

Application Details	
Application Reference Number:	38/22/0176
Application Type:	Full Application
Description	Formation of public realm to include landscaping and associated infrastructure works (includes Environment Statement) referred to as The Southern Boulevard at Firepool, Canal Road/Priory Bridge Road, Taunton Includes Environmental Statement.
Site Address:	FIREPOOL Regeneration Site, Canal Road/Priory Bridge Road, Taunton
Parish:	Taunton unparished area
Conservation Area:	No
Somerset Levels and Moors RAMSAR Catchment area:	Yes
AONB:	No
Case Officer:	Simon Fox, Major Projects Officer (Planning) 07392 316159 s.fox@somersetwestandtaunton.gov.uk Should you wish to discuss the contents of this report item please use the contact details above by 5pm on the day before the meeting, or if no direct contact can be made please email: planning@somersetwestandtaunton.gov.uk
Agent:	J Price Consulting
Applicant:	Somerset West and Taunton Council
Reason for reporting application to Members:	In the interests of probity - The proposal is submitted by Somerset West and Taunton Council on a strategic regeneration site owned and due to be developed by Somerset West and Taunton Council.

1. Recommendation

That planning permission be **GRANTED** subject to conditions

2. Executive Summary of key reasons for recommendation

- 2.1 The application seeks permission for the central street and area of public realm at the Firepool site which connects the River Tone to Canal Road and ultimately the Railway Station, referred to as the 'Southern Boulevard'.
- 2.2 The submission references wider Masterplan work going on and includes indicative information in relation to surrounding plots to be covered by the Masterplan. A draft Masterplan is currently going through the democratic process with a recommendation to the Executive Committee on 16

November 2022 for there to be public consultation prior to seeking adoption as a material planning consideration.

2.3 This application is being brought forward now due to the availability of Future High Street funding and is not seen to prejudice any comments on the draft masterplan as it has been developed to provide flexibility whilst accommodating principles established by previous applications and published guidance.

2.4 After consideration of all representations, planning policy and material considerations including the planning history, the scope of the application and the benefits of the scheme, the application is considered appropriate to be recommended for approval

3. Planning Obligations, conditions and informatives

3.1 Obligations

There is no legal agreement required in connection with this proposal.

3.2 Conditions (see Appendix 1 for full wording)

- 1) Time limit of 3 years for commencement
- 2) Drawing numbers of approved plans
- 3) Prior completion of application 38/21/0440 for levels and drainage
- 4) Phasing of development subject to Stopping up Order for Canal Road
- 5) Clarification of River Tone Bridge use
- 6) Public Art requirements
- 7) Street Furniture detail to be agreed
- 8) Priory Bridge improvement scheme
- 9) Signage and wayfinding requirement
- 10) Misuse and antisocial behaviour plan
- 11) Landscaping scheme to be implemented
- 12) Highway condition survey to be undertaken
- 13) Prevention of surface water disposal to highway
- 14) Tree Protection requirement
- 15) River channel capacity and riverbank slope safeguards
- 16) Pollution controls
- 17) Contamination safeguards
- 18) Construction Environmental Management Plan (CEMP)
- 19) Landscape and Ecological Management Plan (LEMP)

3.3 Informatives (see Appendix 1 for full wording)

- 1) Statement of positive working.
- 2) Advice from SCC Rights of Way
- 3) Advice from the Network Rail
- 4) Advice from the Crime Prevention Officer
- 5) Advice from the SCC Highways – Drainage
- 6) Advice from the SCC Highways – Stopping Up
- 7) Clarification regarding Condition 08

- 8) Advice from the SCC Highways – Work on adopted highway
- 9) Sustrans route
- 10) Advice from the Environment Agency

4. Proposed development, Site and Surroundings

Details of proposal

- 4.1 This is a full application for the laying out of public realm within the Firepool site, comprising:
 - the ‘Southern Boulevard’, inclusive of a water feature area;
 - a multi-functional space adjacent to the river, known as Waterfront Place or the amphitheatre;
 - a section of the river frontage, referred to as the Rivers Edge.
- 4.2 In effect this is a scheme of hard and soft landscaping to create a public open space, that combines to provide pedestrian and cycle access through the wider Firepool site from north to south, places to dwell, meet and watch and the general movement corridor for people accessing the future facilities and recreational offer at Firepool, both for future residents of the development and those whom are visitors. The space has been developed to not just be a transitional space, but also seeks to act as a high-quality amenity space where people spend time and where events can be held. The central zone of the Boulevard will include a new water feature comprising of a basin of permanent water which will be enclosed on three sides with the fourth accessible from hard landscaped steps and a ramp. The Northern section of the Boulevard was approved as part of application 38/21/0436.
- 4.3 An area of river frontage, the Rivers Edge area, connecting the proposed multi-functional space (Waterfront Place) to an existing river crossing is also included and comprises a cycle/footway and landscaping.
- 4.4 Vehicle access to the wider Firepool site will remain via the existing site access from Canal Road until such time as the northern access is built onto Trenchard Way. This application enables this as it demands the stopping up of Canal Road which is a condition upon which the use of the new access is predicated. Access to the existing Wessex Water siphon located near the river bank will be maintained from Canal Road. The Southern Boulevard will not be used or accessed by vehicles other than in the case of emergency or maintenance requirements.
- 4.5 The application is accompanied by an Environment Statement addendum as it comprises part of the wider Firepool project.
- 4.6 The public realm areas proposed here build off the provisions of a previously approved application which will be implemented shortly, namely the works to decontaminate, raise levels and rearrange drainage approved by application 38/21/0440 and approved by the Planning Committee in March 2022.

- 4.7 As the mix of the future development to flank the Boulevard or front the Waterfront Place or Rivers Edge area is not yet fully established the design has been developed by the applicants to provide flexibility whilst accommodating some guiding principles established by the previous planning permission such as maintaining the existing sightlines through the site.
- 4.8 All access for these works will be via Canal Road.
- 4.9 It should be noted that Somerset West and Taunton District Council is in this case both applicant and Local Planning Authority. The application is being brought forward by the Council in its role as developer after the site has lain dormant for many years and to provide some stimulus to unblock and unlock the site for development. Reference hereon to 'the Council' is as applicant/developer, the planning team referred to as the 'Local Planning Authority' or 'LPA' whose defined role is to apply national and local planning policy and assess material considerations without fear or favour.

Site and surroundings

- 4.10 The application site is located within Taunton town centre. It comprises an area of approximately 0.82ha, within a 4.2ha wider Firepool site.
- 4.11 The application site is bounded by Canal Road to the north, the River Tone to the south. Priory Bridge Road is to the south-west. The site currently comprises previously developed land. The site is bordered to the north beyond Canal Road by Block 6, land now being developed by Somerset County Council for an Innovation Centre, and Block 3 where planning permission has been granted (but not yet implemented) for an office block with retail/food and beverage ground floor uses and the refurbishment of the GWR building for food and beverage use, via application 38/21/0436. A principle vehicular access point off Trenchard Way in the northeast corner of the site has also been granted planning permission, via application 38/21/0464 but again has not yet commenced.
- 4.12 The site, along with the adjoining land described above to the north and a triangular site to the south of the river which is partly developed, forms part of a wider previously developed area of land known as Firepool which has been vacant for over ten years.
- 4.13 Formerly, the wider Firepool site comprised a livestock market, but this use ceased in 2008 and the site was largely cleared to facilitate its redevelopment. The part of the site subject to this specific application is currently partly laid to grass, and partly used as a public car park.
- 4.14 There is a public right of way (PROW) recorded on the Definitive Map that abuts the site (public bridleway T 33/21) running from Canal Road east besides the canal. National Cycle Route 3 runs around the edge of the site bordering the river. The East Deane Way runs along the south side of the River Tone.

- 4.15 The application site is not within a Conservation Area, nor does it contain any Listed Buildings. However, there are a number of listed buildings in the wider vicinity, including Taunton Railway Station to the north, the Firepool Pumping Station (and Firepool Lock) to the east, Gurds on Station Rd, plus the former Shirt and Collar Factory (Barnicotts) and Priory Lodge (all Grade II listed). Further south is the Grade II* St James Church and the Grade I listed St Marys Church. Non-designated assets include the GWR building.

5. Planning (and enforcement) history

Reference	Description	Decision	Date
Firepool South - 38/10/0214	Up to 11,200 sq m of office floorspace, up to 4,475 sqm of hotel floorspace, up to 49 residential units together with associated car parking, landscaping, infrastructure and access on the southern part of the Firepool site adjacent to Priory Bridge Road, including the now constructed Viridor building which was later granted reserved matters approval pursuant to this outline.	Approval	30/11/2010
Wider Firepool Site - 38/15/0475	Outline planning application with some matters reserved for the redevelopment of the former cattle market site to provide up to 3500sqm of convenience retail development, up to 6000sqm of non-food development (class A1), up to 4000sqm of office (B1) or hotel (C1) use, up to 2400sqm for a cinema (D2), up to 2600sqm of food and drink establishments (A3/A4/A5) and up to 200 residential units with redevelopment of the former priory bridge road car park to provide up to 4014sqm of office (B1) and 4475sqm of office (B1) or hotel (C1) uses and a further 1300sqm of A3/A4/B1 (office) D2 uses with car parking, landscaping, public realm, access, highways, infrastructure works and relevant demolition.	Refusal	01/09/2016
Wider Firepool Site - 38/17/0150 <i>'the approved St Modwen scheme'</i>	Outline planning application with some matters reserved, except for access for the NIDR only, for the redevelopment of the former cattle market site to provide up to 3500sqm of convenience retail development (Class A1), up to 6000sqm of non-	Approval	13/03/2019

	<p>food development (A1), up to 4000sqm of office (B1) or hotel (C1), up to 3900sqm of assembly/leisure (D2) and non-residential institutions (D1) (of which no more than 1500sqm shall be D1), up to 2600sqm of food and drink establishments (A3/A4/A5), and up to 200 residential units (C3) with redevelopment of the former Priory Bridge Road car park and former 84-94 Priory Bridge Road to provide up to 2964sqm of office (B1) and 5525sqm of office (B1) or hotel (C1) uses and a further 1300sqm of A3/A4/B1 (office) D2 uses with car parking, landscaping, public realm, access, (in detail for the NIDR connection) highways, infrastructure works and relevant demolition, (resubmission of 38/15/0475)</p>		
38/21/0109/SCO	EIA Screening for 1,800 sqm, four storey office building and 300 space, four storey car park.	No EIA required	31/03/2021
Somerset County Council Decision SCC/3775/2020	The erection of a three storey Innovation Centre building of 2,613 sqm floor space (Use Class E) and external car parking area (Block 6)	Approval	09/02/2021
38/21/0436	Erection of an office building with ancillary ground floor commercial use (Class E), conversion and erection of extension to the GWR building to form restaurant (Class E), public realm, landscaping and associated infrastructure works on land to the south of Trenchard Way (Block 3)	Approved	28/03/2022
38/21/0440	Demolition of Auction House and site clearance with temporary diversion of cycle and pedestrian route through the site, raising of ground to create platform formation levels, ground remediation, flood mitigation, primary foul and surface water drainage networks and connections for future sites/developments surrounding the site at Firepool, Taunton. Includes Environmental Statement	Approved	13/05/2022
38/21/0464	Formation of vehicular access with associated works and alterations to highway	Approved	09/02/2022

6. Environmental Impact Assessment

- 6.1 Environmental Impact Assessment or EIA is a formal procedure underpinned by The Town and Country Planning (EIA) Regulations, 2017 (the 'EIA Regulations') as amended. The procedure must be followed for certain types and scales of development.
- 6.2 In this case the development is part of a 'project' described in Schedule 2, 10(b) of the EIA Regulations. That is: "*10. Infrastructure projects... (b) Urban development projects, including the construction of shopping centres and car parks, sports stadiums, leisure centres and multiplex cinemas...*" and furthermore meets the first of the three applicable thresholds for Schedule 2, 10(b) projects: "*...(i) The development includes more than 1 hectare of urban development which is not dwellinghouse development; or (ii) the development includes more than 150 dwellings; or (iii) the overall area of the development exceeds 5 hectares.*"
- 6.3 The previous application to decontaminate, raise levels and rearrange drainage approved by application 38/21/0440 was submitted with an Environment Statement. It follows that as this application is part of the wider 'project' that the EIA remit should encompass this application as well, not that in of itself it raises significant environment issues.
- 6.4 The EIA process systematically identifies and assesses the likely significant environmental effects of a development. The process also offers an opportunity to promote an iterative design process whereby the likely significant adverse and beneficial effects of a project can be avoided or minimised, and encouraged and maximised, respectively. Where EIA is required, the results are reported in an Environmental Statement (ES). The ES allows the relevant determining authority, in this case Somerset West and Taunton Council, to consider all likely significant environmental effects arising from a development.
- 6.5 In accordance with the EIA Regulations, the ES reports the findings of the EIA process. As such, the ES sets out:
- The likely significant environmental effects of the Development.
 - The likely significant cumulative effects of the Development.
 - Mitigation measures required to prevent, reduce, ameliorate and / or offset any likely significant adverse environmental effects.
 - The likely significant residual effects of the Development which would occur following implementation of the above mitigation measures.
- 6.5 The submitted ES addendum is a material consideration to this planning determination process and the topics assessed form the sections to the main body of the report which follows.

