

MCCARTHY AND STONE RETIREMENT LIFESTYLES LT

Demolition of buildings and erection of 62 No. units of extra care accommodation (Retirement Living Plus) including communal facilities, landscaping, car parking and circulation with vehicular access via South Street at Trinity Business Park and 80 South Street, Taunton

Location: TRINITY BUSINESS PARK, SOUTH STREET, TAUNTON

Grid Reference: 323482.124241

Full Planning Permission

Recommendation

Recommended decision: Conditional Approval

Recommended Conditions (if applicable)

1. The development hereby permitted shall be begun within three years of the date of this permission.

Reason: In accordance with the provisions of Section 91 Town and Country Planning Act 1990 (as amended by Section 51(1) of the Planning and Compulsory Purchase Act 2004).

2. The development hereby permitted shall be carried out in accordance with the following approved plans:

(A1) DrNo SW-060040-03-CE-002 Rev P03 Site Levels Layout
(A1) DrNo SW-060040-03-CE-001 Rev P02 Drainage Layout
(A1) DrNo SW-2519-03-LA-003 Rev C Planting Plan
(A1) DrNo SW-2519-03-LA-002 Rev C General Arrangement Plan
(A1) DrNo SW-2519-03-LA-001 Rev C Landscape Graphic Plan
(A3) DrNo 2519-03-AC-001 Rev A Location Plan
(A1) DrNo 05110-TrinityBC-TCP-2018 Tree Constraints Plan
(A1) DrNo 05110-TrinityBC-LIP.AIA-2018 Layout Impact Plan
(A1) DrNo SW-2519-03-AC-030 Rev D Proposed Second Floor Plan
(A1) DrNo SW-2519-03-AC-029 Rev D Proposed First Floor Plan
(A1) DrNo SW-2519-03-AC-028 Rev D Proposed Ground Floor Plan
(A1) DrNo SW-2519-03-AC-026 Rev G Proposed Site Layout
(A1) DrNo SW-2519-03-AC-027 Rev F Site Layout(Roof Level)
(A3) DrNo SW-2519-03-AC-002 Existing Site Layout
(A3) DrNo 2519-03-AC-001 Rev A Location Plan
(A2) DrNo SW-2519-03-AC-041 Rev B Indicative Perspective View
(A2) DrNo SW-2519-03-AC-040 Rev B Indicative Perspective View

(A1) DrNo SW-2519-03-AC-039 Proposed Cross Sections
(A2) DrNo SW-2519-03-AC-038 Rev D Proposed Elevations
(A2) DrNo SW-2519-03-AC-037 Rev E Proposed Elevations
(A1) DrNo SW-2519-03-AC-034 Rev D Proposed Roof Plan
(A2) DrNo SW-2519-03-AC-042 Rev B Indicative Perspective View
(A) DrNo 2519-03-AC-026 Rev G Proposed Site Layout
(A1) DrNo 2519-03-AC-027 Rev F Proposed Site Layout (Roof Level)

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

3. Prior to the construction of the building/extension samples of the materials to be used in the construction of the external surfaces of the development shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details and thereafter maintained as such.

Reason: To safeguard the character and appearance of the building/area.

4. (i) The landscaping/planting scheme shown on the submitted plan shall be completely carried out within the first available planting season from the date of commencement of the development.

(ii) For a period of five years after the completion of the development, the trees and shrubs shall be protected and maintained in a healthy weed free condition and any trees or shrubs that cease to grow, shall be replaced by trees or shrubs of similar size and species or other appropriate trees or shrubs as may be approved in writing by the Local Planning Authority.

Reason: To ensure that the proposed development does not harm the character and appearance of the area.

5. The applicant shall undertake all the recommendations made in EAD's Ecological Impact assessment report dated July 2018 and shall also include provision of pairs of swift nesting bricks, details of which shall be submitted to and approved in writing by the Local Planning Authority prior to their installation.

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.

Reason: To protect wildlife.

6. No development (other than that required by this condition and demolition) shall be undertaken on site unless a programme of archaeological work, including excavations, has been implemented in accordance with a written scheme of investigation which has been first submitted to and approved in

writing by the Local Planning Authority. The development shall be carried out at all times in accordance with the agreed scheme.

Reason: To ensure the preservation of archaeological remains.

Reason for pre-commencement: Any works on site have the potential to disturb archaeological interests.

7. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that order with or without modification) the first floor windows to be installed in the living rooms of units 30 and 31 in the north east elevation shall be obscured glazed and non-opening. The type of obscure glazing shall be submitted to and agreed in writing by the Local Planning Authority prior to its installation and shall thereafter be so retained.

Reason To protect the amenities of adjoining residents.

8. Details of a screen to a height of 1.8m to the side of balconies serving units 21, 44, 30 and 31 shall be submitted to and approved in writing by the Local Planning Authority and shall be installed prior to occupation and thereafter retained.

Reason: In the interests of the amenity of the local residents.

9. The premises shall be used for a Class C2 Use for the provision of extra care accommodation and for no other purpose (including any other purpose in Class C2 of the Schedule to the Town and Country Planning (Use Classes) Order 1987, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification).

Reason: To prevent changes to unacceptable uses.

10. The extra care accommodation hereby permitted (excluding staff and guest accommodation) shall only be occupied by persons aged 60 years or older, with the exception of persons of a minimum of 55 years old who are a spouse or partner of an occupant 60 years old or above, unless otherwise agreed in writing with the Local Planning Authority.

Reason: In order to ensure care provision to those in identified need.

11. A Measures Only Travel Plan shall be submitted to and approved in writing by the Local Planning Authority prior to the development being first used or occupied. A person shall be identified as a co-ordinator and point of contact for the purposes of the Plan. The Travel Plan shall be carried out as approved.

Reason: To ensure a transport choice is provided and to ensure that staff and other users will travel to and from the premises by means other than the private car.

12. Unless otherwise agreed by the Local Planning Authority, construction of the new buildings and services on site must not commence until conditions a) and b) below have been complied with and condition (c) complied with other than remedial works that are part of the construction of the site. 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) Site Characterisation

An investigation and risk assessment, must be completed to assess the nature and extent of any contamination on the site, whether or not it originates on the site. 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:

- The collection and interpretation of relevant information to form a conceptual model of the site, and a preliminary risk assessment of all the likely pollutant linkages.
- If the preliminary risk assessment identifies any potentially significant pollutant linkages a ground investigation shall be carried out, to provide further information on the location, type and concentration of contaminants in the soil and groundwater and other characteristics that can influence the behavior of the contaminants.
- 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

If any unacceptable risks are identified as a result of the investigation and assessment referred to in a) above, 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 someone 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 land contamination can be dealt with adequately to prevent any harm to the health, safety or amenity of any users of the

development, in accordance with Taunton Deane Core Strategy Policy DM1(f) and paragraphs 120-122 of the National Planning Policy Framework.

13. Prior to commencement of the new building, works for the disposal of surface water drainage shall be provided on the site to serve the development, hereby permitted, in accordance with details that shall previously have been submitted to and approved in writing by the Local Planning Authority, including future maintenance and the rate of discharge from the site. The works shall thereafter be retained and maintained in that form.

Reason: To prevent flood risk and ensure the adequate provision of drainage infrastructure.

Notes to Applicant

1. In accordance with paragraph 38 of the National Planning Policy Framework the Council has worked in a positive and pro-active way with the applicant and has negotiated amendments to the application to enable the grant of planning permission.

Proposal

The proposal is the removal of the old buildings on the existing business site and replacement with a two and three storey building in brick and render providing a 62 unit extra care provision for the elderly, together with improved access and parking. As part of the access improvements a modern two storey brick and rendered property on the main road frontage would be removed. Parking and landscaping in the grounds are provided as part of the scheme.

Site Description

The site lies off the western side of South Street and consists of a number of single and two storey structures in brick and blockwork as well as an old nissan hut in close proximity to the site boundaries. There is parking in a central area and the access from South Street also serves a terrace of dwellings in Savery Row. The site is surrounded by a 2m high fence where there is no walling. A playing field lies to the south and west, otherwise there are residential properties and gardens on the other three sides.

Relevant Planning History

None

Consultation Responses

SCC - TRANSPORT DEVELOPMENT GROUP - The proposal site lies off the classified South Street in Taunton. The proposed access point is to be off an existing access (with proposed amendments) which, to our understanding currently serves a number of uses, including light industrial, storage, business and office units with associated parking.

Transport Statement

A Transport Statement (TS) was submitted in support of this application which has since been assessed. Consideration has also been taken of the existing vehicle activity associated with the sites current use. It is the view of the Highway Authority that the proposed development is unlikely to generate a material increase in vehicle movements where the cumulative impact is considered severe.

Access

It is our understanding that the internal layout will remain private.

The applicant has proposed to widen the existing access and provide a carriageway width of 4.8m to allow two way vehicle flow. The Highway Authority recommends that the access width to be widened to 5m as a minimum in this instance, which will also help alleviate concerns of vehicles running closer to the kerb and any vehicle conflict with pedestrians.

No dimensions have been provided for the entry and exit radii at the junction of the realigned access. Where there is no provision made for large goods vehicles, it is recommended that the minimum circular corner radius at simple junctions should be 6m in an urban area subject to a swept path analysis.

Swept path drawings of an 11.6m refuse vehicle have been provided but at a scale of 1:500 making it difficult to determine whether there are any conflicts. Due to the proposed horizontal curvature of the revised access road it would appear that the design vehicle will overrun the kerb on the inside radius. It is recommended that the reverse curve is eliminated altogether to minimise the potential for kerb overrun by large goods vehicles and smaller vehicles attempting to pass one another at this location.

It is also noted that while swept paths have been carried out on small private light vehicles at the junction with South Road, these paths do not continue around the curves and in to the development. Swept path drawings should be provided (11.6m refuse vehicle) at a scale of 1:200 showing vehicles travelling all the way along the access road from South Road to the proposed new development.

It is advised that the applicant contact the local refuse company to discuss the viability of refuse collection for the proposed development, given that the site is to remain private.

The applicant has proposed that a 2m footway will be provided to the north western side of the revised access road. This is the minimum recommended width in the DfT's Inclusive Mobility. The proposed width of the footway would be acceptable to the Highway Authority.

However, it is also noted from drawing no Drawing No SW-2519-03-AC-026-E (Proposed Site Layout) that the proposed footway to the southern side of the access road leading from the pedestrian gate (upon exiting the site onto the access road) then ends abruptly behind No.92 South Road. This may result in mobility impaired pedestrians struggling to negotiate the access road and result in more vulnerable road users walking in the carriageway.

The proposed access road should be revised and considered to be moved further north west for a distance to provide a continuous 2m footway provided that runs adjacent to No.92 South Road and tie in to the existing highway infrastructure. A suitable footway could then be provided on either side of the access road. The reverse curve should be eliminated to ease the access for larger vehicles and two way flows for smaller vehicles.

A suitable uncontrolled crossing incorporating tactile paving areas should also be provided across the bellmouth of the junction of the access road with South Road. Proposed visibility splays should also be provided should the access be realigned/relocated.

It is not immediately clear from the information provided how the junction will be designed between the existing service road and the development access road. Drawing No SW-2519-03-AC-026-E (Proposed Site Layout) appears to show a footway running across the front of the service road yet Drawing No SW-2519-03-LA-002 (General Arrangement Plan) appears to show a pedestrian crossing arrangement.

In order to ensure that pedestrians have right of way over vehicular traffic the revised entrance to the access road should be designed as a vehicle crossover. Any footway proposed should be grade separated from the development access road with HB2 kerbs and a 125mm upstand dropped to 25mm where vehicles are required to cross the footway and continue in to the service road.

It is advised that the applicant re consider the current position of the telegraph pole site at the northern side of the bellmouth onto South Street. No details have been provided at this stage to clarify what is to happen with the existing wooden telegraph pole and overhead power lines. The designer of these highway infrastructure proposals should confirm what is to happen with the existing wooden telegraph pole and overhead power lines.

There are no existing road markings in place at the junction to clarify respective traffic priority movements between the access road with South Street. It is recommended that give-way road markings are introduced at the junction.

Carriageway cross section drawings for each chainage across the frontage of the site would need to be submitted to show appropriate features such as channel line levels, tops of kerbs, centre line of the carriageway etc. whilst encompassing the full width of the adopted highway.

Longitudinal or contour drawings haven't been submitted. Suitable approach gradients for the access road to ensure surface water drains back into the site and not the highway whilst ensuring level sections of the carriageway to enable vehicles

to pull out safely. Any additional drawings necessary would be required for surfacing, surface water drainage, highway lighting, kerb details and road markings to comply with design standards.

Drainage

The following observations relate to both the interface of the proposed development with the existing public highway and the proposed widened access road.

There are currently no measures in place on the private access road to prevent the discharge of surface water from the site out onto South Street. With the access road now being widened, which increases the impermeable catchment area, the Highway Authority asks that measures are now introduced to intercept surface water run-off.

On the presumption that the access and internal roads/parking areas will remain private, there is no objection to the surface water management strategy proposed for this development.

Parking

The applicant has proposed 41 parking spaces to accommodate local residents and associated employees to the proposed development. This would appear to be noticeably above the optimum standard in the Somerset Parking Strategy (SPS). Whilst this may not be a reason to recommend refusal in this instance, the applicant should justify the need for the vehicle parking spaces proposed. Given the proximity of the site and the nature of the application, the applicant may wish to reconsider the parking figure that may allow more convenient parking and turning for all vehicles associated with the site.

The applicant has proposed 4 cycle parking spaces. This is noticeably below the SPS standard in this instance (14 spaces). It is advised that the applicant provided suitable cycle parking in line with the SPS. Cycle parking should be safe, secure, sheltered and easily accessible. Whilst the proposal falls below the threshold for the requirements for electric car charging points, the Highway Authority would welcome a designated area to accommodate this.

Travel Plan

No suitable Travel Plan has been submitted in support of the proposed development.

For clarity, in this instance a Measures Only Travel Plan would be required, to include a fee (but not limited to) of £700 plus VAT to be paid in full to the Highway Authority prior to commencement of the development. It is also recommended that the provision of the Travel Plan be secured by an agreement under Section 106 of the Town and Country Planning Act 1990, which should include the relevant Travel Plan fee.

Conclusions

With the above in mind the Highway Authority are not in a position to make a final recommendation until further information has been provided regarding the points

raised above. The Highway Authority therefore requests that the applicant be asked to:

- Revisit the current vehicular and pedestrian access arrangement.
- Submit a suitable Travel Plan (secured via s106).
- Resubmit suitable swept path analysis (1:200 scale advised).
- Clarify the need for parking numbers and policy compliance.

BIODIVERSITY - The application is for the demolition of buildings and erection of 62 units of extra care accommodation at Trinity Business Park, South Street, Taunton.

Ead carried out an Ecological Impact assessment of the site dated July 2018.

The site is dominated by hardstanding and buildings. A small area of ephemeral /short perennial was recorded in the north of the site, along with a small area of scattered scrub. A recently planted species poor hedgerow was recorded on part of the western boundary

Findings of the report were as follows

Birds - The survey area provided suitable nesting habitat for urban dwelling bird species. An active herring gull nest was recorded on the roof of one of the buildings. Demolition of building and hedgerow clearance should take place outside the bird nesting season.

Bats - There are four records of bats in the area.

Bat activity recorded comprised of low use of the site by pipistrelle bats.

All buildings on site were assessed as having low or negligible potential to support bats. No bats were recorded using any of the buildings during the emergence surveys

Badgers - No evidence of badgers was found on site.

I agree that there will be a biodiversity gain with this development

Condition for protected species:

The applicant shall undertake all the recommendations made in EAD's Ecological Impact assessment report dated July 2018.

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.

Reason: to protect wildlife

Informative Note

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

SOMERSET INDUSTRIAL ARCHAEOLOGICAL SOCIETY - Taunton's local brick industry had a long history of association with this area and only a quarter of a mile from this site is a brick-fronted 17th century building of significance known as Grays Almshouses. 19th and 20th century trade directories list builders and brickmakers here and attached is an appendix providing source material for these details.

With respect to this application SIAS would favour monitoring and some investigative work by an archaeological unit in the south-east part of the development. SIAS feels that the Heritage Statement has been very weak in analysing the sub-surface potential of this area which could include the footings of a brick kiln. There may also be evidence for the later purposes of the site which related to the military and refuse disposal. The Society's stance on this application is therefore one of *conditional approval*.

HERITAGE - No comment.

WESSEX WATER - No comment.

LEAD LOCAL FLOOD AUTHORITY - The drainage layout submitted with the application shows the general arrangement for the proposed attenuation storage and piped network. The planning statement makes reference to flood risk and drainage but provides scant details in this regard. There is no drainage statement accompanying.

Prior to recommending approval, the applicant should confirm the proposed rate of discharge from the site as this is identified as TBC on the drainage layout, and that this has been agreed with Wessex Water. It is assumed that the cellular storage will remain under private ownership? As I have not reviewed the site investigation report in detail, it is assumed that there are no contaminated land issues that might impact upon the surface water drainage proposals? This again should be bottomed out if not known.

If you are confident that the above matters have or can be resolved, then the Ifa would be happy to secure the remainder of the drainage detail via condition.

ENVIRONMENTAL HEALTH - NOISE & POLLUTION - The area of the development is a former brickworks, landfill site and has had other commercial uses. Therefore, there is the potential for contamination to be present.

The applicant has submitted a report with the application.

- Site Investigation, Contaminated Land and Geotechnical Report. ACS
27/7/18

The report refers to a Desk Study Report by ACS in January 2018, however, this was not submitted with the application.

The Site Investigation Report includes a summary of the Desk Study giving details of the site history and setting. It noted that the area was brick works, with the clay pit being in-filled and the area redeveloped into a builders yard. The site is now used by a number of businesses, including garages and there are fuel tanks on site. The desk study concluded that there are potential sources of contamination and recommended an intrusive site investigation and risk assessment.

The Site Investigation Report provides details of an intrusive investigation with soil samples taken from locations across the site, including close to the fuel tanks. Pipes have been installed in six locations to allow ground gas and ground water monitoring to be carried out.

The investigation found that the site was underlain by made ground, up to 4.4m below ground level. Petroleum hydrocarbon odours were noted in a number of sampling locations. Soil samples were analysed and a risk assessment carried out using site specific assessment criteria. This found elevated concentrations of some substances, in excess of the criteria used. The initial ground gas monitoring found elevated levels of carbon dioxide, and ground water monitoring revealed concentrations of substances above assessment criteria including petroleum hydrocarbons.

There were some restrictions on access and the report recommended further intrusive works under the footprint of the existing buildings once they have been demolished. It is also recommend that further ground gas and ground water monitoring is carried out using the installed sampling pipes. The report makes some recommendations to mitigate the potential risks from contamination, for example, installing a clean cover system in areas of soft landscaping and installing a gas protection system. However, it has not made detailed proposals as further investigations, sampling and assessment is required.

Comment.

The Site Investigation Report is thorough and provides a good insight into the problems that are likely to be found on the site. It gives recommendations for further assessment and possible works needed to deal with the contamination.

A planning condition is often used to ensure that an acceptable report is provided and that the required remedial works are carried out (see example condition below). In this case the developer has provided information which would go towards meeting the first part of the report (a) Site Characterisation). However, some more investigation work will be needed after the existing buildings have been demolished, and the ground gas and ground water monitoring should be carried out over a period of time to obtain sufficient information. Therefore, if the condition is applied part a) should still be used.

The applicant will need to submit the Desk Study referred to in the Site Investigation

Report.

I also note that some of this work will have to be carried out once development has started on site (demolition of buildings). Also, it is likely that some of the proposed remedial works will need to be carried out as part of the construction work (gas protection measures and soft landscaping). Therefore, the wording of the condition could be amended.

The applicant should submit the Desk Study referred to in the Site Investigation Report.

The developer should be aware that under the National Planning Policy Framework, where a site is affected by contamination responsibility for securing a safe development rest with the developer and/or landowner. If any unexpected contamination is found during site works the developer should assess any potential risks and carry out any appropriate remedial work. Compliance with the planning condition does not rule out future action under Part 2A of the Environmental Protection Act 1990, for example, if additional information is found concerning the condition or history of the site.

POLICE ARCHITECTURAL LIAISON OFFICER - No objection

Sections 2, 8, 9 & 12 of the National Planning Policy Framework July 2018 refer to the importance of considering crime & disorder at the planning stage. Paragraph 127(f) states;

Create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.

Guidance is given considering 'Crime Prevention through Environmental Design', 'Secured by Design' principles and 'Safer Places Lite'

Comments:-

1. Crime Statistics – reported crime for the area of this proposed development during the period 01/09/2017-31/08/2018 (within 200 metre radius of the grid reference) is as follows:-

- Arson & Criminal Damage – 15 Offences (incl. 1 arson endangering life & 7 criminal damage to vehicles)
- Burglary – 11 Offences (comprising 10 residential burglaries and 1 business/community burglary)
- Miscellaneous Crimes Against Society - 3
- Public Order Offences – 23
- Robbery – 2 (both personal property)
- Sexual Offences - 4
- Theft – 10 Offences (incl. 3 theft of pedal cycles)
- Vehicle Offences – 4 (comprising 2 theft of motor vehicles & 2 theft from motor vehicles)
- Violence Against the Person – 53 Offences (incl. 2 assault police, 9 assault ABH & 21 common assault and battery)

- **Total – 125 Offences**

This averages just over 10 offences per month, which is classed as 'average' reported crime levels. ASB reports for the same area and period total , which is also a level.

2. Design & Access Statement – the DAS, at Section 4.5, includes a paragraph headed '**Social Needs & Crime Prevention**' but no mention is made of any crime prevention measures incorporated in the design. However, the Planning Statement at Section 5.24 also includes a paragraph headed '**Community Safety & Crime Prevention**', which states that measures include – an internal refuse store, secure boundaries & gates, camera controlled entry system linked to resident's TV, natural surveillance around the building and 24(7) staff presence. This indicates to me that the applicant has taken some account of crime prevention measures in the design of this development. I comment further on these and other factors below:-

3. Vehicular/Pedestrian Access – the single vehicular/pedestrian entrance/exit from South Street is advantageous over several access points in that this helps restrict access by unauthorised persons and improves surveillance of the entrance area.

4. Building Layout & Natural Surveillance – optimum natural surveillance should be incorporated whereby staff, residents and visitors can see and be seen. This should include unobstructed views from the development of all external spaces including, footpaths, roadway, landscaping and internal communal areas and any recesses, blind corners or potential hiding places should be eliminated. Judging from the Site Layout Plan, this appears to have been incorporated into the design of the building which is essentially 'L' shaped with no deep recessed areas and good sight lines around it. I recommend that access to the north/western elevation of the building from the front be restricted by means of fencing or hedging from the front building line to the railings/hedge adjacent to the neighbouring playing field. Similarly, unauthorised access to the north/eastern elevation and rear of the building would be deterred by gating the footpath from the front to the eastern/rear secondary entrance.

5. Climbing Aids – the building incorporates balconies and flat roofs, so any potential climbing aids should be avoided or designed out.

6. Perimeter Treatment – the Site Layout Plan appears to indicate gates at the combined front pedestrian/vehicular entrance, which is recommended. Perimeter treatments include combined low brick wall/railings and hedge to Savery Row, railings and hedge to the playing field and closeboard fencing to the north and east. The sides and rear of the building are potentially the most vulnerable, so the perimeter treatments at these boundaries should be minimum height of 1.8 metres.

7. Communal Garden Areas – any permanent garden furniture, fixtures and equipment must be of substantial construction and securely fixed to prevent use as climbing aids.

8. External Lighting – appropriate 'dusk to dawn', low energy security lighting should be designed to cover potential high risk areas around the building including main entrance(s), refuse/mobility scooter/cycle store and any other secluded areas. All lighting should be vandal-resistant and automatically controlled by photo-electric cell

or time switch with manual override. Lighting in the car park should comply with BS 5489:2013.

9. Landscaping/Planting – should not impede opportunities for natural surveillance. As a general rule, where good visibility is needed shrubs should be selected which have a maximum growth height of no more than 1 metre and trees should be open, columnar and devoid of foliage below 2 metres, so allowing a 1 metre clear field of vision. Defensive planting (thorny shrubs) should be used in appropriate areas to deter unauthorised access.

10. Signage – appropriate signage should be used in external and internal areas to assist visitors and deter unauthorised access.

11. CCTV – is not a universal solution to security problems but it can help deter burglary and vandalism, assist with the identification of offenders when a crime has been committed and assist in the management of premises. Bearing in mind the nature of the development, I recommend such a system be considered to monitor appropriate external areas, particularly vehicular access and car park.

12. Car Parking – the car park is of a regular shape at the front of the building with no hidden areas and good surveillance opportunities. Parking spaces are in straight lines which assists surveillance from the building. An area of the car park should be allocated to staff in view of occupied offices. Secure motor cycle parking should also be provided for staff and visitors.

13. **Mobility Scooter/Cycle/Refuse Stores** – both stores are integral to the building and at the front, which is recommended. The mobility scooter/cycle store should be included in the access control system. Wheelie bins can also be used as climbing aids or arson, so the refuse store should be lockable to prevent and deter such offences.

14. Access Control – as mentioned in the Planning Statement, a suitable audio/visual access control system will be installed for use by residents.

15. Doorsets & Windows – in order to comply with '**Approved Document Q: Security – Dwellings**' of Building Regulations, all easily accessible doorsets providing a means of access into a dwelling (including communal and flat entrance doorsets) and easily accessible windows and rooflights must be tested to PAS 24:2016 security standard or equivalent.

Other Internal Security Issues –

- The main entrance lobby incorporates an airlock type arrangement of outer and inner doors leading to Reception/Office plus additional doorsets leading to ground floor areas, lift and stairs and all doors should be access controlled. The lobby is well supervised from the Reception/Office.
- The building wings on all floors are straight with good sight lines along them.
- There appears to be a separate staff entrance and stairs leading to the staff accommodation and other levels.

16. Secured by Design – if planning permission is granted, the applicant is advised to refer to the '**SBD Homes 2016**' design guide available on the Secured by Design website – www.securedbydesign.com which provides further comprehensive

guidance regarding designing out crime and the physical security of dwellings.

CHIEF FIRE OFFICER - DEVON & SOMERSET FIRE RESCUE - No comment.

SOUTH WESTERN AMBULANCE SERVICE - No comment.

WESTERN POWER DISTRIBUTION - The site has an operational sub station on it. Any alterations to access operation etc will have to be agreed with Western Power Distribution.

Representations Received

1 letter of support

- The developer should incorporate pairs of swift nesting bricks on at least 50% of properties.

1 letter on concern over maintaining access and parking to Savery Row during works and on completion.

8 letters of objection on grounds of

- site not suitable
- overlooking and loss of privacy
- concern of overshadowing
- lack of parking
- inadequate access to Savery Row
- parking permits for area should be prevented
- no rainwater harvesting,
- pavements are too narrow for mobility scooters,
- query fire engine access
- disruption during build

Planning Policy Context

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that applications are determined in accordance with the development plan unless material considerations indicate otherwise.

The development plan for Taunton Deane comprises the Taunton Deane Core Strategy (2012), the Taunton Site Allocations and Development Management Plan (2016), the Taunton Town Centre Area Action Plan (2008), Somerset Minerals Local Plan (2015), and Somerset Waste Core Strategy (2013).

Relevant policies of the development plan are listed below.

CP1 - Climate change,

CP2 - Economy,
CP4 - Housing,
CP5 - Inclusive communities,
CP6 - Transport and accessibility,
CP8 - Environment,
DM1 - General requirements,
SD1 - Presumption in favour of sustainable development,
SP1 - Sustainable development locations,
A1 - Parking Requirements,
A2 - Travel Planning,
A5 - Accessibility of development,
D7 - Design quality,
ENV2 - Tree planting within new developments,
ENV4 - Archaeology,

Local finance considerations

Community Infrastructure Levy

N/a

New Homes Bonus

The development of this site would not result in payment to the Council of the New Homes Bonus.

Determining issues and considerations

The main consideration with this development is the compliance with policy in terms of loss of employment land, the impact on the setting of heritage assets, wildlife, the amenity of existing residents, access/parking and drainage.

POLICY

The site lies within the built up area of Taunton in a sustainable location where redevelopment proposals are supported subject to compliance with policies of the Development Plan. This consists of the Taunton Deane Core Strategy and the Site Allocations and Development Management Plan. Policy CP2 of the Core Strategy seeks to provides new jobs and businesses but also seeks to retain existing sites and includes the statement: "Proposals which lead to the loss of existing or identified business, industrial or warehousing land to other uses, including retail, will not be permitted unless the overall benefit of the proposal outweighs the disadvantages of the loss of employment or potential employment on the site." In this instance the applicant has submitted an Employment Land Report in relation to the site. The site consists of 16 units providing around 1747sqm of floor space and this represents only 0.61% of the available stock of employment land. The recent Employment, Retail and Leisure Study Report (ERLS) indicates that there is an over supply of land to meet its needs in the Borough. It is also recognised that some of the accommodation on site is not fit for purpose and that the redevelopment of these

buildings for employment purposes is not viable. Consequently it is considered that the redevelopment of the site for a residential care home use would provide a suitable alternative to employment use of the site and would not harm the employment land provision across the district.

The development is considered a care facility under Class C2 and as such there is not a requirement for affordable housing. The applicant has clearly shown that there is a need for such accommodation in the area and as such the use of the site is considered to be a beneficial one. The benefits of the reuse of the site are considered to outweigh the loss of the employment land use and as such the development is considered to comply with policy CP2.

HERITAGE ASSETS

The site lies outside and to the north of the South Road Conservation Area and is set to the south of an existing terrace of listed properties on South Street. In addition the site lies in an area of made up land formerly a brick works where past archaeological investigation has occurred. The Somerset Industrial Archaeological Society (SIAS) consider the submitted assessment to be weak and recommend further investigative work be undertaken. In order to achieve this a condition to require a programme of works is recommended.

In terms of the setting of the conservation area, the new building on the site will be of similar height to existing buildings around the perimeter and would be a visual enhancement over the buildings to be demolished. Consequently given this and the physical separation of the site and conservation area there is not considered to be any adverse impact and if anything the setting would be enhanced.

There are listed buildings within the vicinity of the site particularly those facing onto South Street. Any applications for planning permission affecting a listed building or its setting must be determined in accordance with Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990. This requires that "In considering whether to grant planning permission for development which affects a listed building or its setting, the Local Planning Authority...shall have special regard to the desirability of preserving the listed building or its setting or any features of special architectural or historic interest which it possesses". The development will not encroach significantly closer to the listed terrace than the existing structures and whilst the rear boundaries of these properties abut the access road to the application site they are visually separated from it by rear gardens and a number of outbuildings and boundary structures. Moreover the proposed building would be sited towards the south western boundary of the site and would still maintain a distance of some 60 metres between it and the listed terrace. Taking these factors into consideration it is considered that there would be little material difference between the existing situation and what is now proposed. Taking into account the provisions of the Framework it is concluded that the provisions of paragraph 196 are not engaged since there would be no harm to any of the identified assets and any impact on the assets that would occur would be moderately positive. This also means that the test required by section 66 of the 1990 Planning Act has also been met.

WILDLIFE

An ecological assessment was submitted with the application and there were no significant findings in relation to protected species. The Biodiversity Officer considers that the development will secure an enhancement and recommends a condition to ensure the improvements identified in the submitted report.

AMENITY

The proposed redevelopment will take the form of a two and three storey building in an 'L' shape with landscaping and planting in front. The majority of the rooms face the playing field to the south west and cause no overlooking or privacy issues. The windows in the north west elevation are facing out towards a play area or the end of a road and front garden and do not cause any overlooking or privacy issues. The upper floor balconies to units 21 and 44 may have potential for overlooking and an obscure screen to the side is considered appropriate and can be conditioned.

The units facing north east are largely set well back from the boundary by around 25m and do not raise a cause for concern given the high boundary wall to the rear of the South Street properties. The exceptions to this are the units 30 and 31 at first floor level which are 8m off the boundary. It is considered necessary to control the side of the balconies of these units plus the glazing of the secondary living room windows to prevent undue overlooking. The south eastern elevation has upper floor windows and balconies, however these are 14-18m away from the properties to the south and given the planting proposed in between it is not considered necessary to control the glazing. Similarly the windows in the corner projection on this elevation face towards the front parking/turning area of Holland Mews and it is not considered necessary to restrict the glazing here as it is not considered to result in any significant loss of privacy.

ACCESS/PARKING

The proposal provides for an improved widened access and footway into the site and maintains the access for the properties in Savery Row and South Street. In addition 39 parking spaces are provided which is considered more than adequate for the 62 units, given the nature of the care use and proposed staff numbers. The concern has been raised by locals over parking given the current situation and limited on street parking in South Street. An assessment has been made by the applicant in light of the use and the current level proposed. The parking provision is an over-provision in relation to the policy of the SADMP and the issue therefore is, is there harm from the layout as submitted to warrant a refusal. An amendment has been made providing additional landscaping and the scheme as revised is considered an acceptable one subject to a condition to secure the required travel plan.

DRAINAGE

The foul and surface water drainage to the site is intended to be dealt with by Wessex Water systems. In terms of surface water, the discharge rate has yet to be agreed and the Lead Local Flood Authority suggest a condition to address this. The

land slopes towards the existing drainage infrastructure and there is no reason to believe that a suitable provision cannot be provided. A condition to require the detail in terms of surface water disposal is considered appropriate prior to new construction commencing.

CONCLUSION

The proposal provides a suitable alternative use for a brownfield site in a sustainable location. The development is considered to comply with policy CP2 and the benefits of the new use outweigh the loss of employment land here. There is not considered to be any adverse harm to amenity. Adequate parking is provided together with an improved access and subject to appropriate conditions the development is considered acceptable.

In preparing this report the planning officer has considered fully the implications and requirements of the Human Rights Act 1998.

Contact Officer: Mr G Clifford