APPENDIX C

Emerging East Devon Local Plan
DRAFT WHPC Response for consideration at the 6th December 2022 WHPC Meeting

West Hill Parish Council has held a consultation event for residents, and our comments reflect the feedback from residents.

Spatial Strategy – Strategic Policy 1

West Hill Parish Council (WHPC) supports the principles behind the Spatial Strategy. However there are concerns about the concept of a new town close to Exeter, which would be built entirely on greenfield land in what is currently open agricultural countryside.

The major concern with this policy is that the proposed housing distribution does not tally with the hierarchy of settlements (see further comments on Strategic Policy 2 – Housing Distribution).

The Plan could be found unsound because of this.

Strategic Policy 2 – Housing Distribution

WHPC has concerns about the housing distribution as described in Strategic Policy 2. The principles behind the hierarchy of settlements are not carried through into the numbers of houses to be built in the various tiers.

There is disproportionate growth in some Tier 3 and Tier 4 villages as compared to the major towns in Tier 1 and Tier2. For example, West Hill has nearly 10% proposed growth, while Exmouth, the Tier 1 town as only around 2% growth.

The possible significant developments at Feniton and Whimple would lead to those villages nearly doubling in size, which is totally inappropriate and contrary to the Spatial Strategy. It makes no sense to have major development in a Tier 4 settlement which does not have the infrastructure or facilities to support it.

It is also not right that several Tier 4 villages are not proposed for any development.

Strategic Policy 4 – Employment Provision and Distribution
Strategic Policy 5 – Mixed Use developments incorporating housing, employment and community facilities.

WHPC has concerns about these policies to include employment land in Tier 3 and 4 settlements on mixed use sites. Whilst we recognise the objective of improving settlement self-containment, there are serious concerns about the nature of any employment sites, associated traffic movements, noise and nuisance within a residential area. Feedback from residents showed that these policies were deeply unpopular

Strategic Policy 6 (Development inside Settlement Boundaries) is broadly acceptable but is written in general terms and does not discuss individual settlement boundaries.

The consultation website does not easily allow for proper public consultation (as invited in para 3.77) on the settlement boundaries that have been drawn for all the Tier 1 to 4 settlements. West Hill Parish Council (WHPC) considers that there should be an explicit consultation on the settlement boundaries for the individual settlements.

WHPC objects to the proposed settlement boundary designated for West Hill.

The current Built Up Area Boundary (BUAB) was established in the Villages Plan (2018), for which there was extensive public consultation, and which has gone through an Inspector's Examination in Public. The BUAB was established on robust grounds, according to the principle of sustainable development, and should not be overturned lightly.

The criteria used to define the settlement boundaries in the Local Plan 2020-2040 were agreed in Principle by the EDDC Strategic Planning Committee (SPC) in April 2021. However the application of those criteria has not been brought before members. The first time that the new settlement boundaries were seen was when the Draft Plan was published with the papers for the 1st November SPC meeting.

The criteria used to define settlement boundaries are identical to those used to define BUABs in the Villages Plan, with the addition of criteria B4,5 & 6. These allow for the settlement boundary to include any land between site allocations and the main built-up areas of the settlement, small sites that may be suitable for up to 5 dwellings, which would have been too small to be considered through the HELAA process, and larger sites which may present suitable development opportunities. In principle, this seems reasonable. However it is difficult to see how applying virtually the same criteria has led to a different result for West Hill's settlement boundary.

WHPC consider that the changes to the settlement boundary for West Hill, as compared to the 2018 Villages Plan BUAB, are not acceptable and do not comply with the methodology or criteria. The proposed settlement boundary is significantly outside the 2018 Villages Plan BUAB and there is no rationale for these changes.

The settlement boundary for West Hill should retain the 2018 Villages Plan BUAB, with only the addition of any sites that are allocated in the Local Plan (possibilities being WH04, WH06 and 2nd best WH01). The other new areas that are proposed to be included in the settlement boundary are not acceptable: they include rejected sites and areas in the village which would not support sustainable development.

To look at some of these areas in more detail:

- A large area north of Bendarroch Road and West Hill Road and along Toadpit Lane has been included. The description in the site-by-site assessment for the Villages Plan is "This large

area of land lies on the northern edge of West Hill Village and comprises predominantly of detached dwellings in large gardens many served by private roads. There are also open spaces in the site and overall it has a degree of detachment from' the physical built form of West Hill village." The area was rejected for reasons C1 and C4, which are the same as in the criteria for the new Local Plan. There are no suitable sites for development in this area. The following sites within or just adjacent to this area have been refused for development:

- A planning application for development of 3 houses at Little Portion 13/1756/OUT was refused, and the appeal dismissed (2210478) on the grounds that the site would not be a sustainable location for new dwellings.
- There have been applications for new dwellings just outside the proposed settlement boundary at Beechcroft House (13/0388/FUL – refused. Appeal 2200278 dismissed, 14/2987/FUL refused. Appeal 3035869 dismissed) both times on the grounds of the site being an unsustainable location for development.
- An application for an additional dwelling at Broad Hayes 20/0389/FUL was refused on the grounds that the site was remote from services and facilities in the village and it would constitute unsustainable development
- An application for 3 dwellings at the old WI Hall 18/0308/FUL was refused, and the Appeal 3218802 dismissed, for a variety of reasons include conflict with the Neighbourhood Plan Policy NP6 "Valued Views". This site is the same as West_17 in the new Local Plan, which has been rejected. It should not be included within the settlement boundary.

- Various sites to the east of the 2018 BUAB – part of West_16 which is thickly wooded and not suitable for development, and part of West_09. The 2018 site-by-site assessment said: "This large area of land lies on the eastern edge of West Hill Village and comprises of a mixture of detached dwellings, farm land/buildings and garden associated with an apartment building. The site is rural in character and any development would extend the built form of the village." The areas were excluded on criteria C1,C3 and C4 in 2018 and should not be included in the new settlement boundary

- An area south-east of the 2018 BUAB –Local Plan site West_10 The Pygthle. The 2018 assessment said: "The site comprises of farm buildings surrounded by open agricultural land. The site, overall, does not form part of the built fabric of the village." It was excluded on criteria C1 and C4. This assessment has not changed, and the site should not be included in the settlement boundary. It would not be suitable for development. The site was rejected as unsustainable in the HELAA assessment.

- An area to the south of the 2018 BUAB – along Hawkins Lane. The 2018 Villages Plan assessment concluded that the hilly nature of this area made it unlikely that people would walk or cycle to the village centre and facilities, and it was therefore excluded. This assessment has not changed and this area should not be included within the settlement boundary.

- An area to the west of the 2018 BUAB – the east side of the B3180. The 2018 site-by-site assessment said: This area comprises predominantly of detached dwellings set in large gardens. There are also some green fields and farm buildings in the identified area. The area is physically remote from the core built form of West Hill." It was excluded on criteria C1, C3 and C4. This assessment has not changed. A planning application for a site just adjacent to the proposed settlement boundary at Land adj. Tatry 20/1618/FUL was refused and subsequent appeal3276272 was dismissed because it would be unsustainable and lacked accessibility. These reasons would apply to any other proposed development in this area.

Strategic Policy 8– Development of a second new town east of Exeter

WHPC acknowledges that it would be very difficult to meet the required housing development without the provision of a second new town. However it is deeply regrettable that this will lead to the loss of greenfield land, which is agricultural land in open countryside.

There are also serious concerns about the effects of such large development on infrastructure, which is already under considerable strain. In particular, there are serious concerns about the impact on highways and traffic, particularly at the Clyst St Mary roundabout (A379 with B3052) and Junctions 29 and 30 of the M5. The impact assessment published in the supporting evidence seems to underestimate the effect on traffic which is already causing significant delays around the Clyst St Mary roundabout.

The provision of sewage services is already inadequate, particularly around Clyst St Mary and there must be sufficient upgrading of the system before any further development is contemplated.

There are no clear preferences between the 3 options for the site of the new town. On balance, Option 1 may be preferable as it has slightly less highways impact on Clyst St Mary and Junction 30.

Strategic Policy 22 – Ottery St Mary and its future development

Ottery St Mary has already had significant amounts of growth in recent years, which has already put strain on infrastructure and facilities – notably schools, and GP services. Ottery cannot be expected to absorb significant further development without improvement in infrastructure.

A planning application on the site Otry_09 was refused recently, partly on landscape grounds. It is difficult to see how these could be overcome with the proposed development.
The proposed site Otry_01b encroaches on the Settlement containment area identified in Policy NP4 of the Ottery St Mary & West Hill Neighbourhood Plan. It is unacceptable for this reason.

