

38/18/0173

QUANTUM TAUNTON LLP

Erection of 88 assisted living extra care apartments (Use class C2) with ground floor restaurant and associated car parking, mobility scooter parking, cycle stores, private landscaping and public art at Quantock House, Paul Street, Taunton

Location: QUANTOCK HOUSE, PAUL STREET, TAUNTON

Grid Reference: 322826.1243

Full Planning Permission

Recommendation

Recommended decision: Conditional Approval

Subject to:

1. The view of the Highway Authority on the access position, and
2. The applicant varying the Section 106 agreement to secure:
 - Improvements to the pedestrian crossing facilities at the signalised Paul Street/Mary Street junction.
 - A travel plan
 - The inclusion of public art within the development

Recommended Conditions (if applicable)

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

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

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

(A3) DrNo 903A-100 Location Plan
(A1) DrNo 903A-101 Topographical Survey
(A1) DrNo 903A-200 Site Layout - Lower
(A1) DrNo 903A-201 Site Layout - Upper
(A3) DrNo W15376_SX Topographical Survey
(A1) DrNo 903A-202 Site Layout - Roof
(A3) DrNo 903A-300 Lower Ground Floor
(A1) DrNo 903A-301 Upper Ground Floor
(A3) DrNo 903A-302 Floor Plans - 1st - 7th
(A1) DrNo 903A-400 East Elevation
(A1) DrNo 903A-401 South Elevation
(A1) DrNo 903A-402 West Elevation

(A1) DrNo 903A-403 North Elevation
(A1) DrNo 903A-404 East Elevation
(A1) DrNo 903A-405 South Elevation
(A1) DrNo 903A-406 West Elevation
(A1) DrNo 903A-407 North Elevation
(A1) DrNo 903A-500 Sections A-A B-B
(A1) DrNo 903A-501 Sections C-C, D-D
(A1) DrNo 903A-600 Site Details

(A1) DrNo 903A-203 Site Layout - Lower
(A1) DrNo 903A-601 Site Layout - Tracking

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

4. Before development construction commences (including demolition and site clearance and any other preparatory works) the protective fencing and ground protection detailed on Hellis Arboriculture & Landscape Design Drawing "Tree Protection Plan ref: TPPQH) received 05 July 2017 shall be erected/installed. The protective measures shall be maintained and retained for the full duration of works at the site 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.

5. The archaeological investigations detailed in the Written Scheme of Investigation produced by AB Heritage, project no. 60025 dated 04/05/2017 and as updated by the addendum dated 01/06/2017 shall be fully carried out prior to the commencement of any other work on the site. The results of the investigations shall be recorded and reported in accordance with the WSI dated 04/05/2017 prior to the occupation of the building hereby permitted.

Reason: To ensure the recording of archaeological remains.

6. Other than the demolition of the existing building, site clearance and any highway works, no development shall be commenced until the detailed design for the surface water drainage scheme, based on submitted proposed drainage strategy, together with a programme of implementation and maintenance for the lifetime of the development, have been submitted to and approved in writing by the Local Planning Authority. The drainage strategy shall ensure that surface water runoff post development is attenuated on site and discharged at a rate and volume which provides a minimum of 30% betterment over existing runoff rates and volumes. Such works shall be carried out in accordance with the approved details.

Reason: To ensure that the development is served by a satisfactory system of

surface water drainage and that the approved system is retained, managed and maintained in accordance with the approved details throughout the lifetime of the development in accordance with the NPPF.

7. Prior to their installation, samples panels of the materials to be used in the construction of the external surfaces of the development measuring at least 1m x 1m shall be built on the site and both the materials and the colour and type of mortar for pointing used within the panel shall be agreed in writing by the Local Planning Authority. The development shall be completed in accordance with the agreed details and thereafter maintained as such.

Reason: To ensure that the proposed development is compatible with the character and appearance of the area and the settings of listed buildings.

8. The applicant shall ensure that all vehicles leaving the site are in such condition as not to emit dust or deposit mud, slurry or other debris on the highway. In particular (but without prejudice to the foregoing), efficient means shall be installed, maintained and employed for cleaning the wheels of all lorries leaving the site, details of which shall have been agreed in advance in writing by the Local Planning Authority and fully implemented prior to commencement of development and thereafter maintained until the use of the site discontinues.

Reason: In the interests of highway safety.

9. Other than the demolition of the existing building and other site preparatory works, no work shall commence on the development hereby permitted until the details of the access junctions generally in accordance with drawing number 903-201 Rev A Site Plan LGF Level, 903-202 Rev A Site Plan UGF Level, 903-203 Rev A Site Plan LGF Level Delivery Entrance have been submitted to and approved in writing by the Local Planning Authority. The access shall then be fully constructed in accordance with the approved plan, to an agreed specification before the development is first brought into use.

Reason: To ensure that adequate facilities exist for the traffic likely to be attracted to the site in the interests of highway safety.

10. Prior to its installation, a scheme of hard landscaping showing the layout of areas with stones, paving, walls, cobbles or other materials shall be submitted to and approved in writing by the Local Planning Authority. Such scheme shall be completely implemented before the development hereby permitted is occupied.

