

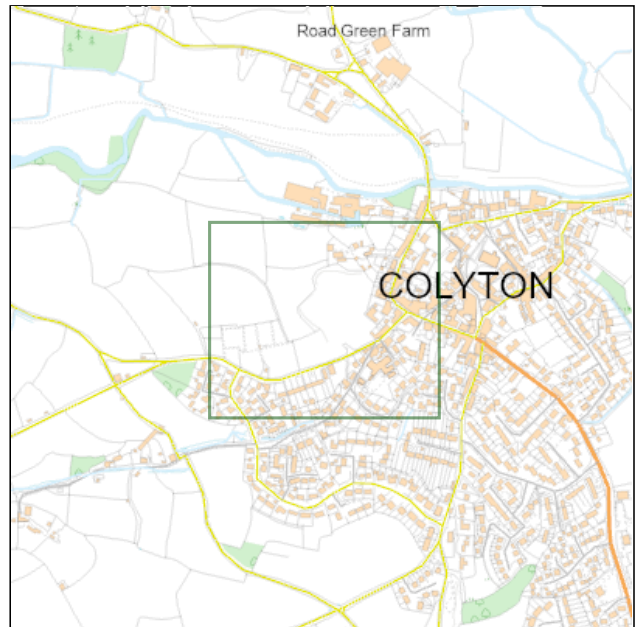
Ward Coly Valley

Reference 22/2795/MRES

Applicant Miss Lucy Downs (Housing Developers)

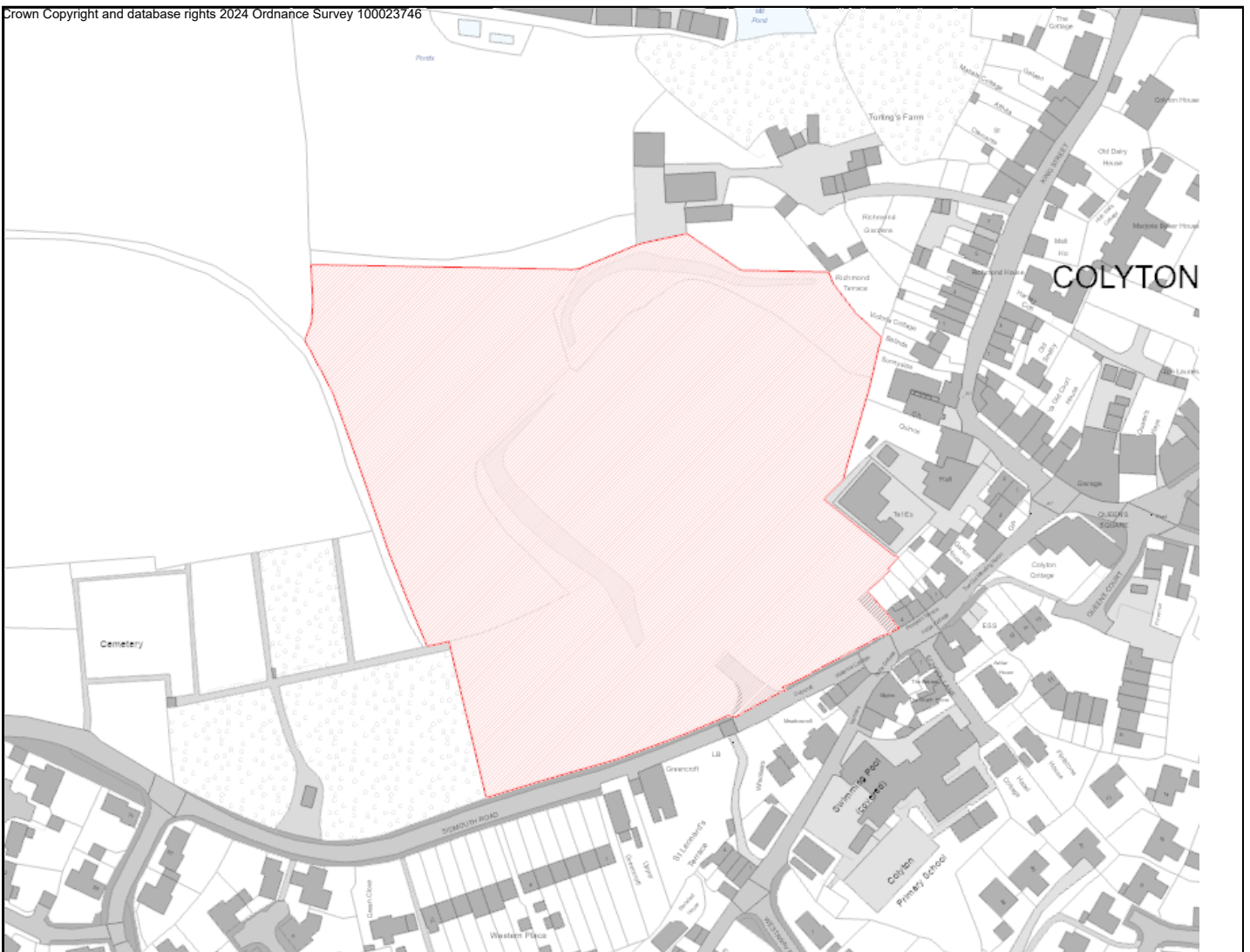
Location Land North Of Sidmouth Road (Ceramtec)
Colyton

Proposal Reserved matters application (seeking approval of appearance, landscaping, layout and scale pursuant to outline permission 18/1850/MOUT) for the development of 72 new houses and six B1 use class light industrial units. The proposal includes the discharge of conditions 6, 7, 8, 9, 10, 11, 12, 14, 17, 18, 22, 23, 24 and 25 of the outline planning permission



RECOMMENDATION: Approval with conditions

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		Committee Date: 30.01.2024
Coly Valley (Colyton)	22/2795/MRES	Target Date: 24.03.2023
Applicant:	Miss Lucy Downs (Housing Developers)	
Location:	Land North Of Sidmouth Road (Ceramtec) Colyton	
Proposal:	Reserved matters application (seeking approval of appearance, landscaping, layout and scale pursuant to outline permission 18/1850/MOUT) for the development of 72 new houses and six B1 use class light industrial units. The proposal includes the discharge of conditions 6, 7, 8, 9, 10, 11, 12, 14, 17, 18, 22, 23, 24 and 25 of the outline planning permission	

RECOMMENDATION: Approve subject to conditions

EXECUTIVE SUMMARY

The site extends to just over 3 hectares and is situated on the north-western edge of Colyton. The site is a disused commercial site which was formerly occupied in the main by several substantial scale industrial buildings. There were also some associated offices, car parking and landscaping. Overall, the site slopes down from west to east, with an open parcel of land on the north-west edge facing north over the Coly Valley and the industrial buildings occupying a flat are cut into the hillside. The buildings have since been demolished in accordance with the conditions set out on the outline planning permission.

The south-east edge of the site butts up against the Colyton conservation area. The south-west edge adjoins a cemetery and on the opposite side of the road are several houses. Colyton Primary School lies approximately 40 metres south of the site on the opposite side of Sidmouth Road.

Following the grant of outline planning permission (3/06/2020) reserved matters approval is now sought for the and layout, landscaping, scale, and appearance of the site. Access to the site was a matter approved at the outline stage and re-uses the original access from Sidmouth Road. The outline permission secured the provision of 20% affordable housing, £34,365.60 and 639.36m² for the provision of public amenity/play space including 160m² minimum on-site play space with buffer zone, £27,000.00 minimum play equipment, construction of up to 1000m² of floorspace for light industrial use comprised of minimum of six

workshop units totalling 507m² of gross internal floorspace, and a Travel Plan Pack including £50 per dwelling green travel voucher.

Matters such as the principle of development, the amount of affordable housing, the design of the access to Sidmouth Road, and the employment units are not due to be considered as part of this application, having been settled at the outline application stage.

The scheme has gone through pre-application discussions and three rounds of amendments to address the technical objections and the design concerns. The development continues to exhibit some unresolved concerns with regards to its design but these stem from the very difficult nature of the site which experiences considerable changes in levels across short distances, due the site being located on hillside.

The scheme presents a satisfactory solution to designing the dwellings and workshops approved as part of the outline planning permission. The site will have adequate open space provision and provides for the open space required as part of the S106 agreement. While some design elements will remain sub-optimal it was recognised at the outline stage that there could be some negative impacts but it was considered that overall the benefits outweighed these in the planning balance. Subject to the conditions set out the reserved matters are considered acceptable and accordingly approval is recommended.

CONSULTATIONS

Local Consultations

Clerk To Colyton Parish Council – 30/11/23

2/2795/MRES - Land North of Sidmouth Road (CeramTec) Colyton – amended plans for consultation

Colyton Parish Council does not support these amended plans for the following reasons:

1. They do not address many of the Council's previous concerns listed in the Consultee Comments.
2. Very little has changed in the overall layout.
3. A development of this size is not feasible without a major upgrade of the SWW sewage system.
4. Three story houses would be incongruent with their surroundings and stick up like skyscrapers.
5. Houses on the North Western edge of the site would loom over the East Devon Way and AONB, at odds with the policies of both the Colyton Parish Neighbourhood Plan and the East Devon Local Plan.
6. Affordable homes should not be grouped together but pepper potted throughout the development in line with modern development practices. EDDC's Planning Policy states 25% as a minimum.

7. Ease of access should be made for those with disabilities, especially those with mobility issues.
8. The Fire Service has requested fire hydrants be installed.
9. No mention is made of the noise generated by air sourced heat pumps, none of which have been included in the elevations or plans.
10. Solar panels have only been included for the Class B1 commercial units and not the houses.

After a meeting by a Parish Councillor with South West Water managers and engineers on a site visit to the overground sewage pipes leaking in several places in the fields leading to the Colyton & Colyford Sewage Treatment Plant on Cownhayne Lane last week, the Parish Council must warn that the current sewage system is at capacity and cannot cope with further development in Colyton without a major upgrade of the entire system. The good news is that SWW has agreed to reline the above-ground pipes next Spring, monitor them and clean up the leakages in the fields as and when they occur. Unfortunately, the Hillside development did not incorporate soakaways and any runoff enters the sewage system, further straining it. CPC is not aware if the Colyvale (now over 80 years old) and Burnards Field Road Developments (1980s) included soakaways, but during heavy rainfall water gushes up from all the drains right across the town. The developers of Hillside referred to Colyton as “Little Venice” as everywhere they dug there was water.

Both Colyton Primary Academy and the Colyton Medical Practice are tiny. Has any thought been given to this? The school has no more room to expand and current student drop-off and pickup times already pose traffic problems, as does the junction of Sidmouth Road with King Street at most times of the day.

CPC agrees with the comments made by both EDDC’s Landscape Officer and Urban Designer, dated 31st August 2023 and 13th September 2023 respectively. The Landscape Officer described the houses on the North Western Boundary thus:

“Although reduced in number from the previous layout, the introduction of stepped, three storey dwellings in a serried row on the northwestern site boundary will form a prominent urban edge to the development at odds with the surrounding pastoral landscape.”

and on the layout generally,

“... the changes have gone in the wrong direction and the revised layout appears less coherent than the previous version and the indicative layout provided with the outline application and presents some significant levels and associated design issues which are not satisfactorily resolved.”

Although it is appreciated that homes and commercial units must be built on the former CeramTec site and that it takes a great deal of hard work and planning to design such a large development on hilly and uneven ground, CPC insists that the general layout is in keeping with the rest of Colyton, in particular the Conservation Area and AONB which it abuts to.

Clerk To Colyton Parish Council – 17/8/23

22/2795/MRES Land North of Sidmouth Road (CeramTec) Colyton - Miss Downs
(Housing developers)

Colyton Parish Council does not support this application as none of its concerns listed previously on 6th February 2023 have been addressed. In addition:

1. Much of the site is Green Field and therefore should have at least 30% affordable homes for local residents built on it.
2. The plans are far too urban adjacent to the conservation area. Colyton, unlike Taunton, is a small town surrounded by the East Devon AONB. Three storey buildings are out of the question. Where are the 'sympathetic to and inspired by the historic Colyton vernacular' featured?
3. CPC fully supports the comments made by both the EDDC Conservation Team and Landscape Architect which were found to be most insightful, in touch with Colyton and are recommended reading.
4. Both the Contaminated Land Officer and Environmental Health have flagged up elevated levels of lead and PAH in the soil and this needs further investigation before any construction work can commence.
5. CPC wishes to stress that any further developments in Colyton should not take place until SWW upgrades the sewage system. There are at least seven known leakages.
6. Local school placements available for the potential influx of primary and secondary aged pupils are rare.
7. Local NHS services are currently stretched.
8. CPC is disappointed that DC Highways has chosen to disregard the existing problems concerning the lower end of Sidmouth Road towards the junction with King Street. Aside from all the persistent potholes, there are no pedestrian pavements nor is it possible to create any due to the insurmountably narrow width of the road. This junction is often congested, with vehicles having to backup and HGVs having to perform complex manoeuvres that hold traffic up until accomplished. The road network in the conservation area follows the medieval road pattern of narrow winding streets and this cannot be changed to suit the influx of potentially 300 more residents. Despite the novel 'cycle buddies' concept proposed, not everyone is young and fit enough to cycle and future residents will inevitably resort to driving their cars into the town centre and beyond, especially as there are no connecting pedestrian pavements. Colyton residents feel they are about to be inflicted with a traffic nightmare and there are no suitable alternative routes.
9. Closeboard fencing should include at least 130mm X 130mm square hedgehog highways.

10. Water butts should be included for every garden so they can be irrigated.
11. The Fire Service has recommended the installation of fire hydrants. Where are these?
12. Traffic calming speed bumps need to be installed where the road is 6m wide.
13. Increasing surface runoff into the Mill leat could produce flooding of other properties down stream along the River Coly.
14. Not all residents living adjacent to the site received a letter from EDDC with details of the closing date for public comments on this planning application.

Clerk To Colyton Parish Council 6/2/23

The Colyton Parish Council do not support this application for the below reasons:

1. We remain concerned the development will look like any other major housing development and will not be 'both sympathetic to and inspired by the historic Colyton vernacular'. Perhaps some further thought could be given to the materials proposed to include facing stone.
2. The pavement fronting the site is to be made 2m wide. We cannot find this noted on the drawings and only specified in one of the written documents.
3. We note the objections raised by DCC Flooding, Devon Wildlife Trust, the Police Crime Prevention Officer, South West Water and EDDC Housing Strategy and support their comments.
4. The proposals are 72 houses + 6 light industrial units. Of these 72, 10 are affordable dwelling units plus 4 shared ownership dwelling units = 19.5% of overall total. EDDC target is 25%. We would like to see this increased to the target.
5. We can find no mention of the noise which will be generated by each house having an air sourced heat pump, all of which are not indicated on the elevations or plans.
6. We are concerned regarding the increase in pressure on the already over loaded foul drainage system and its passage from the site to the sewage works off Cownhayne Lane. These pipes are in need of major upgrading.
7. We understand the surface water outfall to the River Coly has yet to legally finalized.
8. There appears to be a lack of cycle parking.
9. We remain concerned regarding the view of the development from the adjacent AONB and from the East Devon Way footpath

10. The 3 storey buildings could be considered incongruous and should be reconsidered

11. We should like to see the introduction of traditional Devon Banks and more tree planting.

Technical Consultations

EDDC Landscape Architect –

See end of report for full comments

Summary –

Objection.

The proposals are notably different from the illustrative layout provided with the application for outline planning permission.

Amendments to previous consultation responses are noted. However there remain numerous shortcomings and areas where, notwithstanding the quantity of information provided, further detail and clarification is required.

It confirms also more fundamental issues in relation to layout and levels that have been raised in previous landscape responses particularly August 2023. Overall the submitted scheme fails to provide high quality design solutions to the complex site constraints and necessary to provide a quality environment for residents. Given the sensitivities of the site and its surroundings the application as proposed is considered unacceptable in terms of landscape design and impact and should be refused.

EDDC Urban Designer -

See end of report for full comments

Summary –

Objection.

The design of the proposal has changed a number of times since the first outline permission was submitted, including during the pre-application submission made prior to the reserved matters application.

This is a long set of comments on a highly complex site and difficult site. All those things that an Architect would get excited about become technical difficulties and financial liabilities when a housing developer with design and portfolio constraints comes to try and make the site work for them. It is a site that inevitably results in

difficult design compromises but the balance of benefits that result can make those compromises worthwhile.

The Planning history for the site saw a very compelling layout and design included as part of the Outline permission. This provided a benchmark for the way development could negotiate the transition from open countryside to this very beautiful and largely unspoilt East Devon village. When putting together this Reserved Matters proposal the developers and their design team found that they could not make the outline layout work once detailed site measurements and analysis were available. The steep topography, the relationship of open countryside and the built heritage within the village of Colyton, the richness of the biodiversity that is such an important and defining feature of this part of East Devon, all form constraints on any design outcome but negotiating these constraints and often conflicting requirements of a brief are precisely what the design process is for.

The developers and the design team have come a long way from the first Reserved Matters proposal. The initial proposal had a limited palette of house types and materials set in a layout that, like the houses, was very modern and suburban in appearance. The current proposal includes a far wider range of houses with some bespoke to this site, and a wide range of material finishes that are far more in keeping. The layout has moved away from the initial linear and formal layout it had, taking in some of the features of the Outline layout to become far better and more relaxed.

Despite moving so far it has felt like an understandable element of design-fatigue and reluctance to move away from earlier design approaches has held back recent changes. The current proposal still, in places, betrays its origins within that more formal suburban layout. There are issues such as access to and amenity of rear gardens, high retaining structures and fences or the appearance of the proposal from outside the site that remain awkward. It means that there are significant parts of this proposal that do not satisfy policy within the Local Plan, particularly policies D1 and D2.

There is a question over the inevitability of the issues identified due to the nature of this site, of whether there are alternative design approaches that could avoid them. There is a question about whether such alternatives would be feasible or viable. I would argue that this is the case, that viable alternatives are available and some of these issues are not inevitable, certainly not to the acute level seen within the current proposal. Although so much has already been done, the cumulative impact of these issues is high enough that it outweighs the imperative to develop this site and as a result they should be addressed. It is not an easy conclusion to come to but, as a result, the proposal is not one that can be supported in Urban Design terms without this being the case.

Conservation – 29/11/23

Only minor changes appear to have been made to the layout, taking on board some of the suggestions made by the Urban Design Officer and there is still concern over the lack of a strong street frontage. Whilst the dwellings are mainly two storey, there

are still 3 storey elements not in keeping with the surrounding area. The link to the character and appearance of Colyton and the overall pattern of development, is still not convincing.

County Highway Authority – 31/7/23

Observations:

The County Highway Authority (CHA) has reviewed the submitted plan, 17123_L02.01. We are satisfied that the proposed plan allows for sufficient off-carriageway parking with dedicated parking spaces, together with sufficient space for off-carriageway turning that can be facilitated by refuse and emergency service vehicles.

I have also reviewed the Submitted Travel Plan and I am satisfied with the mitigation and provisions accompanied under this document. Similarly, I am also satisfied with the provisions and mitigation's incorporated within the Construction and Environment Management Plan (CEMP)

Addendum 28/07/2023

I have reviewed the amendments submitted under this application and the CHA have no further comments to add.

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

Environmental Health – 29/11/23

I have considered the application and do not anticipate any environmental health concerns.

Contaminated Land Officer – 15/9/23

I am satisfied with the required remediation measures detailed within report GCE00622/R3. However, validation Certs & reports are still required once the remediation has been completed.

DCC Flood Risk Management Team – 4/12/23

Recommendation:

We are happy to recommend the discharge of Conditions 22, 23 and 25 of the above planning permission.

Devon Wildlife Trust

We object to the planning application because we consider that the proposals do not provide sufficient evidence to satisfy the requirements relating to biodiversity in paragraphs 174d and 175d of the National Planning Policy Framework. Furthermore, the Environment Act 2021 and National Planning Practice Guidance requirements relating to biodiversity net gain have not been addressed. These requirements are reproduced at the end of this letter.

Devon & Somerset Fire And Rescue Service

Thank you for consulting Devon and Somerset Fire and Rescue Service regarding the above planning application. I have studied the drawings on the planning portal and it would appear (without prejudice) to satisfy the criteria we would require for B5 access under Building Regulations.

Police Crime Prevention Officer

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

On the whole it appears that designing out crime principles have been embedded into the scheme.

DCC Historic Environment Officer

My ref: Arch/DM/ED/33372b

I refer to the above application and your recent consultation. The Historic Environment Team has no comments to make on this planning application.

Housing Strategy/Enabling Officer

The affordable housing allocation on this site (19.5%) is below EDDC planning policy of 25%. The units they are supplying are a good mix of tenures between rental and shared ownership but are we able to push them for a few more units?

EDDC Trees

An arboricultural method statement & tree protection plan (AMS & TPP) have been prepared by GE consulting, these pertain to condition 7 of the outline planning consent.

The TPP indicates that most of the trees on the site will be retained, only T2 and G3 are due to be removed. The TPP and AMS show how the retained trees will be protected during development.

However there are no details of drainage runs or level changes on the TPP, these details ought to be included on the TPP so that the potential impacts on trees of any drainage runs or level changes adjacent to or within the RPAs of retained trees can be assessed. The TPP should also indicate where the site compound, welfare and storage facilities are to be located.

While the level of tree retention on the site appears to be acceptable, subject to new replacement planting, in the absence of the above details, I do not support the application

Natural England 30/1/23

No objection

South West Water

I refer to the above application and would advise that South West Water has no objection to discharge of conditions 6, 7, 8, 9, 10, 11, 12, 14, 17, 18, 22, 23 subject to the foul and surface water being managed in accordance with the submitted foul and surface water drainage strategy; I note that the latter however rests on riparian owner permission to discharge surface water in the Colyford Brook. Should this not be agreed, the drainage strategy would need to be re-visited.

Other Representations

8 letters of objection:

- Increasing the flow of water into the mill leat from surface water will add pressure on the existing system and risk floods
- Increase in sewage will also lead to more pressure on existing system.
- Landscape officer concerns from April not a fully addressed. 3-storey dwellings in NW corner are still incongruous in landscape, not 'sympathetic to and inspired by the historic Colyton vernacular'.
- Still a shortfall in affordable housing, why? Was this a trade off with provision of commercial units?
- Decent cycle storage required, especially as the Draft Local Plan 2020 – 2040 notes DCC's plans for a Seaton – Cowlton strategic cycle network.
- Pleased to see some work has taken place to improve the location of the cycle storage. Plans don't show however the dimensions and whether there is space for cargo/child trailers.
- Cycle stands within garages good for security but will it lead to more on-street parking? Double garages could do with more than one stand.
- Dimensions of garages only just meets Exeter CC's Sustainable Transport SPD and access to bikes could be tricky.
- Unclear on speed limit for the estate road.
- Would prefer priority for pavement at Sidmouth Rd junction with a tighter corner radii to reduce speeds.
- Local road network is not suitable for this development. No continuous pavements between the town centre and the site.
- Concern for road safety around the nearby school.
- Local schools and GP already at capacity
- Impact on views from the Conservation Area & East Devon Way.

1 neutral letter:

- Not clear if provision to widen footway near the site entrance is retained.
- Widening of Sidmouth Road near access would be desirable.

PLANNING HISTORY

Reference	Description	Decision	Date
18/1850/MOUT	Application for outline planning permission (all matters reserved for later approval except for access) for demolition of existing buildings and the development of up to 72 new houses and six B1 use class light industrial units (up to 1,000 sq. meters)	Granted	3 June 2020

POLICIES

Adopted East Devon Local Plan 2013-2031 Policies

Strategy 4 (Balanced Communities)

Strategy 5 (Environment)

Strategy 5B (Sustainable Transport)

Strategy 34 (District Wide Affordable Housing Provision Targets)

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

Strategy 37 (Community Safety)

Strategy 38 (Sustainable Design and Construction)

Strategy 43 (Open Space Standards)

Strategy 47 (Nature Conservation and Geology)

Strategy 48 (Local Distinctiveness in the Built Environment)

Strategy 49 (The Historic Environment)

D1 (Design and Local Distinctiveness)

D2 (Landscape Requirements)

D3 (Trees and Development Sites)

EN5 (Wildlife Habitats and Features)

EN8 (Significance of Heritage Assets and their setting)

EN9 (Development Affecting a Designated Heritage Asset)

EN10 (Conservation Areas)

EN22 (Surface Run-Off Implications of New Development)

H2 (Range and Mix of New Housing Development)

TC2 (Accessibility of New Development)

TC9 (Parking Provision in New Development)

National Planning Policy Framework

National Planning Policy Guidance

SPGs

Trees and Development

Affordable Housing SPD

ANALYSIS

Site Location and Description

The site extends to just over 3 hectares and is situated on the north-western edge of Colyton. The site is a disused commercial site which was formerly occupied in the main by several substantial scale industrial buildings. There were also some associated offices, car parking and landscaping. Overall, the site slopes down from west to east, with an open parcel of land on the north-west edge facing north over the Coly Valley and the industrial buildings occupying a flat are cut into the hillside. The buildings have since been demolished in accordance with the conditions set out on the outline planning permission.

The south-east edge of the site butts up against the Colyton conservation area. The south-west edge adjoins a cemetery and on the opposite side of the road are several houses. Colyton Primary School lies approximately 40 metres south of the site on the opposite side of Sidmouth Road.

Following the grant of outline planning permission (3/06/2020) reserved matters approval is now sought for the and layout, landscaping, scale, and appearance of the site. Access to the site was a matter approved at the outline stage and re-uses the original access from Sidmouth Road. The outline permission secured the provision of 20% affordable housing, £34,365.60 and 639.36m² for the provision of public amenity/play space including 160m² minimum on-site play space with buffer zone,

£27,000.00 minimum play equipment, construction of up to 1000m² of floorspace for light industrial use comprised of minimum of six workshop units totalling 507m² of gross internal floorspace, and a Travel Plan Pack including £50 per dwelling green travel voucher.

Matters such as the principle of development, the amount of affordable housing, the design of the access to Sidmouth Road, and the employment units are not due to be considered as part of this application, having been settled at the outline application stage.

Layout

The reserved matters application proposes a mix of 2, 3, 4 and 5 bedroom housing, open space, roads and associated drainage and attenuation pond. The main area of open space and play area are located on western boundary between housing proposed on Sidmouth Road and on the north-west corner of the site. There are three separate access points to this area from the proposed estate including a level access. Due to height differences across the site, these accesses are long in places and use significant engineering structures.

Six light industrial units are proposed on the eastern boundary of the site arranged in two blocks around a central parking area. This is accessed between two terraces of houses.

The layout of the site is dictated to a considerable degree by the former uses on the site, the location of the former (now approved) access, the topography of the site and existing biodiversity and tree locations. The development has a single point of access which serves both the residential and commercial zones. The commercial buildings are located on the eastern corner of the site quite close to the access to Sidmouth Road, on the site of the former office building for the factory. The layout presents a reasonably intricate and 'organic' arrangement reminiscent of the historic core of the town which adds some character and interest, as opposed to being an overly rigid layout with only straight roads and monotonous blocks of houses.

The most elevated part of the site is reserved for the main area of public open space and the play area. This was the indicative arrangement at the outline stage. During pre-application discussions the alternative of having the open space at the front of the site and housing on the highest part of the site was debated but due to concerns over the scale and resulting landscape impact of placing housing on the highest area this application now seeks to revert to the original concept. This is considered to be the most suitable arrangement given the already likely (and accepted) landscape impacts of developing the green-field part of the site in the north-west corner.

As noted by the council's Urban Designer and Landscape officers there are many areas where matters concerning the layout are sub-optimal. A great many of the concerns are rooted in the difficult nature of the site with its dramatic changes in levels (the factory itself having been cut into the hillside leaving significant embankments). This has limited the number of options available to the developer in terms of locating dwellings while being able to afford all of them optimal

arrangements with regards to their respective garden areas, bin and bicycle storage and general access arrangements.

Revision to parts of the layout have been made in response to advice from officers during the course of both the pre-application process and the application for reserved matters approval. This consists mainly of re-alignment of the road table just inside the access point, improvements to many of the rear access points to the rear of some houses to avoid wasted space and unnecessary engineering features, realignment of the access routes to the play space, the relocation of some of the bin and bicycle storage areas to road level where possible. The layout itself is considered to be acceptable, notwithstanding that some plots have awkward arrangements that produce issues around their appearance and ease of practical use.

Landscaping

While the site itself is not in an National Landscape (NL) there are views from the north, north-east and north-west within the East Devon NL into the site. Views of a development from within NLs is a material consideration. Local Plan Policy and the NPPF require that great weight is given to conserving and enhancing landscape and scenic beauty of NLs such that development within their setting should be sensitively located and designed to avoid or minimise adverse impacts on the designated area.

The development of this north-western parcel has the potential to 'stick out' on the hillside and appear somewhat divorced from the rest of the town nearby, exacerbated by the fact that this field is very much elevated above the level of the factory site. This was considered by the committee during the outline application but balanced against the benefits of the scheme it was considered acceptable in principle. The objective now therefore is to ensure the adverse effects are mitigated as much as possible.

The former factory and ancillary office buildings were a large feature of the site on this side of the town. They could be viewed from vantage points to the north of the town and also from Sidmouth Road. They were unattractive and detracted from the character of this side of the town. The replacement of this buildings with buildings of a scale and design more in keeping with the fabric of the town will be a positive step in improving the appearance of the site and this edge of the town in the landscape.

The landscaping within the site itself uses much of the existing planting and trees but also includes extensive planting around the site. A significant belt of tree planting is proposed to the north of plots 66-72. While this will take time to establish and will not likely reach the height of these dwellings (which are 3-storey at the rear), they will soften the appearance of the development in views from the north. It would not be possible to screen this part of the development even if only two-storey in scale when viewed from the north due to the slope falling away to the north.

The comments of the Tree Officer are noted. An updated Tree Protection Plan was provided showing protected areas for existing trees in relation to drainage engineering. While no further comment has been received from the Tree Officer following consultation it is evident there is no conflict here. The Plan contains a method

statement prescribing how Tree Protection Areas will be managed throughout the development period.

The open space surrounding the play area will be seeded with a wildflower mix, as will an area of open space in the north-west corner and also the SUDS basin. Other more shaded areas will be seeded with a EH1 Hedgerow Mixture. Some of the existing woodland in the north-east corner of the site would be thinned and restocked with native understorey planting.

The development will result in some harmful landscape and visual impacts, particularly in relation to the north-west parts of the site built on greenfield land which in conflict with Strategy 46 and policies D1 and D2. Some of this however is offset by the replacement of the factory buildings with a housing development that is of a scale and appearance that is more in keeping with the surrounding development which is primarily residential. The extensive planting and the retention of existing trees on site will assist in assimilating the development into it's edge of settlement location. The landscaping is considered to be acceptable.

Scale

The development is comprised of mostly two storey dwellings which is appropriate in this area as most properties in this area are of such a scale.

Plots 66-72 in the north-west corner of the site are 2-3 storey 'split down' so that on the street they appear 2 storey in scale but 3 storey at the rear. This does not present any issues from the street but as noted earlier in the report and by the Urban Design and Landscape Officer it does present a significant and noticeable scale of development in a prominent position overlooking the Coly Valley.

Plots 11-16 are similarly 2-3 storey 'split up' units which present 3 storey frontages onto the road. Some of these units also present some considerable underbuild so that their front doors can only be accessed via steps. This adds to their already tall appearance. This area of the site has presented much difficulty in dealing with some significant changes in levels when moving east to west along Sidmouth Road. The site here is also raised up above the level of Sidmouth Road. These plots are set back from Sidmouth Road and have other houses in front of them so their scale will not necessarily be so obvious from this viewpoint. Plots 9 and 10 (the far west of this row of houses) have recently been revised to be brought down in scale to have its top floor within the roof. This has helped to address some of the concerns noted although this request could not be met on any of the other plots due to space/value losses.

While there are some areas of the proposal where the scale of development is greater than would be desirable there are reasons for these areas (in terms of the dramatic changes in levels) and work has taken place to reduce the effects that are derived from this. There are some examples of 3 storey buildings in the conservation area which are noted in the submission materials and so it could not be said that such a scale is without precedent. The scale is considered to be acceptable.

Appearance

The design of the dwellings follows a mostly traditional form, with appropriately pitched roofs, windows that are appropriately proportioned and arranged with pleasing symmetry and harmony.

The application has been amended on several occasions in response to concerns expressed by officers, including in relation to the appearance of the buildings. Windows on many of the properties at first submission were floor length on both ground and first floors which would not have been sympathetic in a location so close to the conservation area (nor afford much privacy to the occupants). Most of the window styles now are more conservative and traditional in design, although there remain a few exceptions where better units could have been proposed, such as on the Chinley house types which just proposed plain casements with no articulation of any kind.

Front doors feature vertical boarding (in appearance) which are in harmony with the windows that are mostly vertical in their emphasis. Some are recessed more deeply than others which adds some accents and articulation to the elevations.

A limited number of units in key locations feature false chimneys to represent traditional building characteristics although in the main these do not feature greatly. Given they have no function there is no objection to the limited number proposed.

There is a reasonable mix of materials used in the dwellings including scraped white render, scraped pearl grey render, cream reconstituted stone, buff distressed brick, soft red brick and timber cladding (bin, cycle stores, bat roost) for the walls. Roofs will be finished in a mix of nailed natural slate to key buildings and grey pantiles, and dark grey slate effect tiles. This is a more diverse mix than originally offered. Windows will be a mix of white and grey upvc. A condition is suggested to require submission of samples of materials across the whole site to ensure they are appropriate.

It is important that an appropriate finish to the houses on plots 66-72 is achieved to lessen their visual impact on views from the north, especially considering their scale. A separate condition is suggested here to require suitable materials to be used as the specified grey render and buff brick may be too bright when a more visually recessive finish would be suitable.

The workshop units use a mix of buff distressed brick and white render and so will share some of the design language with the housing estate which is considered positive (as opposed to pressed steel cladding more typically found in commercial settings).

Overall the design and appearance of the buildings has improved since first submission and is considered on balance to be acceptable.

Other Material Matters

Affordable Housing provision

The proportion of affordable housing that was secured during the application for outline planning permission was 20% (equating to 14-affordable homes on site and

an off-site contribution for part of an affordable unit) following consideration of viability and the application of the vacant building credit.

The S106 contained an overage clause and also a mechanism to secure any uplift in value if the floorspace of new homes provided varies from that suggested at outline stage to work out the likely vacant building credit.

The comments from the Parish Council and other parties on the proportion of affordable housing are noted but this matter is not part of the considerations of this application. The only relevant factor left to determine in respect of this application is the design and distribution of the affordable units on the site. In this respect the affordable units are broadly speaking split into two blocks. The first is north of the proposed light industrial units and the second lies in the north-east of the site. Both blocks are of a similar form and design to some of the adjacent market housing. Although there appears to be a clustering of these units near the light industrial units, there are also open market units that back onto the commercial area. It should be remembered that the commercial units are light industrial units and so should be compatible with adjoining residential uses. Overall the design and location of the affordable units is considered acceptable.

Amenity of neighbouring properties

The amenity of adjoining occupiers is a material consideration. While the site has been redundant for some time it was formerly occupied by a factory which reportedly had around 100 jobs before the decline of the business on the site and this would have had some effects on the adjoining properties in terms of noise/disturbance, privacy and so on.

The most obvious source for issues around amenity would be through the provision of housing along the frontage to Sidmouth Road (the former car park area). The site here is elevated above Sidmouth Road. The houses here have been turned side-on to Sidmouth Road. This does present perhaps a missed opportunity for these properties to properly address the street but given the elevation above the properties south of Sidmouth Road it does at least provide some relief from overlooking, together with the provision of some formal tree planting.

The properties on the eastern boundary are set some way above the level of the boundary of the site. Combined with the provision of rear gardens, fencing and boundary vegetation it is considered that adequate privacy would be maintained for properties east of the site.

Amenity of future users

There are practical shortcomings for some plots as noted by the council's Urban Designer and Landscape Officer. These include some properties not having level access, terraced gardens, awkward bin and cycle storage arrangements and so forth. As explained previously many of these matters result from the dramatic changes in level across the site. Many of the plots however have suitable arrangements in respect of these matters. Most properties have adequate amenity

space and while some are less well catered for in this respect there is good amount of public open space and the play area also which provides value.

All of the dwellings meet the Nationally Described Space Standards with some exceeding them as shown below:

House Type	GIA (m2)	Occupancy	NDSS size (m2)	NDSS Compliance?
Candlewood	70	2B3P	70	Y
Alder	86	3B4P	86	Y
Whitebeam	86	3B4P	70	Y
Coral	88	3B4P	70	Y
Stafford (split up)	113	3B6P	84	Y
Poplar	106	4B6P	84	Y
Yew	106	4B6P	93	Y
Hickory	106	4B6P	93	Y
Colyton (split down)	124	4B7P	90	Y
Foxton (spilt up)	126	4B7P	97	Y
Merther (split down)	138	4B8P	115	Y
Ash	160	5B8P	106	Y

Highways

No objection has been raised in respect of the proposed highway layout by the highway authority.

130 parking spaces are required for the housing under policy TC9 and 149 are provided in a combination of on-plot, on-street, off-plot, garaging and car ports which is deemed to be sufficient. 13 parking spaces are proposed for the light industrial units which is also considered suitable and proportionate to their size. Cycle storage is also provided for each property in accordance with policy TC9.

Drainage and Flood Risk

Following initial objections by the Flood Risk Management Team at DCC, the applicant has revised its Drainage Strategy to alleviate its concerns over the scheme. The overall amount of impermeable area (compared to when the factory was on the site) will have been reduced which will alleviate run-off rates. The detention basin on site will be adopted by the management company for the site. There is also now a suitable plan in place to manage surface water run-off and silt during construction works. Therefore the proposal is considered to be acceptable and in accordance with Strategy 5 and Policy EN19, EN21 and EN22 of the adopted Local Plan.

Sustainability and Climate Change

Strategy 3 (Sustainable Development) of the adopted Local Plan (2016) states that sustainable development is central to our thinking. We interpret sustainable development in East Devon to mean that the following issues and their inter-relationships are taken fully into account when considering development:

- a. Conserving and Enhancing the Environment
- b. Prudent natural resource use
- c. Promoting social wellbeing
- d. Encouraging sustainable economic development
- e. Taking a long term view of our actions.

Strategy 5 (Environment) of the adopted Local Plan (2016) states that all development proposals will contribute to the delivery of sustainable development, ensure conservation and enhancement of natural historic and built environmental assets, promote ecosystem services and green infrastructure and geodiversity. Open spaces and areas of biodiversity importance and interest (including internationally, nationally and locally designated sites and also areas otherwise of value) will be protected from damage, and the restoration, enhancement, expansion and linking of these areas to create green networks will be encouraged through a combination of measures. New development will incorporate open space and high quality landscaping to provide attractive and desirable natural and built environments for new occupants and wildlife.

Strategy 38 (Sustainable Design and Construction) of the adopted Local Plan (2016) states that encouragement is given for proposals for new development and for refurbishment of, conversion or extensions to, existing buildings to demonstrate through a Design and Access Statement how:

- a) Sustainable design and construction methods will be incorporated, specifically, through the re-use of material derived from excavation and demolition, use of renewable energy technology, landform, layout, building orientation, massing, use of local materials and landscaping;
- b) The development will be resilient to the impacts of climate change;
- c) Potential adverse impacts, such as noise, smell, dust, arising from developments, both during and after construction, are to be mitigated.
- d) Biodiversity improvements are to be incorporated. This could include measures such as integrated bat and owl boxes, native planting or green roofs.

It is also noted that East Devon District Council has declared a Climate Emergency.

The application was supported by a Sustainability Statement.

The dwellings will be powered without gas using heat pumps. The homes will be constructed in line with requirement under Part L of the Building Regulations. These have recently been amended so that they surpass the CO₂ reductions strategies outlined in the Local Plan. High levels of insulation are proposed, intelligent junction design (i.e. using thermally broken lintels) to limit heat loss, dual zone heating controls, energy efficient lighting and white goods.

The application has been amended to include solar PV panels on the commercial workshops. Electric Vehicle charging points are proposed for each dwelling (72 no.) and also the commercial workshops (6no.). Due to the high efficiency fabric build proposed the developer is not proposing solar panels on the dwellings.

In summary, the proposal is considered to be acceptable in terms of sustainability considered to comply with the NPPF and Strategies 3, 5, 38 and 40 of the adopted Local Plan.

Biodiversity

Matters concerning biodiversity were considered and dealt with at the outline planning permission stage. Mitigation was secured via both planning conditions and as part of the S106 agreement. The site had a high concentration of slow worms, a protected species. In accordance with the terms of the outline permission, translocation of these to the Seaton Wetlands was completed in 2022 and is considered clear of them.

An updated ecological report is provided with this application to account for any changes since the grant of outline permission and to re-iterate the mitigation/compensation measures. These are comprehensive and address all the effects on species relevant to the site.

Enhancement measures are also described, including the provision of a bat roost building in the north-west corner of the site for greater and lesser horseshoe bats. Integrated bat and bird boxes will be included within the development. Habitat piles for reptiles/invertebrates will be created within the public open spaces and buffers. A hedgehog dome will be provided in suitable habitat and planting schemes shall include native and wildlife friendly species. The effect of the development on biodiversity is considered acceptable.

CONCLUSION

The scheme presents a satisfactory solution to designing the dwellings and workshops approved as part of the outline planning permission. The applicant has been responsive in terms of going back and addressing some design concerns raised in order to improve the landscaping, layout, permeability, drainage, scale and appearance of the development. The site will have adequate open space provision and provides for the open space required as part of the S106 agreement. While some design elements will remain sub-optimal it was recognised at the outline stage that there could be some negative impacts from the development and that this is a challenging site to develop; but it was considered that overall the benefits outweighed these in the planning balance. Subject to the conditions set out the reserved matters are considered acceptable and accordingly approval is recommended.

RECOMMENDATION

APPROVE subject to the following conditions:

1. East Devon District Council as Local Planning Authority HEREBY APPROVE THE FOLLOWING RESERVED MATTERS in respect 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. 18/1850/MOUT) granted on 3 June 2020.

The following reserved matters in respect of the current phase of development have yet to be approved:

None

The following Conditions attached to the Outline Planning Permission (ref 18/1850/MOUT) referred to above and which relate to the part of the site covered by this reserved matters application are hereby discharged, have previously been discharged or remain to be complied with onsite but without the need for the submission of details or separate agreement:

- 1- Reserved matters
- 3 - Time for submission of reserved matters
- 5 - Site access in accordance with plans
- 7 - Hard and soft landscape plans/details
- 8 - Landscaping plans
- 9 - Groundworks and engineering plans
- 10 - Construction details of boundary wall and fences
- 11 - Landscape Management Plan
- 12 - Landscaping and green infrastructure plans
- 13 - Construction and Environmental Management Plan
- 14 - Construction and Environmental Management Plan
- 15 - Construction Management Plan
- 16 - Highways drainage
- 17 - Provision of highway infrastructure/parking prior to use
- 18 - Sustainable Surface Water Drainage Scheme
- 19 - Ecological mitigation, compensation and enhancement
- 20 - Updated reptile mitigation strategy
- 22 - SUDS system plans
- 23 - Drainage adoption
- 24 - Drainage works between demolition and completion of development
- 25 - Drainage works during development period

The following Conditions attached to the Outline Planning Permission referred to above remain to be complied with where details are required to be submitted prior to the commencement of development or installation:

- 6 - Contaminated Land Remediation completion reports and certificates
- 21 - Ownership, management, maintenance of EV chargepoint report

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 development above foundation level shall take place until samples of the materials to be used in the construction of the external surfaces of the buildings 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.)
4. Notwithstanding the details shown on the plans hereby approved and as may be agreed under condition 3 of this reserved matters approval, no development above foundation level shall take place until details and samples of the materials to be used in the construction of the external surfaces of the buildings on plots 66-72 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.)
5. No development above foundation level shall take place until details, or samples where appropriate, of the finish of the fencing, walling or other boundary treatment have been submitted to and approved in writing by the Local Planning Authority. Each dwelling hereby permitted shall not be occupied until the fencing, walling or other boundary treatment relevant to that dwelling has been completed in accordance with the approved details and notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order with or without modification), these walls and/or fences shall not thereafter be altered, removed or replaced without the prior written approval of the Local Planning Authority.
(Reason - To ensure that the details are considered at an early stage in the interests of preserving and enhancing the character and appearance of the area and/or protecting the privacy of local residents in accordance with Policies D1 -

Design and Local Distinctiveness and D2 - Landscape Requirements of the Adopted East Devon Local Plan 2013-2031.)

6. Samples of the external hard surfacing materials used in the development shall be submitted to and be approved in writing by the Local Planning Authority before the relevant parts of the work are commenced. The development shall be completed in accordance with the approved samples.
(Reason: In order that the appearance of the development is satisfactory in accordance with Policy D1 - Design and Local Distinctiveness of the Adopted East Devon Local Plan 2013-2031.)

Plans relating to this application:

revision A	Construction & Environment Management PI	21.08.23
512-P-555 : existing discharge rates	Other Plans	26.07.23
512-P-553 : existing catchment	Other Plans	26.07.23
1491-EA-MD (1)	Ecological Assessment	20.12.22
1491-EA-MD (SEPT 2022) : impact assessment	Ecological Assessment	20.12.22
1112 F : storey heights	Other Plans	22.12.23
	Landscape and Ecological Management Plan	22.12.23
1110 K : planning	Layout	10.1.24
1111 I : materials	Other Plans	22.12.23
1113 F : land ownership	Other Plans	22.12.23

1114 F : enclosure	Other Plans	22.12.23
1115 F : external works	Other Plans	22.12.23
1116 F : waste collection	Other Plans	22.12.23
1117 G : parking/electric charging	Other Plans	22.12.23
1118 G : affordable housing	Other Plans	22.12.23
1119 B : solar PV plan	Other Plans	22.12.23
1140 C : gateway streetscene	Street Scene	22.12.23
1150 H	Sections	22.12.23
1151 C : technical	Sections	22.12.23
1152 C : technical	Sections	22.12.23
1160 G	Street Scene	22.12.23
1161 F	Street Scene	22.12.23
WAIN23460 11i : sheet 1 of 3	Landscaping	22.12.23
WAIN23460 11i : sheet 2 of 3	Landscaping	22.12.23
WAIN23460 11i : sheet 3 of 3	Landscaping	22.12.23
WAIN23460 12i : hard landscaping sheet 1 of 3	Landscaping	22.12.23

WAIN23460 12i : hard landscaping sheet 2 of 3	Landscaping	22.12.23
WAIN23460 12i : hard landscaping sheet 3 of 3	Landscaping	22.12.23
soft landscape mgt/maintenance	Landscaping	22.12.23
document issue sheet	General Correspondence	22.12.23
2350 A : house type elevational key	Other Plans	22.12.23
2340	Proposed Floor Plans	22.12.23
2341 B : plot 31/32	Proposed Elevation	22.12.23
2233 : plots 37/38/39	Proposed Elevation	22.12.23
2332 A : plots 22/23	Proposed Elevation	22.12.23
2330 A : plots 23/24/39	Proposed Floor Plans	22.12.23
2331 A : plot 24	Proposed Elevation	22.12.23
2321 B : chinley	Proposed Elevation	22.12.23
2320 B : chinley	Proposed Floor Plans	22.12.23
2312 D : ash	Proposed Elevation	22.12.23
2311 D : ash	Proposed Elevation	22.12.23
2301 E : merther (split down)	Proposed Elevation	22.12.23
2310 A : ash	Proposed Floor Plans	22.12.23
2300 B : merther (split down)	Proposed Floor Plans	22.12.23

2293 B : colyton (split down)	Proposed Elevation	22.12.23
2292 E : colyton (split down)	Proposed Elevation	22.12.23
2290 C : : colyton (split down)	Proposed Floor Plans	22.12.23
2291 E : colyton (split down)	Proposed Elevation	22.12.23
2361 A : stafford	Proposed Elevation	22.12.23
2360 A : stafford	Proposed Floor Plans	22.12.23
2284 E : foxton (split up)	Proposed Elevation	22.12.23
2283 E : foxton (split up)	Proposed Elevation	22.12.23
2282 E : foxton (split up)	Proposed Elevation	22.12.23
2280 C : foxton (split up)	Proposed Floor Plans	22.12.23
2281 E : foxton (split up)	Proposed Elevation	22.12.23
2271 D : hickory	Proposed Elevation	22.12.23
2270 C : hickory	Proposed Floor Plans	22.12.23
2262 : yew	Proposed Elevation	22.12.23
2261 D : yew	Proposed Elevation	22.12.23
2254 C : poplar	Proposed Elevation	22.12.23
2260 B : yew	Proposed Floor Plans	22.12.23
2253 C : poplar	Proposed Elevation	22.12.23
2252 C : poplar	Proposed Elevation	22.12.23
2251 C : poplar	Proposed Elevation	22.12.23
2250 A : poplar	Proposed Floor Plans	22.12.23

2234 A : coral	Proposed Elevation	11.1.24
2233 C : coral	Proposed Elevation	11.1.24
2231 D : coral	Proposed Elevation	11.1.24
2232 D : coral	Proposed Elevation	11.1.24
2230 D : coral	Proposed Floor Plans	11.1.24
2226 C : whitebeam	Proposed Elevation	11.1.24
2224 C : whitebeam	Proposed Elevation	11.1.24
2225 D : whitebeam	Proposed Elevation	11.1.24
2223 C : whitebeam	Proposed Elevation	11.1.24
2222 C : whitebeam	Proposed Elevation	11.1.24
2220 D : whitebeam	Proposed Floor Plans	11.1.24
2221 D : whitebeam	Proposed Elevation	11.1.24
2214 C : alder	Proposed Elevation	11.1.24
2213 C : alder	Proposed Elevation	11.1.24
2211 C : alder	Proposed Elevation	11.1.24
2212 C : alder	Proposed Elevation	11.1.24
2210 C : alder	Proposed Floor Plans	11.1.24
2200 C : candlewood	Proposed Floor Plans	11.1.24
2203 D : candlewood	Proposed Elevation	11.1.24
2202 D : candlewood	Proposed Elevation	11.1.24

2201 D : candlewood	Proposed Elevation	11.1.24
1611 D : B1 class units 3/4/5/6	Proposed Elevation	22.12.23
1610 D : : B1 class units 3/4/5/6	Proposed Floor Plans	22.12.23
1600 E : B1 class units 1/2	Proposed Floor Plans	22.12.23
1601 E : B1 class units 1/2	Proposed Elevation	22.12.23
2027 : 0.45m timber square post/tubular steel trip rail	Proposed Combined Plans	22.12.23
2026 : 1.1m guard railing for ramp	Proposed Combined Plans	22.12.23
2024 : 0.6m stone wall	Proposed Combined Plans	22.12.23
2025 : fence hedgehog gate	Proposed Combined Plans	22.12.23
2023 A : 1.2m guard railing for retaining wall	Proposed Combined Plans	22.12.23
2004 A : 1.0m guard railing	Proposed Combined Plans	22.12.23
2020 : 2.4m timber closeboard acoustic fence	Proposed Combined Plans	22.12.23
2019 : 1.2m timber post/rail	Proposed Combined Plans	22.12.23

2016 : 1.2m distressed brick wall/piers	Proposed Combined Plans	22.12.23
2018 : 1.0m timber bollards square/grooved	Proposed Combined Plans	22.12.23
2015 : 0.6m distressed brick wall	Proposed Combined Plans	22.12.23
2013 : 1.8m timber palisade fence	Proposed Combined Plans	22.12.23
2006 B : 1.1m bow top railing	Proposed Combined Plans	22.12.23
2012 A : 1.8m brick screen wall	Proposed Combined Plans	22.12.23
2005 : step handrail	Proposed Combined Plans	22.12.23
2001 A : 1.8m timber closeboard fence	Proposed Combined Plans	22.12.23
1713 : materials	Proposed Combined Plans	22.12.23
1712 A : residential bin/cycle store	Proposed Combined Plans	22.12.23
1711 A : residential cycle store	Proposed Combined Plans	22.12.23
1710 A : commercial cycle shelter	Proposed Combined Plans	22.12.23
1708 : adjoined twin garages	Proposed Combined Plans	22.12.23
1709 B : residential	Proposed Combined Plans	22.12.23

enclosed bin
store

1707 A : bat roost	Proposed Combined Plans	22.12.23
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1706 A : substation	Proposed Combined Plans	22.12.23
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1714 : car port double (terrace)	Proposed Combined Plans	22.12.23
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1705 A : car port double	Proposed Combined Plans	22.12.23
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1704 A : car port triple (semi detached)	Proposed Combined Plans	22.12.23
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1701 B : twin garage	Proposed Combined Plans	22.12.23
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1703 A : car port triple (terraced)	Proposed Combined Plans	22.12.23
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1702 B : double garage	Proposed Combined Plans	22.12.23
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1700 B : single garage	Proposed Combined Plans	22.12.23
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+ CEMP (rev 3)	Construction & Environment Management PI	10.11.23
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512-P-560 D	Flood Exceedance	10.1.24
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512-P-550 D	Impermeable Areas	10.1.24
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512-P-100 W	Engineering	10.1.24
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512-P-320 C	Attenuation Pond	10.1.24
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512-P-075 F	Drainage Strategy	10.1.24
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Drainage strategy for planning Rev F 15.12.23 (report only)

512-P-004 E	Existing Levels	10.1.24
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1491-LEMP-MD	Landscape and	10.1.24
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(Rev 2)	Ecological Management Plan	
512-P-405-02 D	Vehicle Tracking Refuse	10.1.24
512-P-405-01 D	Vehicle Tracking Fire	10.1.24
512 Rev E	Colyton Drainage Strategy	10.1.24
512-D-570	Construction Drainage Plan	10.1.24
1491-AMS-MU Rev1	arb method statement	26.07.23

List of Background Papers

Application file, full consultation responses and policy documents referred to in the report.

EDDC Landscape Architect – 18/4/23

1 INTRODUCTION

This report forms the EDDC's landscape response to the reserved matters application for the above site.

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

2 REVIEW OF SUBMITTED INFORMATION

2.1 Layout generally

The revised layout has been significantly re-worked from that submitted with the pre-application enquiry. However the changes have gone in the wrong direction and the revised layout appears less coherent than the previous version and the indicative layout provided with the outline application and presents some significant levels and associated design issues which are not satisfactorily resolved.

Although reduced in number from the previous layout, the introduction of stepped, three storey dwellings in a serried row on the northwestern site boundary will form a prominent urban edge to the development at odds with the surrounding pastoral landscape. While this may be softened in time by proposed tree planting it is likely

that occupants of these units will seek to maintain open views out to the AONB hills to the north.

The layout creates a number of awkward left over spaces which have little purpose, such as to either side of the site entrance and to the east of plots 57, 59 and 60. There are also some smaller left over spaces such as to the east side of plot 62 which could be incorporated into private gardens.

The rear gardens to plots 25, 27 and 29 have been reduced in size and are now only 4m long with an outlook on to the rear of the commercial units. There is scope to increase their gardens by shifting commercial units 1 and 2 forward by 2m.

The attenuation basin has reduced in size and become an isolated feature, whereas in the previous layout it connected directly to the existing woodland to the north.

2.2 Vehicular circulation

The main site entrance road has an awkward kink in alignment at the junction to the commercial land, and the junction itself appears to comprise a raised carriageway table. The arrangement of surrounding footways seems to be at odds with this and it is unclear whether or not the table top is intended to be shared use. It would seem better to straighten the access road by shifting the junction mouth with Sidmouth Road 3m to the west and to have a standard junction arrangement at this location.

Beyond plot 55 the main site access road becomes shared surface but also widens to 6m width with no traffic calming features to slow vehicles. This could put vulnerable users at risk and appropriate traffic calming measures should be provided including narrowing the road width.

2.3 Pedestrian circulation

The footway to the west side of the access road at the entrance to the site is separated by a narrow grass verge and would work better if set against the carriageway edge.

The access steps leading to the open space between plots 57 and 60 seem over engineered and relate poorly to their surroundings. A more integrated design should be considered that incorporates direct access to the front entrances to adjacent plots.

Plots 57, 59, 60 have awkward frontage arrangements looking west towards the open space area but set some 8m below it. Pedestrian access arrangements for these units are unclear and there is a lack of definition between private curtilage space and public space which requires better definition.

