

# Objection to planning application 23/0571/MFUL

## Introduction

On the previous planning applications for this site I went through the proposal in great detail, as did many other people. I have not been able to do so for this application as many online documents are not available at the many times I have attempted to view them. This includes, but is not limited to, all drawings being unavailable on 9<sup>th</sup> April 2023 and the Heritage Statement, Ecological Appraisal, Design and Access Statement, Tree Retention/Removal, Statement of Community Involvement, and Townscape and Visual impact Statement on 10<sup>th</sup> April 2023. When trying to view the documents the message '*Document Unavailable. This document is unavailable for viewing at this time.*' is shown. Some documents were also not available on the 11<sup>th</sup> April, I did not attempt to open every one on the 12<sup>th</sup> April as I have run out of time to deal with this.

Lack of access to these documents means that my points have to be general in most areas.

Should this application hang in the balance I would like to point out that many people may have been deterred from commenting due to not being able to view the documents.

The eventual decision by the Inspector on the previous application was a great disappointment to most in the town and I believe that the decision was only in favour of the applicant in the end because EDDC were not robust enough in their opposition. I hope that this time they are prepared to resist the things which are bad for Sidmouth.

In addition, I believe that the digging of a hole two years ago does not constitute a 'meaningful start' to the previous approved planning application and therefore that that approval has lapsed; and can not now be relied on for future works. It should not be possible for the applicant to default to that permission if this application is refused, especially in light of new research carried out since 2016 which would have influenced the Inspector had it been known at that time.

This application does not build on the agreements reached while deciding the previous applications, unfortunately it again seems to start almost from scratch, whatever is claimed. Therefore it seems appropriate to start with the constraints identified previously.

## Points of objection

A) There should be no more trees removed or affected than were permitted in the previous application.

At the time of the last application the received wisdom was that the growth of new trees was better for the climate than the retention of older trees even though new trees add little to the ecology. This misunderstanding has now been corrected and the worth of older and mature trees is now clear. It would be against the Council's net zero aspirations to allow the felling of trees and it is bad for the biodiversity of the site. If possible fewer trees should be affected.

B) The footprint of the buildings on the last application was hotly debated and had to be frequently changed.

Any new application must have no larger footprint than the one agreed and furthermore it must not encroach onto land which was previously agreed to stay clear of buildings.

C) The scale and massing of buildings must not be greater than that of the last application. Much work was done by locals on how the buildings would be visible from within and without the town, this work is still valid. In particular the views of the upper storeys of any development on the site of The Knowle, and its setting within Sidmouth, from the Coastal Path and the WHS Jurassic Coast need to be taken into consideration.

D) The design of the buildings of the previous application were debated in detail. The use of materials which were claimed to be in harmony with the other buildings in Sidmouth were not and were inappropriate, this application does not rectify this, as far as it is possible to tell. When the previous application was approved by the Inspector we did not have a Neighbourhood Plan to support such issues. We now do, and any proposals for building in Sidmouth have to take that Plan

into account. No buildings should be allowed which conflict with the Neighbourhood Plan aspirations.

E) Nature and green corridors were considered during the last application. There should be no reduction in amenities to aid wildlife in any further application. This includes lighting. It is now known that light for too much of the day affects the breeding cycle of insects, which then affects the whole food chain. When The Knowle was offices the lighting was subdued and isolated security lights during the hours of natural darkness and wildlife had adapted to that. Greater lighting and reduced green corridors should be avoided.

F) The agreed working practices for the previous application need to be adhered to in any new application, including but not limited to, plans for accessing the site and times of working, plans for protecting trees and vegetation while working, and the timings agreed to protect the bat colony and nesting birds.

G) Loss of proposed benefits to residents of Sidmouth. The previous, approved, planning application included elements which would be open to the public and therefore add to Sidmouth amenities. This application does not include such elements. It is therefore less appealing and does not mitigate the harm caused by the development. The Inspector placed much weight on these public amenities and the approval may well not have been granted without them.

H) The new application does not give the level of protection to Listed Buildings which were negotiated during the previous planning application. The setting of the Summer House is not preserved and neither is that of the entrance Lodge.

I) There should be no more homes or beds than agreed with the last planning application. Our health service is already overstretched and can not cope with these sorts of additional numbers.

### **Further details, addressing the documents I was able to access over my three days of trying.**

#### **Trees**

The tree survey, strangely, only seems to consider trees in relation to human needs not wildlife and environmental needs. They use statements such as *'Whilst they have visual significance it would be prudent ..... to remove the trees and secure replacement planting such that future generations will enjoy the benefits of the tree cover.'*

For example

The application not only removes yews already agreed to be removed but also a further high quality yew amongst others. The loss of all these yews will have a very large effect on the species which can be supported on the site. Yew supplies sites for overwintering insects, for birds as nesting sites and shelter from bad weather, and food from its berries. Yews also support many insects which are food for bats.

I do not agree with the applicants that their tree plans will increase biodiversity.

When they state *'The proposals have been conceived with reference to the previously consented scheme (16/0872/MFUL) on the site and has sought (sic) to minimise the impact on trees to a broadly similar level.'* it is clearly not true. All the trees which were previously to be removed are still to be removed, and many more have been added.

This is not in accordance with the aims of the Local Plan. I object to increased removal of trees and the effect on biodiversity.

#### **Design**

Although some of the buildings show improved responsiveness to local character overall the design and appearance of the buildings is not in accordance with the Neighbourhood Plan. Indeed the Neighbourhood Plan is not referred to, are the applicants aware of it?

Further the scale and mass of the proposed buildings is not appropriate for the site. 5 storey buildings are not appropriate especially when sited on a hill. The tallest buildings in the area of The Knowle are 4 storey and are tucked into the landscape at lower levels. I can not think of any 5 storey building in Sidmouth, all the buildings along the Esplanade and the Hotels are a maximum of 4 storeys.

I was pleased to see that the exterior finish of the buildings on the 'plateau' were much more in keeping with buildings within Sidmouth but that is not the only thing to consider, they are just too big. The numerous balconies increase the chances of neighbours losing their privacy.

The block on the lower car park looks like an office block and is not in keeping with any building around it. It clashes with the Listed Lodge. Further the materials, as can best be judged, are not in keeping with extant designs unless they are trying to match the new parts of The Knowle built in the late 1970s. The shape and appearance of this 'new building' was completely out of character and should not be used for reference. In their own Heritage Statement they are described in this way *'The modern office blocks are functional and characterless'* When comparing the existing office blocks with their proposed development on the 'Dell' one can only remark that they are hoist by their own petard.

Contrary to their statement in the Accompanying Letter *' a built form ranging from 2 to a small part 5 storeys can be accommodated without being visually intrusive from key vantage points, within the parkland and the neighbouring residential properties. The proposal has been considered in the wider landscape character area and a landscape assessment .....'* Any 5 storey building will be visible in a way that The Knowle was not, especially from high elevations around Sidmouth, such as the Coastal Path.

I refer you to these images created in response to the previous application

<https://saveoursidmouth.com/2016/05/18/visual-impact-of-developers-plans-for-knowle-raises-concerns/>

I believe the images may overstate the scale but they do illustrate the problem. There are other images showing how the bulk overshadowed nearby houses.

I object to this application on the grounds of design, bulk and scale.

## Heritage Statement

One of the first pages contains an image with this caption *'Figure 1: The south elevation of the former hotel buildings at The Knowle, used as part of the council offices since the 1980s, seen from the garden terraces to the south. A Grade II listed summerhouse is just out of shot to the left, but is all but completely obscured by a large Irish Yew tree.'*

We all know that the Council were using the building long before then, and the last Planning Application contained the correct information. I believe this is an indication of the new applicants not building on all the hard work done before by Pegasus, Council Officers, and many Sidmouth residents and organisations.

This belief is borne out by the statement on page 3 *'The site does not contain any designated heritage assets'*. Which of course contradicts the caption of the picture. It also ignores the fact that the Lodge is Listed.

At the bottom of this page they double down on their statement about heritage assets

*'The report also includes a full assessment of the heritage significance of the buildings and grounds within the site (no heritage designations apply to any of these)'*

Although they later attempt to argue that the Listed Buildings are not part of the site this is disingenuous of them. They may not form part of the building site but they do form part of The Knowle.

Also on page 3 can be found this statement

*'East Devon District Council originally refused the planning application (reference 16/0872/MFUL), but it was approved on appeal and planning permission was duly granted (Planning Inspectorate reference APP/U1105/W/17/3177340). This is a material consideration in the present application, providing a benchmark against which to assess potential development impacts (if any) on heritage assets (designated or otherwise) of the McCarthy Stone/Porthaven scheme. If impacts from the proposals are neutral or reduced when compared to the permitted scheme, logic suggests that it should be approved. If the scheme is beneficial to the area, and does not harm heritage assets (designated or otherwise) nearby or their settings, it can be approved without hesitation.'*

They therefore condemn themselves out of their own mouths as the impacts are not 'neutral or reduced' but instead increased, and do not contain the mitigation of elements open to the public which were so influential for the Inspector's decision.

On page 8 they state they have been able to find few photographs of the building, and that the Francis Frith site does not have any. Yet on that site there is photo Photo Ref: 52074, on this page [https://www.francisfrith.com/sidmouth/photos?search\\_for=knowle](https://www.francisfrith.com/sidmouth/photos?search_for=knowle).

If they had asked the public for photographic evidence I could have supplied many images. Thus their claim that there is little evidence is incorrect. They haven't even used the evidence from the previous application.

A Google image search for 'Knowle Sidmouth' brings up many images including one from this website <https://www.parksandgardens.org/places/knowle-the> which is of interest as it demonstrates that the Knowle park land is of more importance than the local interest they claim.

On page 22 they state *'The coast itself is not visible, and there is no 'return' view either.'* This is true for the image they are using as illustration but it is taken from ground level and so is not truly illustrative of views of or from 5 storeys up.

When assessing the effect on nearby Listed structures they refer to them in relation to the centre of the site. This is clearly absurd, the effect is created by the nearest proposed buildings in the first case, and more distant ones after that.

And so it goes on! This Heritage Statement would only convince someone who knows nothing of the site.

Because of the, too numerous to mention, 'spun' statements in the Heritage Statement I object to this application on the grounds of ignorance of and disregard for the heritage of the site. The application is not in accordance with the Neighbourhood Plan nor the Local Plan statements on Heritage. I also believe it only offers lip service to the NPPF.

I would probably object on many other grounds had it been possible for me to view the documents.

Mary Walden-Till  
12<sup>th</sup> April 2023