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

11. (i) Prior to its implementation, a landscaping scheme, which shall include

details of the species, siting and numbers to be planted, shall be submitted to and approved in writing by the Local Planning Authority.

- (ii) The scheme shall be completely carried out within the first available planting season from the date of first occupation of the development.
- (iii) For a period of five years after the completion of each landscaping scheme, the trees and shrubs shall be protected and maintained in a healthy weed free condition and any trees or shrubs that cease to grow shall be replaced by trees or shrubs of similar size and species, or the appropriate trees or shrubs as may be approved in writing by the Local Planning Authority.

Reason: To ensure that the proposed development does not harm the character and appearance of the area in accordance with Policy DM1 of the Taunton Deane Core Strategy.

12. The applicant shall undertake all the recommendations made in Peach Ecology's Ecological assessment report dated September 2016, and provide mitigation for bats and birds as recommended.

The works shall be implemented in accordance with the approved details and timing of the works, unless otherwise approved in writing by the Local Planning Authority.

The development shall not be occupied until the scheme for the maintenance and provision of the new bird and bat boxes and related accesses have been fully implemented.

Thereafter the resting places and agreed accesses shall be permanently maintained

Reason: To protect and accommodate wildlife.

13. Prior to first occupation a servicing statement detailing measures to ensure that deliveries and refuse collection vehicles can safely move into the delivery area and avoid any conflict in entering and exiting vehicles shall be submitted to and approved in writing by the Local Planning Authority. Following occupation of the building, the measures detailed in the approved statement shall thereafter be fully complied with.

Reason: In the interests of highway safety.

14. Taxi and ambulance bays as detailed by drawing number 903A-600 shall be formed at the point of access in accordance with the detailed plan and specifications. Such bays shall be completed before the development hereby permitted is first occupied and shall be available for the parking and checking of vehicles at all times. The bays shall at no time be used other than for the parking of vehicles on a short-stay basis.

Reason: In the interests of highway safety.

15. The access, parking and turning spaces detailed on the drawings hereby permitted shall be properly consolidated and surfaced in accordance with details which shall have been submitted to and approved in writing by the Local Planning Authority. Such parking and turning spaces shall be kept clear of obstruction at all times and shall not be used other than for the parking and turning of vehicles in connection with the development hereby permitted.

Reason: To ensure that adequate facilities exist for the traffic likely to be attracted to the site, in the interest of highway safety.

18. There shall be no obstruction to visibility greater than 300 millimetres above adjoining road level in advance of lines drawn 2.4 metres back from the carriageway edge on the centre line of the access/egress and extending to points on the nearside carriageway edge 33 metres either side of the delivery and exit access. Such visibility shall be fully provided before the development hereby permitted is brought into use and shall thereafter be maintained at all times.

Reason: In the interest of highway safety.

19. The Restaurant/Bistro/Community Meeting Room space (shown coloured light pink) on Level 01 (drawing 903-301) may be used for any purpose within classes A1, A3, D1 or D2 of the Schedule to the Use Classes Order 1987 as amended.

Reason: To allow flexibility of the uses in order to ensure a viable and usable floorspace is provided.

Notes to Applicant

Proposal

The proposal is a revised scheme for the redevelopment of Quantock House and proposes 88 age restricted assisted living extra care apartments over 7 floors together with a service basement for parking and storage. The development includes supplementary services involving a health and wellbeing facility along with services such as hairdressers, kitchen, laundry, treatment rooms, resident's lounge, dining area and quiet lounge. A ground floor restaurant is included which will also benefit the local community, as will a community room for hire and the offering of a selection of classes. This revision alters the design of the previous scheme and results in a smaller footprint by 349sqm and lower overall height by 0.8m.

Site Description

The site is located on the corner of Mary Street and Paul Street, to the south of the library and multi-storey car park. It was the site of Quantock House, an 8 storey

1960s tower block of utilitarian design. There was a two-storey 'wing' to the south of the building, closest to Mary Street and the whole site is set behind mature trees on the corner of Mary/Paul Streets. An open parking area is provided to the north of the building, accessed from Paul Street on the east site boundary.

The building was former Government offices, but has since been demolished.

Relevant Planning History

38/16/0345 - Demolition of office block and erection of care led facility inclusive of 62 No. ensuite bedroom care home, 58 No. assisted living extra care apartments (Use Class C2), ground floor retail space (Use Class A1, A3, D1 & D2), car parking, mobility scooter parking, cycle stores, ancillary buildings with public and private landscaping at Quantock House, Paul Street, Taunton - CA 6/7/17

Consultation Responses

SCC - TRANSPORT DEVELOPMENT GROUP - Comment awaited.

LANDSCAPE - I generally support the findings of the submitted LVIA and favour the locations of the chosen viewpoints.

From studying the submitted images, the proposed building appears to be less intrusive within the local area than the extant design and is certainly an improvement on the existing DEFRA building.

I welcome the retention of the existing trees on Mary Street and the proposal to carry out further tree planting along the Old Pig Market Road.

The floorplan of the new building is unconventional, but this is a matter of taste.

