

Planning Services  
Development Management  
Phoenix House  
Phoenix Lane  
Tiverton  
Devon  
EX16 6PP

Barns Hollow  
Blundells Road  
Tiverton  
Devon  
EX16 4NB

Attention of: Mrs Christie McCombe - Tiverton Eastern Urban Extension Planning Officer:

Your Ref: 21/00454/MARM

Date: 9th April 2021

**Proposal:** Reserved Matters (appearance, landscaping, layout and scale) for 166 dwellings with the provision of public open space, vehicular and pedestrian access, landscaping, drainage and related infrastructure and engineering works following Outline approval 14/00881/MOUT.

**Location:** Land East of Tiverton, South of A361, Both North and South of Blundells Road Uplowan Road Tiverton.

Dear Mrs McCombe.

I wish to record my further objections to this planning application and for the following reasons. I am making a total of 8 separate objections in this letter.

These are in addition to 5 other objections I have requested be recorded in a previous letter dated the 8<sup>th</sup> April 2021.

**OBJECTIONS: (See full details of objections at end).**

- ❖ That Arboricultural Impact Assessment (AIA) prepared by Barton Hyett Associates and on behalf of Redrow Homes is out of date.
- ❖ That Arboricultural Impact Assessment contains incorrect measurement data. Data that impacts significantly on the future health of trees due to their very close proximity to the Redrow Homes construction activities.
- ❖ The Arboricultural Impact Assessment does not show any clear drawings as to which trees will be felled or as importantly pruned to permit the Redrow Home "Blundells Grange" development proposals to be completed. Given the outrage created due to the felling of trees at the old Post Hill Hospital Site this requirement is seen as an imperative.
- ❖ That the Landowner/Redrow Agent has given every indication of the intention to cut back 100-year-old Oak Tree (T3) and the two 70-year-old Beech Trees (T4 and T6) this to ensure they caused no upset to the new Redrow Homeowners. All three trees have TPO's against them Any cutting back of the trees and for any reason must not be allowed to happen.
- ❖ That the Redrow proposals do not give any indication as to how the boundaries to the existing properties on Blundells Road south or Poole Anthony Drive will be addressed.

- ❖ That the Redrow design proposals for the ‘Northern Gateway’ are visually very unattractive to visitors arriving to Tiverton.
- ❖ That the Redrow proposals do not provide any details of a Traffic Management Plan and where large and heavy construction traffic will be crossing the full width of the high traffic and relatively fast moving Blundells Road.
- ❖ That the Redrow Homes proposals provide the very minimum of vehicle charging points and do not account for the UK environmental legislation, this in respect of banning the sale of petrol and diesel cars in less than 9 years’ time i.e., 2030.

**DETAILS SUPPORTING EACH OF THE OBJECTIONS FOLLOW:**

**❖ OBJECTION 1**

**That Arboricultural Impact Assessment (AIA) prepared by Barton Hyett Associates and on behalf of Redrow Homes is out of date.**

The Arboricultural Impact Assessment (AIA) despite being issued on the 12<sup>th</sup> March 2021 is out of date.

There are now TPO’s placed on a 100-year-old Oak Tree (T3) and two 70-year-old Beech Trees (T4) and (T6). All three(3) trees are positioned on the hedgerow on the northern boundary of the Redrow Homes Area A Phase 1C. The Oak Tree at Barns Hollow and the two Beech Trees at Sweethayes. All three trees have large branches that overhang the Redrow Homes Development Land by up to 7 meters.

**❖ OBJECTION 2**

**That Arboricultural Impact Assessment contains incorrect measurement data. Data that impacts significantly on the future health of trees due to their very close proximity to the Redrow Homes construction activities.**

As one example of incorrect measurement data the Redrow Homes AIA see the comparison to the Redrow Tree Report and a separate Tree Report commissioned by MDDC Planning Group and for Oak Tree T3

	REDROW REPORT	MDDC REPORT
Tree Height.	9 meters	15.5 meters
Life Expectancy (Estimated remaining contribution)	20 plus years	100 plus years
Amenity Value	C2 (lowest classification)	High Potential (highest classification)
<i>C2 Definition- Trees offering only low or short-term benefits.</i>		
Stem Diameter	700 mm	1050 mm (measured to BS 5837)
Root Protection Area (radius)	8.4 meters	12.6 meters

There are other incorrect measurements, and which require full examination. These incorrect measurements are to the benefit of Redrow Homes development plan.

**For T3 Oak Tree the Redrow AIA states a Root Protection Area (RPA) radius of 8.4 meters and when it should really be 12.6 meters. This change is very significant as it means that the rear foundations of the house to be built at Plot No. 16 will be constructed over the RPA. Also, the very large majority of the foundations of the garage to be built at Plot No. 17 will similarly encroach the RPA. Given that this Oak Tree is classified as Early Mature and therefore has significantly more growing to do, building over the RPA will only cause the tree to be placed in stress.**

**Redrow Homes should be required to redesign their development plan in order to FULLY protect Trees T3, T4 and T6.**

**If Redrow Homes had included the 5-meter-wide buffer strip in their development design and which there was a requirement to do, many if not all of the problems identified would be mitigated against.**

### ❖ OBJECTION 3

**The Arboricultural Impact Assessment does not show in any clear drawings which trees will be felled or cut back to permit the Redrow Development proposals to be completed, this including any recognition for trees that will continue to grow and quite considerably.**

**Given level of complaints even a degree of anger registered by various parties about trees being recently felled or cutback and especially those with TPO'S at the adjacent Post Hill Hospital Site, this objection is of particular relevance. The events at the Post Hill Hospital development site should not be repeated.**

- Concerningly the Arboricultural Impact Assessment provided by Redrow Homes in section 6.15 Title: Tree Pruning, states. Crown lifting will be required on T16 elm to provide adequate clearance between the trees crown and proposed adjacent building.
- Also states: It is likely that crown lifting will be required on T20, T23 T24, T25, T27 T28 and T29 to allow for safe passageway along the footway and driveway access.
- Additionally, states: G7 and G8 (G being a Group of Trees) require localised pruning works to provide suitable clearance to proposed parking areas and buildings within the northern parcel of land.

**These statements need to be looked at in detail.**

- **Trees T23, T24 and T25 are all Mature or Late Mature Oak trees, and which have a commanding position if not the most in all of the development. Trees T23 and T25 are classified as A1 Category Trees. The A1 definition being HIGH QUALITY.**

Definition says. A1 Trees whose retention should be given a particularly high priority within the design process. Notably fine specimens: rare or unusual specimens: essential component trees e.g. Dominant Trees.

- **Trees T27, T28, and T29 are all trees that are on the western boundary of Area A Phase 1C and therefore are seen as essential in providing Redrow Homes Development screening for Blundells School.**

**I strongly object to the Redrow Homes Reserved Matters Application requiring any trees being felled or cut back just to make their “development plan fit”. This as Redrow’s have freely stated that the development design has been compromised and given that the Landowner has only sold parcels of land and possibly for their own commercial reasons. There can be no justification for trees being felled or cutback for this reason.**

❖ **OBJECTION 4**

**That the Landowner/Redrow Agent has given every indication of the intention to cut back 100-year-old Oak Tree (T3) and the two 70-year-old Beech Trees (T4 and T6) this to ensure they caused no upset to the new Redrow Homeowners. All three trees have TPO’s against them. Any cutting back of the trees and for any reason must not be allowed to happen.**

In an email from the Landowner/Redrow Agent to the affected Blundells Road property owners dated 19<sup>th</sup> December 2020 the Agent states:

***“I have taken on board both your comments about the mature trees that sit in your respective gardens and overhang into the field. \*\*\*\*\* [The Landowners name redacted] is therefore prepared to employ a qualified tree surgeon at his expense to inspect the trees and advise upon what pruning or otherwise is needed to ensure that they provide the best screening possible to the new development , and remove any branches that overhang the field that are either potentially dangerous or someone is likely to cut down so as to ensure as far as possible that no new owner of a house and garden in that area needs to touch the trees where they overhang for some time” .***

There are now TPO’s placed on a 100-year-old Oak Tree (T3) and two 70-year-old Beech Trees (T4) and (T6). All three(3) trees are positioned on the hedgerow on the northern boundary of the Redrow Homes Area A Phase 1C. The Oak Tree at Barns Hollow and the two Beech Trees at Sweethayes. All three trees have large branches that overhand the Redrow Homes Development Land by up to 7 meters.

The trees will have branches within 4 meters of the proposed upper floor windows and roof of the new development. As the Oak tree is classified as early mature it has still a very significant amount of growing to do. Assuming reasonable growth rate of 20 centimetres per year the oak tree will be in full contact with the proposed new properties within 20 to 25 years.

The Redrow Arboricultural Impact Assessment (AIA) states:

***“Adverse shading and blocked views from windows raise concerns for incoming residents which may lead to pressure to fell or remove trees in the future”.***

**The oak tree produces very prolific crops of acorns and this will be another conflict with the neighbours and who’s rear garden area which is already very heavily shaded being to the north of the property will be very badly impacted and lead to further and unnecessary friction between the existing property owners and the future new residents of the Redrow Homes.**

**Additionally, given the gardens of Redrow dwellings 13,14,15,16 and 17 are all to the north of the building structure they will be in full shadow virtually all day and given the combination of the buildings themselves and the close proximity of Trees T3 T4 and T6 and something that will cause further unnecessary friction.**

**All three trees are under threat from being cut back by Redrow Homes and as stated in an email from the Landowner/Redrow Agent. This must not be allowed to happen. Redrow Homes should be required to modify their design plans accordingly and reposition any homes that could be affected.**

**If Redrow Homes had included the 5-meter-wide buffer strip and which there was a requirement to do in their Reserved Matters Application many if not all of the problems previously identified would be mitigated against.**

❖ **OBJECTION 5**

**That the Redrow Homes proposals do not give any indication as to how the boundaries to the existing properties on Blundells Road south or Poole Anthony Drive will be addressed.**

Condition 6(i) of the Outline Planning Application Approval Dated 12<sup>th</sup> June 2017 makes it a requirement to provide details of all boundary treatments. Redrow Homes in not only providing details of the boundaries between the most sensitive properties i.e., the Blundells Road south and Poole Anthony Drive have not provided details of boundary treatments onto West Manley Lane or between each of the Area A Phase 1 A,B and C and the future Area A Phases including importantly Phase D. The appearance of this boundary impacting on the visual appearance on the existing properties to the south of Blundells Road.

❖ **OBJECTION 6**

**That the Redrow design proposals for the ‘Northern Gateway’ are visually very unattractive to visitors arriving to Tiverton.**

Redrow Homes call the approach to the Tiverton EUE development from the A361 (North Devon Link Road) the ‘Northern Gateway’. This gateway will be one of the main access points to the town unless it is decided to somehow restrict access thru the Blundells School Campus.

For many people the first appearance of the Ancient Market Town of Tiverton will be to see a 3-floor block of flats on one side and a terrace of 3 story houses on the other side of the road followed by another terrace of houses.

Surely Tiverton deserves something better from what has always been portrayed by the Landowners, the Developers and the MDDC Planners as Garden Village type development on the edge of town. Even some Councillors calling it an “Arts and Craft” development.

I suppose however some, would point out that on the other main access route to Tiverton from the A361 the first thing you see of any note is a certain Burger Restaurant so what’s the issue.

❖ **OBJECTION 7**

**That the Redrow proposals do not provide any details of a Traffic Management Plan this to include but not limited to recognising that large and heavy construction traffic will be crossing the full width of the high traffic and relatively fast moving Blundells Road.**

A report should be prepared by a suitably qualified person detailing all existing and proposed commercial and residential vehicular, cycle and pedestrian movements to and from the Redrow Development Site both to the north and south of Blundells Road.

The report should also detail all the existing and proposed commercial and residential vehicular, cycle and pedestrian movements that will transit along Blundells Road and in both directions and which will cross

the newly constructed road junction providing access to the Tiverton EUE Development both north and south of Blundells Road.

The report also needs to consider the traffic impacts that will result from the construction of the new link road connecting Blundells Road to the A361 (North Devon Link Road).

Additionally, Redrow development site loading areas both north and south of Blundells Road and arrangements for manoeuvring, servicing and parking of vehicles should be clearly identified.

Report should include describe and analyse existing and future transport conditions and any measures proposed to overcome problems.

#### ❖ OBJECTION 8

**That the Redrow Homes proposals provide the very minimum of vehicle charging points and do not account for the UK environmental legislation, this in respect of banning the sale of petrol and diesel cars in less than 9 years' time i.e., 2030.**

The plans do not provide details of charging capacities and which are increasing or confirm the electrical infrastructure will sustain this increased numbers of charging points required coupled to the increased capacity and to what level.

#### ❖ CLOSING STATEMENT:

**As stated in my previous objection letter dated the 8<sup>th</sup> April 2021. There can be absolutely no good reason for Redrow Homes to try and justify that because the Landowner has not released further parcels of land that they are not in full compliance with either Tiverton EUE Masterplan Supplementary Planning Document (SPD) or Design Guide.**

**Also, the Landowner/Redrow Agent also saying and openly that the Redrow Development "won't fit". This statement made in the context that Redrow Homes are required to access every meter of available land to make their development plan work and to the exclusion of all other considerations.**

**By Redrow Homes needing to compress properties into a smaller land area and in doing either fell or cut back trees or not to provide buffer strips all of which have an ecological value cannot and should not be accepted.**

**As a point of reference Redrow Homes call the 5-meter-wide buffer corridor between their development and the existing properties and at their Woodborough Grange Development in Winscombe, Somerset an Ecology Buffer. Redrow homes are not being asked to do anything they have not been asked to do elsewhere.**

**Given the nature of these eight (8) objections and when considered with the five (5) other objections in my letter dated 8<sup>th</sup> April 2021. I consider each objection is strong in their own right but when considered collectively I would suggest fully support the MDDC Planning Officers in presenting a clear recommendation to the MDDC Planning Committee Members that this Reserved Matters Application be rejected in its current form. That the application be returned to the Applicant i.e., Redrow Homes for serious revision. This as there should be no requirement cut back trees or not to provide buffer strips on the basis that the Landowner as not released a larger parcel of land to enable Redrow Homes to be fully compliant with the Tiverton EUE Masterplan Supplementary Planning Document (SPD) and Design Guide.**

Yours Sincerely

Mr. Paul Elstone