7. Habitats Regulations Assessment

- 7.1 The site lies within the catchment area for the Somerset Moors and Levels Ramsar site. As competent authority it has been determined that a project

level appropriate assessment under the Conservation of Habitats and Species Regulations 2017 is not required as the Council is satisfied that the proposed public realm works will not increase nutrient loadings at the catchment's waste water treatment works. In fact, the rationale for the project is exactly the opposite. The Council is satisfied that there will be no additional impact on the Ramsar site (either alone or in combination with other projects) pursuant to Regulation 63(1) of the Habitats Regulations 2017.

7.2 The site lies within the consultation zone for the Hestercombe House SAC, relating to bats. The Council's Ecologist requested and then examined surveys indicating no activity from Lesser Horseshoe bats. As such the Council is satisfied that the proposal will not have a significant effect on the European site (either alone or in combination with other projects) pursuant to Regulation 63(1) of the Habitats Regulations 2017.

8. Consultation and Representations

8.1 Statutory consultees (the submitted comments are available in full on the Council's website.
 Date of Consultation: 24 May 2022
 Date of revised consultation (if applicable): There has been ongoing dialogue with consultees.

It should be noted not all statutory consultees are consulted on all planning applications. The circumstances for statutory consultation are set out in the Development Management Procedure Order. The following statutory consultees were consulted on this application:

Statutory consultee	Comments	Officer comments
Highway Authority - SCC	<p>No objection.</p> <p><i>“Highways Development Management is in receipt of the above planning application submission, for which we have reviewed the highways and transportation aspects of the proposal and have the following observations to make. A summary of the highway comments is as follows:</i></p> <ul style="list-style-type: none"> • <i>There is no highway objection to the principle of the proposal at this location.</i> • <i>The scheme will provide a high-quality pedestrian and cycle route, which will provide a key connection between the rail station to the north and the existing route alongside the River Tone.</i> • <i>Over time and with the implementation of the wider master plan it is likely that</i> 	<p>Conditions and notes imposed.</p>

	<p><i>this corridor will become less important for cyclists, and this is reviewed within the supporting planning information.</i></p> <ul style="list-style-type: none"> • <i>The impact of the scheme through the construction phase has been appropriately assessed, and to mitigate potential impacts, measures within a Construction Traffic Management Plan are presented.</i> • <i>Vehicular access to the Amphitheatre will need to be assessed and managed by the site management company.</i> • <i>Should permission be granted by the planning authority, a number of planning conditions are advised”.</i> <p><i>“Summary & Conditions: Having reviewed the proposals, the highway authority has no objection to the planning application submission, however, the following planning conditions are recommended. As noted above, there is also a requirement for a stopping up order to be processed before any works could commence within Canal Road, and the applicant should note the requirement for an appropriate licence / agreement to cover any works that could affect Priory Bridge Road”.</i></p>	
National Highways	<p><i>“Impact on the Strategic Road Network - Based on the scope and scale of works proposed under application 38/22/1076, National Highways is satisfied that the development will not result in an adverse impact on the safe operation of the strategic road network, in this case M5 Junction 25. Recommendation - National Highways has no objection to application 38/22/0176”.</i></p>	No further action.
Environment Agency	<p>Initial objection withdrawn – conditions proposed relating to access track and buffer strip, the river bank slope, a scheme of pollution prevention, contamination. Informative notes relating to oil and chemical storage, waste materials, discharges into the river and environmental permits.</p> <p>Comments made:</p>	<p>The conditions referred to have been imposed.</p> <p>Assessment of BNG is outlined at Para 11.49.</p>

"The buffer strip

We reluctantly withdraw our objection but are disappointed a 3-metre river buffer zone could not be accommodated in this development. However, we welcome the addition of the native planting plan of shrubs and trees that will enrich and enhance the agreed 2.5 metre river buffer strip. We also welcome the promise of the 3-metre buffer zone to be put in place downstream of the bridge towards where it meets Firepool Weir. This appears to be outside of the red line boundary for this planning application, please clarify, or else can the red boundary line be moved to reflect this agreement, taking in the whole of the river in the Firepool development stretch and making clear where the 2.5 metre section is and where the 3-metre section will be implemented. It was also discussed and agreed in our recent meeting that further negotiations would take place with Active Travel England to try and have some flexibility around access width guidelines and push towards having the 3-metre river buffer strip along the whole length of the development area if possible. Given that both directly upstream and downstream of the site the cycleway and footpath is narrower than is being proposed here, we would hope the interests of access and biodiversity could reach a compromise and have a slightly narrower track and a slightly wider buffer to the river, thereby benefitting both. If this is the case the above condition will need to be amended accordingly.

Biodiversity Net Gain (BNG) and River Habitat Assessment

We still feel strongly that a River Habitat based BNG Assessment should be carried out, not just a terrestrial based assessment. To summarise the guidance includes development within 10 metres of the riverbank which this development clearly is and it details how to approach riparian encroachment. There is specific guidance around certain distances and significance e.g., 0 – 4 metres, 4 – 10 metres etc. We are aware the habitat value is limited now due to historic and

current use here and that there is already a footpath present, but the development red line boundary is to top of bank and there will be major changes to the status quo with the widening and tarmacking of the access track (now including occasional vehicle access), increased use by the public, installing certain infrastructure, the planting scheme, lighting etc. We feel the development does have the potential to impact on the river and associated river habitat and that a river based BNG assessment is appropriate in this case. It seems a missed opportunity to not do this and show that there has been genuine BNG across the whole site that has fully considered all relevant habitat types, not just terrestrial, and to lead by example with this new form of environmental protection”.

On receipt of a BNG assessment -
“Thank you for referring the Biodiversity Net Gain Assessment for the above site which was received 23 September 2022.
In response the Environment Agency can make the following comments:

1.1.1 - Rationale for Not Using River Assessment in the BNG Assessment Report.

This is not in line with or in the spirit of the current 3.1 Metric User Guidance or Technical Supplement information. We would still encourage the applicant to undertake a River Condition assessment for completeness. There is an acknowledgement in section 2.2.1 that the river is the most important feature on the development site. It has ‘high strategic significance’ as a Local Wildlife Site whereas the rest of the site’s habitats are all ‘low strategic significance’. There is also an acknowledgement in section 3.2 Table 2 that the riverbank is relevant to the development as it is listed as a habitat feature. There has been reasoning given around the fact that the development will have ‘no impact’ on the river, but the red line boundary extends to the water’s edge, thus including all the 10 metres of riparian habitat that the BNG guidance states is

	<p><i>relevant when considering the need for a river based BNG assessment.</i></p> <p><i>However, the BNG regulatory deadline is October 2023 where it is understood the river metric assessment would become a legal requirement, we therefore defer to the Local Planning Authority to determine whether this application should be exempt from this requirement at this point”.</i></p>	
Lead Local Flood Authority (LLFA) - SCC	<p>“This appears to be a minor application and outside of the LLFA statutory requirements”.</p>	<p>No further action.</p> <p>Note – surface water drainage for the site has been addressed in the site wide Levels and Drainage application ref 38/21/0440.</p>
Canal and River Trust	<p>Concerns expressed relating to lighting, planting and the proposed cycle path.</p> <p>Later comments agreed revised lighting proposal.</p>	<p>Planting will be conditioned, and the cycle path design is discussed at Paras 11.25 and 11.51.</p>
Historic England	<p>“We suggest that you seek the views of your specialist conservation and archaeological advisers”.</p>	<p>See SWT Conservation Officer’s comments.</p> <p>See SW Heritage Trust comments - Archaeology has been addressed in the site wide Levels and Drainage application ref 38/21/0440.</p>
Natural England	<p>Comments made regarding the riverside path (lighting and proximity to river), and the amphitheatre (lighting and riverbank steps).</p>	<p>It is considered the amended plans address these concerns.</p>
Wessex Water	<p>Concerns expressed concerning the access to the syphon.</p>	<p>The applicant is discussing this matter with WW to find a solution, which isn’t considered a showstopper.</p>
Network Rail	<p>No objections in principle <i>“but due to the proposal being next to Network Rail land and our infrastructure and to ensure that no part of the development adversely impacts the safety, operation and integrity of the operational railway we have</i></p>	<p>Noted, no further action. Applicant to note and provide notice of the start of works. Note imposed.</p>

	<p><i>included asset protection comments which the applicant is strongly recommended to action should the proposal be granted planning permission”.</i></p> <p><i>“Any works on this land will need to be undertaken following engagement with Asset Protection to determine the interface with Network Rail assets, buried or otherwise and by entering into a Basis Asset Protection Agreement, if required, with a minimum of 3 months notice before works start”.</i></p>	
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8.2 Non-Statutory Consultees

Consultee	Comments	Officer comments
SWT Conservation Officer	<p><i>Conclusion – “The landscape and public realm work as proposed through this development would continue to preserve the historic and architectural character and appearance of the setting of the conservation area. In summary the proposed landscape public realm and associated works that form part of the regeneration of the Firepool site, would go towards enhancing the setting and wider views of the identified heritage assets. This experience would be further enhanced with the introduction of interpretation boards as part of the public art proposals”.</i></p>	No further action.
SW Heritage Trust (archaeology)	<p>Initial request for a condition was questioned as the same issue is covered by Condition 5 on the Levels and Drainage application which will have dealt with archaeology. SWHT happy to withdraw the condition request on the basis that permission 38/21/0440 ensures that the development is in line with the NPPF and local plan policy.</p>	Condition to be imposed referring to completion of application 38/21/0440.
SWT Tree Officer	<p><i>“The proposed boulevard will not affect any significant existing trees. I note that the current planting plans are indicative and subject to further detail design. I would request that the number of narrow ‘fastigate’ species is limited, and that the number of different species is increased for reasons of biodiversity, disease resistance and aesthetic interest. I think that</i></p>	<p>Specific tree species will be conditioned. A tree pit detail has been submitted. Maintenance will be a Council function although</p>

	<p><i>consideration should be given to planting trees at smaller nursery sizes, rather than the semi-matures and extra heavy standards. Smaller trees tend to establish more easily and ‘catch up’ with the larger trees. Consideration should be given to the amount of space for root growth under hard surfacing and confined by level changes and retaining structures – increase areas of porous surfacing around the trees. After-care and maintenance of the new trees will be very important in the first few years – can we see details for this?”</i></p>	<p>a watering regime will be requested by condition.</p>
<p>SWT Placemaking Officer</p>	<p><i>“In placemaking terms the proposal is broadly acceptable and is welcomed in its quality of the public realm. The general arrangement plan and creation of character areas along the route is also supported. The paving specified adheres to the requirements of the Public Realm Design Guide SPD. However it is unclear what is meant by Hazard Paving; if this is tactile paving could this please match the stone material with either stone or metal studs for the blisters. Concern is raised concerning the asphalt cycle route along the waters edge and it is considered that treating the cycle route in stone setts in the amphitheatre space would make a far more coherent space/focal point to this proposal. Details of the palette of street furniture have not been provided and this is considered important in order to ensure the quality of the public realm. An significant amount of the street furniture is precast concrete and this may be a concern, this is dependent on the quality of the products and their robustness. A such it is suggested that this should be conditioned. It is also a concern the amount of concrete edging to the water feature and the amphitheatre space. The concrete would need to be of the highest quality and be a permanent match for the stone (concrete is known to fade in colour). The LPA would also need to ensure its durability, in particular for potential activities such as skateboarding. A such it is suggested that this should also be conditioned.</i></p>	<p>Matters relating to street furniture and stakeboarders to be conditioned.</p> <p>The concrete casting is in contrast to the paving and will be undertaken by a specialist contractor.</p> <p>The hazard paving will match the general paving and be blister or lined in granite in line with public realm design guide for Core Standard.</p>

	<i>As a general comment, it is disappointing that the art work does not flow through the public realm (e.g. in the design of railings or historic time zones in the paving) since there is an opportunity for this to be an integral part not just standalone pieces”.</i>	
SWT Green Infrastructure Officer	<p><i>“I am generally happy with the revised design and that the design team managed to widen the green strip along the river to 2.5m to improve Biodiversity and wildlife movement along the river.</i></p> <p><i>The eastern side of the development towards the weir and Children's Wood LNR is more sensitive in terms of Biodiversity and widening the green buffer to a 3-meters is welcome.</i></p> <p><i>I think the development green buffer and the canal bank should be designed as one green stripe so that it will be conceived as one wide green stripe. Making a few sections along the canal would be beneficial to ensure the buffer could be designed as one strip and that walls/curbs between the two strips (the development and the EA) are not required. I also think that further coordination regarding the planting proposal would be beneficial.</i></p> <p><i>I agree with EA's suggestion that a River Habitat based BNG Assessment should be carried out for the development since it is different from other areas of the development and would probably require a different design approach.</i></p> <p><i>I am (still) not sure if this is the right size for the amphitheatre adjacent to the river, and I think that it is still not maximizing its potential for greening adjacent to the river. Is there any evidence/programme to support the design and show that this is the size required for the amphitheatre?”</i></p>	<p>Planting detail will be conditioned. See SCC Ecologist comments on BNG.</p> <p>The design and layout of the multi-functional space is discussed at Para 11.58.</p>
Crime Prevention Officer	No objections raised – comments made relating to pedestrian footfall and routes, lighting and bollards specifications, surveillance, street furniture and litter bins, cycle parking, landscaping, maintenance, CCTV, and Secured by Design.	Informative note imposed.
SCC Ecologist	<p><u>“Biodiversity Net Gain</u></p> <p><i>The National Planning Policy Framework makes clear the current expectations for development to achieve Biodiversity Net</i></p>	Assessment of BNG is outlined at Para 11.49.

