

Appendix III  
Letters of objection

**From:** Bob Weighton [  
**Sent:** 05 March 2018 13:30  
**To:** Graham Davey  
**Subject:** Broadmeadow

Dear Graham

I did promise you an *aide memoir*, so, sticking in the same idiom and for what it is worth, this is strictly *entre nous*, as I have not received the formal advice from our arboriculturalist and client / land owner

1      The TPO

We understand that TDC's received a number of telephone calls expressing concern that important trees were being removed.

We also understand the concern of some when trimming back the undergrowth is going on: albeit those in the existing flats seemed to welcome this, even making cups of tea for the operatives

Nevertheless we were only managing the area, as any landowner would and should do

What was clear at the officers site visit was that what was actually taking place was management of the area in the interests of good silviculture, removal of brambles and other choking weeds and dead wood, and that trees were not being cut down, or the site cleared. Therefore It was not expedient to serve the Order

If an order were to be confirmed, there were a number of designations to choose from: some more individual and some all encompassing

Much is set out in central government guidance *Tree Preservation Orders and Trees in Conservation Areas: 2014: DCMS*

*"An Order can be used to protect individual trees, trees within an area, groups of trees or whole woodlands. Protected trees can be of any size or species"*

We have commissioned an arboriculturalist, who has worked with TDC, to advise us. He has visited the land and we will be submitting a formal objection on the basis, but not restricted to, expediency, large parts of the site are indisputably NOT woodland in any event, from an arboricultural standpoint the contribution to public amenity is low, etc

Nonetheless we would prefer to reach an agreement with TDC and welcome a meeting with officers of TDC on the Order as it was set out

This to understand the various objectives and to discuss whether those might be best achieved by working together in some way on an holistic approach, even if that is within a modified Order

2 The site

Broadmeadow is on the western side of Teignmouth

To the east is an area of housing

To the west are community and leisure uses with an indoor sports centre, a nursery and, further north, playing fields

Further west, for perhaps half its length, are commercial (TDC owned site) and retail (Morrison's) uses

To the south is a Community Hall, a children's playground and allotments

There is good public transport from the Morrison's site

The road access at Morrison's is very good and controlled by traffic lights

The whole area was at one time hedged agricultural fields, but is now part developed and part, until recently, unmanaged

The site is set on an escarpment with the 5 storey apartments, managed by Teign Housing, along most of the ridge, and some later two storey private housing to the north

The land drops steeply down to the south, (some 30m), such that there are clear open views from the ridge, with any buildings and vegetation as an underlining

3 Local Plans process

The site was put forward as part of a preferred option in the consultations on the local plan, a much larger site stretched northwards

At the end of this process it was decided that as a priority development in Teignmouth should concentrate on the regeneration of the existing town centre

The site has been resubmitted in the Housing Land Availability Assessment for Greater Exeter Area

4 The opportunity

The site is an opportunity to bring forward and deliver an "affordable led" housing scheme with potential for improved community facilities

Although there have been some very vague suggestions as to what the site might accommodate it is recognised that, without the benefit of a full topographical survey including any arboricultural features, it is not easy to bring forward a scheme which truly reflects the land as it is

Nonetheless, the aim would be to provide a wide mix of housing, in terms of size, (1 – 5 bedrooms), type, (single and 2 storey detached, semi-

detached, terrace and low rise apartments), and tenure, (privately owned, shared ownership, rented and socially rented)

A further aim is to ensure that any development is “place making” led and emerges from a true understanding of the site itself

It is already clear that the site has the benefit of some landscape features which could help to mould any proposals and that the “footprint” of built development would be reduced to respect this and the topography, and to provide amenity and other open space: a green biophilic heart to the proposals

The site is available, developable and deliverable

5      Consultation

Over the past year there have been a number of meetings with TDC officers and Teign Housing to refine the “development brief” in terms of the numbers of different tenures and sizes required to meet the identified need

6      Ecology, landscape and arboriculture

To bring forward a concept proposal, properly related to the site, a preliminary topographical survey was commissioned

Ecological survey work has also been undertaken: it concludes that there are no highly protected habitats, or species present

Some work was being undertaken to control the invasive brambles, which made completion of the surveys more difficult: that would have allowed a proper arboricultural survey to be completed and a realistic scheme prepared including landscape proposals with management of what is of value, planting and replanting, and enhancement of amenity

Bob

Robert Weighton

MA (Cantab) Dip Arch Grad Dipl Conservation Studies (AA)

10 Broad Street Stamford PE9 1PG

## Key Proposals

A new neighbourhood to the west of Teignmouth which will provide open space, homes and jobs for local residents as well as community facilities and a green buffer to soften the visual impact of the urban extension in this sensitive landscape setting. It will also provide new pedestrian and cycle routes and a new road to help relieve traffic in the town and improve air quality along Bitton Park Road. The new neighbourhood will also be supported by land to provide habitat management for protected wildlife (TE6).

The new neighbourhood is in three phases.

**Phase 1 (TE1)** at Broadmeadow to Headway Cross for about 270 families including 80 or more homes subsidised by the developer to be affordable for local people. There will be opportunities for new businesses employing about 300 people and built space for vocational training. This phase also includes children's and youth play facilities and a community building.

**Phase 2 (TE2)** East of Shepherds Lane with room for 560 new homes. About 170 of the homes will be affordable to help local people have a place of their own. This area will have enhanced public access to open space for informal play and recreation. A green buffer will respect the amenities of residential properties on the Lovell Estate to the east.

**Phase 3 (TE3)** West of Higher Exeter Road. This will provide for about 290 new homes including 85 or more which will be affordable. Additional public open space and informal play and recreation space will also be provided in the Coombe Valley as well as enhancement of Frobisher Woods. A green buffer will respect the amenities of existing residential properties to the south.

**Policy TE4** proposes a number of exciting regeneration proposals within the town including Brunswick Street / Northumberland Place and along the River / Back beach and Fish Quay areas that will help fulfil the town's vision for the future. Enhanced parking will be provided at Quay Road.

**P** A private sector marina (**TE5**) at Polly Steps will help boost tourism in the area associated with water sports and recreation, and enhance Teignmouth's strong maritime culture.

### There are a number of ways to view the plan and get involved:

Online: [www.teignbridge.gov.uk/planteignbridge](http://www.teignbridge.gov.uk/planteignbridge)

Facebook: [facebook.com/PlanTeignbridge](https://facebook.com/PlanTeignbridge)

Twitter: @PlanTeignbridge

You can also view the document at Council offices, Information centres and Libraries

Please submit your comments to us by **4.30pm on Friday 2nd March 2012**.

If you need this information in a different language or format phone 01626 361101 or e-mail [info@teignbridge.gov.uk](mailto:info@teignbridge.gov.uk)



## Core Strategy Preferred Options

Summary Leaflet for  
**Teignmouth**



The Core Strategy Preferred Options (January 2012) is a step in the direction of a 20 year plan for Teignbridge. It sets out a proposed set of policies, proposals and actions to meet the challenges facing the area.

This leaflet summarises the proposals at Teignmouth. Leaflets outlining proposals for other areas of the District are also available. For full details of the policies and to comment on the proposals, go to [www.teignbridge.gov.uk/planteignbridge](http://www.teignbridge.gov.uk/planteignbridge) and submit your comments to us by **4.30pm on Friday 2nd March 2012**.

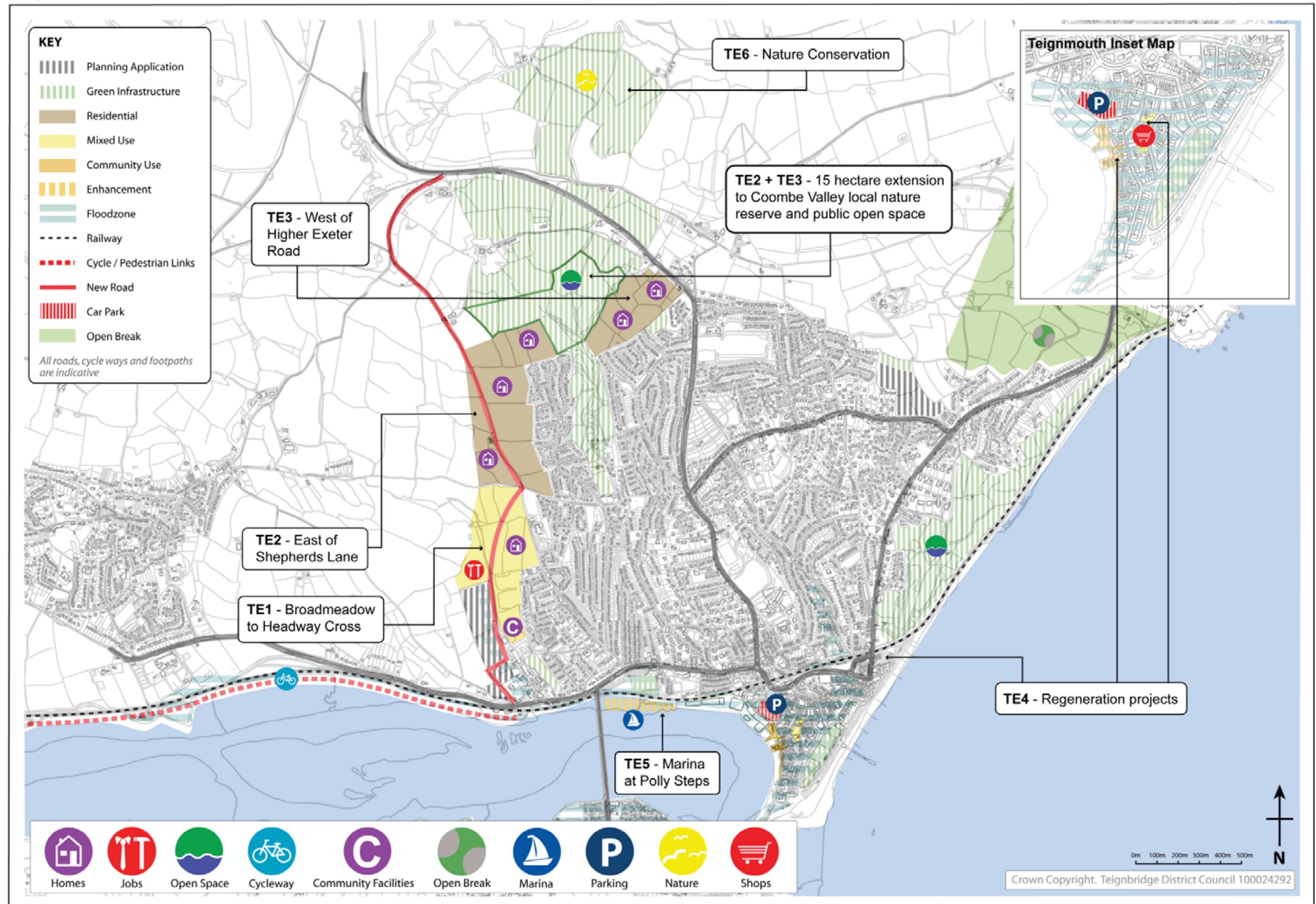
There will be a Drop-In Event at Teignmouth Heritage Centre (Museum) on **Saturday 28th January 2012 between 10am and 4pm**.

Teignmouth's 20 year vision is set out in policy S18 and can be summarised as follows:

**In a protected coastal setting enclosed by rolling hills and red sandstone stone cliffs, Teignmouth will regain its pride as a regenerated place to support new homes, jobs and services, a seaside resort that is well connected and accessible, a centre for watersports, leisure, music, arts and culture and a well designed town, safe from flood risk, adaptable to climate change and with reduced carbon dependence.**



# Teignmouth



## Location



## Views



## Immediate Context

The site benefits from being bordered by playing fields and open landscapes on two sides, with a patchwork of existing residential developments to the east to link with and become a part of.



## Immediate Context

The immediate residential context varies in height from 2 to 5 storeys of varying tenures and scales. The images below show the general developments adjacent to the site.



# Site Appraisal

1. The site has a steeply sloped topography.
  2. Visible connections from the top (east edge) of the site over the landscape beyond and to the River Teign to the south.
  3. To the eastern edge of the site is a patchwork of existing housing of varying types and heights. The most dominant of which are a band of 5 storey blocks.
  4. To the bottom and western edge of the site is a public footpath adjacent to the Morrisons supermarket development, along with Broadmeadow Sports Centre and associated playing fields.



**From:** Jeremy Pierce [  
**Sent:** 26 March 2018 15:59  
**To:** Mark Waddams <  
**Cc:** Graham Davey <Bob Weighton>  
**Subject:** Broadmeadow Teignmouth: Request for extension of time to object or comment on the recent TPO

Mark,

Further to our meeting and following receipt of the official notice that a TPO has been made at Broadmeadow, Teignmouth, I am writing to request an extension to the time limit for us to respond to the TPO.

As I am sure you are aware there are numerous issues that we need to consider and in order to prepare a meaningful response we would like to request an extension to the response period which is currently due to expire on 31/3/18.

I trust that these details are clear, please come back to me if you have any queries or if you need me to confirm this in writing.

Regards,

Jeremy Peirce  
Director

Head Office | 46 St Peter Street | Tiverton | EX16 6NR

W | [www.jp-associates.co.uk](http://www.jp-associates.co.uk) TW |

JPA Arboriculture    JPA Trees & Development    JPA Land & Habitat

JP Associates provides impartial, quality-assured consultancy to clients involved in development projects, or the management of woodland, open land or urban spaces across the south of the UK.

Our Ref: AS/180409/P2

23 May 2018

Nick Davies  
Business Manager – Strategic Place  
Teignbridge District Council  
Forde House  
Brunel Road  
Newton Abbot  
Devon  
TQ12 4XX

By email to [designandheritage@teignbridge.gov.uk](mailto:designandheritage@teignbridge.gov.uk)

Dear Mr Davies,

**The District of Teignbridge (Broadmeadow) Tree Preservation Order 2018 (E2/28/57)  
dated 16 February 2018**

Fowler Architecture & Planning Ltd has been instructed by Terrence Stone Construction Limited in respect of the Land at Broadmeadow, Teignmouth that is subject to the above provisional woodland Order.

These representations under regulation 6 of the Town and Country Planning (Tree Preservation) (England) Regulations 2012 are made in respect of the proposed woodland area reference W1 on the map on the provisional Order reference E2/28/57. Our client **OBJECTS** to the Order, as drafted, and respectfully requests that it is not confirmed for the following reasons.

LPAs can make a TPO if it appears to them to be '*expedient in the interests of amenity to make provision for the preservation of trees or woodlands in their area*'. Although some trees or woodlands may merit protection on amenity grounds it may not be expedient to make them the subject of an Order.

The significance of the trees and the setting has been a planning consideration as part of the site's assessment as a housing allocation under the Teignbridge Local Plan (1996) and more recently as part of the Teignbridge Local Plan 2013-2033 (2014).

The site formed part of proposed mixed-use allocation TE1 'Broadmeadow to Headway Cross (Phase 1)'<sup>1</sup> in the 2013-2033 plan. The sole reasons for the withdrawal of housing on sites TE1 and TE2 related to viability studies indicating that the quantum of development was not able to fund a necessary link road, also it was held that further housing would add to the current imbalance in the provision of employment land in the town<sup>2</sup>.

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<sup>1</sup> Teignbridge District Council Core Strategy DPD 2013-2033 Preferred Options November 2011

<sup>2</sup> Changes Arising from PlanTeignbridge 2012 Preferred Options Consultation



The Local Plan Inspector<sup>3</sup> considered objections to the deletion of TE1 and a separate proposal put forward by our client to develop their component of the proposed allocation for affordable homes. The Inspector concluded the following, which gave no weight to any amenity value of the trees as a barrier to sustainable growth then or in the future:

*"A small part of TE1 enclosed by existing development has been put forward as an affordable housing development proposal. On the evidence to the examination, significant doubts remain that adequate access can be obtained and that the scheme would be viable. Given these doubts about effectiveness, I consider the site should not be included in the Plan at this stage."*

It is evident from the above history that the presence of the trees was no barrier to proposing the allocation of the land under TE1 as part of a mixed-use development.

It is also evident that the trees and any amenity value, individually or as a woodland, played no part in the reasons for the withdrawal of TE1 by the LPA, as Examined by the Inspector.

The felling of trees would have no significant negative impact on the local environment and its enjoyment by the public and this matter has been tested at Examination.

It was clearly not expedient in the interests of amenity to make an Order at that time.

Any amenity value of the trees, individually or as a woodland, is not substantially different from that at the time the Local Plan was adopted and the site appraised as part of plan-making. It therefore remains not expedient in the interest of amenity to make an Order.

When considering expediency, the LPA must also take into account the consequences of making an Order on the ability to deliver sustainable development. The LPA currently consulting on the Local Plan Review 2020-2040. A step change in housing supply is expected whereby new figures proposed by the Government increase the target from 620 homes per year to 756. The LPA have only enough brownfield land for 807 new homes so more land is required and will inevitably require greenfield land on the edge of settlements, such as at Teignmouth which is proposed to remain a town in the hierarchy.

Given the previously recognised good potential of the site to accommodate sustainable growth, without harm being attributed to there being a significant negative impact on the local environment and its enjoyment by the public from the loss of trees, our client will be replying to the consultation. They have also instructed a reply is made to the call-for-sites to reaffirm the site is available for residential development, including delivering affordable housing.

The making of an Order would run contrary to the objective to show that protection would bring a reasonable degree of public benefit in the present or future. The call-for-sites and emerging plan is at its infancy and there has been no assessment of the most suitable sites having regard to reasonable alternatives. The value of this site in contributing to housing supply, with an emphasis on affordable housing, has been clearly highlighted over many years. That public benefit would not accrue in the event that this Order is made. A further public disbenefit of a premature Order restricting development at this site, which has previously been proposed as an allocation, will be to increase the likelihood of the plan

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<sup>3</sup> Teignbridge District Council Local Plan 2013-2033 Inspector's Report April 2014

resulting in significant adverse impacts, including on European wildlife sites, through development on less suitable sites.

In summary, our client objects to the Order, as drafted. The potential development of the site has not previously provided any substantive objections concerning the loss of trees resulting in a significant negative impact on the local environment and its enjoyment. There are recognised public benefits of the potential for residential development at the site and this is not outweighed by amenity considerations of the proposed woodland Order. It is not in the public interest and therefore not expedient for the LPA to make the Order.

Our client welcomes the opportunity to discuss with the LPA the implementation of good Arboricultural management for the trees and formalising public access as part of any future development.

JP Associates are instructed to advise of arboricultural implications, including responding under separate cover with arboricultural objections to the Order, as drafted. Their input is invaluable in the development of revised illustrative layouts to show how the site can be developed in a way that integrates with the landscape setting, including the retention of trees and areas of trees. These proposals are being prepared to inform the Vision Statement that will be submitted to the LPA as part of the Local Plan Review consultation. The Vision Statement will outline how the site could be developed alongside measures to enable the development to proceed. I request that our client be afforded the opportunity to further develop the scheme and that discussions can be ongoing with the LPA.

I trust that this objection to the Order, complies with regulation 6 of the Town and Country Planning (Tree Preservation) (England) Regulations 2012 and duly made.

Please do not hesitate to contact me should you require any further information.

Yours sincerely,

*Aaron Smith* BA(Hons) Dip TP MRTPI

**FOWLER ARCHITECTURE AND PLANNING**

cc: Client

Mark Waddams (Teignbridge District Council Senior Arboricultural Officer) -  
[mark.waddams@teignbridge.gov.uk](mailto:mark.waddams@teignbridge.gov.uk)

David Kiernan (Teignbridge District Council Principal Policy Officer)  
[David.kiernan@teignbridge.gov.uk](mailto:David.kiernan@teignbridge.gov.uk)

Jeremy Pierce (JP Associates) [jpp@jp-associates.co.uk](mailto:jpp@jp-associates.co.uk)

**From:** Aaron Smith [  
**Sent:** 08 June 2018 09:23  
**To:** Mark Waddams <  
**Cc:** Jeremy Peirce <  
**Subject:** RE: The District of Teignbridge (Broadmeadow) Tree Preservation Order 2018 (E2/28/57)

Dear Mark

Further to our conversation today, at our meeting last week we were advised to make written submissions by the end of June, but I now understand your deadline for committee is 22<sup>nd</sup> June meaning our submissions are required in the middle of next week. We are not able to finalise our review and issue representations in that timescale. The option available to the Council is suggested in your email. While our client wishes to have no order, to enable continued discussions on this matter and submissions, in order to progress matters and provide comfort to the Council, would the Council therefore consider making a second order that will be provisional for a further 6 months in order to ensure the continued protection of the trees? I look forward to hearing from you.

Kind regards

Aaron Smith BA(Hons) DipTP MRTPI

**FOWLER ARCHITECTURE AND PLANNING**  
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Ref: D14 358 02  
8 June 2018

**Fao Nick Davies**

Business Manager – Strategic Place  
Teignbridge District Council  
Forde House  
Brunel Road  
Newton Abbot  
TQ12 4XX

Dear Mr Davies,

**Re: Objection and Representation to The District of Teignbridge (Broadmeadow) Tree Preservation Order 2018**

Further to various meetings and conversations with several Council Officers I am writing to forward the following objection to the above Tree Preservation Order (TPO).

**Objections:**

We are objecting to the TPO on two separate grounds:

Firstly, we feel that the presence of the order will prevent our clients (the land owner) from managing and enjoying their land as they see fit and this may prevent them from undertaking their future plans for the site.

