**Mid Devon District Council**

# Cabinet

**Thursday, 31 January 2019 at 10.00 am**
**Cullompton Town Hall, Cullompton**

**Next ordinary meeting**
**Thursday, 7 February 2019 at 2.15 pm**

Those attending are advised that this meeting will be recorded

# Membership

| | |
|---|---|
| Cllr C J Eginton | Leader and Environment |
| Cllr R J Chesterton | Deputy Leader and Planning and Economic Regeneration |
| Cllr P H D Hare-Scott | Finance |
| Cllr C R Slade | Community Well Being |
| Cllr Mrs M E Squires | Working Environment and Support Services |
| Cllr R L Stanley | Housing |

## A G E N D A

*Members are reminded of the need to make declarations of interest prior to any discussion which may take place*

1. **Apologies**
To receive any apologies for absence.

2. **Public Question Time**
To receive any questions relating to items on the agenda from members of the public and replies thereto.

3. **Declarations of Interest under the Code of Conduct**
Councillors are reminded of the requirement to declare any interest, including the type of interest, and reason for that interest, either at this stage of the meeting or as soon as they become aware of that interest.

4. **Minutes of the Previous Meeting** *(Pages 3 - 12)*
Members to consider whether to approve the minutes as a correct record of the meeting held on 3 January 2019.

5. **Cullompton Town Centre Relief Road Route** *(Pages 13 - 432)*
To receive a report of the Head of Planning, Economy and Regeneration considering the outcomes of the recent public consultation over route options for a town centre relief road for Cullompton and to update Members on the status and outcomes of further technical work



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undertaken or in the process of taking place. The report also makes recommendations over a preferred route subject to further technical verification work and next steps which lie principally with Devon County Council over the drawing up of a planning application, together with supporting material including environmental statement to meet the requirements of environmental impact assessment.

**Stephen Walford**
Chief Executive
Wednesday, 23 January 2019

Anyone wishing to film part or all of the proceedings may do so unless the press and public are excluded for that part of the meeting or there is good reason not to do so, as directed by the Chairman. Any filming must be done as unobtrusively as possible from a single fixed position without the use of any additional lighting; focusing only on those actively participating in the meeting and having regard also to the wishes of any member of the public present who may not wish to be filmed. As a matter of courtesy, anyone wishing to film proceedings is asked to advise the Chairman or the Member Services Officer in attendance so that all those present may be made aware that is happening.

Members of the public may also use other forms of social media to report on proceedings at this meeting.

There is time set aside at the beginning of the meeting to allow the public to ask questions.

If you require any further information, or

If you would like a copy of the Agenda in another format (for example in large print) please contact Sally Gabriel on:
Tel: 01884 234229
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**MID DEVON DISTRICT COUNCIL**

**MINUTES** of a **MEETING** of the **CABINET** held on 3 January 2019 at 2.15 pm

**Present Councillors** C J Eginton (Leader)
R J Chesterton, P H D Hare-Scott, C R Slade, Mrs M E Squires and R L Stanley

**Also Present Councillor(s)** Mrs H Bainbridge, R Evans, Mrs B M Hull, F W Letch, F J Rosamond and Mrs N Woollatt

**Also Present Officer(s):** Stephen Walford (Chief Executive), Andrew Jarrett (Deputy Chief Executive (S151)), Andrew Pritchard (Director of Operations), Kathryn Tebbey (Group Manager for Legal Services and Monitoring Officer), Jenny Clifford (Head of Planning, Economy and Regeneration), Lisa Lewis (Group Manager for Business Transformation and Customer Engagement), Tina Maryan (Area Planning Officer), Nick Sanderson (Acting Manager Director of 3 Rivers Development Ltd), Paul Brockway (Culm Garden Village Project Manager) and Sally Gabriel (Member Services Manager)

111. **APOLOGIES**

There were no apologies.

112. **PUBLIC QUESTION TIME**

Councillor Nick Allan representing Kentisbeare Parish Council and referring to items 11 and 12 on the agenda (Culm Garden Village) stated: We want to stress that we are not opposed to the Garden Village or development in East Cullompton per se and have tried to engage constructively with the process, despite not having been consulted before the bid was submitted.

We believe that our feedback has been consistent and clearly spelled out, both in the Stakeholder forum and in letters to Councillor Chesterton and Jenny Clifford, copied to others in the Council.

We have been encouraged by the guiding direction from central government that Garden Villages should have support from the community and MDDC's emphasis that meaningful consultation is a key part of the process.

We are concerned about the proposed scale of the Garden Village; we feel that there has been no justification for a number of 5,000 homes. This would make it significantly larger than the existing town of Cullompton. It is clear that population growth in the first 5 years of the Local Plan is coming in at less than half that forecast

and that the housing projections out to 2033 look unrealistically high, as confirmed by the most recent data from the Office of National Statistics.

In respect of the Garden Village, we are particularly concerned to preserve the rural character of Kentisbeare, which has a population of 1,000 or so. Our residents clearly feel the same way. You will know that of the order of 1,000 letters of concern were submitted in respect of the proposed development east of Cullompton in the Local Plan. This compares to only 155 who expressed support for development in Mid Devon to be centred on Cullompton in the broad 2013 consultation.

At the key Stakeholder Forum in July to discuss possible physical outlines of the Garden Village, we felt that there was a clear understanding that there would be considerable discomfort at development encroaching into the parish. The western parish boundary is relatively close to the village proper. One enthusiastic Cullompton resident drew a line well into Kentisbeare Parish, but in the various discussions it was very clear that the Kentisbeare representatives did not feel this was acceptable and we thought that the point had been taken on board and accepted by the majority of those present. We reinforced the point in our correspondence with Mid Devon referred to before.

We were surprised and upset at the December Stakeholder Forum to find that development has been earmarked well into Kentisbeare in the plans for general public consultation. The village is about 3 miles from the M5 and 2.5 miles from the current limit of the existing town extension along the A373. The proposed development in the current outline plan would bring the new town to within half a mile of our village. Despite the commitment to consultation in Mrs Clifford's letter to the Parish Council in late October, this makes it feel to us as though consultation is in name only.

We urge you to reconsider the boundaries if you want to be able to claim real community support. We would strongly urge that there is a green buffer between the easterly limit of the Garden Village and the Kentisbeare parish boundary, in other words west of Horn Road not between Horn Road and Dead Lane. The parish boundary runs one field to the west of Horn Road for those who may not have detailed knowledge of our parish.

While I am here, please can I also express our concern about flood risk. There was flooding in Kentisbeare in 2012 and while we are delighted that a full catchment-based study is now promised in respect of the proposed Garden Village, we are alarmed that 4,000 houses can be proposed to the north west and east of Cullompton in the Local Plan with no overall flood strategy. The Arcadis report in respect of the Relief Road is only concerned with incremental risk and we feel strongly that the flooding issue needs to be looked at as a whole.

We would also like to highlight our concern that at the Stakeholder Forum, it seemed to be confirmed that any meaningful road upgrades other than the Relief Road would be at least 10 years away. The Relief Road to the SW of junction 28 won't solve the existing access issues from the east and north west to the M5 and with further developments of such scale proposed, the road situation is likely to be dire. Even otherwise ardent Cullompton supporters of the Garden Village at the December Stakeholder Forum were aghast that general infrastructure delivery (not just roads) would be delivered so far into the overall plan.

Mr Berry also referring to items 11 and 12 on the agenda (Culm Garden Village) referred to the necessity for a greenbelt between the proposed development in the Garden Village and Kentisbeare. There was also a need to address infrastructure issues early on in the development programme; he urged the authority to have urgent discussions with the Highway Authority with regard to the motorway junction and issues on Honiton Road. He stated that there must be a cycleway and pedestrian walkway from the new development across the railway, river and motorway to link the 2 towns and he feared that this would not be done until an issue arose with someone trying to walk to Tesco. He added that if the Government wanted housing then the Highway Authority must put in the necessary improvements to the M5 junction.

The Chairman indicated that the issues raised would be addressed when the items were discussed.

113. **DECLARATIONS OF INTEREST UNDER THE CODE OF CONDUCT (00-10-33)**

The following interests were declared:

| **Councillor** | **Interest** | **Reason** |
|---|---|---|
| C J Eginton | Personal<br>Items 11 and 12 | Through his position in the Council, he sat on the Governance Board for the Culm Garden Village |
| R J Chesterton | Personal<br>Items 11 and 12 | Through his position in the Council, he sat on the Governance Board for the Culm Garden Village |

114. **MINUTES OF THE PREVIOUS MEETING (00-11-17)**

The minutes of the previous meeting were approved as a correct record and signed by the Chairman.

115. **COMMUNITY ENGAGEMENT STRATEGY**

Arising from a report of the Director of Corporate Affairs and Business Transformation, the Community Policy Development Group had recommended that the Community Engagement Strategy and Action Plan 2018-2019 be approved subject to an amended review timeframe from 4 to 2 years.

The Cabinet Member for Community Well-Being outlined the contents of the report stating that this merged document brought together a number of previous policies which now provided an effective overarching strategic approach to the Council's communication and engagement activity. He drew members attention to the Social Media Policy and highlighted the work of the Communications Team

Consideration was given to:

- The Town Centre Manager role and whether such a role could be district wide.
- The Council's mission, operating framework and understanding what the Council was trying to achieve
- Translation services
- The suggested stakeholder map and that as a live document it could be added to

**RESOLVED** that the recommendation of the Policy Development Group be approved subject to the removal of the word "opposition" from paragraph 3.4 (Appendix 1 – Media and Social Media Policy).

(Proposed by Cllr C R Slade and seconded by Cllr Mrs M E Squires)

Note: *Report previously circulated, copy attached to minutes.

116. **COMMUNITY SAFETY PARTNERSHIP PLAN (00-24-26)**

Arising from a report of the Group Manager for Public Health and Regulatory Services, the Community Policy Development Group had recommended that the priorities of the Community Safety Partnership (CSP) and planned activities within the partnerships priorities and action plan for 2018-21 and the proposed new structure of the CSP be noted.

The Cabinet Member for the Working Environment and Support Services outlined the contents of the report informing the meeting of the annual grant from the Office of the Police and Crime Commissioner, the priorities of the Community Safety Partnership, the high level of threat across the county and the link to the Corporate Plan

Discussion took place regarding:

- The priorities of the Community Safety Partnership and the action plan
- Funding for the Devon Youth Games

**RESOLVED** that the contents of the report be noted.

(Proposed by Cllr Mrs M E Squires and seconded by Cllr C R Slade)

Note: *Report previously circulated, copy attached to minutes.

117. **HEALTH AND SAFETY POLICY**

Arising from a report of the Director of Corporate Affairs and Business Transformation, the Community Policy Development Group had recommended that the Health & Safety Policy which was approved by the JNCC on 12th September 2018 and reviewed by the Health and Safety Committee and Unison be noted.

The Cabinet Member for the Working Environment and Support Services outlined the contents of the report stating that there was an obligation of the Council to ensure that its activities did not adversely affect the health and safety of officers, members of the public, contractors and others with whom it interacted with. She outlined the work of the Health and Safety Officer and the risk assessment process.

**RESOLVED** that the contents of the report be **NOTED**.

(Proposed by Cllr Mrs M E Squires and seconded by Cllr C R Slade)

Note: *Report previously circulated, copy attached to minutes.

118. **FINANCIAL MONITORING (00-32-43)**

The Cabinet Member for Finance informed the meeting that is his previous report to the Cabinet he had stated that the deficit for the year was predicted to be in the region of £168k, this had now been reduced to £94k largely as a result of savings made within the Revenue and Benefits service and an increase in planning fees. The Housing Revenue Account was on budget despite challenges such as Universal Credit and it was reported that rent arrears had reduced in comparison to January 2018.

119. **BUDGET 2019/20 - UPDATE (00-34-44)**

The Cabinet had before it a *report of the Deputy Chief Executive (S151) reviewing the revised draft budget changes identified and to request discussions on any further changes required in order for the Council to move towards a balanced budget for 2019/20.

The Cabinet Member for Finance outlined the contents of the report informing the meeting that in his previous report to the Cabinet in October he had stated that the proposed budget gap was £662k, this had now been reduced to £253k and it was hoped that this could be reduced further. He explained the provisional settlement from central Government and the increased funding from the Rural Services Delivery Grant. It was felt however that some money from reserves would be required to balance the budget.

Consideration was given to the amount of money held in the reserves.

**RESOLVED** that the draft updated General Fund budget proposals for 2019/20 be **AGREED.**

(Proposed by Cllr P H D Hare-Scott and seconded by Cllr R L Stanley)

Note: * Report previously circulated, copy attached to minutes.

120. **TAX BASE CALCULATION (00-37-51)**

The Cabinet had before it a *report of the Deputy Chief Executive (S151) detailing the statutory calculations necessary to determine the Tax Base for the Council Tax.

The Cabinet Member for Finance outlined the contents of the report stating that this was a statutory report and that each billing authority was required to calculate and approve its Band D equivalent Council Tax Base.

Consideration was given to the new empty property premium which was due to come into effect on 1st April 2019.

**RECOMMENDED** to Council that:

1. The calculation of the Council's Tax Base for 2019/20 be approved in accordance with The Local Authorities (Calculation of Tax Base) (England) Regulations 2012 at **28,596.47** an increase of circa 299 Band D equivalent properties from the previous financial year.

2. The current Council Tax Rebate scheme continues for the next financial year in line with criteria detailed in paragraph 4 of the report.

3. A new empty property premium be introduced with effect from the 1st April 2019, detailed in paragraph 3.8 of the report.

(Proposed by Cllr P H D Hare-Scott and seconded by Cllr C R Slade)

Note: *Report previously circulated, copy attached to minutes.

121. **CULM GARDEN VILLAGE - CULLOMPTON STAGE 1 CONSULTATION - VISION, PRINCIPLES AND CONCEPTS (00-40-00)**

The Cabinet had before it a * report of the Head of Planning, Economy and Regeneration submitting information on the Culm Garden Village Vision and Concept document and seeking approval for Stage 1 public consultation on the material.

The Cabinet Member for Planning and Economic Regeneration outlined the contents of the report stating that the vision document for the Garden Village set out the key principles for shaping the Garden Village, setting out the clear intentions and direction of travel for the scheme. Policies CU7-CU12 of the Mid Devon Local Plan Review allocated 160 hectares of land to the east of Cullompton for up to 1,750 homes and associated development within the period up to 2033 (with at least 850 houses thereafter). This allocation was intended to form part of a larger garden village proposal. The Local Plan Review had been submitted for examination and hearings would take place in February 2019, with adoption in the summer of 2019 (subject to Planning Inspectorate timetable). Policy CU7 of the Local Plan Review required comprehensive masterplanning of the development including at least two stages of public consultation, and adoption of the masterplan as a Supplementary Planning Document before any planning application was determined.

Only part of the Garden Village was allocated within the emerging Local Plan and the Greater Exeter Strategic Plan (GESP) was intended to be the policy vehicle to allocate the remainder of the Garden Village. The Vision and Concept Document and the East Cullompton Masterplan Supplementary Planning Document were before Members today. He highlighted the input from the stakeholders meetings and that of the Planning Policy Advisory Group and the list of suggested amendments following consideration of the documents, attached to both reports at appendix 1. Referring to comments made during public question time, he felt that this was an important part of the consultation process and that an additional question would be added to the

concept plan relating to the green landscape area to act as a buffer between the potential extent of the garden village and the village of Kentisbeare.

Paul Brockway, Project Manager for the Garden Village highlighted by way of presentation the key elements of the masterplanning process, the proposed consultation process in line with the Statement of Community Involvement and again highlighted the list of suggested amendments outlined in appendix 1 of the reports which should address some of the concerns raised with regard to the buffer zone.

The Chairman read the key points raised by the local Ward Member who was unable to attend the meeting, that of:

- Build quality and design
- Enforcement
- Affordable housing and Council homes
- Affordable housing for local people
- Infrastructure
- Healthcare
- Education
- Development encroaching into Kentisbeare parish

Consideration was given to:

- The timeline for development
- Whether there was a difference between Garden City Principles and Garden Community Principles
- The Governments requirements for housing numbers and whether housing delivery test information had been released
- The number of dwellings proposed within the emerging Local Plan and those emerging from the Greater Exeter Strategic Plan and how much control the authority would have over the Greater Exeter Strategic Plan. The meeting was informed that all the elements of the Greater Exeter Strategic Plan would have to be approved by all partnering authorities
- The impact of the proposals on residents
- The improvement to infrastructure prior to development of the area
- The importance of the proposed country park and other green infrastructure and that it should be commenced at the start of the project
- The issues of colour blindness in publicity material published by the Council and whether a general policy could be progressed
- The preparation of business cases for any ongoing funding bids to help with the cost of the infrastructure
- The delivery of an employment strategy for the Garden Village
- The importance of a cycle path and walkways within the scheme that would link the village of Kentisbeare to the Garden Village and onwards towards Cullompton

**RESOLVED** that:

a) That the document at Appendix 2 be approved for Stage 1 public consultation.

b) The proposed amendments to the document set out in Appendix 1 be approved

c) Delegated authority be given to the Head of Planning, Economy and Regeneration in consultation with the Cabinet Member for Planning and Economic Regeneration to finalise consultation material.

(Proposed by Cllr R J Chesterton and seconded by Cllr C R Slade)

Notes:

i) Cllrs R J Chesterton and C J Eginton declared personal interests as through their positions in the Council, they sat on the Governance Board for the Culm Garden Village

ii) *Report previously circulated, copy attached to minutes.

122. **EAST CULLOMPTON MASTERPLAN SPD (CULM GARDEN VILLAGE PHASE 1)– STAGE 1 CONSULTATION - ISSUES AND OPPORTUNITIES (1-14-22)**

The Cabinet had before it a * report of the Head of Planning, Economy and Regeneration submitting information on the East Cullompton Masterplan SPD Issues, Opportunities and Concepts document and seeking approval for Stage 1 public consultation on the material.

The Cabinet Member for Planning and Economic Regeneration referred to the previous item and the discussion that had taken place with regard to the draft Vision and Concept document for the whole garden village and the Issues, Opportunities and Concepts document relating to Stage 1 consultation on a Masterplan SPD for the East Cullompton allocation and that it was proposed that they go out to consultation together.

**RESOLVED** that:

a) The document at Appendix 2 be approved for Stage 1 public consultation.

b) The proposed amendments to the document set out in Appendix 1 be approved

c) Delegated authority be given to the Head of Planning, Economy and Regeneration in consultation with the Cabinet Member for Planning and Economic Regeneration to finalise consultation material.

(Proposed by Cllr R J Chesterton and seconded by Cllr Mrs M E Squires)

Notes:

i) Cllrs R J Chesterton and C J Eginton declared personal interests as through their positions in the Council, they sat on the Governance Board for the Culm Garden Village;

ii) *Report previously circulated, copy attached to minutes.

123. **CABINET MEMBER DECISION (1-15-37)**

The Cabinet **NOTED** a recent decision of the Cabinet Member for Housing:

To remove the means test for Disabled Facilities Grant (DFG) applications relating to stair lifts until 31 December 2019 as part of a pilot to increase uptake and accessibility to the scheme.

**Reason:** The government has increased the amount given to Local Authorities under the Better Care Fund (BCF) significantly in over the last few years, with the allocation nationally to be in excess of £500m in 2019/20. The expectation is that the powers under the Regulatory Reform Order 2002 will be used to allow authorities to be more flexible in how the money is spent.

Under the current system all DFGs, apart from those where the disabled person is a child or qualifying young person, are subject to means testing. However, since 2003 local authorities have had the power to apply a much simplified system for provision of adaptations which do not follow all DFG conditions such as waiving means testing for certain types of works or works costing less than a specified amount (e.g.£5,000). The rationale is that the related administrative process of means testing can cost more than the value of a grant for smaller works and result in a significant slowing of the delivery process. Under the current (adopted) Devon-wide Housing Assistance Policy for the BCF (2018-19), such DFG applications are eligible for an Accessible Homes Grant once the mandatory DFG process has been completed. However, this double-application process under the current policy significantly extends the overall delivery timeline.

The proposal to remove the means test for stair lifts is part of a larger pilot in conjunction with Exeter City Council, Devon County Council and the Royal Devon and Exeter Hospital to increase uptake and accessibility, through reducing end to end times for such cases and allowing referrals to be made by the hospital direct to the relevant local authority.

It is proposed to review the pilot after 12-months as part of a formal review of the current Housing Assistance Policy.

124. **NOTIFICATION OF KEY DECISIONS (1-16-34)**

The Member Services Manager informed the meeting of the amendments to the plan since the publication of the Cabinet agenda pack prior to the Christmas break.

The Cabinet had before it and **NOTED** its rolling plan * for November 2018 containing future key decisions.

Note: *Plan previously circulated, copy attached to minutes.

125. **ACCESS TO INFORMATION - EXCLUSION OF THE PRESS AND PUBLIC (1-18-25)**

Prior to considering the following item on the agenda, discussion took place as to whether it was necessary to pass the following resolution to exclude the press and public having reflected on Article 15 15.02(d) (a presumption in favour of openness) of the Constitution. The Cabinet decided that in all the circumstances of the case, the public interest in maintaining the exemption outweighed the public interest in disclosing the information.

It was therefore:

**RESOLVED** that under Section 100A(4) of the Local Government Act 1972 the public be excluded from the next item of business on the grounds that it involves the likely disclosure of exempt information as defined in paragraph 3 respectively of Part 1 of Schedule 12A of the Act, namely information relating to the financial or business affairs of any particular person (including the authority holding that information)

(Proposed by the Chairman)

126. **3 RIVERS DEVELOPMENTS LIMITED - PERFORMANCE REPORT**

The Cabinet had before it and **NOTED** a report* of the Deputy Chief Executive (S151) and 3 Rivers Developments Limited Acting Managing Director updating Cabinet on the Company's financial performance outcomes and outputs of projects and any key risks.

The Cabinet Member for Housing outlined the contents of the report and a full discussion took place.

Note: *Report previously circulated.

(The meeting ended at 3.51 pm) **CHAIRMAN**

**CABINET**
**31ST JANUARY 2019**

**REPORT OF THE HEAD OF PLANNING, ECONOMY AND REGENERATION**

**CULLOMPTON TOWN CENTRE RELIEF ROAD ROUTE**

| | |
|---|---|
| **Cabinet Member** | Cllr Richard Chesterton |
| **Responsible Officer** | Mrs Jenny Clifford, Head of Planning, Economy and Regeneration |

**Reason for Report:** To consider the outcomes of the recent public consultation over route options for a town centre relief road for Cullompton and to update Members on the status and outcomes of further technical work undertaken or in the process of taking place. The report also makes recommendations over preferred route subject to further technical verification work and next steps which lie principally with Devon County Council over the drawing up of a planning application, together with supporting material including environmental statement to meet the requirements of environmental impact assessment.

Previous reports identified the opportunity to progress planning for the delivery of this road and the policy support within the adopted Local Plan and submission Local Plan Review, the latter currently at Examination. The Council has also made a bid for funding to Government under the Housing Infrastructure Fund (HIF). A final decision over the Council's bid is expected towards the end of January 2019, although timescale for this may slip. At the time of considering this report the outcome of the due diligence process in connection with this bid may not be known. Members will need to consider next steps for the project and whether these vary accordingly to the outcome of the HIF bid.

The delivery of a new relief road is considered an important highway intervention to not only bring forward sustainable growth planned for in the Cullompton area, but also to address environmental concerns within the town centre in connection with congestion, poor air quality and resultant impact upon townscape attractiveness.

**RECOMMENDATION: That Cabinet agree that:**

1. **Option B be recommended to Devon County Council as the preferred route, subject to further technical verification work, including whether some aspects of the third alternative route discussed in paragraph 4.6.4 should be incorporated.**
2. **It also be recommended to Devon County Council that as Highway Authority it:**
   a) **undertakes the technical verification work together with the preparation of a planning application for the road with supporting documentation, and**
   b) **in line with Motion 552 carried by this Council on 19th December 2018, considers holding a second stage of consultation following**

**completion of the verification work and prior to the submission of the planning application.**

3. **That a further up to £250,000 of S106 money collected for the relief road project and to undertake air quality mitigation measures in Cullompton be utilised to fund the work included in recommendation 2 above.**

**Relationship to Corporate Plan:** Improving road capacity and air quality issues within the town will enable development identified in the Local Plan to come forward and make a valuable contribution to delivering the priorities of the Corporate Plan 2016 to 2020; Economy, Homes, Community and Environment.

**Financial Implications:** Delivery of key highway infrastructure improvements in Cullompton will play a pivotal role in bringing forward corporate aspirations to facilitate growth within the district which in turn will help boost the economy. The delivery of the town centre relief road is also expected to contribute towards regeneration within the core of Cullompton. The Council will shortly commission the formulation of a Cullompton town centre masterplan.

The Council anticipates that the majority of the cost of the road would be forward funded by the Housing Infrastructure Fund. Development contributions will also be a critical part of the funding package to deliver the road. Should HIF funds receive final confirmation, there will be an expectation of delivery of the road in 2021. This report reflects of the relative cost of each of the route options that were the subject of recent public consultation. Option C, (the route mainly to the east of motorway) would not meet HIF funding or timescale requirements and would need alternative funding to be delivered. The potential cost of land assembly and acquisition has been the subject of independent advice. The cost of this is not identified in this report and nor is the advice attached as it is considered commercially confidential. Any legal issues arising from the project and land assembly will also need to be accounted for as the scheme progresses. Allowance for the anticipated cost of land assembly and acquisition has been made within overall project cost for the purposes of the HIF bid.

Cabinet considered the cost of working up the project towards planning application submission via up front funding at the meeting of 23rd May 2018. S106 funds collected via development contributions in accordance with planning policy have been used to date to advance the project to this stage. Further S106 air quality money is available to fund advancing the project to the stage of planning application submission which is expected to cost in the order of an additional £250,000.

**Legal Implications:** Legal implications will arise as a result of the need to assemble and acquire land to deliver both the road and also in respect of the legal interests of existing sports providers likely to be affected and the loss of public open space. There are a range of land ownerships and interests that will need to be addressed and be the subject of negotiation as the project progresses. It is understood that the Cullompton Community Association Fields are subject to a charitable trust for recreational purposes.

To draw down funding from the Housing Infrastructure Fund, the Council will need to enter into a funding agreement with MHCLG which would be considered by Legal Services prior to signing. These tend to be in standard form, but the Group Manager for Legal Services has previous experience in this regard. A separate legal

agreement will also be needed with Devon County Council to deliver the road. The Council will also continue to seek project specific section 106 developer contributions through legal agreements towards the cost of this scheme in accordance with planning policy.

The adoption and implementation of an Air Quality Action Plan (where an authority has designated one or more Air Quality Management Areas) is a statutory requirement under Part IV of the Environment Act 1995 for Local Air Quality Management (known as the LAQM regime). Under the regime, Local Authorities therefore have a duty to pursue measures which are designed to improve air quality. The Council's Air Quality Action Plan includes the delivery of a Cullompton town centre relief road as a air quality mitigation measure.

**Risk Assessment:** To qualify for funding, the proposed relief road will need to meet the HIF scheme criteria and deliverables. Since the last report to Cabinet on the project in August 2018, there has been significant further contact with Homes England as part of the due diligence assessment process. In order to meet fund timescales, work streams and expenditure have needed to commence in advance of likely timescale for the Homes England final decision. Spend to date in order to advance the project has been authorised on an 'at risk' basis should Homes England not agree to support this intervention. S106 funds collected to improve air quality in Cullompton have been utilised.

The aspiration for the delivery of a relief road for Cullompton is long standing and as such, all work currently being undertaken to progress the project is not abortive as it forms part of more extensive infrastructure necessary to deliver the growth planned within the Cullompton area in the longer term including the garden village. The current HIF funding opportunity represents the best chance for it to be achieved in the short term and will require adherence to tight and challenging timescales.

Risks associated with the ability to deliver the project include scheme finance via HIF fund outcome, timescale for delivery to meet HIF requirements and land assembly / acquisition matters. Depending on the terms of the funding agreement, there may be clawback implications or work undertaken for which funding is no longer available. Furthermore, should the relief road not be pursued through the HIF or should HIF funding not be forthcoming, this will impact upon the ability to deliver the relief road and its timing with resultant delay in realising highway capacity and environmental improvements in the town centre. A failure to deliver the relief road will be an ongoing obstacle to the timely delivery of housing allocated in the current and emerging local plans beyond the numbers discussed in paragraph 4.5.2.

**Equalities:** No equalities implications are anticipated as a result of this report.

**Note:** Appendices to this report are titled in a way that seeks to reduce confusion as a range of technical appendices are attached to the preferred route options report and are referred to alphabetically. Appendices to this Cabinet report are titled as follows:

Appendix 1 2019 Preferred route options report
Appendix A 2018 Route options study
Appendix B Consultation outcomes report
Appendix C Ecology report

Appendix D Heritage report
Appendix E Traffic assessment
Appendix F Alternative route proposals submitted during consultation

## 1.0 Background.

1.1 A report was considered at the meeting of Cabinet on 23rd May 2018 in relation to a funding opportunity in connection with the Government's Housing Infrastructure Fund (HIF) to progress the delivery of a relief road for Cullompton. Under this fund the Government is supporting infrastructure delivery in order to unlock or accelerate the delivery of housing. At Cabinet on 23rd May 2018 it was agreed to proceed with the bid on the basis of delivering a town centre relief road to the east of Cullompton, which if delivered would improve capacity at the motorway junction together with achieving a reduction of traffic flows through the town centre resulting in air quality and town centre amenity benefits. At the time of writing this report, the final decision over the fund award is still unconfirmed. A final decision over the bid funding is expected by at the end of January 2019, but this timescale may slip. A verbal update will be provided at the meeting if a decision has been received.