Gain (BNG) in England. The Framework states underneath section 15, paragraph 174 (d) that development should contribute to enhancing the natural environment by 'minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures'. The Environment Act strengthens this requirement for BNG, however, there is currently a transition period for the Act, and it is expected that 10% Biodiversity Net Gain will become mandatory in the winter of 2023. Once the relevant provisions are in force, the Act mandates projects under the Town and Country Planning Act 1990 to achieve a minimum of 10% BNG. Whilst it is currently not required to achieve a 10% BNG, SES do recognise that the applicant is targeting more than a 10% BNG for the Application Site.

The distinctiveness categories for rivers and streams are focused on the Priority Habitats classification, as defined under Section 41 of the Natural Environmental and Rural Communities Act, 2006. These include the following river types which the neighbouring river does fit into:

- Headwater streams.*
- Watercourses with water crowfoot assemblages (Habitats Directive Annex I habitat H3260);*
- Riverine water bodies of high hydro-morphological/ecological status;*
- Chalk rivers and;*
- Active shingle rivers.*

*The rivers and streams condition assessment as outlined in the metric 3.1 guidance describes **on-site** physical habitat diversity. It is stated that generally a detailed rivers and streams condition assessment is required. When focusing of the field surveys element, the field element of the rivers and stream condition assessment should include sampling cross sections of the watercourse using the MoRPh methodology. The survey states that it should capture a minimum 20% length of the river within the red line boundary. It is only necessary to apply the*

river condition assessment within the on-site boundary of the intervention site (on-site and off-site). As the EA correctly highlight, in biodiversity metric 3.1 the riparian zone is defined as a 10m zone from the top of the riverbank. The notion of the riparian zone of encroachment would be periodically flooded, and directly influences the hydrological, geomorphological and biological functions and processes within the river channel - as a small point here, GE consulting seem to state this isn't the case here. SES feel the key point EA are putting across is the riparian zone is an intrinsic part of the river system and therefore not considered as a separate habitat within the rivers and streams calculation but as part of the linear feature. Under the metric, the development that is within the riparian zone is explained and defined as 'riparian encroachment'. In the metric, encroachment is defined as: 'A reduction in the quantity/ quality and 'use' of available habitat that forms a specific ecological function for riparian or aquatic specialist species. Whereby, 'use' is defined as the ability of a species to: commute, forage, rest/ dwell, or access as part of its life cycle between aquatic and terrestrial phases'. What GE Consulting are stating in their metric report quite simply is 'The vast majority of the criteria (27 of 32) assessed to determine river condition using the guidance associated with the net gain metric are based on geomorphological features of the channel bed, channel/water margin or bank face. None of these features are being impacted by the proposed development'. If indeed the footpath is being moved away from river margin, SES would tend to agree with GE Consulting that the overall result would be a positive increase in bank and a slight decrease in riparian encroachment. The loss of either quantity or quality of the riparian zone will generally have a bearing on its ecological use and function, and this does not appear to be the case in this instance based on GE Consulting's assessment. What SES do feel is important in this instance is the LEMP to be secured must cover the existing riverbank network to

ensure the longevity of its functionality does not result in a Biodiversity Net Loss. Additionally, as outlined by GE Consulting, river biodiversity units would certainly be a challenge to incorporate given the engineering challenges, especially considering that the overall biodiversity net gain is already nearly 20% (most of which will directly benefit species likely to utilise the existing site boundary), which we should not discourage for the Application Site. There has been some focus along the river, including the addition of the native planting plan of shrubs and trees that will result in an enhancement of the the 2.5 metre river buffer strip, and this should certainly compensate the 0.004ha of mixed scrub lost along the river bank to facilitate the construction of the cycle path adjacent to the footbridge. However, SES do support the EA's notion that this feels like a missed opportunity to not enhance the riverbank because of a technicality, as some fantastic riparian botanical net gains could be used to enhance along the riverbanks which SES feel should be considered. Smaller plants suitable for riverbanks could include species such as Joe Pye weed Eupatorium maculatum (a great pollinator), woodland phlox Phlox divaricata, monkey flower Mimulus guttatus, blazing star Liatris spicata, wild geranium Geranium maculatum and many more. Ground cover plants which would help with erosion issues could include species such as marsh marigold Caltha palustris and Jasminum nudiflorum for example. Even wet edge meadow mixtures which could include species such as water avans, hedge bedstraw, lady's bedstraw, meadow buttercupt, ragged robin, soft rush, greater birds foot trefoil for example would deliver great gains. The point here is these could probably be easily accommodated and whilst the applicant doesn't necessarily need to consider them, it feels like a great opportunity to do so".

Later comments received:

	<p><u>“Hestercombe House SAC</u></p> <p><i>As highlighted in GE Consulting’s Ecological Impact Assessment (October 2022), Hestercombe House SAC is 3.6km north of the application site. Maximum distance from maternity roost to centre of furthest foraging area for lesser horseshoes is 3.6km, 3.2km and 2.8km respectively. Mean distance from maternity roost to night roosts is around 1.71km (researched gathered from Knight, T., Jones, G., 2009). One individual tracked a maximum distance travelled from roost 3.6km, and this formed part of Holzhaider, J., Kriner, E., Rudolph, B.-U., Zahn, A.’s 2002 radio tracking study. Therefore, SES can conclude that the proposed development is unlikely to have an impact on foraging sites associated with this SAC.</i></p> <p><i>As highlighted in the Technical Guidance in relation to Hestercombe House SAC, Sites that are within Band C means that the survey effort required will depend on whether a commuting structure is present and the suitability of the adjacent habitat to support prey species hunted by horseshoe bats. GE Consulting have stated previously that the site itself is suboptimal in nature due to the surrounding urban/industrial environment, and with it being rather fragmented from other more optimal lesser horseshoe bat features. Nonetheless, GE Consulting have undertaken activity survey as requested by Somerset Ecology Services comprising of two transect surveys on the 17th of August and 27th of September 2022, as well as static detector surveys between the dates of 17th – 22nd August 2022 & 27th September – 2nd October 2022. The survey effort does miss an essential ecological period for lesser horseshoes during later April/early May when pregnant females will be commuting from their hibernation/transitory roosts to their favoured maternity roosts to have their pups in June/July. However, other key commuting periods take place during the autumn to early winter when lesser horseshoes commute from their maternity roosts and more likely in the latter period to their hibernation sites, and GE Consulting’s survey effort does cover parts of this period.</i></p>	<p>No further action required regarding SAC/HRA. Natural England comments detailed above.</p>
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	<p><i>The two transect surveys undertaken in August and September resulted in no recordings/observations of commuting or foraging lesser horseshoes. This is unsurprising, especially given the high directionality of horseshoe species calls and how close a surveyor must be to them to record them in flight (i.e., within 3m or so) due to their calls not travelling far because of attenuation (calls being absorbed by spherical spreading and absorption). However, static detector surveys are far more successful subject to appropriate positioning which in this instance has been done correctly. The static detector surveys also recorded no lesser horseshoe recordings. As the proposal concerning the redline boundary do not propose tree removal and only extends to marginal scrub removal and based on the activity survey results not recording a single lesser horseshoe during an active part of their ecological migratory pattern, I do not foresee a Habitats Regulations Assessment being required at present. However, if you haven't done so already, I would recommend consulting Natural England on this application.</i></p> <p><u>Lighting</u></p> <p><i>The amended lighting plan is a significant improvement on the last one. My only minor comment is the lux level on the most south-west corner is slightly over, around 1.5 lux. It is appreciated that the spill here is not actually going to be on an existing or proposed habitat feature for bats, but it does look to ever impinge on the river so slightly, can this be reduced slightly to ensure nothing above 0.5 lux spills onto the bank/river?"</i></p>	<p>The lighting scheme, Rev 5, has been further amended to avoid spillage.</p>
<p>SCC Rights of Way</p>	<p><i>"...there is a public right of way (PROW) recorded on the Definitive Map that abuts the site (public bridleway T 33/21) at the present time. A long-distance trail, the East Deane Way, abuts the site on a temporary route beside the river".</i></p> <p><i>"The proposed pipeline across the bridleway T 33/21 will need to be authorised through a s50 licence". "On the parallel planning application 38/21/0436, there is a temporary bridleway diversion shown on the</i></p>	<p>Informative added.</p>

	<p><i>application's plans but this does not appear to be shown on the plans for this application 38/21/0440 and therefore there needs to be co-ordination between all the applications".</i></p> <p>Any proposed works must not encroach onto the width of the PROW (public bridleway), ref T33/21.</p> <p>Health and safety should be considered.</p> <p>Informative suggested.</p> <p>Later comments –</p> <p><i>"It is now apparent that the applicant's intention is to stop up the vehicular highway over part of Canal Road. This could leave public rights cul-de-sacced from the public bridleway and from Canal Road. Whilst it is the applicant's intention to still allow non-motorised access following the stopping up, there is the potential that this would only be by permission as opposed to as of right. This would not be an acceptable situation and a method must be found to maintain continuity for public rights to at least bridleway status to ensure there is still a connective network as of right for walkers, cyclists and horse riders. The County Council does not raise objection to the proposal subject to the inclusion of a Grampian condition to control this. 2 The Sustrans promoted route would be heavily impacted by the proposal. Whilst not a formally recorded public right of way, public rights may well exist and therefore the way should be treated as if it were a right of way and afforded considerable mitigation when closed due to construction works. A well signed appropriate alternative route will need to be offered".</i></p>	<p>Informative and Conditions added.</p>
Taunton Disability Action Group	No comments received.	No further action.
RNIB	Verbal comments made at a workshop with the applicant.	No further action.
Taunton Area Cycling Campaign (TACC)	<p>The orange primary route taking people away from the station and through the Trenchard Way junction crossing is illogical as a primary route. The Boulevard route is seen as a more direct route.</p> <p>The Vivary-Station cycle route name suggests a continuous red path all the way</p>	<p>There are two other routes other than the Trenchard Way junction for cyclists to use.</p>

	through. Could a red route be provided on the cycle path portion of the Boulevard?	The use of red tarmac through to the Boulevard is not favoured.
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8.3 Local representation

8.3.1 This application was publicised by 120 letters of notification to neighbouring properties and 6 site notices were displayed around the periphery of the wider Firepool site on the 26 May 2022.

8.3.2 No representations in support or objection were received.

9. Relevant planning policies and Guidance

9.1 Section 70(2) of the Town and Country Planning Act 1990, as amended ("the 1990 Act"), requires that in determining any planning application regard is to be had to the provisions of the Development Plan, so far as is material to the application and to any other material planning considerations. Section 38(6) of the Planning and Compulsory Purchase Act 2004 (as amended) ("the 2004 Act") requires that planning applications should be determined in accordance with the development plan unless material considerations indicate otherwise. The site lies in the former Taunton Deane area. The Development Plan comprises the Taunton Deane Core Strategy (2012), the Taunton Site Allocations and Development Management Plan (SADMP) (2016), the Taunton Town Centre Area Action Plan (2008), Somerset Minerals Local Plan (2015), and Somerset Waste Core Strategy (2013).

9.2 Both the Taunton Deane Core Strategy and the West Somerset Local Plan to 2032 were subject to review and the Council undertook public consultation in January 2020 on the Council's issues and options for a new Local Plan covering the whole District. Since then the Government has agreed proposals for local government reorganisation and a Structural Change Order agreed with a new unitary authority for Somerset to be created from 1 April 2023. The Structural Change Order requires the new Somerset authority to prepare a local plan within 5 years of vesting day.

9.3 Relevant policies of the development plan in the assessment of this application are listed below. It should be noted that whilst there are a number of policies that may be related to the wider development of the Firepool site, this is a very specific application that raises very specific planning issues, as such the number of applicable policies is fewer.

Core Strategy 2012

SD1 - Presumption in Favour of Sustainable Development

CP1 - Climate Change

CP5 – Inclusive Communities

CP6 - Transport and Accessibility

CP7 - Infrastructure

CP8 - Environment

SP1 - Sustainable Development Locations
SP2 - Realising the Vision for Taunton
DM1 - General Requirements
DM4 - Design
DM5 - Use of Resources and Sustainable Design

Site Allocations and Development Management Plan 2016

C6 - Accessible facilities
A3 - Cycle network
I4 - Water Infrastructure
ENV1 – Protection of trees, woodland, orchards and hedgerows
ENV2 - Tree Planting within New Developments
ENV4 – Archaeology
ENV5 - Development in the Vicinity of rivers and canals
D7 - Design Quality
D8 - Safety
D9 - A co-ordinated approach to development and highway planning
D13 - Public Art

Taunton Town Centre Area Action Plan 2008

Fp1 – Riverside - Development content
Fp2 – Riverside - Transport measures
Tr3 – Smarter Choices
Tr6 – Developer Contributions to Transport
Tr9 – Bus Priority
Tr10 – Cycle Schemes
Tr11 – Signing
F1 – Development in the Floodplain
ED1 – Design
ED2 – Public Art

Supplementary Planning Documents

Public Realm Design Guide for the Garden Town, December 2021
District Wide Design Guide, December 2021

Other relevant policy documents

Somerset West and Taunton Council's Climate Positive Planning: Interim Guidance Statement on Planning for the Climate Emergency (Version 2 March 2022)

Neighbourhood Plans

There is no made Neighbourhood Plan for the area

The National Planning Policy Framework

The revised National Planning Policy Framework (NPPF), last update July 2021 sets the Governments planning policies for England and how these are expected to be applied.

