



Agenda for Planning Committee Tuesday, 15th November, 2022, 11.30 am

Members of Planning Committee

Councillors: E Wragg (Chair), S Chamberlain (Vice-Chair), K Bloxham, C Brown, A Colman, O Davey, B De Saram, S Gazzard, M Howe, D Key, R Lawrence, G Pook, G Pratt, E Rylance, P Skinner and T Woodward

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(or group number 01395 517546)

Friday, 4 November 2022

This meeting will be streamed live to the Council's YouTube Channel at <https://www.youtube.com/channel/UCmNHQruge3LV4hcgRnbwBw>

Speaking on planning applications

In order to speak on an application being considered by the Planning Committee you must have submitted written comments during the consultation stage of the application. Those that have commented on an application being considered by the Committee will receive a letter or email detailing the date and time of the meeting and instructions on how to register to speak. The letter/email will have a reference number, which you will need to provide in order to register. Speakers will have 3 minutes to make their representation.

The number of people that can speak on each application is limited to:

- Major applications – parish/town council representative, 5 supporters, 5 objectors and the applicant or agent
- Minor/Other applications – parish/town council representative, 2 supports and 2 objectors and the applicant or agent

The revised running order for the applications being considered by the Committee and the speakers' list will be posted on the Council's website (agenda item 1 – speakers' list) on the Friday before the meeting. Applications with registered speakers will be taken first.

Parish and town council representatives wishing to speak on an application are also required to pre-register in advance of the meeting. One representative can be registered to speak on behalf of the Council from 10am on Monday, 7 November 2022 up until 12 noon on Thursday, 10 November 2022 by leaving a message on 01395 517525 or emailing planningpublicspeaking@eastdevon.gov.uk.

Speaking on non-planning application items

A maximum of two speakers from the public are allowed to speak on agenda items that are not planning applications on which the Committee is making a decision (items on which you can register to speak will be highlighted on the agenda). Speakers will have 3 minutes to make their representation. You can register to speak on these items up until 12 noon, 3 working days before the meeting by emailing planningpublicspeaking@eastdevon.gov.uk or

by phoning 01395 517525. A member of the Democratic Services Team will contact you to confirm whether your request has been successful.

1 Speakers' list

Speakers list removed

2 Apologies

3 Declarations of interest

Guidance is available online to Councillors and co-opted members on making [declarations of interest](#)

4 Matters of urgency

Information on [matters of urgency](#) is available online

5 Confidential/exempt item(s)

To agree any items to be dealt with after the public (including press) have been excluded. There are no items that officers recommend should be dealt with in this way.

Applications for Determination

6 21/2217/MRES (Major) CLYST VALLEY (Pages 3 - 38)

Winslade Park, Clyst St Mary.

Under the Openness of Local Government Bodies Regulations 2014, any members of the public are now allowed to take photographs, film and audio record the proceedings and report on all public meetings (including on social media). No prior notification is needed but it would be helpful if you could let the democratic services team know you plan to film or record so that any necessary arrangements can be made to provide reasonable facilities for you to report on meetings. This permission does not extend to private meetings or parts of meetings which are not open to the public. You should take all recording and photography equipment with you if a public meeting moves into a session which is not open to the public.

If you are recording the meeting, you are asked to act in a reasonable manner and not disrupt the conduct of meetings for example by using intrusive lighting, flash photography or asking people to repeat statements for the benefit of the recording. You may not make an oral commentary during the meeting. The Chair has the power to control public recording and/or reporting so it does not disrupt the meeting.

Members of the public exercising their right to speak during Public Speaking will be recorded.

[Decision making and equalities](#)

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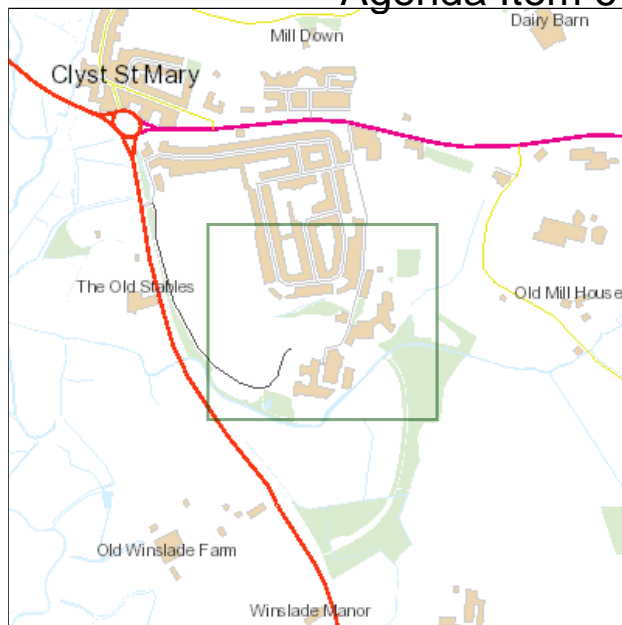
Ward Clyst Valley

Reference 21/2217/MRES

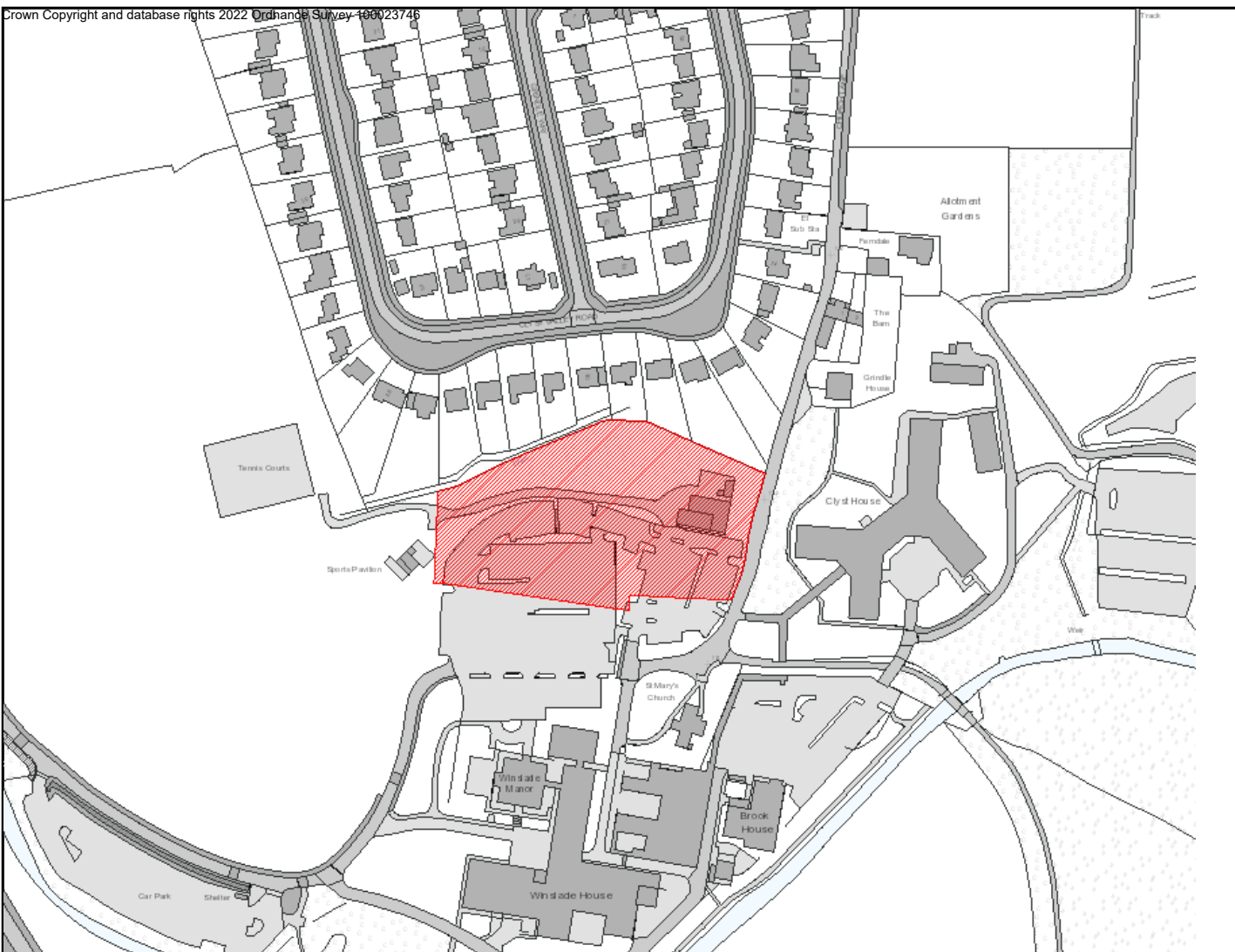
Applicant S Billings (Burrington Estates (New Homes) Limited)

Location Winslade Park Winslade Park Clyst St Mary

Proposal Reserved matters application pursuant to outline application 20/1001/MOUT seeking details of layout, appearance, scale and landscaping for a residential development of 40 apartments (Zone D)



RECOMMENDATION: Approval with conditions



		Committee Date: 25th October 2022
Clyst Valley (Bishop Clyst Clyst St Mary)	21/2217/MRES	Target Date: 10.12.2021
Applicant:	S Billings (Burrington Estates (New Homes) Limited)	
Location:	Winslade Park Winslade Park	
Proposal:	Reserved matters application pursuant to outline application 20/1001/MOUT seeking details of layout, appearance, scale and landscaping for a residential development of 40 apartments (Zone D)	

RECOMMENDATION: Approval with conditions

EXECUTIVE SUMMARY

This application is before Members as the officer recommendation is contrary to the views of the Parish Council and Wad Member.

