRAINAGE ENGINEER - comments:

No development shall commence until a detailed design for the provision of surface water disposal and flow protection works has been submitted and approved by the authority. The submission shall include a full operations and maintenance strategy. This strategy shall identify all the future land use limitations, identify the ownership, all operational and maintenance arrangements for the works over the lifetime of the scheme. It should include SUDs provision as outlined in the Drainage Statement submitted by Halcrow Yates.

ENVIRONMENTAL HEALTH - NOISE & POLLUTION - comments:

"I note that a report has been submitted with the application:

- St Mowden. Firepool Taunton Ground Conditions Report. 03/06/10

This report includes details the site history, investigations, soil and water sampling and a risk assessment of potential risks from contamination. Some elevated levels of contaminants were found.

The report does make some recommendations for remedial works to sever any potential pathways between soils and site end users (Sec 8). It also recommends some additional investigations to be carried out during construction works.

A report and risk assessment should be submitted following the additional site investigation works. The developer should also provide more detail of the proposed remedial works (i.e. clarification of the proposed areas of clean cover and thickness required and confirmation that the commercial areas will consist of hard-standing)."

Recommends that this be secured by a planning condition.

ECONOMIC DEVELOPMENT MANAGER - comments awaited

HERITAGE AND LANDSCAPE OFFICER - comments:

Subject to landscape details it should be possible to integrate the proposals into the riverside landscape. Reference should be made to the Councils Green Infrastructure Strategy and particular use of the river as a corridor for access and enjoyment of the river. Landscape treatment of the Priory Bridge Road will be very important as a gateway route into the town centre. Have photovoltaics been considered on the roofs?

LEISURE DEVELOPMENT MANAGER - comments

I have the following observations to make on this application

In accordance with Local plan Policy C4, provision for play and active recreation should be made for the residents of these dwellings

A contribution of £1,100 for each dwelling should be made towards the provision of facilities for active outdoor recreation and a contribution of £2,200 fro each 2bed+ dwelling should be made for towards children's play provision.

A contribution of £885 per dwelling should also be sought towards community hall provision.

The public art contribution requited in accordance with the Taunton Deane Public Art Code either through commissioning and integrating public art into the design of buildings and the public realm or by a commuted sum to the value of one percent of development costs should also be adhered to.

NATURE CONSERVATION & RESERVES OFFICERS - comments:

The proposal is for outline planning to erect office space, housing, parking and landscaping at Priory Road car park, Taunton.

The site is predominately hard standing with some buildings located to the SE of the site. The site abuts the River Tone on part of its northern boundary. The public realm works, which formed a separate planning application, partly separate the site from the River Tone.

Several wildlife surveys carried out in 2006 and, 2009 and an ecological appraisal carried out in 2010 have been carried out on this site as part of the survey work in connection with the Firepool development. However I suspect that not all of the buildings have been surveyed to check for signs of bat occupancy. The plan (Ecological Survey Boundaries) shows the ecological survey as being edged in green. This boundary does not coincide with the survey boundary illustrated in Cotswold Wildlife Surveys Protected Species Report 2009 (the new site boundary now includes two extra residential properties, a depot and another building in the extreme SE corner of the site).

If this the case these buildings should be surveyed for signs of bat occupancy prior to any demolition. Bats have been recorded in the vicinity of the River Tone so the design of lighting of this development should be handled sensitively. The assessment concluded that otters use the river near the footbridge, so I support recommendations made in the Ecological appraisal, dated May 2010, with regards to enhancing the river corridor for otters and bats. In addition I support recommendations made in the Appraisal with regards to birds, and reptiles. As with all developments of this nature there are opportunities to enhance the site for wildlife so In accordance with PPS9 I suggest the following condition

ENVIRONMENT AGENCY - comments awaited

SCC - CHIEF EDUCATION OFFICER - no comments received

TDBC STRATEGY UNIT- comment:

Design and Access Statement

The vehicular access ways to Priory Bridge Road don't look very pedestrian-friendly – for example, they seem to have quite large radius corners. Can this be reconsidered?