Relevant Chapters of the NPPF include:

2. Achieving sustainable development

3. Decision-making
5. Delivering a sufficient supply of homes
6. Building a strong, competitive economy
7. Ensuring the vitality of town centres
8. Promoting healthy and safe communities
9. Promoting sustainable transport
11. Making effective use of land
12. Achieving well-designed places
14. Meeting the challenge of climate change, flooding and coastal change
15. Conserving and enhancing the natural environment
16. Conserving and enhancing the historic environment

10. Local Finance Considerations

Community Infrastructure Levy

The application is for an access which is a development type where the Community Infrastructure Levy (CIL) is not charged. As such there would not be a CIL receipt for this development.

11. Material Planning Considerations

11.1. The main planning issues relevant in the assessment of this application are as follows:

- The principle of development
- Prematurity – development in advance of a Masterplan
- Layout, Transport, Movement and Active Travel
- Heritage and Archaeology
- Landscaping and Arboriculture
- Ecology
- Flooding and Drainage
- The impact on neighbouring residential amenity

Principle of Development

11.2. Delivering the redevelopment of the Firepool site is one of the Council's key corporate priorities and the three approvals granted in 2022 were important first steps towards achieving that objective.

11.3. The Firepool site has been vacant for over a decade and there is very strong support within the local community for it to be redeveloped. This application therefore represents an exciting proposition to establish the principle street and area of public realm for the development.

11.4. To properly perform the S38(6) duty the LPA has to establish whether or not the proposed development accords with the development plan as a whole. This needs to be done even if development plan policies "pull in different directions", i.e. some may support a proposal, others may not. The LPA is required to assess the proposal against the potentially competing policies

and then decide whether in the light of the whole plan the proposal does or does not accord with it. In these circumstances, the Officer Report should determine the relative importance of the policy, the extent of any breach and how firmly the policy favours or set its face against such a proposal.

- 11.5. The redevelopment of the application site which forms part of a key brownfield site (Firepool) within Taunton's Town Centre, is supported by the Development Plan and is an important part of its strategy for Taunton. The clear focus of long-established national and local planning policy is to secure sustainable patterns of redevelopment and regeneration through the efficient use of previously developed urban land and through concentrating development in accessible locations. Paragraph 120 c) states that planning decisions should give substantial weight to the value of using suitable brownfield land within settlements for development needs.
- 11.6. The Development Plan echoes the rhetoric of the above. The Core Strategy (Policy SP1) makes it clear that the Taunton urban area will remain the strategic focus for growth and will be the focal point for new development. It states that priority has been given to the regeneration and expansion of the town centre, with a number of strategic sites allocated in the adopted Taunton Town Centre Area Action Plan (2008). Meanwhile, Policy DM1 seeks to ensure new development makes the most effective and efficient use of land, giving preference to the recycling of previously developed (brownfield) land. It also sets out the scale of additional office and retail space that the vision for Taunton will require.
- 11.7. The adopted Taunton Town Centre Area Action Plan (TCAAP, adopted 2008) identifies Firepool as a focus for major regeneration within Taunton town centre. In the TCAAP, Firepool is comprised of a number of sites surrounding Taunton station, the Bridgwater & Taunton Canal and the River Tone, with individual policies allocating each site and identifying the policy expectations for development. Policies Fp1 and Fp2 of the TCAAP deal with "Riverside" which comprises land either side of the River Tone, the site of the former livestock market and other buildings on the north side, and former surface car park on Priory Bridge Road on the south side. The TCAAP states that "the primary role of this allocation will be as a strategic office site, providing the main focus for future office development in Taunton". The application site falls within the area allocated by Policies Fp1 and Fp2.
- 11.8. Policy Fp1 sets out the development content for the site as an office-led, mixed-use development comprising offices, retail and leisure, residential, multi-storey car park, hotel and other uses. Of key relevance to this application, policy Fp1 includes a requirement for the site to deliver "a 'boulevard' linking the railway station with the River Tone and Priory Bridge Road".

- 11.9. Policy Fp2 sets out the transport measures which will be required to accompany the development. Of key relevance to this application, policy Fp2 refers to the development providing “a priority bus and cycle route from the railway station via the boulevard to Priory Bridge Road, including high-quality provision for waiting passengers” and “high-quality pedestrian and segregated cycle routes along each bank of the River Tone”.
- 11.10. Numerous proposals have been tabled for the development of the Firepool site since its allocation, with a retail-led mixed-use scheme being refused in 2016 and an amended application approved with conditions in 2019 (38/17/0150). However, the 2019 permission is understood to have expired in March 2019. The 2019 retail-led permission included a pedestrian boulevard with retail uses fronting it.
- 11.11. However, circumstances have changed since the site was allocated in the TCAAP, and further still since the retail-led proposal was considered and approved, including:
- Markets for both town centre office and retail would appear to have changed quite significantly;
 - the COVID pandemic hit in early 2020, followed by an accompanying recession and plans for economic recovery to “build back better”;
 - Somerset West and Taunton Council came into being (April 2019);
 - the Council has declared a Climate Emergency (February 2019) and Ecological Emergency (November 2020) – setting out how it commits to working towards carbon neutrality by 2030 in the adopted Somerset Climate Emergency Strategy (October 2020) and SWT Carbon Neutrality and Climate Resilience Action Plan (October 2020);
 - the Council has set out its Vision for Taunton Garden Town (July 2019);
 - adopted a Garden Town Charter and Checklist (December 2019);
 - has adopted a Districtwide Design Guide SPD and Taunton Garden Town Public Realm Design Guide SPD (December 2021);
 - an Innovation Centre has been permitted by SCC on ‘Block 6’ of Firepool and an office, building, regeneration of the GWR building and proposals for the “northern boulevard” have been approved immediately to the north of this site. An application seeking to raise levels and deliver various drainage solutions across the part of the Firepool site north of the river and south of Canal Road (covering the current application site) has also recently been permitted.
 - The Government has published its “Gear Change” vision to make England a great walking and cycling nation, and Local Transport Note (LTN 1/20) cycle infrastructure design guidance.
 - The Taunton Local Cycling and Walking Infrastructure Plan (LCWIP) has been published and the Council is consulting publicly on “Connecting our Garden Communities” which builds on the LCWIP and will set out a plan for delivering modern and futureproofed walking and cycling links for key developments across Taunton Garden Town – including Firepool.

11.12. As such, some of the policy context for the site (specifically the development mix proposed by policy) is out of date. As a result, the Council, as Developer, is producing a Firepool Masterplan and accompanying Design Guidance, and the Council as LPA is working with the Developer to ensure that it can support the proposals. A Planning Performance Agreement has been signed between the two distinct parties within the Council with a view to working transparently and proactively in the development of the Masterplan. The intention is for the LPA to be able to approve a Masterplan as a means of providing an up to date, holistically considered and evidenced context which can act as a material consideration in the determination of subsequent individual planning applications for development within the site. The submission references this wider Masterplan work going on and includes indicative information in relation to surrounding plots to be covered by the Masterplan. A draft Masterplan is currently going through the democratic process with a recommendation to the Executive Committee on 16 November 2022 for there to be public consultation prior to seeking adoption as a material planning consideration.

Prematurity – Development in advance of Masterplan

- 11.13. The proposed area of public realm is being brought forward in detail in advance of similar detail for adjacent buildings and will be developed in advanced of any detailed planning permission being granted for such buildings. This is due to the availability of Future High Streets Funding, which is time limited.
- 11.14. The revised NPPF (July 2021) provides policy support for the application proposals. In addition to the presumption in favour of sustainable development, the following paragraphs are pertinent:
- Paragraph 38 states that decision-makers at every level should seek to approve applications for sustainable development where possible.
 - Paragraph 80 states that significant weight should be placed on the need to support economic growth and productivity.
 - Paragraph 118 states that planning decisions should give substantial weight to the value of reusing brownfield land within settlements and promote and support the development of under-utilised land and buildings.
- 11.15. So, in order to consider this application in as defined a context as possible and achieve the funding requirements and the aims and objectives of the NPPF the LPA has been working with the Council as applicant/developer, to develop a Masterplan with a revised mix of uses for the wider Firepool site. This will be subject to public consultation in the coming months before its adoption as a material planning consideration. It is understood the Council's objective is to commence enabling works, as soon as possible. Whilst ideally this application would have waited to be informed by a site-wide Masterplan the LPA is required to determine the application before it.

- 11.16. The LPA must therefore proceed on the basis that this planning application should be treated on its merits and on the balance of considerations applying the relevant policies in the Development Plan, the weight that can be given to them, and all material considerations including national policy.
- 11.17. If, due to the way the Southern Boulevard has been designed, it later causes a constraint to development potential, then any financial risk in this 'cart before the horse' approach lies with the applicant. This will ultimately only be known post-Masterplan when planning applications are submitted for assessment within the remaining parcels. The previous approval for the St Modwen scheme was a comprehensive development inclusive of infrastructure work led by a proposed final design where one knew where buildings were going to be located, trees planted, and roads constructed. The likelihood of issues occurring has been mitigated as far as possible by running the Masterplan process in parallel and with constant cross referencing and consultation with relevant stakeholders. As such it is considered the design of the Southern Boulevard is as robust and flexible as it can be at this moment in time.
- 11.18. Significant weight should also be given to the potential economic benefits, the value of re-using brownfield land by facilitating the actual delivery of development on a site that has lain vacant for over a decade which is supported by national and local policy. The availability of time-limited third-party funding for a site that has challenging economic viability is an opportunity too good to frustrate.
- 11.19. The Local Planning Authority also must assess whether the information it has within the Environment Statement is sufficient to determine the application now before it. The Local Planning Authority is of the view that based on the information submitted with and subsequently acquired in connection with the application is adequate to form the view that the application would not have any further environmental effects.
- 11.20. In conclusion on the general policy assessment, it is considered the proposed development accords with strategic non-site specific Core Strategy policies such as SD1 (Presumption in Favour of Sustainable Development), SP1 (Sustainable Development Locations) and SP2 (Realising the Vision for Taunton).

Layout, Transport, Movement and Active Travel

- 11.21. The proposal was presented to the SWT Quality Review Panel (QRP) in March 2022. The views given informed the application submission and included an increase in tree planting, the defining of character areas, provision for future bus connections, to consider and mitigate pedestrian/cyclist conflict, a greater landscape-led emphasis should be

enacted and the need to think holistically about the interrelationship with the wide masterplan and adjoining uses. The Southern Boulevard was then again reviewed when the emerging masterplan was considered by the QRP in August 2022. Again the role the whole of the Boulevard as a major part of the site in delivering active travel, biodiversity and green infrastructure was acknowledged. The QRP reports are attached as Appendix 2.

- 11.22. This application primarily provides for and encourages active travel by the inclusion of high-quality pedestrian and cycling infrastructure. The Firepool site forms an important part of the jigsaw in the TAAP aim to provide a cycle linkage from Vivary Park, through the town centre to the Railway Station, as well as the riverside route facilitating such to the wider hinterlands from the east into the town centre and visa versa.
- 11.23. Whilst a segregated cycle route is proposed through the boulevard it is likely in time, and this is being planned for in the Masterplan, that adjacent corridors would become (equally) more popular with users who would want to travel through the site (rather than use it as a destination). This is likely to result in the majority of boulevard cyclists using the route to reach a specific destination within that space. There are a number of locations where there could be potential conflict with pedestrians, and there will be a need to ensure that appropriate signage is provided to ensure that all users are aware of the expected priorities. Details of signage is covered by condition.
- 11.24. The planning and design of a new space such as the Boulevard requires consideration and assessment for use by those with disabilities. The application has been presented to and received feedback from the SWT Disability Forum and RNIB. Details of the application were also sent to Taunton Disability Action Group. An Equality Impact Assessment will be undertaken by the Council prior to works commencing. Changes to the scheme have already been made to address concerns and this includes increasing visibility at key intersections, provision of appropriate textured paving to guide those with visual impairments and the provision of a ramp to the water feature.
- 11.25. The other significant part of the application is the Riverside cycleway/footpath which will connect from the multi-functional space eastwards to the existing bridge. Some discussion has taken place during the application process as to the desired width of this segregated route, which will, in time, continue further east, alongside the river to Firepool Lock. This discussion has boiled down to what LTN 1/20 requires and has led to a proposed 3m segregated cycleway and 2m wide separate footway for pedestrians, which is agreeable. The cycleway/footpath is separated from the river by an avenue of trees and a planted strip.
- 11.26. On the back edge of the cycleway/footpath will be lighting which has been specifically designed to avoid spill onto the river and protect bats. Whilst

there was initial concern about lighting, the revised design and the proposed specification has quelled those concerns and means the riverside path will be safer than it would be unlit.

- 11.27. The Boulevard similarly includes lighting to enhance features, encourage the night-time economy, to create vibrancy and contribute towards public safety.
- 11.28. In terms of vehicular traffic the most notable impact is the crossing of Canal Road by the Boulevard. This will prevent vehicles being able to travel any further east than the approved access to the new SCC Innovation Centre and requires a Stopping Up Order which is ongoing. The proposed stopping up of Canal Road also has some implications for the recorded Right of Way. The application will be conditioned to allow phasing, in the event the stopping order frustrates the area of the Boulevard crossing Canal Road then the remainder of the Boulevard can still go ahead as planned and as funded.
- 11.29. The point at which the Boulevard crosses Canal Road is designed to allow for future use as a bus gate if necessary. There are no current plans to bring a bus route from Trenchard Way into the site and out onto Priory Bridge Road via Canal Road, but the allowance has been made just in case. This 'built for not with' allowance seeks to address the policy aspiration set out in Policy Fp1 which sought a bus route through the site on a northeast to southwest axis, to continue through to the Morrisons supermarket site and onwards into the town centre. SCC has no plans for such a route and the Morrisons site is currently not available for redevelopment and as such the Boulevard design, other than the bus gate opportunity, does not facilitate such a route. If the Morrisons site did become available and there was a desire for a bus route through it and/or through the Firepool site at that time then Canal Road still could provide that connectivity option.
- 11.30. A further important role of the boulevard to consider is that of cricket fans arriving by train. Cricket fans would presumably head by foot/cycle along the boulevard, potentially visiting the uses along it and then cross Priory Bridge Road to the County Ground. At the southern end of the boulevard the proposals skirt around the top of the proposed multi-functional space and link to relocated and improved stairs up to Priory Bridge Road, but then there is no crossing facility here towards the County Ground. The lack of a crossing here highlights a wider issue with the site and the piecemeal approach and that is the fact the detailed applications to date really only look to solve issues within the red-line and do not cater for onward connectivity. This is a matter for the Masterplan to resolve; or in this specific case of a crossing it may be felt this is as much an issue for the Cricket Club themselves to resolve.
- 11.31. One area which requires attention as part of this application it is felt is the general environment under the bridge at Priory Bridge Road as it does not

accord with the general objective for a high quality link between the town centre and the railway line. The applicant is aware of the matter and a condition will be imposed.

