

WEST MANLEY LANE CONSERVATION GROUP (WMLCG)

Tiverton Eastern Urban Extension (TEUE)-Second Consultation

Response: January 2014



“DEVELOPMENT SHOULD NOT IMPACT UPON THE TIDCOMBE FEN, BROOK OR SURFACE WATER FLOODING AREAS.” Draft Masterplan (DMP) p 135

In submitting its response, the **WMLCG**, is aware that, from the evidence presented at the various exhibitions and published in the **DMP**, a number of plans proposed still lack clarity and timing, contain errors and omissions or are currently deficient in data. So, as before, our presentation can only be on the basis of the limited detail, a state of affairs that was extant on the last occasion. Further, we note that some responses to our earlier representations are lacking, in spite of the comments made at the October 2013 **MDDC** Cabinet meeting. (**TEUE Masterplan SPD Appendix 2**) (**SPD A2**)

Whilst **MDDC** officers at the exhibitions have stated that inconsistencies and errors on maps will be corrected in the ‘final version’, nonetheless this lack of clarity opens up variations in individual or corporate interpretation. We can but point out the faults and hope that, when this final version is approved, it will have been corrected; it must be accepted that “the Masterplan is not prescriptive”, “planning applications will add detail” (**SPD A2 p 10**).

That said **WMLCG** is pleased to respond by specific argument with regard to our stated aims to protect and enhance the unique environment surrounding **West Manley Lane (WML)**.

Whilst we would not expect individual answers to the questions posed below, we trust that they can be identified within and covered by the subsequent **MDDC** response.

HOUSING

MDDC’s target figures to 2026 for new housing development remain confusing. Starting with **Regional Spatial Strategy** in 2006 with an estimate of 3200, the **AIDPD** suggested 3540; next came the **AL/TIV/1** with 1500-2000. Currently the **DMP** (p66) calculates 34dph over 153 hectares as 1520 and identifies 1500 dwellings “subject to design development and analysis”, whilst the **Local Plan (LP3)** offers 1000-1500 but settles for 1250 (**LP3 p54**) stating that “*the basis for the housing figures in Core Strategy is now over six years old*”. Finally we are promised a new **Strategic Housing Market Assessment** with, presumably, a further set of housing requirements.

However, this is not just an amusing mathematical conundrum; the accuracy of these figures dictates the volume and positioning of house building within the **TEUE** and the resulting impact. Already, previously designated **Green Infrastructure (GI)** land has been sacrificed to accommodate further residential development south of **WML** because of apparent constraints in Area Two and “*earlier representation*”:

WEST MANLEY LANE CONSERVATION GROUP (WMLCG)

www.westmanleylanecg.org

How robust is the Green Infrastructure concept, if it can be used to mop up the shortfall in building land?

Will the impact of such additional development on Ailsa Brook catchment area and the SSSI (DMP p134), the much vaunted 'historically important hedgerows' (DMP p132) and proposed "changes to West Manley Lane to restrict access" (DMP p 62) compromise the veracity of these benevolent assurances?

Once again, we would ask how housing figures for Area Two can be accurately predicted in the absence both of a separate Masterplan and the co-operation of its disparate ownership? (DMP pp29, 63)

The number of housing needs on Devon's register has fallen steadily since 2011, in Mid Devon, from 1030-780 (Devon Home Choice Jan. 2014) although the greatest need is for one bedroom properties. Coupled with this, recent demographics show the biggest increase in the local population is amongst the elderly, favouring suitable bungalow- style design; the type, number and position of new housing should be reviewed to take these factors in to consideration.

The question remains as to why all these houses are needed and for whom? If there is no accompanying expectation of significant local employment, it simply adds to Tiverton's current role as a dormitory town for Exeter and Taunton; in which case development at Junction 27 would be more appropriate and sustainable with its rail and motorway access?

FINANCE and ACCOUNTABILITY

The DMP is very quiet in relation to the funding of the TEUE. There is no cost benefit analysis and no breakdown of any of the costs associated with the infrastructure required. Simply to say that a bid has been made by Devon County Council (DCC) of £5.1 million towards the costs of the new A361 junction and at Junction 27 is not informative. The public is entitled to know how much the TEUE project will cost and how much is being publicly funded.

The financing and viability of the TEUE is not clear: "plans should be deliverable", "as far as possible" and "the success of the development will depend to a large extent on the continued partnership" (DMP p105) are phrases that do not conjure up certainty.

What other sources of external funding have been identified?

Is there a contingency plan in the event of the building development programme being commenced but not completed stage upon stage?

Is the matter of the Community Infrastructure Levy contribution settled and what happens if the proposed Affordable Homes (AH) provision is not met?

WEST MANLEY LANE CONSERVATION GROUP (WMLCG)

www.westmanleylanecg.org

Developers are already making successful appeals against AH requirements if it is felt that the requirement renders the scheme nonviable. Nearby Torridge District Council have already had to reduce the AH content by some 50% and make S106 changes to satisfy the builders' profit margin.

Who contributes to the Neighbourhood Trust?

Does the annual service charge fall on the future residents and business occupiers or the town as a whole and who benefits from the resulting revenue?

What happens to the TEUE if sufficient revenue is not forthcoming from "grant funding sponsorship and commercial opportunities"?

What are implications to both Tiverton Town and Mid Devon councils' exchequers by the setting up of a "management trust/company"?

There is little mention of the review process as the plan progresses (DMP pp104/5). A project of this scale needs accountability and continuous reference to both its Masterplan and guiding principles. There needs to be evidence of the viability testing of the current plans as described in DMP 6.6.

Who will manage the process and will it be independent?

What process has MDDC instigated to monitor implementation of the plan?

How will MDDC ensure that we do not finish up with another eyesore like the Moorhayes estate, with its inherent design, traffic, parking and social problems?

WEST MANLEY LANE (WML)

Since its inception, WMLCG has consistently argued to protect and enhance the surrounding unique environment from the potential loss of its amenity to both people and wildlife in the event of unsuitable development plans. Indeed, commenting on the AIDPD (Jan 2011), the Inspector cautioned against the "adverse impact on...wildlife and ancient hedgerows in WML".

Further, MDDC in its DMP frequently acknowledges the importance of WML's environment: "...a diverse network of native hedgerows...associated with characteristic hedge banks (particularly valuable examples lie along WML and the sunken farm track)" (p131) "historically important hedgerows" (p132), its contribution to "existing network of hedgerows and veteran trees, local historic and archaeological features" (p61). It documents within WML's Heritage Assets the listed farms at Pool Anthony, Prowses and Coppelstone, the putative site of the pre-reformation chapel and medieval settlement, drovers track and significant source of Palaeolithic flint finds. It accepts that "the proposal will need to respect existing dwellings on WML" and "existing lane including WML" (pp59, 61) and realises that "it will impact upon local residents" and suggests that changes to Manley Lane and WML to restrict access will be needed to reduce the impact. (DMP p 65)

BUT in spite of all that, MDDC plans to build on its own designated green Infrastructure land, adding to the already increased residential development and traffic pushed on to WML, thus condemning these same hedgerows, banks and trees and lane of which it purports to exemplify.

WEST MANLEY LANE CONSERVATION GROUP (WMLCG)

www.westmanleylanecg.org

The DMP map on page 59 joins a secondary road entering WML from the north to what it refers to as a "possible link" to and beyond the Railway Walk (RW)/cycle track to the Glebelands sports field. The larger scale map upgrades that to a "possible *vehicle* link", presumably vehicles using WML who's "access has been restricted"? (DMP p65)

Exactly what traffic arrangements are envisaged for WML: restricted access, two way flows with or without passing places, one way system, shared lane concept, cul-de-sacs within the estates?

The various pronouncements within the DMP are confusing and contradictory. Reducing the residential requirements would relieve the pressure on land at the periphery of the plan whose environmental role is important to the health and wellbeing of both people and wildlife.

Although various ecological studies have now been conducted south of Blundells Road, the data has yet to be released and verified. However, our own records and independently commissioned hedgerow research (available on www.westmanleylanecg.org and logged with Devon Biodiversity Records Centre) identifies a wide range of fauna and flora, some of which have significant conservation status (such as UK Birds of Conservation Concern (BoCC) Red and Amber listed birds, UK Biodiversity Action Plan (BAP) Priority Species birds and mammals) which are there because of the range of habitats, unspoilt network of green corridors and connectivity of fields waterways and hedges within WML and its surrounds; these will be put at risk with the inevitable changes consequent on development in this area. It must be noted that GI proposals for the area can only come into being *after* the development of 1000 houses (DMP), putting the present environment at risk.

TIDCOMBE FEN SITE of SPECIAL SCIENTIFIC INTEREST (TFSSSI) and HYDROLOGICAL ISSUES

Rightly, MDDC makes much of the National importance of TFSSSI:

- *"Measures to protect and enhance its biodiversity, including management of the Fen and its catchment and designation as a Local Nature Reserve". (AIDPD AL/YIV/3 h)*
- *"TFSSSI contains wetland habitats and its hydrological catchment area is sensitive to change. This adjoins the site on its western boundary. Any development would need to take account of the unique ecological and hydrological characteristics of the Fen. It is a rare type of wetland habitat comprising a variety of plant species and fauna including rare snail species". (DMP p33)*
- *"The area around the TFSSSI is also recognised for its importance as land which drains into the SSSI". (GIA 5.144)*
- *"The contents of the master plan make it clear that TFSSSI is sensitive to changes to its hydrology. A hydrological catchment area has been identified within existing planning policies and includes part of the area to be part of the green infrastructure...the Masterplan*

WEST MANLEY LANE CONSERVATION GROUP (WMLCG)

www.westmanleylanecg.org

advises that detailed proposals must have regard to TFSSSI and not detrimentally affect it". (SPD p5)

- *"Surface water run-off results in part of WML also being susceptible to surface water flooding". (DMP p33) (See photos on www.westmanleylanecg.org).*
- *"Proposals should exclude flood risk zones (including surface water) from any developable area. The potential to incorporate these zones into contiguous areas of open space should be explored. Development should not impact upon the Tidcombe Fen or its catchment". (DPM p 135)*

From this it is clear that MDDC are aware of the need to protect the TFSSSI from any further adverse hydrological changes and provides in part a protection zone to its north and east; to extend that zone further south and west, upstream, would be of greater value. Recent hydrological mapping has outlined the catchment for the **Ailsa Brook (AB)** and its previously unmapped flood plan.

Further housing development south of WML will add to the risk of both surface water flooding (*note the current effect of soil elevation and compaction in Blundells playing fields on flooding in WML DMP p33*) and drainage of foul water into the AB/TFSSSI, there being little suitable land available for the construction of SUDS and attenuation ponds below the proposed building site in Orchard Close and Underway fields. Thus any such construction can only be undertaken in AB's flood plain, wetland and marshland elsewhere nominated for enhancement (DMP p 68)

AIDPD (5.24) previously addressed the matter of SUDS, in particular in relation to runoff into TFSSSI, although at that point, development was envisaged for only part of *one* field south of WML.

It is assumed that the construction of any necessary SUDS/attenuation ponds and associated pumping stations and sewage pipes must be underway before the commencement of development higher up the site, to guard against infiltration into the catchment area draining south

Fluvial flood risk assessment and soak away testing has been carried out *only* in the northern section of the EUE site (DMP p135), so statistics for the southern section is not available for comment.

Given that "the Masterplan is not prescriptive" and the "planning applications will add detail" (SPD A2 p10), there is little outline documented evidence to support just how the TFSSSI and AB is to be adequately protected?

When will outline plans regarding SUDS pumping stations and the like be available?

PHASING and TRIGGERS

AIDPD, p 83 AL/TIV/6 b and DPM Appendix 1.6 state *"The occupation of no more than 100 dwellings before the transfer of the GI west of Pool Anthony Bridge (PAB) to the local authority"; in DPM p97 this changes to read "provision of green infrastructure to the west of PAB... prior to the occupation of 600 dwellings".*

WEST MANLEY LANE CONSERVATION GROUP (WMLCG)

www.westmanleylanecg.org

(Note: there is *no* designated Green Infrastructure *within* TEUE *west* of Pool Anthony Bridge).

