

RE: REVISED PLANNING APPLICATION REF. NOS. 20/1001/MOUT & 20/1003/LBC – WINSLADE PARK.

Bishops Clyst Parish Council (BCPC) continues to **object** to the above-mentioned revised planning application for the reasons set out below.

A separate note has been produced responding to Hydrock's Technical Note (dated 7 Aug 2020) on traffic and transport matters. This is appended and should be read in conjunction with this document.

Summary

- The amended application is not in accordance with the Development Plan (adopted East Devon Local Plan (EDLP) 2013 - 2031 and the Bishops Clyst Neighbourhood Plan (BCNP) 2014 -2031), specifically Strategic Policies 5B, 7, 26B and 34, Development Management Policies D1, EN9, EN21, TC2 and TC7 of the former and Policies BiC 05, BiC19 and BiC 21 of the latter.
- The amended application is contrary to, and conflict with a number of core principles and policies set out in the National Planning Policy Framework (NPPF).
- There are not sufficient material considerations in favour of the development so as to outweigh the provisions of the Development Plan.
- The adverse impacts of permitting this proposed development would significantly and demonstrably outweigh the benefits.

On 9 September 2020 at an Extraordinary Meeting the Parish Council considered the amended planning application. The amendments to each Zone were considered in turn and the Council resolved as follows in respect of each:

*** To PC – do you wish to include this following section in light of comments since expressed at the full meeting? If not, please remove. It will not affect the rest of the text.

ZONE A The applicants have removed Clyst Valley Football Club from the application site and reduced the number of homes by 24 to 54.

Resolution: Whilst member still had some reservations, if the applicants can demonstrate that this part of the development is essential to the overall viability of the project the PC would reluctantly accept it. In addition, the PC would require planning conditions to ensure that only single storey properties are built on the perimeter with Clyst Valley Road and that high netting is installed to protect homes from the football club.

ZONE B The applicants have removed the under-croft parking and reduced the building height. In addition, the building has been sub-divided with improved design and landscaping. The environment Agency have stated that it is no longer in a flood zone.

Resolution: The PC is happy with amendments to the building but still question its location in a flood zone.

ZONE C Applicants have excluded Clyst Valley Football Club from the site but are including 2 adult and two junior pitches. Addition of timber bollards to protect the land and a new Neighbourhood Equipped Area for Play (NEAP)

Resolution: The PC has no objection to the proposals but would want a condition that the developer puts in place measures to ensure that public access to and use of the site is guaranteed in perpetuity. PC also wish to have included a planning condition that work is completed on Zones C and K before permission is given for work on Zone A.

ZONE D Applicants have reduced the number of residential units by 19 to 40. Have reduced scale and bulk including a shorter length with a visual break.

Resolution: The PC does not object to development in this area. It does, however, continue to object to the revised proposals on the grounds of visual intrusion and adverse impact on the Listed Building and Church as well as the properties in Clyst Valley Road backing onto the site.

ZONE E to ZONE H. No objections

ZONE J The applicant proposes addition landscaping works.

Resolution: The PC welcomes the improvements made and raises no objections.

ZONE K There are no changes proposed from the original application

Resolution: As Zone C, the PC would want a condition that the developer puts in place measures to ensure that public access to and use of the site is guaranteed in perpetuity.

TRAFFIC Applicants state that their current trip generation figures conclude that the proposals will have '***no detrimental impact on the surrounding highway network and a negligible effect on existing flows***' They propose financial support to the junction at the roundabout, Clyst Valley Trail and access for the School.

Resolution: The original objection of the PC stands.

OTHER ISSUES The PC is concerned about the impact that the new development and housing in Zone A will have on the ancient sewage system, land drains and surface water flooding in the N.W. corner of the site at the bottom of Winslade Park Avenue.

Planning Policy

The Development Plan for Winslade Park site comprises the East Devon Local Plan 2013-2031 and the Bishops Clyst Neighbourhood Plan 2014 – 2031. The amended application still constitutes a departure from the adopted Development Plan.

East Devon Local Plan 2013 -2031

Strategy 26B – Re-Development of Redundant Offices Complex at Winslade Park and Land Adjoining Clyst St Mary.

Whilst the overall quantum of residential development envisaged of up to 137 dwellings falls within the parameters of the Strategy, the amended proposal to provide a total of 94 dwellings, 54 will be in Zone A and this still constitutes a clear departure from the Strategy as it lies outside the site allocated by the Strategy. Furthermore, the site remains allocated in the BCNP as local green space by way of

Policy BiC 19 and this designation is unaffected by any amendments to the application.

Whereas Strategy 26B restricts employment uses at the site to B1 office use, the development proposals go far beyond this Use Class, including D1, D2, A3 and B8 employment uses – again, a clear conflict with Strategy 26B and a departure from the Development Plan for the site, which has further impacts on compliance with other LP policies, such as Development Management Policies TC2 and TC7.

Strategy 7 – Development in the Countryside.