There should be a Green Wedge over the whole area of the Settlement Containment NP4 Policy, not just the southern section of it. This is crucial in order to protect the separate identities of Ottery St Mary and West Hill and to prevent settlement coalescence. As can be seen from the sites submitted through the HELAA process, there is pressure from landowners/developers to develop sites which would effectively join Ottery St Mary and West Hill. This would be completely unacceptable

Strategic Policy 26 – Development at service villages

WHPC do not support the distribution of proposed development in that several villages do not have any new homes proposed.

West Hill
West Hill has had significant growth of more than 10% since the start of the current Local Plan in 2013. There has been little contribution to infrastructure and there are identified needs for public open space and recreation and sports facilities which have not been met.These deficiencies must be addressed before new development is contemplated.
The low-density development which is typical of West Hill means that the outskirts of the village are a considerable distance from the village centre and facilities. This is exacerbated by the hilly nature of the village lanes, with no footways or street lighting. Further development in these areas would not be sustainable.

Many of the sites put forward through the HELAA are on sites that are in the "Valued Views" identified for protection in the Ottery & West Hill Neighbourhood Plan Policy NP6. They have high landscape sensitivity and are not suitable for development.

The current BUAB was determined in the Villages Plan 2018 after extensive public consultation, and Examination by the Inspector. The revised settlement boundary in this new Local Plan has extended the boundary to include areas which are inaccessible and development would be unsustainable. This is unacceptable. WHPC have made more detailed comments on this subject.

It is very important that there should be a Green Wedge between Ottery St Mary and West Hill, to preserve their separate identities and prevent coalescence. This should cover the entire area of the Ottery St Mary and West Hill Neighbourhood Plan Policy NP4 Settlement Containment.

Comments on proposed allocations for West Hill:

Residents have expressed mixed views on the proposed allocations. Some see potential to improve connectivity by providing pedestrian and cycle pathways between West _04 & West_06, if the two developers could work together. This would provide connectivity between West Hill Road and Bendarroch Road. There were mixed views about the possibility of providing a road linkage between the two sites, with some residents seeing the benefits, but others having concerns about creating a rat-run, or otherwise increasing traffic along narrow unsuitable roads. There could also be the potential to provide some open space and recreation space which is badly needed in the village. The proposed employment land was universally unpopular, with concerns about noise, increased traffic, and nuisance.

West_04 Land adjoining Windmill Lane – around 26 dwellings and 0.1 Ha employment land:

The main concerns around this site centre on the traffic impact. Windmill Lane is narrow and frequently has parked cars on the road. It is not suitable to provide access to this site.

West_06 Land north and east of Eastfield – around 25 dwellings and 0.1 Ha employment land.

The main concerns about this site are regarding traffic impact. The roads on the recent Eastfield developments are narrow and frequently obstructed by parked vehicles. This would be exacerbated by further development and could cause problems for local residents, delivery vehicles and emergency vehicles.

There are also serious concerns about flooding from this site which affects the neighbouring Perrys Gardens. There are many springs and aquifers in this site, and water run-off could be exacerbated by further development.

West_01 Land at Westhayes/Hayes End – around 6 dwellings

There were mixed views on this site, with some residents seeing it appropriate for a sensitive low-density development, so long as the existing trees were protected. Other residents greatly value the wooded land and associated wildlife, and the screening the site protects from the busy B3180.

Comments on the "rejected" sites for West Hill:

None of the "rejected" sites should be allocated as they would constitute unsustainable development for most of the sites.

West_02 Field at junction adjacent to Prickly Pear House (at junction of B3180 Exmouth Road and Bendarroch Road.
This site is sensitive with high landscape impact. It forms one of the "Valued Views" identified in Neighbourhood Plan Policy NP6

West_03 Rear of Hasta La Vista, Windmill Lane.
This site is adjacent to West_02. It has high landscape sensitivity. Previous planning applications on this land have been refused, and appeals dismissed largely on landscape grounds.

West_05 Land off Oak Road
There has been significant developer interest in this site over the past 10 years, with very significant opposition from local residents. There is a restrictive covenant on the land limiting any development to 2 dwellings. A TPO covers the site boundary and a mature oak tree on the site. The site is a significant distance outside the current BUAB or the proposed settlement boundary, and is an unsustainable location. The route to the village centre is hilly, along lanes with no footways or street lighting.
The access to the site would be onto Oak Road, which is one of the "Valued Views" identified in the Neighbourhood Plan.
Additionally the site is within the high pressure gas pipeline middle/outer zones
West_07 Land at Lower Broad Oak Road
There is a covenant on this land preventing housing development. It is also one of the "Valued Views" in the Neighbourhood Plan. The route to the village centre is hilly, along lanes with no footways or street lighting. The site is an unsustainable location.

West_08 Land adjacent to Badgers Bend, Lower Broad Oak Road

This site is one of the “Valued Views” in the Neighbourhood Plan. It has high landscape sensitivity and the site is covered by a TPO. The site is boggy with surface water flood risk. It is unsuitable for development.

West_09 Land adjoining the Gap, Lower Broad Oak Road

There is surface water flood risk on part of the site, and the site has high landscape sensitivity.

West _10 Land east of The Pygthle, Lower Broad Oak Road

This site contains redundant agricultural buildings. The access onto Lower Broad Oak Road is unsuitable for further dwellings. The site is prominent with high landscape sensitivity.
The route to the village centre is hilly, along lanes with no footways or street lighting. The site is an unsustainable location.
This site is included in the proposed settlement boundary, which is unacceptable. It should be excluded.

West_11 Land adjacent to Hilden, Lower Broad Oak Road

This site is inaccessible, along an unmade track. It is remote from the settlement area of West Hill, and it is not appropriate for development

West_12 Hollybrook Nursery, Exmouth Road

This is submitted for employment use. It is remote from the village, and access is dangerous onto the B3180 and with traffic going to and from the Rockbeare Quarry businesses.

West_13 Weggis Farm, Higher Metcombe

This site is remote from the settlement. The route to the village centre is hilly, along lanes with no footways or street lighting. The site is an unsustainable location.
Access to the site would be onto Oak Road, which is a “Valued View” identified in the Neighbourhood Plan.
Additionally the site is within the high pressure gas pipeline middle/outer zones, and in the Mineral Safeguarding Area

West_14 Pikes Farm

This site is remote from the settlement. The route to the village centre is hilly, along lanes with no footways or street lighting. The site is an unsustainable location.
Additionally the site is within the high pressure gas pipeline middle/outer zones, and in the Mineral Safeguarding Area

West_15 Flower Cottage, Elsdon Lane

This site has a restrictive covenant preventing housing development. Also the access is over land owned by another individual.
The site has landscape sensitivity and it provides an area of woodland and open land in the central part of the village, which contributes to the character of the village.
It is not suitable for development

West_16 Elsdon House, Elsdon Lane

This site comprises gardens and woodland, with a public right of way running through it. The woodland (Elsdon Wood) is identified as a Local Green Space in the Neighbourhood Plan Policy NP5, and also is covered by a TPO.
The site is not suitable for allocation, and should not be included within the settlement boundary.
West_17 WI Building and adjoining land
This is the site of an unsuccessful planning application for 3 houses, and the appeal was dismissed.
The site is one of the Valued Views identified in the Neighbourhood Plan, and is sensitive as it forms the gateway to West Hill.
There is a surface flood water risk.
The site should not be allocated, and also should not be included within the settlement boundary

Draft policy 78 – Green wedges

West Hill Parish Council (WHPC) supports the principles enunciated in Policy 78. Work on the locations and boundaries of Green Wedges have not yet been completed. It is essential that there is the opportunity for proper full consultation when this assessment work is completed.

In particular, WHPC strongly supports the inclusion of a Green Wedge between Ottery St Mary and West Hill, to cover the same as area as the “Settlement Containment” Policy NP4 of the Ottery St Mary and West Hill Neighbourhood Plan.

The Draft Plan Chapter on Ottery St Mary states that it is proposed to designate the southern section of the settlement containment area as a Green Wedge. This proposal is not re-stated in the chapter on West Hill, which it should be.

WHPC consider that the whole of the NP4 Settlement Containment Area should be included in the Green Wedge. The map of HELAA assessments shows that there are multiple sites in this area submitted for development – GH/ED/23, Otry_01a, Otry_01b and GH/ED/26. Development at any of these sites would lead to settlement coalescence and would be unacceptable