

38/2005/038

CLAYBROOK DEVELOPMENTS SW LTD

DEMOLITION OF PLAY ZONE BUILDING AND REDEVELOPMENT OF FORMER PETROL STATION TO PROVIDE 24 FLATS, 3 RETAIL UNITS (1 WITH ALTERNATIVE A3 USE) AND PARKING AT 43 STATION ROAD, TAUNTON AS AMENDED BY PLANS ...

22519/25089

FULL PERMISSION

PROPOSAL

The proposal is for the demolition and the redevelopment of Tommy Taylor's play zone and the adjacent former Texaco filling Station. The development would comprise 2 separate buildings, a single storey retail unit adjacent to Laverock Court and a two and three storey building adjacent to Flook Gardens with its trees and the public open space. The main building would provide two A1 retail units on the ground floor (aimed at national retailers) with two residential flats to the rear, the remaining flats/ maisonettes would be provided at first, second and third floor levels. The single storey retail unit would include A1 or A3 uses. The existing access would be relocated further away from the Staplegrove Road and Station Road junctions. The proposed access off Station Road would retain an access to parking at the rear of Laverock Court and provide on site parking spaces for visitors to the retail units (final numbers to be confirmed). There is an existing vehicular access to the rear of the site that comes off a private access via the Elms Parade car park. This would be used to provide access to the proposed four residential parking spaces to the rear of the site. A covered cycle storage area would also be provided in this location. The ground floor of the development would have inbuilt flood protection measures comprising flood barriers within the window areas that would be raised in the event of a flood effecting the site. The proposed buildings would be brick, with areas of render to emphasize the retail units, with a slate roof (full details to be agreed).

CONSULTATIONS AND REPRESENTATIONS

COUNTY HIGHWAY AUTHORITY no objection in principle subject to amendments to the details and the omission of the rear parking areas(off the Elms Parade Car Park). COUNTY ARCHAEOLOGIST no objection subject to a condition for the archaeological monitoring of the site. ENVIRONMENT AGENCY no objection subject to a method statement and schedule of responsibility for the erection/use of the proposed flood defence system. WESSEX WATER the development is within a foul sewered area but there are no separate surface water sewers in the area so the developer should explore the use of soak ways. There is a water main in the vicinity of the proposal. A Wessex Water sewer crosses the site and the developer should contact Wessex Water to discuss the matter further.

LANDSCAPE OFFICER additional information and possible amendments if the development has a detrimental impact on the existing mature ash (located in Flook Gardens), developer to undertake off site tree works prior to construction works on site. CONSERVATION OFFICER no objection the proposal would not have an undue impact on the character or the Conservation Area. FORWARD PLANS OFFICER the proposal represents the redevelopment of an under used Brownfield site. It is not an allocated site and the residential units would be regarded as a "windfall site". The forward Plan unit supports the principle of retail units in this location and would not require a sequential test in this location. I am concerned about the design of unit 3 and the resultant street scene and consider that unit 1 should have an access onto Station Road. DRAINAGE OFFICER no observations. LEISURE DEVELOPMENT TEAM MANAGER I am concerned about the close proximity of the development to the Ash tree in Flook Gardens, the windows of the flats would be in close proximity to the Ash tree and will receive little natural light. I anticipate pressure from future occupants to prune the tree and this may result in the loss or reduction in the amenity of the tree in the future. LEISURE AND RECREATION OFFICER off site contributions will be required for recreation/sport and play provision.

1 LETTER OF OBJECTION has been received raising the following issues:- we are not opposed to the principle of development but consider that the increased use of the access to the rear of the site would cause a highway hazard contrary to the safety of the existing residents.

POLICY CONTEXT

Somerset and Exmoor National Park Joint Structure Plan Review Policies STR1 (sustainable development), STR2 (Development should be focuses within towns).

Taunton Deane Local Plan Policies S1 (General Requirements), S2 (Design), H1 Housing development will be permitted within defined limits of settlements, provided that: (A) there is safe and convenient access by bus or on foot to facilities and employment. In the case of proposals of a significant scale, bus or walking access to a town centre or rural centre will be required, taking account of any off-site works proposed in accordance with criteria (B); (B) necessary provision is made for off-site public transport, cycling and pedestrian facilities and highway improvements to cater safely for the expected number of trips generated by the development and minimise the proportion of car trips; (C) traffic calming, pedestrian, cycle and bus measures are incorporated where necessary to give priority to safe and convenient access and circulation by means other than the car; EC7 Taunton and Wellington town centres will be the priority location for major retail development and other key town centre uses. Where such facilities cannot be located within these town centres, preference for site selection will be as follows: (i) edge of town centre sites, followed by (ii) local centres, followed by (iii) out of town centre sites in locations that are (or can be made) accessible by a choice of means of transport. Key town centre uses are defined as : major retail, leisure and entertainment facilities, and large scale offices. For Wellington, key town centre facilities will be limited to a scale which seeks to serve a catchment limited to that of the town and its dependant rural areas. H1Housing development will be permitted within defined limits of settlements, provided that: (A) there is safe and convenient access by bus or on foot to facilities and employment. In the case of proposals of a

significant scale, bus or walking access to a town centre or rural centre will be required, taking account of any off-site works proposed in accordance with criteria (B); (B) necessary provision is made for off-site public transport, cycling and pedestrian facilities and highway improvements to cater safely for the expected number of trips generated by the development and minimise the proportion of car trips; (C) traffic calming, pedestrian, cycle and bus measures are incorporated where necessary to give priority to safe and convenient access and circulation by means other than the car; a reasonable mix and balance of housing types and sizes be incorporated to cater for a range of housing needs particularly those low cost housing types which are under represented in the current stock. M3a (Parking Requirements) EN5 Protection of trees in and around settlements, development that would harm trees will not be permitted unless provision is made for tree cover to compensate for the loss.

ASSESSMENT

The principle of the redevelopment of the site for retail and residential use is considered to be acceptable. The design of the main building will respect the existing street frontage and allow for maximum development of the land to the rear. The single story unit and the car parking adjacent to the unit is not considered to be acceptable in terms of its design and layout and amended plans are awaited to redress this. The proposed access onto Station Road is considered to be an improvement in road safety terms and the Highway Authority raise no objection, however the proposed parking spaces to the rear of the site are considered to be unacceptable due to the access arrangements across the car park and footpaths. Amended plans are awaited that reduce the parking to the rear to one disabled parking space only. This is likely to be acceptable as it reduces additional traffic and would serve the lift, which is sited at the rear entrance to the flats. There is a large Ash tree whose canopy spreads across the northeastern part of the site. The development has been designed to take account of the tree but the landscape officer and Leisure development manager remain concerned about the long-term implications of the proposed development on the tree. Amended details and additional information are awaited to clarify this. Proposal considered acceptable.

RECOMMENDATION

Subject to the applicant entering into a section 106 agreement for the provision of off site contributions for recreation/sport and play provision and improved play areas and the receipt of acceptable amended plans with no further letters of objection raising new issues within 14 days of the date of notification the Development Control Manager in consultation with the Chair/Vice Chair be authorised to determine and permission be GRANTED subject to conditions of time limit, materials, landscaping, maintenance scheme, schedule of proposed tree works, details of foundations, cycle parking, bin storage, disabled persons parking only, archaeological watching brief, method statement and schedule of responsibility for flood defence scheme, proposed buildings to be built in compliance with flood details and plans numbered SBS22-01, Edition 1, sheets 1-12 received on 10th February, 2005, details of surface water disposal, cooking odour and noise (unit 3), contaminated land. Notes re contaminated land, off site waste disposal, energy conservation, secure by design, disabled persons, good quality materials.

REASON(S) FOR RECOMMENDATION:- The proposal provides for a Brownfield development of a good design, acceptable access situated in a sustainable location in keeping with the street scene. The proposal therefore meets the requirements of Somerset and Exmoor National Park Joint Structure Plan Review Policy 49 and Taunton Deane Local Plan Policies S1, S2 and H1. In addition the proposal would maintain the character of the adjacent Conservation Area in compliance with Taunton Deane Local Plan policies EN15.

In the event that the Section 106 Agreement has not been concluded by 28th April, 2005 then permission be REFUSED due to inadequate recreation/open space and play area provision contrary to the requirements of the Taunton Deane Local Plan Policy C4.

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: