

## **Objections to the inclusion of the following two sites in the local plan**

### **Summary**

GH/ED/27 and Otry\_10 have been included in the local plan. The HELAA and SA reports describe some of the constraints associated with these sites, yet conclude that they should be included, despite other sites being rejected for the same reasons. At the public exhibition the author of the Sustainability Appraisal stated that this was to join up the hamlet of Salston with Ottery St Mary. Yet the neighbourhood plan which states the exact opposite, that hamlets should retain their discrete character, and the HELAA which describes the rural feel. The objectivity of the Sustainability Appraisal is therefore compromised if its author has promoted an unpublished objective rather than appraised the constraints. The constraints are multiple and significant, not least because of the direct impacts and hazards that will affect the residents of the hamlet of Salston. These are:

- Construction noise for many more years above the 7 years construction for Kings Reach
- Mental health impacts including noise and fear of flooding
- Increased flood risk for properties with a history of flooding, maybe putting further properties at risk
- Loss of privacy
- Water quality impacts on the R. Otter
- Possible land stability for properties at Salston Barton
- Significant visual impact from East Hill AONB, whilst most of Salston is hidden in lower ground
- Inadequate road access from all directions.

For these reasons and others GD/EH/27 and Otry\_10 fail to meet the objectives of the Sustainability Appraisal and the Strategic Environmental Assessment. In combination with Kings Reach, the development will have been salami sliced between the two local plans.

The contrast with GH/ED/26 and Otry\_01a which have been ruled out is obvious. This is a massive land area that could sensibly assimilate all the proposed development proposed around Salston by amalgamating the north and/or north westernmost fields with the proposed development at Otry\_01b. The SA is wrong in stating that the development here would be too visually intrusive. It is less intrusive than GH/ED/27 and Otry\_10, because the east-west orientation is fore shortened and sits behind the town, whilst developing around Salston on a north-south axis extends the visual perception of the town's footprint significantly. Furthermore development in these locations has better access, doesn't affect any PROWs, nor existing houses.

We suggest that if this housing allocation is indeed required, that it is better placed by subdividing the incomparably massive GH/ED/26 and adding it to Otry\_01a, which would be better placed to deliver the draft local plan objectives in conjunction with Otry\_01b. Indeed there is no rational reason for ruling out such extensive land parcels based on their attributes; Otry\_01a and GH/ED/26 should be broken down into field sized parcels, ie to the same scale as Otry\_10 and GH/ED/27 and re-appraised. This would likely give a very different result.

There is sufficient doubt associated with the probity of the inclusion of GH/ED/27 and Otry\_10 in relation to recent allegations of malpractice associated with TCP in East Devon.

Settlement: Ottery St Mary Site reference number: GH/ED/27 Site Address: Land south of Strawberry Lane, Ottery St Mary Map of site:

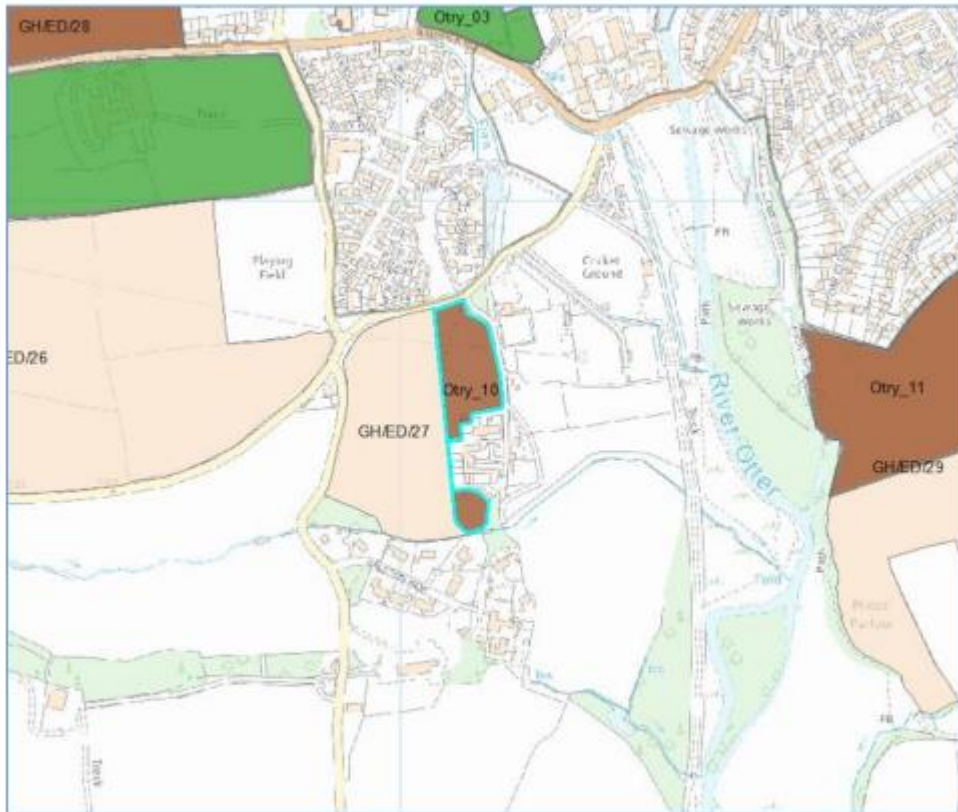
**Map of site:**



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Site Detail: Settlement: Ottery St Mary Site reference number: Otry\_10 Site Address: Land to North and South of Salston Barton, Ottery St Mary, EX11 1RG Map of site

## Map of site:



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### Comments on the HELAA and sustainability appraisal in relation to the above sites

It is impossible to read the HELAA and the subsequent Sustainability Appraisal and SEA without being struck by:

- the errors
- omissions
- lack of consistency in the application of the objectives
- lack of consistency in the application of the assessment criteria.

The site GH/ED/27 is far more visible from East Hill than the northern and eastern parts of GH/ED/26 that border OTRY\_01. There is no obvious reason why such a large parcel of land as GH/ED/26 should not have been subdivided for the purposes of the assessments. This would have made more sense, to combine the northern portion with OTRY\_01.

### Landscape and visual

These are the views from East Hill and the AONB:



From this perspective it is obvious that these 2 parcels of land extend the town significantly to the south as shown in red on the photograph below. Although not easy to see in the photo, the eye is drawn to the lines associated with the River Otter, flowing right to left. Consequently the visual impact of the development is magnified.

The 13 houses at Salston Barton have been coloured in yellow, and the excerpt from the map rotated to the same axis as the photo.





Note that the hamlet of Salston comprising Salston Barton and Salston Ride are in a dip and barely visible, if anything adding to the scattered settlement effect of the wider landscape

By contrast developments such as part of Otry\_01b are foreshortened and merge with Kings Reach and help to diminish the massive scale of the modern buildings as shown in the photo below in blue. In black we have added part of Otry\_01a and GH/ED/26 in order to demonstrate how a sensible apportionment of housebuilding (ie not the whole parcel) can maintain the illusion of containment of the town, when viewed from the AONB. Note also that the area sketched in black also joins with Otry\_09, diminishing the scale of intrusion.



The hamlet of Salston comprises some 30 or so properties, and for the residents the construction on the land parcels outlined in red will have significant local landscape effects that far outweigh the distant views from East Hill. This is amplified by the footpath that crosses the site. And the visual

effect of this development site is amplified by the views on the entry to Ottery from West Hill and Fluxton at Salston Cross



The houses will obscure the views of East Hill from an important route into Ottery.

### **Noise**

The residents of Salston have endured years of construction and snagging noise from Kings Reach and Salston Manor. The Kings Reach development has taken many more years than the 2 that were part of the consultation.

The effect of the local plans has been to 'salami slice' the noise effects on the residents of Salston; such 'salami slicing' is contrary to the EIA Regulations.

Schedule 2 of the EIA Regulations, The Town and Country Planning (Environmental Impact Assessment) Regulations 2017, contains the following thresholds:

(b) Urban development projects, including the construction of shopping centres and car parks, sports stadiums, leisure centres and multiplex cinemas;

(i) The development includes more than 1 hectare of urban development which is not dwellinghouse development; or

(ii) the development includes more than 150 dwellings; or

(iii) the overall area of the development exceeds 5 hectares

The 2 parcels proposed in the local plan for Salston may fall below this threshold, meaning that the cumulative effect of future developments on the health and wellbeing of the residents of Salston risks not being considered. To be compliant with the local plan objectives this needs to be considered in the sustainability appraisal.

### **Flooding**

The mental health effects and physical risks of flooding are an integral component of Defra's approach to managing flood risk. [Mental health costs of flooding and erosion - GOV.UK \(www.gov.uk\)](https://www.gov.uk)

Many properties in Salston have flooded in the past, and this risk will only increase with climate change. Fear of flooding is constantly at the forefront of residents' minds. The fields slope down to Salston, not just to the south, but the gardens at Salston Barton slope steeply down, as shown in the photo below. This view is looking west from Salston Barton.