The site is located to the south of the village of Clyst St Mary, and in recent times has acted as the car parking area for the headquarters for London & Manchester, and subsequently Friends Life, and other office uses. It is commonly known as Winslade Park and comprises a number of relatively modern office buildings (Winslade House, Brook House and Clyst House) and a Grade II* listed building (Winslade Manor). Works are currently being undertaken on site to refurbish these buildings for continued office use together with leisure facilities and cafes/restaurants.

The principle of development for residential purposes on this site has already been established through the granting of planning permission 20/1001/MOUT which also dealt with matters of viability and overage, affordable housing, open space, formal play space, ecology and the means of access to the site, together with development on the wider site which was considered acceptable as a departure from the development plan on the basis of the substantial benefits that would be provided.

The proposed buildings on the application site (Zone D), which would accommodate 40 apartments, would take the form of 3 no. separate apartment blocks each four stories in height measuring 12.9 metres in height to the roof, the apartment Blocks A and B would be joined at ground floor (some apartments and under cover car parking) and at first floor to provide a podium access into the building(s) and communal outside amenity space. The podium access has

been removed between apartments B and C due to tree constraints and would instead be soft landscaped with additional tree planting around the parking spaces.

There have been a great number of objections received from residents in Clyst Valley Road concerning this application together with concerns raised by the Parish Council and Ward Member. Concerns chiefly relate to the impact that the height and proximity of the apartment blocks would have on the living conditions of existing residents in terms of overlooking, overbearance, light pollution and noise. It is considered that the scale of the proposed buildings whilst larger than a traditional two storey house would assimilate well into their surroundings. The impact is minimised by the adjacent group of woodland trees between the site and residential properties but also by the separation distance and the graduated approach to the floor stepping away from the existing residential properties as they go up in height.

The design of the buildings and their impact on the setting of heritage assets has been discussed in the report and been found to be acceptable with the proposed buildings and the open spaces between them to the green tree belt are considered to be an acceptable design concept solution, this view is shared by Historic England and the Council's Conservation Officer.

Accordingly, subject to conditions together with those imposed at the outline stage (20/1001/MOUT) the proposal is considered to be acceptable.

CONSULTATIONS

Local Consultations

Clyst Valley - Cllr Mike Howe

Object.

This application is too tall and too close to the woodland, It needs screening that apparently cannot be part of this application as it would be outside the red line, but trees that are part of a TPO also outside the red line may need to be felled if needed when installing the access drive and the applicant seems to believe that this permission will allow that.

Lighting will need to be considered to protect the wildlife that is in the area so low level lights will need to be conditioned.

This is all on top of the concerns by local residents.

In the event my recommendation and that of the Planning Officer differs, I wish the application to be referred to Development Control Committee.

Parish Council – 08.09.2022

I would like to submit an objection to application no 21/2217/MRES (Zone D) on behalf of Bishops Clyst Parish Council as follows:

The Parish Council has consistently stated its objections to application 21/2217/MRES and the subsequent amendments on the grounds of the overbearing appearance of the three four storey apartment blocks and their design which is out of character with the surrounding area and therefore not in accordance with the Neighbourhood Plan Design Statement. Whilst the proposed separation of the apartment blocks and inclusion of more green space is welcome and goes some way to improving the visual appearance of the development the proposals do not mitigate our concerns.

In addition, we continue to support residents' concerns that the four-storey development will have an adverse impact on the privacy of residents in Clyst Valley Road by reason of overlooking. The applicants have produced an arboricultural assessment indicating additional planting in the woodland belt between the proposed development and Clyst Valley Road which will they say will provide adequate screening, but we have yet to see the Council Tree Officer's response and assessment of the likely success of such additional planting.

The Parish Council has seen nothing in the amendments that overcomes our concerns so we cannot support the application.

Parish/Town Council – 26.04.2022

Whilst still not happy with the impactful and overbearing appearance of the three apartment blocks the major concern of the Parish Council is the adverse impact the proposals will have on the properties in Clyst Valley Road, by reason of a loss of privacy and overlooking.

We note that the amended arboricultural report shows 18-20m trees, densely stocked, in the woodland belt to the north of the proposed development and between it and the properties in Clyst Valley Road. However, without the expert views of the Landscape and Arboricultural Officers as to the effectiveness of such proposals we cannot be satisfied that they will nullify our concerns about the overlooking and loss of privacy of properties in Clyst Valley Road.

For these reasons we cannot support the amended application.

Parish/Town Council – 04.02.2022

The Parish Council notes that the developers now propose to move the apartment block further south but is not happy that this will still involve the removal of mature trees on the edge of the woodland area. Furthermore, we note that ground level of the apartment blocks has been raised thereby increasing the final height of the apartment blocks.

We still share residents' major concerns about the real and perceived loss of privacy and overlooking. We are now in mid-winter, the trees have lost their leaves and it is quite apparent, even at low level, that there is insufficient tree and green cover to shield the properties in Clyst Valley Road. The photographs of the tree cover taken from the cherry picker at the 4th storey height are not helpful as the trees were still in autumn leaf and the photos do not reflect the current situation.

It is vital in our view that any approved scheme reflects the need to retain and improve the tree cover and density in the woodland area and at a sufficient height to shield the view from the top-level apartments.

We object to the current proposals to remove of a number of mature trees in an area where the screening provided by trees is most important and are also concerned that other tree roots will be under threat from building works. A detailed arboricultural scheme has been submitted by the applicants that it states answers many of the concerns expressed above. That scheme needs the expert view of the Council's Arboricultural Officer, and we will support that Officers view.

In summary we cannot support the amended reserved matters application for the reasons stated above and until we are completely satisfied that effective long-term screening can be provided to protect with amenity and interests of the residents of Clyst Valley Road

Parish/Town Council – 12.10.2021

Bishops Clyst Parish Council objects to this application. The design is overbearing and out of character with the surrounding area in that it has the appearance of an urban development within a rural setting and does not follow advice in the Neighbourhood Plan Design Statement. We share residents' concern about overlooking the properties in Clyst Valley Road, particularly during the winter months when the deciduous tree screen will have lost their leaves. We require more information on the effect of the development on existing properties. Increased screening should be provided to reduce light and noise pollution from the buildings and the access road

Technical Consultations

Devon County Highway Authority

Zone D involves the 40 apartments and adjoining service road, the service road material of the vehicular grade macadam will not need a contrasting material to maintain safety for pedestrian users, due to the separate footway being provided. I would recommend that the two parking spaces located on the bend of the service road, are moved round to the north of the service Road for safety of egress. I note secure cycle storage will be provided for in two of the apartment blocks, I would strongly encourage that the centre block is also provided with secure cycle storage to maximise uptake of sustainable travel.

Refuse collection points are located to provide best efficiency to minimise disruption.

The Construction and Environment management plan, submitted as part of this application, will also help minimise construction disruption and maintain highway safety.

Recommendation:

THE HEAD OF PLANNING, TRANSPORTATION AND ENVIRONMENT, ON BEHALF OF DEVON COUNTY COUNCIL, AS LOCAL HIGHWAY AUTHORITY, HAS NO OBJECTION TO THE PROPOSED DEVELOPMENT

Conservation – 03.02.2022

CONSULTATION REPLY TO PLANNING WEST TEAM
PLANNING APPLICATION AFFECTING LISTED BUILDING

ADDRESS: Winslade Park, Winslade Park, Clyst St Mary

GRADE: II* APPLICATION NO: 21/2217/MRES

PROPOSAL: Reserved matters application pursuant to outline application 20/1001/MOUT seeking details of layout, appearance, scale and landscaping for a residential development of 40 apartments (Zone D)

BRIEF DESCRIPTION OF HISTORIC CHARACTER/ ARCHITECTURAL MERIT:

Winslade Manor is a grade II* listed property. The principal property is an early 18th century house that was significantly remodelled in the late 18th century. The site became the head headquarters of the London and Manchester Assurance Company in the mid-20th century and a modern commercial office block designed by Powell and Moya was built in the 1970s.

The principal house retains a sense of primacy within the site with aspects of its designed landscape including the green open space to the west of the principal façade and the grade II listed Terrace Walk with associated planting to the west including specimen trees. It has also retained component parts of the wider estate including the stables, walled garden and a close relationship to the church. The site also retains a clear corporate character through its former office use with the number of car-parks and the large office buildings of which the Powell and Moya is by far the most accomplished architecturally.

HOW WILL PROPOSED ALTERATIONS AFFECT HISTORIC CHARACTER OF BUILDING AND ITS SETTING:

Zone D: a residential development of 40 apartments within three separate blocks (three storey plus penthouse) with covered balconies and linked by a series of terraces.

This is in the immediate setting of the listed building and will clearly have some impact on the Manor, its setting and the original historic parkland, see previous Conservation Officer and Historic England comments.

The amended plans have addressed the concerns raised mainly by Landscape and others. As before efforts should be made to ensure the use of appropriate quality materials. No further comments.

PROVISIONAL RECOMMENDATION - PROPOSAL
ACCEPTABLE in principle

SUGGESTED CONDITIONS: materials for the development

Conservation – 04.10.2021

CONSULTATION REPLY TO
LISTED BUILDING CONSENT/CONSERVATION AREA
PLANNING APPLICATION AFFECTING LISTED BUILDING

ADDRESS:

Winslade Park
Clyst St Mary
Exeter
East Devon

GRADE: II* APPLICATION NO: 21/2217

CONSERVATION AREA: No

PROPOSAL:

Reserved matters application pursuant to outline application
20/1001/MOUT seeking details of layout, appearance, scale and
landscaping for a residential development of 40 apartments (Zone D)

BRIEF DESCRIPTION OF HISTORIC CHARACTER/ ARCHITECTURAL MERIT:

Extracted from HE response:

"Winslade Park is a country estate based around a restrained Palladian villa set within a designed landscape. Redeveloped in the later 20th century to form the headquarters of an insurance company, the substantial office buildings were skilfully woven into the landscape by the notable architects Powell and Moya.