1.2 Work was commissioned to generate and assess potential relief road route options for public consultation purposes. Consultants were engaged and the route options report produced was considered at the meeting of Cabinet on 30th August 2018. This report identified the existing issues and constraints, defined the main objectives of the scheme and provided a high level appraisal of viable options to address the issues and meet the objectives. The methodology followed within the report aligned with the Department for Transport guidance for the assessment of proposed transport schemes. A copy of this report is attached at **Appendix A.**

1.3 The options report considered each of the initial four options against the scheme objectives before a sifting exercise at which time Option D was discounted from further consideration following advice from the Environment Agency. A high-level comparative assessment of Options A-C was also undertaken against environmental considerations including air quality, noise, landscape / townscape, socio-economic, geotechnical and contamination, arboriculture, waste, ecology, historic environment and water environment. Qualitative appraisal scores were applied for each option as to whether likely impacts for the different topics are high, moderate, low or negligible. Finally, the report undertook a high-level delivery comparative assessment of the three options considering land, flood risk, buildability constraints and construction cost.

1.4 The route options report also included plans showing how each potential route could relate to a future motorway junction improvement and possible extension of a relief road further south. This was to demonstrate consideration of future proofing. Members are reminded that the precise nature and design of the future motorway junction intervention is yet to be finalised and accordingly was considered illustrative only. Similarly, a future extension of the relief road further south was suggested in the plans as a possibility in order to rise above the area subject to flooding in the vicinity of the Duke Street / Meadow Lane junction. It was suggested that this could be considered

at time of connection to the motorway in order to safeguard its strategic nature.

1.5 At the meeting of Cabinet on 30th August 2018 it was resolved that 3 relief road route options (A, B and C) be approved for a 6 week public consultation. This took place between 13th September and 25th October 2018.

## 2.0 Cullompton town centre relief road- planning context.

2.1 The delivery of a relief road for Cullompton has been a long-term objective, receiving policy support within both the adopted and submitted Local Plans. The case for the delivery of a relief road and relevant planning policies were set out in the Cabinet report of 30th August 2018. It would deliver benefits to the operation of J28 of the motorway and would also enable the reduction of traffic flows through the town centre resulting in air quality and town centre amenity benefits. It is known that significant highway improvements will be required to serve the proposed garden village to the east of Junction 28. A relief road would form the first part of such improvements, thereby also contributing to longer term growth and delivery aspirations as set out in the Local Plan Review and garden village expression of interest.

2.2 Policy AL/CU/14 of the Allocations and Infrastructure Development Plan Document 2011expresses the aspiration to provide a relief road for the town, as does submission draft policy CU19 within the Local Plan Review 2013-2033. The final examination hearings for this plan will take place shortly. Its provision is described as an integral part of the development strategy for Cullompton and essential if the objectives of traffic relief, air quality improvement and town centre enhancement are to be achieved. Whilst these objectives are longstanding and important, for HIF purposes Homes England assessment of the benefits of the scheme will focus almost exclusively upon the ability to unlock and /or accelerate housing growth and cost / benefit of the scheme in new housing terms.

2.3 Cullompton Neighbourhood Plan has not yet been submitted for examination. The pre-submission version has been subject to public consultation. Whilst still subject to further amendment and not adopted, it is currently of little weight to planning decision making. Policies within it are referred to only in order to provide some local context to the delivery of a relief road for Cullompton. Draft policy SD07 seeks the phasing of major development in tandem with the co-ordinated provision of infrastructure to help support sustainable growth and ensure that an unacceptable strain is not placed on the existing infrastructure. Draft policy HT01 relates to proposals to ensure that junction 28 of the M5 functions efficiently and safely and states that such proposals will be supported. Also relevant is draft policy WL02 relating to Cullompton Community Association Fields which are described as an important resource for the local community. A series of criteria for proposals to develop part of the CCA Fields to provide a relief road for Cullompton are set out with the intention of minimising potential impact.

2.3 Any planning application that comes forward for the relief road will be assessed in accordance with relevant policies in the development plan together with any other considerations that are considered material. The

decision-making weight to be given to emerging policies will depend upon the stage that they have reached towards adoption and whether there are any outstanding objections. Whilst regard has been had to relevant planning policy in the options assessment process to date, it is at the planning application stage that the proposed relief road will be assessed in detail again relevant policies.

## 3.0 Route options and public consultation.

3.1 A 6 week public consultation over options for the route of the relief road took place between 13th September and 25th October 2018. Of the initial four route options identified, three were taken forward to public consultation:

**Option A** connects Station Road to Duke Street near the Meadow Lane junction within the corridor between the town centre to the west and the railway /motorway to the east.

**Option B** similarly connects Station Road to Duke Street near the Meadow Lane junction within the corridor between the town centre to the west and the railway /motorway to the east. The difference from Option A is that it takes a route closer to the railway /motorway and has a different connection alignment with Duke Street.

**Option C** connects Honiton Road with Duke Street near the junction with Meadow Lane. It follows a longer broadly east- west route and crosses the motorway and railway line. It connects to Honiton Road east of existing houses.

At this stage they were not definitive routes and it has been recognised that they could be subject to change following receipt of comments as part of the public consultation. The options identified above arose from the route options study undertaken in 2018, a copy of which is attached at **Appendix A.**

3.2 A public consultation outcomes report has been prepared which summarises the consultation process and presents the outcomes. It is attached at **Appendix 2**. Within is to be found information on the methods of consultation, material generated and consultation arrangements including the 6 public exhibitions held. Section 4 presents and analyses the results of the consultation which saw 617 responses received in total. These responses incorporated the views received from stakeholders and consultees, including the public, local government and organisations. Headline outcomes from the consultation are as follows:

- 80% of the respondents were from the Cullompton area.
- The majority agreed with the need for a relief road (yes 77%, no 13%, not sure 10%).
- The majority thought most of the relief road should be located to the west of the motorway (61%) rather than to the east (39%).
- Option A: 22% support, 71% oppose.
- Option B: 54% support, 40% oppose.
- Option C: 33% support, 54% oppose.

- A clear preference was shown for Option B in response to the question: Which option do you prefer? Preferred option: A 15%, B 45%, C 27%, none 14%.
- Overall the consultation responses are considered to be a representative sample of the population of Cullompton. This conclusion is drawn by analysing responses against 2011 Census data by age and gender.

3.3 At the meeting of Mid Devon District Council on 19th December 2019 it was resolved as follows (Motion 552):
*'That this Council would like a second stage of consultation on the Relief Road once a preferred route has been identified to feed into and comment on the further more detailed work which will take place on development of junction strategies, engineering, environmental assessments and so on, prior to submission of a formal planning application.*

*Further to that, that this Council ensures that residents and businesses within Cullompton are informed in advance of the consultation commencing by direct contact via a letter or leaflet delivery.*

*Also, that hard copies of information regarding the consultation and means of responding be left in public buildings in the town in order that people who are not online or comfortable using computers can easily access and contribute to the consultation.'*

In line with the contents of Motion 552, this report includes a recommendation that Devon County Council considers holding a second consultation following completion of the technical verification work and in advance of the submission of a planning application.

## 4.0 Preferred route option.

4.1 A report on preferred route option is attached at **Appendix 1** and has been produced by consultants on behalf on Mid Devon District Council and Devon County Council. This report summarises and assesses the available information to date to make an informed decision over a preferred route for the relief road and takes into account a series of technical reports, assessments and the outcomes of the public consultation.

4.2 Flood risk.

4.2.1 Detailed flood risk assessments have been commissioned for each of the option routes and it was anticipated that they would all have been completed by this time. However, flood risk assessments for route options A and C are currently further advanced than that for option B. A position statement over route options has now been received from the Environment Agency as follows:

***Route Option A***
*The Flood Risk Assessment (FRA) constitutes a sound study of the flood risks in this part of the Culm floodplain. The FRA demonstrates that in principle option A would be acceptable from a flood risk management perspective. However, if this route were chosen as the preferred option then further work*

*will be required on the final detailed design to demonstrate adequate mitigation/compensation for lost floodplain, and provision of suitable warning systems and evacuation plans to ensure that road use restrictions and diversion measures can be instigated.*

*Compensation and mitigation will also be required from an ecological perspective due to the likely loss of trees, hedge lines and floodplain habitat.*

***Route Option B***
*This route option is acceptable in principle subject to appropriate mitigation. Whilst the initial flood modelling work indicates a reduction in flood risks in the CCA fields west of the road it also indicates an increase in risk around Tesco and the Long Meadow industrial estate. Further flood modelling work is therefore required to demonstrate what additional mitigation is required to compensate for lost floodplain and to ensure risks to third parties are acceptable.*

*If this is chosen as the preferred option then further work will be required to demonstrate the acceptability of the final detailed design, mitigation/compensation for lost floodplain, and provision of suitable warning systems and evacuation plans to ensure that road use restrictions and diversion measures can be instigated*

*Compensation and mitigation will also be required from an ecological perspective due to the likely loss of trees, hedge lines and floodplain habitat.*

***Route Option C***
*This route option would cross the functional floodplain of the River Culm. Initial flood modelling work has indicated that this option would increase flood risk to residential properties adjacent to Rivermead and Chestnut Avenue. The modelling also indicates that potential mitigation measures available for Option C are limited and could be ineffective or unsustainable.*

*This option would result in floodplain habitat loss and disconnection of the river from its floodplain (in a north/south alignment) on the western side of the motorway with impacts on the floodplain habitats and possible water framework directive implications. There would also be constraint of the semi-natural river realignment processes through the need to protect the embankments. This could conflict with the objectives of the Water Framework Directive (or the legislation which supersedes it post-Brexit).*

4.2.2 The Environment Agency has also confirmed that further FRA work is required on the option B route to consider in more detail potential mitigation measures. Further modelling work is taking place to inform the FRA work in accordance with discussions with the Environment Agency. This additional work will inform detailed design and further route appraisal which would also feed into the planning application process.

4.2.3 Further flood mitigation measure modelling will inform the project through a technical verification process.

4.3 <u>Ecology.</u>

3.3.1 Ecological consultants have been appointed to undertake ecological assessment and therefore identify whether any significant ecological impacts are likely to arise as a result of the route options. The reports are at **Appendix C** and are also summarised at section 4.0 of the preferred route option report (**Appendix 1**). This suite of three ecological reports are presented as preliminary ecological assessments of land to the east of Cullompton (November 2016) and Cullompton Community Association Fields (April 2018) together with an ecological assessment for relief road routes east and west of the M5 at Cullompton (December 2018). These reports identify habitat types, ecological interest and likely species. The December 2018 report extended the phase 1 survey to include surveys for a range of protected species.

4.3.2 Within the preferred route options report (Appendix 1), all three route options are identified as having a 'moderate adverse' effect on local ecology with direct effects upon local biodiversity as a result of habitat loss during both construction and operational phases of the scheme. It is important to note that this moderate adverse impact is without any mitigation measures. At planning application stage, environmental impact assessment will be required in accordance with relevant Regulations. Mitigation of the ecological impacts will be considered as part of the Environmental Statement that will be prepared to support a planning application. The obligation is to eliminate or reduce impact where reasonably possible.

4.4 Heritage including archaeology.

4.4.1 Consultants have also been engaged to consider the route options against heritage and archaeological interests to gauge the likely extent of any impacts. The report is located at **Appendix C** and is also summarised at section 5.0 of the preferred route option report (**Appendix 1**).