POLICE CRIME PREVENTION - Sections 58 and 69 of the National Planning Policy Framework March 2012 both require crime and disorder and fear of crime to be considered in the design stage of a development and ask for:-

"Safe and accessible environments where crime and disorder, and the fear of crime, do not undermine quality of life or community cohesion."

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

Comments:-

1. **Crime Statistics** – reported crime for the area of this proposed development (within 200 metre radius of the grid reference) during the period 01/05/2017-30/04/2018 is as follows:-

Arson - 1 Offence (not endangering life)

Burglary - 27 Offences (comprising 5 residential burglaries & 22 business and community burglaries).

Criminal Damage - 41 Offences (incl. 11 criminal damage to motor vehicles)

Drug Offences - 8

Other Offences - 32

Robbery - 4 Offences (all personal property)

Sexual Offences - 5

Theft & Handling Stolen Goods - 541 Offences (incl. 452 shoplifting, 36 theft of pedal cycles & 3 theft from vehicles)

Violence Against the Person - 257 Offences (incl. 2 wounding, 38 assault ABH, 58 common assault & battery, 3 assault police, 125 causing

harassment, alarm distress or threatening behaviour)

Total - 916 Offences

This averages 76 offences per month, over 17 per week which are considered to be locally 'high' reported crime levels, partly due to the proximity to the town centre. Offences are spread fairly evenly throughout the week with peak offending times being afternoons and either side of midnight. Although a large proportion of these offences relate to retail premises and the night time economy, a proportion could easily be displaced to this development e.g. criminal damage and theft.

2. **Defensible Space** – it is important that boundaries between public and private space are clearly defined and existing boundaries comprise a half height wall to the rear and hedge to the side abutting the adjacent public car park. These will be supplemented by metal railings to protect the private gardens. However, the open nature of the frontage of this development, with public gardens fronting Mary Street and to a lesser extent Paul Street, has disadvantages from a crime prevention perspective in that it enables easy access by the potential criminal to the shell of the building and associated areas including private and formal gardens, undercroft car park and cycle storage area. Bearing in mind this is an assisted-living development, additional attention should therefore be paid to the security of these areas, including any street furniture or fittings which should be vandal-resistant and securely fixed to prevent removal or vandalism.

3. **Natural Surveillance** – optimum natural surveillance should be incorporated whereby residents and staff can see and be seen, this should include unobstructed views from the development of all external spaces, including footpaths, roadways, communal areas and landscaping. Any recesses, blind corners or potential hiding places should be eliminated. Consideration could also be given to providing a monitored cctv system covering the site area with particular focus on key access points and the undercroft car park.

4. **Public Access** – the security of the assisted living areas of the development is enhanced by discouraging casual intrusion by non-residents, so public access to these areas should be restricted, either by Reception staff or a suitable electronic access control system or a combination of both. There should be no unnecessary paths which could be used to gain unobtrusive access and escape. Good signage should be displayed to deter unauthorised access and assist emergency services.

5. **Lighting** – appropriate lighting should be designed to cover potential high risk areas including main site access points, undercroft car park, footpaths associated to main building, cycle stores, bin stores and any other secluded areas around the site. Also main entrance doors, secondary access doors and fire exit doors. All lighting should be vandal-resistant and automatically controlled by photo-electric cell or time switch with manual override. There is existing street lighting around the site.

6. **Landscaping/Planting** – should not impede opportunities for natural surveillance and must not create potential hiding places for intruders, especially adjacent to footpaths and buildings where it may obscure doors and windows. In areas where visibility is important shrubs should be selected which have a mature growth height of no more than 1 metre and mature trees should be devoid of foliage below 2 metres, so allowing a 1 metre clear field of vision. Defensive planting (prickly shrubs) could be used in appropriate locations to deter unauthorised access.

7. **Car Parking** – for residents is in the undercroft car park, however, there does

not appear to be any indication in the DAS or on the plans that an access control system will be applied to the vehicular entrance to prevent unauthorised access into the car park, which I consider essential. Normally, such system is in the form of a roller grille or similar which can be remotely operated by the driver whilst sitting in the vehicle. In addition, lighting to BS 5489 standard should be installed in the car park, and walls and ceilings should have a light coloured finish to maximise the effectiveness of the lighting. The external and internal doors providing access to the Mobility Scooter Store, doors leading from the undercroft car park to the stairs and lift lobby, and residential floors should also be part of the access control system.

8. **Cycle and Bin Stores** – the integral bin store appears to be of substantial construction and should be lockable to prevent misuse of wheelie bins for climbing or arson. I have concerns regarding the location of the covered cycle spaces for staff in the undercroft car park, which does not appear to be secure and is accessible through the car park. Although the DAS does state that the Mobility Scooter Store could be used for the storage of cycles if the need arose. Bearing in mind the level of theft of pedal cycles in the surrounding area, I recommend that a secure cycle store be incorporated in the design or the Mobility Scooter Store used as suggested.

9. **Climbing Aids** – as the building design incorporates balconies, any potential climbing aids should be avoided.

10. **Doorsets & Windows** – all external ground floor doorsets (including communal doors), all flat entrance doorsets and ground floor or easily accessible windows and rooflights must be tested to PAS 24:2016 security standard or equivalent.

11. **Internal Security Issues** - I note from the DAS that the Assisted Living element will be staffed 24/7, which should assist the personal safety and security of all residents. In addition, the Assisted Living apartments will be fitted with burglar alarms which can double up as personal alarms connected to a central call point for assistance should the need arise. The main entrance appears to be well overlooked by Reception/Manager's Office and the public restaurant by the bar, both of which are beneficial.

12. **Secured by Design(SBD)** – if planning permission is granted, the applicant is advised to refer to the additional comprehensive information available in the 'SBD Homes 2016' design guide available on the on the police approved SBD website – www.securedbydesign.com.

HERITAGE - No comment.

ENVIRONMENTAL HEALTH - NOISE & POLLUTION - No comment received.

LEAD LOCAL FLOOD AUTHORITY - The flood risk assessment states that the developer's consultants have spoken with my colleagues who provided pre-application advice. However, it relates to a previous application at the site (38/16/0345), for which we provided comments in our letter dated 22/09/16. The developer needs to provide assurance that drainage element is still applicable for the new proposals.

The FRA states that the developer will provide 30% betterment in terms of post development runoff rates in accordance with the West of England SUDS guide. Providing that Wessex Water is happy with the proposals to connect to their sewer (at the rates stated in the FRA) and the drainage scheme can be adopted/ maintained for its lifetime, we would have no objections to the proposals. Any

opportunities to further explore SUDS features as part of the design on the site should be explored.

As part of detailed design, the developer must provide more details in terms of how surface water will be managed at the site during storm events that exceed the capacity of the sewer system. The FRA states that storage of surface water in car park and landscaping areas, but should provide information about likely volumes and depths. There must be no risk to property for all events up to and including the 1 in 100 year (+40%) climate change.

We would like to amend our previous condition slightly to provide more clarity and in order to address the above.

CONDITION

No development shall be commenced until details of the surface water drainage scheme based on sustainable drainage principles together with a programme of implementation and maintenance for the lifetime of the development have been submitted to and approved in writing by the Local Planning Authority. The drainage strategy shall ensure that surface water runoff post development is attenuated on site and discharged at a rate and volume which provides a minimum 30% betterment over existing rates and volumes. Such works shall be carried out in accordance with the approved details.

- Detailed information about the design storm period and intensity, discharge rates and volumes (both pre and post development), temporary storage facilities, means of access for maintenance), the methods employed to delay and control surface water discharged from the site, and the measures taken to prevent flooding and pollution.

- Flood water exceedance routes both on and off site, note, no part of the site must be allowed to flood during any storm up to and including the 1 in 30 event, flooding during storm events in excess of this including the 1 in 100yr (plus 40% allowance for climate change) must be controlled within the designed exceedance routes demonstrated to prevent flooding or damage to properties.

- A management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by an appropriate public body or statutory undertaker, management company or maintenance by a Residents' Management Company and / or any other arrangements to secure the operation and maintenance to an approved standard and working condition throughout the lifetime of the development.

Reason: To ensure that the development is served by a satisfactory system of surface water drainage and that the approved system is retained, managed and maintained in accordance with the approved details throughout the lifetime of the development, in accordance with paragraph 17 and sections 10 and 11 of the National Planning Policy Framework, Paragraph 103 of the National Planning Policy Framework and the Technical Guidance to the National Planning Policy Framework (March 2015).

LEISURE DEVELOPMENT - No comment

WESSEX WATER - No comment

BIODIVERSITY - Peach Ecology carried out an ecological assessment of the site in July 2016 and April 2018.

The reports makes reference to the DEFRA building but as this building was demolished in 2017, I will make little reference to it here.

Bats

I support the erection of four 2FR bat tubes to be installed into the fabric of the new building.

The existing trees have potential to support foraging bats so should be protected from light spill.

Birds

I support the suggested mitigation for birds which includes

- Four No. 17A Schwegler Swift Nest Boxes (Triple Cavity) to be built into the fabric of the new building or attached at a suitable location externally.
- A peregrine nest box to be located on top of the new replacement building.

Condition for protected species:

The applicant shall undertake all the recommendations made in Peach Ecology's submitted Report dated April 2016 and provide mitigation for bats and birds as recommended.

The works shall be implemented in accordance with the approved details and timing of the works, unless otherwise approved in writing by the Local Planning Authority. The development shall not be occupied until the scheme for the maintenance and provision of the new bird and bat boxes and related accesses have been fully implemented.

Thereafter the resting places and agreed accesses shall be permanently maintained.

Reason: To protect and accommodate bats and breeding birds

Informative Note

It should be noted that the protection afforded to species under UK and EU legislation is irrespective of the planning system and the developer should ensure that any activity they undertake on the application site (regardless of the need for planning consent) must comply with the appropriate wildlife legislation

Representations Received

10 letters of support

Planning Policy Context

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

The development plan for Taunton Deane comprises the Taunton Deane Core Strategy (2012), the Taunton Site Allocations and Development Management Plan

(2016), the Taunton Town Centre Area Action Plan (2008), Somerset Minerals Local Plan (2015), and Somerset Waste Core Strategy (2013).

Relevant policies of the development plan are listed below.