- 11.32. This is made more important because initially a bridge was proposed from the multi-functional space to the south side. This was removed when the purpose and value of the bridge, given the cost, was explored further. For cyclists it is better to keep to the north side where the headroom under the Priory Bridge is better than on the south side and the width of cycle path along to the Bandstand area is wider than that on the south side behind the County Cricket Ground. In addition, there is already a bridge just further west and a new bridge proposed at the Bandstand area. The potential for a bridge serving Firepool is contained at requirement g) in Policy FP2.
- 11.33. In terms of the general design the palette of materials and the type of street furniture echoes that already approved in the Northern Boulevard and the requirements of the SWT Public Realm Design Guide. The guide seeks to ensure a consistent approach to public realm throughout Taunton Town Centre.
- 11.34. With respect to Public Art the submitted strategy is welcomed. The boulevard and public realm within will need to play an important role in providing for public art at Firepool. However, neither this document nor the planning statement refer to the important locational and site specific guidance re public art included within the Town Centre Design Code SPD or the Taunton Public Art Design Code. There is also important guidance on public art and integration within site design and public realm within both the Districtwide Design Guide SPD and the Taunton Garden Town Public Realm Design Guide SPD. The applicant's approach to public art has been to propose a condition requiring the submission of a specific scheme within 6 months of starting this scheme on site. Members may wish to amend this condition or strengthen/guide its requirements further.
- 11.35. Overall, considering the extent and nature of the application it achieves requirements h), j), k) and l) of the TTAAP and doesn't prejudice future adherence with the remaining requirements of Policy Fp1.
- 11.36. Similarly, when assessing Policy Fp2 the application contributes towards requirements b), f) and h). Requirement d), namely a priority bus and cycle route from the railway station via the boulevard to Priory Bridge Road also covered by Tr9 (Bus Priority), is discussed above, as is requirement g) shared pedestrian and cycle bridges across the River Tone. This application doesn't prejudice future adherence with the remaining requirements of Policy Fp2.
- 11.37. The proposal, insofar as it promotes low-carbon/active travel accords with Core Strategy policies such as CP1 (Climate Change, CP5 (Inclusive

Communities), CP6 (Transport and Accessibility), CP7 (Infrastructure), CP8 (Environment), DM1 (General Requirements) and DM5 (Use of Resources and Sustainable Design), SADMP Policy A3 (Cycle Network) and Policies Tr3 (Smarter Choices), Tr6 (Developer Contributions to Transport), Tr10 (Cycle Schemes), Tg4 (Pedestrian and Cycle Network) of the TTAAP and Somerset West and Taunton Council's Climate Positive Planning document.

- 11.38. In terms of Design the development accords with Core Strategy policies DM4 due to the presence of and adherence to the TTAAP, ED1 (Design) and ED3 (Mixed Use), SADMP Policy D7, D8 and D9 and the Public Realm Design Guide for the Garden Town. For the general accessibility of facilities it accords with Policy C6 of the SADMP as well as its approach to Public Art, Policy D13.

Heritage and Archaeology

- 11.39. There are a number of designated heritage assets in the immediate vicinity surrounding the site including the Firepool Pumping Station, a cluster of buildings around Taunton Station, GURDS and the Former Shirt and Collar Factory Premises of Barnicotts Limited Printers, all of which are Grade II Listed, plus Staplegrove Road Conservation Area. These heritage assets will not be adversely impacted by the proposal. SADMP policy ENV4 is relevant. The views of the SWT Conservation Officer are noted.
- 11.40. The alignment and design of the boulevard also present a significant vista towards St James' Church and Taunton Minster, the Church of St Mary Magdalene.
- 11.41. Impact on the Canal – The lock has been identified as a non-designated heritage asset. Policy ENV5 of the SADMP is also relevant. It is considered the proposed Boulevard and riverside cycle/footway pose no setting issues to the lock.
- 11.42. With respect to archaeology, a Written Scheme of Investigation (WSI) supported the previous application for Levels and Drainage – 38/21/0440 and a condition referring to its implementation has been imposed in that consent. Given it is suggested this application is conditioned to only commence once that previous consent has been fully implemented then archaeological interests will be preserved.
- 11.43. In light of the above, it is considered that the proposals comply with the NPPF and Policy CP8 of the Core Strategy as well as Policies ENV4 and ENV5 of the SADMP.

Landscaping and Arboriculture

- 11.44. Policy ENV1 provides for the protection of trees and other green infrastructure, seeking for development to minimise its impact in this respect or otherwise providing adequate replacement tree provision to compensate.
- 11.45. There are very few, if any trees, or indeed any greenery, of any significance on the site. One category B sycamore on the boundary with Priory Bridge Road has some presence and is to be retained. Tree protection fencing will be conditioned for this tree.
- 11.46. There are several small lime trees along the riverbank which will be removed as part of application 38/21/0440.
- 11.47. Policy ENV2 seeks to encourage the planting of new trees in a development and this application proposes significant urban tree planting which more than compensates losses and provides the green infrastructure backbone to the proposal. The views of the SWT Tree Officer are noted and suitable conditions will be imposed.

Ecology

- 11.48. An accompanying Ecological Statement describes the site as of low ecological interest and opines there will be no impact on designated sites in the area.
- 11.49. In terms of Biodiversity Net Gain (BNG) the site is starting from a low base but does have a river frontage. The National Planning Policy Framework makes clear the current expectations for development to achieve BNG in England. The Framework states underneath section 15, paragraph 174 (d) that development should contribute to enhancing the natural environment by *'minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures'*. The Environment Act strengthens this requirement for BNG, however, there is currently a transition period for the Act, and it is expected that 10% BNG will become mandatory in the winter of 2023. Once the relevant provisions are in force, the Act mandates projects under the Town and Country Planning Act 1990 to achieve a minimum of 10% BNG. So whilst this project is not legally required to achieve a 10% BNG, it is recognised that the applicant is targeting more than a 10% BNG.
- 11.50. The BNG assessment undertaken indicates a 20% gain, the enhancements in hedge/shrub planting, rain garden creation, pond/water feature creation, circa 100 street trees and grassland improvement on the riverbank all contribute to achieving this.

- 11.51. External lighting has been a matter of some discussion especially alongside the river, which has public access at present but is unlit. A delicate balance has been achieved to promote use of the site at night and maintain public safety whilst acknowledging and mitigating potential wildlife impacts.
- 11.52. In light of a court Judgement (known as Dutch N), Natural England have advised the Local Planning Authority that in light of the unfavourable condition of the Somerset Levels and Moors Ramsar Site, before determining a planning application that may give rise to additional phosphates within the catchment, competent authorities should undertake a Habitats Regulations Appropriate Assessment. However, the application proposals do not contain any of the uses which would give rise to an increase in nutrient loadings at the wastewater treatment works and so a project level Appropriate Assessment is not required to be undertaken in this case (see Paragraph 7 above).
- 11.53. In light of the above, it is considered that the development complies with the NPPF and the relevant criterion (c) within Policy DM1 of the Core Strategy.

Flooding and Drainage

- 11.54. The area of the Firepool site covered by this application currently falls within Flood Zones 2 and 3 (the zones of medium and highest risk respectively). Due to the location of the site, the flood risk source is fluvial and specifically from the overtopping of the adjacent River Tone.
- 11.55. One aim of the previously approved application 38/21/0440 was to raise the level of the Firepool site out of the flood risk zone hereby making it appropriate for residential, commercial and retail development. Once those works are undertaken this proposed application simply involves the top final dressing. As such so long as application 38/21/0440 is fully implemented then this application does not pose any additional flood risk and itself will be protected from flood events. It is therefore appropriate that the commencement of this application is predicated on the completion of application 38/21/0440 and a condition to this effect is suggested.
- 11.56. In light of the above, it is considered that the development complies with the NPPF and Policies CP1, CP7 and CP8 of the Core Strategy, and I4 of the SADMP.

Impact on Residential Amenity

- 11.57. Works of the nature proposed here inevitably cannot be undertaken without some impact on residents. Policy DM1 outlines that potential noise pollution which could adversely impact amenity of residents or occupants of a site should be appropriately dealt with. To mitigate as far as possible these impacts a Construction Management Plan will be secured via condition. It is

also worth acknowledging that it is entirely possible that several projects within the domain of Firepool will be carried out at the same time. As such clear lines of communication with local residents is imperative.

Other issues

- 11.58. The Green Infrastructure Officer has raised a concern relating to the size of the multi-functional space and thereby the extent of hard surfacing. The shape and design of this space has evolved over time and has been 'green-up' to address concerns. However, as the name implies the ability to hold a variety of different functions and activities is at the very heart of its provision to ensure Firepool is a destination and as a place where people can dwell in a unique riverfront environment. The nature of events to be held in the space is not known but the aspiration is evident, as such it is a matter of opinion as to whether it is too large or not green enough.
- 11.59. Wessex Water has commented on access to their syphon infrastructure and the applicant is agreeing the access routes that can be provided in the short and medium term whilst the development is taking place. The site wide Masterplan proposes a long-term solution but that is still a long way of fruition. A solution will have to be found and so this is not felt to be a reason to withhold the application from progressing.

12. Planning Balance and Conclusion

- 12.1. Delivering the redevelopment of the Firepool site is one of the Council's key corporate priorities and this planning application proposal is another vital step towards achieving that objective. The Firepool site has remained vacant for over a decade and there is strong support within the local community for it to be redeveloped. A new Masterplan and revised mix of uses for the wider Firepool site is being prepared and the Council's objective is to deliver the site itself, starting with the commencement of enabling work on the application site as soon as possible.
- 12.2. Whilst that Masterplan is being produced this planning application should be treated on its merits and on the balance of considerations, applying the relevant policies in the Development Plan, the weight that can be given to them, and all material considerations including national policy. It is concluded that the proposal accords with the Development Plan, read as a whole.
- 12.3. Significant weight should be given to catalytic effects of this proposal to finally realise the economic benefits of the wider proposals, the value of re-using brownfield land, the intended high quality of the overall regeneration project and that the application will facilitate the actual delivery of

development on a brownfield site that has remained vacant for over a decade.

- 12.4. The recorded concerns and objections have been replicated, explained, and assessed in this report, balanced against a series of material considerations.
- 12.5. It is considered that the tangible benefits of the scheme outweigh any minor residual concerns. For the reasons set out above, having regard to all the matters raised, it is therefore recommended that planning permission is granted subject to the stated conditions set out in full in Appendix 1.
- 12.6. In preparing this report the Case Officer has considered fully the implications and requirements of the Human Rights Act 1998 and the Equality Act 2010.