The land surface of GH/ED/27 is above the height of the roofs of Salston Barton. The risks of both flooding but also loading of the soft sandy bedrock to both Salston Barton and Salston Ride will be increased by the hard surfacing associated with development.

The impact of flooding on human health has not been considered in the HELAA nor the Sustainability Appraisal.

All the roads leading from Salston Cross become impassable during rainfall events. This has not been considered in the draft local plan.

### **Privacy**



The development will loom over both Salston Barton (see above photo) and Salston Ride. This will bring further detriment to the health of the residents.

### **Access**

As well as flooding, all the roads leading from Salston Cross are less than 2 vehicles width. There have been road traffic accidents and collisions with pedestrians as a result.

### **Archaeology**

Many flint implements have been found on the footpath across the 2 proposed development sites. Most are scrapers, but fragments of cutting implements and offcuts have also been found.

### **Water quality**

Water quality has been an issue for the residents of Salton in ensuring that point source pollution is managed correctly. Water from any new development, especially the land to the west of Salston Barton, will drain directly to the stream and into the River Otter. At times of high rainfall, because the southern end of the land is already floodplain, there will not be any attenuation of the surface water runoff which will include the usual urban contaminants.

### **Probity and planning history**

In continuing to promote these locations at Salston in the local plan EDDC will need to demonstrate that they are free of any association with the alleged corruption reported in a national newspaper a few years ago. [Bribery investigation councillor Graham Brown resigns - BBC News](#)

The land parcels have an irregular planning history.

GH/ED/27: This field was omitted from the consultation draft of the current local plan and was inserted after consultation was closed. It was removed from the current local plan after objection from an EDDC councillor. This field has already been surveyed in 2020 by surveyors who confirmed that the survey that they were doing is one that is normally done in advance of development.

Otry\_10: planning permission has been refused several times on the southernmost portion of this land. It is also floodplain. This land has not been included in any local plan.

### **The neighbourhood plan**

The neighbourhood plan seeks to ensure that hamlets are protected as discrete settlements. Salston is a historic hamlet and is part of the postal address of residents such as EX11 1RG. This principle is at least as important as the aspiration to maintain a green wedge between Ottery and West Hill. The more so since the green wedge is an abstract concept that has little discernable effect on the majority of people. Whereas the planning aspiration to join Salston to Ottery has many tangible and immediate effects on all the residents of Salston, as described above.

### **Environmental Impact Assessment**

Otry\_10 and GH/ED/27 fall below the threshold for Environmental Impact Assessment. The consultation draft of the Local Plan is salami slicing the development which will be geographically and temporally contiguous with Kings Reach and Salston Manor and the effects of construction on nearby Salston. There is significant risk that the effects on the 35 or more existing mature properties at Salston will be overlooked. Note the newer properties at Kings Reach and Salston Manor have not been included in this estimate.

## Does development at GH/ED/27 and Otry\_10 meet the objectives of the Sustainability Appraisal?

Figure 3.1: East Devon's SA Framework

SA Objective
1. To ensure everybody has the opportunity to live in a decent home.
2. To ensure that all groups of the population have access to community services.
3. To provide for education, skills and lifelong learning to: i. meet the needs of the local population, and ii. meet local employment needs
4. To improve the population's health
5. To reduce crime and fear of crime.
6. To reduce noise levels and minimise exposure of people to unacceptable levels of noise pollution.
7. To maintain and improve cultural, social and leisure provision.
8. To maintain and enhance built and historic assets.
9. To promote the conservation and wise use of land and protect and enhance the landscape character of East Devon.
10. To maintain the local amenity, quality and character of the local environment.
11. To conserve and enhance the biodiversity of East Devon.
12. To promote and encourage non-car based modes of transport and reduce journey lengths.
13. To maintain and enhance the environment in terms of air, soil and water quality.
14. To contribute towards a reduction in local emissions of greenhouse gases.
15. To ensure that there is no increase in the risk of flooding.
16. To ensure energy consumption is as efficient as possible.
17. To promote wise use of waste resources whilst reducing waste production and disposal.
18. To maintain sustainable growth of employment for East Devon, to match levels of jobs with the economically active workforce.
19. To maintain and enhance the vitality and viability of the Towns of East Devon.
20. To encourage and accommodate both indigenous and inward investment.

