

38/2004/243

CREST NICHOLSON (SW) LTD

**ERECTION OF 61 FLATS AND ANCILLARY WORKS ON LAND AT THE FORMER SWEB SITE, PRIORSWOOD ROAD, TAUNTON.**

23624/25731

FULL PERMISSION

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**PROPOSAL**

Outline permission was granted in October 2002 for the redevelopment of the former SWEB site for mixed uses. Detailed permissions have now been granted for 135 dwellings, a Travel Lodge and Inn. The current application is for the construction of 8 two, three and four storey blocks of flats on a strip of land (0.55 ha) adjacent to the Obridge viaduct. There would be a mix of 14 one bed roomed flats and 47 two bed roomed flats. The design and materials of the units would be in keeping with the remainder of the site. The access would be off existing internal access roads that would be extended along the line of the viaduct with a turning area to the south of the site. The proposal would provide one parking space per unit with additional cycle parking facilities for each flat. The land immediately adjacent to the canal would be landscaped in keeping with the details already approved, providing additional public open space. The proposed flats back onto the existing housing/flat development. Care has been taken to avoid any un-neighbourly positioning of the flats with window to window distances of 19 - 20 m. Landscaping has been indicated including additional landscaping at the base of the viaduct on County Highway Authority land within the site to soften the impact of the development.

**CONSULTATIONS AND REPRESENTATIONS**

COUNTY HIGHWAY AUTHORITY (1) It is assumed that the thick line along the east boundary of the site ties in with the boundary of Somerset County Council owned land, however, I cannot confirm this from the plan which I have as it appears to have been reduced from the original 1:500th scale plan. This land was acquired at the time of the construction of the Obridge Viaduct to enable a second carriageway and bridge to be constructed along side the existing. The date the second bridge and carriageway have not yet been implemented and whilst there are no immediate plans to undertake these works a dualling of this section of carriageway may well appear in the forthcoming Structure Plan Review. It is therefore important that the land required for these works is retained and the proposed development does not compromise the deliverability of dualling of this section of highway in the future. (2) Construction of an abutment for a second bridge alongside of the existing will necessitate access by heavy plant and machinery. It is noted that the severity of the bend at the northern end of the access road is such that an articulated vehicle would not be able to negotiate the bend without over-running the footpath. Efforts should be made to get the land of the development adjusted to ensure that heavy plant machinery which will be required for the construction of any second bridge. There is an agreement and Deed of Variation between Somerset County Council and Dowlas Development and Crest Nicholson residential dated 23 October 2002. This Legal Agreement relates to the construction of

the access road for the maintenance of the existing Obridge Viaduct and a future second carriageway and Viaduct, it is shown on the enclosed plan Drawing No. 01 Rev G (Plan No. 2 included in the Deed of Variation) between points A, B and C. The access road is to be 5.5m wide along its entire length the bend at point 'B' on the plan is to have a radius of 10m on the inside and 4.5m on the outside as indicated. The road needs to be constructed a minimum distance of 450 mm from the County Council land. This is to provide a buffer strip between the road and any walls that would be required during the construction of the second carriageway and bridge. The alignment and the dimensions of the road shown on the submitted plan prepared by Crest Nicholson Drawing No. SW857/LA/01 should be amended to conform with the above requirements. (3) The proposals include landscaping which is within the area owned by Somerset County Council on land which would be required for any future dualling, this is not acceptable and any landscaping required for the development should be provided within the area of the development itself. (4) It is noted that the development consists of blocks of flats up to 4 storeys high, which are in close proximity to the existing carriageway and will be even closer to any second carriageway that may be provided in the future. It will be very difficult to provide mitigation measures against visual/noise intrusion to these properties. Measures should be taken within the construction detailing of the flats to provide mitigation measures such as a requirement for noise insulation to be provided on any windows, which face Obridge Viaduct. (5) The turning zone indicated on the submitted plan is on Somerset County Council land. This land is subject to a Legal Agreement for bridge maintenance and must be kept clear. I look forward to receiving details as to how the developer intends to ensure the area for bridge maintenance is kept clear. I enclose a copy of the comments from the Estate Road Section on the highway details shown on the submitted plan. The items detailed are to be included in a Section 38 Agreement. WESSEX WATER there is a public foul/surface water sewer crossing the south of the site, a diversion of the sewer has been proposed and there is no objection to this. Surface water should be discharged to the public surface water system wherever possible and should only be discharged into the combined sewer if there is no alternative. New foul and surface water sewers will need to be agreed, the water supply serving the site has sufficient capacity. CHIEF FIRE OFFICER the properties should be designed to comply with the Fire Precautions Act 1971 and the relevant building regulations

LANDSCAPE OFFICER subject to appropriate landscape details and open space provision I have no objection. HOUSING OFFICER whilst it would be ideal for all of these flats to be for social housing I would accept the additional 8 units at nil subsidy as discussed with the applicant. ENVIRONMENTAL HEALTH OFFICER the noise report suggests that acceptable noise levels can be attained. Details of the ventilation systems will be required. The previous contaminated land condition should be attached again. Additional views awaited. LEISURE AND RECREATION OFFICER views awaited.