Appendix 1 – Planning conditions and informatives

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 and documents:

FB5-AHR-S1-XX-DR-L-08100_P03	Location Plan
FB5-AHR-S1-XX-DR-L-08101_P04	Existing Site Plan
FB5-AHR-S1-XX-DR-L-08102_P04	Proposed Site Plan in Context of Wider Site
FB5-AHR-S1-XX-DR-L-08200_P04	Proposed Site Plan
FB5-AHR-S1-XX-DR-L-08220_P04	Hard Landscape Plan
FB5-AHR-S1-XX-DR-L-08224_P04	Street Furniture Plan
FB5-AHR-S1-XX-DR-L-08230_P04	Soft Landscape Plan
FB5-AHR-S1-XX-DR-L-08300_P06	Site Sections (Sheet 1)
FB5-AHR-S1-XX-DR-L-08301_P06	Site Sections (Sheet 2)
FB5-AHR-S1-XX-DR-L-08400_P03	Rivers Edge Proposed Sections
FB5-AHR-S1-XX-DR-L-08500_P01	Tree Pit Details
21137_105 (P1)	Phasing Plan
21137_152 (P3)_	General Arrangement Boulevard
21137_503 (P3)_	Boulevard Drainage Layout
21137_550 (P1)_	Section through Boulevard Swale
	Drainage Construction Details
	Southern Boulevard
21137_SKC15 (P2)_	Southern Boulevard Tanker Swept Path

 - Planning Statement by Avison Young dated 17 May 2022;
 - Design and Access Statement P04 by AHR
 - 1610 - Southern Boulevard Lighting and Power Proposals Rev 3 by Method Consulting
 - 1610OTF-MET-SB-XX-RP-ME-6301 Relux Report Rev 5

- 1610OTF-MET-SB-XX-SH-E-6383 External Luminaire schedule P03 by Method Consulting
- 1610OTF-MET-ZZ-SB-DR-E-6304-S2-P03_External Lighting Southern Boulevard by Method Consulting
- 1610OTF-MET-ZZ-SB-DR-M-9002-S2-P03_External Services Southern Boulevard
- 21137 Southern Boulevard Works Ground Conditions Assessment Report V2 by Jubb
- 21137 Flood Risk and Drainage Strategy V2 by Jubb
- 21137 TN08 Cycle Assessment Note V3 by Jubb
- CR1073 – Heritage Note 22 April 2022 by Cotswold Archaeology (Southern Boulevard)
- Archaeology WSI by Cotswold Archaeology (Approved for Wider Firepool Site Drainage and Enabling Works) October 2021
- Heritage Desk Based Assessment by Cotswold Archaeology (Approved for Wider Firepool Site Drainage and Enabling Works) July 2020
- Ecological survey by Cotswold Wildlife Surveys v2 dated 17 May 2022
- Ecological Impact Assessment by GE Consulting dated 11 October 2022
- Biodiversity Checklist by Avison Young
- Tree Survey by Aspect (Firepool Site Wide) June 2021
- Tree Constraints Plans Sheets 1-7 (Firepool Site Wide) June 2021
- Statement of Community Involvement by Avison Young dated 17 May 2022
- Public Art Strategy v02 by Ginkgo
- Climate Emergency Checklist and Sustainability Checklist by Avison Young
- Environmental Statement Addendum for Southern Boulevard by Avison Young May 2022

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

3. The development hereby approved shall not be commenced until it has been confirmed and demonstrated that application 38/21/0440 has been sufficiently completed, unless otherwise agreed in writing. Reason: To ensure measures to remediate the land from contamination and reduce flood risk have been suitably completed. Reason: To ensure future users are not at risk from ground contamination or flood risk to accord with the National Planning Policy Framework.
4. No development shall take place in the area identified as Phase 2 on Phasing Plan 21137_105 (P1) until and unless a formal Stopping Up of Highway Order relating to Canal Road has been granted. Prior to the commencement of Phase 2, on Phasing Plan 21137_105 (P1) bridleway rights must be secured to the satisfaction of the Local planning Authority, to replace the connection that will be lost by the stopping up of Canal Road. Reason: In the interests of proper planning and highway management.
5. Once the planning application has commenced the bridge across the River Tone located to the east of the proposal shall only be used thereon by pedestrians, cyclists, maintenance vehicles in connection with the wider Firepool site or for controlled and managed access to the amphitheatre known

as Waterfront Place hereby approved. Within 2 weeks of site works commencing details of removable bollards (or similar alternative) to be located at each end of the bridge shall have been submitted to, approved in writing by the Local Planning Authority and installed in accordance with the approved details. Alongside this detail a scheme shall be submitted to and approved detailing how access will be managed. The development shall be carried out in accordance with the approved scheme. Reason: In the interests of pedestrian and cyclist safety to accord with the National Planning Policy Framework.

6. Within 6 months from the commencement of work the applicant shall submit to the Local Planning Authority for approval a scheme for the installation of the first phase of public art within the southern boulevard. The scheme shall also include a timetable for installation. Once approved the agreed scheme shall be fully implement in accordance with the agreed timetable. Reason: To accord with Policy D13 of the SADMP.
7. Notwithstanding the approved plan DrNo. FB5-AHR-S1-XX-DR-L-08224_P04 details of all street furniture shall be submitted to and approved in writing by the Local Planning Authority before installation. Reason: To ensure compliance with the SWT Public Realm Design Guide.
8. Prior to the first public use of any part of the development hereby approved a scheme for the improvement of the public realm immediately underneath and immediately adjoining Priory Bridge, Priory Bridge Road, including a timetable for implementation, shall of first been submitted to and approved by the Local Planning Authority. The scheme should include the enhancement of surfacing, landscaping, lighting and the functionality for cyclists, pedestrians and those with mobility impairments. The scheme shall also demonstrate best endeavours to include measures to extend, enhance and connect the existing riverbank wildlife corridor. Reason: To accord with Policies Fp1 and Fp2 of the Taunton Area Action Plan, Policy CP8 of the Core Strategy and Policies D7, D8 and ENV5 of the SADMP.
9. Prior to the first public use of any part of the development hereby approved a scheme of signage and wayfinding shall of first been submitted to, approved by the Local Planning Authority and fully implemented in accordance with the approved details. The scheme shall include signage to direct to key destinations within and outside the site and include instruction to cyclists. Reason: To accord with Policy Tr11 of the Taunton Area Action Plan.
10. Prior to the first public use of any part of the development hereby approved a scheme to discourage misuse of the public realm through anti-social behaviour associated with skateboarding shall of first been submitted to, approved by the Local Planning Authority and fully implemented in accordance with the approved details. Reason: To ensure potential conflicts with the use of the site and those with disabilities is well considered to accord with Policy D8 of the SADMP.
11. A revised landscaping/planting scheme informed by DrNo. FB5-AHR-S1-XX-DR-L-08230_P04_P1 shall be submitted to and approved by the Local Planning Authority prior to any soft landscaping works taking place. The scheme shall include all tree species and details of a watering regime and five-year maintenance plan for all trees. A specific scheme of planting to enhance biodiversity on the riverbank and adjacent planting buffer shall be submitted as part of the revised landscaping/planting scheme.

The agreed landscaping/planting scheme shall have been completely carried out by the end of the first available planting season after the first use of the development by the public. For a period of ten years after the completion of the development, the trees and shrubs shall be protected and maintained 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 'landscape led' development benefits from the approved landscaping scheme in the interests of visual amenity, ecological enhancement and landscape character in accordance with Policy CP8 of the Taunton Deane Core Strategy and Policy ENV2 of the SADMP.

12. No development shall take place (including investigation work, demolition, siting of site compound/welfare facilities) until a survey of the condition of the adopted highway has been submitted to and approved in writing by the Local Planning Authority. The extent of the area of adopted highway to be surveyed must be agreed by the Highway Authority prior to the survey being undertaken. The survey must consist of:
- a) A plan to a scale of 1:1000 showing the location of all defects identified;
 - b) A written and photographic record of all defects with corresponding location references accompanied by a description of the extent of the assessed area and a record of the date, time and weather conditions at the time of the survey.
 - c) A timetable for the 'making good' of any defects (in this regard all work should be to the satisfaction of the Highway Authority)

Reason: To ensure that any damage to the adopted highway sustained throughout the development process can be identified and subsequently remedied at the expense of the developer in the interest of highway safety to accord with the National Planning Policy Framework.

13. Provision shall be made within the site for the disposal of surface water so as to prevent its discharge onto the highway, details of which shall have been submitted to and approved in writing by the Local Planning Authority. Such provision shall be installed in accordance with a timescale that shall have first been agreed in writing with the Local Planning Authority prior to the commencement of works. Reason: In the interest of localised flooding to accord with the National Planning Policy Framework.

14. No development shall take place (including site clearance and any other preparatory works) until a scheme for the protection of trees to be retained has been submitted to and approved in writing by the Local Planning Authority. Such a scheme shall include a plan showing the location of the protective fencing and shall specify the type of protective fencing, all in accordance with BS 5837:2012. Such fencing shall be erected prior to commencement of any other site operations and at least two working days' notice shall be given to the Local Planning Authority that it has been erected. The fencing shall be maintained and retained for the full duration of development works or until such time as agreed in writing with the Local Planning Authority. No activities whatsoever shall take place within the protected areas without the prior written agreement of the Local Planning Authority. Reason: To ensure the enhancement of the development by the retention of existing trees and natural features during the construction phase.

15. No development approved by this permission shall be commenced until a plan is submitted demonstrating there is no loss of cross section area within the river channel because of the works, and that the riverbank slope is safe to allow maintenance by hand. This to be approved by the LPA. Reason: To prevent the increased risk flooding and to allow safe maintenance to accord with the National Planning Policy Framework.
16. No development approved by this permission shall be commenced until a scheme for prevention of pollution during the construction phase has been approved by the LPA. The scheme should include details of the following:
 - a) Site security.
 - b) Fuel oil storage, bunding, delivery and use.
 - c) How both minor and major spillage will be dealt with.
 - d) Containment of silt/soil contaminated run-off.
 - e) Disposal of contaminated drainage, including water pumped from excavations.
 - f) Site induction for workforce highlighting pollution prevention and awareness. Invitation for tenders for sub-contracted works must include a requirement for details of how the above will be implemented.Reason: To prevent pollution of the water environment to accord with the National Planning Policy Framework.
17. If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the local planning authority) shall be carried out until a remediation strategy detailing how this contamination will be dealt with has been submitted to, and approved in writing by, the local planning authority. The remediation strategy shall be implemented as approved. Reason: To prevent increased risk of pollution to the water environment to accord with the National Planning Policy Framework.
18. No development shall commence on any phase (including demolition, ground works, vegetation clearance) until a Construction Environmental Management Plan has been submitted to and approved in writing by the Local Planning Authority for that identified phase or works. In discharging this condition the following information shall be supplied:
 - a) A 24-hour emergency contact number;
 - b) Locations for the storage of all plant, machinery and materials;
 - c) Details of fuel oil and chemical storage, bunding, delivery and use, including how both minor and major spillages will be dealt with.
 - d) Construction vehicle routes to and from site including any off-site routes for the disposal of excavated material;
 - e) The proposed hours of operation of construction activities;
 - f) Construction delivery hours;
 - g) Expected number of construction vehicles per day;
 - h) Car parking for contractors;
 - i) A scheme to encourage the use of Public Transport amongst contractors;
 - j) Measures to avoid traffic congestion impacting upon the Strategic Road network;
 - k) Measures to protect vulnerable road users (cyclists and pedestrians);
 - l) Any necessary temporary traffic management measures;
 - m) Arrangements to receive abnormal loads or unusually large vehicles;

- n) Site security, inclusive of details of all bunds, fences and other physical protective measures to be placed on the site including the time periods for placing and retaining such measures;
- o) The control and removal of spoil and wastes;
- p) Containment of silt/soil contaminated run-off;
- q) Disposal of contaminated drainage, including water pumped from excavations;
- r) Measures to prevent the pollution of surface and ground water arising from the storage of plant and materials and other construction activities;
- s) The frequency, duration and means of operation involving demolitions, excavations, drilling, piling, and any concrete production;
- t) Sound attenuation measures incorporated to reduce noise at source (to include specific reference to piling activities);
- u) Details of measures to be taken to reduce the generation of dust;
- v) Site induction for workforce highlighting pollution prevention and awareness;
- w) Specific measures to be adopted to mitigate construction impacts in pursuance of the Environmental Code of Construction Practice; and
- x) Methods of communicating the Construction Management Plan to staff, visitors and neighbouring residents and businesses.

The agreed Construction Environmental Management Plan shall thereafter be implemented in full unless otherwise agreed in writing by the Local Planning Authority. Reason: In the interests of highway safety, to protect the amenities of nearby properties during the construction of the development and to protect the natural and water environment from pollution.

19. A Landscape and Ecological Management Plan (LEMP) shall be submitted to, and be approved in writing by, the Local Planning Authority prior to first occupation of the development. The content of the LEMP shall include the following:

- a) Description and evaluation of features to be managed.
- b) Ecological trends and constraints on site that might influence management.
- c) Aims and objectives of management.
- d) Appropriate management options for achieving aims and objectives.
- e) Prescriptions for management actions.
- f) Preparation of a work schedule (including an annual work plan capable of being rolled forward over a five-year period).
- g) Details of the body or organization responsible for implementation of the plan.
- h) On-going monitoring and remedial measures. The LEMP shall also include details of the legal and funding mechanism(s) by which the long-term implementation of the plan will be secured by the developer with the management body(ies) responsible for its delivery.

The LEMP shall also set out (where the results from monitoring show that conservation aims and objectives of the LEMP are not being met) how contingencies and/or remedial action will be identified, agreed and implemented so that the development still delivers the fully functioning biodiversity objectives of the originally approved scheme. The approved LEMP will be implemented in accordance with the approved details. Reason: In the interests of the 'Favourable Conservation Status' of populations of

European and UK protected species, UK priority species and habitats listed on s41 of the Natural Environment and Rural Communities Act 2006.

Notes

1. In accordance with the National Planning Policy Framework the Council and relevant statutory consultees have worked in a constructive and pro-active way with the applicant to find solutions to problems in order to reach a positive recommendation and to enable the grant of planning permission.
2. Development, insofar as it affects the rights of way should not be started, and the rights of way should be kept open for public use until the necessary Order (temporary closure/stopping up/diversion) or other authorisation has come into effect/ been granted. Failure to comply with this request may result in the developer being prosecuted a footpath is built on or otherwise interfered with.
3. The applicant is advised to contact Network Rail Asset Protection Team via at least 3 months before works commence to determine the interface with Network Rail assets, buried or otherwise and by entering into a Basis Asset Protection Agreement, if required.
4. The applicant is advised to consider the comments from the Crime Prevention Officer (Avon and Somerset Constabulary) dated 9 June 2022.
5. In order to fully implement the development hereby approved here is a requirement for a stopping up order to be processed before any works could commence within Canal Road, and the applicant should note the requirement for an appropriate licence / agreement to cover any works that could affect Priory Bridge Road.
6. With respect to Condition 04 - The development includes the carrying out of work on the adopted highway. You are advised that before undertaking work on or affecting the adopted highway (including any structure) you must enter into a highway agreement under Section 278 of the Highways Act 1980 with the Council, which would specify the works and the terms and conditions under which they are to be carried out. NB: Planning permission is not permission to work in the highway. A Highway Agreement under Section 278 of the Highways Act 1980 must be completed, the bond secured and the Highway Authority's technical approval and inspection fees paid before any drawings will be considered and approved.
7. With respect to Condition 08 the aspiration in imposing the condition is to seek viable and proportionate improvements to the general environment underneath and immediately adjacent to the bridge which forms a part of the general linkage between Firepool and the town centre. This will require the facilitation of discussions with the Highway Authority with it being understood the Highway Authority will have final say on what is and isn't possible and that the Highway Authority or others may have some responsibility to undertake or could be encouraged to make certain improvements themselves. The timetable may phase various improvements to take place before and after the first use of the development. The condition is not envisaged to be a barrier to development but seek best endeavours to improve an existing situation.
8. With respect to Condition 13 - Any systems provided for the purposes of draining the site shall be constructed and maintained privately until such time as the drainage is adopted. At no point will the Highway Authority accept private infrastructure being connected into highway drainage systems.

- Consent from the riparian owner of any land drainage facilities affected, that are not within the developer's title, will be required for adoption.
9. The applicant should ensure there is an appropriate signed alternative to the Sustrans promoted route during the course of construction works.
 10. The applicant is advised of these comments from the Environment Agency-
 - a) The applicant should ensure measures are taken to prevent the runoff of any contaminated drainage during the construction phase.
 - b) Any oil or chemical storage facilities should be sited in bunded areas. The capacity of the bund should be at least 10% greater than the capacity of the storage tank or, if more than one tank is involved, the capacity of the largest tank within the bunded area. Hydraulically inter-linked tanks should be regarded as a single tank. There should be no working connections outside the bunded area.
 - c) There shall be no discharge of foul or contaminated drainage from the site into either groundwater or any surface waters, whether direct to watercourses, ponds, or lakes, or via soakaways/ditches.
 - d) Any waste generated must be disposed of in accordance with Waste (England and Wales) Regulations 2011.
 - e) If waste material is brought onto site for construction purposes, the developer should ensure that appropriate permits are held according to Waste (England and Wales) Regulations 2011.
 - f) This development will require a permit under the Environmental Permitting (England and Wales) Regulations 2010 from the Environment Agency for any proposed works or structures, in, under, over or within eight metres of the top of the bank of the River Tone, designated a 'main river'. This was formerly called a Flood Defence Consent. Some activities are also now excluded or exempt. A permit is separate to and in addition to any planning permission granted. Further details and guidance are available on the GOV.UK website: <https://www.gov.uk/guidance/flood-risk-activities-environmental-permits>. The need for an Environmental Permit is over and above the need for planning permission. To discuss the scope of the controls please contact the Environment Agency on 03708 506 506. Some activities are now excluded or exempt; please see the following link for further information: <https://www.gov.uk/guidance/flood-risk-activities-environmental-permits>.

Appendix 2 – Quality Review Panel Reports (March 2022 and August 2022)



Somerset West and Taunton Quality Review Panel

Report of Formal Review Meeting: Firepool

Monday 15 August 2022
Via Zoom

Panel

Andrew Beharrell (chair)
Irfan Alam
Lise Benningen
Gabriela Costa
Phil Jones

Attendees

Simon Fox	Somerset West and Taunton Council
Fiona Webb	Somerset West and Taunton Council
Omri Ben-Chetrit	Somerset West and Taunton Council
Jennifer Clifford	Somerset West and Taunton Council
Sarah Leete-Groves	Somerset West and Taunton Council
Dan Friel	Somerset County Council
Edward Bailey	Frame Projects
Abigail Joseph	Frame Projects

Apologies / report copied to

Alison Blom-Cooper	Somerset West and Taunton Council
Graeme Thompson	Somerset West and Taunton Council
Kate Murdoch	Somerset West and Taunton Council
Deborah Denner	Frame Projects

Confidentiality

This is a pre-application review, and therefore confidential. As a public organisation Somerset West and Taunton Council is subject to the Freedom of Information Act (FOI) and, in the case of an FOI request, may be obliged to release project information submitted for review.

CONFIDENTIAL

1. Project name and site address

Firepool, Canal Road, Taunton, TA1 1QS

2. Presenting team

Tim Bacon	Somerset West and Taunton Council
Joe Wharton	Somerset West and Taunton Council
Rachel Papworth	J Price Consulting
Jim Price	J Price Consulting
Adam Spall	AHR Architects
Elliott Kelly	Avison Young
Peter Stockall	Avison Young
David Gwilliam	Jubb

3. Planning authority briefing

The Firepool masterplan was subject to review by the panel on 30 September 2021. The Southern Boulevard proposals, within the masterplan site, were presented to the panel on 14 March 2022. Since the review meeting in September 2021, there have been several changes to the planning context, including a number of proposals within the site which have been conditionally granted planning permission. A planning application has also been submitted for the Southern Boulevard.

Since the last review meeting, the Council has adopted the *district wide Design Guide SPD* and *Taunton Garden Town Public Realm Design Guide SPD*. These documents are material considerations in the determination of planning applications. It has also approved version two of the Royal Town Planning Institute Award-winning Climate Positive Planning guidance, and approved a *Net Zero Carbon Toolkit*.

The Council has just launched public consultation on the draft *Connecting our Garden Communities* plan. This plan sets out aspirations for delivery of a network of walking and cycling routes across the town.

Overall, the Council considers the masterplan to have developed in a positive way since the review in September 2021. However, officers still have concerns and requested the panel's views in particular on the following issues:

- opportunities to achieve a lower ratio of car parking
- whether the masterplan will facilitate active travel modes and integrate successfully with wider walking and cycling routes
- scale, massing and relationship with context, including heritage assets
- passive solar and thermal design vs use of technology, especially in relation to single aspect homes
- energy / sustainability strategy
- the boundary treatment and typology of the eastern town house block
- biodiversity including on land and the water's edge;
- green infrastructure.



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4. Quality Review Panel's views

Summary

The panel welcomes the changes which have been made to the masterplan, including the decision to break up some of the residential blocks. However, it continues to feel that the scheme should do more to respond to the site's river front location. Alongside the Council's commitments to environmentally responsive design, the River Tone and its distinctive landscape character should be at the heart of placemaking for Firepool. Reducing the amount of hard landscaping, could allow the river's character to permeate the public realm. The panel also encourages further thought about reducing the sense of car dominated streets, to create a pedestrian and cyclist friendly environment. The panel has concerns with the proposed scale of the large apartment blocks along the river and the commercial quarter along the western edge – and asks the team to revisit this. It welcomes the idea of an east-west greenway and thinks its design should maximise soft landscaping, and minimise hard surfaces. The panel also encourages the team to revisit the site's 'gateways', in particular the public realm in the northeast corner. These spaces should have a strong sense of purpose and character, and drawing on the changing character of the River Tone could help inform their design. The panel is supportive of the design quality aspirations but urges the team to carefully consider how best to secure this through the planning process. These comments are expanded below, and points made at the previous review have been repeated for clarity.

Overall approach

- The panel welcomes the changes made since the previous meeting, such as the decision to break up the blocks along the river edge and the introduction of some additional soft landscaping between them.
- The River Tone is a significant asset of the site, and the panel continues to feel that the masterplan is not yet making the most of its location.
- It understands there are constraints to consider, including the Environment Agency requirement for an 'exclusion zone' along the river. Nevertheless, the team should further consider how the river's qualities and character can permeate into the masterplan. This work should also explore the potential to incorporate a greater sense of activity along the river.
- The panel continues to be concerned with the amount of hard surfacing and hard edges included within the proposals. It urges the team to consider how this can be reduced.
- There are several 'gateway' sites and nodal points in the masterplan, including the amphitheatre space and the public realm in the northeast corner. Further consideration should be given to how these could reflect the transition in the river's character as it becomes softer and greener along its course.



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- The panel suggests further thought about how the terraced blocks to the northeast corner of the masterplan respond to the curve of the river. For example, could the most northern housing terrace along the greenway extend further east?

Streets and parking

- The panel understands that a significant amount of thought has already been given to the provision of parking spaces on the Firepool site. However, it is concerned that the overall masterplan continues to feel car dominated.
- The proposed 0.4 parking ratio is below Council policy requirements. However, the site is in a well-connected location (approximately 5-minute walk from the train station and 10-minute walk from the town centre).
- There is an opportunity to be more ambitious with this Council led scheme. It highlights that comparable schemes in Cambridge and Enfield are achieving a parking ratio of 0.2.
- The panel also recognises the marketing aspect of car parking. It is likely that buyers of family houses will require dedicated parking, and that one space per house will be appropriate. However, there is scope for a much reduced (or nil – apart from disabled parking) provision for the flats.
- The panel encourages the team to develop a more innovative approach to car parking provision. For example, a remote mobility hub (or ‘car barn’) could remove parking from the heart of the proposals. When no longer required it could be re-purposed to form some form of community use or dismantled for use elsewhere.
- It notes that many of precedents presented during the meeting demonstrate the value and importance of designing streets and spaces which do not feel dominated by cars.
- The proposals for Firepool include a considerable amount of hard surfacing, contributing to the sense of a scheme designed around vehicular rather than pedestrian movement.
- The panel encourages the team to develop a parking strategy which focuses on supporting the creation of a pedestrian friendly environment. For example, on-street parking spaces could be visually broken up through soft landscaping (including protected trees).
- The panel notes that careful consideration should be given to how the parking ambitions for the site will be controlled. It encourages the team to avoid the standard controls such as double yellow lines. One alternative option could be to consider a car parking management company, which could allow for more innovative and attractive streetscape designs.



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- Further consideration should also be given to how the proposals will adapt in the event of a future reduction in car parking demand. For example, could parking spaces be adapted for a new use, for example, a piece of community amenity space?
- The panel supports the provision of segregated cycle routes, in line with the Cycle Infrastructure Design guidance (LTN 1/20), but it notes that these add to the amount of hard surface and the panel suggests that the precise dimensions of the cycle and pedestrian routes and building thresholds are reviewed and potentially reduced.
- Further information is needed on how people will move around the site – including pedestrian, bicycles, cars and delivery and maintenance vehicles, to avoid conflicts at intersections and crossings and the necessity for unsightly warning signs.
- Consideration should be given to the development of wayfinding strategy. Legible, but minimal, signage is important to the success of spaces like the boulevard and should be considered as the first element of public art.

Wider connections

- While the site is located between the town centre and the train station, achieving the Council's ambition for a modal shift will depend on the delivery of improvements beyond the masterplan 'redline'.
- The design of junctions at the edges of the masterplan area needs careful thought. For example, clarity is needed about how the proposed cycleway along the western edge of the masterplan will connect to the cycle network at the junction of Priory Bridge Road and Canal Road.

Landscape and public realm

- As highlighted above, there is a need to develop a stronger relationship with the existing landscape character of the river.
- The panel also stresses the importance of developing a stronger sense of the nature of the proposed spaces and streets across the masterplan, including their character, function, and the experience of using them.
- There is an opportunity for Firepool to act as a stepping-stone in the wider ecological network. This should be addressed as part of the planning submission.
- The panel encourages the inclusion of living roofs wherever possible and a comprehensive approach to achieving Biodiversity Net Gain.



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- The public space in the northeast corner currently lacks a clear purpose or identity. Consideration should be given to its role at the eastern end of the greenway, its potential to be a destination for people arriving from the east, and relationship with the surrounding housing.
- The panel understands that public space in the northeast corner has access requirements, but the extent to which these dictate the design should be proportionate with the frequency of the access required. For example, flexibility could be built into the design to allow the space to adapt on occasions when access is required.

Southern Boulevard

- A key aspect of the Firepool scheme is the Southern Boulevard - including its potential to help to define the character of the site, and in support connections to the railway station, the River Tone and town centre.
- The panel is pleased to see that the design work for the Southern Boulevard is progressing and understands that an application has been submitted for this part of the masterplan.
- It supports the decision to utilise water collected from around the site as part of the water feature on the Southern Boulevard.
- The panel continues to suggest that the water feature should have a better connection to the river, with more greening to soften the edge of this amenity space and increase its ecological value. Planting should include species that contribute to natural water filtration - prior to its discharge into the River Tone.
- For the boulevard to fulfil its potential as part of a landscape-led masterplan, the panel thinks the amount of hard surface should be reduced, and greening increased. In particular, it would encourage more soft landscaping in the town square, and the area around the water feature.
- The panel continues to highlight the need to create a distinctive town square at this central location in the masterplan.
- The Southern Boulevard creates a potentially grand gesture leading people down to the River Tone. However, the panel urges the team to further consider what the pedestrian experience will be when navigating and using this space.
- The quality of microclimate on the Boulevard will influence its success in supporting activities such as on-street café / restaurant seating.
- The panel continues to question the scale and nature of some of the spaces proposed and whether they will work in this edge of town location?



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- For example, the amphitheatre, which is a key 'gateway' into the site, is a very large space dominated by hard landscaping. The panel feels that this could be more successful as a smaller, softer more biodiverse space, that has a clearer relationship with the site's natural character.
- The panel encourages the team to revisit the location of the health centre, which is shown occupying prominent ground floor frontage on the boulevard. Alternatively, if this continues to be the preferred location it may be better located on the upper floors of the building, allowing more active uses to occupy the ground floor animating the square.

