



# ROBERT JONES

## REAL ESTATE CONSULTANCY

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30/03/2025

### REPRESENTATIONS UPON EDDC REVISED DRAFT LOCAL PLAN ON BEHALF OF RIVER OTTER FISHERIES ASSOCIATION

Referenced to the published East Devon Emerging Local Plan 2020 – 2042, Regulation 19  
Consultation - March 2025. Comments by paragraph / proposed policy.

The River Otter Fisheries Association represents through our members the interests of riparian landowners, fishery owners, fishermen, and others who care for the river itself. We are long established and effective in protecting the river and the only body that does that for the entire river from source to sea.

#### PRELIMINARY COMMENTS

- The Association fully endorses and supports the representations made by The Otter Valley Association.
- We have noted the considerable loss of detail and policy when comparing the previous adopted Local Plan and the currently proposed revised draft.
- We believe that the very extensive and highly protective policies applied to the Axe Valley catchment as a result of the SAC status of that river should be applied equally to the River Otter catchment which contains the same protected species as the Axe and of course in addition now a population of beavers.
- Nutrient neutrality regulations should be applied to all development in the Otter valley due to the presence at the outlet of the river to sea of the Lower Otter Restoration area which has become part of the SPA declared by Natural England and is now SSSI and part Marine Conservation Zone. It is further expected that during the Plan Period increased protection of this area will result from new European designations which the Plan should allow for. All and any development up the valley may prejudice these areas if not properly planned.
- SWW cannot be considered a reliable consultee and this has been acknowledged now by a number of Councils in the southwest including EDDC. The well publicised and proven shortcomings in the water treatment side of their business demonstrated amply in both Exmouth and Budleigh Salterton serves to give cause for concern as to their ability to identify existing faults in their system let alone the actual capacity of their works or their

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PROPERTY DEVELOPMENT, INVESTMENT AND MANAGEMENT THROUGHOUT THE COUNTRY

ability to plan for the future. This lack is demonstrated in the Council's **Infrastructure Delivery Plan Version 01 published Jan 2024** accompanying the draft Local plan as an ancillary supporting document where there is no provision at all for increases to either water supply or foul water treatment in either Honiton or Ottery St Mary the major centres of future development in the Otter valley.

- The lack of the Water Cycle study report – still awaited -when preparing the draft policies is considered to be a fundamental missing ingredient to policy formulation for the District.
- It is our view that the water supply network for much of Mid and East Devon will reach critical during the plan period and that it should be recognised by EDDC that this network draws significant quantities of groundwater from the aquifers underlying the river Otter. Continuing this abstraction in future during the plan period to service all the development taking place within the network area which includes Exeter, the Exe Valley, Cranbrook and the second new town and the whole of the rest of East Devon without any plan for increasing water supply from other sources is a major deficiency of 'The Plan'.
- The publicly acknowledged prioritisation by the Council of approving 'development' over any other policy considerations in our view represents a lack of statutory duty that fundamentally undermines the validity of 'The Plan'.

## POLICY COMMENTS BY CHAPTER AND POLICY NUMBER

### CHAPTER 3 - HOUSING

**SP01** – We agree with EDDC that central Government housing requirements do not take sufficient account of the substantial part of East Devon that is AONB – EDNL / National Nature Reserve /SAC or other sensitive natural environment including the rivers Axe and Otter and that accordingly further development in East Devon has to be satisfied in a substantially reduced land area. Accordingly central Government calculations should be revised DOWNWARDS to reflect this fact.

**SP02 / SP03** -We note that the plan proposes @1,600 additional houses in the Otter valley added to which during the plan period will be windfall gains from houses built within BUAB's.

**SP07/SP08** – 3.41 states that developers and landowners will need to consult the EDLP – IDP Version 01-Jan 2024 in order to identify and assess Infrastructure requirement associated with their proposals. In our view the IDP is seriously lacking due to the inadequate responses from SWW in particular when consulted by EDDC. <https://eastdevon.gov.uk/media/g54jh2qx/ksd-001-infrastructure-delivery-plan.pdf> There are no infrastructure proposals in relation to improvement and enhancement of clean water supply or more importantly plans to upgrade / improve / replace existing foul water treatment plants in the valley. This has to be reviewed in order to ensure that both landowners and developers fully understand the costs associated with their proposals and accordingly a new response should be required from SWW and the plan should be reviewed in the light of the Water Cycle Study when produced. It is our view that the results of investigations by citizen science groups active in the valley now as to the level of pollution evidenced from treatment plants and water monitor 'spill' EDM records should all be taken into account by EDDC when evaluating the realities of water quality issues in the river rather than relying solely upon SWW whose views and responses are clearly compromised.

-3.39-3.34 Justification for Policy. This makes no mention whatsoever of the natural environment and seems to us to be a fundamental blindspot in the philosophy of this plan. Beautiful East Devon / 'Our outstanding landscape' will not stay beautiful or outstanding if it is not made clear in the plan that all and any development has to above all else improve not damage the natural environment.

## CHAPTER 5 – DEVELOPMENT IN TOWNS AND VILLAGES

Of the @1,600 house proposed in the Otter Valley under the plan 840 of these will be in Honiton plus @ 30 acres of commercial development and @ 480 in Ottery St Mary where there has been no mention made in the plan or in the IDP of any infrastructure improvement to clean water supply or foul water treatment.

## CHAPTER 7 – ADAPTING TO CLIMATE CHANGE

This policy is focused solely on flooding but contains no mention of foul sewer surcharges arguably also exacerbated by climate change producing increased number and severity of rainfall events.

EDDC should amend this policy to recognise this problem and thus adopt policy which requires diversion of roof and rainwater from foul sewer systems. Combined sewers should be identified within areas close to proposed developments to enable the separation of those systems as a pre-requisite and condition of further local development.

## CHAPTER 12 – OUR OUTSTANDING LANDSCAPE

### OL09 – Control of pollution.

It is our view that this policy should be strengthened by making specific reference to rainwater / roof water diversion. Most pollution events are related to this problem and the plan should recognise this in policy to ensure that development diverts this water elsewhere.

## CHAPTER 13 – BIODIVERSITY

There is an outstanding lack of reference in the pre-amble to these policies to any riverine environment or riverine biodiversity.

**13.10** – The riverine environments are equally irreplaceable and arguably more sensitive. This should be specifically recognised in policy justification.

The policy recognises the importance of the River Axe due to it's SAC status, however makes no specific reference to the River Otter which, though lacking SAC status, exhibits the same excess phosphate levels, contains the same species and more than the Axe, and runs out to sea through areas that have equally important status.

**STRATEGIC POLICY PB05** – all developments proposed in the Otter valley should be required to comply with the same rigorous controls as are required for developments in the Axe valley.

**STRATEGIC POLICY PB06 – LOCAL NATURE RECOVERY / NATURE RECOVERY NETWORK** – The River Otter should be identified as a subject of a Nature Recovery Network due to it's currently proven poor health, poor water quality, declining natural habitat and it's generally stressed condition.

**ECOLOGICAL ENHANCEMENT PB07** – features of biodiversity value to the river Otter should be included in policy including:- 13.37

- the removal of migratory fish barriers
- diversion of flood water from foul sewers
- mitigation of siltation of spawning areas by poor agricultural practices
- enhancement of spawning areas by gravel cleaning