Secondly and perhaps more specifically, we are objecting to the order on the grounds that the designation of a woodland order over the whole site is not appropriate. While some of the site's tree cover may merit a woodland designation, a significant proportion of the site does not merit protection as a woodland.



**Tree Survey:**

Following various discussions and conversations with Council Officers the topographic survey of the site has been updated and we have carried out a survey of the trees on the site.

I attach a plan and schedule that outline our findings.

From the evidence of various historic images (happy to forward if needed) the site was formally three agricultural fields, separated by hedges – that are still evident and numbered H9, H18, H19 and H20. The site fell out of agricultural production sometime after the last war and the trees and scrub have since developed as a result of lack of management rather than any planned silvicultural decision. This being said, from an arboricultural and landscape perspective A1, A2 and A3 are now effectively mixed broadleaved woodland, though several discrete areas are in need of planned silvicultural or amenity management. While our survey breaks the wooded area in to areas that reflect the old field system, they effectively form contiguous woodland.

The woodland that is in places quite dense generally thins out towards the east and south, where the site is more 'open' (please refer to attached photos 1-7). The difference in the site is partly as a result of the scrub clearance that was carried out before the TPO was imposed, but there is also a definite change in the makeup of the canopy cover. The plan indicates that much of the area south and east of the denser tree cover is 'dense blackthorn scrub' and 'largely overgrown' (please refer to attached photos 8-11). The area that has a different character from the wooded area extends to some 1.2Ha (depending on interpretation).

The area that was cleared was an extension of this dense growth. While a 'woodland' can include discrete areas of scrub and even open space, the predominant cover should be 'trees' and this area is not predominantly trees, it is predominantly dense blackthorn, goat willow and bramble 'scrub'. Within the scrub area there are distinct trees – surveyed as G6, G7, T8, G13, G15 and G16 but the over-all character of the area is not woodland.

The boundaries include significant amounts of elm, particularly the western boundary, surveyed as G5 that is almost entirely elm that has already started to die off (from Dutch elm disease). It is most likely that all the elm will die within the next few years, including the larger elm of G14 adjacent to the apartment buildings to the east.

**Representation:**

In addition to other objections and representations raised by the project team and the two objections outlined in this letter, I'd like to make the representation that the TPO should be modified to reflect the findings of our survey. The extent of the woodland order should be modified to reflect our survey findings. The south and east areas of the site could either then be

omitted from the order or designated as an area order that covers only the oak, ash and field maple.

While the area order designation is not suitable for long term protection, it will protect the specified trees. This will allow the scrub to be cleared and for any alternative proposals for this area of the site to be bought forward in conjunction with LPA Officers in the usual way.

**Proposals:**

While I have not been party to the earlier meetings with Council Officers or been involved with the initial proposals for the site, the site has been listed in several iterations of various local plans. So there is clearly a planning history to the site that has led to various designations that have not come to fruition for one reason or another. The initial meetings held with Council Officers prior to the making of the order indicate a clear intention that the site or part of it could be developed as a social lead residential scheme. If the woodland order is revoked or modified as outlined above, it will allow proposals to be bought forward for part of the site. These proposals could include the preparation and implementation of a detailed woodland management plan to improve the more wooded areas of the site along with officially securing access to the woodland so that it could be designated and adopted as a community woodland/facility.

I trust that these details are clear; please come back to me if you have any comments or queries.