The access routes to plots 1, 5, 9 and 47 are also unclear and difficult to negotiate. The rear access path around the perimeter of plots 31 and 32 seems unnecessary as rear access to plots 25, 27 and 29 can be gained from the side of plot 25. The omission of this path would also allow the gardens of plots 29, 30 and 31 to be extended.

A 1.5m width access path is required to the rear of plots 17-20 to provide clear passage for wheelie bins and cycles between the garden boundary wall and adjacent parking spaces.

Pedestrian access to the frontages of plots 1 and 2 would be better arranged so that it is outside of front garden plot boundaries. It should follow a straight line from the access road to the north rather than cranking around the parking bays for plot 2. A direct steeped connection should also be made from the southern end of the path to Sidmouth Road.

For plot 2 a direct access should be provided from the rear garden to the adjacent plot parking bays.

The access path connecting the frontage of plot 5 to its parking bay should be extended to provide a clear surfaced route to the parking court access road. A direct access path should be provided from the main site access road to serve the frontages of plots 22-24.

2.4 Levels

The significant changes in level across the site have resulted in the need for numerous stepped access routes to front doors with up to 19 steps required (plot 9) which is unsatisfactory.

Rear gardens in many instances entail even more steps (plot 11 has 37 steps to negotiate). Bin and/or bike storage arrangements in such instances need to be reconsidered – see section 2.7 below.

Steps to the front of plot 61 rise directly from the road edge. The steps should be turned through 90 degrees as for plots 48-51 to allow for a level landing space adjacent to the road edge.

In a number of areas significant height retaining walls are required particularly to the edge of the main open space and in the northeast corner of the site. In respect of the open space these could be substantially reduced by redesign – refer section 2.5 below. In the northeast corner of the site the alignment of the retaining walls follows a series of right angles forming an awkward development edge that could be smoothed by a more faceted alignment that would also create additional garden space for plots 41 and 42 and help to increase the distance of the retaining wall from the RPA of tree group G19 which in the present arrangement is likely to be compromised during construction.

The existing masonry retaining wall along the boundary with Sidmouth Road and associated bank rising above it should be clearly indicated on the levels and hard landscape works drawings and details should be shown of how it will finish in the vicinity of the site entrance. It would seem best if it was allowed to continue following the back edge of the footway to the west side of the site entrance.

It is noted that the main site access road has gradients of up to 1:13.

2.5 Open space

The main open space levels are challenging and arranging satisfactory access is difficult. In order to achieve a maximum 1:20 gradient a highly engineered design solution has been proposed entailing a regimented path with tight hairpin bends and extensive retaining walls up to 4.4m high and associated guard railing. The design does not reflect the rural edge character of the site and will result in poor visual amenity for users of the open space and also occupiers of proposed dwellings to the east which have a direct outlook on to it.

A more naturalistic arrangement designed to a maximum 1:15 path gradient is indicated in figure 1 below, which substantially reduces the height and extent of retaining walls required and provides an un-stepped and more direct pedestrian route connecting from the northern end of the site to the site entrance. Although at a steeper gradient, using tarmac rather than hogginsurfacing as currently proposed would reduce rolling resistance for wheel/ push chair users, countering the increased ramp steepness. It is recommended that the play area and access paths are redesigned along these lines.

Proposed play equipment is rather basic and uninspiring. There is opportunity to make use of the ground slope to enhance the play experience and provision should be made for natural play. Seating should be arranged in groups to encourage social interaction. If a fence is to be provided to the perimeter of the play space two entrances should be provided.

The landscape section drawing no. WAIN23460 20A shows retaining walls to the north and south edges of the play area. These are not indicated on the levels plan, dwg. no. 512-P-100, or the Hard Landscape Proposals plans. The drawings should be checked and amended so they correlate.

There is scope to provide a pond with permanent standing water in the open space area to the northwest corner of the site, fed from surface water discharges from plots 60-65, which would provide additional amenity and biodiversity value.

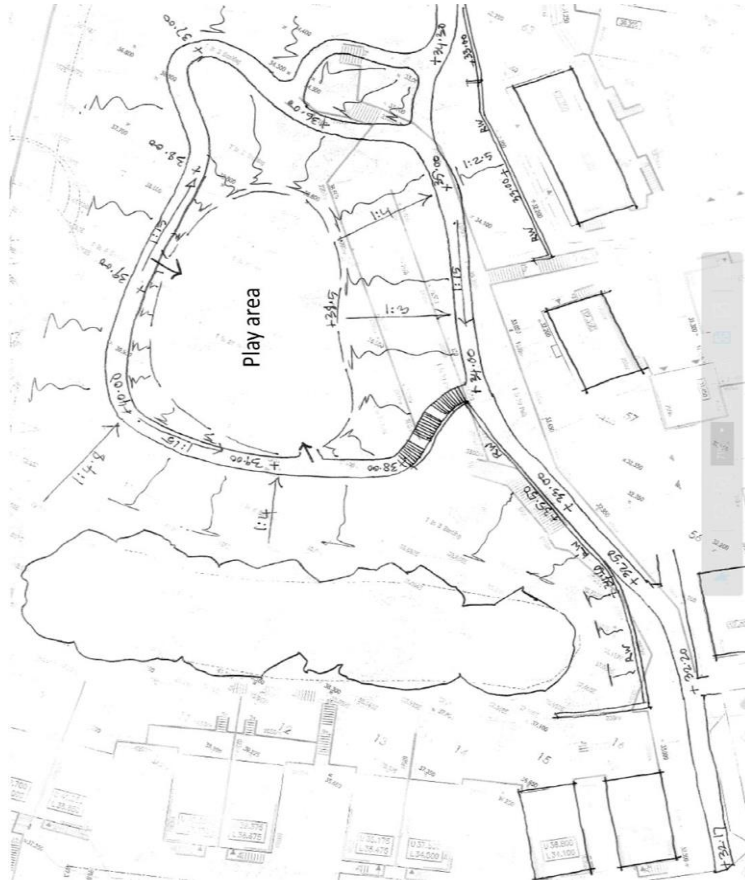


Figure 1 - Indicative alternative open space layout

2.6 Boundary treatments

Rear garden boundaries fronting public open space or communal areas should comprise brick walls rather than close board fencing. In a number of instances this is not the case – viz plots 2, 3, 4, 16, 21, 43, 52-54, 51, 56, 57, 58, 61, 63, 66, 72.

The proposed railings demarcating the narrow communal access between parking bays – eg. Plots 68-69 are likely to overly restrict car door opening for adjacent occupants, are vulnerable to being knocked during vehicular manoeuvring and should be omitted.

Close board fencing is proposed on top of the retaining walls around the perimeter of parking courts in the northeast corner of the site (parking bays 38-40 and 34-37) where it will accentuate the height of the walls and create unnecessary visual enclosure. It should be replaced with 1.2m high railings.

There is no need for close board fencing to the western boundary of plots 64 and 65 or to the north side of the rear garden access path serving plots 66-72 and a 1.5m high post and wire mesh fence would suffice. For plots 9-16 the outer fence along the rear garden access path should be railings with native hedgerow planting beyond to maintain privacy for occupants.

Close boarded fencing around private gardens should include 150x150mm gaps to allow passage of hedgehogs from surrounding areas and between gardens. This should be shown on the various close boarded fence details and locations should be included on the boundaries plan.

The appropriateness and need for a formal beech hedge to the west and south of the open space is questioned.

The railings to the frontages of plots 1 and 2 should be set to the inside of the access path to maintain defensible space for occupants.

A brick wall or railings should be provided to close off the southern end of the commercial units' courtyard.

The location of the courtyard gates to the commercial units, and/ or the access path to the entrance of unit 1, should be adjusted so that the gates do not obstruct the pedestrian access when open.

2.7 Cycle and bin storage and access

Provision for bin and cycle storage is largely based on store areas within rear gardens. For level plots this is generally acceptable but to the rear of plots 17 - 20 there is no footway provision linking from rear garden gates to enable bikes and wheelie bins to be brought out without squeezing between parked cars. To address this a minimum 1.5m width footway should be provided between the adjacent parking bays and garden boundary.

Proposed cycle stores appear to have overall external dimensions of 2 x 1m. This is inadequate and in all instances should be increased to provide internal dimensions of 2m x 1.4m with a 1m wide doorway. This is the minimum size required to accommodate 2 cycles. For 3/ 4 bedroom houses cycle stores should ideally be increased to accommodate at least 3 cycles. Stores should be fitted with security locks. Plan and elevational details of proposed cycle stores should be provided.

Where cycles are intended to be stored in garages, floor plans should be provided showing storage locations and access routes.

Details of cycle/ bin access routes through car ports for plots 59 and 60 should be provided.

A very narrow communal bin and cycle store area is indicated to the side of plot 25 to serve plots 25 and 30. It is difficult to see how this will work and plan and elevational details should be provided, bearing in mind minimum size requirements noted above.

For plots 3-5, 6-8, 9-16, 22-24, 48-51, 52-54, 66-72 proposed cycle store locations entail the negotiation of awkward flights of stairs which is unsatisfactory. Plot 65 does not appear to have a cycle store.

Covered cycle storage is required to serve the commercial units and locations and details should be confirmed.

Access to proposed bin storage locations for plots 23, 49, 50, 53 also entails a number of steps. Bin storage locations in all instances should be amended to provide clear and level access between bin stores and collection points.

A detail plan showing bin storage arrangements for commercial units should be provided.

2.8 Planting

Proposed ornamental shrub planting to the west of the site entrance is over fussy and unnecessary and the sun loving species indicated under the proposed beech tree will soon be shaded out as the tree matures. The planting design should be reconsidered to omit the ornamental shrubs to the west side and provide for well-placed large canopy tree (s) on the corner. There is scope for orchard planting on the bank between the site access road and the frontages to plots 1 and 2.

The line of proposed trees along the boundary with Sidmouth Road is situated too close to the existing retaining wall and likely to cause structural damage to it in the future. It would be better to set the trees and proposed hedge back to the top of the bank above it where they would be better able to screen the new development and to provide for a wildflower area with native bulbs on the bank itself.

Proposed fruit trees are placed in locations where they are unlikely to be readily accessible, such as to the rear of plots 64-65 and below the retaining wall in the northeast corner of the site. Chosen varieties tend to be commercial and are less likely to thrive in more neglected situations. Proposed locations should be reconsidered - there is opportunity for grouping in accessible locations around the site. Varieties of local provenance should be favoured. Rootstocks should be vigorous and should be specified in the plant schedule.

A woodland edge planting mix should be used between the rear of plots 9-16 and south and eastern edges of the existing tree group above.

A large canopy tree should be provided in the verge to the northwest of plot 32. Proposed trees within the attenuation basin should be selected to withstand waterlogged conditions.

Proposed planting to base of attenuation basin comprises standard grass mix and predominantly dry loving trees and shrubs. A more suitable damp meadow grass mix and associated planting would seem more appropriate.

There is scope for an additional tree to be planted in the northern corner of the commercial units courtyard.

The need for beech hedging around the substation is questioned.

More native structure planting is required to the small open space area to the northwest corner of the site particularly to the eastern and southern edges to help screen the development from open views to the northwest and as a buffer and screen around the proposed bat house.

Additional structure planting is required along the edge of the open space to the west side of plot 72.

The proposed line of three walnut trees to the north of plot 62 are too close together and should be spaced to 10m apart and omitting the Prunus Accolade to the northwest.

A medium canopy tree should be provided in the verges to the northeast gable of plot 63 and northwest gable of plot 65.

A medium/ large canopy tree should be provided in the incidental play space east of plot 65 and the three trees east of plot 64 replaced with two/ three larger canopy trees.

There is scope for an additional Prunus Accolade to the side of plot 48.

For trees within/ adjacent to hard pavings (eg commercial units courtyard) details of required tree soil volumes should be confirmed and the actual volume available for each tree should be confirmed. Calculations for soil volume should be in-line with current best practice. Where extended soil volumes are required under areas of hard paving details of appropriate crating should be provided.

2.9 Hard landscape details

Details of proposed retaining wall design and construction should be provided together with associated guard-railing.

Details of proposed traffic calming features and road kerbs should be provided.

For durability, timber gates (dwgs. nos. 2001, 2012 and 2013) should be drawn and specified as framed, ledged and braced.

Details of proposed inlets and headwalls serving the attenuation basin should be provided together with details of proposed make up of base and side slopes, silt traps etc. In accordance with CIRIA guidance the design of inlet/ outlet head walls should provide a neutral or positive impact on visual amenity.

2.10 Soft Landscape Management and Maintenance Plan and Landscape and ecology maintenance plan (LEMP)

It is unusual to have two separate documents submitted, prepared by different consultants, and covering more or less the same areas. The two documents do not appear to have been adequately co-ordinated and there are numerous instances of

contradictory information between them. The documents should be reviewed and a single LEMP submitted.

A soft landscape specification is required covering soil preparation, depth, quality, testing, cultivation and amelioration, planting, seeding and plant/ grass protection during establishment.

The LEMP should include measures for inspection of and maintenance of the attenuation basin and measures to address erosion and silting and clearance of inlets and outlets and associated channels to maintain free flow.

2.11 Other matters

Rear gardens should be provided with water-butts to collect roof rainwater for irrigation purposes.

3 CONCLUSION AND RECOMMENDATIONS

Additional and amended details are required to address the points raised in section 2 above, before the pre-commencement elements of conditions 1, 7, 8, 9, 10, 11, 12, 18, 22, 23, 24 and 25 can be discharged.

1 INTRODUCTION

This report forms the EDDC's landscape response to updated information recently submitted for the reserved matters application for the above site.

The report provides a review of landscape related information submitted with the application in relation to adopted policy, relevant guidance, current best practice and existing site context and should be read in conjunction with the submitted information. Points that have been addressed from previous comments dated April 2023 have been omitted from this report. Additional comments are shown in blue.

2 REVIEW OF SUBMITTED INFORMATION

2.1 Layout generally

The revised layout has been significantly re-worked from that submitted with the pre-application enquiry. However the changes have gone in the wrong direction and the revised layout appears less coherent than the previous version and the indicative layout provided with the outline application and presents some significant levels and associated design issues which are not satisfactorily resolved.

Although reduced in number from the previous layout, the introduction of stepped, three storey dwellings in a serried row on the northwestern site boundary will form a prominent urban edge to the development at odds with the surrounding pastoral landscape. While this may be softened in time by proposed tree planting it is likely that occupants of these units will seek to maintain open views out to the AONB hills to the north.

The layout creates a number of awkward left over spaces which have little purpose, such as to either side of the site entrance and to the east of plots 57, 59 and 60. There are also some smaller left over spaces such as to the east side of plot 62 which could be incorporated into private gardens.

The positioning of the site entrance is based on the illustrative masterplan submitted with the outline application. The present layout is markedly different and does not work well with the current entrance location. The attempt to make it fit has not worked and is an example of tail wagging dog. Revising the entrance by shifting it westwards 3m or so and tightening the entrance radii would be a significant improvement and would free up space within the commercial courtyard enabling trees to be reinstated within it.

There is an opportunity to provide an extra bespoke dwelling unit to the east side of the junction adjacent to plot 17 with a walled garden extending westwards along the frontage to Sidmouth Road. This would reflect existing town character and address one of the issues raised in the previous conservation consultation response.

The attenuation basin has reduced in size and become an isolated feature, whereas in the previous layout it connected directly to the existing woodland to the north.

Accepting that the layout will not change in this respect, further consideration needs to be given to the design of the attenuation basin which appears to be over engineered. Given the prominence of the basin in the centre of the development, further design input is required in order to ensure it is an attractive feature. What appears to be a raised planter incorporating a single bench in the northeast corner of the commercial units' courtyard is an inappropriate feature and would be better replaced by a decent sized single tree set in paving and possibly with a circular bench around it.

2.2 Vehicular circulation

The main site entrance road has an awkward kink in alignment at the junction to the commercial land, and the junction itself appears to comprise a raised carriageway table. The arrangement of surrounding footways seems to be at odds with this and it is unclear whether or not the table top is intended to be shared use. It would seem better to straighten the access road by shifting the junction mouth with Sidmouth Road 3m to the west and to have a standard junction arrangement at this location.

Beyond plot 55 the main site access road becomes shared surface but also widens to 6m width with no traffic calming features to slow vehicles. This could put vulnerable users at risk and appropriate traffic calming measures should be provided including narrowing the road width.

2.3 Pedestrian circulation

The footway to the west side of the access road at the entrance to the site is separated by a narrow grass verge and would work better if set against the carriageway edge. [The detail has been amended by removal of grass verge and its replacement with resin bonded gravel. This has no legibility and will appear as a random insertion of new paving material that serves no obvious purpose.](#)

The access steps leading to the open space between plots 57 and 60 seem over engineered and relate poorly to their surroundings. A more integrated design should be considered that incorporates direct access to the front entrances to adjacent plots.

Plots 57, 59, 60 have awkward frontage arrangements looking west towards the open space area but set some 8m below it. Pedestrian access arrangements for these units are unclear and there is a lack of definition between private curtilage space and public space which requires better definition.

The access routes to plots 1, 5, 9 and 47 are also unclear and difficult to negotiate. The rear access path around the perimeter of plots 31 and 32 seems unnecessary as rear access to plots 25, 27 and 29 can be gained from the side of plot 25. The omission of this path would also allow the gardens of plots 29, 30 and 31 to be extended.

[A 1.5m path has now been provided to the rear of plots 17-20 as previously requested but this has squeezed the courtyard space beyond and resulted in the omission of three central trees.](#)

Adjustments to the site entrance road as noted above would enable the courtyard to be widened and allow for the reinstatement of the trees. Climber pits should be provided at the back of the footway to the rear of plots 17-20 to help soften the appearance of the courtyard.

Pedestrian access to the frontages of plots 1 and 2 would be better arranged so that it is outside of front garden plot boundaries. It should follow a straight line from the access road to the north rather than cranking around the parking bays for plot 2. A direct steeped connection should also be made from the southern end of the path to Sidmouth Road.

2.4 Levels

In a number of areas significant height retaining walls are required particularly to the edge of the main open space and in the northeast corner of the site. In respect of the open space these could be substantially reduced by redesign – refer section 2.5 below.

The levels and hardworks drawings should clearly show how the masonry retaining wall to Sidmouth Road will finish in the vicinity of the site entrance. It would seem best if it was allowed to continue following the back edge of the footway to the west side of the site entrance. [A report on the condition of the wall should be provided and any remedial works identified should be incorporated in to the scheme proposals.](#)

[Levels across the commercial courtyard are problematic with units 3-6 set 1m lower than units 1-2.](#)

[Further levels detail at 1:200 scale or greater is required to demonstrate that levels work satisfactorily across the courtyard and particularly to the front of Units 1 and 2.](#)

It is noted that the main site access road has gradients of up to 1:13.

2.5 Open space

The main open space levels are challenging and arranging satisfactory access is difficult. In order to achieve a maximum 1:20 gradient a highly engineered design solution has been proposed entailing a regimented path with tight hairpin bends and extensive retaining walls up to 4.4m high and associated guard railing. The design does not reflect the rural edge character of the site and will result in poor visual amenity for users of the open space and also occupiers of proposed dwellings to the east which have a direct outlook on to it.

