

38/2007/184

MIDAS HOMES & NATIONAL GRID PROPERTY HOLDINGS

RESIDENTIAL REDEVELOPMENT OF 44 SENIOR UNITS INCLUDING ROOF GARDEN, CAR PARKING AND ASSOCIATED WORKS AT FORMER GAS STORAGE SITE, CASTLE STREET, TAUNTON

322421/124615

FULL

PROPOSAL

Outline planning permission was granted in December 2005 for the residential development, new site access, car parking and associated works on the former Gas works site allocated in the Taunton Local Plan for development. This application is for the approval of reserved matters relating to that development and would physically link with the senior apartments proposed on the site immediately to the east (38/2007/183). The application site comprises approx 1.1 hectares of open land currently used on a temporary basis for car parking. It lies approximately 0.5 km south of the town centre and immediately adjacent to the River Tone, a County Wildlife site. To the north of the river and site lie the terraced dwellings of Clarence Street. To the northwest of the site lies French Weir Park. The western boundary is adjacent to a commercial area with a variety of commercial users including the Riverside Chambers. To the south of the site is Castle Street with a car park beyond. The proposal is for the provision of 118 apartments of which 56 would be affordable housing in line with the Section 106 requirement. The development comprises a contemporary design approach comprising a series of development blocks. One set facing the river and the other facing Tangier and Castle Street. The development fronting the river proposes two arms of development ranging in from 4 storey to 6 storey in height to raise the centre of the site adjacent to the centre of the site where there would be a 7 storey high circular central building which, combined with the hard landscaping and design, would create a focal point for the development and encourage public access to the water frontage. To the rear of the site the development blocks are a maximum of 4 storeys in height with car parking at the ground floor level and apartments on the first, second and third floors. These apartments also have a contemporary design approach. The upper floors would have timber window pods, projecting out from the walls creating a three-dimensional design and expanding the use of the balconies for each unit. The bulk of the development would be broken by central access links set back from the main frontage. The arrangement of the two sets of perimeter blocks creates a central private space with vehicular and pedestrian access to parking, cycle and bin stores. There would be 113 car parking spaces for the 118 flats. These internal areas would be landscaped to a high quality to create a pleasant environment that residents will see from their apartments. The scheme incorporates the levels and location of the new inner relief road and the design anticipates the change in road levels (increase in height) that will take place when the inner relief road is provided. For the short term this results in somewhat elevated street entrances adjacent to Castle Street that will be level when the road is built. The south-eastern block of development would be set back a minimum of 7 m from the edge of the river and would provide a

new bank to the river. This would comprise new walls finished with stone gabion baskets with isolated areas set back to allow pockets of planting to break up the 110 m long expanse of the new walling. The proposal includes a 7 m wide access strip adjacent to the river and this has been designed to allow public access along a landscaped track. A series of trees has been proposed along the access way to soften the impact of the hard surfaced areas. To the west of the site the apartment blocks have been set back 19 m from the riverbank allowing a gentle grassed slope between the development and the apartments. The scheme proposes a range of materials to compliment the contemporary design approach. This includes a through rendered frontage to the river with coloured glazed panels to give a distinctive quality to each block. To the rear of the site the development blocks would be distinguished by the use of a blue brick at ground floor level. This would run through at ground level to the landscaping and base of the circular building to create a sense of unity to the design of the buildings and landscaped area on that elevation.

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 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; EN1 - Wildlife sites of International Importance; EN2 - Sites of Special Scientific importance; EN3 - Sites of Local Wildlife and Geological Interest; EN5 - Protected Species; EN6 - Protection of Trees, Woodlands Orchards and hedgerows; EN23 - High Archaeological Potential; EN26 - Water resources; EN28 - Development and Flood Risk; EN29 - Flooding due to development and EN32 - Contaminated Land; EN 34 - Control of External Lighting.

ASSESSMENT

The Taunton Deane Local Plan identified the site for mixed use and it was accepted that this might include an element of residential on upper floors. However in the consideration and determination of the outline planning permission a development of solely residential use was accepted and granted planning permission. This matter is not for re consideration in the reserves matters application that is being considered. In their design statement the architects recognise that the existing area is not rich in good architectural references and they have chosen to approach the development design with an innovative and contemporary approach that deliberately does not draw from the local vernacular. The scheme attempts to use the riverside location to

its maximum benefit providing a high level of residential accommodation on site. This enables the provision of affordable housing and the mitigation of land contamination to be addressed successfully. The proposed development introduces a development with 4, 5, 6, and 7 storeys in height and this is accepted as being taller than its surroundings. In recognition of this the design steps back the upper floors to reduce the visual perception of the height of the blocks. The apartments on the opposite side of the river to the existing residential terraces have been kept at 4 storeys in height and are separated from those properties by the River Tone giving a minimum distance of 35 m to the boundaries and 40 m to their rear wall. I am satisfied that the four storeys combined with the distances are acceptable in this case. In terms of the impact of the development on Tangier, the elevations have been lowered to four storeys and given a far more urban design. The application proposes parking on the ground floor and as such the street scene would be relatively sterile. Timber louvers have been proposed along the ground floor in order to break up this street frontage and reflect the rhythm of the upper windows.

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 principle 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) Inadequate details have been submitted of the proposed bridge across the River Tone, required to allow access to recreational facilities in consideration of Taunton Deane Local Plan Policy C4; (3) 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: