

1796/2199/CU7-CU12

1796/2198/CU1-CU6

Ack

From: David Jenner
Sent: 26 April 2015 19:12
To: DPD
Cc: Dean Titchener
Subject: Response to local plan review from Rull hamlet Association
Attachments: Consultation word final response 26 April 2015.doc
Importance: High

Dear Mid Devon and Dean

Please find final response from Rull Hamlet Association re local plan review

Please notify me if you do make the changes we suggest

Please ensure we are notified when inspector reviews the proposed plan so we can make representations

best wishes

Dr David Jenner
Acting Chair Rull Hamlet Association



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**Response to Consultation
Mid Devon Local Plan 2013-2033
Rull Hamlet Association, Rull, Cullompton**

Key Responses Relevant to Cullompton:

- 1) The Association finds the plan unsound, especially as one field (immediately bordering the North and East of Rull Lane and immediately West of historic listed building 'Little Rull') is included in the plan but without the consent of the landowner (N.B. who requires it removed from the plan) and request this is removed from the plan as mixed use and replaced as before and shown as green infrastructure.
- 2) The Association supports the development East of the M5 in Cullompton and recognises that this would bring the greatest benefit to Cullompton in terms of infrastructure support. We suggest this element is brought forward in the phasing in preference to the developments to the North of Rull Lane and surrounding Rull Hamlet.
- 3) That subsequent to 2) that development of the skyline immediately to the North of Rull Hamlet is removed from the plan and replaced instead with green infrastructure.
- 4) That until major improvements are made to J28 of the M5 or an Eastern relief road is built, that no more large scale development occurs to the West of the M5 in Cullompton as, quite simply, this will both worsen traffic flow through Cullompton and further damage air quality. The ongoing traffic problems caused by the enforced closure of Tiverton Road due to the Manor House structural problems are testament to this fact.

Detailed Responses

- 1) **The field immediately adjacent to 'Little Rull' and to North of Rull Lane should be extracted from the plan as shown below:**



It has been determined that this field has been included in the plan without either reference to, or without consent from the landowner, Mr Emmett, or his agent or representatives.

The attached letter (below) clearly demonstrates this fact and that he has made it clear that he either wants it removed from the plan or for it to be re-designated as green infrastructure (as has been the case in all previous versions of the adopted plan or even the most recent master-planning consultation, October 2014).

This field also immediately overlooks and is adjacent to the historic Grade 2 Listed building 'Little Rull' and there are multiple references in the proposed Plan for the need to respect the setting of historic buildings, as listed below:

- "countryside, environment and heritage assets preserved and enhanced" (p10),
- "protect and enhance the key environment assets including heritage, biodiversity and air quality" (p11),
- "conserving and enhancing the historic environment through the identification and protection of designated and non-designated heritage assets and assessing the impact of new development on the historic character of Mid Devon's landscapes and townscapes." (p 31),
- "design solutions which respect the settings of listed buildings within and adjoining the site" (p.88)

Our ref: JMH/JR/EMMF-00034-0001
Your ref:
Date: 17 March 2015

Mr D Emmett

BY POST AND EMAIL:

Dear Dennis

Land west of Willand Road, Cullompton

I refer to our meeting earlier today and now enclose a copy of the promotion agreement for your records (it was in fact emailed to you last September).

Agreed

I telephoned Andrew on the way back to the office as I promised I would and left a voicemail call back message for him. He has just called me this afternoon and we have discussed the issue you raised with me this morning of the field behind your house that is excluded from the promotion agreement. The position as relayed to me by Andrew is that Ambrose prepared a draft Masterplan for approval by Mid Devon District Council (MDDC), in collaboration with (PM Asset Management (PMAM)). However, MDDC, without reference to Ambrose, has produced its own Masterplan which differs from that prepared by Ambrose and PMAM in at least one important respect, as MDDC's draft Masterplan includes the field behind your house. This I am told was done without the knowledge either of Ambrose or Andrew and that Ambrose certainly did not propose it.

Following your request that it be removed from the Masterplan, I again understand from Andrew that Ambrose has made that request to MDDC already, on the basis that Ambrose's company has no right to promote it or to offer it for sale for development. However, what Ambrose is attempting to do in seeking the removal of that field from the MDDC Masterplan is to encourage MDDC to include a similar size area of land elsewhere on your land, so that you benefit from the addition of that other land but have the field behind your house left out of the Masterplan.

If Ambrose fails to persuade MDDC to remove the field behind your house from the Masterplan they are willing to approve, he will be asked by Andrew to advise MDDC once again that it will not be made available by you for development even if it is included in the Masterplan and that Ambrose's company has no means to compel you to make it available for development. Therefore, unless MDDC resolve to acquire it by means of compulsory purchase (which is possible but would at present appear to Andrew unlikely given its location), you can decline to make the field available for development. You can therefore say with a clear conscience to your neighbours that its current inclusion in MDDC's Masterplan is without your consent, without Ambrose's consent or encouragement and is entirely the idea of MDDC. You can also advise them that Ambrose is seeking to have it removed from the Masterplan as above. It would, however, be best if you leave

Re-allocation of this field at the last minute in the Proposed Plan for mixed use development, but without any new impact assessment on historic building Little Rull and its environs, or without the consent of the landowner, demonstrates a lack of any clear strategic planning in our view, and the allocation appears to directly contradict the statements in the plan in terms of respecting the settings of historic buildings and is, therefore, “unsound”.

Unless this field is removed from the Proposed Plan as mixed use development and re-allocated as green infrastructure now, ***WE THUS FORMALLY REQUEST TO BE NOTIFIED OF ANY DATES THAT THE PLANNING INSPECTOR WILL CONSIDER THIS PLAN, AND THAT WE BE THEN ALLOWED TO MAKE DIRECT OUR REPRESENTATIONS TO HIM OR HER.***

We also have severe doubts there can be any effective drainage solution for this site as it slopes in a Northerly direction to both a privately owned lane and ‘Little Rull’ which is in the ownership of members of our Association, and who are not minded to allow drainage across their land.

We note the plan includes an extra 10% of allocation higher than required, so removal of this field will not materially alter the viability of the plan but, as the owner has made abundantly clear, it is not available and so the field must be returned to green infrastructure at this point.

2) **The proposed developments East of the M5** are on land which is flat, easy to develop and already contains a significant brown field opportunity (Cummings Nursery) and which can be rapidly developed at scale and with the minimum of skyline degradation, or impact on historic buildings.

We do believe that this development should be phased much earlier in order to provide the quantum of development to support enhancements to Jc 28 of the M5, and also towards an Eastern town centre relief road to divert HGV and other vehicular traffic away from Cullompton High Street where air quality levels now breach EU directives.

This would allow development that would not attract further traffic through Cullompton town centre until such enhancements are made, thus avoiding further traffic congestion and air pollution.

In time, such development should support the consideration of a new railway station at Cullompton in order to reduce commuter traffic and also help make Cullompton a viable, vibrant market town again whilst maintaining the integrity of the valuable rural skyline to the West and Northwest .

3)Skyline Development North of Rull Hamlet

Throughout consultations on the adopted plan, the previous masterplan and now the proposed plan, our Association has repeatedly identified that skyline development on Rull Hill and the hills to the North of Rull Hill should be avoided.

The field immediately North of Rull Hamlet contains old trees where ravens nest and barn owls have been seen and is clearly visible as skyline from the West, North and East of Cullompton. Barn owls and bats abound around our properties.

Development should not take place on the summit of this hill so that the green skyline to the North and West of Cullompton can be preserved.

We welcome the alterations to the proposed plan which creates a larger area of green infrastructure on the summit of Rull Hill, and we call for a similar “green top” to the hill immediately North of Rull Hamlet.

4) No Further Significant development West of M5 until and unless improvements to J28 and Eastern Relief Road is built.

Cullompton town centre is blighted by heavy traffic and also breaches EU air quality regulations -- a clear need has been identified in adopted plans to divert traffic, especially HGVs from the town centre.

Significant volumes of development have already taken place to the West of Cullompton and South of Tiverton road which has further exacerbated this problem, yet no significant progress has been made on the progress of an eastern relief road and only minor improvements to the M5 at Jc28.

Junction 28 remains severely congested at peak times with tail back onto the M5 main carriageway Northbound regularly at peak times in the early evening and significant tail backs through Cullompton in both evening and afternoon rush hours.

Although the plan identifies a town centre relief road between Tiverton road and Willand road in the plan, this will only really alleviate the town centre from traffic between the M5 and new developments to the West of Cullompton, but will not divert HGV traffic traveling to the B3181 South of Cullompton or houses to the South, and will not alleviate Jc 28 congestion.

Thus, we see an increased risk of traffic congestion in Cullompton High Street and roads between it and the M5, with increasing air pollution and further exacerbating dangerous tail backs on the M5.

So, we reiterate our proposal that for this plan to be sound it must address the air quality and traffic flow problems at an early stage, and that development East of the M5 thereby allows this to support community infrastructure levies without further exacerbating traffic problems in Cullompton in the meantime.

Phasing of the eastern developments should therefore be brought forward, and the necessary relief roads and Jc 28 improvements made before further extensive development is made in Cullompton to the West of the M5.

AGAIN, WE WOULD RESPECT THE OPPORTUNITY TO MAKE REPRESENTATIONS TO THE INSPECTOR ON THIS ELEMENT OF THE PLAN.

Submitted by, Dr David Jenner, acting Chair of the Rull Hamlet Association, and representing the named residents at the eight listed properties below:

Little Rull (Drs. David & Kathy Jenner & family)
Rull House (Hon Toby & Lady Diana Challenor & family)
Springtime (Mrs Dorothy Batchelor & family)
West Barn (Stuart & Diane King & family)
No 1, Lawrence Court (Barbara & Dick Wood & family)
No 2, Lawrence Court (Anne Gunther & family)
No 3, Lawrence Court (Elizabeth Bullivant & family)
The Mill, Lawrence Court, (John & Jane Watson & family)'.
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