The Design and Access Statement refers to 'street enclosure' being provided on Priory Bridge Road – is this achievable with 4.5 x 70 or 4.5 x 90 visibility splays? It's important that streets have trees within them and that they are not precluded by visibility or other requirements.

Transport Assessment

It is important that the car parking provision is capable of being managed as part of a longer-term access strategy for Firepool.

This is a very central development with good alternatives to car travel. Alternatives to a car parking space for every dwelling should therefore be investigated (e.g. a residential car club).

Cycle parking – provision of 65 cycle spaces for the offices does not seem to take enough account of the great potential that exists to increase the level of cycling in Taunton. In the Netherlands, it would be quite common for 25% of trips to be made by bike. To reflect this, the cycle parking standards in the TTCAAP are deliberately aspirational. This site in particular is in the river corridor, which is linked to extensive off-road cycle paths, and is immediately next to a route forming part of the National Cycle Network. For a site in this location, the proposal to allow for a 12% modal share does not seem ambitious enough. Urban Initiatives are suggesting that 50% of all trips in Taunton should in future be made by non-car modes, and a major proportion of these would probably need to be made by bicycle.

Discussions with SCC suggest that the TTCAAP standard of 1.5 cycle spaces per dwelling is actually not enough, and there should instead be 1 space per bedroom. Thus there would need to be 98 spaces for 49 flats, rather than 74.

Representations

5 letters have been received which raise the following issues:

- The height of the buildings will result in loss of a view of the river
- Loss of town centre parking.
- Questions whether housing and office space in this location is really needed.
- The new entrance is nearer properties in Winters Field.
- Loss of light to residential properties due to height of buildings.
- Replacement car parking facilities should be up and running before any work commences.

- Cycle Somerset suggest that permission is only given for developments that would have 25% of journeys being made by bicycle (double the present proposal)
- They also state that houses and flats require more spaces for cycles as each household will have more than one bike.
- The health and environmental benefits of cycling should also be taken into consideration when assessing applications in the Firepool Area.

- Somerset Cricket Club welcome the application which would provide new employment opportunities for Taunton.
- They also raise concern that town centre parking will be reduced and suggest the market site be converted to allow parking.

- The owners of one of the properties that is subject of the application (94 Priors Bridge Road) have advised they do not wish to sell and its inclusion in the application is a cause of some concern.

PLANNING POLICIES

S1 - TDBCLP - General Requirements,

S2 - TDBCLP - Design,
H10 - TDBCLP - Affordable Housing Targets,
EC23 - TDBCLP - Tourist Accommodation,
C4 - TDBCLP - Standards of Provision of Recreational Open Space,
EN4 - TDBCLP - Wildlife in Buildings to be Converted or Demolished,
EN25 - TDBCLP - The Water Environment,
EN33 - TDBCLP - Building Waste,
EN34 - TDBCLP - Control of External Lighting,
T3 - TDBCLP - Firepool Major Development Site,
STR1 - Sustainable Development,
STR4 - Development in Towns,
FP1 - TTCAAP - Riverside - Development Content,
FP2 - TTCAAP - Riverside - Transport Measures,
IM1 - TTCAAP - Priorities for Developer Funding,
IM2 - TTCAAP - Approach to Viability,
TR2 - TTCAAP - Parking in New Development,
TR3 - TTCAAP - Smarter Choices,
TR4 - TTCAAP - Travel Plans,
TR5 - TTCAAP - Car Sharing,
TR6 - TTCAAP - Developer Contributions to Transport,
F1 - TTCAAP - Developments within the Floodplain,
F2 - TTCAAP - Developer Contributions to Waterways and Flooding,
ED1 - TTCAAP - Design,
ED2 - TTCAAP - Public Art,
ED3 - TTCAAP - Mixed Use,
ED4 - TTCAAP - Density,
ED5 - TTCAAP - Combating Climate Change through New Development,
ED6 - TTCAAP - Off-site Public Realm Enhancements,
TS1 - TTCAAP - Training and Skills,
UNQ - Unique Policy Code,
PPS1 - Delivering Sustainable Development,
PPS 1 SUPP - Planning and Climate Change,
PPS3 - Housing,
PPS4 - Planning for Sustainable Economic Growth,
PPS 5 - PPS5 Planning for the Historic Environment,
PPS25 - Development and Flood Risk,

DETERMINING ISSUES AND CONSIDERATIONS

Principle of Development

The Taunton Town Centre Area Action Plan (TTCAAP) allocates the Riverside area of the Firepool major site as a strategic office site providing the main focus for office development in Taunton. The aims of the TTCAAP for this site are to change market perceptions of Taunton as a place to live and work and secure office development in a sustainable way.