A more naturalistic arrangement designed to a maximum 1:15 path gradient is indicated in figure 1 below, which substantially reduces the height and extent of retaining walls required and provides an un-stepped and more direct pedestrian route connecting from the northern end of the site to the site entrance. Although at a steeper gradient, using tarmac rather than hoggin surfacing as currently proposed would reduce rolling resistance for wheel/ push chair users, countering the increased ramp steepness. It is recommended that the play area and access paths are redesigned along these lines.

Proposed play equipment is rather basic and uninspiring. There is opportunity to make use of the ground slope to enhance the play experience and provision should be made for natural play. Seating should be arranged in groups to encourage social interaction. If a fence is to be provided to the perimeter of the play space two entrances should be provided.

It is noted that to the north of plot 16 proposed guard railing for the retaining wall does not follow the line of the wall and should be adjusted so it does.

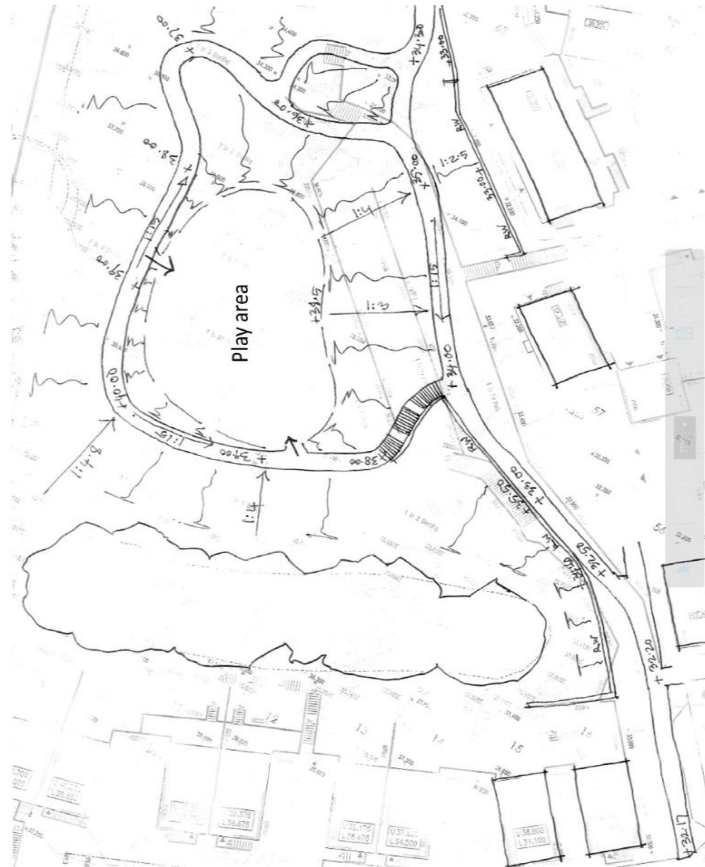


Figure 1 - Indicative alternative open space layout

2.6 Boundary treatments

Rear garden boundaries fronting public open space or communal areas should comprise brick walls rather than close board fencing. In a number of instances this is not the case – viz plots 16, 56, 57, 63, 66, 72.

Proposed close board fencing to the southside of plot 64 and north side plot 65 would be acceptable if areas of native scrub planting were planted adjacent to them to screen the fencing from adjacent open space areas.

The appropriateness and need for new hedges to the west and south of the open space is questioned.

The railings to the frontages of plots 1 and 2 should be set to the inside of the access path to maintain defensible space for occupants.

The proposed courtyard gates to the commercial units seem an unnecessary feature and should be omitted.

Details of proposed guard railing to tops of retaining walls should be provided.

2.7 Cycle and bin storage and access

Proposed cycle stores appear to have overall external dimensions of 2 x 1m. This is inadequate and in all instances should be increased to provide internal dimensions of 2m x 1.4m with a 1m wide doorway. This is the minimum size required to accommodate 2 cycles. For 3/ 4 bedroom houses cycle stores should ideally be increased to accommodate at least 3 cycles. Stores should be fitted with security locks. Plan and elevational details of proposed cycle stores should be provided.

Where cycles are intended to be stored in garages, floor plans should be provided showing storage locations and access routes.

Details of cycle/ bin access routes through car ports for plots 59 and 60 should be provided.

Plot 65 does not appear to have a cycle store.

Covered cycle storage is required to serve the commercial units and locations and details should be confirmed.

Access to proposed bin storage locations for plots 23, 49, 50, 53 also entails a number of steps. Bin storage locations in all instances should be amended to provide clear and level access between bin stores and collection points.

A detail plan showing bin storage arrangements for commercial units should be provided.

2.8 Planting

Proposed fruit trees are placed in locations where they are unlikely to be readily accessible, such as to the rear of plots 64-65 and below the retaining wall in the northeast corner of the site. Chosen varieties tend to be commercial and are less likely to thrive in more neglected situations. Proposed locations should be reconsidered - there is opportunity for grouping in accessible locations around the site. Varieties of local provenance should be favoured. Rootstocks should be vigorous and should be specified in the plant schedule.

A large canopy tree should be provided in the verge to the northwest of plot 32.

Proposed trees within and around the attenuation basin appear as a somewhat random mix of very large canopy and small canopy species. A more considered design is necessary around this central feature.

The raised planting bed in the northeastern corner of the commercial units should be omitted and replaced with a larger tree within paving.

The need for hedging around the substation is questioned.

Additional structure planting is required along the edge of the open space to the west side of plot 72.

Amendments have been made to the tree line opposite plot 62 but there is no species annotation. There should be three walnuts evenly spaced (approx. 7m crs).

Provide climbers at back of footway to rear plots 17-20 to soften boundary wall.

Proposed close board fencing to the south side of plot 64 and north side plot 65 would be acceptable if areas of native scrub planting were planted adjacent to them to screen the fencing from adjacent open space areas.

For trees within/ adjacent hard pavings (eg commercial units courtyard) details of required tree soil volumes should be confirmed and the actual volume available for each tree should be confirmed. Calculations for soil volume should be in-line with current best practice. Where extended soil volumes are required under areas of hard paving details of appropriate crating should be provided.

2.9 Hard landscape details

Details of proposed traffic calming features and road kerbs should be provided.

For durability, timber gates (dwgs. nos. 2001, 2012 and 2013) should be drawn and specified as framed, ledged and braced.

Details of proposed inlets and headwalls serving the attenuation basin should be provided together with details of proposed make up of base and side slopes, silt traps etc. In accordance with CIRIA guidance the design of inlet/ outlet head walls should provide a neutral or positive impact on visual amenity.

2.10 Soft Landscape Specification and Landscape and ecology maintenance plan (LEMP)

Soft specification

Para. 2.6 Topsoil to rear gardens including grass areas should be 300mm depth. Elsewhere topsoil to amenity grass areas should be 150mm depth. Soil preparation to areas of species rich grassland should comprise 100mm depth topsoil or PAS 100 compost on prepared subsoil and rotavated into top 150 mm subsoil.

Para. 3.17 –bark mulching to native hedges should be overall 2m width except where hedge is against boundary wall/ fence or paving in which mulch should extend from hard edge and to 0.75m beyond the outer hedge stems.

Para. 4.22 –Tree staking should be specified appropriate to proposed sizes of planting stock and detail provided for tree pits and staking.

Para. 4.25 Mulch for trees in grass to be spread in 1.5m diameter around base of tree.

LEMP

A condition survey of existing hedgerow should be provided identifying initial works and management prescriptions necessary to bring to good condition.

Table 2

Proposed hedgerows –replace failures years 1-5, examine guards yrs 1-5. Weeding should be by hand. Ongoing management cutting back should be to a little above rather than a little below previous cutline. Increase cutting frequency where necessary to keep clear access over adjacent paths and roads.

New native scrub –replace failures yrs. 1-5, examine guards yrs 1-5, hand weeding.

Monitoring –include for inspection by landscape architect at practical completion and inspection by ecologist and landscape architect years 1-5 and 5 yearly thereafter. Inspection reports to be provided following each visit scheduling works to be undertaken to address issues identified. Prescribed works to be undertaken in timely fashion.

The LEMP should include measures for inspection of and maintenance of the attenuation basin and measures to address erosion and silting and clearance of inlets and outlets and associated channels to maintain free flow.

It should also cover site furniture/ guard railing and inspections and maintenance of play equipment unless covered elsewhere.

2.11 Other matters

Rear gardens should be provided with water-butts to collect roof rainwater for irrigation purposes.

Roof and elevational details for the substation to the south side of the commercial courtyard should be provided.

3 CONCLUSION AND RECOMMENDATIONS

Additional and amended details are required to address the points raised in section 2 above, before the pre-commencement elements of conditions 1, 7, 8, 9, 10, 11, 12, 18, 22, 23, 24 and 25 can be discharged.

1 INTRODUCTION

This report forms the EDDC's landscape response to updated information recently submitted for the reserved matters application for the above site.

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

2 REVIEW OF SUBMITTED DETAILS

2.1 External Works Plan dwg. no. 1115 rev. E

- a) The revised plan shows the surfacing to the play area access ramp/ paths as hoggin. This has previously been queried and should be tarmac to facilitate wheel/ pushchair access and to minimise future maintenance costs.
- b) If hoggin is to be used to other paths a construction detail should be provided for this including source and specification of hoggin.
- c) There are discrepancies between the External Works Plan and Hard Works Plans where hoggin surface paths are shown on the paths between plots 57 and 60 and to the front of plot 47 on the External Works plan which are shown as Saxon slabs on the Hard Works Plans. For consistency Saxon slabs should be reserved for private access paths.

2.2 Enclosures Plan dwg. no. 1114 rev. E

- a) In a number of instances there are inconsistencies between the Enclosure Plan and the Hardworks Plans. Examples include frontage of Sidmouth Road where a post and rail fence is shown on the Hardworks Plan but not the Enclosure Plan and a timber planter shown on the Enclosure plan to the southwest of plot 5 is not shown on the Hardworks Plan.
- b) In some instances where retaining walls are proposed there is no guard railing provide eg open space between plots 8 and 9.
- c) An area to the rear of plots 64 and 65 and the western site boundary is fenced off with c/b fencing. It is unclear why. If fencing is required could it be changed to post and wire mesh which would also be easier to install on the steeply sloping ground?
- d) Proposed 'Brick framed openings' across private drives occur in two locations (plots plots 51/52) and 29/31). These appear to be random and unnecessary and their inclusion should be reconsidered.

2.2 Play area (refer layout, hard landscape and enclosure plans)

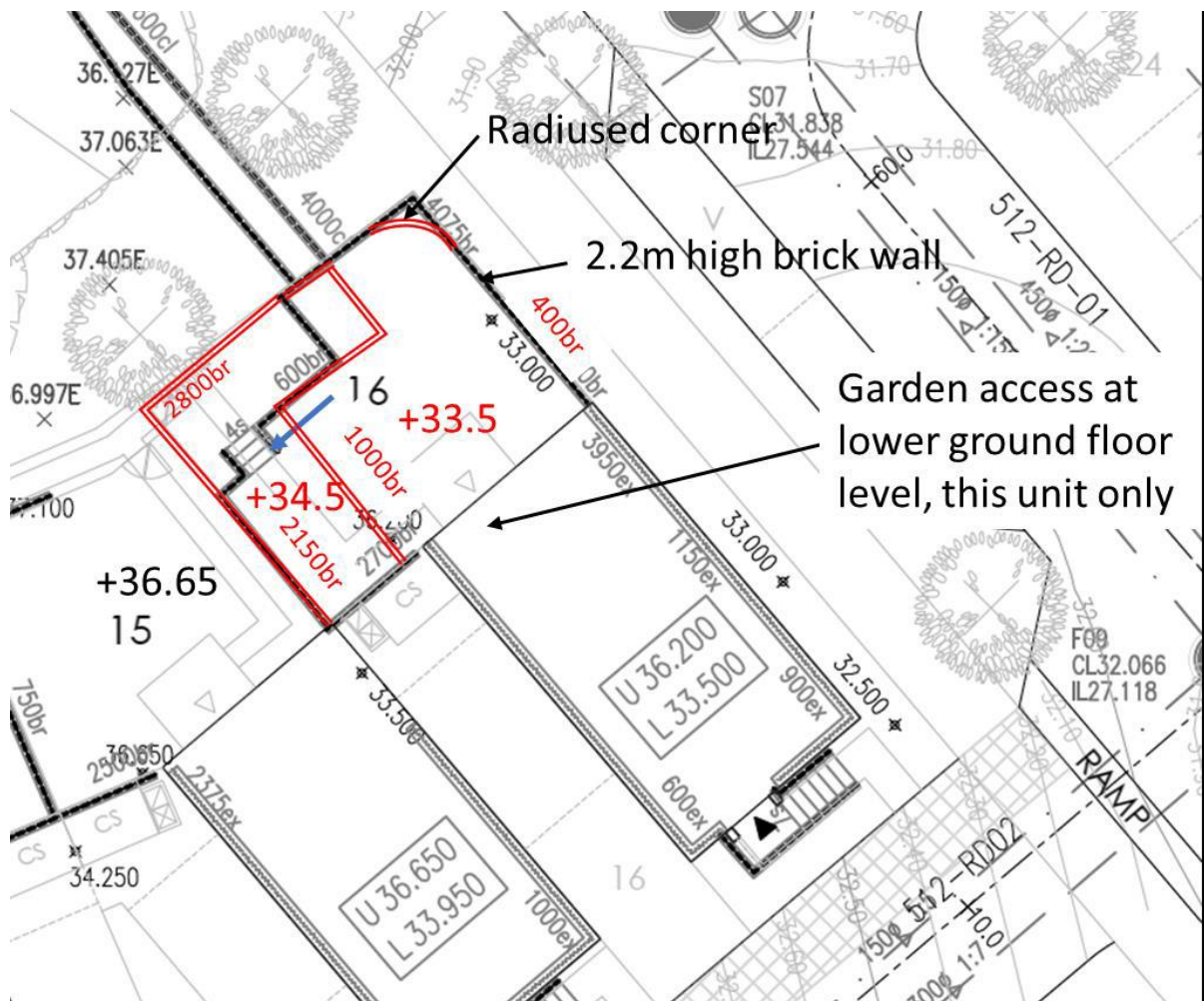
- a) I have previously made suggestions about the proposed access ramp to the play area which I still consider to be an over-engineered solution.
- b) With regard to the play area itself it is understood final design of the play area is subject to local consultation. Notwithstanding this, the bow top railings proposed around the play area seem unnecessary and result in a lot of wasted space on the surrounding banks outside of it. By amending the fencing as per overmarked plan

below the play area can be substantially increased in size allowing free play over the surrounding banks and reducing the amount of fencing significantly.



2.3 Engineering dwg. no. 512-P-100 rev. V

- a) The design layout still results in complicated access arrangements to many rear gardens entailing an unacceptable number of steps. Refer EDDC Urban Design comments for further commentary.
- b) There are a number of locations where retaining walls up to 4.2m high are proposed to retain rear gardens surmounted by 1.8m close board fencing. Particularly prominent amongst these is plot 16 where a 4.2m retaining wall and close board fence will tower over the main entrance road. By redesigning the house type to permit rear garden access from lower ground floor levels the rear garden can be reduced to street level and the level change more discretely accommodated at the boundary between plot 16 and 15.



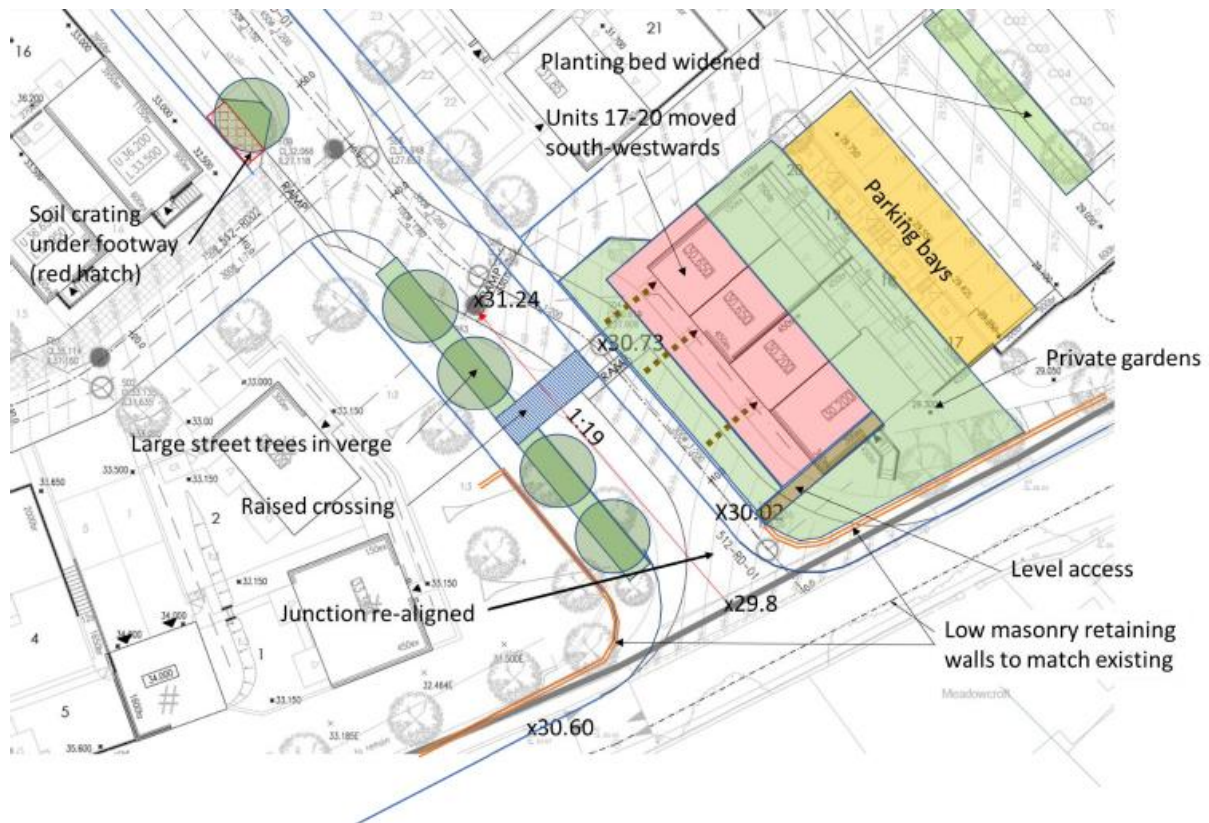
c) Where the access path to the north of the play area passes between the two sets of steps the retaining wall to the southwest should be amended to closely follow the path edge.

d) As noted in previous EDDC Urban Designer's response and landscape response the need for the two sets of steps on this section of path is questioned and it would be better to omit them and increase the ramp gradient accordingly.

