

Forsythia Cottage  
Leonard Moor Cross  
Uffculme  
Devon  
EX15 3EX  
14-8-17

Mr Robert Young  
Programme Officer  
Mid Devon Local Plan Review Examination.  
Inspector Mr Paul Griffiths BSc ( Hons ) BArch IHBC

Dear Mr Griffiths,

I have serious concerns regarding questions 4 and 11, I would like to make comments on the remaining questions about Policy J27.

4. Has the analysis of the potential impacts of the retail element (2 and 3 above) of the proposal properly fulfilled the duty to co-operate?

MDDC have not shown due diligence in regard to obtaining the views of all the residents on and adjoining the proposed site at J27. They wrote to landowners on the site to ask if they would sell their land, then ignored the landowners who refused to sell. Residents were not contacted at all about their concerns and views on the specific site. MDDC then proclaimed at all the meetings that the land was viable and could be delivered for development. All the views for and against were known before a decision was taken. I know this was not a planning application, although all the information provided was straight out of the Eden Westwood publicity manual.

The council were advised by G.L. Hearn Ltd., who were authors of the MDDC Tourism Study and it's recommendations (which was looked at and discounted in 2014). The same study was then supplied by Eden Westwood, as evidence to support their tourism and leisure elements. This would seem to be a conflict of interest. How could they make an impartial and objective recommendations on a tourist strategy, when the same study is used by both sides? The land at this greenfield site is very controversial and has been changed to fit exactly what Eden Westwood require.

MDDC stated at all the meetings this was only for land allocation at J27, but every aspect of the allocation mirrors Eden Westwood's requirements for it's development.

MDDC have ignored all comments and objections from two nearby cities i.e. Exeter and Taunton. They have also ignored responses from landowners who will not sell. I was informed by a former MDDC forward planning officer that the site would not be deliverable if certain criteria were not met i.e. if Exeter and Taunton object and a

landowner, who's land bisects the site, will not sell. Then it would not be viable and it will fail. This is now the case, but MDDC did not divulge this at any open meetings of the council and public. All this was known before the plan was submitted. This is why the area of land has now been enlarged. I believe MDDC have been very economical with the facts, have been led and are too close to the developer.

MDDC stated the land allocation at J27 is open to any developer and by no stretch of the imagination is this possible. They have given planning permission for a motorway services at J27 which will stop any other developer gaining access directly from the M5 and A38. The only other access is from the B3181. They have also put restrictions on the site by stating it has to be tourism and leisure, which again mirrors the Eden Westwood plan for the area.

Enclosed is a map showing the original area of land required by the developers and land not for sale to show comparison marked ////.

11. Does provision need to be made for compensatory flood plain?

WSP/Parsons Brinckerhoff's assessment and overview of flooding dismisses surface water from external sources off the site as minimal. To the east of the B3181 is Broadpath landfill which closes in two years time. At the moment, leachate is controlled by Virador. If this is not controlled when they leave; because the landfill is on higher ground than the application site, surface water will combine with the field run off and enter field drains, which discharge into road drains, then discharge on to the site. There are five discharge points from road drains off the B3181 and two off the A38. This would mean more surface water entering the site. On their report they have missed numerous water courses and ditches. On their assessment the soil on the site is Wigton Moor, comprising of sandy clay loam, some with clay loam topsoil, are dark and often stoney containing chert or quartzite fragments. Wigton Moor soils are affected by fluctuating ground water and are seasonally waterlogged, typically of wetness class (WC)IV5. All the soils on the site have naturally high groundwater, after rain it is very wet with water ponding in many locations.

I disagree with this statement which uses Mid Devon's Strategic Flood Risk Assessment Groundwater Emergence and Source. Protection zones indicate that the proposed development site does not sit within a groundwater emergence zone. This zone is where groundwater levels could be expected to be at or close to the ground surface in exceptionally wet winters. Having walked the site myself on many occasions, all the fields in winter, or when we have heavy rainfall, are soaking with water, lasting for days. Some of the fields where it is low lying stay saturated for weeks. Devon County Council PFRA provides ASICWF information. The map indicates that the site is an area where 75% of the grid square is considered susceptible to groundwater flooding.

I must also highlight the Splatford stream may be called the River Lyner, but this is still one stream and not two, as implied in the flooding report. I will also bring to your attention the surfing lagoon is a vast area of water. As an estimate, some 25,000 m<sup>3</sup> to 30,000m<sup>3</sup> of water. This will probably make it into a small reservoir (in accordance with the Reservoirs Act 1975). If this is so, this will need a different water strategy from the ordinary suds systems. Map shows all of the field drains and ditches, discharge points ABCDE on to the site. Ponds, ditches and drains are shown as dotted lines.

#### DRAINAGE.

South West Water have highlighted that there is no immediate access to public foul drainage and those that are in the area would currently be inadequate to serve this level of development. South West Water also note that the current public water supply network in the immediate area would be unable to serve this level of development.

My house insurance is with AXA and they state I am in a flood zone, so my premium is higher. MDDC is trying to say there is no flooding problem here.

These are my comments on the remaining questions.

1. Is the evidence base sufficiently robust to demonstrate a need for the scale of the tourist attraction proposed?

If there was sufficient evidence for the need of this massive scale tourist attraction, then people near and far would not be robustly objecting. I would again highlight the report on tourism and leisure by G.L. Hearn which is flawed in every aspect. Hence it was dismissed in 2014 and the land at J27 not included in the Mid Devon Local Plan. Tourists come to Devon to enjoy the clean air, green fields, rolling hills, wildlife, peace and tranquillity. J27 is known as the Gateway to Devon, so tourists would not expect their first sight of Devon to be a mass of concrete shops and a theme park, which would be detrimental to the landscape. If people are wanting to go to vast shopping centres they can go to Bristol, Manchester or Chester. If they choose a theme park they already go to Alton Towers or Thorpe Park.

2. Has a regional need for the retail element and the comparison goods floor-space in particular, been demonstrated?

There is no regional need for size of the retail element at J27. The regional need is adequately served in Tiverton, Wellington, Honiton, Exeter and Taunton. There has also been a vast increase in online shopping and goods can be delivered straight to your door. Click and collect is very popular with the large stores. These out of town shopping centres have been feeling the pinch financially.

3. Has the 'sequential test' been approached with sufficient rigour?

I do not believe this has been approached with sufficient rigour, as they are still relying on the report by G.L. Hearn. The other reports still do not justify development.

5. Is there a clear synergy between the Outlet Shopping Village (OSV) proposal and the tourism and leisure elements of the proposed allocation?

The latest proposals for the site show that there is not a clear synergy. At first everything was going to be built together, now they are looking at phasing things in – building the OSV first to see if it pays, before starting on the rest of the site. They now do not want to construct the foot and cycle path over the M5 to the railway station. It appears they now want to downgrade the agronomy regional visitor centre to the regional visitor centre. There is now only space for exhibition gallery and research. The retail food and drink uses area is reduced by 1,000 sq. mts. This is a clear indication that finances are a big issue. As part of the new document supplied by Eden Westwood, one questions why they want to remove the following:-

1. (IDENTIFIED IN THE 2014 TOURISM STUDY)
2. It does not matter the site lies adjacent to the main road, and rail tourist routes to the West Country.
3. Of controls using planning conditions.
4. Tightly controlled measures in regard to retailing.
5. Section 106 planning obligations.

It should also be noted that recent changes to the permitted development regulations now allow change of use from Use Class A3 (restaurant/cafe) to Use Class A1 (general retail) without the requirement of planning permission. Without some form of close monitoring and close regulation, this could result in a further 2,000 square metres of floor space becoming available for further comparison goods retail outlets.

This tells me there must be serious financial problems.

6. Is there a need for the scale of tourist and leisure elements proposed, why is the OSV necessary?

We are told the OSV is necessary to entice people to the tourist and leisure elements, yet there is no OSV at the Eden Project.

There is not a need for this massive scale of tourist and leisure elements, as it would be inappropriate for the rural area and detrimental to the landscape. There already exists Bear Trail, Diggerland and the Devon Railway Centre Model World, without the need for designer shops. Heritage is also top of the attractions for tourists making

Knighthayes, Killerton, Tiverton Castle, Coldharbour Mill and Cothay Manor close places to visit. An artificial surf lake is unnecessary, the real thing, with surf schools is only less than an hour away up the Devon link road. The sea and beach of Exmouth are half an hour from J27 and it is here they are building the Exmouth Water Leisure Centre on Queens Drive.

7. If the OSV is necessary to enable or make viable the tourist and leisure elements of the proposal, where is the evidence that an OSV (or retail allocation) of the scale proposed, with its attendant effects, is necessary?

I think that with the developers attempting to change all the planning conditions, it appears they are trying to force through additional floor space for retail, to get the investment required to build the development.

8. Can existing town centre uses be properly protected through planning controls?

I do not believe that planning controls can protect existing town centres, because it is limited to design, position, conforming to planning legislation and environment. Saying that it is going to be a high quality development does not control who or the type of business coming in to the OSV now or later. It is purely a commercial decision.

Town centres are threatened by any OSV, that is why conscientious councils protect them and encourage their growth. Market towns like Cullompton, Tiverton and Wellington are more at risk having empty shops, some temporarily being filled by charities. If tourists call at J27 they want then to get to their holiday destination or home as soon as possible. They are unlikely to visit market towns after calling at an out of town OSV. One or more hotels are often built at an OSV, enticing people to stay on site, rather than seek accommodation in market towns and bring financial benefits to the community. Planning controls seem more generous and amicable to the developers, rather than to small businesses in towns.

9. Is the approach to the SAC sufficient and linked to that, what account is taken of the Priority Habitats that form part of the proposed allocation?

A lot is made of the Culm grasslands, which is quite right, but they do not seem to be concerned about the habitats on the proposed allocation. Snipe, curlew and crested newts are to be found, while red campion, ragged robin, rosebay and T flowers grow on them. If the original submission by the developers is not accepted, they will bring into play the extra acreage shown on the site map. This will mean that approximately five acres of mature trees and hedgerows will be felled to accommodate the new design. This includes an avenue of oak trees, some up to 250 years old. This is

proven habitat for doormice, deer, badgers, bats, red kite and buzzards. In the woods I have seen English bluebells, wood anemones and wild garlic. There would be no continuous protection for the priority habitats.

Neil Parish, the Tiverton and Honiton M.P. chairman of the Environment and Rural Affairs Committee, reported that flood management must include wider use of natural measures such as leaky dams, tree planting and improved soil management. He went on to say some areas of farmland should be used to store floodwater. The committee are keen for farmers to be offered incentives to store floodwater on their land. They note that the damage cost of flooding fields is far lower than flooding towns. Artificial land drainage, deforestation and urban development have increased the amount of water that runs off the land into rivers. The likelihood of flooding is now at an all time high and will continue to increase. BBC Science and Environment, 2<sup>nd</sup> November, 2016.

The Government policy is to plant 12 – 15% more woodlands by 2060.  
The CPRE are against any development at J27.

10. Does the evidence base lead to the conclusion that the impact on M5 J27 can be properly managed?

Eden Westwood have removed the proposed bridge to the railway station and now want to bring tourists over the M5. This means they are going to have to make serious alterations to J27 involving vast expense, that should not be passed on to councils or any authority.

The M5 is already a very busy motorway. Previously, accidents occurred mostly at weekends bringing the motorway to a standstill, but now they can be any day of the week. As it happened, I was driving to Tiverton last Saturday, 12<sup>th</sup> August, between 12.45 and 1300 hours. The traffic was backed up from Waterloo Cross along the A38 to J27. Vehicles had driven on to the roundabout to take the northbound slip road, but had become stranded. When I eventually left the roundabout to travel up the A361 Devon link road, traffic on the other side was backed up from the roundabout for about three miles towards Tiverton. When the M5 is closed north or south, traffic is diverted on to the A38 and the B3181.

In February I attended a presentation by the new promoter of Eden Westwood at Uffculme School. When questioned about the effect on local traffic, he replied that he hadn't given it a lot of thought.

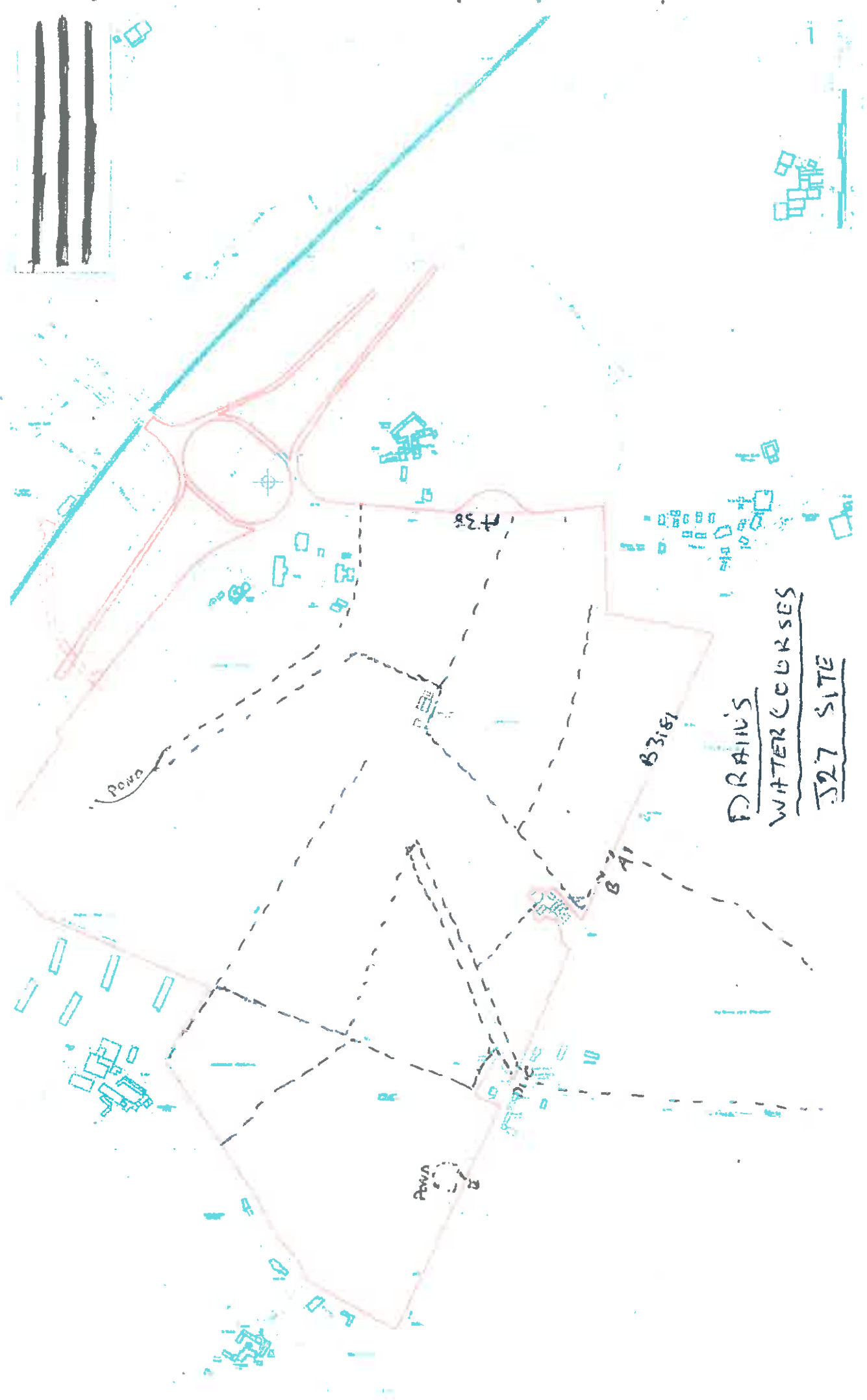
Yours faithfully,

Cllr. Keith Grantham



ORIGINAL  
BOUNDARY'S  
327 SITE





DRAIN'S  
WATER COURSES  
327 SITE

POND

327

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