

38/2007/183

MIDAS HOMES & NATIONAL GRID PROPERTY HOLDINGS

**RESIDENTIAL REDEVELOPMENT OF FORMER GAS STORAGE SITE INCLUDING NEW SITE ACCESS, CAR PARKING AND ASSOCIATED WORKS AT THE FORMER GAS STORAGE SITE, TANGIER, CASTLE STREET, TAUNTON**

322288/124662

RESERVED MATTERS

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**PROPOSAL**

Outline planning permission was granted in December 2005 for the residential development, new site access, car parking and associated works on the adjoining former Gas works site allocated in the Taunton Local Plan for development. Following the grant of outline planning permission the alignment of the new inner relief road has altered leaving a small site adjacent to the gas works. The applicant, Midas Homes, have procured the site and have designed both sites as one. However because the outline application site did not include this land this second full application has been submitted and is to be considered at the same time as the outline permission. This application is for the erection of a 4 storey block of 44 apartments for senior persons and is located adjacent to the route of the inner relief road. It would provide 11 parking spaces (including three disabled) that would be accessed through the neighbouring development (38/2007/184). The scheme provides for an enclosed laundry room and residents lounge with an open roof top garden on the 5<sup>th</sup> floor. The building would be finished in metal work to match the focal "drum" building. It has been agreed that the principles of the existing section 106 agreement covering will be continued on this site.

**CONSULTATIONS AND REPRESENTATIONS**

COUNTY HIGHWAY AUTHORITY views awaited. COUNTY ARCHAEOLOGIST views awaited.

CHIEF FIRE OFFICER (1) means of escape in case of fire should comply with Approved Document B1, of the Building Regulations 2000. Detailed recommendations concerning other fire safety matters will be made at Building Regulations stage. (2) Access for fire appliances should comply with Approved Document B5, of the Building Regulations 2000. (3) New water mains installed within the development should be of sufficient size to permit the installation of fire hydrants conforming to British Standards.

ENVIRONMENT AGENCY requests that an Environmental Impact Assessment (EIA) be undertaken, due to the potential significant effects on the River Tone, including impacts on a number of protected species. The EIA should incorporate the Tangier development as a whole. The requirement for an EIA for the whole site is supported by DETR Circular 02/99, where in paragraph 46 it states: "...a particular planning application should not be considered in isolation if, in reality, it is properly to be

regarded as an integral part of an inevitably more substantial development...". This is further supported in government guidance detailed in 'Environmental Impact Assessment A Guide to Procedures (2000)', which states that "EIA can be requested due to the level of significance of the development. Especially those developments ? which are proposed for particularly environmentally sensitive or vulnerable locations.'. The Agency feels that this development falls under this category, due to the presence of a number of sensitive species and the volume of new development proposed in the area. 'Planning for biodiversity and geological conservation: A guide to good practice' (linked to PPS9) also supports this approach through paragraph 5.13 "where a development poses a likely risk of harm to a protected or priority BAP species, Local Planning Authorities should ensure that an adequate survey is carried out in advance of a planning application". This concern is echoed by Taunton Deane Councils Draft Sustainability Appraisal for Taunton Town Centre Area Action Plan in which it is acknowledged that there is a potential issue in this area. Due to the potential impact of the Tangier development, we strongly recommend an EIA be carried out and for the whole Tangier development not just an individual section of the development.

WESSEX WATER (1) There is sufficient capacity to serve this site. The nearest sewers are in Castle Street and the side road which I believe is known as St John's Road. No connection is to be made to the 150mm sewer to the West which is upstream of a pumping station. (2) Although combined sewers are shown on the records all surface water must discharge to a public surface water sewer, the River Tone or the watercourse to the South. The site is very nearly 100 % impermeable at present but it is not known how the surface water drains. It is recommended that investigations are carried out to establish this before we can agree points of connection to the public surface water system. (3) In line with Government Policy the applicant is advised to contact Developers Services to see if any of the on-site or off-site drainage systems can be adopted under a Section 104 Agreement. Wessex Water Developers Services Riverside Chilton Trinity TA6 3JS. (4) The Sewage Treatment Works and terminal pumping station has sufficient capacity to accept the extra flows this development will generate. (5) The mains in the vicinity of the site are adequate. A connection should be made to the existing 100 mm diameter main in 'Tangier'. Buildings with more than two storeys may require on-site pressure boosting.