This application comprises the first phase of development of the riverside on what can be considered to be a contained part of the larger site. While a Masterplan covers the larger site, this is the most appropriate first phase which can be combined with the public realm works on the south side of the River Tone.

The application has been submitted in an uncertain economic climate and is

accompanied by a financial appraisal so that the viability can be considered against the planning obligations set out in the TTCAAP and Planning Obligations SPD.

The principle of development has been clearly established over many years and through a number of adopted Council planning documents.

The consideration of the detailed appearance, landscaping, layout and scale are reserved for subsequent approval. The application includes a Design and Access Statement in addition to identifying building zones and scale parameters which allow for appropriate consideration at this stage.

Development Mix

The TTCAAP policy for the riverside site (which includes the larger former market site) states that the development will provide:

- at least 47,000 sq m (net) office space
- approximately 8,000 sq m gross of additional retail and leisure floorspace
- approximately 400 dwellings
- a 500 space multi-storey car park
- a hotel with at least 100 bedrooms
- primary healthcare facilities

This proposal is seeking to provide approximately 25% of the minimum office space and 12% of the residential. The proposals include the ability for a hotel to be constructed in lieu of some of the office space to be provided on this site.

All of these uses fall well within the scope of the policy and it is considered quite beneficial to the local economy that the application is weighted heavily towards the provision of commercial floorspace rather than residential.

The locations of the individual aspects of the development proposed are well considered with the commercial aspects facing onto the river and road and the residential part at the north of the site overlooking the weir and being adjacent to existing residential development.

This application proposes an appropriate development mix in favour of commercial development.

Design

The design (being appearance, landscaping, layout and scale) is reserved for subsequent approval however development zones and scale parameters do form part of this outline application. The development zone is based on providing frontage to Priory Bridge Road and the River Tone. The zone has been aligned at the north of the site so as to not interfere with views and vistas of the adjoining residential development. The maximum height of the building in this development zone would be 12 metres to respect the height of the adjoining residential buildings.

The proposed height of the buildings then steps up along the riverside frontage and to the corner facing onto Priory Bridge Road. Indicative 3D modelling has been provided to show the mass of such a building and the Design and Access Statement proposes that the top storey be set back from the main building façade in order to reduce mass and apparent height.

In order for a development of this height and scale to succeed on this site (where the TTCAAP and Town Centre Design Code suggest building heights of 4 to 5 stories with potential for taller 8 storey development in selected locations) it will be essential for the detailed design to be of the highest quality. The overall Masterplan protects views of the church towers of Taunton through the Station Boulevard and it has to be acknowledged that any redevelopment of a surface level car park will have a significant impact on the character of this area.

Overall it is considered that the development zone allows for sufficient gaps between buildings and the river while also providing a significant scale of development and efficient use of land.

Access, Car Parking and Cycle Storage

The two vehicle access points are to be considered at this stage. The detailed position of one and the locational zone for the other have been submitted. The detailed comments of the County Highway Authority are awaited, however, pre-application discussion did take place with them. In addition to these vehicle access points, pedestrian and cycle access points would be provided along the existing riverside path which includes the Sustrans link, over the enhanced pedestrian bridge and a link is also shown to Winters Field where there is an existing 'desire line' worn into the grass.

The proposed amount of car parking is at the upper end of the maximum provision set out in the TTCAAP with 1 space per dwelling and 1 space per 100 sq m of B1 office space. Although this is high, it is within the thresholds previously agreed. As a first phase of development, which doesn't already have the benefit of the proposed routes and links to the Station, it is considered to be appropriate.