Residential quarter (blocks two and four)

- The panel welcomes the extensive additional work undertaken to test the residential part of the masterplan. While this work shows that the basic block structure is sound, it also reveals that there are issues relating to the detailed layout and massing that require further thought.
- The panel is concerned by the scale of the proposed seven storey apartment blocks along the river, particularly as the ground floor will include a tall ground floor to accommodate commercial uses.
- The panel understands that the proposed heights Above Ordnance Datum (AOD) generally sit below the height established by the Viridor building on the opposite side of the river, however the panel notes this is a six-storey (commercial) building. Six-storey residential or mixed-use blocks would be more appropriate.
- The panel accepts that the Firepool site will have a more urban character than the existing town centre of Taunton. However, careful consideration should be given to what the right balance is between existing town centre and a more 'city-like' urban character.
- The panel encourages the design team to explore a contemporary architectural language specific to Taunton, enriched by its approach to environmental sustainability.
- The proportion of single aspect residential units should be reduced. The recent period of hot weather has highlighted the importance of shading and cross ventilation. It will be difficult to achieve comfortable conditions in single-aspect flats, and challenging to achieve compliance with the new Part O Building Regulations.
- Single aspect mews houses may be acceptable if vented vertically and provided with generous roof terraces and/or courtyard gardens.
- The panel highlights that the apartment blocks facing Southern Boulevard should include a main entrance from both sides to help animate the boulevard and the street to the rear.



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- The street to the rear of the apartment blocks along the Southern Boulevard currently appears to have minimal activation. Terminating the proposed terrace blocks with special corner type residential properties could help address this challenge.
- The panel welcomes the inclusion of the east – west greenway which has potential to be very attractive (notwithstanding comments made above regarding the need to reduce the amount of hardstanding). However, greater clarity is needed on how the houses which front it will be accessed and serviced.
- It suggests exploring successful precedents such as Eddington in Cambridge and Barton Park in Oxford, to help inform the masterplan for Firepool. In these examples, terraced townhouses are served from a rear mews street, which also contain small houses or mews flats over car parking for both dwellings. This could also be a solution for the proposed east-facing houses overlooking the river (which could have front doors on the east side and mews servicing from the west).
- The panel welcomes the provision of cycle stores for each of the houses, and the acknowledgement that this should be increased further so that it better reflects the occupancy of each home.
- The inclusion of communal bin stores, which could have climbing plants on their walls as well as living roofs, is also positive (provided they are well managed and comply with walk distance limits for householders.)
- The panel encourages the team to consider how the homes could be adapted as their occupants needs change over time, for example to provide more space for a growing family, or deal with changing accessibility requirements.
- The panel supports the inclusion of integrated carports in place of enclosed garages, which tend to be used for storage or converted. It notes that carports can be gated to help alleviate any concerns around security.

Commercial quarter (block five)

- The panel considers the proposed scale of the performance venue to be very imposing, especially in relation to Priory Bridge Road and the river.
- As with the residential parts of the masterplan, further thought should be given to how the commercial quarter relates to the surrounding context, and the character of Taunton as a whole. This should be explored through distant and close views as part of a rigorous townscape appraisal before the height and massing of the commercial buildings is set.



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Sustainability

- Overall, the panel feels that the approach to environmental sustainability is moving in the right direction.
- It is important that sustainability principles are secured through the planning process, particularly in relation to carbon – operational and embodied. Thought should also be given to the carbon impact of building up the levels of the site out of the flood plain.
- The panel notes that the Council has a net zero toolkit. It encourages the team to build in references to this so that they can inform the proposals for the Firepool site as they evolve over time.
- The panel welcomes the decision to develop an all-electric energy strategy.
- It understands that the team are exploring the possibility of a centralised energy system. However, the team should demonstrate that a centralised approach is compatible with the all-electric strategy. It also highlights that energy sharing is a great opportunity that should be explored.
- The way the energy strategy adapts as different phases are delivered should be clarified, and the increasing pressure on cost of living taken into account.
- The panel encourages the team to undertake a sunlight and daylight analysis for the proposed masterplan. This should identify, for example, the amount of sunlight and daylight private gardens and single aspect homes will receive, and to explore how this information should inform design decisions. For example, there is likely to be a need for the inclusion of shading in the town square on the Southern Boulevard.
- The scheme should maximise opportunities for passive ventilation – which is an important reason to improve the proportion of dual aspect homes, benefiting from cross-ventilation.
- It notes that the south-western corner of the Firepool site will be particularly exposed to noise from the Priory Bridge Road, as well as being south facing. Careful thought is needed to avoid overheating, whilst mitigating noise.
- Consideration should be given to roof level micro-climates. Material choices, green roofs and shading, will all be important considerations in the design of these spaces.
- The panel strongly supports the decision to apply Passivhaus standards to commercial buildings.
- The decision to re-use materials is positive, and pre-demolition surveys will be needed to inform this approach, avoiding missed opportunities.



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Design assurance

- The panel welcomes the high-quality design aspirations shown in the precedents and visualisations for the different aspects of the masterplan, in particular for block five, but was less convinced by the architectural language proposed for the apartment blocks.
- As there are several unknowns, including the procurement of commercial developers and operators, the panel urges the team to carefully consider what mechanisms can be put in place now to ensure the project's design quality ambitions are protected.
- For example, the development of a design code could help set clear and robust expectations that will provide assurances that promises made at planning application stage are delivered.

Block one

- Block one was not the focus for the discussion, but the panel noted some initial concerns with the visualisation shown for a 'signature' building'. Block one occupies a prominent location, and the panel requests an opportunity to discuss this aspect at an appropriate moment.

Next steps

- The panel would welcome the opportunity to review the masterplan again, including block one, as detailed design progresses.
- Key priorities for continuing discussion with the planning authority are: landscape design; parking strategy and people friendly streets; residential typologies; and scale massing and visual impact.
- A chair's review could be arranged to allow for more detailed comments on the residential elements of the masterplan.





Somerset West and Taunton Quality Review Panel

Report of Chair's Review Meeting: Firepool (Southern Boulevard)

Monday 14 March 2022
via zoom

Panel

Andrew Beharrell (chair)
Lise Benningen

Attendees

Omri Ben-Chetrit	Somerset West and Taunton Council
Simon Fox	Somerset West and Taunton Council
Maureen Pearce	Somerset West and Taunton Council
Graeme Thompson	Somerset West and Taunton Council
Fiona Webb	Somerset West and Taunton Council
Dan Friel	Somerset County Council
Deborah Denner	Frame Projects
Abigail Joseph	Frame Projects
Cindy Reriti	Frame Projects

Apologies / report copied to

Alison Blom-Cooper	Somerset West and Taunton Council
Rebecca Miller	Somerset West and Taunton Council
Miranda Kimball	Frame Projects

Confidentiality

This is a pre-application review, and therefore confidential. As a public organisation Somerset West and Taunton Council is subject to the Freedom of Information Act (FOI) and, in the case of an FOI request, may be obliged to release project information submitted for review.

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1. Project name and site address

Firepool, Canal Road, Taunton, TA1 1QS

2. Presenting team

Tim Bacon	Somerset West and Taunton Council
Rachel Papworth	Somerset West and Taunton Council
Adam Baker	AHR Architects Ltd
Adam Spall	AHR Architects Ltd
Jim Price	J Price Consulting
David Gwilliam	Jubb
Pete Stockall	Avison Young

3. Planning authority briefing

Firepool is a major regeneration area within Taunton town centre. Circumstances have since changed since the Taunton Town Centre Area Action Plan was adopted in 2008 and the policy context, primarily the development mix, is out of date. A Firepool masterplan and design guidance are being prepared to guide the development of the site.

The review focussed on the southern part of the boulevard, which is being brought forward as a standalone application, to secure Future High Streets Funding for its delivery. The boulevard will be delivered separately and before any adjoining buildings.

The boulevard is the primary area of public realm within the scheme. It links the railway station to the River Tone and connections along the river to the town centre. As a spine and key area of public realm, the boulevard's purpose is multi-faceted, and will be fully detailed against a wider masterplan, which is still emerging. Because of this, there is a need to ensure the space is flexible to allow it to respond to different scenarios, development mixes, and movement patterns.

Officers requested the panel's comments on the strength of the designs, and whether they are able to be assessed without a fully resolved masterplan. Comments were also sought on: the green and blue infrastructure; amphitheatre; town square; connectivity, including the bus priority route; and the animation and inclusive design of the proposals.



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4. Quality Review Panel's views

Summary

The panel supports the design team's aspiration to develop a landscape-led proposal, but it feels that further thought is needed about the detailed design of the Southern Boulevard in achieving this. It would encourage additional trees and planting, to soften the public realm. It also asks for further thought to be given to the relationship between the water feature and the river. It feels that in terms of both placemaking and sustainable urban drainage, the water feature should be more closely integrated with the river. The panel would like to see higher aspirations to improve the ecology and biodiversity, especially along the riverbank. Consideration must also be given to how the identity of the other character areas can be further developed to respond to their intended use. The provision of a bus route along Canal Road, and a conveniently located bus stop at the intersection of the boulevard, are essential to support connectivity for residents', beyond the masterplan, and to help animate the boulevard. Further consideration must also be given to pedestrian and cycle routes, to mitigate conflicts. Comments are also offered on the wider masterplan, as its design and that of the Southern Boulevard are interlinked.

Post meeting note:

- The panel would like to see a specialist landscape architect included in the design team, to ensure the successful delivery of this landscape-led masterplan.

Comments on the wider masterplan

- The panel notes that many positive changes have been made to the masterplan since the previous review and endorses the overall positioning of the Boulevard and Greenway.
- The panel trusts that the design of the building blocks is being progressed in tandem with the public realm and landscape. The ground floor uses and entrances need to be understood prior to the public realm and landscape being fixed.
- The panel questions if there will be sufficient demand for the quantum of commercial and café use shown. It suggests there may be a need for flexibility in ground floor uses lining the boulevard - to allow for some residential use and entrances, which would be another way of generating activity.
- As the buildings facing the River Tone are developed, consideration must be given to their relationship and activation of the river's edge.
- The panel encourages the design team to keep the boulevard, streets, and routes at a 'tight and intricate' scale that is appropriate to the town setting. It encourages the use of narrower tertiary streets and pedestrian routes, to break up the building blocks.



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- The panel would like to see the green and blue infrastructure permeate through all of the streets in the masterplan.
- Further work is needed to strengthen the identity of each character area and this should be based on a realistic understanding of how each area will be used. In general, the panel would encourage more greening, to soften the public realm.
- The connectivity of the masterplan is progressing well, but further consideration needs to be given to the movement of vehicles, to both the east and west of the boulevard, to provide adequate access and servicing for homes and businesses.
- The panel feels that a bus route is needed along Canal Road, with a bus stop located at its intersection with the boulevard. This will help to animate the boulevard, and ensure that visitors have access to the commercial/retail spaces and the public realm.

Boulevard design approach

- The boulevard has the potential to form a key element of a landscape-led masterplan for Firepool, and to help define the character of this new neighbourhood for Taunton. It will also play a valuable role in connecting the railway station to the River Tone and town centre.
- The panel considers that the proposals for the east-west Greenway have the potential to be successful. However, it does not yet have a sense of what the pedestrian experience will be like along the southern boulevard.
- For the boulevard to fulfil its potential as part of a landscape-led masterplan, the panel thinks the amount of hard surface should be reduced, and greening increased. In particular, further consideration must be given to the town square, the amphitheatre, and the area around the water feature.
- The planting strategy must consider species that will thrive in this location as well as the management and ongoing maintenance of the public realm and landscape, to ensure that the spaces can be enjoyed at all times of the year.
- The panel supports the provision of segregated cycle routes, in line with the Cycle Infrastructure Design guidance (LTN 1/20), but it notes that these add to the amount of hard surface and the panel suggests that the precise dimensions of the cycle and pedestrian routes and building thresholds are reviewed and potentially reduced.
- Consideration must be given to the flow of pedestrian and cycle movement, to avoid conflicts at intersections and crossings and the necessity for unsightly warning signs.



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- Legible, but minimal, signage is important to the success of the boulevard and should be considered as the first element of public art.

The town square

- Further consideration needs to be given to creating a distinctive 'town square' that provides more than a functional nodal point, in this key location at the centre of the masterplan.
- While some hard surface is needed to accommodate activities such as a market, the square would benefit from a reduction in the amount of hard surface.
- Softening through increased greening, would help to create a pleasant place that encourages people to gather and linger.

Waterfront Place - the amphitheatre

- The panel feels that the amphitheatre is currently too large and would recommend a reduction in its size - subject to the outcome of further consultations about the potential to hold events here. The substantial area of hard surface adjacent to the River Tone does not align with the aspiration of a landscape-led masterplan.
- The amphitheatre would benefit from more greening to soften the boulevard's connection to the river's edge.

The river's edge

- The panel encourages the design team to be more ambitious in their proposals for the river's edge.
- The River Tone is a key landscape and heritage feature and the masterplan offers an excellent opportunity to improve the ecology and biodiversity of this green corridor.
- Further consideration should be given to how the ramp access can provide a more direct route between the boulevard and the river's edge. The panel suggests that the design team look at the Queen Elizabeth Olympic Park area where there are a number of good examples to reference.

The water feature

- The panel questions the current design of the water feature, suggesting that it should have a better connection to the river.
- An open water course could connect the water basin to the river. This would allow opportunities for crossing points, to provide key moments of visual interest.



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- The panel would encourage more greening around the water feature to soften the edge of this amenity space, and increase its ecological value. Planting should include species that contribute to natural water filtration.
- The water feature has the potential to make an important contribution to the green and blue infrastructure of Firepool. It could help to filter the water collected from around the site, prior to its discharge into the River Tone.
- The panel encourages the design team to refer to the SuDS Manual, which contains evidence based guidance on how to successfully implement Sustainable Drainage Systems in a variety of topographies.

Next steps

- The Quality Review Panel would welcome the opportunity to comment on the scheme again as the proposals are developed, taking into account its comments and in consultation with planning officers.