That aside,

Why is there a significant difference in housing trigger within the two documents: which one is being taken forward as correct?

Similarly in AIDPD p 83 AL/TIV/6 e and DPM Appendix 1 .6 *"The occupation of no more than 400 dwellings before the transfer of the GI between PAB and Manley Railway Bridge (MRB) with necessary funding"* becomes *"provision of green infrastructure between PAB and MRB with necessary management /funding arrangements...prior to the occupation of 1000 dwellings"*.

Is it to be assumed therefore that 1000 houses (somewhere near the total target) have to be built before the plans of Green Infrastructure are put in place?

According to MDDC's own figures it will take until year 2020 to build 400 houses, 2021 to approach 600 houses and 2024 to build 1000 houses; therefore, there will be a significant delay in providing green infrastructure outlined in the DMP (Pp 93-97). Having waited a long time for GIA to reach publication, it now seems that, where its policies get in the way, they can be circumvented

SPORTS FIELDS and RECREATION AREAS WITHIN THE GREEN INFRASTRUCTURE ALLOCATION

With regard to land south of WML designated for green infrastructure, there is considerable difference between the detail shown on DPM's enlarged map and that on pages 68 and 69, e.g. in allocations for "play areas" and "sports pitches".

The development of such areas will demand adequate parking facilities and vehicular access requiring efficient drainage to mitigate flooding consequent on land compaction, seen frequently in other sections of WML. The suggested *"possible vehicular link"* from WML to the Glebelands sports field will entail a crossing of the wetland and marsh area (to be *"retained and enhanced"* DMP p68) and engineering to strengthen Pool Anthony Bridge over the Railway Walk heritage asset.

Further, no mention is made of whether lighting is proposed for these pitches and the attendant matter of light pollution.

Alternatively, the planned Glebelands sports field could be moved to appropriate fields off Blundells Road/WML, allowing direct road access and minimising the threat to the marshland next to TFSSSI; the proposed housing plot so displaced could be transferred to the Glebelands site, where it was projected some years ago.

The substitution of the phrase *"Public open space/Multifunctional Strategic Parkland"* in the Options Report May 2013 by *"areas of informal recreation"* in the DMP still suggests all manner of imposed activity detrimental to the existing landscape, flora and fauna; again we ask that sympathetic consideration be given to land set aside for managed wildlife habitat; better to conserve an existing area than to construct a new one.

WEST MANLEY LANE CONSERVATION GROUP (WMLCG)

www.westmanleylanecg.org

How and by whom are the various green corridors, networks and connections to be outlined, constructed, developed and managed?

When will the outstanding ecological data relevant to WML finally be published?

INCORRECT or INCONSISTENT MAPPING

In our opinion, information contained on the following maps is in need of correction and/or interpretation or further explanation.

- Maps pp 8 & 25: the GI shown has now been breached by housing development.
- Map p13: the GI is delineated outside the boundary of the TEUE.
- Map p 33: Incomplete labelling of Heritage and Archaeology map
- Map p 68: Inconsistent placing of 'play areas'.
- Map p 103: Incorrect outline of ownership of southern boundary of AB.
- Map p 130: Incorrect outline of TFSSSI.
- Map p 132: Incomplete labelling of Heritage and Architecture assets along WML.

The initial **TEUE Options Report (May 2013)** showed the beginnings of a workable development based on Option Two; much has been lost in the intervening period

In submitting its response, **WMLCG** is a "special interest group"; its members live within the boundary of the allocated site at Post Hill.

29 January 2014.

DR R W Whittlesey for and on behalf of **WMLCG**

Chapel Anthony Lodge,

West Manley Lane,

Tiverton,

EX164NH

WEST MANLEY LANE CONSERVATION GROUP (WMLCG)

www.westmanleylanecg.org