## **POLICY CONTEXT**

Somerset and Exmoor National Park Joint Structure Plan Review the following policies are considered relevant Policy 49 requires proposals for development to be compatible with the existing transport infrastructure and provide safe access to roads of adequate standard within the route hierarchy and, unless the special need for and benefit of a

particular development would warrant an exception, not derive access directly from a National Primary or County Route; Taunton Deane Local Plan Revised Deposit the following policies are considered especially relevant :- S1 Proposals for development should ensure that (D) the appearance and character of any affected landscape, settlement, building or street scene would not be harmed as a result of the development; (E) potential air pollution, water pollution, noise, dust, glare, heat, vibration and other forms of pollution or nuisance which could arise as a result of the development will not harm public health or safety, the amenity of individual dwellings or residential areas or other elements of the local or wider environment; (F) the health, safety or amenity of any occupants or users of the development will not be harmed by any pollution or nuisance arising from an existing or committed use; Policy S2 requires development to be of a good design. Its scale, density, height, massing, layout, landscaping, colour, materials and access arrangements should (A) reinforce the local character and distinctiveness of the area, including the landscape setting of the site and any settlement, street scene and building involved; (F) minimise adverse impact on the environment, and existing land uses likely to be affected; policy T24 A site of 3.3 hectares at Priorswood Road SWEB west depot as shown on the proposals map is allocated for a mixed residential and commercial development, provided that: (A) approximately 25% of the site area is developed for business or leisure uses compatible with the adjoining and proposed residential areas, and in the case of leisure, limited to small scale facilities with a local catchment; (B) the frontage to the canal is designed to respect the character and environment of the canal, incorporating a landscaped linear public open space with a minimum depth of 20 metres; (C) new dwellings are sited and designed to avoid noise nuisance from the Obridge Viaduct. In association with the development, the following will be sought: (D) cycle links to the A3259 and Obridge Lane; (E) education contributions if necessary in accordance with policy C1; and (F) affordable housing provision in accordance with policy H12.

M3a In order to promote sustainable travel, and to reduce the amount of land taken for development, the Borough Council will consider the need for residential car parking against the following criteria:- Impact upon urban design; The location of the development, and its accessibility to employment opportunities and services; The type and mix of proposed dwellings. The Borough Council will not permit more than an average of 1.5 car parking spaces per dwelling on any residential development. A significant reduction in this average will be expected for elderly persons, student and single persons accommodation, and for residential proposals involving the conversion of buildings where off-road parking provision may be difficult to achieve. Car free residential developments will be sought in appropriate locations, such as within or adjoining Taunton and Wellington town centres. The Borough Council will require all residential developments to make provision for the parking and storage of bicycles with a minimum provision as follows:- 1 space for all residential units with between 1 and 3 bedrooms; 2 spaces for residential units with four bedrooms or more

The outline permission has established the conformity with the Local Plan allocated site policy. Details of the noise attenuation measures have been submitted showing that acceptable noise levels can be achieved.

## **ASSESSMENT**

The proposed scheme is in keeping with the high-density development elsewhere on the site. The blocks are of a similar design and will incorporate sound attenuation measures to ensure acceptable noise levels. To take account of the additional dwellings in this area of the site the developers have proposed (in addition to the social housing requirements of the outline permission), an extra 8 social housing units. A reduced level of car parking (1 space per unit) with the provision of cycle parking for each unit is considered acceptable in this location. A Unilateral undertaking for the social housing units and amended plans that will ensure a 20 m gap between the development and the canal, provide cycle parking, realign the access road in accordance with the County Highway Authority requirements are awaited. An additional contaminated land condition is not required as it remains on the outline but it will be necessary for additional details to be requested as a note attached to this permission.

## **RECOMMENDATION**

Subject to the receipt of a unilateral undertaking for the provision of 8 social housing units at nil subsidy and acceptable amended plans the Development Control Manager in consultation with the Chair/Vice Chair be authorised to determine and details be APPROVED. Notes re compliance with all of the outstanding conditions, and contaminated land.

REASON(S) FOR THE RECOMMENDATION:- The proposal is in accordance with the Taunton Deane Local Plan Revised Deposit allocated site T24.

**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: