

Ian Perry
Teignbridge District Council
Forde House
Brunel Road
Newton Abbot
Devon
TQ12 4XX

12th April 2019

Dear Mr Perry,

Application 19/00238/MAJ - Hybrid planning application seeking full planning permission for part link road and vehicular access point to the site from Kingskerswell Road and Priory Road, outline planning permission for residential led mixed use development comprising up to 450 dwellings within Use Class C3, a local centre of up to 279 sq. metres (GIA) with in Use Classes A1, A2, A3, D1 and D2, up to 22,000 sq meters of employment uses including all B class uses, infrastructure and associated development including demolition or conversion of existing farm buildings. Points of access and part link road submitted in full detail for approval with all other matters reserved

Having worked collaboratively against this development for the past seven years, Abbotskerswell Parish Council (APC) and Wolborough Residents' Association (WRA), together representing over 1800 residents, continue to strongly object to the proposal 19/00238/MAJ for the reasons set out in this document. We cover the background to our objection followed by detailed concerns.

CONTEXTUAL FRAMEWORK

Before proceeding to the detail of APC/WRA's arguments for refusing this application, it must be stressed that the contextual framework of this application has significant importance and must be fully understood and acknowledged by the Planning Committee before a reasoned decision can be made.

This application covers approximately 20% of the allocation in the Local Plan known as "NA3 Wolborough".

A. HISTORICAL CONTEXT

It is fact that APC/WRA has consistently opposed the inclusion of NA3 in Teignbridge District Council's (TDC) Local Plan as far back as the preferred options consultation stage. At that stage, dated 18th December 2012, APC/WRA raised grounds for concern against NA3 stating the major issues:

To categorise the grounds for concern presented herein, they are:

- *Viability, including deliverability doubts, time frame, cost of infrastructure (road construction and increased urban services), vehicular congestion;*
- *Environmental challenges, including retaining the integrity of the existing built environment, air quality impact, noise pollution issues, artificial light pollution issues, ground water pollution and diversion issues;*

- *Ecological/biodiversity threats, including threats to SSSI, Cirl Buntings, Bats, Newts, Rare plant/insect species;*
- *Community and amenity damage, including a threat to the setting of St Mary's Church (Grade 1 listed) and an increased footfall will destroy the amenity value of Decoy Country Park;*
- *Overprovisioning of dwellings through using out of date population projections, unknown modelling algorithms and lack of diligence in reflecting recent demographic and economic changes.*

A.1 We are 7 years on, so what has been resolved: nothing. The 19/00238/MAJ applicant has not satisfactorily addressed the NA3 issues outlined above, first raised in 2012 (7 years ago) and held on record in TDC. These are significant issues and must not be dealt with as reserved matters or by conditions. Until such time as the applicant can demonstrate meaningful collaboration between all the designated landowners across NA3, this application, 19/00238/MAJ, must be refused.

B. MASTERPLAN CONTEXT

There has been a disjointed and dysfunctional approach to masterplanning across the NA3 allocation by the two major landowners, each presenting their own disparate approach to their masterplans. This is not acceptable without an overarching masterplan for the whole of NA3. On 12th February 2019, TDC held a meeting between strategic planners, District Councillors, including members of TDC Executive, Town and Parish Councillors and other stakeholders, including Wolborough Residents' Association.

As a consequence, TDC Full Council agreed, approved and funded the production of a masterplan for the whole of NA3, in the form of a Development Plan Document (DPD). As recently as 2nd April 2019, the newly appointed DPD lead manager, Rachel Tuckett, announced a significant programme with a timetable:

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| • | Spring/Summer '19 | Evidence Gathering |
| • | July/Aug '19 | Reg 18 Consultation (Draft Plan) |
| • | Jan/Feb '20 | Reg 19 Consultation (Proposed Submission Version) |
| • | May '20 | Submission |
| • | Aug '20 | Examination (estimated) |
| • | Dec '20 | Adoption (estimated) |

B.1 APC and WRA fully support this programme and see it as a prerequisite before making any decisions on NA3 Wolborough, so this programme must be completed. Given the timescale given for evidence gathering and consultations, see above, this application, 19/00238/MAJ, must be refused.

C. IN-COMBINATION CONTEXT

NA3 Wolborough is unlike other major allocations in the LOCAL PLAN, e.g. NA1, NA2, as it is much closer to the densely populated centre of Newton Abbot. The NA3 developments cannot be considered in isolation from each other, NA1, NA2, or other Local Plan sites affecting Newton Abbot. This application has not addressed any such in-combination effects either with these other allocations or on the wider aspects of Newton Abbot and its necessary infrastructures.

In-combination proposals for the town and its surrounds must include (see A above): Viability, Environmental challenges, Ecological/biodiversity threats; Community and amenity damage, and Overprovisioning of dwellings across Newton Abbot. Without assessing the in-combination effects, residents' health and wellbeing will be significantly at risk.

Even more pertinent, there are two related applications for developing 80% of NA3, i.e. the remainder of NA3 Wolborough not owned by the landowner of this application, 19/00238/MAJ.

The two related applications are: -

Reference: 18/00035/NONDET
Address: Land at Wolborough Barton, Coach Road, Newton Abbot, Devon, TQ12 1EJ
Description: Appeal against Non-determination of planning application 17/01542/MAJ - Mixed use (hybrid application) proposal involving: Outlin...

Reference: 17/01542/MAJ
Address: Land at Wolborough Barton, Coach Road, Newton Abbot, Devon, TQ12 1EJ
Proposal: Mixed use (hybrid application) proposal involving: Outline - Mixed use development comprising up to 1,210 dwellings (C3), a prima...

18/00035/NONDET is an appeal for non-determination of 17/01542/MAJ and is ongoing but will not be resolved until late 2019/early 2020. Undoubtedly the findings of the Appeal will have ramifications for this Application 19/00238/MAJ. **Given the timescale for the appeal hearing to complete and its findings to be presented to the Secretary of State, as a precautionary principal this application, 19/00238/MAJ, must be refused.**

D. NA3 IN-COMBINATION CONTEXT

The landowner who submitted 17/01542/MAJ also submitted a near duplicate application: 18/01276/NA3. This latter Application was heard at a TDC Planning Committee meeting on the 19th February 2019 and was refused on the grounds of insufficient information to base a decision on, particularly in relation to Section 106 obligations, the Appropriate Assessment, and mitigation measures for the South Hams Special Area of Conservation, bats and biodiversity. These should all be addressed before a decision can be legitimately made on this new application, 19/00238/MAJ

The above decision has direct relevance to this Langford Bridge application, 19/00238/MAJ, as there is little evidence of NA3's two landowners working together on in-combination matters.

18/01276/NA3 was unanimously refused by the Committee and will now have to address its failings:

1. There is insufficient information available at present to conclude beyond reasonable scientific doubt that the proposals will not have an adverse effect on the integrity of the South Hams Special Area of Conservation as required under the 2017 Conservation of Habitats and Species Regulations. The proposals are therefore contrary to Policies NA3(Wolborough), EN9 (Important Habitats and Features) and EN10 (European Wildlife Sites) of the Teignbridge Local Plan 2013-2033, the National Planning Policy Framework (NPPF) and the National Planning Policy Guidelines (NPPG);
2. The proposals, as submitted, do not provide for delivery of a road that connects the site from east to west at a point in time that allows for a sustainable community to be established. The provision of this link at an early stage in the development of the allocation is considered to be vital for mitigating the impact of traffic across the wider local area, managing air quality, place-making and access to public transport, community facilities and services. The proposals are therefore contrary to Policies NA3 (Wolborough) and S5 (Infrastructure) of the Teignbridge Local Plan 2013-2033, the NPPF and the NPPG;
3. No adequate mechanism for securing necessary Section 106 Obligations has been made, contrary to Policies NA3 (Wolborough) and S5 (Infrastructure) of the Teignbridge Local Plan 2013-2033 the NPPF and the NPPG; and,
4. Insufficient detail relating to the monitoring of impacts on the Wolborough Fen SSSI has been provided to ensure that unacceptable harm would not occur the proposals are therefore contrary

to Policies NA3 (Wolborough) and EN9 (Important habitats and Features) of the Teignbridge Local Plan 2013-2033, the NPPF and the NPPG.

These four grounds for refusal equally apply to 19/00238/MAJ (NA3 East) for the Langford Bridge development which will not be viable or sustainable unless Wolborough Barton (NA3 West) receives planning approval, which is now questionable. **Given the timescale for gathering evidence for the DPD and subsequent consultations; a lack of meaningful collaboration between all the designated landowners across NA3, and the timescale given for the aforementioned appeal hearing to complete and the findings to be presented to the Secretary of State for determination, this application, 19/00238/MAJ must be refused.**

E. SUSTAINABILITY AND AFFORDABILITY

Given the issues raised above, this application does not demonstrate the necessary standard of environmental evidence that is “beyond reasonable scientific doubt” (per Underhill LJ), which provides a clear demonstration of sustainability and affordability as required by the NPPF and the Policies contained in the 2014 Local Plan, therefore 19/00238/MAJ must be refused.

F. PRINCIPAL GROUNDS FOR OBJECTION

We identify below more detailed grounds for objection to this development and elaborate on what has been outlined previously above.

1. The Application is premature;
2. The Application must not proceed until there is consensus on access to this site, agreement on the routing of a link road across the entire NA3 allocation, **if that is to remain an ambition**, and that all necessary new infrastructure is in place from the outset;
3. The Application must not proceed until water and sewerage infrastructure are in place;
4. The Application should not proceed until wider studies on the impacts of traffic and air quality around Newton Abbot are better understood and effectively mitigated.
5. Miscellaneous issues that apply equally to both NA3 landownership must be addressed.
6. There are continuing issues regarding biodiversity, air quality and environmental impact which will be covered in separate submissions.
7. The development proposals for NA3 as a whole do not respect the setting of Grade 1 listed St Mary's Church, Wolborough.

The Application is Premature

- This application has been submitted before the Teignbridge Development Framework Plan covering the entire NA3 allocation has been translated into a Development Plan Document. Our understanding is that this work commences with evidence gathering after the May local elections; consultation and examination in public follows with a target date for adoption of December 2020. Any decision concerning this application should be deferred until public consultation and adoption of the NA3 Development Plan Document is in place, the Five-year Review is complete and the Greater Exeter Strategic Plan is agreed and published.
- Because of the sensitivity of parts of the NA3 allocation and the potential in-combination effects of this development, it is essential that a comprehensive masterplan is developed and agreed that takes into account the wider impact of development particularly in relation to the South Hams SAC, Wolborough Fen SSSI, increased traffic and air pollution.

Infrastructure – Link Road

- With substantial housing development proposed within the NA3 allocation plus the substantial developments built or proposed at Houghton Barton, Whitehills, Penns Mount and Buckland, the infrastructure within and around Newton Abbot has to be significantly improved.

- It is understandable why a link road between the A380 and A381 is desirable and urgently needed, but its routing is critical if real benefits are to be gained. We consider the proposed routing across NA3 is unsustainable for a variety of reasons which have been identified in previous submissions.
- The current proposals will do little to reduce traffic in the Town in the absence of an onward connection accessing the A382 and A383. Traffic from the A380 heading to Ashburton/Plymouth and Bovey Tracey will still have to travel via Wolborough Street (already suffering unacceptable air quality) or use unsuitable narrow lanes through Oggwell.
- Development of NA3 will put additional and unsustainable strain on Coach Road, Priory Road, Stoneman's Hill and Totnes Road.

Access

- We are concerned that access to the site, and thus to any link road, is between the single lane railway bridge to the north past Sainsburys and over the single-track, traffic light-controlled Langford Bridge to the south. Such an alignment would render the prospect of a useable and effective link road a false hope. This reinforces our view that the proposed link road is in the wrong place.

Traffic

- The traffic assessment needs to include the in-combination impact from the other major developments in and around Newton Abbot. It appears that along with new homes at Kingsteignton, over 8,000 properties will be added to local housing stock within the currency of the Local Plan bringing with them an average two additional motor vehicles plus service vehicles. The infrastructure within the Town and for east/west commuting is simply inadequate now let alone with such a substantial extra volume of vehicles.

Air Quality

- Air quality is high up the national agenda with its damaging consequences on human health. Much of the centre of Newton Abbot is an Air Quality Management Area with Wolborough Street the most serious air quality area with double the legal limit of pollutants.
- We are of the view that if NA3 is developed air quality within the Wolborough/Decoy area will be detrimentally impacted further exacerbating public health concerns. We reserve the right to make further submissions on this subject.

Water Services & Sewerage, Power Supply

- The capacity of existing sewerage facilities, both transmission and treatment, are close to capacity and are unlikely to be able to cope with the additional load from NA3 not to mention all the other developments around Newton Abbot and at the Willows.

Environment & Biodiversity

- The development area impacts negatively on a strategic flyway for the South Hams SAC, on foraging area and on satellite roosts for Greater Horseshoe Bats such as Conitor.
- The link road in particular and the layout of the housing sites across the NA3 allocation will impair free movement of species, fragment habitat and alter their feeding and breeding patterns.
- The proposed routing of the link road will undermine the hydrogeology and groundwater feeds essential to maintaining the integrity of the SSSI Wolborough Fen.
- Development of NA3 will result in loss of a dark skies area and further impact on free movement of nocturnal species.
- Any development of NA3 must be accompanied by a major increase in area of Decoy Country Park. The park must be held in public ownership for the perpetual benefit of the population of Newton Abbot.

Arboricultural Impact Assessment

- The proposed route of the link road will see the destruction of 2.2 hectares of woodland and give potential for further damage to surrounding trees from emissions.
- Removal of such an area of woodland will create increased risk of flooding around Decoy and reduce carbon capture.

Local Education & Health Provision

- Given the resulting increase in population there must be certainty about the provision of schools in a timely manner and in the right location .The proposed site for a Primary School and the land notionally earmarked for a Secondary School would be better co-located to make use of shared facilities.
- When designing new infrastructure and layouts of new developments, the principle of reducing the need for private car use should be paramount. This does not appear to be the case here.
- The UK average number of GPs per 1000 of population is .58 requiring two full time Doctors for NA3. We consider that if this development is to proceed, a Doctor's Surgery must be allocated within the site. Further, funding must be secured for an extension of acute and critical care facilities for the increased population.

Footpaths/Pedestrian Access/Cycle Routes

- There is insufficient detail on how existing public footpaths will be maintained and enhanced. Sections of the footpath along the Kingskerswell Road suffer from overgrown hedges; there is not a consistent footpath enabling pedestrians to access Coffinswell and Kingskerswell.
- There is no rigorous oversight of viable alternatives to the use of the private car.

Housing Supply

- With the ongoing developments at Penns Mount, Whitehills and Houghton Barton, Buckland plus smaller sites at Brunel Lodge and the former Bishop Dunstan School along with windfalls, there is over nine years housing supply, which begs the question whether a further 450 homes is appropriate at this time.
- Land Supply is considerably above the Government's minimum five-year land supply target. The pace of Heart of Teignbridge new allocations should be conservative, cautious and further developments deferred until the 5-year review of the Local Plan is published for public consultation, debated and adopted by Members.
- Further, the Greater Exeter Strategic Plan is due to be published within a similar timeframe. This will provide a much-needed and long overdue strategic overview taking proper account of all factors impinging on the wider community, not just the Heart of Teignbridge or the District.

The details provided above set out the grounds why 19/00238/MAJ must be refused.

Yours sincerely,



Secretary, Wolborough Residents' Association



Abbotskerswell Parish Council