Yours sincerely,

Jeremy Peirce  
JP Associates

**Encs:** Tree Survey Plan; Tree Survey Schedule; Photos 1-7; Photos 8-11

Site: Broadmeadow Teignmouth  
Client/Ref: D14 358

Surveyor: JPA/DJV  
Date: 16/05/2018

Weather: Dry

Tree Ref	Species	Height (m) Ext/Mat	Diameter (mm)	SS/MS	Age	Crown Spread NESW (m)	Crown Clearance (m)	Condition Physiological	Condition Structural	ERC	Comments/ Recommended Work
A1	Ash, oak, hawthorn, willow, blackthorn	12	400	SS	EMAT	5avg	1	Good	Good	40+	Area of early mature woodland mixed species woodland with discreet pockets of same species tree, understorey of Hawthorn and Blackthorn. Some larger trees particularly on the northern boundary
A2	Ash, oak, hawthorn, willow, sycamore, blackthorn	12	400	SS	EMAT	5avg	1	Good	Good	40+	Area of early mature mixed species broadleaved woodland with noteworthy individuals & small groups, becoming more open towards the eastern side. Sycamores generally squirrel damaged
A3	Ash, oak, hawthorn, sycamore, field maple	13	450	SS	EMAT	5avg	1	Good	Good	40+	Area of early mature mixed broadleaved woodland becoming more open to the south end
T4	Oak	17	1100	SS	MAT	9,7,12,10	2	Good	Good	40+	Significant boundary tree growing within H18
G5	Elm	10	200	SS	EMAT	3avg	2	Declining	Good	> 10	Linear screen/hedge/group all along the western boundary, dutch elm disease noted on a few specimens, high likelihood of remaining trees succumbing to the disease
G6	Field maple, hazel	10	450	SS	MAT	5	2	Normal	Adapted	20 to 40	Discreet group near to access path from the car park.
G7	Field maple	12	400	SS	EMAT	5.5	2	Normal	Adapted	20 to 40	Small group towards the southern tip of the site
T8	Ash	16	700	SS	MAT	6.5	1.5	Normal	Adapted	20 to 40	Individual tree growing within general scrub area, close to boundary (H9)
H9	Hazel, elm, hawthorn	6	350	MS	EMAT	4avg	0	Normal	Adapted	10 to 20	Old unmanaged boundary hedge
G10	Field maple, sycamore	15	500	SS	EMAT	5avg	1	Normal	Adapted	20 to 40	2 larger larger trees within boundary (H9) - sycamore poor form
T11	Sycamore	18	800	SS	MAT	9avg	1.5	Normal	Adapted	40+	Larger individual specimen within south east corner group (G12)
G12	Sycamore	17	600	SS	MAT	6avg	2	Normal	Adapted	20 to 40	South east corner group
G13	Ash, oak, sycamore	12	500	SS	EMAT	5avg	2	Normal	Adapted	20 to 40	Group within large area of blackthorn understorey/scrub area.
G14	Elm	13	450	SS	EMAT	6avg	1	Normal	Adapted	> 10	Group of elm adjacent to car park; likely to die off in next few years (1 already dead just below)
G15	Oak	11	500	SS	EMAT	6avg	1	Normal	Adapted	40+	group of three - potential to remove 2 trees to leave central tree to develop
G16	Oak, field maple	13	500	SS	EMAT	5.5	1	Normal	Adapted	40+	Group of 2 trees adjacent to edge of scrub area
T17	Veteran oak	17	1000	SS	OMAT	8avg	2	Good	Adapted	40+	Large veteran oak growing on the boundary with playing field
H18	Mixed species boundary hedgrow	18	400 - 800	MS	MAT	8avg	0	Normal	Adapted	20 to 40	Boundary hedge with off-site agricultural fields, largely unmanaged and now a line of trees
H19 - H20	Mixed species hedgrows	17	400-800	MS	OMAT	6avg	0	Normal	Adapted	10 to 20	Former agricultural field hedges that previously divided the site, now developed in to an unmanaged lines of mature trees













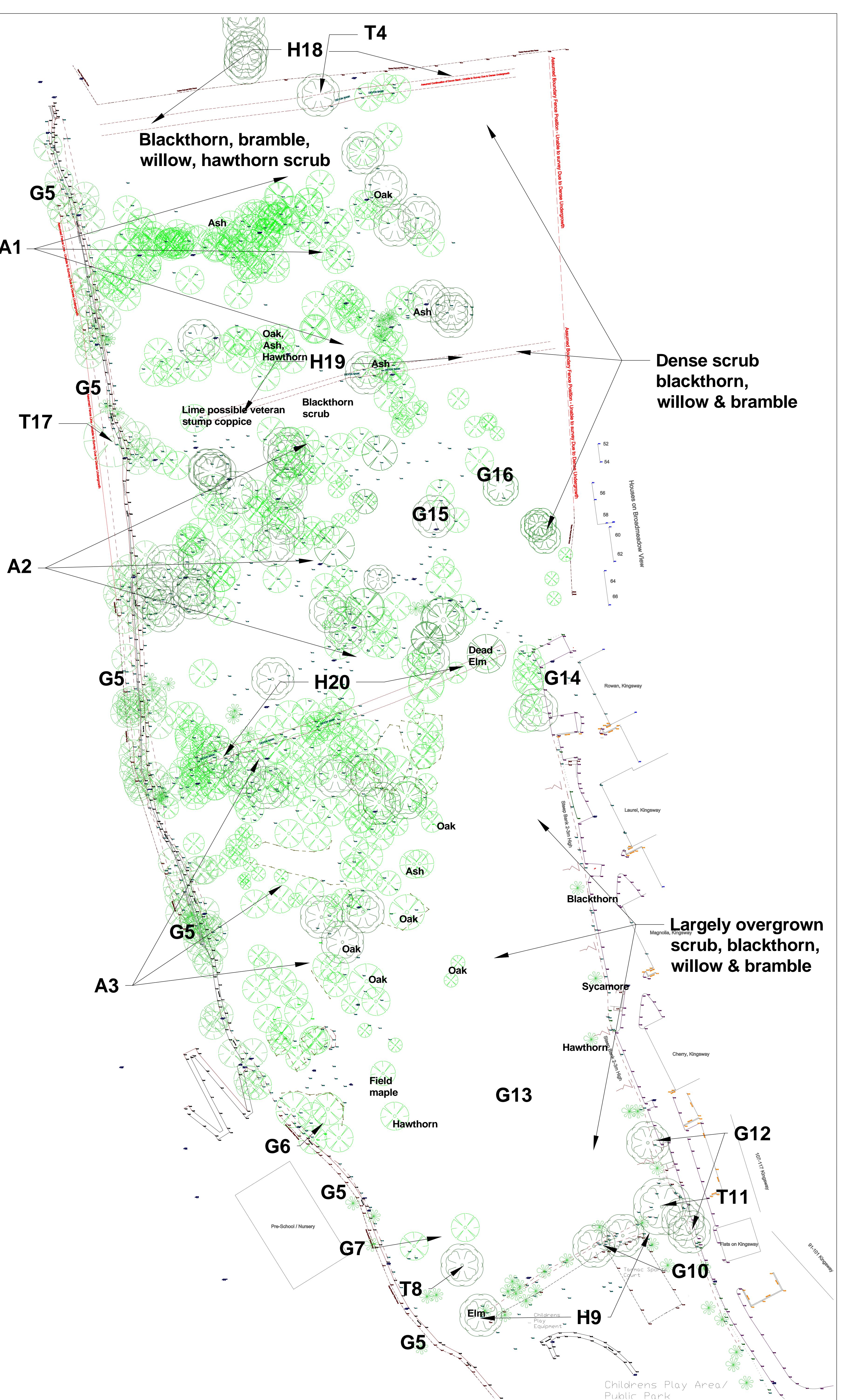












JP Associates  
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Tel: 0845 643 1161  
Email:  
office@jp-associates.co.uk

Please refer to JP Associates letter  
D14 358 01 dated May 2018  
Tree Nos. refer to tree survey schedule  
Given scale accurate @ A1

### Broadmeadow, Teignmouth: Tree Survey Plan

<b>Client:</b>	Terence Stone
<b>Plan Ref:</b>	D14 358 P1
<b>Drawn by:</b>	DJV/JPP
<b>Date:</b>	5/18
<b>Scale :</b>	1:500

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30 August 2018

Ref; D14 358 03

**Fao Nick Davies**

Business Manager – Strategic Place  
Teignbridge District Council  
Forde House  
Brunel Road  
Newton Abbot  
TQ12 4XX

Dear Mr Davies,

**Re; Arboricultural Comments on Broadmeadow Vision Statement**

Further to the recent publication of the Broadmeadow Vision Statement I am writing to present the following comments made from an arboricultural perspective.

Firstly, I can confirm that I have been involved with this project since the LPA stopped the clearance work and made the initial TPO back in December last year. I have met with Mark Waddams and various other Council Officers, worked as part of the wider project design team and have made an arboricultural objection and representation to the TPO (JPA Ref; D14 358 02 dated June 2018) that is also being submitted now in support of the Vision Statement.

The central element of my work has been to advise the design team on the arboricultural merits of the existing tree stock and to advise how any potential layout proposals should respond to the arboricultural constraints associated with the more significant trees.

As my objection/representation to the TPO is also being submitted as part of the supporting information for the Vision Statement I need not repeat the findings of the survey or the discussion here.

Sufficient to say that the representation, backed up by the findings of the tree survey, recommends that while areas of the site would merit continuing statutory protection as a



woodland, the cover in other areas of the site does not. The tree survey found that the better trees were broadly located in the north and west of the site and that the tree cover largely turned in to dense scrub in the south and east.

In line with accepted best planning and design practice the design team has used the findings of the tree survey to influence the vision statement layout (as presented on page 74 of the vision statement).

My representation concludes the following:

***Representation:***

*In addition to other objections and representations raised by the project team and the two objections outlined in this letter, I'd like to make the representation that the TPO should be modified to reflect the findings of our survey. The extent of the woodland order should be modified to reflect our survey findings. The south and east areas of the site could either then be omitted from the order or designated as an area order that covers only the oak, ash and field maple.*

*While the area order designation is not suitable for long term protection, it will protect the specified trees. This will allow the scrub to be cleared and for any alternative proposals for this area of the site to be brought forward in conjunction with LPA Officers in the usual way.*

Having worked with the design team in producing the vision statement layout, the findings of my representation still stand as the best way to provide continuing statutory protection for the better trees, while allowing sustainable development proposals to be brought forward for the less well treed areas of the site.

I trust that these details are clear, please don't hesitate to contact me if you have any comments or queries.

Yours sincerely,

Jeremy Peirce  
JP Associates

Our Ref: AS/180409/P4

31 August 2018

Nick Davies  
Business Manager – Strategic Place  
Teignbridge District Council  
Forde House  
Brunel Road  
Newton Abbot  
Devon  
TQ12 4XX

By email to [designandheritage@teignbridge.gov.uk](mailto:designandheritage@teignbridge.gov.uk)

Dear Mr Davies,

**The District of Teignbridge (Broadmeadow 2) Tree Preservation Order 2018 (E2/28/58)  
dated 23 July 2018**

Fowler Architecture & Planning Ltd has been instructed by Terence Stone Homes in respect of the ‘Land at Broadmeadow, Teignmouth’ that is subject to the above provisional woodland Order. These representations under regulation 6 of the Town and Country Planning (Tree Preservation) (England) Regulations 2012 are made in respect of the proposed woodland area reference W1 on the map on the provisional Order reference E2/28/58. Our client **OBJECTS** to the Order, as drafted, and respectfully requests that it is not confirmed for the following reasons.

LPAs can make a TPO if it appears to them to be '*expedient in the interests of amenity to make provision for the preservation of trees or woodlands in their area*'. Although some trees or woodlands may merit protection on amenity grounds it may not be expedient to make them the subject of an Order.

The significance of the trees and the setting has been a planning consideration as part of the site’s assessment as a housing allocation under the Teignbridge Local Plan (1996) and more recently as part of the Teignbridge Local Plan 2013-2033 (2014).

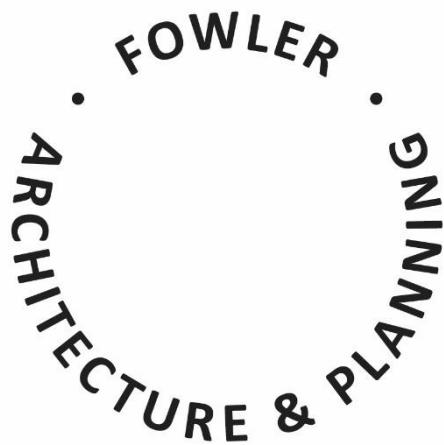
The site formed part of proposed mixed-use allocation TE1 ‘Broadmeadow to Headway Cross (Phase 1)<sup>1</sup> in the 2013-2033 plan. The sole reasons for the withdrawal of housing on sites TE1 and TE2 related to viability studies indicating that the quantum of development was not able to fund a necessary link road, also it was held that further housing would add to the current imbalance in the provision of employment land in the town<sup>2</sup>.

The Local Plan Inspector<sup>3</sup> considered objections to the deletion of TE1 and a separate proposal put forward by our client to develop their component of the proposed allocation for

<sup>1</sup> Teignbridge District Council Core Strategy DPD 2013-2033 Preferred Options November 2011

<sup>2</sup> Changes Arising from PlanTeignbridge 2012 Preferred Options Consultation

<sup>3</sup> Teignbridge District Council Local Plan 2013-2033 Inspector’s Report April 2014



affordable homes. The Inspector concluded the following, which gave no weight to any amenity value of the trees as a barrier to sustainable growth then or in the future:

*"A small part of TE1 enclosed by existing development has been put forward as an affordable housing development proposal. On the evidence to the examination, significant doubts remain that adequate access can be obtained and that the scheme would be viable. Given these doubts about effectiveness, I consider the site should not be included in the Plan at this stage."*

It is evident from the above history that the presence of the trees was no barrier to proposing the allocation of the land under TE1 as part of a mixed-use development.

It is also evident that the trees and any amenity value, individually or as a woodland, played no part in the reasons for the withdrawal of TE1 by the LPA, as Examined by the Inspector.

The felling of trees would have no significant negative impact on the local environment and its enjoyment by the public and this matter has been tested at Examination.

It was clearly not expedient in the interests of amenity to confirm an Order at that time.

Any amenity value of the trees, individually or as a woodland, is not substantially different from that at the time the Local Plan was adopted and the site appraised as part of plan-making. It therefore remains not expedient in the interest of amenity to confirm the Order.

When considering expediency, the LPA must also take into account the consequences of making an Order on the ability to deliver sustainable development. The LPA have recently consulted on the Local Plan Review 2020-2040 Issues Consultation. A step change in housing supply is expected whereby new figures proposed by the Government increase the target from 620 homes per year to 756. The LPA have only enough brownfield land for 807 new homes so more land is required and will inevitably require greenfield land on the edge of settlements, such as at Teignmouth which is proposed to remain a town in the hierarchy.

Given the previously recognised good potential of the site to accommodate sustainable growth, without harm being attributed to there being a significant negative impact on the local environment and its enjoyment by the public from the loss of trees, our client has replied to the consultation. They have also submitted the site as part of the Call-for-Sites to reaffirm the site is available for residential development, including delivering affordable housing.

I enclose a copy of the: written representations made to the Local Plan Review consultation; Call-for-Sites submission; and the detailed Vision Statement to confirm the progress we have made since our meeting on 1<sup>st</sup> June 2018.

The Vision Statement includes developed illustrative proposals for the site, including in conjunction with adjoining land to the immediate south. These schemes have taken into account the current and historic landscape framework of the site, including retention of a wooded buffer to the north and west. Our client would welcome discussions with the Council about the making of an alternative Order to facilitate the long-term protection of trees at the site boundaries and buffer areas as indicated in the Vision Statement.

Ultimately, the confirming of this Order would run contrary to the objective to show that protection would bring a reasonable degree of public benefit in the present or future. The call-for-sites and emerging plan are at their infancy and there has been no assessment of the

most suitable sites having regard to reasonable alternatives. The value of this site in contributing to housing supply, with an emphasis on affordable housing, has been clearly highlighted over many years. That public benefit would not accrue in the event that this Order is confirmed. A further public disbenefit of a premature Order restricting development at this site, which has previously been proposed as an allocation, will be to increase the likelihood of the plan resulting in significant adverse impacts, including on European wildlife sites, through development on less suitable sites.

In summary, our client objects to the Order, as drafted. The potential development of the site has not previously provided any substantive objections concerning the loss of trees resulting in a significant negative impact on the local environment and its enjoyment. There are recognised public benefits of the potential for residential development at the site and this is not outweighed by amenity considerations of the proposed woodland Order. It is not in the public interest and therefore not expedient for the LPA to confirm the Order.

Our client welcomes the opportunity to discuss with the LPA the implementation of good Arboricultural management for the trees and formalising public access as part of any future development based on the illustrative scheme presented in the Vision Statement. JP Associates are instructed to advise of arboricultural implications, including responding under separate cover with arboricultural objections to the Order, as drafted. Their input has been invaluable in the development of Vision Statement to show how the site can be developed in a way that integrates with the landscape setting, including the retention of trees and areas of trees. I request that our client be afforded the opportunity to further develop the scheme and that discussions can be ongoing with the LPA concerning the masterplan.

I trust that this objection to the Order, complies with regulation 6 of the Town and Country Planning (Tree Preservation) (England) Regulations 2012 and duly made.

Please do not hesitate to contact me should you require any further information.

Yours sincerely,

3A(Hons) Dip TP MRTPI

## FOWLER ARCHITECTURE AND PLANNING

cc: Client

Mark Waddams (Teignbridge District Council Senior Arboricultural Officer) -  
mark.waddams@teignbridge.gov.uk

David Kiernan (Teignbridge District Council Principal Policy Officer)  
David.kiernan@teignbridge.gov.uk

Jeremy Pierce (JP Associates) jpp@jp-associates.co.uk

Enc: JP Associates Representations

Land at Broadmeadow, Teignmouth – Vision Statement

Representations on behalf of Terence Stone Homes to the Teignbridge Local Plan Review Issues Consultation and Call-for-Sites (July 2018)