Development of GH/ED/27 and Otry\_10 fails to achieve the following objectives of the draft local plan:

- To improve the population's health
- To reduce noise levels and minimise exposure to people of unacceptable levels of noise pollution
- To promote the conservation and wise use of land and protect and enhance the landscape character of East Devon
- To promote and encourage non-car based modes of transport and reduce journey lengths
- To maintain and enhance the environment in terms of air, soil and water quality

- To ensure that there is no increase in the risk of flooding

## Conclusions

GH/ED/27 and Otry\_10 have been included in the local plan. The HELAA and SA reports describe some of the constraints associated with these sites, yet conclude that they should be included, despite other sites being rejected for the same reasons. At the public exhibition the author of the Sustainability Appraisal stated that this was to join up the hamlet of Salston with Ottery St Mary. Yet the neighbourhood plan which states the exact opposite, that hamlets should retain their discrete character, and the HELAA which describes the rural feel. The objectivity of the Sustainability Appraisal is therefore compromised if its author has promoted an unpublished objective rather than appraised the constraints. The constraints are multiple and significant, not least because of the direct impacts and hazards that will affect the residents of the hamlet of Salston. These are:

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The contrast with GH/ED/26 and Otry\_01a which have been ruled out is obvious. These two parcels comprise a massive land area that could sensibly assimilate all the proposed development proposed around Salston by amalgamating the north and/or north westernmost fields with the proposed development at Otry\_01b. The SA is wrong in stating that the development here would be too visually intrusive. It is less intrusive than GH/ED/27 and Otry\_10, because the east-west orientation is fore shortened and sits behind the town, whilst developing around Salston on a north-south axis extends the visual perception of the town's footprint significantly. Furthermore development in these locations has better access, doesn't affect any PROWs, nor existing houses, unlike development at Salston.

There is sufficient doubt associated with the probity of the inclusion of GH/ED/27 and Otry\_10 in relation to recent allegations of malpractice associated with TCP in East Devon.

We suggest that if this housing allocation is indeed required, that it is better placed by subdividing the incomparably massive GH/ED/26 and adding it to Otry\_01a, which would be better placed to deliver the draft local plan objectives in conjunction with Otry\_01b. Indeed there is no rational reason for ruling out such extensive land parcels based on their attributes; Otry\_01a and GH/ED/26 should be broken down into field sized parcels, ie to the same scale as Otry\_10 and GH/ED/27 and re-appraised. This would likely give a very different result.

It is also essential that in pursuing this draft local plan the EDDC are confident that they can demonstrate that extending Ottery St Mary by joining up the hamlet of Salston, which is what we were told verbally at the planning meeting is the purpose of the inclusion of GH/ED/27 and Otry\_10,

is the best option and, given the combination of planning history and the vigilance of Salston's neighbourhood watch, is free of any suggestion of improper consideration.

The HELAA states that:

section of the site is discounted due to flooding. The whole site is enclosed with a remote, rural character despite the proximity of new housing. If the northern section of the site is to be

The residents of Salston believe that it is essential that the remote, rural character of the hamlet is left intact for future generations to enjoy. I trust that EDDC will use these comments to make good the errors and omissions in the Sustainability Appraisal and SEA Report. I haven't addressed the lack of consistency in the treatment of the various sites. But I can do so if necessary. It is essential that the SA and SEA does not merely rubber stamp the draft local plan proposals but effects changes based on local consultation, by law. We have taken advice from a leading practitioner in SEA and EIA in the formulation of our response to the consultation draft of the local plan. There is a real risk that the hazards posed may not be subject to EIA and thus the impacts not properly considered.

#### Appendix – site descriptions from the HELAA

**Appendix 2. Site Selection – interim findings at Tier One and Tier Two settlements Site Detail:**  
**Settlement: Ottery St Mary Site reference number: GH/ED/27 Site Address: Land south of Strawberry Lane, Ottery St Mary Map of site:**

#### Map of site:



N↑ 1:6000 © Crown copyright and database rights 2022 Ordnance Survey 100023746 Site Area: 3.87  
Site Assessment Summary: Infrastructure implications: Lack of secondary or primary education provision. Current access is via a field gate on a minor C-class road heading from Ottery St Mary towards Fluxton and the Salston Manor Hotel. It may also be possible to achieve an access from Strawberry Lane on the north side of the site. Development of the site has the potential to impact on Junction 29 of the M5, which suffers from congestion at peak periods. The centre of the site is approximately 5.1km from Whimble train station (though not easily accessible from this location). The main Axminster-Honiton-Ottery-Cranbrook-Exeter bus runs along the B3174 across the front of the site. Pedestrian/cycle movement into Ottery St Mary would need to be greatly improved. There are no existing footpaths along Strawberry Lane linking the site in to town. However, it might be possible to link in to new footpaths being developed within the Bovis housing development directly to the north of the site. A public right of way crosses the site. Landscape sensitivity - summary of findings: The site is located outside but reasonably near (approximately 2.7km) to the East Devon AONB. There would be significant intervisibility with the East Hill Strips within the AONB, due to the site's location on the slopes of a prominent ridge on the opposite side of the valley. The site may also be visible from Belbury Castle hillfort. The site is bounded and crossed by hedgerows and trees which may be of landscape importance. There are various PRowS in the wider landscape context, which may offer views of the site. Impact on historic environment - summary of findings: Minor - Limited change to elements that contribute to the significance of assets and their setting, where harm is minimal. A number of prehistoric enclosures and ditches exist in the vicinity of this site. Archaeological surveys at the nearby Island Farm housing site uncovered numerous finds and historic land uses in the vicinity. However this is not expected to be a significant constraint. Conservation: The historic (though not Listed and now converted) Salston Barton lies immediately to the east of the site, on a lower level of land. The site is also approximately 160m north of the Grade II Listed Salston Manor Hotel, 50m north-east of the Grade II Listed Salston Lodge and 195m north of another Grade II Listed Lodge at the entrance to the hotel. Intervisibility is limited due to existing development and woodland, but development of the site may impact upon the setting and significance of these assets. Ecological impact - summary of findings: Minor adverse effect predicted (not significant) Accessibility assessment: The site is within 1600m of all facilities except a train station.

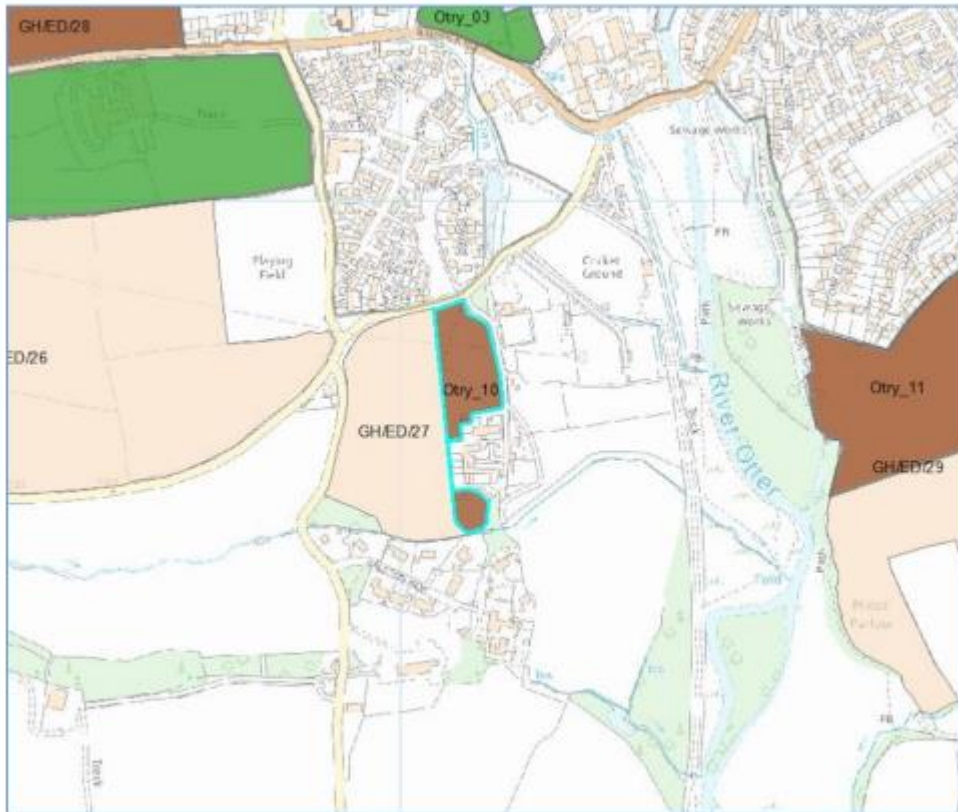
Other known site constraints: The site, which is Grade 3 agricultural land, slopes to the east and is bisected by a public footpath. The southern section of the site is liable to flood. Site opportunities: There is an opportunity to create a public footpath and cyclepath through the site. Amended Maximum Yield following discounted areas on site: 60 Brief summary of the key positives and negatives of the site: Positives: good access to community services, facilities and (limited) employment opportunities. Medium landscape sensitivity, adjacent to new development. Minor ecological impact. Negatives: flood risk. Heritage impact and does feel semi-rural. Should the site be allocated? Yes Reason(s) for allocating or not allocating: The site is on the periphery of the settlement and has a semi-rural character. It could be considered to round off this part of the town. Tree planting is required to reduce visual impact

Site Detail: Settlement: Ottery St Mary Site reference number: Otry\_10 Site Address: Land to North and South of Salston Barton, Ottery St Mary, EX11 1RG Map of site: N↑ 1:6000 © Crown copyright and database rights 2022 Ordnance Survey 100023746 Site Area: 1.36 Site Assessment Summary: Infrastructure implications: Lack of secondary or primary education provision. New access will

require loss of hedgerow. Opportunity to underground overhead cables. Footpath should be retained. Landscape sensitivity - summary of findings: Medium- The southern section of the site is discounted due to flooding. The whole site is enclosed with a remote, rural character despite the proximity of new housing. If the northern section of the site is to be developed, the existing hedgerows and protected trees should be retained, with a minimal section removed for access. Tree planting to the western slope of the site would help to break up development when viewed from the lane, and open space should be provided along the footpath to ensure that it retains a (semi)rural character. Overhead wires on site should be undergrounded. Impact on historic environment - summary of findings: Low heritage impact predicted but further assessment required. Nearby and former land use suggests there may be subterranean archaeology present. Ecological impact - summary of findings: Minor adverse effect predicted (not significant). Several mature TPO'd trees warrant specific protection. Accessibility assessment: The site is within 1600m of all facilities except a train station. Other known site constraints: The southern section, and a band along the eastern boundary, of the site is liable to flood, the western side is sloping and the site is bisected by overhead power lines and a public footpath. Protected trees in the hedgerow will require root protection. Site opportunities: There is an opportunity to underground the overhead power lines and create a public footpath and cyclepath through the site. Amended Maximum Yield following discounted areas on site: 20. Brief summary of the key positives and negatives of the site: The site is reasonably well located adjacent and opposite development on the periphery of the town. It is accessible to most facilities. Cycle/footpaths would be required along Strawberry Lane but also within the site. It performs well in landscape, ecology and heritage terms and a reduced density of development would enable existing trees and hedgerows to be retained and additional planting to take place. Should the site be allocated? Yes. Reason(s) for allocating or not allocating: The site is reasonably well located adjacent and opposite development on the periphery of the town. It is accessible to most facilities. Cycle/footpaths would be required along Strawberry Lane but also within the site. It is a discrete, enclosed site (although it could be combined with the adjoining site) and performs well in landscape, ecology and heritage terms and a reduced density of development would enable existing trees and hedgerows to be retained and additional planting to take place.

**Site Detail: Settlement: Ottery St Mary Site reference number: Otry\_10 Site Address: Land to North and South of Salston Barton, Ottery St Mary, EX11 1RG Map of site**

## Map of site:



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Site Assessment Summary: Infrastructure implications: Lack of secondary or primary education provision. New access will require loss of hedgerow. Opportunity to underground overhead cables. Footpath should be retained. Landscape sensitivity - summary of findings: Medium- The southern section of the site is discounted due to flooding. The whole site is enclosed with a remote, rural character despite the proximity of new housing. If the northern section of the site is to be developed, the existing hedgerows and protected trees should be retained, with a minimal section removed for access. Tree planting to the western slope of the site would help to break up development when viewed from the lane, and open space should be provided along the footpath to ensure that it retains a (semi)rural character. Overhead wires on site should be undergrounded. Impact on historic environment - summary of findings: Low heritage impact predicted but further assessment required. Nearby and former land use suggests there may be subterranean archaeology present. Ecological impact - summary of findings: Minor adverse effect predicted (not significant). Several mature TPO'd trees warrant specific protection. Accessibility assessment: The site is within 1600m of all facilities except a train station. Other known site constraints: The southern section, and a band along the eastern boundary, of the site is liable to flood, the western side is sloping and the site is bisected by overhead power lines and a public footpath. Protected trees in the hedgerow will require root protection Site opportunities: There is an opportunity to underground the overhead power lines and create a public footpath and cyclepath through the site. Amended Maximum Yield following discounted areas on site: 20 Brief summary of the key positives and negatives of the site: The site is reasonably well located adjacent and opposite development on the periphery of the

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