Due to its more than special architectural and historic interest, Winslade Manor has been listed at grade II*.

Zone D is located in close proximity to the grade II* listed Winslade House to the east of the site. It also sits on the former historic approach that swept into the west side of the house and has subsequently been lost through the development of former parkland to the east.

The application is for three pavilions linked by a raised green deck. Steps have been taken within the design to provide it with a greater reference to the Powell & Moya building (Winslade House) addressing concerns raised during the pre-application process over the vertical emphasis of the building."

HOW WILL PROPOSED ALTERATIONS AFFECT HISTORIC CHARACTER OF
BUILDING AND ITS SETTING:

HE feels that:

"The pavilion format of the buildings has allowed for views through the site to the green boundary. However, the landscaping of the site will have an important role in allowing this development to integrate into its parkland setting. We understand that the carpark falls outside the scope of this application, however, opportunities should be sought for a collaborative approach to facilitate a more naturalistic transition between the Manor and development.

Materials will play a key role in providing the building with a sense of solidity balanced against the light touch required for the pavilion. Any materials will need to be high quality, in order to help tie the development into the wider setting creating a more cohesive response to Winslade House and Manor. The council should consider conditioning the selection of materials in order to be confident that the final choice respond positively to their surrounding context."

While I do not have the same opinion of the Powell and Moya construction, nor the implied pavilion format of the proposed development I do agree that the landscaping of the site will play an important role in the final success of this development. I would support that opportunities should be pursued to achieve a naturalistic transition between the manor and the development as well as a management plan for the arboricultural boundary.

PROVISIONAL RECOMMENDATION - PROPOSAL ACCEPTABLE

I support this application in line with HE recommendations and would suggest that efforts be made to further condition the materials and landscape management.

Environment Agency – 25.04.2022

Thank you for your consultation of 11 April 2022 following submission of a revised construction environment management plan (CEMP).

Environment Agency position

We consider that the revised CEMP is acceptable and therefore have no objections to the proposed development.

Comments - CEMP

We have reviewed the revised CEMP, in particular section 3.1. We consider that the amendments are acceptable. The applicant should be aware of the following informatives:

- o In the event of the pollution prevention plans failing, any discharges of sediment laden water should be reported to the Environment Agency as soon as possible.
- o All groundworks staff should be aware of the CEMP and of what's required to prevent polluted discharges to watercourses and surface water drains.

Environment Agency – 01.10.2021

Thank you for consulting us on this application.

Environment Agency position

Whilst we have no in-principle objection to the proposed development of Zone D, we recommend that this application is not determined until the submitted Construction Environment Management Plan is revised on two points. The reason for this position and advice is provided below.

Reason - This reserved matters application is accompanied by a Construction Environment Management Plan (CEMP) and whilst it is broadly acceptable, we recommend that the following points are included in the CEMP to demonstrate that pollution prevention measures will be adequately undertaken by all parties involved:

1. The CEMP should demonstrate that the ground works contractors will be briefed on the works carried out to prevent the discharge of silt to surface water drainage or to a watercourse. The ground works contractors should have a duty to report any issues regarding the discharge and/or potential discharge of silt from site as part of their contract and should agree to cease works where pollution is occurring. A procedure for this could be included in the CEMP.
2. Checks should be made along the Grindle Brook to check whether there are land drains already in place on the site which discharge into it or any minor tributaries which need silt fencing as a minimum. The results of this investigation and adequate mitigation measures should be outlined in the CEMP.

Advice - We wish to highlight that, if the CEMP can be revised in line with our comments above, we would consider it to only be appropriate for the proposed works in Parcel D. In the case of any subsequent reserved matters applications for other parcels, particularly those closer to the river on the southern and western boundary of the development site, further consideration needs to be given to the measures required for sediment control. This is because of the potential for works to be carried out in wet weather, or that any discharge may be silt laden.

Please re-consult us on any revised CEMP or associated documents submitted and please contact us again if you require any further advice.

Historic England – 25.04.2022

Thank you for your letter of 11 April 2022 regarding further information on the above application for planning permission. On the basis of this information, we do not wish to offer any comments. We suggest that you seek the views of your specialist conservation and archaeological advisers, as relevant.

It is not necessary for us to be consulted on this application again, unless there are material changes to the proposals. However, if you would like detailed advice from us, please contact us to explain your request.

Historic England – 01.10.2021

Thank you for your letter of 13 September 2021 regarding the above application for planning permission. On the basis of the information available to date, we offer the following advice to assist your authority in determining the application.

Historic England Advice

The application is for the reserved matters, including layout, appearance, scale and landscaping, for the development at Zone D of Winslade Park. The principle for the development of 40 apartments on this site has already been established under 20/1001/MOUT.

Winslade Park is a country estate based around a restrained Palladian villa set within a designed landscape. Redeveloped in the later 20th century to form the headquarters of an insurance company, the substantial office buildings were skilfully woven into the landscape by the notable architects Powell and Moya.

Due to its more than special architectural and historic interest, Winslade Manor has been listed at grade II*.

Zone D is located in close proximity to the grade II* listed Winslade House to the east of the site. It also sits on the former historic approach that swept into the west side of the house and has subsequently been lost through the development of former parkland to the east.

The application is for three pavilions linked by a raised green deck. Steps have been taken within the design to provide it with a greater reference to the Powell & Moya building (Winslade House) addressing concerns raised during the pre-application process over the vertical emphasis of the building.

The pavilion format of the buildings has allowed for views through the site to the green boundary. However, the landscaping of the site will have an important role in allowing this development to integrate into its parkland setting. We understand that the carpark falls outside the scope of this application, however, opportunities should be sought for a collaborative approach to facilitate a more naturalistic transition between the Manor and development.

Materials will play a key role in providing the building with a sense of solidity balanced against the light touch required for the pavilion. Any materials will need to be high quality, in order to help tie the development into the wider setting creating a more cohesive response to Winslade House and Manor. The council should consider conditioning the selection of materials in order to be confident that the final choice respond positively to their surrounding context.

Recommendation

Your authority should take these representations into account and seek amendments, safeguards or further information as set out in our advice. If there are any material changes to the proposals, or you would like further advice, please contact us.

DCC Flood Risk Management Team – 27.04.2022

Our objection is withdrawn and we have no in-principle objections to the above planning application at this stage.

Observations:

Following my previous consultation response FRM/ED/2217/2021, dated 17.2.22, the applicant has submitted additional information in relation to the surface water drainage aspects of the above planning application, for which I am grateful.

- Winslade Park Drainage Strategy Statement Zone D, dated April 2022 Rev F
- Proposed Drainage Strategy Rev G C21020_C030
- Exceedance Runoff Rev F C21020_C031
- Drainage Maintenance Plan Rev F C21020_C032

The applicant has updated the hydraulic model of the proposed drainage system in light of the fact that that the proposed permeable paving is not infiltrating. The underdrained permeable paving has been updated on the drainage layout, Proposed Drainage Strategy Rev G.

DCC Flood Risk Management Team – 17.02.2022

At this stage, we object to this planning application because we do not believe that it satisfactorily conforms to Policy EN22 (Surface Run-Off Implications of New Development) of the East Devon Local Plan (2013-2031). The applicant will therefore be required to submit additional information in order to demonstrate that all aspects of the proposed surface water drainage management system have been considered.

Observations:

Following my previous consultation response FRM/ED/2217/2021, dated 29.10.2022, the applicant has submitted additional information in relation to the surface water drainage aspects of the above planning application, for which I am grateful.

Pages 3 and 5 of the Drainage Strategy Statement Zone D Winslade Park, still details that permeable paving is proposed to recharge some the groundwater to support existing trees at the site. We are not supportive of this and this contradicts the revised Surface Water Drainage Layout.

Appendix B of the Drainage Strategy Statement indicate that the impermeable area contributing to the model has not been increased in light of the fact that the permeable paving is now being under drained. The model should be updated to reflect the change in design of the permeable paving.

We would be happy to provide a further review if additional information is submitted to the local planning authority.

DCC Flood Risk Management Team – 05.10.2021

Recommendation:

At this stage, we object to this planning application because we do not believe that it satisfactorily conforms to Policy EN22 (Surface Run-Off Implications of New

Development) of the East Devon Local Plan (2013-2031). The applicant will therefore be required to submit additional information in order to demonstrate that all aspects of the proposed surface water drainage management system have been Considered.

Observations:

We are pleased to see that green roofs and permeable paving are being proposed to drainage this area of the site however we have the following queries:

The applicant should revise the drainage design so that there are no areas of unlined permeable paving. The approved drainage strategy did not use unlined permeable paving, there is high groundwater at the site and the soakaways tests deemed the ground conditions are not favour for infiltration.

The Causeway model indicates a contributing impermeable area of 0.481 ha on which is the same impermeable area indicated on Page 5 of the Drainage Strategy Statement dated August 2021 therefore the applicant should apply 10% for urban creep.

We would be happy to provide another substantive response if additional information is submitted to the local planning authority.

EDDC Landscape Architect

1 INTRODUCTION

This report forms the EDDC's landscape response to the Discharge of Conditions application for the above site seeking discharge of the landscape and green infrastructure related conditions attached to the decision notice.

The application relates to the land parcel north of the existing manor and car park identified by the applicant as Zone D.