The proposed level of cycle storage within the scheme is less than set out in the TTCAAP and the submitted Transport Statement makes the argument that the expected level of cycle parking is very high. It suggests that on average 7% of employees utilise bicycles as a means of transport and even if a 5% modal shift is applied, the resulting 12% would only suggest that 65 spaces should be made available. The TTCAAP requires 128 spaces for the office and, as set out in the consultation responses, is deliberately aspirational.

The applicants have suggested that the proposed 65 spaces would be appropriate based on achieving BREAM excellent and it may be difficult to achieve more secure and covered cycle parking based on the land available.

The comments of the County Highways Authority are awaited which will consider both the submitted Travel Plan and Transport Statement, however it is expected that the level of cycle parking for the office uses would need to be increased to meet the minimum level set out in the TTCAAP. The proposed 49 spaces for the 49 residential apartments meets the required minimum standard of 1 space per unit.

Policy FP2 of the TTCAAP requires a minimum of 200 public parking spaces to be provided during construction and completion of the development. These can be accommodated on the former Market site and is part of the Development Agreement between Taunton Deane Borough Council (as landowner) and the applicants St Modwen (as development partner.)

Flood Risk and Protection

There is an existing low flood defence on the south side of the river consisting of a kerb line. This is at a level varying between 14.74m AOD and 15.0m AOD. This defence will be raised to 15.6m AOD as part of the public realm works previously considered by the committee. It is also proposed that the finished floor levels of the buildings be raised to 15.75m AOD

As the site forms an allocation which was considered as part of the Strategic Flood Risk Assessment for Taunton Deane, the sequential and exceptions tests are not required to be carried out. The development does require an appropriate Flood Risk Assessment (which has been carried out and submitted) and the comments of the Environment Agency with any suggested conditions are awaited.

As a car park, the majority of the site is already impermeable surface with little scope for infiltration. Based on the Masterplan, the result of this devolvement (combined with the public realm works) would be increased infiltration areas by approximately 0.3 hectares. A detailed design of Sustainable Urban Drainage System (SUDs) will be required to bring this site forward and the comments of the Environment Agency are awaited to combine with the comments of the Council's Drainage Engineer. This may require a suitably worded condition to secure the implementation and future maintenance of such a system.

Planning Obligations and Viability

Policy IM1 of the TTCAAP and the Planning Obligations SPD identify areas where development sites are expected to contribute in accordance with the principles of Section 106 of the Town and Country Planning Act. These include affordable housing, road schemes, park and ride provision/extension, flood plain re-profiling, public realm improvements, the replacement of Firepool Weir, education provision, community facilities, play and outdoor sports facilities, public art and travel plans.

Policy IM2 of the TTCAAP requires developers to produce satisfactory evidence in cases of alleged non-viability. Financial details have been submitted to show the development costs of a scheme that would meet the highest levels of sustainability and the potential incomes for such a development. Those details have been assessed in and it is considered that as a first phase of development in the current climate, developer contribution is not viable.

Therefore a decision has to be made as to whether the redevelopment of this site and provision of employment opportunities outweigh the requirements for affordable housing and other potential requirements outlined above. The scheme does deliver the public realm improvements to the south side of the river and increased flood defence. Integrated public art does form part of the development agreement with Taunton Deane Borough Council (as landowner) as does the requirement for the highest levels of sustainable development.

The decision must be based on the viability of this scheme and does not prejudice future phases of development on the adjacent sites which would be assessed separately. It is acknowledged that this proposal forms the first phase of development where potential incomes through rents are less than on completed sites and this is a significant factor. Overall it is considered that potential delivery of a

high quality development in the current climate is a determining factor that outweighs the non-delivery of planning contributions for other off-site works and the delivery of 25% affordable housing (12 units).

Conclusions

There are outstanding comments from the County Highways Authority and Environment Agency which will need to be fully assessed in making a decision on the application. Subject to those comments, it is considered that the release of this site to commercial development with a smaller proportion of residential would result in overall benefits to the local area and economy and be a major step forward in realising the Taunton Vision and the aims and objectives of the Taunton Town Centre Area Action Plan.

In preparing this report the Planning Officer has considered fully the implications and requirements of the Human Rights Act 1988.

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