As Zone A lies outside the site allocated by Strategy 26B and also lies outside the Built - Up Area Boundary (BUAB), proposed development there falls to be assessed against the policy requirements of Strategy 7.

The Strategy states explicitly that development will only be permitted in the countryside where it is in accordance with a specific Local or Neighbourhood Plan policy and where it would not harm landscape, amenity or environmental qualities of the area. As stated above, although Strategy 26B specifically relates to development at Winslade Park, the development as put forward fails to comply with the policy requirements. Consequently there is no explicit (nor implicit) policy support for the scheme in either the EDLP or the BCNP, and, for the reasons set out below, the proposed development will also be likely to cause harm to the landscape, amenity and environment of the area. The proposed development remains in clear conflict with the policy requirements of Strategy 7 of the EDLP.

Strategy 34 – District Wide Affordable Housing Provision Targets

In Appendix L of the Planning Statement the Applicants acknowledge, pursuant to Strategy 34 of the EDLP, that the affordable housing element required for residential development at Winslade Park is 50%. The total affordable housing offered by the Applicants in the revised proposed scheme is now reduced to a mere 5.4 dwellings (10%) to be located in Zone A (Planning Statement para 8.102).

To justify this conflict with Strategy 34 the Applicants seek to rely on para 63 of the NPPF which allows for the reduction of the affordable housing element by the application of vacant building credit (VBC). Para 63 refers to the “re-use of

brownfield land, where vacant buildings are being reused or redeveloped". Whilst it is accepted that the re-use of some of the existing buildings within the development site for residential use may attract such credit, it is wholly contrary to the intention of para 63 and the thrust of affordable housing policy to apply this credit over the whole of the site, including greenfield land (as in Zone A). Para 8.98 of the Planning Statement makes clear that the Applicants have applied the VBC discount over the whole of the development site.

The consultation response from EDDC's Housing Strategy Officer dated 17 September 2020 states that the question of whether the VBC applies is still not decided, but that if it is determined that it does not apply then a full viability assessment will be required.

In these circumstances the PC reserves the right to comment further on any viability assessment that may be forthcoming.

The proposed development as amended remains in conflict with Strategy 34 of the EDLP.

EN9 – Development Affecting a Designated Heritage Asset.

The latest consultation response from Historic England to the revised proposals, dated 16 September 2020, whilst recognising that the revisions are an improvement on the proposals originally submitted, nevertheless concludes that further information is still required and that further revisions and amendments should be made to the design proposals.

Until these changes are submitted for scrutiny and assessment the proposed development still conflicts with Policy EN9.

Strategy 5B – Sustainable Transport. (and DMP Policies TC2 and TC7)

Mr James' further comments (Appendix 1) on Hydrock's further Technical Note make clear that the reduction in housing numbers will have a "negligible" effect on forecast trip generation.

In addition however he has further analysed Hydrock's methodology for internalised trip generation, concluding that there are "fatal flaws" in Hydrock's approach to such.

These flaws are set out in detail in Mr James' note, but in summary they have resulted in Hydrock significantly overstating the internalisation of trips for leisure purposes and consequently understating employment related trips.

The analysis bears out Mr James' previously expressed misgivings of Hydrock's assessment and lends further weight to the conclusion that the site is not well located in terms of sustainable transport for either residential or employment uses and very likely to adversely impact on the local highway network.

Planning Balance

BCPC acknowledges that there are a number of benefits to be derived from the proposed development. The refurbishment of Winlade House and Winslade Manor are particularly welcome and long overdue, and the refurbishment of Clyst House is also supported.

It is noteworthy that a number of statutory consultees, Highways England, Historic England and the Environment Agency still have a number of concerns outstanding in respect of the revised proposals. Significant weight should be afforded to these concerns. Furthermore, the planning application should not be determined until such concerns are resolved to the satisfaction of these consultees.

BCPC remains of the view that the limited benefits of the revised scheme are still significantly outweighed by the harm which the proposals will be likely to cause. These harms are reflected in the significant number of policy conflicts with the EDLP, the BCNP and the NPPF which are set out in the body of this objection.

Conclusion

- The amended applications are not in accordance with the Development Plan (adopted East Devon Local Plan (EDLP) 2013 - 2031 and the Bishops Clyst Neighbourhood Plan (BCNP) 2014 -2031), specifically Strategic Policies 5B, 7, 26B and 34, Development Management Policies D1, EN9, EN21, TC2 and TC7 of the former and Policies BiC 05, BiC19 and BiC 21 of the latter.
- The amended applications are contrary to, and conflict with a number of core principles and policies set out in the National Planning Policy Framework (NPPF).

- There are not sufficient material considerations in favour of the development so as to outweigh the provisions of the Development Plan.
- The adverse impacts of permitting these proposed developments would significantly and demonstrably outweigh the benefits.

For all the reasons set out above these planning applications should be refused. The PC reserves the right to comment further on any relevant matters that may arise following the submission of this objection.