2.4 Highway design

a) At a recent design meeting with the applicant concerns were raised regarding the alignment of the main entrance road and it was understood an alternative layout would be considered moving the entrance slightly westwards along Sidmouth Road. This has not been provided but is considered both feasible and desirable, creating more space within the commercial area courtyard, reducing the openness of the site entrance which is uncharacteristic in the setting of Colyton and reducing the extent of 'left over space' to the west side of the junction (refer overmarked plan extract below).

The junction radii should also be tightened to be more in keeping with Colyton street form and to reduce the crossing distance for pedestrians.



b) A plan should be provided showing the extent of adoptable highway within the site.

c) Details of proposed road junction crossovers, materials and markings should be provided together with details of proposed kerbs and edgings.

d) At the moment pedestrian/ vehicular priorities are very unclear at junctions off the main access road and additional detail should be provided to clarify this.

2.5 Commercial bike store, dwg. no. 1710 rev. A - Submitted detail is acceptable.

2.6 Residential bin and cycle store dwg. no. 1712 rev. A

o Refer EDDC Urban designer comments. Could e-bike charging point be provided please?

2.7 1.1m Guard railing for ramp dwg. no. 2026 rev. -

o Detail shows horizontal railing. Confirm detail for ramps and sloping wall tops.
o Confirm railing section sizes. Include for hot dip galvanising to relevant British Standard. Confirm paint finish.

2.8 1.2m guard railing for retaining wall dwg. no. 2023 rev. A

o Comments as dwg. 2026 above.

0.6m stone wall dwg. no. 2024 rev. -

Page 5 of 8

o Confirm source of stone

o Reference image should be of existing wall.

2.9 Hedgehog gate dwg. no. 2023 rev. -

- o Detail acceptable. Enclosure plan should be amended to show locations of holes and cross reference detail dwg.

2.10 Post & tubular rail dwg. no. 2027 rev. -

- o Detail should be high quality to reflect status of attenuation basin as key focal point.
- o Confirm post spacings, treatment and wood type.
- o Provide weathering to post tops
- o Confirm tube diameter, thickness and finish
- o Confirm fixing/ drilling to bollard
- o Provide details for how radiused and angled changes of direction will be dealt with.
- o Provision likely to be needed for a demountable rail section to facilitate machinery access to attenuation basin.

2.11 Bow top railings dwg. no. 2006 rev. B

Show how changes in ground slope will be accommodated.

Details of proposed self- closing gates for playground access are required.

Given the level changes around the play area a quality timber post and rail with mech detail would probably work better.

- o Confirm railing section sizes. Include for hot dip galvanising to relevant British Standard. Confirm paint finish.

2.12 Step handrails dwg. no. 2005 rev-

Detail is fine for short step lengths but further details required for steps where there is a fall height over 1m and where there is a high retaining wall to one side where a wall mounted hand rail would be more appropriate.

2.13 Steps

- o Typical details are required for steps to include associated wing walls. Separate details needed for private access steps and steps in communal areas.

2.14 Bat house

Proposed details should be provided including floor and roof plans, elevations and materials schedule.

2.15 Drainage details

Details of proposed inlets and outlets and associated headwalls etc. to the attenuation basin are required. Given the prominent location of the basin it is important that these are carefully designed to provide a positive or neutral visual impact.

2.16 Hardworks Plans dwgs. no. WAIN23460 12 G sheets 1-3

a) Generally

- o Plans should distinguish between proposed soft landscape areas and paving.

- o Proposed retaining walls and steps should be clearly indicated.

Proposed bench on ramp connecting path between plots 57 and 60 is awkwardly situated in a location that is likely to be uncomfortable for users. It would be better if it could be set back against the edge of the planting in front of the crib-lock retaining wall to the southwest. More information should be provided on levels and slopes in

this area as the ground slope indicated on the engineering drawing does not appear to have been taken account of.

b) Proposed post and rail fencing surmounting the existing retaining wall along the Sidmouth Road boundary is unnecessary and should be omitted.

c) Proposed post and rail fencing to the frontage of commercial unit 1 and through the centre of the car park are unnecessary, vulnerable to damage by manoeuvring vehicles and should be omitted. The latter is unnecessary as the submitted planting specification requires a post and wire fence to be provided within freestanding hedges to prevent pedestrian shortcutting during establishment.

d) Fence off bat house from adjacent open space.

e) The need for a high close board fence to the north side of the rear garden access path to plots 67-72 is unnecessary as there are no overlooking issues and it should be replaced with a post and rail or wire mesh fence.

f) Provide railings and gates to demarcate private front curtilages to plots 57 and 60 adjacent communal area.

g) There is an awkward fencing arrangement where the rear garden boundary to plot 63 meets the northeast corner of plot 59. It would be better for the southern garden boundary to plot 63 to be parallel to and off-set by 1.5m from the gable end of plot 59.

2.17 Soft landscape plans dwg. no. WAIN23460 11G sheets 1-3

2.17.1 Generally

Planting design is overly reliant on a palette of ever green shrubs and Additional herbaceous and or deciduous plants should be included to provide visual interest and accent and seasonal change.

In a number of instances tall plants are proposed adjacent roads and footpaths where growth will encroach over the paths with the likely result that they will be cut back as hedges rather than developing their natural form.

There are a number of awkward dead-end spaces created in the layout that only really become apparent when closely studying the planting plans. These include:

- o Frontage area between the commercial courtyard and Sidmouth Road
- o Frontage area between plots 1, 5 and 6 and Sidmouth Road
- o Corridor to west of plots 6-8 and 10
- o Enclosed dead end space to west plots 56-57
- o Rear plots 64-65
- o Land to rear (east) plots 39-42
- o Land to north plots 66-72 - both between application boundary and rear gardens
- o Northwest corner of the site west of proposed bat house

Further consideration is required to design out these dead-end spaces or provide more appropriate planting solutions for them.

2.17.2 Sheet 1

a) The proposed straight line of trees to the north of plots 67-72, while attempting to screen development from open views beyond, is unsympathetic both in terms of species and layout to local landscape character. Its effectiveness as a long-term screen is in doubt as occupants are likely to cut them back or remove them in order

to gain views out. A more considered solution to screening this edge of the development is required entailing appropriate management of the existing field boundary to the north of this and the creation of a new native hedgerow with trees and permitting some partial views out is required.

b) Provide native mix hedge to side of plots 67 and 72 offset 2m from building line to soften appearance of built form from adjacent open spaces.

c) Planting to rear plots 64-65 - Given that the area between the rear garden boundary and cemetery boundary is intended not to be accessible, the proposed combination of grass and native hedge and associated maintenance seems inappropriate and would be better replaced with a native scrub mix which would provide greater wildlife benefit and require less maintenance once established.

d) Proposed planting in the vicinity of the sitting area between plots 57 and 60 needs further consideration to account for required levels changes.

e) 10 *Cistus corbariensis* are proposed as climbers on the retaining wall opposite plot 60. This is presumably a drawing error as these plants are not climbers?

2.17.3 Sheet 2

a) A statement should be provided explaining the design intent for the attenuation basin planting; how the engineering aspects will accommodate this, in particular the areas of aquatic planting; the specification for soil make up and the anticipated maintenance requirements.

b) Planting to front of plots 40-42 appears excessively dense in comparison to similar planting elsewhere.

2.17.4 Sheet 2 insert

a) Proposed tree species in the centre of the parking are small canopy species and should be replaced with larger species such as *Acer campestre*. This is likely to require the use of soil crating beneath the car park to provide sufficient soil volume.

b) The narrow strip of planting between parking bay C06 and the sub-station is too narrow to sustain healthy plant growth, particularly accounting for the encroachment of concrete haunching to adjacent paved areas, and should be omitted.

c) The roadside open space area between the commercial units' parking court and Sidmouth Road is unconvincing and its intended purpose is very unclear. The proposed 1.8m high native hedge along the roadside will prevent views into it from the road. The position of the hedge along the back edge of the footway will result in maintenance issues as outward growth can be expected to extend by over a metre across the footway. Further consideration and explanation of the design intent for this space is required.

2.17.5 Sheet 3

a) Planting at the site entrance between the back edge of footway and the proposed retaining wall comprises a mix of large growing vigorous and (some) very thorny plants. My understanding is that the retaining wall is set back from the footway to maintain a visibility splay which the proposed planting will obstruct. If there is no visibility splay requirement the retaining wall should be brought forward to the back edge of the footway.

- b) Tree species and positioning on the bank to the front of plots 1-2 appears rather arbitrary and should be further considered.
- c) The narrow strip of planting between the carriageway and footway is unlikely to survive due to limited soil volume and probability of trampling damage. Where it runs adjacent to the visitor parking bays it would be best omitted to allow vehicle passengers to step out directly onto paving. The section south of the junction to plots 1-16 should either be widened to 2m incorporating trees or omitted altogether.
- d) Proposed magnolia trees in the verge to either end of the visitor parking bays should be changed to larger canopy street trees.
- e) Planting design within the play area will require amendments in line with comments at section 2.2 above. Notwithstanding a number of proposed planting beds within the play area would be highly vulnerable to trampling and should be omitted particularly the lavender beds to the east side of the circular sitting area.

LEMP

Previous comments on LEMP (31/89/2023) have not been made.

CONCLUSION & RECOMMENDATIONS

The above review represents a deeper dive into the details submitted with the application than has previously been conducted and identifies numerous shortcomings and areas where, notwithstanding the quantity of information provided, further detail and clarification is required.

It confirms also more fundamental issues in relation to layout and levels that have been raised in previous landscape responses particularly August 2023. Overall the submitted scheme fails to provide high quality design solutions to the complex site constraints and necessary to provide a quality environment for residents. Given the sensitivities of the site and its surroundings the application as proposed is considered unacceptable in terms of landscape design and impact and should be refused.

Introduction

The design of this proposal has changed a number of times since the first outline permission was submitted (18_1850_MOUT). Later proposals submitted for pre-app reflected realities revealed with more detailed site analysis that made it difficult, if not impossible, to achieve the 18_1850 layout. However, the layout submitted at that stage did not work well with the context and discussion looked at ways to move closer to the 18_1850 layout and include more variety in the design of the houses and design that worked better with the rural town context set by Colyton.

The proposal that is subject of this document is the second revision since those discussions and has taken on board some of the suggestions, but not all. As a result it works in many ways, while there remain concerns in others. I note the difficulty posed by this particular site and the effort made by the developers and design team to address both these challenges and the comments and suggestions to date in conversation and written responses from the LPA.

Comments within this Urban Design response are mainly contained in the accompanying annotated drawing. They are not exhaustive in picking up every detailed issue as there are so many and fundamental issues need to be addressed in the approach to the site that must resolve the more detailed matters that stem from the current design approach. This may sound damning but the design team and developer have worked hard to get this far on an extremely challenging site. Unfortunately there is still some way to go to make the proposal workable.

Comments on the proposal

Relationship to context

Colyton is an attractive town with a distinct character protected by conservation areas and a relatively high number of listed buildings for a small community. The predominant wall materials are stone, painted stone and render with a few brick houses, while roofs are slate or thatch. The streets are narrow with houses and other buildings opening directly off the back of the pavement. There is a lot of precedent for full-height rear garden walls running along street edges with access doorways through them. As is normal in traditional towns and towns the line of houses and walls along road edges is irregular so small informal spaces are formed throughout the town, particularly around junctions, giving it the character and feel associated with older towns. These spaces allow people to socialise informally without fear of cars and out of the way of people walking past.

The choice of housing and their external appearance is far more varied in this redesign. The layout works *on plan* to create a relatively convincing scheme with streets and spaces that appear to work well. However, the housing along the northern boundary is far too regular to co-exist peacefully with the neighbouring countryside and the high retaining structures to the north and north-east suggest that this development will loom over its surroundings and not present an attractive edge to this town.

Relationship to the site

The site topography is very challenging. The legacy of the Ceramtec factory is a series of heavily engineered platforms on a site that is on a steep gradient facing north north-east. The demolition of the buildings on site have left huge amount of rubble and debris from the buildings that will be challenging to remediate while maintaining good conditions for development.

The design of the layout is not effective in negotiating the tricky topography the site presents. The Planning Layout drawing, site elevations and sections are very hard to read, given the presentation style that is very attractive but obscures important details with texture and other fill patterns denoting various forms of vegetation. However, the engineering drawing is very clear and demonstrates that the design requires exceptional amounts of steps to access dwellings and gardens, a high number of retaining structures many of which are far too high to be acceptable or workable, especially given their impact on the usability or otherwise of outdoor spaces, both private and public. Many of the houses are on plinths, raising them above public areas they face, making these spaces less attractive and requiring many steps to access to front doors. Plots 6-16 suffer badly as do 21-24, 59-60, 63-64 and many more.

The choice to have the same finished floor level to all units surrounding the SuDS basin creates a flat platform and a retaining wall forming the north-east boundary that is up to 3.6m in height. Tree planting indicated north of this is unlikely to do well, and although there are established trees on this edge the height of this platform, with the buildings set level on top of it suggests that it will not sit well with the neighbouring buildings or be particularly attractive from view-points on the other side of the valley. This area of housing around the basin should have floor levels that are staggered down to more closely follow the natural topography and reduce the height of the retaining wall accordingly.

Access

Again, on plan this appears to work until drawings such as the engineering drawing that show the relevant information clearly are interrogated. This shows that accessibility to many of the dwellings is poor, with entrances facing the wrong way and raised above the area around them so needing steps to access them. This is not necessarily a problem but the number of steps to access front doors is in many cases far too high, especially as there are turns in these runs of steps making the business of entering one's home far more laboured than it should be. Rear gardens suffer very badly with many divided by steps and retaining walls while being heavily over-shaded due to their orientation and surrounding buildings. Often these make small spaces that are hard to imagine as attractive or in any way usable.

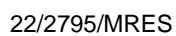
The reliance on steps means that there isn't level access to the commercial units from the street which makes the design discriminatory as this could surely be designed out. It is not enough to suggest that people with mobility impairment take the alternative route that adds a fair distance to the journey. This direct access at the south-east corner should have the steps designed out.

Comments on the drawings and conclusion

The drawings that have been submitted are very attractive as presentation drawings, but Planning drawings also need to convey information. Much of the necessary information is heavily obscured by texturing and collaged colours so although the drawings look good they do not do their basic job of telling the observer what they need to know. This is particularly marked with levels and access to homes.

The site elevations and sections are also attractive but do not reveal what they need to reveal due to essential information being obscured. These site sections are also too few in number and those that are missing would help observers understand what is happening with levels and how buildings relate to them. Some of the most helpful to be received have been indicated on the annotated plan. However, it would also help the design team as well as the Planning team and others to take sections through every home and garden to fully understand the implications of the design decisions taken in relation to levels and access. A shadow path drawings would also demonstrate which spaces are likely to be attractive and usable and which would be rendered dark, damp and essentially unusable as amenity space.

The proposal has come a long way, has dealt with significant challenges, but still has a way to go before it can be deemed acceptable or workable. The number, extent and height of the retaining structures makes for unliveable spaces and expensive site engineering. The platforming that remains on site prevents the proposal from following, or appearing to follow, the natural topography and will make it look unnatural and out of place with the existing town or the countryside around it. As it stands the proposal should be recommended for refusal but further conversation with the developer and design team would be very welcome to find ways to resolve the issues presented by this particularly difficult site.



Introduction

These comments have been structured in the same way as the last (drafted 09.10.23) to pick up any changes made as a result of those earlier comments, with additional points raised where relevant. The changes in this latest revision do not appear particularly extensive and their end result may therefore remain similar to what has been submitted before, but whether this will be sufficient to offset the design concerns raised will only be found as the aggregate impact is assessed at the end.

Comments

Drawing presentation and information

This point has been made before but the issue is repeated so is highlighted again.

Technical drawings, such as those submitted to Local Planning Authorities, are meant to convey information as clearly as possible. They can be well presented while doing so but presentation should help clarify what is being shown. Planning drawings can present how an applicant expects a proposal to appear once elements that take time to develop have done so, landscape planting being one example, but the base information of what buildings and other built elements will be like is of primary importance.

It can be difficult for professionals used to interrogating technical drawing packages to piece together information when it is missing or obscured in individual drawings. For members of the public, including councillors, these drawings can become impenetrable leaving the drawing package open to misunderstanding which risks poor decision-making and poor development outcomes as a result. Drawings should be drawn to clearly convey information in a way that reduces confusion ahead of any other consideration.

In the case of several plans and street elevations included in this and previous drawing packages for this application the base information in the drawings is overlaid with colours and texturing that illustrate planting and materials. This makes for attractive drawings, but often this also obscures the information within them. One street scene depicts landscape planting that has not been proposed in front of houses and fences that completely obscures what is behind rendering the drawing inaccurate and therefore useless.

Layout plans in previous drawing packages have been presented in a similar way with line-weights for built features being so fine and landscape colouring and texturing so heavy that the drawing no longer conveys the necessary layout information, particularly regarding gradients and steps. It has been the engineering and landscape plans, both being clear and without unnecessary decoration, that have provided the information necessary to understand what the layout drawing should be able to do on its own.



Figure 1. A 'Street Scene' drawing where elevations and proposed fences are obscured by illustrative 'planting' that is not present and not proposed.

The elevations and sections for buildings proposed in this application do not show them as they will appear on site. These drawings show the buildings without showing how entrances are accessed, if entrances are above adjacent ground level, or the structure below entrance level holding the building up as the ground level falls away. The drawings therefore fail to show how the buildings will appear on site or how they will be accessed.

Drawings submitted to LPA's need to include all relevant information for Planners, councillors and members of the public to review. Where buildings are raised above ground level this includes the built works from the ground up, including how entrances to the building will be accessed.

Elevation drawings in this package do not include anything below the level of the entrances to buildings but do include a heavy line running beyond the extents of the elevations that would normally indicate the ground line. This is not the case in most of the buildings on site and it is hard to see what this line represents instead but the result is very misleading.

Many of the buildings on site have one or more entrances set well above the adjacent ground level. These have to be accessed by steps which, coupled with the plinths on which they sit, can be expected to have a considerable impact on their final appearance and how the buildings read. There is an obvious practical impact when built that can also be affected by the design of the steps and any wall or hand-rail that protects from falls. The access to the entrances is not shown on elevations or plans for the buildings so it is difficult to gauge their visual or practical impact. Not all are shown in the 'street scenes' or 'technical sections' (both seem to refer to the same thing) and many of these are obscured by illustrative planting, as pointed out above.

Future drawings must include and show all relevant information as clearly as possible and without any of it being unnecessarily obscured.

Design comments

Site entrance

1. The footpath west of the site entrance remains along the road edge so cars have to cross it to access the parking spaces for plots 22-24. This sets up pedestrian / vehicle conflict that could be avoided. Running the footpath behind the parking spaces, as previously suggested, would remove the need for a separate footpath to these units, provide better defined outdoor space across their front elevations and therefore better defensible space;
2. The sharp changes of direction of the footpath on the eastern side of the entrance have been, along with the bollards, and has improved as a consequence.

Residential units on plots 9-16

Drawing information

1. The elevation drawings for the Foxton and Franklin units depict a ground line that is level with the front door. The drawings should go to ground level, accurately locate the ground line and include any raised plinth and stepped access and railings where this is not part of landscaping;
2. The kitchen window positions are annotated as being subject to external levels but these levels are known and set out on the engineering drawing. The window position should therefore be confirmed and set out accurately in these drawings;

Design

1. The amount of site preparation and earth movement, construction of retaining walls and plinths reduces the available margin on these units and there may be a case for a smaller number of units to allow a different arrangement that works more closely with the existing topography, reducing the amount of preparatory works and finishing with a more attractive end result;
2. Their orientation into the slope exacerbates the height difference between the front and back which then increases the height of the plinth each sits on to enable access to the rear gardens from the floor above the front entrance level. Re-orienting units by 90 degrees would reduce this height difference from front to back and may perhaps reduce some of the design difficulties that these units currently face;
3. These units are very tall relative to the space and context around them. As suggested in the previous comments, having accommodation in the loft space would reduce their overall height, reduce over-shading of the rear gardens and other spaces around them and improve their appearance.

4. The retaining walls and fences to the rear gardens and the plinths raising the houses make the spaces between the units very deep and quite oppressive. The parking space to unit 10, for instance, sits between elevations of 12.7m and 11.5m and faces a retaining wall and fence just over 6m in height. The space between 14 and 15 is the only one that is approaching normal proportions;

5. The rear gardens to these units are generally very over-shaded and it is difficult to see them being very attractive as a result. The gardens to 9-14 are all over-shaded to the south by the houses themselves and to the west by the retaining walls and fences of neighbouring gardens or the gradient to the site boundary. The gardens to 13 and 14 are least effective but they, like the rest, are also over-shaded by the embankment and established trees to the north. The shading from the north is important as the height of the trees reduces amount of visible sky and the ambient light that comes from it. The gardens from 9-12 are of particular concern because of this and the reduced amenity value they therefore have;

6. Access to the rear gardens involves a lot of steps along shared paths. Access for plots 9 and 10 is particularly hard work with a total of 40x steps and 1x change of direction to get to the garden at 10, 37x steps and 4 changes of direction to that for 9. It is hard to see someone carrying a few bags of compost up there very willingly and it again raises questions of the usability and amenity value of these spaces;

7. At plots 15 and 16 it appears the houses are raised by 1m on plinths so that they can access rear gardens from their first floor level. The rear gardens are raised to enable 1st floor access while still being accessed from the path that starts between plots 12 and 13. At plot 16 this results in a garden retaining wall of over 4m topped by a 1.8m close-boarded fence that overlooks the public domain. This seems a perverse design outcome based on a series of self-imposed false-premises.

8. Dropping the entrance level for units 15 and 16 by 1m to open at ground level, dropping their rear garden levels so they can be accessed from the back of their respective parking spaces or a shared access at the back of the parking for 16 would substantially reduce the retaining structure onto the public domain, while the gardens themselves are wide enough to allow split levels within them to reduce the height of retaining walls between plots;

9. The bin and bike storage for these properties looks ad-hoc and more afterthought than designed in. The design does not relate to the buildings or retaining structures around it;

10. Cycle and bin storage could be incorporated within the ventilated void or the raised plinth for a less cluttered appearance. Where one or other is not high enough relative to adjacent ground level they could be combined;

11. Whether or not the ventilated voids on the entrance level of these units are accessible from outside they could still be used as additional internal space, even just for storage, relieving pressure on other rooms within the house, making them

more liveable and with greater chance of converting the loft-space to bring the overall heights of the buildings down.

Units 6-8

1. Bin and bike storage looks ad hoc and out of place. It could be incorporated under the raised access path to the front entrances which would allow the properties to move east a little, increase rear garden space and reduce the number of steps needed to get to them as they would not be dug so far into the slope;
2. The rear gardens not have access via 18 steps but also need between 8 and 11 steps within them as they are relatively short and built into the slope;
3. As with the units from 9-16 it may be that reducing the number of units would allow those remaining to rotate 90 degrees and better negotiate the site topography. The rear gardens would benefit from no longer being built into a bank and may therefore be more easily accessed and less over-shaded.

Access to play area

Access from northwest corner of the site

- o The rise of the section with steps from plot 63 to where it joins the main path is 4.3 metres over a distance of 56.9 metres. Without the steps this would give a gradient of 1:13.2.
- o From the start of the path next to plot 63 to the play area entrance is roughly 120 metres. The distance between the same two points but using the road is 305 metres increasing journey distance by 185 metres;
- o The walk along the road to the path next to plot 56 includes a section that rises 2.1 metres over a distance of 26.1 metres giving a gradient of 1:12.4.

People unable to negotiate steps have to use the road to get to the base of the path next to plot 56 for step-free access. The steps are included to avoid a gradient steeper than guidance would suggest but results in a perverse outcome where the journey is longer, and in some parts steeper. The steps are likely to be more of a hazard than a sloping path due to trips and falls. Removing the steps and increasing the length of this section by a small amount to include landings would allow a shorter step-free route with a lower gradient than the current one.

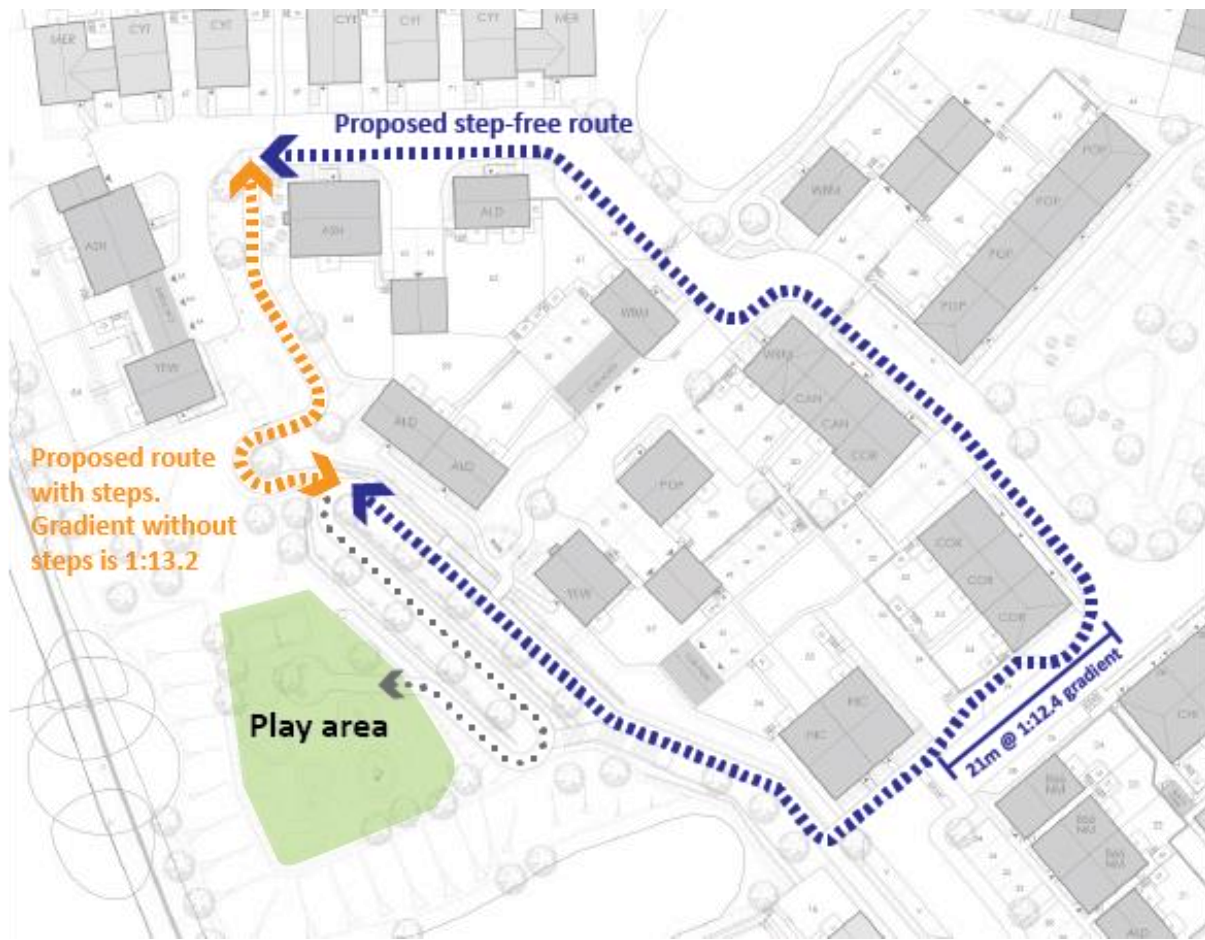


Figure 2. Proposed routes to the play area, with and without steps
Footpath materials and retaining structures

1. The change to the retaining structures between the switchbacks from brick walls to crib-lock timbers is welcome providing opportunity for more planting, greater biodiversity and a softer appearance;
2. A hoggin surface to the path would be attractive and would normally be an excellent surfacing choice but may not work well here as the steep topography around it is likely to result in surface water flowing across the path during periods of heavy rain and washing away the surface. A bonded surface would be more suitable in this location.

Play area access from driveway serving plots 57-60

1. The revised route of the path improves on the previous straight and utilitarian route;
2. The access to 59 and 60 leaves questions of the ownership and management of the space in front of them. Running the path along the base of the crib-lock would allow space for private gardens in front of these units and give them better defensible space;

3. The same can be done with unit 61 with a private front garden and a gate off the public footpath to form very clear defensible space;
4. The bench in between plots 57 and 60 appears to be on land that will be sloping to the extent the bench would be unusable;
5. People like to sit in places where they feel where they feel protected from directions outside their forward and peripheral view, including overhead, where that also affords some degree of privacy. The bench would be better if placed somewhere that planting or some other feature could provide this shelter.

Plot 31

1. The brick structure spanning the opening of the parking-space between 30 and 31 appears not to have any practical purpose and doesn't do much to improve the appearance of the street frontage.
2. Making this a car-port or putting a gate on the front to make it secure would give it purpose and reason to be there.

Plots 51- and 52

1. There is no practical purpose to the brick structure between these two units though it is probably to disguise the relatively large open space between them.
2. Providing this with a practical purpose would be more convincing and enable this space to become useful. Alternatives include:
 - a. a car port which would provide shelter, have some purpose to it and would be more visually successful as a result;
 - b. Use gates in the openings to make this space secure and therefore more usable. Bin and bike storage could be moved here from the rear gardens, for instance.

Units 66-72

1. Street elevation FF indicates planting obscuring the lower parts of the houses and the fencing at the back of their driveways and gardens. It is unlikely the proposed planting will obscure the units as depicted and this elevation should be shown as it would appear when built. Trees indicated on the planting plan should be shown as outline and without foliage to show the proposals as they might be in winter or when hedges are cut back;
2. Unlike the other street scenes or technical sections street scene FF does not include the view of development rising behind the line of houses. This should be included to maintain consistency and provide an accurate impression of the proposal's appearance;
3. The section line to the side elevations of the Colyton / Merlin units should indicate the structure of the bridging section where it actually is, at first only. Currently the section line indicates structure to ground level, where it isn't. The wall

with window beneath the bridging section should be drawn in full with hatching to indicate shadow should this be thought necessary to enhance the clarity of the drawing;

4. These units are tall when seen from outside the site with potential to convert to 2.5 storey to reduce overall height;

5. As stated in previous comments, these units present a very regular and rather engineered elevation that will be very visible from view points on the lanes and public rights of way on the other side of the river valley. The design of the units and the regularity of the spacing is more sub-urban than would be expected at the edge of a village in such a rural setting;

6. The accommodation bridging the parking on the Merlin units appears out of keeping, particularly with their location on the edge of the development and edge of this rural village. If a fourth bedroom is needed could this not be part of habitable loft-space thereby avoiding the need for the 'bridge'?

7. There is an understandable need to reduce light-spill to the ecology buffer north of the rear gardens, especially with light-sensitive bat species such as lesser horseshoe bats in the area. The 1.8m pallisade fences to the rear gardens and 1.8m close-boarded fence on the north side of the path to access them help reduce the light-spill from the ground floor but their effectiveness for light from 1st and 2nd floor windows has not been assessed. The lighting strategy only addresses external lighting and nothing from upper floor lights so there is still a question about the effectiveness of mitigation measures such as these fences;

8. The fences add another hard built line into the view from across the valley and are unlikely to integrate well with the view of Colyton from the view-points there. The fences are obscured by planting in street elevation FF and it would be helpful if this were not the case;

9. Views from the rear gardens are fully obscured by the fences, which seems a shame, given that this would be such an asset for houses on this site;

10. The area north of the path serving the gardens is fully enclosed on either side and it is difficult to understand why this would be the case. Without the fences to either side it would remove the need for the gates and allow better access for maintenance;

11. The path to all the rear gardens is accessed from just one point between plots 68 and 69 and necessitates a relatively long walk to get to the plots at either end when in many respects the rear gardens might be better accessed with steps directly into each garden from the back of the parking spaces;

12. Overall, these plots have to negotiate difficult topography and constraints posed by the bio-diversity of the area. The design approach has resulted in rear gardens that are difficult to access, a continuous fence-line facing out of the site, views across the valley that are blocked and a line of houses that feels out of place at this visible interface between a small rural village and open countryside.

Units 65-66

1. Why is the area east of the gardens to these plots enclosed? Surely there is only need for fall protection to the back and sides of the gardens.

Units 39-42

1. The retaining wall north of these units is high, but is set behind established trees so is less likely to be visually intrusive to view points across the valley or to the back gardens of the houses that form the existing edge of Colyton;
2. The 1.8m high garden fences that top the retaining wall add to the height. The gardens back onto open space that seems unlikely to see much use and without visible or physical connection to the back gardens runs the risk of being used to dump garden, or other, waste. Creating visual or physical connections to this area bordering the gardens would deter this behaviour and make it less likely to become a nuisance or eye-sore;
3. The height of the retaining wall and fence make the area immediately north of it heavily over-shaded. The suggested tree planting here seems unlikely to do very well as a result, especially the Cox's Orange Pippin, when apple trees need a lot of sunlight to thrive. It also seems an odd choice to put an apple tree somewhere people are unlikely to go;
4. These plots are raised up, in part, so that surface water from them drains into the SuDS basin. Using a hybrid SuDS strategy, perhaps combining the basin with an underground crated system taking the run-off from plots that would be below the level of the basin if they were not on a platform, might reduce the need for a platform this high, reduce the height of the retaining wall and enable fences to rear gardens that are not so high and therefore allow a more visually permeable edge to the development.

Overall conclusion

This is a long set of comments on a highly complex site and difficult site. All those things that an Architect would get excited about become technical difficulties and financial liabilities when a housing developer with design and portfolio constraints comes to try and make the site work for them. It is a site that inevitably results in difficult design compromises but the balance of benefits that result can make those compromises worthwhile.

The Planning history for the site saw a very compelling layout and design included as part of the Outline permission. This provided a benchmark for the way development could negotiate the transition from open countryside to this very beautiful and largely unspoilt East Devon village. When putting together this Reserved Matters proposal the developers and their design team found that they could not make the outline layout work once detailed site measurements and analysis were available. The steep topography, the relationship of open countryside and the built heritage within the village of Colyton, the richness of the biodiversity

that is such an important and defining feature of this part of East Devon, all form constraints on any design outcome but negotiating these constraints and often conflicting requirements of a brief are precisely what the design process is for.

The developers and the design team have come a long way from the first Reserved Matters proposal. The initial proposal had a limited palette of house types and materials set in a layout that, like the houses, was very modern and suburban in appearance. The current proposal includes a far wider range of houses with some bespoke to this site, and a wide range of material finishes that are far more in keeping. The layout has moved away from the initial linear and formal layout it had, taking in some of the features of the Outline layout to become far better and more relaxed.

Despite moving so far it has felt like an understandable element of design-fatigue and reluctance to move away from earlier design approaches has held back recent changes. The current proposal still, in places, betrays its origins within that more formal suburban layout. There are issues such as access to and amenity of rear gardens, high retaining structures and fences or the appearance of the proposal from outside the site that remain awkward. It means that there are significant parts of this proposal that do not satisfy policy within the Local Plan, particularly policies D1 and D2.

There is a question over the inevitability of the issues identified due to the nature of this site, of whether there are alternative design approaches that could avoid them. There is a question about whether such alternatives would be feasible or viable. I would argue that this is the case, that viable alternatives are available and some of these issues are not inevitable, certainly not to the acute level seen within the current proposal. Although so much has already been done, the cumulative impact of these issues is high enough that it outweighs the imperative to develop this site and as a result they should be addressed. It is not an easy conclusion to come to but, as a result, the proposal is not one that can be supported in Urban Design terms without this being the case.

Conservation – 18/5/23

It might be worth re-visiting the comments made by Conservation on the Outline, see below, as looking briefly at the current MRES, it appears that they have not necessarily taken on board comments particularly relating to the streetscene, 'local' surroundings etc. The red text relates to the amended plans on the OUT and is not a comment on this MFUL. Thanks.

ADDRESS: Former Ceramtec Factory Sidmouth Road Colyton

GRADE: II APPLICATION NO: 18/1850/MOUT

CONSERVATION AREA: Adj Colyton

Amended plans received 23rd April 2019:

Keep the existing brick buildings within east of site on road frontage. More details are required for the potential for conversion and type of use. More information requires regarding the current condition and use, if any. The preference would be for residential in this area, as it is next to existing housing.

Key: Building 4 in Heritage Statement & Design & access Statement not shown sufficiently clearly or labelled on plan.

It is still not clear if this is included within the site boundary or the outline application. No details of how this part of the site is to be addressed. The proposals in illustrative elevation shown as B-B appear to stop at the entrance to the site and do not show the business use or existing buildings;

No development historically on site – remained open countryside until factory built – there appears to be no history of the site or when it was first built.

Strong street frontage is needed. *This has not been addressed and little change has been made to the layout on this part of the site and fails to follow any pattern of development typical of Colyton. There is concern relating to the area west of the entrance and the relationship between what appears to be the pedestrian access directly into the parking area. The relationship between the footpath, housing and parking and its link to the footpath to the north leading to the area of open space;*

Housing needs to be closer together, longer terraces, less spacing, rather than more individual detached houses or pairs. The design justification for the gable ends of road fronting houses weak. It was explained that it was informed by the two houses opposite, however, they are the exception. It was suggested that this was revised in settlement pattern for the site as well. *The pattern of the housing has been improved in part and individual units closer together. However, the scale of the dwellings, particularly on the corner at the entrance into the site are too high and out of scale with the surrounding development, which in Sidmouth Road and the wider Colyton Conservation Area is mainly two storey;*

Car parking to offices onto frontage not acceptable. *Concerns relating to the relationship between the business use and the new housing and garden space now backing onto the parking area;*

The overall layout is too suburban, it doesn't follow the street patterns and character of Colyton. Road lengths are too long and too generic. The road system appears to be standard with T shape turning areas and courtyards forming uncharacteristic endstops to the groups of housing development. The main access road needs to be curved and not lead into the site including the shared surface area. It is too dominant as it is. Need to be less uniform. *Some improvement;*

It was discussed that the design inception came from farm courtyards, however, the opinion of the Conservation Officers, is that it failed to achieve this due to the loose and random grouping of the houses rather than a tighter grouping. The parking areas are very significant/dominant. Farmstead courtyards not appropriate context for the housing development as this is a town surrounded by open countryside not farmland/farmsteads. Any development should follow the townscape rather than farmscape. *This has been taken on board and with some changes to the layout. However, the end result is now more housing surrounding car parking areas, particularly the central block, with less garden space;*

Gardens backing onto each other do not follow the traditional pattern of long/linear gardens of this area. *Not addressed;*

East of site closest to boundary of site and listed buildings & traditional cottages etc in Colyton any development for housing to be subservient. *Only slight change to layout;*

Materials: traditional to match existing (render, brick, stone, slate) subject to conditions and samples. *These should look to mainly reflect Colyton itself, but there maybe an opportunity to look at different materials throughout the site appropriate to the overall style and design of the dwelling and its location within the site;*

There was a meeting on site with the agents on 15 November 2018. The two Conservation officers and landscape architect attended. The above matters were discussed as well as a walk around inside the site.

A further survey of important sight lines in was assessed by the officers post meeting. It was agreed at the meeting that the architect would come back with revised drawings based on discussions on site. To date this appears not to have been submitted.

The (inclusive) historic buildings with courtyard that appear to be attached at the rear to the factory buildings and are hidden behind tall wooden gates that open onto Sidmouth Road was discussed too. It was suggested that this could possibly be dealt with as a separate/sub project. The agent explained that the proposal is for the attached neighbour to acquire one (single storey?) building, convert/renovate the two storey brick house and demolish the brick industrial building. It was advised that any demolition needs to have adequate justification and evidence as part of any future application. It was impossible to see into the sight from the road other the roofs. *As suggested above this part of the site needs further clarification.*

The Landscape & Visual Impact Appraisal looks at the Historic Environment in Section 4.2 and picks up many important points relating to the heritage assets within

the surrounding area, both listed buildings and the Colyton Conservation Area. However, whilst these are emphasised in paragraphs 4.2.3 (views) and 4.2.9 in the identification of street pattern, boundary walls, mix of building types, etc this has not been translated into the proposed layout and illustrative scheme. There is also concern that views of the Church need careful consideration in relation to building heights when viewed from the east along Sidmouth Road. Whilst it is agreed in paragraph 7.3.5 that the change to the Conservation Area is high, the effect on the Conservation Area, noted as Major Positive, is not. A better understanding of the heritage assets as set out in the preceding paragraphs, needs to be given more weight and the impact of the proposals revised in relation to the existing settlement, its built form and wider context. Consideration of setting needs to be addressed for those listed buildings some distance from the site but still within important views, for example, the Church, and Tannery.

Conservation – 30/8/23

Colyton is a small market town. The historic core comprises a wealth of historic buildings and is characterised by a narrow built form with winding streets and tight spaces.

The revised layout does not appear to have changed very much and there is still concern over the lack of a strong street frontage. Whilst the dwellings are mainly two storey there are still 3 storey elements not in keeping with the surrounding area. The link to the character and appearance of Colyton and the overall pattern of development, is still not convincing.

With regards the detailing of the specific house types, the fenestration, particularly on the principal elevations does not reflect the local patterns and should have a more vertical emphasis rather than horizontal with more appropriate division. The modern interpretation referred to in their Statement is not necessarily appropriate here and should perhaps follow the local context and townscape of Colyton more closely.

Conservation – 29/11/23

Only minor changes appear to have been made to the layout, taking on board some of the suggestions made by the Urban Design Officer and there is still concern over the lack of a strong street frontage. Whilst the dwellings are mainly two storey, there are still 3 storey elements not in keeping with the surrounding area. The link to the character and appearance of Colyton and the overall pattern of development, is still not convincing.

County Highway Authority – 27/2/23

Observations:

The County Highway Authority (CHA) has reviewed the submitted plan, 17123_L02.01. We are satisfied that the proposed plan allows for sufficient off-carriageway parking with dedicated parking spaces, together with sufficient space for off-carriageway turning that can be facilitated by refuse and emergency service vehicles.

I have also reviewed the Submitted Travel Plan and I am satisfied with the mitigation and provisions accompanied under this document. Similarly, I am also satisfied with the provisions and mitigation's incorporated within the Construction and Environment Management Plan (CEMP)

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

County Highway Authority – 31/7/23

Observations:

The County Highway Authority (CHA) has reviewed the submitted plan, 17123_L02.01. We are satisfied that the proposed plan allows for sufficient off-carriageway parking with dedicated parking spaces, together with sufficient space for off-carriageway turning that can be facilitated by refuse and emergency service vehicles.

I have also reviewed the Submitted Travel Plan and I am satisfied with the mitigation and provisions accompanied under this document. Similarly, I am also satisfied with the provisions and mitigation's incorporated within the Construction and Environment Management Plan (CEMP)

Addendum 28/07/2023

I have reviewed the amendments submitted under this application and the CHA have no further comments to add.

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

Environmental Health – 27/1/23

I cannot locate any ground reports submitted with the application therefore, I cannot recommend the discharge of condition 6.

I have reviewed the submitted CEMP and I am satisfied that condition 14 can be discharged.

Environmental Health – 1/8/23

Form the Phase II report (GCE00622/R1) - two site locations were found to have elevated levels of lead and one location was found with elevated levels of PAH with the recommendation for further sampling and possible remediation. I can find no references to any remediation or site validation. This information is required before any recommendations can be made.

Environmental Health – 29/11/23

I have considered the application and do not anticipate any environmental health concerns.

Contaminated Land Officer – 15/9/23

I am satisfied with the required remediation measures detailed within report GCE00622/R3. However, validation Certs & reports are still required once the remediation has been completed.

Contaminated Land Officer – 1/8/23

From the Phase II report (GCE00622/R1) - two site locations were found to have elevated levels of lead and one location was found with elevated levels of PAH with the recommendation for further sampling and possible remediation. I can find no references to any remediation or site validation. This information is required before any recommendations can be made.

Contaminated Land Officer – 29/11/23

As per my previous comments

DCC Flood Risk Management Team – 19/1/23

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:

The applicant have submitted Ceramtec, Colyton Drainage Strategy (Report Ref. 512, Rev. B, dated December 2022).

The overall area of 3.1ha has been used to derive greenfield runoff rate. The applicant must note that, in accordance with Chapter 24.2 of CIRIA's SuDS Manual (C753), the runoff areas used in greenfield runoff rate calculations must be consistent. The applicant will therefore be required to revise the proposed offsite discharge rates to accord with the area being positively drained to the proposed surface water drainage management system.

The existing impermeable area is 1.93ha and the proposed development impermeable area is 1.227ha.

The applicant has quoted two different figures of the percentage of existing impermeable area against the total site area. Section 3.10 of the above report quoted 62% but Appendix D quoted 43%.

Section 6.3 of the report mentioned that the runoff volume is not increasing and therefore limiting discharge to Q_{bar} is not required. It is unsure how the applicant came out with this conclusion.

The applicant shall clarify the exceedance pathways and overland flow routes across the site, for example, it is unclear where the continuation of the flow path near to A1 Unit 2 and as to whether consideration has been taken to ensure that the flow path will not cause any third party flooding.

The applicant has submitted some indication of the adoption and maintenance of the proposed surface water drainage management system. The confirmed final adoption and maintenance of the proposed surface water drainage management system must be submitted in the discharge of condition stage.

DCC Flood Risk Management Team – 30/8/23

Recommendation:

Although we have no in-principle objection to the above planning application at this stage, the applicant must submit additional information, as outlined below, in order to demonstrate that all aspects of the proposed surface water drainage management system have been considered.

Observations:

The applicant have revised Ceramtec, Colyton Drainage Strategy (Report Ref. 512, Rev. D, dated 10th July 2023).

The existing impermeable area is 1.93ha and the proposed development impermeable area is 1.227ha, out of the overall area of 3.1ha. The applicant are provided betterment compared to the brownfield site by restricting the flow to 15l/s for Q1, 35l/s for Q30 and 47l/s for Q100. Section 6.5 of the above report has, however incorrectly referred the discharge for the 30 year event via orifice or gate within the Vortex control culvert with a 45% allowance for climate change. This should be the 100 year event.

It is proposed to attenuate the flow via a detention basin with a low flow channel to allow part of the system to be online. The surface water will then potentially be discharged into the River Coly via Mill Leat. The outfall will be constructed by South West Water via requisition. The applicant shall confirm this information should they are planning to get the surface water drainage related conditions discharged.

The applicant are seeking to discharge Conditions 22, 23, 24 and 25 of the outline planning permission. Condition 24 was previously discharged under 18/1850/MOUT and therefore the applicant shall clarify why this condition is submitted for approval. For the other Conditions 22, 23 and 25, the applicant shall submit additional information to enable these conditions to be discharged.

For Condition 22, the submitted Drawing Drainage Strategy for Planning (Drawing No. 512-075, Rev. D, dated 11th July 2023) does not provide sufficient details like, level, gradient etc. to enable review to be carried out.

The applicant must submit information regarding the adoption and maintenance of the proposed surface water drainage management system in order to demonstrate

that all components will remain fully operational throughout the lifetime of the development to enable Condition 23 to be discharged. Section 9 of the above report still mentioned that the detention basin and flow control will either be adopted by regulated adopted body or a private management company.

No detailed proposals for the management of surface water and silt runoff from the site during construction of the development is submitted to enable us to review Condition 25.

Hock Lee
Flood and Coastal Risk SuDS Engineer

DCC Flood Risk Management Team – 4/12/23

Recommendation:

We are happy to recommend the discharge of Conditions 22, 23 and 25 of the above planning permission.

Observations:

The applicant have revised Ceramtec, Colyton Drainage Strategy (Report Ref. 512, Rev. E, dated 14th September 2023).

The existing impermeable area is 1.93ha and the proposed development impermeable area is 1.227ha, out of the overall area of 3.1ha. The applicant are provided betterment compared to the brownfield site by restricting the flow to 15l/s for Q1, 35l/s for Q30 and 47l/s for Q100.

It is proposed to attenuate the flow via a detention basin with a low flow channel to allow part of the system to be online. The surface water will then potentially be discharged into the River Coly via Mill Leat. The outfall will be constructed by South West Water via requisition. The applicant shall confirm this information should they are planning to get the surface water drainage related conditions discharged.

For Condition 22, the proposed drainage strategy is shown on Drawing Engineering (Drawing No. 512-P-100, Rev. U, dated 21st July 2023).

For Condition 23, the applicant have confirmed via an email that the on site proposed surface water drainage will be offered to IWNI for adoption and maintenance. The requisition of sewer outside of the development will be adopted by SWW. Section 9 of the above report, however still mentioned that the detention basin and flow control will be adopted by a private management company and regulated adopted body respectively.

The applicant have submitted the Land off New Sidmouth Road, Colyton Construction Method Statement & Construction Environmental Management Plan (Report Ref.-, Rev. 3, dated 06th November 2023) to detailed proposals for the management of surface water and silt runoff from the site during construction (Condition 25). This is supported by Drawing Construction Phase Drainage Plan (Drawing No. 512-D-570, Rev. B, dated 01st December 2023). It is proposed that five cut-off drain with bunds will be provided to capture construction phase surface water runoff.

Yours faithfully
Hock Lee
Flood and Coastal Risk SuDS Engineer

Devon Wildlife Trust

We object to the planning application because we consider that the proposals do not provide sufficient evidence to satisfy the requirements relating to biodiversity in paragraphs 174d and 175d of the National Planning Policy Framework. Furthermore, the Environment Act 2021 and National Planning Practice Guidance requirements relating to biodiversity net gain have not been addressed. These requirements are reproduced at the end of this letter.

The comments provided below are based on an Ecological Impact Assessment produced by GE Consulting Ltd (September 2022). We consider that insufficient evidence has been provided because -

1. Best practice requires the inclusion of a minimum of one bat and bird box per dwelling, or the equivalent thereof. The report does not meet this standard and should be revised to increase the number of bat and bird boxes included within the site post-development. The inclusion of 'hedgehog highways' through all fencing installed as part of the development is also required.
2. The application for the site does not include an assessment of net gain (or loss) of biodiversity. The most recent DEFRA Biodiversity Metric should be utilised to calculate loss/gain. Biodiversity net gain calculations for the site must be produced using a detailed landscaping plan and must show net gain. In light of the biodiversity crisis, DWT recommends all developments achieve a 20% net gain.

For the reasons given above, we object to the planning application and recommend that it is refused.

Yours sincerely,
Carly Ireland MSc. MCIEEM
Devon Wildlife Trust

NPPF para. 174

"Planning policies and decisions should contribute to and enhance the natural and local environment by:

d) minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures;"

NPPF para. 175

"When determining planning applications, local planning authorities should apply the following principles:

d) opportunities to improve biodiversity in and around developments should be integrated as part of their design, especially where this can secure measurable net gains for biodiversity or enhance public access to nature where this is appropriate."

National Planning Practice Guidance, under the section What is the baseline for assessing biodiversity net gain? states that - 'The existing biodiversity value of a development site will need to be assessed at the point that planning permission is applied for'. Under the section How can biodiversity net gain be achieved? it states that 'tools such as the Defra biodiversity metric can be used to assess whether a biodiversity net outcome is expected to be achieved'.

Environment Act 2021

The act will require biodiversity net gain to ensure developments deliver at least 10% increase in biodiversity.

Devon & Somerset Fire And Rescue Service

Dear Sir/Madam

Planning Application: 22/2795/MRES Re: 72 new houses and six B1 use class light industrial units Land north of Sidmouth Road (Ceramtec), Colyton.

Thank you for consulting Devon and Somerset Fire and Rescue Service regarding the above planning application. I have studied the drawings on the planning portal and it would appear (without prejudice) to satisfy the criteria we would require for B5 access under Building Regulations.

Early consideration should be given to the provision of fire hydrants for this development.

The Fire and Rescue Authority is a statutory consultee under the current Building Regulations and will make detailed comments at that time when consulted by building control (or approved inspector).

Yours faithfully

Andy Aggett
Fire Safety Inspector

Police Crime Prevention Officer

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

On the whole it appears that designing out crime principles have been embedded into the scheme.

One area where I feel the safety of residents could be improved is the rear parking court serving plots 49-56. Rear parking courts provide legitimate access to the rear boundaries of plots and often lack surveillance opportunities which can increase the potential for crime and anti-social behaviour (ASB) as well as the fear of crime and ASB. However, I appreciate that a mixture of parking solutions is needed for residential developments and this particular court does not serve a large number of plots. That said it appears to be unlit. Therefore, I recommend:

- Lighting meeting the same standards of the adopted roads should be installed to the rear parking court serving plots 49-56 in order to improve surveillance opportunities and reduce the fear of crime for legitimate users.
- Where ownership of parking spaces is not obvious, ensure they are clearly marked in order to reduce the potential for disputes.
- Gates providing access to rear gardens should be capable of being locked from both sides.

I appreciate your consideration of these issues.

Yours faithfully,
Kris Calderhead
Designing Out Crime Officer

DCC Historic Environment Officer
My ref: Arch/DM/ED/33372b

I refer to the above application and your recent consultation. The Historic Environment Team has no comments to make on this planning application.

Yours faithfully,

Stephen Reed
Senior Historic Environment Officer

Housing Strategy/Enabling Officer - Cassandra Harrison

The affordable housing allocation on this site (19.5%) is below EDDC planning policy of 25%. The units they are supplying are a good mix of tenures between rental and shared ownership but are we able to push them for a few more units?

EDDC Trees

An arboricultural method statement & tree protection plan (AMS & TPP) have been prepared by GE consulting, these pertain to condition 7 of the outline planning consent.

The TPP indicates that most of the trees on the site will be retained, only T2 and G3 are due to be removed. The TPP and AMS show how the retained trees will be protected during development.

However there are no details of drainage runs or level changes on the TPP, these details ought to be included on the TPP so that the potential impacts on trees of any drainage runs or level changes adjacent to or within the RPAs of retained trees can be assessed. The TPP should also indicate where the site compound, welfare and storage facilities are to be located.

While the level of tree retention on the site appears to be acceptable, subject to new replacement planting, in the absence of the above details, I do not support the application

Natural England 30/1/23

No objection

South West Water

Our ref: WR 3672487

Proposal: Reserved matters application (seeking approval of appearance, landscaping, layout and scale pursuant to outline permission 18/1850/MOUT) for the development of 72 new houses and six B1 use class light industrial units. The proposal includes the discharge of conditions 6, 7, 8, 9, 10, 11, 12, 14, 17, 18, 22, 23, 24 and 25 of the outline planning permission.

I refer to the above application and would advise that South West Water has no objection to discharge of conditions 6, 7, 8, 9, 10, 11, 12, 14, 17, 18, 22, 23 subject to the foul and surface water being managed in accordance with the submitted foul and surface water drainage strategy; I note that the latter however rests on riparian owner permission to discharge surface water in the Colyford Brook. Should this not be agreed, the drainage strategy would need to be re-visited.

With regards adoption of surface water elements, I would make further comment as follows:

The applicant should confirm that sufficient room will be made available in the planning layout for the following:

- o Vehicle access for maintenance purposes
- o South West Water does not adopt the pond itself, but rather the flow through the pond (which may be an actual or theoretical low flow channel); there would need to be a 3-metre easement from the centre-line of this flow route, and one around the base of the pond to enable access to maintain the public areas

With reference to Conditions 24 and 25, I would advise that South West Water has no objection in principle, however I would comment on clause 7.14 of the Construction & Environment Management Plan (CEMP) which states: "During the works, any contaminated drainage is to be captured and disposed of appropriately. This includes water pumped from excavations" - please note that this discharge should be tankered off site to a suitable facility for disposal, and not discharged into a public sewerage system which is intended for domestic flows only.

Statement on Human Rights and Equality Issues

Human Rights Act:

The development has been assessed against the provisions of the Human Rights Act 1998, and in particular Article 1 of the First Protocol and Article 8 of the Act itself. This Act gives further effect to the rights included in the European Convention on Human Rights. In arriving at this recommendation, due regard has been given to the applicant's reasonable development rights and expectations which have been balanced and weighed against the wider community interests, as expressed through third party interests / the Development Plan and Central Government Guidance.

Equality Act:

In arriving at this recommendation, due regard has been given to the provisions of the Equality Act 2010, particularly the Public Sector Equality Duty and Section 149. The Equality Act 2010 requires public bodies to have due regard to the need to eliminate discrimination, advance equality of opportunity and foster good relations between different people when carrying out their activities. Protected characteristics are age, disability, gender reassignment, pregnancy and maternity, race/ethnicity, religion or belief (or lack of), sex and sexual orientation.