SOMERSET AND AVON CONSTABULARY (1) the security of the development and in particular, the perimeter blocks is enhanced by deterring casual intrusion by non-residents. I note from the DAS that vehicular access into the internal courtyards within the perimeter blocks will be controlled by means of 2 m metal gates controlled by electronic locks and security codes/swipe cards available to residents only. Such gates should be inward opening and capable of being operated remotely by the driver whilst sitting in the vehicle; (2) I have some concerns, however, regarding the proposed undercroft parking under these blocks as, despite the fact that the communal entrance/exit is gated, vehicles parked under the blocks will be out of sight of residents and potentially vulnerable to theft/damage, as gates can be left open. Ideally, parked vehicles should be garaged but if this is not possible, it would be preferable for these undercroft parking areas to be secured in some way also e.g. individual rising bollards for each parking space would at least prevent a vehicle being stolen. In addition, on personal safety grounds, these covered parking areas should be well lit with walls and ceilings having light-coloured finishes to maximise the effectiveness of the lighting; (3) I have similar concerns about the proposed undercroft cycle parking in the refuse/recycling/storage areas both on personal safety grounds and the security of the cycles themselves. These

areas should also have a suitable form of access control provided and be well lit/light-coloured finish to walls and ceilings; (4) Judging by the plans, the external balconies/terraces should provide a good degree of natural surveillance of both the private courtyards and the public spaces and this should be optimised by the avoidance/elimination of recesses, blind corners and hiding places. Neither should landscaping impede this surveillance by residents. This is especially important adjacent to footpaths or close to buildings where it may obscure doors and windows and create hiding places. Block frontages should be open to view with ornamental walls and hedges maintained below 1 m in height. Trees should be pruned up to 2 m from ground level and defensive planting (prickly plants) can be used to enhance security; (5) Good lighting will deter intruders and reduce the fear of crime and it is important that an appropriate form of lighting is designed to cover all high risk areas e.g. access points/doors, car parking areas, footpaths, storage areas, secluded areas etc. All lighting should be automatically controlled by photo- electric cell or time switch. Street lighting should conform to BS 5489; (6) The central public space incorporating vehicular and pedestrian access will inevitably increase the permeability of the development and each apartment block should have clearly defined defensible space incorporating walls/fencing/landscaping, as appropriate. Symbolic features such as rumble strips, change of road surface(colour/texture), pillars or narrowing of the carriageway, in addition to the proposed bollards, can help define defensible space giving the impression that certain areas are private, as well as separating vehicles and pedestrians. Good signage should be provided to deter unauthorised access and assist emergency services etc; (7) External communal areas, as mentioned above, have the potential to generate crime, fear of crime and anti-social behaviour. Such areas should be designed with community safety in mind and have adequate mechanisms to ensure their future management/maintenance. They should not immediately abut private residential buildings; (8) Communal entrances to blocks should be fitted with a suitable access control system e.g. intercom and electrical lock release or similar. Doors/frames should be robust, made of vandal resistant material and fitted with viewing panels. Any internal door which gives access to residential floors should also have a suitable form of access control fitted. However, this will be subject to requirements for means of escape in the event of fire. Communal facilities on the ground floor e.g. resident's lounges should be located to provide natural surveillance of entrances, lobbies and external areas; (9) Enclosures to balconies at all levels should be designed to exclude handholds and eliminate opportunities for climbing up, down or across between balconies; (10) Communal internal circulation areas e.g. staircases, lift lobbies etc should be brightly decorated and well lit and access staircases linked to the minimum number of dwellings. External walkways should be eliminated wherever possible; (11) The applicant is advised to formulate all physical design features i.e. doors/windows etc in accordance with the ACPO 'Secured By Design' award scheme, full details of which are available on the SBD website. NATURAL ENGLAND objects to this proposal due to concerns over:- 1. Disturbance of protected species (water vole, otter and bat) and significant loss of habitat, including the loss of riverside wildlife corridors, as a result of development right up to the waters edge and unsympathetic lighting proposals. It is highly important to maintain the integrity of a darkened river corridor for the sake of otters and bats. Natural England requires that thorough bat surveys are conducted over the summer period in order to gather information on how bats use the river corridor. 2. The flood risk associated with the development, resulting from the raising of the site and the consequential decrease in storage for

flood volume. The decrease in volume of 5750 sq m is significant and is likely to contribute to a faster flow of water through Taunton town and increased flooding downstream on the Somerset Levels and Moors - specifically affecting Curry and Hay Moors SSSI. Natural England suggests that a more detailed flood risk management proposal be submitted that clearly identifies a preferred option for storing the displaced flood water. If the decision is to use Longrun Farm as flood capacity, as suggested, this should be supported by further research into its suitability for accommodating the flood water volume suggested. Consideration should be taken of the wider development proposals for Taunton Town Centre and the associated need for flood volume storage. Natural England believes that the potential environmental/ecological impacts of the development are significant enough to justify the need for an Environmental Impact Assessment (EIA) of the proposal - hence Natural England supports the Environment Agency's request for an EIA. However, the need for an EIA may be negated through supplementary planning guidance (best practice) for all development along the River Tone. TAUNTON CIVIC SOCIETY views awaited

LANDSCAPE OFFICER my main concerns are:- loss of TPO'd trees, especially the weeping willow and small leaved lime; limited riverside landscape mitigation; poor 'townside' landscape mitigation; limited or not riverside access for boats; no adopted landscape masterplan. NATURE CONSERVATION & RESERVES OFFICER I have read Midas's Protected Species survey/report March 2007. I support the principle 9.3 to ensure that the integrity of the Tone corridor CWS is maintained - however, with the proposed development the area must be enhanced for wildlife. Therefore I support the report conclusions 9.2 - 9.4. My concerns for both applications is that we need more information on the aquatic planting, to give cover for otters and to maintain existing bat flight routes. Bats: Because of the known bat roosts in the vicinity I recommend that summer surveys are done to establish how bats are using the site e.g. do they cross the site from River corridor to the back streams - the results could inform planting corridors across the site. NE may comment further on the need for bat surveys in this case. I support the proposal for the specified bat boxes, 8.10. Otters: The proposed gabion walls with planting inlets will provide limited cover but I would like to see the details of planting along the large expanse of reinforced revetment - I support the report's recommendations for native shrub planting, 8.6/8.12. I support the proposal for a site for an otter holt, 8.13 and recommend that details should be submitted. Sand Martins: I welcome the proposal for a sand martin bank and recommend that details are submitted. Plant Surveys: I support the proposed vegetation surveys to be undertaken this summer to inform future planting proposals. Note on Lighting I would like to see further detail of lighting proposals to gabions and I am concerned that the proposed uplighting of riverside trees may be excessive effects on protected species on River. Note on Tree Planting and Existing Tree Removal Existing groups of trees proposed for removal could provide flight lines for bats - see earlier comment on bats. Although I support the planting of native species along the Riverside the almost exclusive use of native alder could cause problems (Phytophthora pathogen could kill the trees) and ICC may comment further. I also note that the planting of Black Poplar has been proposed, Ian may comment further but the illustration on the 'planting illustration' shows *P. nigra* 'Italica' not the native black Poplar *P. nigra* 'Betulifolia'. This needs to be clarified. PLANNING POLICY the drawings imply that there will be a 200 m frontage to the Third Way and Tangier without active uses at street level or, indeed,

any habitable rooms at all. This is contrary to the intentions of the Urban Design Framework (see page 71, Section 13) which clearly shows living room or commercial space on the Castle Street (Third Way) frontages. The applicants rightly draw attention to the restricted depth of site available. This is also likely to be a constrain on other town centre sites in Taunton. A more radical approach to development seems needs, possibly involving “car free” housing, if the sties are not to become dominated by ground level car parking or garages on every street frontage. The use of blue brick for the ground floor elevation does not seem characteristic of Taunton. The standard historical solution to a raised ground floor level is to have steps up to the front doors e.g. The Crescent, Taunton. ENVIRONMENTAL HEALTH OFFICER views awaited. HOUSING OFFICER there is a Section 106 for affordable housing on the reserved maters portion of the site and I understand that the same principles will be applied to the smaller full application site, I believe this applies. LEISURE AND RECREATION OFFICER views awaited. PROJECT TAUNTON views awaited.

21 LETTERS OF OBJECTION have been received raising the following issues:- the site is too small for the proposed development; the design, materials, colour and design unsympathetic to the area; the blue brick would be out of keeping and should be red brick to reflect the area; design resembles 1960's tower blocks; 5 and 7 storey building too high out of keeping with area should be kept to three storey; the buildings should have pitched roofs; the buildings will dominate the river setting and should be reduces in height and set further back; out of keeping with recent traditional designed brick buildings; bulk of development creates a visual barrier to the river with insufficient integration with the wider area; riverside elevation with seemingly no consideration of impact on pedestrians, wildlife or natural environment; building should be lower and set back further from the river frontage; the buildings are designed to look like supermarkets; proposed balconies overlooking river will be in shadow all day; building will over shadow river and riverside walk will be in the shadow all day; loss of privacy for residents opposite the site due to proximity and height of proposal parking not in excess of 1.2 maximum outlines by the government but owners still have vehicles and will park on the surrounding streets increasing their congestion; the scheme should have shops, bars and cafes to liven up the river frontage; gas fuelled heating will add to the green house effect; the new properties will only be a few meters away from the new road that is likely to be very busy and noisy.

## **POLICY CONTEXT**

Somerset and Exmoor National Park Joint Structure Plan Review Policies STR1 - Sustainable Towns; STR4 - Towns; Policy 35 - Affordable Housing; Policy 40 - Town Strategies; Policy 48 - Access and Parking; Policy 55 - Major Highway Improvements and Policy 60 - Flood Plain Protection.

Taunton Deane Local Plan Policies S1 - General Requirements; S2 - Design; S9 - Taunton Town Centre; H2 - Housing; H9 - Affordable Housing; H10 - Affordable Housing Targets; M4 - Residential Parking Requirements; M5 - Cycling; C1 - Education Provision; C4 - Recreational Open Space; EN23 - High Archaeological Potential; EN28 - Development and Flood Risk; EN29 - Flooding due to development and EN32 - Contaminated Land.

## **ASSESSMENT**

This site is immediately adjacent to the gas works site for which outline planning permission has been granted and the reserved matters application is before you tonight. It is considered appropriate that the same planning requirements are applied to this site and a totally residential form of development has been accepted in principal. This part of the development has a different design theme with the materials reflecting the central focal building and the levels of the Third Way bridge and road building catered for. The Architect has recognised the importance of the site and designed the building to front the river and road frontages. This part of the site development will provide senior accommodation with an open top garden with residents lounge providing views to the east. The garden would have an obscure glazed wall around the outside to avoid any overlooking of nearby residential properties.

The development would be situated in the flood plain of the River Tone. It is important to make sure that the development site does not flood and that the development does not make any flooding of adjacent land worse. As a result residential floor levels on the site have been raised and an area for alternative flood storage is to be created at Long Run Farm to compensate for any loss of flood storage on site. Whilst this is agreeable in principal the exact details of the flood storage works has not been submitted and its suitability to serve the development is therefore untested.

The site lies adjacent to the route of the third way. The applicants have been in discussions with the County Highway Authority and have designed the scheme to take account of any raise in road levels as a result of the new Third Way. I am still awaiting the detailed comments from the County Highway Officer but I understand there are no objections to the principals of the development.

The application site lies adjacent to the River Tone County Wildlife Site. Natural England confirms that protected species are believed to use the site including Bats, water voles and Otters. Furthermore the development of this contaminated site may result in leakage of pollutants into the water system, which might subsequently affect the Levels SSSI. As a result it is considered that the submitted information on the presence of these species, the impact of the development on the species and proposed mitigation is inadequate as is the information on the potential effects of the development on the Levels SSSI.

Proposals as submitted are considered unacceptable.

## **RECOMMENDATION**

Permission be REFUSED for the following reasons (1) The site lies adjacent to a County Wildlife site where protected species are present. The information as submitted is insufficient to establish the existing situation on the site in terms of the existing fauna and flora on the site (including protected bat species and Otters), the impact of the development on those species the local and wider water environment and any mitigation measures that may overcome any detrimental impacts or

measures to enhance the existing environment and is therefore considered to be contrary to Taunton Deane Local Plan Policies EN2, EN3, EN5 and EN6. (2) The development of the site would result in loss of flood storage contrary to Taunton Deane Local Plan Policy EN28.

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

**CONTACT OFFICER: 356467 MRS J MOORE**

NOTES: