

OVA Submission to the East Devon Plan

For your reference, here is the commentary submitted by the OVA to the East Devon Plan.

East Devon Emerging Local Plan 2020 – 2042 Regulation 19 Consultation - March 2025

Comments from the Otter Valley Association

This is a well-considered and comprehensive set of documents, maps and evidence for policies on which to determine planning applications for development. The vision and set of objectives seems appropriate, with climate emergency being to the fore, but the biodiversity crisis should also be recognised as of equally importance.

Chapter 3 - Spatial Strategy - seems sensible and sustainable

Main concern is housing provision numbers for the next 20 years, (20,909 homes) but this is dictated by government. Major constraint is district covered by National Landscapes and other designations, leaving only one third of land available for future growth, mainly the western end.

The OVA expects that the EDDC will nevertheless also respect the requirements of National Landscapes, National Nature Reserves, SSSIs and other areas recognised for natural environment value in all decisions permitting housing and infrastructure developments.

The OVA's concerns are lack of sufficient infrastructure to accommodate growth, and the fact that the provision of nearly all required infrastructure is the responsibility of other providers and authorities, eg roads, railways, schools, medical, sewage and water supplies etc. (Ref Objective 10 and paras 2.7 and 2.8 Strategic policy SP07) Most facilities are at capacity or there is an under provision, and much of the existing infrastructure is known to be at or near the end of its useful life. Who is going to fund future sports and recreation facilities? (Policy OS04)

- Policy SP07 is not strongly worded to ensure delivery of infrastructure. Reference to 'Applications will be required to' should be changed to 'Developers'. Also 'consider' should be changed to 'Make sure of' at point E in this policy.
- Policy SP08 is good, but again does not go far enough to ensure timely provision of all required infrastructure, or its upgrading where necessary. How will the necessary infrastructure be delivered in time of severe economic constraints?

It is noted that the Infrastructure Delivery Plan 2025 has very little input from South West Water in terms of new and improved sewage facilities. In relation to this, there is rising concern about the number of houses proposed in the catchment area of the Otter Valley. This river is already in a poor ecological condition due to the frequent discharges of sewage. The housing allocation for the catchment is 1,037 homes, giving a total of 1,642 over the plan period. The existing sewage works along the river cannot cope at the moment, so some serious investment needs to be undertaken by South West Water in the near future, before any further homes are built.

Chapter 6 - Mitigating to Climate Change

To be consistent with the Council's 2019 declaration of the climate emergency and target of achieving climate neutrality by 2040 and net zero developments, this Plan needs the following additions.

- Paragraph 6.1 There needs to be a stronger policy than merely 'supporting movement to net-zero development' - new developments should be net-zero.
- Paragraph 6.2 Housing energy efficiency standards that are more ambitious than current building regulations. There should also be a strong presumption to have solar panels, heat pumps etc fitted as standard.

Chapter 7 - Adapting to Climate Change

- Policy AR01 C is oddly worded: instead of 'space for SuDS' this should require SuDS, and include minimal hardstanding in development design.
- Paragraph 7.12 needs a clear statement to avoid development on areas likely to be required for the rollback from vulnerable coastal areas and enabling natural processes for biodiversity and flood management.

Chapter 8 - Meeting Housing Needs

- More affordable housing should be required, not less than previous Local Plan policy. It seems to have been reduced from 50% in Budleigh Salterton to only 35%. Of the requirement for 20,909 homes, only 4,477 are required to be affordable, which is less than 25%.
- In addition, with an above average older population, more smaller and adapted homes are required for the elderly. Many more small homes are also required for first time buyers, who are priced out of the market.

Chapter 10 - High Quality Design

- Policy SD01 seems to be fairly comprehensive and policy SD04 concerning green and blue infrastructure is very good, but it is essential that the infrastructure is properly maintained, so provision needs to be made for this. We are pleased that a District Design Guide is to be produced to encourage high quality, local distinctiveness and the Devon vernacular. This will augment the existing village design statements and ensure better built environments.

Chapter 11 - Transport

- Good to try and change people's behaviours and reliance on cars. The new settlement should have some form of access to a railway station, so as not to be reliant on cars, and add to existing problems of congestion and pollution around Exeter and M5.
- The strategic policies for transport for new developments should include provision of traffic free cycle networks linking developments with neighbouring communities and towns; public transport facilities and services linking neighbouring communities and towns; and provision of electric vehicle charging for at least 75% of planned road vehicle parking.

Chapter 12 - Landscape

We welcome this strong set of protective policies for designated areas. One of our main concerns is in respect of protection of the catchment of the Otter River, as it is in an ecologically poor condition. Policy OL09 (p 207) is very welcome, but does not address the current failings of SWW's sewage systems which are causing the most serious pollution of our rivers.

Some facts concerning the water quality of the River Otter and the sea at Budleigh:

- In 2024 SWW discharged untreated sewage of Otter Head over 10,000 times (average 30 times a day) - main sewer remains unrepaired
- 1,320 discharges recorded in January 2025 alone
- In 2024 SWW discharged almost 10,000 hours of untreated sewage into the River Otter (3 x total sewage pumped into Exmouth Bay)
- SWW solution is to increase pumping capacity throughout the Exmouth/Budleigh system so more sewage is transported to Maer Lane SWT when it rains

This is the reason why the Middle and Lower River Otter is in the worst 20% ecologically of all the UK's river systems, according to the EA, with significant impacts on plants, wildlife and fish.

We are very concerned that the lack of capacity of sewage treatment works along the Otter has not been adequately taken in consideration in respect of the housing allocations for the Otter catchment area. Is the council aware of the sewage facilities that are currently exceeding their capacity and breaching their over flow limits? Is the Council liaising with SWW to ensure that steps are being taken to upgrade these inadequate facilities before new household are added to the system? How many more households' waste can each of the current facilities safely process? It is our view that no new development should be approved without this crucial aspect being fully considered and adequately addressed. All the relevant assessments should be made available to the public.

We believe that the nutrient neutrality requirement of the river Axe should be extended to encompass all of East Devon's rivers and water bodies.

Chapter 13 - Biodiversity and Geodiversity

The introduction should include mention of the biodiversity crisis, which is nationally and internationally recognised as being of commensurate seriousness as the climate crisis; the UK being ranked as the 12th most nature depleted country globally.

Policy PB01 on protection of nationally important wildlife sites is good, and the Lower Otter is a potential SPA. However, the major housing allocations within the catchment area (Honiton and Ottery St Mary) will have an extreme adverse effect on the river unless significant improvements are undertaken to the existing sewage facilities, which are constantly failing.

Policies PB01 / PB02 should include a criteria that the proposed site should not compromise locally important populations of species on the IUCN Red List or UK Birds of Conservation Concern, and similar UK listings for other biota.

PB02 should also include a criterion that the proposed development site does not constitute a regularly used ecological linkage between recognised sites of local or national ecological importance.

Biodiversity mitigation and compensation measures should be implemented before compromising the existing biodiversity resource, to ensure the ongoing provision of habitat for species associated with the compromised resource.

Policy PB05 - we are pleased that the BNG requirement is 20% but consider that this should be applied to all BNG proposals and delivery. We disagree with exemptions for small sites of less than 0.5 ha and irreplaceable habitats. Off-site mitigation and compensation should be targeted to deliver local/regional biodiversity priorities and be fully compatible with climate change effects on nature for 30 years. BNG mitigation and compensation should be undertaken before development commences and should have guaranteed provision for maintenance and required management by qualified conservation managers for 30 years after completion. This would overcome the problems identified by the Wild Justice - Lost Nature report of 12/12/24. A survey of 42 new developments found that only half the planning conditions for nature had been implemented. In relation to policy PB07 swift boxes should be mandatory in all appropriate buildings.

Policy PB08 - Tree, shrub and hedge planting should be undertaken with native species appropriate to the changing climate conditions relevant to the species expected life span.

Chapter 15 - Historic Environment

This chapter is good with strong protective policies, and includes locally listed Heritage Assets.

Chapter 17 – Implementation and Monitoring

Resources are needed for monitoring developments after completion to check landscaping (policy PB09 – excellent) and other ecological facilities have been installed. (Reference Lost Nature Report December 2024 commissioned by Wild Justice. Findings from surveys of new development sites only half ecological enhancements had been provided which fell to a third when tree planting was discounted.)

General

Use of 'significant' and 'substantial' in policies. These terms need to be defined with specific criteria, which must recognise the differences in impact/effect in different locations, such as between towns and villages. Difficulty in interpretation.

Specific - housing allocations

We have already made comments about the current dire sewage situation in the River Otter catchment. Building an additional 1,642 homes will only make the situation much worse.

In relation to the very large housing allocations on the western side of Exmouth, (Exmo 17 and 20) the OVA are very concerned about the lack of infrastructure and necessary support facilities, such as medical, dental, social, educational and highway capacity to accommodate the large increase in population arising from 1,110 new homes in this area. These developments will be closer to Budleigh Salterton than Exmouth town centre, so full consideration to the potential and likely significant impacts on this small settlement must be undertaken, with full public discussion and consultation.

Otter Valley Association