

**Submission by Mike Allen to the emerging Local Plan**

In December 2022 the Secretary of State has stated that he will legislate to alter Planning laws as part of the Levelling up bill in Parliament

Outlined in the Levelling Up and Regeneration Bill, the changes to the NPPF proposed by the government are tied around levelling up secretary, Michael Gove’s new planning acronym: BIDEN (beauty, infrastructure, democracy, environment, neighbourhood).

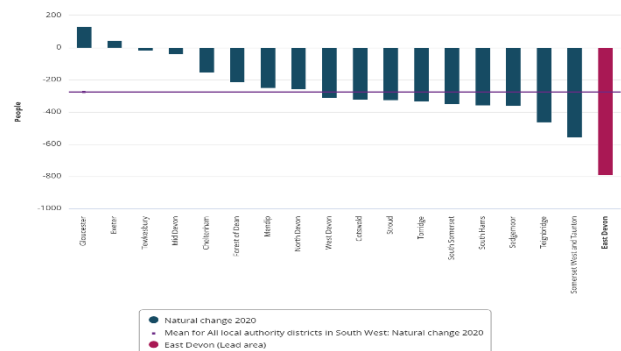
This involves:

- **“Building beautiful and refusing ugliness” by requiring every local planning authority to create an area design code in order to set “clear minimum standards on development”.**
- **Ensuring each development has the “infrastructure needed”. This will be achieved through the introduction of new “infrastructure delivery strategies” and a new Infrastructure Levy.**
- **Further “democratic engagement” with local plans through requiring that local authorities prepare them within a two-year time frame and encouraging the “importance of community engagement in decision-making”.**
- **“Better environmental outcomes” by ensuring the NPPF contributes to climate change mitigation and adaptation “as fully as possible”.**
- **Giving communities more power to “shape their neighbourhoods” through the introduction of “Neighbourhood Priorities Statements” and new street votes.**

Where a council has a Local Plan in place or is in the advanced stages of a new Local Plan, the requirement to constantly prove a 5 year land supply will be lifted. Since East Devon does have a Local Plan fit until 2030, we need to ensure that further progress with a revised Local Plan until 2040 should be delayed until clarification comes from the Government and deficiencies in the development of this new plan are rectified. Since the Government is changing policy regarding NPPF ‘housing numbers’ and it is anticipated that during 2023 will determine that the ‘proposed numbers’ are just ‘advisory’ as opposed to prescriptive I believe an appropriate review of demographic trends is called for so that this anticipated change in approach is reflected in the Local Plan’s proposed policies.

**Population change**

**East Devon is the area where there is least need for housing growth from natural population trends and has been suffering from an influx from other areas of the UK. The formula applied for growth in East Devon is anachronistic and based on decades old regional spatial strategies which are no longer relevant**



In 2020 the total population of East Devon was 148,080 people this is an increase of 10 % (13,034) since 2013, East Devon is now ranked

3 (out of 18 Districts in the South West region) in terms of total population. The total population change in E Devon for the year to 2020 was 1,796 people. This included natural change (births - deaths) of [-791](#) people, net internal migration (people into/away from the area within the UK) of [2,425](#), net international migration (people immigrating/emigration into/out of the UK) of [97](#) and other migration factors of [65](#), This migration from other parts of the region and other parts of the UK is coming without infrastructure to balance. ED population without this migration is shrinking. The housing growth of 13.6% is twice the national average and disproportionate for the population's needs and for the infrastructure available. The population is one of the oldest in the country and the housing is unaffordable to younger families due to incoming migration coming from wealthier areas for the coastal, rural beauty and climate driving housing affordability ratios to 11 times incomes

In 2020 Internal Migration Net accounted for 2,425 people of the overall change followed by International Migration Net which accounted for 97 people. Of the 148,080 people in East Devon, [17.9](#) percent ([26,499](#)) are children aged under 18, [51.6](#) percent ([76,477](#)) are adults aged 18 to 64 and [30.5](#) percent ([45,104](#)) are aged 65 and over; [4.7](#) percent ([6,937](#)) of the resident population are 85 and over. East Devon has a old age dependency ratio (working age population:over 65 population) of [56.8](#) per 100 working age population which is the 18 lowest out of 18 Districts in the South West region and 179 lowest out of all Districts authorities.

**In the development of the Local Plan content during the Assessment of Need for housing and industrial land: NPPF HELAAA procedure guidance was not followed:**

The assessment needs to be undertaken and regularly reviewed working with other local planning authorities in the relevant housing market area or functional economic market area, in line with the [duty to cooperate](#) and need to maintain statements of common ground.

It is also important to involve land owners and promoters; local property agents; developers; local communities; Local Enterprise Partnerships; businesses and their local representative organisations; parish and town councils and neighbourhood forums preparing [neighbourhood plans](#).

NPPF Paragraph: 007 Reference ID: 3-007-20190722

Revision date: 22 07 2019

From the evidence base published by EDDC the attendees of the various HELAAA panels were mainly Officers and Developers where, apart from key Cabinet Members, other Councillors from EDDC, Town and Parish Councillors and members of the public were not involved. This resulted in further problems where representations to the subsequent Strategic Planning Committee had inadequate representations from those legal entities and failed to involve AONB representation (covering 2/3 of the area) or Environment Agency, Devon CC or other Partner comments, In particular the Health, education and road junction capacity problems of the area were not taken into account, as surfaced from many comments in the Consultation

**Settlement Boundaries**

In the expression in this Draft Local Plan that such development beyond the 'Settlement Boundary' 'will not generally be supported' is too vague and ambiguous. The Local Plan has to be clear that

absolutely no development will be allowed beyond the settlement boundary as otherwise there is a real threat to the AONB.

### **Neighbourhood Plans**

Councils have been involved for many years drawing up detailed Neighbourhood Plans which appear to have been sidelined in the allocation of land. Neighbourhood Plans are proposed to have status for 5 years, not 2 years stated before. After all their hard work this glaring reference found in the proposed document did not clarify where deviations from these Neighbourhood Plans was intended,

### **Missing evidence in the Consultation**

The allocations of new housing and industrial land, and the policies in the plan were put forward although there was:

1. a pending economic needs assessment (EDNA),
2. a pending water cycle study,
3. inadequate assessment of infrastructure needed
4. no transport policy update and
5. no environmental impact reports

### **Evidence of type of housing type needed was inadequately included**

In the ORS study commissioned in 2020-21 by the EDDC there was considerable work done to define the householder characteristics and needs which particularly affected young buyers and those with health issues.

The Government's reform of Health and Adult Social Care is underpinned by a principle of sustaining people at home for as long as possible. This was reflected in the changes to building regulations relating to adaptations and wheelchair accessible homes that were published in the Building Regulations 2010 Approved Document Part M: Access to and use of buildings. 33. Three standards are covered:

M4(1) Category 1: Visitable dwellings – Mandatory, broadly about accessibility to ALL properties

M4(2) Category 2: Accessible and adaptable dwellings – Optional, similar to Lifetime Homes

M4(3) Category 3: Wheelchair user dwellings – Optional, equivalent to wheelchair accessible standard.

Based on need identified in 2020 and their household projections, ORS recommended the future need for adapted housing (M4[2] and M4[3]) based on the projected household growth and the changing demographics of the area. An additional 12,959 households either needing adaptations to their existing housing or suitable new housing needed to be provided by 2040.

However, not all households would want to move to new housing – some will adapt their current homes and others will move to another dwelling in the existing stock.

Based on the housing mix in East Devon, ORS stated that it is likely that around 76% will live in dwellings that could be converted to meet the M4(1) standard. On this basis, they suggested that at least 30% of the need for adapted housing could not be met by adaptation of existing homes; a total of 5,119 households but the proposed plan did not include any

such recommendations thus rendering it in breach of Government guidelines for sustainable homes suitable for the population

Policy 41 refers to **Housing to meet the needs of older people** but its focus is on institutional settings and not normal dwellings so the policy needs revision to take account of several thousands of older people who are being urged to stay in homes which are unsuitable unless adapted

### **Inadequate design criteria**

Despite repeated attempts by members of the Strategic Planning Committee the design of housing was not specified in an adequate way to ensure that conformity with the NPPF and government's intent for "**Building beautiful and refusing ugliness**" by requiring every local planning authority to create an area design code in order to set "clear minimum standards on development". Policy 63 Housing density and efficient use of land with 'design codes' does not conform with revised Building Codes making broadband provision mandatory and policies would be advisable for enforcing PV panels on new buildings in view of the Council's policies on carbon reduction.

### **Housing need and a new town**

The NPPF changes proposed by the Secretary of State mean that the 20% extra contingency amount, or buffer, built into housing numbers will no longer need to be adhered to. If this becomes the case, and with no other factors, the proposed identified target of 940 homes per year would be significantly decreased and the need for an extra town be eliminated. In view of the £million cost of assessing such a development required by the Strategic Planning team it would be sensible to await clarification on this issue before further progress is made.

A local connection proviso should be applied to sites in Seaton. Sidmouth (and other smaller settlements), not just rural exception sites. Para 8.150 p191,

### **Employment provision**

If the Council is 'gathering evidence' it should not be proposing Policies at this stage without sound data. The evidence base for these proposed Policies is nearly a decade out of date. The Council advised that the 'Economic Development Needs Analysis' (EDNA) will not be available until an unspecified date in 2023. By the Council's own admission, the 'Scale of Development' will be determined by the EDNA. The Council later say in para.3.54 their existing 'evidence is now out of date'. I consider that these Draft Local Plan proposals, are uninformed & unsound without proper involvement of local representatives in HELAA or Evidence Base through the 'EDNA'.

This proposed Employment Land policy makes no analysis of trends in employment from Retailing, Hospitality, Tourism and the increasing trend to remote/ home working. An objective and independent assessment is required of the need and actual demand for 'Employment Land', before any sites are allocated for this use

Paragraph 52 Employment development in the Countryside This policy has to be justified by showing what demand for new Employment development in the countryside is needed and this is impossible to predict without the EDNA and local representation, The Council has not articulated a countryside employment economic development policy.