The report provides a review of landscape related information submitted with the application in relation to adopted policy, conditions of the outline approval, relevant guidance, current best practice and existing site context and should be read in conjunction with the submitted information.

2 CONDITIONS

2.1 Relevant landscape conditions

2. Approval of the details of the layout, scale and external appearance of the buildings and the landscaping of the site (hereinafter called "the reserved matters") shall be obtained from the Local Planning Authority in writing before any development is commenced.

8. As part of any reserved matters application a detailed Landscape and Ecology Management Plan (LEMP) for a minimum period of 25 years shall be submitted and should include the following details:

- Extent, ownership and responsibilities for management and maintenance.

- Details of how the management and maintenance of open space will be funded for the life of the development.
- Inspection arrangements for existing and proposed trees and hedgerows and monitoring of bio-diversity net-gain.
- Management and maintenance of trees and hedgerow.
- Management and maintenance of shrub, herbaceous and grass areas.
- Management of ecological habitat, maintenance of any ecological mitigation measures and further measures for enhancement of biodiversity value.
- Management and maintenance of any boundary structures, drainage swales and other infrastructure/ facilities within public areas.

3 REVIEW OF SUBMITTED INFORMATION

3.1 Layout and appearance

a) Red line area – The treatment of the existing car park area to the south of the current application site is of key importance to producing an attractive setting for both the manor and the new apartments and helping to soften the impact of new development from the manor. As such the car park should form part of the present application and the application boundary should be extended as indicated by the red pecked lines in the over-marked plan extract below.

b) The extent of the northern ground floor terrace to block A should be reduced to match that of blocks B and C to allow for a hedge along the boundary with the car park.

3.2 Landscape and Visual Assessment

Since the proposals entail an increase in building height from two/three storeys to four storeys, an addendum to the LVA submitted with the outline application should be provided to consider the landscape and visual impact of the four storey apartments, including potential night time effects.

3.3 Proposed site levels

Very limited information is provided on site levels. A detailed levels plan showing proposed and existing levels should be provided to clearly level alterations proposed across the site and the extent of grading and earthworks.

A detailed section should also be provided showing clearly the relationship of the flats to the manor to the south and the existing woodland and housing estate to the north. Such a section is provided in the DAS and Planning statement but at a scale and level of detail that lacks clarity.

3.4 Ecology

The planning statement notes that an ecological appraisal was prepared for the outline application and that the base line conditions have not changed. However, it appears that the proposals do entail more extensive tree loss than identified on the tree loss plan provided in appendix XIV of the Ecological Impact Assessment submitted with the outline application. An updated ecological impact assessment is therefore required to address this and also assess any potential impacts on bat foraging/ commuting patterns arising from increased height of the apartment blocks

and extensive glazed frontages of the top storey which will appear as lanterns at night.

3.5 Trees

While the planning statement notes the proposed loss of existing car park trees, it makes no mention of the more extensive tree losses proposed within the woodland on the northern boundary of the site. The extent of proposed tree removal within this area is unclear from the submitted details and more detailed plans and survey information should be provided to reflect more accurately the extent of this and also proposals for compensatory planting.

The proposed tree planting species to either side of the central north-south avenue are considered too small given the overall scale of the space and buildings and should be replaced with large canopy trees.

Further large canopy trees should be added through the car park as indicated below or similar arrangement:

3.6 Hard landscape – dwg. no. 210110 L05 11 Rev C

A white finish paving slab is proposed for the pedestrian pathways around the apartment blocks and the link path to the manor house. These should be changed to a darker red/ brown colour Brunastio or Maronne Terra which would be more reflective of local soil and stone colours.

3.7 Pedestrian circulation

Details of pedestrian circulation are given in the accompanying DAS (p47). Please confirm whether the routes indicated are to be public or private. Confirmation should be provided regarding the extent, if any, of access to the woodland area along the northern boundary.

A pedestrian gate is shown to the south of parking bay A01. Please clarify where this leads and whether public or private.

3.8 Bike parking

Please confirm details of secure covered bike storage. This should be at a minimum of 1 space per dwelling.

3.9 Soft landscape

3.9.1 Generally

As noted above the red line application area should be extended southwards to incorporate the existing car park area and proposed planting within it.

3.9.2 Roof gardens

The proposed podium gardens are roof terraces with limited soil volumes. Planting proposals should seek to maximise opportunities for bio-friendly planting and to minimise reliance on irrigation. The roof gardens at the Barbican, London, redesigned by Nigel Dunnett provide a good case study of how this can be achieved and provide good year round amenity.

I question the viability of proposed small areas of wildflower grass within these potentially intensively used areas. Consider replacement by extending raised planters over.

Detailed proposals for the roof gardens construction should be required by condition should the application be approved, to include construction details and soil make up of planters.

Green roofs should be provided to the penthouse flats to enhance biodiversity value and help attenuate rain water.

3.9.3 Proposed softworks schedule

a) References to British Standards at top first page should also include BS 8601: 2013 (subsoil)

b) Soil and mulch

- Include specification for subsoil quality (BS 8601 multi-purpose) and preparation
- Top soil grade should be specified as BS 3882: 2015 multi-purpose.
- Topsoil depths to tree pits are excessive and contrary to good practice advice. In accordance with BS 8545 tree pits should be excavated to depth of root-ball. Back fill should comprise excavated soil replaced to match surrounding soil horizons.
- Further consideration is required in respect of soil make up for proposed wildflower areas. A suitable subsoil with little compost worked in would be more appropriate than 150mm topsoil.

c) Please provide tree pit and staking/ guying details for trees in soft landscape and trees in/ adjacent to hard paving.

d) Please provide tree soil volume calculations. The required soil volume and available soil volume should be provided for all trees in/ adjacent to hard paving. For trees where extended soil volumes are required under areas of paving details of proposed tree pits with root-cells should be provided and the extent of root-cells indicated on both the planting and hardworks plans.

3.6.6 LEMP

The submitted LEMP is generally acceptable but the following clarifications/ amendments are required:

a) P9 item 7, Monitoring - This should include:

- annual inspection of newly planted and existing trees by arboriculturalist and report on any works required.
- annual inspection by landscape architect/ ecologist to verify that maintenance operations are in accordance with requirements of LEMP and meeting biodiversity net gain

3 CONCLUSION AND RECOMMENDATIONS

Satisfactory clarifications and amendments are required as noted above, before the landscape elements relating to condition 2 (layout, scale, appearance, landscape) and condition 8 (LEMP) can be discharged.

National Highways

Referring to the notification of a Reserved matters application referenced above (pursuant to outline application 20/1001/MOUT), seeking approval of details of layout, appearance, scale and landscaping for a residential development of 40 apartments (Zone D), at Winslade Park, Clyst St Mary, east of Exeter, notice is hereby given that Highways England's formal recommendation is that we:

a) offer no objection;

Highways Act Section 175B is not relevant to this application.1

This represents Highways England formal recommendation and is copied to the Department for Transport as per the terms of our Licence.

Should you disagree with this recommendation you should consult the Secretary of State for Transport, as per the Town and Country Planning (Development Affecting Trunk Roads) Direction 2018, via transportplanning@dft.gov.uk

Annex A Highways England recommended No Objections
HIGHWAYS ENGLAND ("we") has been appointed by the Secretary of State for Transport as strategic highway company under the provisions of the Infrastructure Act 2015 and is the highway authority, traffic authority and street authority for the Strategic Road Network (SRN). The SRN is a critical national asset and as such we work to ensure that it operates and is managed in the public interest, both in respect of current activities and needs as well as in providing effective stewardship of its long-term operation and integrity.

We have undertaken a review of the relevant documents supporting the planning application to ensure compliance with the current policies of the Secretary of State as set out in DfT Circular 02/2013 "The Strategic Road Network and the Delivery of Sustainable Development" and the MHCLG National Planning Policy Framework (NPPF), being advised on this matter by our consultants, Jacobs.

This response represents our formal recommendations with regards to the planning application (ref: 21/2217/MRES) and has been prepared by the Planning Manager for Devon.

Statement of Reasons

The application seeks approval of reserved matters application referenced above (pursuant to outline application 20/1001/MOUT), relating to details of layout, appearance, scale and landscaping for a residential development of 40 apartments (Zone D), at Winslade Park, Clyst St Mary. The Winslade Park site is located approximately 1.5km south-east of M5 Junction 30.

In our response to application, 20/1001/MOUT, which was consented in July 2021, we recommended that the development not be brought into use prior to the approval of site wide residential and Employment Travel Plans, to seek to reduce the reliance on the private car.

Impact on Strategic Road Network

Subject to our above recommended planning condition, we are satisfied the impact of the development on the safe and efficient operation of the strategic road network was addressed at outline stage. As such we offer no objections to the reserved matters application.

Recommendation

Highways England has no objections to application 21/2217/MRES.

Police Architectural Liaison Officer – 19.04.2022

Thank you for furthered consultation in relation to the amended plans of this planning application. Having reviewed the plans I have nothing further to add to my previous comments.

Police Architectural Liaison Officer – 21.01.2022

Thank you on behalf of Devon and Cornwall Police for the opportunity to comment on this application.

I appreciate the response made to my initial comments, they go some way to addressing the issues raised. Whilst I recognise that the areas under the podiums will be commonly used and have some surveillance opportunities, I maintain that the design hampers good lines of sight and can inadvertently create places of concealment. As acknowledged in the original Design and Access Statement the space is referred to as 'hidden under croft parking' and 'hidden beneath the podium'.

Crime prevention through environmental design guidance suggests that crime and anti-social behaviour (ASB) are more likely to occur if (amongst other factors);

- o all sides of buildings and all parts of spaces are not overlooked by surrounding users or passers-by
- o the way that buildings, streets and spaces are laid out allow criminals to move around and operate undetected
- o places become devoid of activity at certain times of the day or night, whilst remaining accessible to offenders (1)

I suggest that aspects of the design have some of these characteristics.

Whilst I appreciate that 'the greater extent of the site is that of a controlled and 'gated' community so overall pedestrian access into the area will be controlled' and that this, supported by an effective lighting scheme, will reduce the potential for and fear of crime and ASB and mitigate such risk. It would be remiss of me not to raise this aspect of the design and my concerns for your consideration.

Police Architectural Liaison Officer – 21.09.2021

Thank you on behalf of Devon and Cornwall Police for the opportunity to comment on this application.

Whilst there are positive aspects to the design of the scheme from a designing out crime perspective, the main aspect that I cannot support is in relation to the under-croft areas between the apartment blocks, i.e. the proposed carparks 'hidden beneath the podium'

The space is not well overlooked, lacks natural surveillance opportunities and can unintentionally provide a 'sheltered' space for illegitimate use such as rough sleeping, drug use and anti-social behaviour (ASB) in particular, as well as increasing the fear of crime and ASB for legitimate users. What measures will be in place to reduce the risk of such crime and ASB? Until it is clear how such a risk will be mitigated, I cannot support this aspect of the application.

The following guidance in relation to under-croft car parks is given by Secured by Design with the aim of reducing the potential for crime and ASB and preventing unauthorised pedestrian and vehicular access to such space:

- An access control system must be applied to all vehicular and pedestrian entrances to prevent unauthorised access into the carpark.
- Inward opening automatic gates or roller grilles must be located at the building line to avoid the creation of a recess. They must be capable of being operated remotely by the driver whilst sitting in the vehicle, the operation speed of the gates or shutters should be as quick as possible to avoid tail gating by other vehicles. This will allow easy access by a disabled driver and should satisfy the requirements of the Highways Department who under normal circumstances do not permit vehicles to obstruct the pedestrian footway whilst the driver is unlocking a gate. Automatic roller shutters should be certificated to a minimum of LPS 1175 SR1, STS 202 BR1 or LPS 2081 SRA
- Lighting must be at the levels recommended by BS 5489:2020 / BS12464-1.
- Walls and ceilings must have light colour finishes to maximise the effectiveness of the lighting as this will reduce the luminaires required to achieve an acceptable light level. Reflective paint can reduce the number of luminaires needed to achieve the desired lighting level and reduce long-term running costs.
- Any internal door that gives access to the residential floors must have an access control system.

Further Recommendations

- External communal entrance doorsets that serve more than 10 apartments must be robust enough to withstand the day to day use in such an environment. Therefore, it is recommended that such doors are certificated to an appropriate security standard such as STS BR 2, LPS 1175 SR2 or PAS24 but with the appropriate duty requirement under BS 6375.

An appropriate access control and door entry system must also be installed to ensure casual intrusion and unauthorised access is prevented.

- Mail Delivery - apartment blocks must not have trades button access for mail delivery or utility readings. They have been proven to contribute to ASB, crime and unlawful access to communal developments.

A 'through-the-wall' mail delivery into secure internal letterboxes, boxes located within an 'airlock' access controlled entrance hall/lobby, whereby access can be gained by a postal worker through the outer door only or external letterboxes (certificated to TS009) should be considered.

If utility readings cannot be carried out remotely it would be preferable that they were located externally near the main entrance or in the 'airlock' space, thus again negating the need of a trades button.

- External doorsets to integral bin and cycle stores should be certificated to a nationally recognised security standard such as PAS24 for example. Such stores can be prone to theft, damage and suchlike if not adequately secured. They should have a locking system that is easily operable from the inner face by use of a thumb turn to ensure that residents are not accidentally locked in

- Effective lighting is crucial to achieving a safe environment. If the lighting design is not effective, it could have a negative impact on the scheme and increase both the potential for crime and ASB, as well as the fear of crime and ASB.

For crime prevention measures, lighting should be provided by on building solutions or pole mounted luminaires if possible, with good levels of uniformity. Bollard lighting should be minimised and used for demarcation of routes only or supplementary as part of a general design.

Bin and cycle stores should be lit at night using vandal resistant light fittings and energy efficient LED lights.

24-hour internal lighting (switched using a photoelectric cell) to communal parts of the development should be installed. This includes the communal entrance halls, landings, corridors, stairwells and all entrance/exit points. Consider lighting systems that reduce light levels during quieter periods to save energy.

- Where ownership of parking spaces is ambiguous, ensure they are clearly marked in order to reduce the potential for conflict.

EDDC Trees – 23.09.2022

Based on the new amended site plans 210110 L 02 11 G, I have no further objections to the proposal subject to appropriate tree protection plans and arboricultural method statements etc.

EDDC Trees – 27.06.2022

A strong emphasis has been placed on liaising with Historic England, but this is only one part of the development process. In this case, we have 3 category A and B trees (BS 5837) which are significant constraints. However, from the outset it does appear that the trees have been given limited thought through providing minimal space for

growth. It does appear very much that the built environment has been given more focus, rather than the green environment in this instance. However, the setting of Winslade Park within the parkland is what makes it special and this ethos should be applied to the new development. The current design does not deliver a harmonious and sustainable relationship between structures and trees. A sustainable relationship will ensure minimal works are required to maintain the trees in the long-term and should help minimise potential conflicts / concerns arising from the proximity of the trees to the building. Furthermore, with climate change, there is a greater emphasis and importance on retaining large green infrastructure and insuring its long-term retention rather than accepting poorly laid out design.

The main problem is simply the long-term relationship between the trees and the buildings. Currently the plans will lead to significant pressures to prune the trees to maintain clearance and to alleviate safety concerns. Normally, an acceptable minimum distance between the edge of the canopy and building would be between 2 to 3m (for a low amenity value tree or high value tree at full size for a development in the past). However, as stated Turkey Oak are large specimen trees, often grown in parkland due to their substantial size. They are native to Southern Europe and Asian Minor, predominantly dry areas. In the UK, with wetter condition they are vigorous, fast growing, easily managing to grow into very large specimens. Even within restricted environments such as urban areas they will grow to significant sizes such in as in and around London. These Oaks are still in early maturity, meaning that they have still significant room for growth even within a restricted environment.

One of the main issues that we deal with in the tree department is ongoing management of trees and unrealistic expectations of customers often where consent has been granted for development in the past to take place in close proximity to buildings. Issues of shading, leaf & debris fall, bird excrement, dominate nature of the tree, size, blocking of views, safety issues and proximity of trees will lead to complaints. However, this can be reduced by appropriate design and giving sufficient space for the trees to grow that will enable them to be retained without resorting to regular ongoing maintenance which will be to the detriment of the long-term health and amenity of the trees. Turkey Oak do not respond well to pruning and are susceptible to pest and diseases including decay fungi which will shorten their safe useful life expectancy. Therefore room for the trees to grow is fundamental to their long-term retention. Design should focus on the trees being allowed to develop unhindered without the need for pruning intervention. A longer term outlook is required: how large will the trees be in 50 years and how can the design ensure minimal management, rather than maximum management which is harmful.

A tree preservation order can help prevent unnecessary work. However an appropriate design would not require a TPO in the first instance, as there would not be an on-going risk to the trees. Therefore inappropriate development should be refused to avoid this conflict from occurring in the first instance. It would be difficult to refuse an application to fell trees where their retention is considered inappropriate or due to legitimate safety concerns.

The current proposal shows some improvement in the layout of the site but major concerns still based on the proximity of blocks B and C to nearby high value trees. Therefore I still object to the proposal.

It should be noted that areas A13, A14, and A15 have all recently been felled. These trees were not subject to any protection and were categorised as low amenity value trees. It is disappointing to see these trees removed before a decision has been issued but it is considered that these trees would not have acted as a constraint to the current proposals.

- 1) Improved design around the southern edge of category A woodland – loss of woodland is now circa 16m²; it is noted that thinning of the Lawson Cypress within the woodland at 10% per year and thinning of the southern extent of woodland by 10% per year and replacement by native evergreen and shade tolerant species is proposed in the landscape and ecology management plan. This is considered appropriate management of the woodland.
- 2) Improvement in design around T176 and T172 with the removal of 2 parking bays beneath the crowns of both trees.
- 3) Very minor changes to location of blocks B and C: apartment block B is now located 2m to the west of the canopy of T185 & T186; apartment block C is now 2.6m to the east of T185 (previous proposals blocks were 1 & 2m distance). No pruning is now necessary to enable construction. However, my original concerns (as outlined below in section C) still apply regarding lack of suitable space for future growth and detrimental harm pruning will cause to trees.

EDDC Trees - 06.10.2021

I have viewed the Arboricultural Impact Assessment including tree constraints plan, tree retention plan and arb method statement and object to the current proposal.

There is an unacceptable loss of woodland edge to the north of the site. The woodland to the north is a narrow strip varying in width. The majority of the trees to be felled include a mixture of Oak, Lime, Field Maple and Cherry all of which are approximately 25 years old and have developed into a good dense belt which currently provides a vital screen between the properties along Clyst Valley Road and Winslade Park and also act as important habitat corridor. Within the belt there are also larger mature trees that are also likely to be lost though the exact extent of loss was not possible to establish based on current information provided. Long-term management of the woodland is required including thinning which will reduce the effectiveness of the belt of trees as a screen. Within the Arb report it has been stated that Cypress should be retained; however this is not considered appropriate management of the woodland. The Cypress should be removed to allow improve the native woodland fauna and flora. Therefore reducing the belts width is not considered appropriate. The development also proposes the construction of car parking bays within what would be the RPA of the woodland trees which does not conform to BS5837. (BS 5837 Trees in relation to design, demolition and construction – Recommendations: ‘The default position should be that structures are located outside of the RPA’s’ and that development should only occur within the RPA where there is an ‘overriding justification’). Directly to the south of the woodland belt

is a hard packed woodland track / access path which is considered to be ideal natural edge to the wood and therefore edge of the proposed development.

Therefore the encroachment of the development into the woodland belt is considered unnecessary considering the size of the site with large parking area to the south and a better design could utilize the current hard surface area better without requirement for loss of tree cover along the northern edge or incursion into the RPA of proposed retained trees.

Similarly the extension of parking bays within the RPA of T171 and T172 is also not considered appropriate for the above reasons and does not meet BS 5837.

Recommendations are also proposed for reducing the crown to the east. Locating parking areas outside of the crown spread of these mature trees is considered appropriate to reduce the necessity to prune the trees now and in the future and to avoid pressure to prune due to leaf drop and bird excrement etc.

As per East Devon local plan D3, states 'the development should deliver a harmonious and sustainable relationship between structures and trees'. The current proposal is considered to have a poor juxtaposition between the apartment block B and C in relation to the nearby retained trees T185 (A category), T186 (B) and T184 (A). Para 5.6 of the Arb Impact Assessment states that trees T185 and T186 'may require future pruning'. In fact the AIA states that the trees require the crown to be pruned by 2m to the west and east respectively to allow for the construction of the development. The blocks are just 1 and 2m from the trees. Both trees are Turkey Oak which have the potential to easily double their current size and therefore require sufficient space to grow. The current design has very limited space for future growth and will result in undue pressure to prune the trees due to light, shading, safety, leaf litters and bird excrement. It is considered appropriate that the blocks are repositioned to address this significant issue.

The loss of significant number of trees here does not appear to have been considered within the scheme with limited appropriate replacement planting. It is considered that there will be a net loss in terms of tree cover rather than net gain as stated in the arb impact assessment. The two parallel lines of Sorbus within the car parking area is a poor design and does not make the most of the potential for large canopy tree planting to not only improve the visual aspect of the car park but to also meet biodiversity net gain targets and also to help climate mitigation.

Other Representations

58 representations have been received raising the following concerns:

- Overbearing
- Noise from construction
- Ecology
- Lighting from apartments being so high
- 4 stories is too high
- Loss of trees
- Design is totally wrong
- Drainage will not cope with more residents tapping into it

- Insufficient all year round screening by trees
- Density is too great for this area
- Traffic in the area will cause congestion
- Aesthetics are not right
- Tinkering around the edge does not address fundamental concerns
- Neighbourhood plan indicates no local housing need for this site
- Does not accord with the committee discussions at outline stage 2/3 stories were discussed
- Unsecure impact on residential properties.
- Increased risk of flooding from inadequate drainage system
- Risk of trees being cut to allow light into new apartments

PLANNING HISTORY

Reference	Description	Decision	Date
20/1001/MOUT	Hybrid application to include full planning permission for the demolition of an existing pre-fabricated building, refurbishment of 21,131sqm of commercial (Use Class B1a and D2) floorspace, 2,364sqm of leisure space (Use Class D1/D2 and A3), extension to Brook House providing ancillary B1c and B8 floorspace, site-wide landscaping, engineering works and the provision of associated car parking spaces. Outline planning permission with all matters reserved except for access for the erection of up to 94 residential units, including affordable housing, replacement cricket pavilion, new toilets/changing facility, reinstatement of associated sports pitches, tennis courts and parkland.	Approval with conditions	13.07.2021

POLICIES

Adopted East Devon Local Plan 2013-2031 Policies

Strategy 7 (Development in the Countryside)

Strategy 34 (District Wide Affordable Housing Provision Targets)

Strategy 49 (The Historic Environment)

Strategy 5 (Environment)

Strategy 36 (Accessible and Adaptable Homes and Care/Extra Care Homes)

D1 (Design and Local Distinctiveness)

D2 (Landscape Requirements)

D3 (Trees and Development Sites)

EN5 (Wildlife Habitats and Features)

EN9 (Development Affecting a Designated Heritage Asset)

EN14 (Control of Pollution)

EN22 (Surface Run-Off Implications of New Development)

TC7 (Adequacy of Road Network and Site Access)

TC9 (Parking Provision in New Development)

Government Planning Documents

NPPF (National Planning Policy Framework 2021)

Government Planning Documents

National Planning Practice Guidance

Neighbourhood Plan

Bishops Clyst Neighbourhood Plan (Made) Policies BiC 02, 04, 05, 06

Site Location and Description

The site is located to the south of the village of Clyst St Mary, and in recent times has acted as the car parking area for the headquarters for London & Manchester, and subsequently Friends Life, and other office uses. It is commonly known as Winslade Park and comprises a number of relatively modern office buildings (Winslade House, Brook House and Clyst House) and a Grade II* listed building (Winslade Manor). Works are currently being undertaken on site to refurbish these buildings for continued office use together with leisure facilities and cafes/restaurants.

To the north of the site lie existing properties in Clyst Valley Road separated from the site by a belt of mature trees of mixed species, to the south and east of the site lie the

complex of office buildings and to the west of the site lies the sports pavilion (cricket), sports pitches and open parkland.

The site is served by a long access road from its junction with the public highway close to the main A376.

Proposed Development

This application seeks reserved matters approval for the erection of 40 units of residential accommodation following outline application 20/1001/MOUT, matters of appearance, landscape, layout and scale are under consideration as the means of access was approved at the outline stage.

The proposal has been amended during its determination to take account of concerns raised by officers and also by internal and external consultees.

ANALYSIS

The principle of development for residential purposes on this site has already been established through the granting of planning permission 20/1001/MOUT which also dealt with matters of viability and overage, affordable housing, open space, formal play space, ecology and the means of access to the site, therefore the main considerations in the determination of this reserved matters application are considered to be the following:

- Scale and layout (including impact on residential amenity);
- Appearance;
- Landscaping;
- Impact on heritage assets;
- Impact on trees;
- Drainage; and
- Other matters

Scale and layout

The outline permission that was granted across this site known at outline stage as 'Zone D' together with 'Zone A' which was located to the north of the site adjacent to the access to the wider estate and football ground was for up to 94 residential units split across the two sites, it was initially envisaged that this site would accommodate up to 40 of those units based on the illustrative plans submitted with the outline application. In accordance with the S106 agreement dated 12 July 2021, following a detailed review of viability, 10% of dwellings within 'Zone A' were to be affordable housing with no affordable housing to be provided on this site. Permission has recently been granted under application 21/2235/MRES on 'Zone A' for 38 dwellings.

The proposed buildings on the application site (Zone D), which would accommodate 40 apartments, would take the form of 3 no. separate apartment blocks each four stories in height measuring 12.9 metres in height to the roof, the apartment blocks A and B would be joined at ground floor (some apartments and under cover car parking) and at first floor to provide a podium access into the building(s) and communal outside

amenity space. The podium access has been removed between apartments B and C due to tree constraints and would instead be soft landscaped with additional tree planting around the parking spaces. The three buildings and access ways would span a combined distance of 103 metres in the former car park, though as previously mentioned this would be broken up with visual relief between each building. Apartment Block A would measure 35 metres in depth, Block B - 27 metres in depth and Block C - 35 metres in depth. In terms of the distance to the boundary with the properties bounding the site to the north in Clyst Valley Road, Block A would measure 34 metres, Block B - 50 metres and Block C - 36 metres from the boundary. The fourth floor element of the proposal would be set further back at Block A - 43 metres, Block B - 52 metres and Block C - 46 metres from the boundary.

There have been a great number of objections received from residents in Clyst Valley Road concerning this application together with concerns raised by the Parish Council and Ward Member, these chiefly relate to the impact that the height and proximity of the apartment blocks would have on the living conditions of existing residents in terms of overlooking, overbearance, light pollution and noise. It is not an easy task to contemplate a 12.9 metre high building at the end of the garden of residential properties and views from a taller structure are wider reaching than a traditional bungalow or two storey dwelling, however the constraints of the site aid in reducing the impact that the proposed buildings would have. The existing tree belt between the site and the back of the properties in Clyst Valley Road is substantial and made up of a variety of different species of trees, the majority of which are deciduous, though there are some evergreen trees as well, these trees are not insignificant in height, with the tallest of trees in excess of 15-20 metres in height. The proposed set back of the apartment blocks with graduated rear elevations on the closest Blocks A and C so that the two storey element is set 34 and 36 metres respectively from the rear boundary with residential properties, the three storey elements would be 39 metres and 42 metres respectively and the four storey elements would be 43 metres and 46 metres respectively such that there is a good separation distance at increasing lengths as the buildings go up in height.

In terms of light pollution a detailed analysis should be provided to ensure that there is no excessive light pollution from the site, this is important for the living conditions of neighbouring residents but also for any protected species such as bats and other wildlife that is using the woodland tree belt for foraging, commuting or roosting. It is reasonable to impose a suitably worded condition to receive the lighting scheme and implement its recommendations prior to first occupation of any of the apartments.

In terms of noise, construction noise and disturbance would be likely to have the greatest impact, it was a condition of the outline permission (20/1001/MOUT) that a detailed construction and environmental management plan (CEMP) was submitted as part of the reserved matters application, this has been reviewed by Environmental Health and found to be acceptable in terms of working conditions, dust suppression measures, noise, waste management, ecological protection together with condition 6 of the outline permission which restricted working hours to the following:

'Construction working hours shall be 8am to 6pm Monday to Friday and 8am to 1pm on Saturdays, with no working on Sundays or Bank Holidays. There shall be no burning on site.'

Accordingly, it is considered that the scale of the proposed buildings whilst larger than a traditional two storey house would assimilate well into their surroundings, this is greatly benefited from the adjacent group of woodland trees between the site and residential properties but also by the separation distance and the graduated approach to the floor stepping away from the residential properties as they go up in height, in turn the layout works well with the constraints of the site and accommodates parking, landscaping as well as the envisaged 40 apartments without impacting upon the wider Winslade Park area which is in commercial use. The proposal is therefore considered to be acceptable in relation to Policies D1 and EN14 of the EDDC Local Plan.

Whilst access arrangements were dealt with at the outline stage, the parking is an important factor to be considered at the reserved matters stage. Devon County Highways Engineer raises no objections to the proposed development, there would be 74 parking spaces available on an allocated basis for each apartment and some visitor spaces, as there is a mix of 1, 2 and 3 bedroom apartments this is considered to be an acceptable parking provision. Whilst there would be an adjacent commercial car park this cannot be relied upon for overspill parking, particularly as the proposal is a 'gated' community, more so in reality to keep workers from parking in the residential spaces but it also adds a certain exclusivity for its residents. Overall the proposal is considered acceptable in relation to Policy TC9 of the EDDC Local Plan.

Appearance

Due to the significance of the heritage assets in close proximity to the south of the site being a mixture of Grade II* and Grade II listed buildings it is important to create a design and appearance ethos that does not detrimentally impact upon the significance of the assets. The three proposed apartments blocks would take on very similar appearances to create a uniformity and repetition so that they align with the design ethos of the Powell and Moya extension to Winslade House that was undertaken some decades ago, this concept has been developed since the applicant undertook pre-application advice from Historic England. Whilst design is a subjective matter, it is clear that the applicant's architect has made every attempt to work with the constraints of the site to produce a design that harmonises with the heritage assets with a modern approach and with an eye on visually linking the old with the new through appropriate landscaping with a tree lined entrance way that lines up with the entrance to the Manor so that buildings are orientated to create an enhanced aesthetic feel and better sense of place rather than simply building three generic apartment blocks that have an awkward juxtaposition with the existing built form and that do not pay homage to the history of the site.

The choice of materials for the buildings would be a relatively small palate using two types/colours of bricks for the elevations, one demarcating the ground floor with a different type/colour brick for the other three floors, aluminium framing for the glazing and balustrades with standing seam zinc roofing. The illustrations in the accompanying design and access statement indicate the use of relatively light bricks, however, to ensure the design and appearance are acceptable, especially in relation to the heritage assets, it is considered necessary to condition that samples of the materials are provided early on to ensure their acceptability, this approach is supported by Historic England and the Council's Conservation Officer.

Therefore, the proposed appearance of the proposed development is considered acceptable in relation to Policy D1 of the EDDC Local Plan and Policy BiC05 of the Neighbourhood Plan.

Landscaping

The existing site has been established for a number of years and it is surrounded by very mature landscaping so that when it is viewed from the surroundings it is almost hidden from view, including from when travelling on the A376 highway and from Clyst St Mary Village, however, users of the church and public footpath along Church Lane would gain views of the site. Accordingly, there is little additional landscaping required around the edges of the site other than some complementary woodland planting where necessary and between the parking spaces along the access road, the more important planting would be required 'internally', the treatment of the existing car park area to the south of the current application site is of key importance to producing an attractive setting for both the manor and the new apartments and helping to soften the impact of new development from the manor.

The main areas where landscaping is proposed are between the Manor and the podium access between Blocks A and B, tree planting running north/south is a key part of the scheme to direct views from the Manor toward the site and over it towards the green tree belt/woodland area. The amended area between Blocks B and C would now provide for an avenue of trees and more informal planting in the communal outside space which benefits the scheme. The proposed podium garden is effectively a roof terrace but with limited soil volumes. Planting proposals should seek to maximise opportunities for bio-friendly planting and to minimise reliance on irrigation. The Council's Landscape Architect considers that the roof gardens at the Barbican, London, redesigned by Nigel Dunnett provide a good case study of how this can be achieved and provide good year round amenity. Detailed proposals for the roof gardens construction should be required by condition to include construction details and soil make up of planters.

The softworks plan for the site indicates that there would be a continuous ornamental hedge planted around the edge of the access track together with hedging around the apartment blocks and a newly created grassed area around the three Turkey Oak trees that are currently surrounded by hard surfacing of the existing car park

Overall, the proposed landscaping scheme, subject to confirmation of specification of the planters on the podium area, is considered to be acceptable providing a harmonising effect between the old and the new and respecting the existing landscaping on site in accordance with Policies D2 and D3 of the EDDC Local Plan.

Impact on heritage assets

Winslade Park is a country estate based around a restrained Palladian villa set within a designed landscape. Redeveloped in the late 20th century to form the headquarters of an insurance company, the substantial office buildings were skilfully woven into the landscape by the notable architects Powell and Moya.

Section 66 of the Town and Country Planning (Listed Buildings and Conservation Areas) Act 1990 imposes a duty on Local Planning Authorities to have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

During the determination of the outline planning application there were significant concerns raised by Historic England together with the Council's Conservation Officer that the illustrative plans of a singular three storey apartment block would cause substantial harm to the setting of the group of heritage assets forming Winslade Park, stating:

“This indicates that a structure of significant scale and mass would be needed to accommodate the quantum of development proposed and therefore would not appear recessive or subservient in views to or from Winslade Manor.”

Although the proposal was in outline form, Historic England considered that amended plans needed to be provided to indicate that the quantum of development proposed (up to 40 apartments) could reasonably be accommodated on site without causing substantial harm to the heritage assets. Amended illustrative plans were provided indicating the apartment building containing up to 40 apartments being split into 3 separate buildings with open space between them to give views through the tree belt behind and reducing the significant mass of building creating a more open and pleasing residential environment that appears less like an office block. On this basis Historic England withdrew their objection to the proposal and offered no objections in principle, subject to an acceptable design being produced at the reserved matters stage.

This concept has been carried forward to the current application which has developed the idea of providing three separate blocks and added linkages between Blocks A and B and landscaping that seeks to integrate the modern design of building with the existing historic buildings on site. The Blocks would be in excess of 60 metres at the closest point with the heritage assets with the existing commercial car park and its landscaping set between the proposed and existing buildings.

Historic England has commented on the proposals as follows:

'The application is for three pavilions linked by a raised green deck. Steps have been taken within the design to provide it with a greater reference to the Powell & Moya building (Winslade House) addressing concerns raised during the pre-application process over the vertical emphasis of the building'.

'The pavilion format of the buildings has allowed for views through the site to the green boundary. However, the landscaping of the site will have an important role in allowing this development to integrate into its parkland setting. We understand that the carpark falls outside the scope of this application, however, opportunities should be sought for a collaborative approach to facilitate a more naturalistic transition between the Manor and development'.

They have also stated that materials would be key in harmonising the proposed buildings with the existing heritage assets and that samples of the materials should be provided and secured by condition.

A great deal of thought and imagination has gone into designing a scheme that recognises its important historic setting and whilst the design of the apartment blocks will not be liked by all, they play an important role in harmonising the new development with the existing and taking cues from the Powell and Moya designed extensions to Winslade House that were built in the 1970s. Accordingly whilst it cannot be concluded that there would be no harm to the setting of the heritage assets through re-development of the existing car park, the less than substantial harm has to be weighed against the public benefits of the scheme that were approved at the outline stage. In concluding on this matter in application 21/1001/MOUT the following was stated:

'Accordingly, whilst there would be an impact on the setting of the heritage assets, where great weight should be given to the conservation of Winslade Park whose grade II* listed status gives it high significance, this impact would be a less than substantial harm, in such circumstances Paragraph 196 of the NPPF indicates that this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use. In this instance the development on zone D and the extension to Brook House represent part of an extensive scheme affecting a number of assets across a large site where there would be significant investment to bring the heritage assets and other vacant building back into their lawful uses together with providing extensions to these buildings, upgrading the historic parkland and sports pitches and allowing public access to the site, where the viability is marginal and requires a certain quantum of housing development take place to incentivise the developer into undertaking any of these works'.

Therefore the proposed buildings and the open spaces between them to the green tree belt are considered to be an acceptable solution to that created by the granting of permission at the outline stage such that the proposal is considered to be acceptable in relation to Policy EN9 of the EDDC Local Plan and advice contained in the NPPF chiefly paragraph 202.

Impact on trees

The application site is bounded to the north by a mature belt/woodland of mature trees, the majority of which are deciduous though some are ever green, these form an important feature between the application site and the residential properties to the north. There are also mature trees on the eastern and western boundaries of the application site together with mature trees in the existing car park of Winslade House/Manor.

The application as originally submitted raised a number of concerns from the Council's Arboricultural Officer including the impact of the access road and parking on a group of trees on the eastern periphery of the site and trees on the edge of the woodland group through introduction of banking down from the access road into the root protection zone of existing trees leading to pressure in the future to remove these trees. Amended details were received to mitigate these concerns to the satisfaction of the consultee.

However, of more fundamental concern were a group of 3 category A (the highest category of important trees) Turkey Oak trees in the existing car park that were planned to be retained between Blocks B and C but their root protection area was impeded by elements of the proposed buildings, the Arboricultural Officer had the following comments to make:

'A strong emphasis has been placed on liaising with Historic England, but this is only one part of the development process. In this case, we have 3 category A and B trees (BS 5837) which are significant constraints. However, from the outset it does appear that the trees have been given limited thought through providing minimal space for growth. It does appear very much that the built environment has been given more focus, rather than the green environment in this instance. However, the setting of Winslade Park within the parkland is what makes it special and this ethos should be applied to the new development. The current design does not deliver a harmonious and sustainable relationship between structures and trees. A sustainable relationship will ensure minimal works are required to maintain the trees in the long-term and should help minimise potential conflicts / concerns arising from the proximity of the trees to the building. Furthermore, with climate change, there is a greater emphasis and importance on retaining large green infrastructure and insuring its long-term retention rather than accepting poorly laid out design.

The main problem is simply the long-term relationship between the trees and the buildings. Currently the plans will lead to significant pressures to prune the trees to maintain clearance and to alleviate safety concerns. Normally, an acceptable minimum distance between the edge of the canopy and building would be between 2 to 3m (for a low amenity value tree or high value tree at full size for a development in the past). However, as stated Turkey Oak are large specimen trees, often grown in parkland due to their substantial size. They are native to Southern Europe and Asian Minor, predominantly dry areas. In the UK, with wetter condition they are vigorous, fast growing, easily managing to grow into very large specimens. Even within restricted environments such as urban areas they will grow to significant sizes such in as in and around London. These Oaks are still in early maturity, meaning that they have still significant room for growth even within a restricted environment.

One of the main issues that we deal with in the tree department is ongoing management of trees and unrealistic expectations of customers often where consent has been granted for development in the past to take place in close proximity to buildings. Issues of shading, leaf & debris fall, bird excrement, dominate nature of the tree, size, blocking of views, safety issues and proximity of trees will lead to complaints. However, this can be reduced by appropriate design and giving sufficient space for the trees to grow that will enable them to be retained without resorting to regular ongoing maintenance which will be to the detriment of the long-term health and amenity of the trees. Turkey Oak do not respond well to pruning and are susceptible to pest and diseases including decay fungi which will shorten their safe useful life expectancy. Therefore room for the trees to grow is fundamental to their long-term retention. Design should focus on the trees being allowed to develop unhindered without the need for pruning intervention. A longer term outlook is required: how large will the trees be in 50 years and how can the design ensure minimal management, rather than maximum management which is harmful.

A tree preservation order can help prevent unnecessary work. However an appropriate design would not require a TPO in the first instance, as there would not be an on - going risk to the trees. Therefore inappropriate development should be refused to avoid this conflict from occurring in the first instance. It would be difficult to refuse an application to fell trees where their retention is considered inappropriate or due to legitimate safety concerns.'

Officers were of the opinion that permission should be refused if the trees were not afforded the space they required to survive in the long term without future pressure to fell them, as there was considered to be sufficient space across the application site to accommodate 40 apartments and retain the trees without substantial harm to the initial design concept. The applicant's agent has taken these comments on board and amended the scheme by re-aligning the apartment blocks. Perhaps more fundamentally the raised podium access between Blocks B and C has been removed from the application and whilst this has removed a communal amenity area, it has created an enhanced landscaped area with new tree planting and afforded the existing trees a much more beneficial environment to grow into. On the basis of the amended plans the Arboricultural Officer has removed his objections.

Accordingly, whilst it has taken many months of negotiations and various iterations of amended plans the latest amendments are seen as a significant benefit to the scheme not only from the trees but also for the heritage assets as the removal of the podium access better reveals the trees behind the development and a greater green space to break up the 103 metre continuing expanse of buildings/accesses. The proposal is therefore considered to be acceptable in relation to Policy D3 of the EDDC Local Plan and Policy BiC02 of the Neighbourhood Plan.

Drainage

The wider Winslade Park Estate is connected to the foul drainage system and it has been confirmed by South West Water (SWW) that there is capacity to connect the 40 proposed apartments. During consideration of the outline permission the Council received a number of concerns from local residents that the existing drainage system was not fit for purpose and problems highlighted with it were presented to the committee even though SWW raised no objections to the development. The outline permission was granted and therefore this issue cannot be re-visited during this application especially as SWW continue to maintain no objections.

The surface water drainage system would be bespoke to the site, however, due to the site constraints. It is not possible to incorporate open features to attenuate flow in this case, therefore the proposed strategy provides for below ground attenuation within a cellular tank with control of runoff for some areas provided by use of permeable surfacing to parking bays and some green roof provision. However, during consideration of the application and in consultation with Devon County as Local Lead Flood Authority (LLFA), the applicant has updated the hydraulic model of the proposed drainage system in light of the fact that the proposed permeable paving is not infiltrating. The underdrained permeable paving has been updated on the drainage layout and Proposed Drainage Strategy Rev G. On the basis of the amended plan Devon County LLFA has removed their objection.

The proposal is therefore considered to be acceptable in relation to Policy EN22 (Surface Run-Off Implications of New Development) of the East Devon Local Plan and Policy BiC04 of the Neighbourhood Plan.

Other matters

Strategy 36 of the EDDC Local Plan requires the following:

'On residential development schemes for 10 dwellings or more developers should demonstrate that all of the affordable housing and around 20% of market units will meet part M4(2) of the Building Regulations, Category 2: accessible and adaptable dwellings (or any comparable updated nationally set standards) unless viability evidence indicates it is not possible'.

There are no affordable houses proposed on this site, of the open market apartments it is confirmed that Plots 1, 2, 5, 6, 27, 28, 31 and 32 (8 of 40 which is 20% of all apartments) would be designed to meet the accessible and adaptable homes standard.

The mix of smaller units is considered to meet the policy objective of Policy BiC06 of the Neighbourhood Plan for smaller one and two bed properties.

RECOMMENDATION

APPROVE subject to the following conditions:

1. East Devon District Council as Local Planning Authority HEREBY APPROVE THE FOLLOWING RESERVED MATTERS of the above described development proposed in the application numbered as shown above and in the plans and drawings attached thereto, copies of which are attached to this notice relating to:-
 - (a) Appearance
 - (b) Landscaping
 - (c) Layout
 - (d) Scale

This Reserved Matters application numbered as shown above is made pursuant to the Outline Planning Permission (ref. No. 20/1001/MOUT) granted on 13th July 2021.

The following reserved matters have yet to be approved:

None

The following Conditions attached to the Outline Planning Permission (ref 20/1001/MOUT) referred to above are discharged:

2, 5, 7, 8

The following conditions attached to the Outline Planning Permission (ref 14/1227/MOUT) referred to above remain to be complied with during the implementation of the development:

3, 4, 9, 11, 12, 13, 15, 16, 17, 18

The following additional conditions are attached to this reserved matters approval:

2. The development hereby permitted shall be carried out in accordance with the approved plans listed at the end of this decision notice.
(Reason - For the avoidance of doubt.)
3. No external lighting shall be constructed or provided unless and until details of the lighting have been submitted to and approved in writing by the Local Planning Authority. Thereafter, any lighting shall be carried out and maintain in accordance with the approved details.
(Reason: To protect the character and appearance of the area in accordance with Policy D1 - Design and Local Distinctiveness of the East Devon Local Plan), to ensure that the wildlife in proximity to the site is safeguarded from the impacts of the proposed development in accordance with Policy EN5 - Wildlife Habitats and Features of the East Devon Local Plan, and to protect nearby occupiers in accordance with the requirements of Policy EN14 - Control of Pollution.)
4. No development above foundation level shall take place until the specification of the planting areas, including soil depth and planting mix on the podium level have been submitted and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the agreed details.
(Reason: To ensure that the podium level planting is beneficial to the overall aesthetics of the scheme in accordance with Policy D2 (Landscaping) of the East Devon Local Plan).
5. Notwithstanding the details provided, no development above foundation level shall take place until samples of the materials to be used in the construction of the external surfaces of the building hereby permitted have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.
(Reason - To ensure that the materials are considered at an early stage and are sympathetic to the character and appearance of the area in accordance with Policy D1 - Design and Local Distinctiveness of the Adopted East Devon Local Plan 2013-2031.)

NOTE FOR APPLICANT

Informative:

In accordance with the requirements of Article 35 of the Town and Country Planning (Development Management Procedure) (England) Order 2015 in determining this application, East Devon District Council has worked positively with the applicant to ensure that all relevant planning concerns have been appropriately resolved.

Plans relating to this application:

200110 B 1 01 H	Proposed Floor Plans	19.08.22
200110 B 02 01 F	Proposed Elevation	19.08.22
200110 C 01 01 H	Proposed Floor Plans	19.08.22
200110 C 01 02 H	Proposed Floor Plans	19.08.22
200110 C 02 01 E	Proposed Elevation	19.08.22
210110 L 04 11 G : softworks	Landscaping	19.08.22
210110 L 05 11 G : hardworks 1 of 2	Landscaping	19.08.22
210110 L 05 12 G : hardworks 2 of 2	Landscaping	19.08.22
210110 L 02 11 G : proposed site 1 of 2	Layout	19.08.22
210110 L 02 12 G : proposed site 2 of 2	Layout	19.08.22
210110 L 02 13 G: boundary treatment	Layout	19.08.22
210110 L 02 15 G : apartment types	Layout	19.08.22
210110 L 02 16 G : parking	Layout	19.08.22

210110 L 02 17 G : bin collection strategy	Layout	19.08.22
200110 SE 02 04 E : proposed site	Sections	19.08.22
200110 SE 02 05 D : street	Proposed Elevation	19.08.22
200110 APT A 02 01 REV D : block A	Proposed Elevation	17.08.21
200110 SE 12 02 REV A : apartments long sections	Sections	17.08.21
210110 L 01 11 ZONE A	Location Plan	17.08.21
210110 L 01 12 REV B : zone D	Proposed Floor Plans	17.08.21

List of Background Papers

Application file, consultations and policy documents referred to in the report.