CP1 - Climate change,
CP3 - Town and other centres,
CP4 - Housing,
CP5 - Inclusive communities,
CP6 - Transport and accessibility,
CP8 - Environment,
DM1 - General requirements,
A1 - Parking Requirements,
A2 - Travel Planning,
A5 - Accessibility of development,
D1 - Taunton's skyline,
D13 - Public Art,
D7 - Design quality,
ENV1 - Protection of trees, woodland, orchards and hedgerows,
ENV4 - Archaeology,

This takes into account the recent adoption of the SADMP.

Local finance considerations

The proposed development falls within Class C2 of the Town and Country Planning (Use Classes) Order 1987 (as amended) and, therefore, would not be CIL liable nor result in the payment of the New Homes Bonus.

Determining issues and considerations

The principle of a care home type use in a multi storey building has already been considered and accepted by Members in this location in February 2017. The current proposal is a revision to the approved scheme as it has been difficult to fund the mixed care use of the previous proposal. The design of the building has therefore been revised and the height and floor area both reduced as part of the current submission.

The main issues in the consideration of this application are as before, the principle of the development and the design of the proposal, connected to its impact upon heritage assets. The impact on highways, ecology and surface water drainage must also be considered.

Principle of development

The site is allocated within the Taunton Town Centre Area Action Plan (TTCAAP) for retail development. It is part of a larger allocation east of the High Street which seeks to deliver substantial additional retail floor space for the town. Policy Hs1 indicates that the 'East of High Street' allocation should deliver a minimum of 20,000 sq. m gross of additional comparison and convenience retail space, 120 dwellings, 440 parking spaces and the relocation of the Taunton library. Policy Hs2 sets out design principles and indicates that buildings should be a maximum of 5-7 storeys high with good permeability and active frontages at ground level. There should be a new public square and public realm improvements to (*inter alia*) Mary Street and Paul Street and the provision of public art.

The proposal aims to provide some retail space. However, this would be accessed from the Mary Street side of the building and poorly connected to the surrounding retail offer. Therefore, whilst the provision of ground floor retail might, strictly speaking, be policy compliant it is unlikely to contribute towards delivering the aims of the policy.

In this context, your officers have commissioned independent advice from Savills in respect of the impact of the proposal on the retail allocation. Savills' advice is that the development of the Quantock House site in isolation will render the remainder of the East of the High Street Allocation undeliverable. This is because there would no longer be sufficient critical site area remaining for a commercially viable scheme. In granting permission, therefore, the Council would have to accept that the long proposed retail expansion on land East of the High Street would not take place. The TTCAAP allocation policies make clear that a comprehensive development of the area is intended. It is clear that the proposals would conflict with Hs1 in a number of ways and the proposal is, therefore contrary to policy.

Savills' advice goes on to assess the impact of such a decision. Based upon up to date assessments of retail capacity and spending forecasts, there is no longer a need to deliver the quantum of retail floorspace proposed by the TTCAPP. In light of the retail allocations at Firepool and Coal Orchard, Savills consider that there is sufficient retail capacity in the short to medium term to deliver the town's retail needs and avoid a threat from any out of town proposals. In this context, Savills advise that the Council would not be able to demonstrate the need to retain the retail allocation east of the High Street and accordingly its loss would not cause significant harm to the vitality and viability of the town centre. Given the lack of harm, the social and economic benefits stemming from the delivery of care facilities and associated accommodation in the town centre, on a highly accessible brownfield site can be afforded sufficient weight to outweigh the policy conflict and this makes the development acceptable in principle.

The proposed use itself is a home with assisted living/close care apartments. This use is considered to be appropriate in a town centre location. The applicant has submitted substantial arguments around the types of tenancy agreements that residents of the apartments would receive and the facilities that would be available to them. These facilities include mandatory care packages, which means that any residents must be in need of some type of care in order to occupy the apartments. The level of care can increase as the needs of the occupants change and this, along with the scale of ancillary facilities provided within the building is considered to bring the use firmly into the C2 use class. Such means that the development does not trigger affordable housing or children's play contributions.

Design of the building, its visual impact and the impact on the setting of heritage assets

These matters, in this case, are inextricably linked and are therefore considered here as one main issue. There are numerous listed buildings in the vicinity of the site and some further afield likely to be affected due the scale of the building proposed.

Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that special regard is paid to the desirability of preserving a listed building, its setting and any features of historic or architectural interest when deciding whether to grant planning permission. The site is also visible from the Vivary Park conservation area and the Crescent Conservation Area. Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that special regard is paid to the desirability of preserving or enhancing the character and appearance of the conservation area when deciding whether to grant planning permission.

The design of the building has undergone significant evolution from initial pre-application discussions, following consideration by Devon and Somerset Design Review Panel. Amendments have been made to the design of the building and the Panel have accepted that this is all positive and this has seen a significant reduction in height from the previously approved scheme. The design of the building, in itself, is now considered to be acceptable.

The settings of the affected listed buildings are considered below. With regard to the NPPF, the impact on a heritage asset can be considered to result in no harm, less than substantial harm, or substantial harm. The NPPF explains that *“when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset’s conservation. The more important the asset, the greater the weight should be. Significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting. As heritage assets are irreplaceable, any harm or loss should require clear and convincing justification. Substantial harm to or loss of a grade II listed building, park or garden should be exceptional. Substantial harm to or loss of designated heritage assets of the highest significance, notably scheduled monuments, protected wreck sites, battlefields, grade I and II* listed buildings, grade I and II* registered parks and gardens, and World Heritage Sites, should be wholly exceptional.*

Where a proposed development will lead to substantial harm to or total loss of significance of a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or loss is necessary to achieve substantial public benefits that outweigh that harm or loss...

Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use”.

In drawing the conclusions below, then, it should be noted that a conclusion that any harm is ‘less than substantial’, this does not mean that the harm is unimportant, it

merely means that in NPPF terms, that harm can be legitimately weighed against the public benefit of the proposal in the planning balance.

Buildings on Paul Street

In terms of the immediate street scene and setting of the closest listed buildings on the opposite side of Paul Street, it is considered that the impact will be mostly influenced by the lower floors – the ‘plinth’ section of the building. Here, the latest amendments to the scheme have resulted in a well-proportioned building in well landscaped grounds. Compared to the existing building, both the quality of the building and the landscaping of the grounds is not considered to result in a significant change to the setting of these buildings closest to the site, which is already dominated by the existing Quantock House, and in some respects may provide a slight improvement in the amenity of the area.

Buildings on Mary Street and Billetfield

The impact on the setting of the buildings to the south on Mary Street is likely to be greater. The existing building, whilst considered by many to be unattractive, is a slender building that, at close range, is largely masked by the trees from street level during the summer months. The proposed new building will be bulkier and around 4.5m taller. The top floor is not set in from the building and it will have a significant presence at close range, the trees will have less effect on masking the building as a whole and it will be much more present in any views. Given that the settings of the buildings are mainly defined by the row in which they sit, however, it is considered that any harm to the setting will be less than substantial.

Greater impacts will start to be felt from slightly further afield in the views along Mary Street towards the site (from both directions). To the west, the tree cover is good and in the summer months will help to assimilate the building into the townscape. There are further listed buildings to the west along Mary Street, Upper High Street and the southern end of High Street, although their settings are largely derived from the immediately surrounding townscape. Part of that is formed by views along the street and the new building, being deeper than the existing, will have a greater presence in the street, which will cause an impact. However, given the attributes that define the setting of these buildings, this is considered to result in less than substantial harm in NPPF terms. Opposite Temple Methodist Church, these views are also within the Vivary Park Conservation Area, although its setting is unlikely to be harmed by the proposal.

The same can be said in respect of views from the east along Billetfield, where the building can be seen in glimpsed views between other buildings. The increased bulk and height of the proposed building will make it more present in views where the current building blends into the background. However, the townscape is relatively dense in these locations and it is considered any additional harm would be less than substantial.

Mount Street/Vivary Park conservation area and associated listed buildings

The existing building is also very present in certain views within Vivary Park and, therefore, key views within the Mount Street/Vivary Park conservation area. The impact of the development is likely to be similar to that on the settings of those listed buildings set further back from the site – the new building, being taller and bulkier is likely to be more present and, therefore, more harmful. The setting of the War Memorial (grade II) within the park would also be affected in this way, as the new building would appear in views, whereas the existing building barely breaks the ridgeline of the dwellings in the foreground. However, the revised scheme significantly reducing the height of the building will mean that the impact is reduced to a low level. Furthermore, the setting of the war memorial is considered to be largely derived from the park itself, rather than the backdrop of the townscape and overall, therefore, it is considered that there would 'low level' less than substantial harm to its setting.

The buildings on the northern end of Mount Street are important to the character of Vivary Park and, although it is their rear elevations that are visible from the park, they provide an attractive backdrop to it. The rear elevations and their relationship to the park is also considered to be as important to the setting of the listed buildings as the front. Here the dwellings sit nestled against the relatively low rise, albeit slightly higher buildings, behind with the roof of Quantock House sitting quietly above. The proposed building, will be more visible than the existing, due to its increased height, but it is not considered overly detracting to the setting of these buildings. As with the war memorial, their settings are largely derived from the relationship with the park, so it is considered that this harm will be less than substantial in NPPF terms.

Further south, The Keep at Jellalabad Barracks (grade II) towers above the surrounding townscape. The proposed building will sit in a gap between this and other nearby buildings at a low level such that the Tower will remain very imposing. In this regard, it is considered that the proposal would not have an adverse impact upon the setting of this building.

St Mary's and St James' Church

Following the reduction in the height of the building, only the top of the building is likely to be visible from St. Mary's churchyard. The proposed top floor will tend to blend with the sky and it will be seen above the very cluttered townscape at the north end of Magdalene Lane and the plant on the top of the car park and Orchard Centre. These views are not fundamental to the setting of the church itself and, therefore, any harm is considered to be less than substantial. There will be more impact upon the setting of the church in mid-distance views.

In views from Cotlake Hill, St. Mary's church tower can be seen rising off the northeast corner of Quantock House, behind the multi-storey car park. The increased bulk of the proposed building will mean that it stands in greater conflict with the church tower, when viewed from this location. That said, the church tower is already compromised in these views, so it is considered that less than substantial harm to its setting would arise from this impact.

From the north and west, the church towers are a significant feature of the townscape. The proximity of St. Mary's and St. James' mean that they are

frequently seen together (especially from the north) and their relationship is part of each building's setting. From viewpoints around the station (which will be similar to views from the NIDR, when open) the church towers punctuate the Blackdown Ridge. In these views, they do not have to compete with other buildings for dominance in the townscape. The submitted photo montage imagery of views from these locations is not of good quality due to the weather conditions and it is difficult to discern the relationship of the proposal with the Blackdown Ridge. However, your officer's view is that the building will not break the ridgeline of the hills and, therefore, the dominance of the churches and their respective settings will be preserved. The same can be said for classic views of the churches from within the Somerset County Cricket Ground – at ground level, the churches clearly dominate the skyline and will continue to do so. The increased bulk of the building will mean that it is more prominent in the townscape, but overall it is considered that it will result in less than substantial harm to the setting of these churches in NPPF terms.

The masterplan for the Firepool site was designed, in part, to frame the views of the churches along the new boulevard. Although there is no approved scheme for that site, there is a high likelihood that the two church towers and new building would be in near perfect alignment along the proposed boulevard if the masterplan were followed. It is not considered that this cause's substantial harm to the setting of the churches as this view does not currently exist.

The Market House

The impact on this building has been of significant concern to your officers. The Grade II* listed Market House, is a symmetrical building that is framed by North Street. Whilst the multi-storey car park and existing plant tower on Quantock House are visible from North Street these are only a thin sliver across the top of the buildings on Fore Street. As originally proposed, the new building would have towered above the existing buildings and been very dominant in the setting of the Market House.

The new scheme however sees a further reduction in height which now means that the proposal will sit fairly quietly above the top of the multi-storey car park. The view is already harmed by the clutter of the various plant towers and the proposal will no longer significantly detract from this. It is, therefore, considered that the harm to this view will be limited and will be less than substantial in terms of the setting of the Market House.

Fore Street and around

As with the market house, the previous proposal would have been highly visible in views of Fore Street from Corporation Street. This includes the Grade II listed nos. 16 and 17 and 21 and the Grade I listed Tudor Tavern. It is likely that the top of the building will be visible above the multi-storey car park, slightly detracting from the setting of these buildings but given that these buildings are part of the street scene rather than stand-alone 'focus buildings' the harm would be less than substantial in NPPF terms.

The Crescent

The setting of the main terraced buildings on the Crescent will be unaffected as the buildings are too high for the proposal to stand above. However, there are gaps at either end where there will be impact. The building will be visible between 14 Bath Place and Unison House (both grade II) when looking from Park Street, where the existing building is also clearly visible as an incongruous feature of the townscape. Its increased bulk is much greater than the existing and, therefore, the building will be very visible, however, given the distance from the application site compared to the closeness of the listed buildings in the view, it is not considered to cause substantial harm.

There is a similar impact adjacent to the Masonic Hall (Grade II*) and 21 The Crescent (grade II), although the gap is relatively narrow and the setting of the buildings is not considered to be substantially harmed by the development, given that their settings are so clearly defined by the local street scene.

The views of the proposal through these gaps and also down Crescent Way towards the surface level car park are considered to detract from the character and appearance of the conservation area – they change the character by introducing clearly visible bold ‘city style’ architecture, whereas the existing buildings (including Quantock House) sit relatively quietly. That said, the special characteristics of The Crescent will, by and large, be preserved and, therefore, overall, there will be less than substantial harm to these heritage assets.

Other visual impacts

The height of the proposal means that it has the potential to cause significant impact upon Taunton’s skyline. This is, in itself, considered to be a regionally significant non-designated heritage asset given that it is defined by the distinct church towers that rise prominently above the surrounding townscape. Furthermore, Policy D1 of the Site Allocations and Development Management Plan (SADMP) states that ‘Development which would detract from the distinctive character and attractiveness of Taunton’s skyline will not be permitted’.

It is perhaps surprising that the existing building is not actually that prominent in key views from the north such as from the railway station and Obridge viaduct. It can be seen – and does detract – from the surrounding townscape, but it sits independent to the key tall listed buildings from these viewpoints. The new building would be finished in shinier (glass) materials at its higher levels. From the north, this is unlikely to cause significant reflection and glare. That said, its additional height could mean that it comes close to breaking the ridgeline of the Blackdown Hills from Obridge. This is likely to be a similar view to those from the NIDR, once open, but the evidence suggests that the building will sit below the ridgeline of the hills.

From the south, there are key views across the townscape from Cotlake Hill – a popular (and promoted) walking route. From here Quantock House is clearly visible within the townscape and is reasonably prominent. It is possible that the new building will be more recessive – the glass façade is generally likely to be darker than the white concrete of the existing building. That said at certain times of day, there could be significant glare from the façade, which could increase the

prominence.

Taken in the round, then, it is considered that the proposal would detract from the distinctive character and attractiveness of Taunton's skyline, being more prominent than the existing building and, therefore, conflicts with Policy D1 of the SADMP. It is perhaps for these reasons that Policy Hs2 of the TTCAAP sets a maximum storey height of 5 storeys for this part of the site which would have reduced the impact from the existing situation to the overall benefit of the skyline. However, with the design alterations and reduction in height, it is not considered that the impact on the skyline would be so harmful as to warrant refusal of the application in itself.

In terms of general wider impacts, it is clear that the proposal would become a defining part of Taunton's character, visible from a large number of locations. The submitted Landscape and Visual Impact Assessment picks up on these and suggests that the experiences of people visiting the town will not be significantly harmed by the proposed building. Your officers concur with these points in terms of the general amenity of the town. Therefore, it is considered that the impacts on the settings of the various listed buildings are more important than the general visual impact.

As noted above, paragraph 134 of the NPPF advises that "where the development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefit of the proposal". The above analysis has demonstrated that each of the impacts can be categorised as less than substantial in their own right, so this test is engaged. However, there will be some harm to the settings of many buildings and this must be weighed against the benefits.

The proposed development will provide care facilities and accommodation for older people. The applicants have provided a substantial amount of information on the demographics of the local area, and that there are an increasing number of people requiring care and suitable accommodation in older life. Whilst there is no planning policy setting a target for such accommodation, it is accepted that there is an increasing need for older persons accommodation and this development provides a new model for providing accommodation that allows people to stay in private accommodation for longer. It could also go some way to reducing pressures on hospital wards to the overall benefit of the wider population. In addition, the proposal would release some of the general housing stock for family accommodation. The proposal would also generate 79 FTE jobs, bringing a significant economic benefit. These are considered to be weighty public benefits and sufficient to outweigh the less than substantial harm to the heritage assets and the conflict with Policy D1 (skyline impact).

Impact on the highway network

Having considered the submitted transport assessment and additional information provided by the applicant, the Local Highway Authority had previously confirmed that they have no objection to the proposal in terms of the impact on the highway network in terms of likely traffic generation, which is likely to be lower than if the previous office use were put to its full potential.

The Highway Authority has yet to comment on the revised detail of the access/egress arrangements, in particular for service vehicles who will have to manoeuvre out onto the highway opposite Marks and Spencer. These comments are awaited and if there were to be an issue the layout could revert back to that previously agreed. Subject to the Highway Authority clarifying this point the access is considered acceptable.

There was previously a concern about pedestrian safety in the vicinity of the site, particularly for those who are visually or mobility impaired. The development proposes to reconfigure the uncontrolled pedestrian crossing facilities onto the top of Paul Street, outside the library which is acceptable. However, given the busyness of the road, some users would prefer to use the signal controlled crossing at the junction of Paul Street and Mary Street. These facilities would also likely be used by pedestrians crossing towards Sainsbury's, Marks and Spencer and those wishing to visit Vivary Park. Safety audits have revealed that these crossings are significantly below standard, with poor facilities for pedestrians. There is a particular concern over the safety of users of mobility scooters given the configuration of the signals, crossing points and central island (this is echoed by some of the representations received from the public). The Highway Authority believe that there will be a significant increase in the users of these crossing points over and above any office use and that more of those users are likely to be visually or mobility impaired. They believe that it is necessary for the signalised crossing to be upgraded to meet modern standards. The detail of this will be controlled through a S106 agreement.

Provided that the necessary junction safety improvements are carried out, it is considered that the impact on the highway network is acceptable.

Ecology

Wildlife surveys undertaken have revealed that the site has limited potential for wildlife. The protection of nesting birds, along with proposals to enhance the site for wildlife can be secured by condition as before.

Drainage

The development proposes underground surface water attenuation tanks. On this highly constrained brownfield site, this is considered to be appropriate. The proposal will result in a 30% reduction in surface water discharge from the current site and, accordingly, the proposal should contribute to a reduction in off-site flood risk.

Conclusions

The proposed development is considered to be an acceptable town centre use. The provision of retail floor space accords with the retail allocation within which the site sits. The development of the site will render the retail allocation undeliverable, there is currently sufficient allocations for retail development elsewhere. Therefore, whilst there is a conflict with the development plan in terms of the use of the site, it is considered that this is not harmful and the benefits of providing high quality

accommodation of this type in a highly accessible location is considered to outweigh the conflict with the plan. The proposal is, therefore, considered to be acceptable in principle and the main issue is the design of the development, its impact upon heritage assets and visual impact generally.

In terms of the visual impacts, the presence of the new building would be felt from a good many locations across the town. However, this is unlikely to cause a significant adverse visual impact in its own right to the detriment of the general amenity of the area. The current scheme is lower than that previously approved. There will clearly be an impact on the skyline, contrary to Policy D1 of the SADMP and that the proposal will impact upon the setting of many heritage assets. Your officers consider that the proposal will cause less than substantial harm to the setting of heritage assets and that, on balance, this is outweighed by the benefits of providing bespoke elderly persons accommodation in this highly accessible location, in accordance with Paragraph 196 of the NPPF. Other matters can be satisfactorily mitigated by conditions and it is, therefore considered that the proposal is acceptable and it is recommended that planning permission is granted.

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

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