## **Mixed use development**

The Plan suggests larger developments must provide enough employment land on the same site for one job per house. It seems to us naïve to think that there will be any match between residents and people working in an area at the tiny scale envisaged for example in Sidmouth (100 dwellings) (para 3.74)

**Policy 93** protection of the Jurassic Coast, a UNESCO ‘World Heritage Site’ (comparable to Stonehenge) should be given more weight and prominence as it is key attraction to the Axe, Sid and Exe Valleys and their tourist industry, The policy should be updated in conformity with the Council’s leisure and tourism policies

## **Inadequate Consultation processes**

The EDDC put great store in the use of a software system to be used on a website to gather consultation feedback. A report accompanies this submission showing that this system was deficient in two ways, Usability was cumbersome and obtuse and secondly the questions posed were restrictive and for example there was no option to reject the concept of the new town suggested.

The people of East Devon were reluctantly consulted by town meetings after pressure at the Strategic Planning Committee but feedback from those meetings showed that Officer responses to questions was varied and staffed inadequately at some meetings where attendance was in hundreds. Feedback collected at those meetings was via slips of paper which did not attribute comments to any one individual because the paperwork did not call for it and such small slips of paper did not allow extensive input. Attendees were told that Officers were unsure how this feedback would be processed.

The consultation respondents were expected to look through hundreds of pages of evidence online or to crowd around the one or two copies provided in paper form at these Town meetings Some Ward Members became so concerned at the inadequacy of these official meetings that they supported other meetings with community groups who organised independent meetings

The Leader of Council stated that he was pleased with an unsurpassed transparent process for this council on the draft Local Plan. He mentioned the need that feedback. We need to take the brickbats and the arguments for and against. “That is democracy. As I have done publicly on many occasions now, I urge people to respond” However he has opposed the Chair of Scrutiny convening a meeting to examine the Consultation process

## **Agricultural land use and photovoltaics**

The coexistence of solar panels and crops implies a sharing of light between these different types of production so the design of large solar panel arrays and a different type called agrivoltaic facilities may require trading off such objectives as optimizing crop yield, crop quality, concomitant grazing by livestock, ecological and soil moisture changes and energy production

in some countries crop yields increase due to the shade of the solar panels mitigating some of the stress on plants caused by high temperatures and UV damage. However, in the moist climate of Devon whose local food production is critical for local use domestically, for tourism and for the high proportion Devon food provides for the UK The policies need very careful re-evaluation

research and Planning Policies. This is not just a matter of land allocation and we need to be very careful since each hectare covered will be affected for 40 years before the full effects are known. We should first assess the research and policies developed in Cornwall and copied in Ashford and other places. For example minimal disruption has been found with the approach termed *agrivoltaics* which refers to dedicated dual-use technology, generally a system of mounts or cables to raise the solar array some five metres above the ground in order to allow the land to be accessed by farm machinery.

Energy harvested from the sun provides homes and businesses with clean power to meet their needs. Over time, solar panels can drastically reduce costs. However, they take up quite a bit of space and the most important factor in the economic viability of agrivoltaics is the cost of installing the photovoltaic panels and secondly the recycling of the panels containing carcinogenic materials

Researchers have found that plants will grow and produce below elevated solar panels, and although sheep can be grazed among conventional solar panels without any modification. the grass eventually becomes sourer. Solar energy in agriculture has therefore become possible. It has proven results and it allows another income stream for farmers.

### **Crop Yields Beneath Solar Panels**

Despite less sunlight reaching the crops beneath the solar installations, the crops still yield. Foraging plants, like grasses, generated about 90% compared to the crops not covered by solar panels. The University of Massachusetts has also grown other plants besides grazing grasses, such as peppers, tomatoes, beans and cilantro. When placing the solar panels with three- to four-foot gaps between them, at raised height, the vegetable plants produced almost the same amount as those not beneath the panels. Although crop yields do not match the gains from full, open sunlight, the costs even out. The solar panels provide energy for farmers, which reduces production costs.

Usually, turf or gravel is the foundation lying beneath solar installations, but growing plants creates a safe, friendly environment for pollinators. Other researchers in Minnesota have grown native plants under solar panels to encourage pollination. The pollinators can then do their job and pollinate crops.

Large farm equipment can't harvest crops grown under solar installations. Therefore, farmers must primarily harvest vegetables manually, so there are some limitations to what they can plant.

### **Animals can continue to graze**

Solar energy in agriculture works for farm animals, too. Solar panels elevated to at least 5 metres above the ground allow livestock to continue to graze. Small animals, such as free-range chickens, require a **mixture of sun and shade**, which the panels provide. Plus, the chickens can easily access grasses and insects.

### **Key effects on the Landscape**

Just as with wind energy which now accounts for about 25% of UK energy, the siting of solar arrays can have major implications for the appearance of a local area and so we need particular policies to protect the beauty of East Devon on which so much of our attraction as a tourism focus and place to live depends, It is premature to just allocate land without proper Planning policies

## **Comments on Towns:**

### **Exmouth**

Exmouth is acknowledged to be the principal centre of East Devon. A stated aim of the plan is to focus development on the town but there is insufficient provision in it to address severe constraints on local infrastructure: GPs, dentists, schools, shops, recreational facilities, roads, storm water management & sewage treatment, and Transport access to Exeter and motorway. The reference to a vague commitment (Section 17.3, P299) to "undertake detailed assessment of infrastructure needs & how we plan for provision" is completely inadequate. Exmouth's Neighbourhood Plan (2019) highlighted concerns that infrastructure provision in the town has not kept pace with housing development & nothing has changed since that time, in fact the situation is worse.

The proposed Plan states "Exmouth is very well supplied with services and facilities with a large secondary school and primary schools, a variety of shops, sports facilities, a library, GP, hospital, railway station and regular bus services." Any right-minded resident of the town knows that this is patently untrue with waiting lists for NHS dentists & some GPs, and with retail facilities in the town centre dying a slow death. The town's shopping offering is now overly focussed on coffee and charity shops & fast food outlets. This lack of suitable retail infrastructure needs to be addressed as a matter of urgency before any new major housing development is allowed.

The Exmouth Neighbourhood Plan (2019) places protection of the natural environment, including the setting of green corridors, networks and green spaces in the built-up areas its top priority, & also highlights concerns that infrastructure provision in the town has not kept pace with housing development. Valued green areas include the proposed Littleham/ Maer Valley Park, in which two sites are being earmarked for housing allocation (wholly or in part). This issue of maintaining green spaces & preserving nature, as highlighted in the Neighbourhood Plan, should be respected in full.

No mention is made of Exmouth's Jurassic Coast or AONB while the comments for Budleigh Salterton do (Paragraphs 6.69 to 6.74 inclusive) these could have been used with equal relevance in describing Exmouth

So I believe that the Section on Exmouth needs a re-write to take account of the Council's own tourism and culture strategy and to address real issues of infrastructure before housing allocations.

### **Honiton**

In terms of population size, Honiton has gone from sixth to second largest out of the seven East Devon towns growing from 5,000 in 1971 to 13,000 in 2021. Honiton's population has more than doubled over the last 35 years, and is still growing – but the necessary facilities, services and infrastructure haven't kept up with that growth. We need the facilities appropriate to our population that has grown so much.

These recommendations to policies have been informed by a consumer surveys, submissions to the EDDC draft Local Plan, The MCTI initiative of 2012 endorsed by hundreds of consultees and "making it local" research plus an analysis of retail trends and town centre health of the District's key town centers over the last decade

There are significant concerns that new residential developments have been permitted without the facilities needed to create real communities. Effective assessments of the impact of new developments on the local community have not been made, so developers have not had to consider any costs that will fall on the public for school places, community halls, open spaces

The sustaining and development of our Hospital and GP Campus is a vital part of our town and of top concern to Honiton's community. The two primary schools and the Secondary School, are full. Infrastructure development is critical to sustaining a variety

of families and older people in the town. That's why special attention is being paid to the variety and tenure of the houses in Honiton in this submission

Local investigations have found pointed to the need for major initiatives, eg:

- a new business park to the west of Heathfield Industrial Park
- a balance between housing growth and facilities
- a large indoor-sport/activity complex
- a new range of outdoor sports pitches
- an improved road-rail passenger interchange,
- improved road/foot/cycle networks

Honiton serves a much larger and a more populous AONB surrounding area than that served by the other towns in East Devon – but it doesn't offer a proportionate range and scale of facilities. The Honiton market town dependent area as a whole comprises 17 parishes and 18,259 hectares, roughly 11 miles north to south and 8 miles east to west. Only 7% of the area lies within the Honiton parish boundary, However much they vary, what most of the parishes have in common is their location in an AONB, either the Blackdown Hills Area (north and east of Honiton) or the East Devon Area (south and east). These are unspoilt rural areas with a diversity of landscape patterns, unique geology, and architectural appeal. Gittisham is historic, unique and subject to a significant range of existing and proposed development.

In the town, relatively little of the housing that was built in the last 30 years falls into the 'affordable' category – especially for local people on local wages, which are 85% of the national average. The population has 3 hot-spots of deprivation which make it the second most deprived area of East Devon, and the period in which the population grew the fastest – the 1980.90s – coincided with legislation on right-to-buy and now austerity which have made inroads into the vitally important rented sector. Affordable homes in Honiton are critical. The District Council's current policy on most new housing developments in towns is that they should contain 25% affordable housing. However, the remaining housing allocation for Honiton to 2031 is too small to secure a sizeable number of new affordable homes on the 25% basis. In any case, even nominally 'affordable' houses are well beyond the reach of many local incomes. There's also strong resistance in the community to the idea of further significant housing growth before community facilities have caught up with the previous growth. Any further significant decline in the proportion of families and people of working age able to afford houses in Honiton raises serious issues of balance across the entire Sid valley and AONB.

Transport is a key issue for the town with rail, public transport and a nearby airport all need improved infrastructure planning. Traffic problems and road developments are urgently needed which is why we should look carefully to development east of Honiton to provide an A35 relief road to reduce the load on Kings Road. But these needs must be balanced against the needs of a deprived community living in the Park Homes to the East of town full of elderly people and the natural beauty of the siting of Honiton in a valley of outstanding beauty on the key A303 arterial route into Devon and Cornwall

**Dowell Street, A373/A30 links**

The Dowell Street junction with High Street poses special problems. It's busy and has illegally high levels of air pollution. as it gives access to the shortest route to the M5 northbound at Cullompton, and to the North Devon Link Road; and is also used by southbound traffic from the M5, including HGVs, seeking to link with the A30. The Beehive Community centre and the fire and rescue service station is in Dowell Street. These vehicles have to use the junction for most journeys. Most traffic to or from the community college,



youth centre and sports centre also uses Dowell Street. The carriageway and pavements are narrow near the junction with High Street. Many people have long favoured a western bypass linking the A373 to the A30, and also to the A375 to Sidmouth.

The only sizeable car park is accessed from Dowell Street and another “cattle market” site equally important for parking is threatened with housing development. These are the only routes to the secondary school and the Leisure Centre and Sports Grounds. Development in such restricted areas must be prohibited unless these traffic infrastructure issues are resolved. Highly restricted parking remains a key issue for any residential development and I would oppose any reduction of parking facilities in the environs of the high street.

### **Honiton Economic issues**

It is essential that we have a thriving economic environment in Honiton without which the settlement would not be sustainable. Honiton people have repeatedly prioritised the need for action on the themes of health, recreation, traffic, town centre change, commercial and industrial development, young people, infrastructure restrictions, environment, and housing needs for affordable homes.

NPPF requires local planning authorities to undertake an Employment needs analysis and employment Land Review (ELR) and a Retail Assessment in order to establish the need for employment land and main town centre uses locally. This has been particularly critical to Honiton because retail expansion on the Heathfield site and the developments around Turks Head junction altered the retail offering of the town. The financial crisis of 2008 and the Covid pandemic have left the high street in a much reduced situation and the renowned antiques offerings of the town which attracted many tourists has been badly affected. So the proposed developments of industrial Land to the West of Honiton are vital to providing local employment as are the potential repurposing of high street and homes for virtual connections for remote working and for internet trading.

Taking account of the effects of the Exeter and East Devon Growth point including Science Park, Sky Park and Cranbrook developments as well as developments in Axminster, Sidmouth and other local towns, the settlement needs more economic land because the present Heathpark Estate of 25.38 hectares is almost completely occupied. The Heathpark Estate needs to expand Westward between the railway and A303. The Ottery Moor Industrial Estate had a total employment land supply of 7.01 hectares which was lost to housing.

**Homi01** Previous applications to build on this land (Ref: 13/2430/MOUT and 15/1027/MOUT) were both rejected. A consultation I attended with concerned residents in 2014 produced 182 Comments from the public, and without exception everyone objected to the development. EDDC rejected the application in the letter dated 2 May 2014 for the following reasons:

- Building in an AONB, contrary to the National Policy Framework paragraphs 115 and 116, where it is non-essential as there is other land outside of the AONB both locally and in the district as a whole. The location was deemed unsuitable and unsustainable.
- The proposed development would have a detrimental impact upon the character and appearance of the AONB. The development would not assimilate well into its surroundings.

EDDC rejected a second application for an altered layout in letter dated 30<sup>th</sup> April 2015 cited reasons in 12 other documents concerning landscaping, layout, location plans, sections, survey drawing and other plans. The rejection letter made the following in points:

- The proposal is considered to represent major development in an Area of Outstanding Natural Beauty and where paragraphs 115 and 116 (*Now combined into paragraph 172*) of the National Planning Policy Framework indicate that such development should only be granted in exceptional circumstances and where there is a public benefit. Any benefits arising from the provision of open market or affordable housing are not considered to be exceptional and would be outweighed by the significant and irreversible landscape harm that would result.
- The proposed residential development would have a detrimental impact through permanently harming the natural qualities and defining landforms of the protected Area of Outstanding Natural Beauty landscape. Furthermore, the height of the buildings proposed and layout when viewed from immediate and long-range public views to the north and south would significantly alter the appearance by extending the built form up the valley slope. The development would not assimilate well into its surroundings through its landscaping, which is applied in a manner that is not consistent with the landscape character.

The above reasons for rejections still stand in relation to the proposed development, even though the size of the proposed development has been restricted to one field.

The Delegated Report associated with planning application 15/1027/MOUT, contains recommendations from the Devon County Archaeologist. It states that due to there having been Roman and prehistoric activity and known archaeological sites in the vicinity, the construction of new homes and associated infrastructure has the potential to expose and destroy previously unrecorded archaeological deposits. Given this and in accordance with paragraph 141 of the National Planning Framework Policy (2012) (*Now paragraph 194 of The National Policy Framework (2021)*), the recommendation is to add a condition to the granting of any planning application that requires: “No development shall take place until the applicant has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted by the applicant and approved by the Planning Authority.

The development shall be carried out at all times in strict accordance with the approved scheme, or other such details as may be subsequently agreed in writing by the Local Planning Authority.”

The Devon County Archaeologist envisaged “a suitable programme of work as taking the form of a staged programme of investigation, commencing with an archaeological geophysical survey of the application area, and followed – if required – by the excavation of trenches (*to*) determine the nature and significance of any anomalies identified by the survey.” This is in stark contrast to the archaeological desk-based assessment carried out by CgMs Consulting commissioned by and behalf of Gleeson Development Ltd. The Devon County Archaeologist was aware of the contents of this report.

### 3.2 AONB

I refer to The Mandatory East Devon Partnership Plan (AONB Management Plan), Strategic aim 1: Place – To conserve and enhance the natural beauty of the AONB, paragraph 2.3:

“2.3 Planning development and policy protects the special landscape character and tranquillity of the AONB and will enable appropriate forms of social and economic development that are compatible with the landscape, so conserving and enhancing the environment.”

The development of site Honi\_01 will not provide appropriate forms of social or economic development that are compatible with the landscape and will neither conserve nor enhance the environment.

Proposing the development of Honi\_01 in an AONB goes against the Colchester Declaration of 2019, which states the following:

“Set against a backdrop of unprecedented concern for the future of the natural world, and intergovernmental reports that the current global response to the effects of human impact on nature is insufficient – the National Association for Areas of Outstanding Natural Beauty believes that now is the time to significantly increase the scale and pace of nature conservation activity in AONBs. Using our unique network and partnership model, we are making a collective Declaration on Nature in AONBs, setting out our strategy for change. With many AONB host authorities having taken the step of declaring a Climate Emergency we are demonstrating our readiness to act to redress declines in species and habitats within the context of a wider response to climate change.”

In the planning application 15/1027/MOUT – Delegated Officer Report, the conclusion on AONB issues was:

“The proposal would permanently harm the natural qualities and the defining landform of the AONB. The failure of the proposal to satisfy points i, ii, and iii under paragraph 116 of the NPPF means that the proposal has not demonstrated it would be in the public interest or that exceptional circumstances exist. The proposal would significantly alter the appearance of the site and clearly extend the built-up area visible from the immediate and long range public views. In reaching this conclusion the harm identified is accorded great weight in line with paragraph 115 of the NPPF. Thus the proposal is not sustainable development for which there is a presumption in favour under the prescribed approach of paragraph 14 of the NPPF.”

The attention of EDDC’s Strategic Planning is drawn to the High Court case of Monkhill Ltd v Secretary of State for Housing, Communities and Local Government & Anor (Rev 1) 2021, EWCA Civ. 74. Sir Keith Lindblom, Senior President of Tribunals, rejected a case brought by developer Monkhill Ltd. who wanted to build 79 homes on a brownfield site but largely within an AONB.

Sir Keith Lindblom stated that the court had to decide the meaning of the policy relating to development in an AONB and the relationship of that policy to the presumption in favour of sustainable development. The Court of Appeal ruled that the National Planning Policy Framework (NPPF) permits a Council to reject a planning application because of an adverse impact on an area of outstanding natural beauty (AONB)..

### 3.3 Environment

The site is farmland that forms a transitional buffer between the existing BUAB and the ancient and semi-natural woodland of Gobsore Wood, as designated by Natural England (Spreadsheet Object ID 30885).

It is a dark sky environment providing essential feeding for the protected species that live within the area and adjacent lands. There is an important wildlife corridor that runs along the stream bordering the proposed site to the West.

Development would destroy both of these and has a further likely impact on the wood and wildlife. The proximity of the site to the ancient and semi-natural woodland, approximately 100 meters from the Southwest edge of the proposed development would be an attraction to children occupying the proposed new development. Damage would be caused to the woods and woodland, just as it has to the woods adjacent to the two houses to the West of Hayne Lane that border the woods there. Occupiers of new properties will no doubt keep pets, including cats. For a development of 79 properties there would be an estimated 26 cats, based on an estimated number of 320 – 330 cats per 1000 households: Underhill-Day 2005. This would be in addition to predation by cats from the existing development. The new cat population would decimate the population of small mammals and wildlife within and around the area, including affecting the bird population.

### 3.4 Ecology

An ecological impact assessment was carried out by ead Ecological Consultants, commissioned by Gleeson Developments Ltd., in April 2015. There appears to be no substantial difference between the land now than there was then. Appendix 1: Survey methodologies and results records the following, mainly from site surveys carried out in 2012:

Hedgerows – All determined to be ‘Important’ habitats. There was evidence of dormouse presence in one and the assumption was made that dormice would be present in all hedgerows, woodland and scrub within the site. The dormouse is a protected species.

Reptiles – No were found on the seven visits made. However, the site falls within the Devon Great Crested Newt Consultation zone.

Breeding Birds – A total of 31 bird species were detected, including:

- Herring gull, house sparrow, linnet, song thrush and starling, which were all Priority Species and RSPB Red-listed.
- Bullfinch and dunnock, which were both Priority Species and RSPB Amber listed.
- House martin, swallow, swift and whitethroat, which were also RSPB Amber species listed.
- Eighteen RSPB Green listed species.

Badgers – A survey was carried out but no badger sets were found on site, however the land was found to be suitable foraging by badgers.

Bats – The 43 trees around the site and adjacent fields were checked and identified as Category 1 or 1\* roosting locations. It was concluded that roosts would be disturbed by any development.

A total of 291 bat registrations were recorded on the listening points during the five bat activity surveys. Of these, the vast majority of were from common pipistrelle, soprano pipistrelle were frequently recorded, along with Myotis species and serotine. A minimum of 9 bat species were detected. Bats are a protected species.

Amphibians – Clearance of the site has the potential to kill or injure common toads and would have a long-term adverse impact. Toads are a protected species.

In addition, roe deer have been seen on the site and hedgehogs foraging in the gardens along the northern edge of the fields.

The overall approach to mitigation of effects upon the wildlife suggested in the report is to trap mammals and amphibians, relocate them, then build on the site to prevent their return to a natural habitat.

### 3.5 Visual impact

Building upon the site would have significant impact upon the sight lines around the proposed Honi\_01 location. The incline of the land South of Heathfield Estate rises sharply compared to the land within the existing BUAB. Housing would be clearly visible from the Heathfield Estate and to the Blackdowns AONB to the North. This would detract from the open views of the AONB, making Honiton a less desirable location for visitors and tourists, thereby impacting upon the local economy. This goes against the intentions for tourism in the AONB Partnership Plan.

Attention is drawn to the section on 'AONB Visual Impact' in the Delegated Report associated with planning application 15/1207/MOUT and the conclusions on AONB issues.

### 3.6 Overbearing

Housing on the site would overlook existing properties on the Heathfield Estate, due to the increase in gradient of the site.

### 3.7 Flooding

Gardens of housing adjacent to the site are currently subject to flooding, due to water run-off.

The ground on which LP Honi 01 is located is classified as having high groundwater vulnerability. High areas can easily transmit pollution to groundwater. They are characterised by high-leaching soils and the absence of low-permeability superficial deposits. Gardens and driveways in housing estates are likely sources of ground water pollution. The land permeability is such that contamination from new housing gardens and driveways will get into the water courses.

Flood Risk Assessment has also raised concerns over development on the site. With reference to the paper [Site Selection – interim findings at Tier One and Tier Two settlements](#), under the heading "Other known site constraints" it identifies that there are potential flooding concerns on the periphery of the site. The Flood Plain in question on the Heathfield Estate is set out to handle the flow of water from the fields above. This includes a stream and associated tree planting set out in a woodland setting. To control water flow and minimise the risk of flooding both on the any new development site, and on the current Flood Plain, the site Honi\_01 would need to incorporate a similar concept. This would include design sustainable drainage design to manage the water flow, preferably incorporating a stream and woodland.

### 3.8 Infrastructure

Building access roads to both the East and West of the site will cross land designated as AONB and should this be permitted; it can only be concluded that the precedent will be set to develop these fields also and achieve the plans 13/2430/MOUT and 15/1027/MOUT rejected for the reasons stated earlier in this document.

There will be an impact on primary schools in Honiton and additional provision will be required. Although there is some capacity at the senior school level, if all the housing proposed for Honiton is

built, it will be inadequate. Similarly at the doctor's surgery. It can currently take weeks to get a standard face-to-face appointment.

#### 4.0 Conclusion

This objection raises material objections to the proposed development of designated Honi\_01 site. It is requested that this site be removed from the Draft Local Plan and the BUAB be maintained along its current line.

The same objections regarding intrusion into AONB and landscape character apply to **Honi04, Honi12** and the developments around Hale Farm and Northcote Farm to the west of town at **Honi09, Honi 14** and those labelled **LP/GH/ED 39a and b** which have received strenuous local objections

**Honi 41** Honiton town centre infill in the highly congested silver street area should be rejected in accordance with previous planning decisions and the infrastructure issues of road access and parking needs mentioned elsewhere

**Honi LP 05 is designated for employment use but could be useful for lower ground employment and second story accommodation in keeping with traditional Honiton town centre uses**

#### **Gittisham**

**Gitti 01 to 06** These areas are proposed for development and are not in AONB but form a major expansion of Honiton to the west and substantial infrastructure problems. They would involve virtual extension of Honiton town into Gittisham and should be regarded as a major development which needs substantial investigation because the infrastructure of Honiton and highways access issues present major problems with a raised rail embankment separating Gitti 01 and 02 from the A303. I object to the latter two sites until a proper infrastructure review occurs for Honiton

#### **Sidmouth,**

Sidmouth is the third largest town in East Devon and a key town along the World Heritage Jurassic Coast for tourism. It has on average a much older retired population and a significant influx of people from the surrounding area work there. The town effectively has an excess of employment for its population. Sidmouth is therefore unique in having a significant influx of people coming to work from other parts of the area. Developing more industrial units in this wedge is counter-intuitive as it will increase traffic through very narrow junctions and lanes which access the town, Development should take account of the local needs of Sidmouth and the Sid Valley as opposed to a more extensive 'wider surrounding area'. I strongly disagree with para. 6.54 of the Draft Local Plan that Sidmouth is a suitable place for a 'large amount of development' albeit subject to the constraints of the AONB. Rather I would prefer redevelopment of brownfield sites/ repurposing older larger houses into flats and conversion of older commercial properties and office buildings within the Sid Valley as a more sustainable methods of increasing the housing supply. Without the EDNA, the Employment Policy has to be justified by showing that there will be a demand for 2.2+ Hectares of Employment Land in the Sid Valley as otherwise there is the risk the land could be used for residential purposes by default. So far no justification has been shown for the proposed additional 'Employment Land' in the Sid Valley

#### **Specific site objections:**

**Sidm\_24 (land to the west of the 'Sewage Works') between Sidford and Sidbury - 1.6 Hectares - proposed as an Employment Site.**

This proposal is objected to as it will infill the Green Wedge between Sidford and Sidbury (contrary to the Council's Policy 78 in the Draft Local Plan – see below and Policy 3 of the adopted 'Neighbourhood Plan for the Sid Valley 2018- 2032 seeking to avoid 'Settlement Coalescence').

There is no need for more Employment Land as the Alexandria Industrial Estate, Sidmouth, is now subject to a planning application for new Business Units. Additionally the adjacent proposed 'Sidford Business Park' on the north east side of Sidford is 'For Sale' as the owners advise there is no 'demand for Employment Land'. Additionally, this proposal is contrary to this Draft Local Plan's Policy 75 as the site is within the AONB and it will not enhance the AONB. Rather development of this site will be detrimental to the AONB.

So local knowledge and experience indicates that there is no demand for any of these types of 'Employment Land' development in the Sid Valley. In this respect, refer to the Sidford Business Park on the north east side of Sidford which having been designated as 'Employment Land' in the last 2010 Local Plan is still not developed after 10 years. Now this original undeveloped AONB land has been put up for sale as 'brownfield land' for alternative uses – housing, supermarket etc. – as the owners advise in their Sale Particulars (December 2022) that there is 'no demand for Employment Land'.

(Sidm\_01) Land South West of Woolbrook Road - 127 new homes and 0.51 Hectares of Employment Land - this proposal is contrary to this Draft Local Plan's Policy 75 as the site is within the AONB and it will not enhance the AONB. Rather this proposal will be detrimental to the AONB. . There is no justification for 0.51 Hectares of Employment Land – as access is poor, there is no market demand for more Employment Land in Sidmouth, This site should be removed from the Local Plan as a proposed housing site and it is inappropriate to have Employment Land (ie B2 industrial uses) next to a new residential area).

(Sid\_06) Land West of Two Bridges Road, Sidford - 30 New Homes. The development of this site constitutes infilling of the 'Green Wedge' between and separating Sidford and Sidbury. I do not support this policy as it is outside the 'settlement boundary' of Sidmouth/ Sidford and the Council's own policy discourages such development (ie Draft Local Plan Policy No 7 dictates that there should be no development outside the 'Settlement Boundary'). The Local Plan itself notes that this site could cause 'settlement coalescence' & encroach into the Green Wedge between Sidford and Sidbury again contrary to the Council's own policies (refer Draft Local Plan Policy 78 and Policy 3 of the adopted 'Neighbourhood Plan for the Sid Valley 2018 - 2032 seeking to avoid 'Settlement Coalescence'). Additionally, this proposal is contrary to this Draft Local Plan's Policy 75 as the site is within the AONB and it will not enhance the AONB. Rather this proposal will be detrimental to the AONB.

(Sidm\_17) Peak Coach House (Numbers 1-3 Belfry Cottages) Cotmaton Road - 11 New Homes This proposal represents an overdevelopment of this existing sensitive site which currently only has 5 dwellings, has very limited vehicular access from Cotmaton Road and falls within the original curtilage of the adjacent 'Peak House', (Grade II Listed). The site is inside the AONB This site is very prominently situated with commanding 'key' views down the Sid Valley looking east and equally is clearly visible from Sidmouth below and the hills above. Development of this site would addect the landscape and sight lines in the landscape being clearly visible looking across the Valley. Retention of 'Key' views is Policy No 2 of the Sid Valley Neighbourhood Plan so development of this site would adversely affect views across the Sid Valley

Sidm\_34 – Land South of Furzehill, Sidbury – proposal for where 38 Homes are to be located. This development will change the character of Sidbury and close the Green Wedge with Sidford (contrary to Policy 78 of this draft Local Plan and Policy 3 and Map 9 of the adopted Sid Valley Neighbourhood Plan which seeks to prevent settlement coalescence). this proposal is contrary to this Draft Local Plan's Policy 75 as the site is within the AONB and it will not enhance the AONB.