4.4.2 The report reviews the historic environment and specific heritage assets in the area, determines the significance of heritage assets that could be affected by the proposal and determines the effect of the different proposed road scheme route options upon the significance of these heritage assets. A review of heritage assets identified the majority to be from post-medieval and modern periods and to be of local and low heritage significance. Recorded finds include a Neolithic hammer and Romano-British coin from along the alignment of route option A. The report concludes that route option B presents the least impact upon known and previously unrecorded significant archaeological features, deposits and artefacts. For all three routes there was not considered to be any overriding archaeological constraints to the proposed development.

4.4.3 The setting of eight heritage assets were also assessed: the Parish Church of St Andrews (grade I listed), Nork House and Old Chimes on Gravel Walk (grade II listed), First Bridge on Duke Street (grade II listed) and the Scheduled Ancient Monument including 2 roman forts and 2 camps on St George's Hill. The impact upon Cullompton Conservation Area was also assessed.

4.4.4 Option A is considered to have a low impact (less than substantial harm) upon the Church of St Andrews and the 2 listed buildings known as Nork House

and Old Chimes. Route options B and C were considered to have no impact upon the settings of assessed heritage assets. In considering the impact of route option A upon the setting of Cullompton Conservation Area, it was predicted to have an adverse impact upon the character area along the Mill Leat to the east of the Conservation Area. However, this impact was predicted to be more than offset by the wider benefits to the Conservation Area of reducing traffic through the town centre, significantly enhancing its character and appearance as experienced within the historic core and other nearby designated heritage assets. Options B and C would have least impact upon the settings of designated assets.

4.4.5 The report concludes overall that option B would offer least impact upon the historic environment, both in terms of potential buried remains, upstanding landscape features and the setting of heritage assets within the surrounding landscape to which it offers no impact. The proposed development was in all instances seen as being consistent with the requirements of the National Planning Policy Framework as well as other relevant and local policy.

4.5 Traffic Assessment

4.5.1 Devon County Council has undertaken traffic modelling for the 3 route options to determine impact upon traffic flows at different development scenarios for each. This modelling is based on traffic counts and a traffic model that have been developed for the Cullompton area. The effect of each route option upon traffic flows in the town centre, J28 and surrounding road network in terms of operation and capacity was considered. The ability to enable future development planned for in the Cullompton area was included.

4.5.2 The report concludes that in light of a Planning Inspector's decision over what constitutes acceptable queuing on Station Road in the morning peak in relation to J28, 774 dwellings at North West Cullompton, Colebrook and Knowle Lane may come forward in advance of the relief road. The County Council has separately clarified that this is in the knowledge of the provision of the relief road. All 3 route option alignments proposed would provide additional highway capacity to accommodate the remaining 750 dwellings at NW Cullompton together with a first phase of 500 dwellings to the east of the motorway on the site proposed for the Culm Garden Village. After this, a strategic intervention to address motorway junction capacity would be required. Assessment of capacity of the highway network considered traffic queuing to and from the town centre and junction 28 in the AM and PM peak, but also the extent to which such queuing would extend back towards the motorway junction and onto the northbound off slip in the pm peak.

4.5.3 Route options A and B were considered to have the same level of mitigation to the High Street by providing an alternative route to J28. Option C allows for traffic to choose to travel on the other side of the motorway helping to distribute traffic more across the junction, thereby providing slightly more benefits to Junction 28.

4.5.4 Options A and B provide a direct alternative route to the High Street, removing approximately 40% of the traffic out of the High Street once the proposed

developments are complete. In comparison, option C is a longer route and predicted to remove 30% of peak hour traffic out of the High Street.

4.5.5 The report concludes that route options A and B are likely to remove more traffic from the High Street, but Option C is likely to offer more relief to J28.

4.6 Alternative routes /variation of route

4.6.1 Through the public consultation process, 3 further options were suggested by respondents. These are addressed within section 7.0 of the preferred route options report at **Appendix 1** together with plans provided for these alternative routes at **Appendix F**. These alternatives propose firstly; a new motorway junction at the location of Duke Street /Old Hill bridge, a new north-south road line to the east of the motorway slightly further east from the already discounted option D and finally, an addition to option B at the southern end to take it south of Duke Street. Assessment of each of these suggestions has been made.

4.6.2 A new motorway junction at Duke Street /Old Hill bridge is not considered to be a viable alternative due to the adverse impact upon safety arising from the proximity to the existing junction. This is in relation to new northern slip roads with insufficient distance from the existing junction. In addition it does not provide a relief road for the town centre. In the view of the highway consultants employed on this project it would not deliver the same degree of benefit to town town centre as relief road route options A to C.

4.6.3 The second alternative route put forward through the consultation process is similar to option D in that it is broadly north–south, running parallel to the motorway on its eastern side for much of its route and would link Honiton Road to Duke Street. It would be located further east than option D and be close to the new housing at Rivels Green. Following Environment Agency advice, routes in this area are not considered acceptable due to impact upon the River Culm and surrounding area. There is considered to be insufficient width to accommodate it to mitigate for flood impacts.

4.6.4 The third alternative is similar to option B, but extends the length of the relief road carriageway at the southern end to accommodate the change in elevation to the south of Duke Street. The line of the relief road would cross Duke Street and introduce a loop on its southern side. A plan showing this arrangement is to be found at section 7.0 of the preferred options report. This suggestion could be given greater consideration at the next stage of the project should option B be confirmed as the preferred route. It could reduce vegetation loss, give greater distance from listed First Bridge, reduce the number of affected land ownerships and reduce impact upon Cullompton Community Association land. The part of the alternative relating to the M5 crossing is not considered feasible.

4.7 **Scheme delivery.**

4.7.1 Land assembly and acquisition is necessary to deliver the road and will involve negotiation with a range of land owners and other interested parties. Independent valuation advice has been gained. Being commercially

confidential it is not referred to further in this report, but the cost of option A would be expected to have the lowest relative land acquisition / compensation cost, option B would be higher, due to the additional need to compensate for the impact upon the cricket and bowling clubs. Option C includes land proposed to be allocated for development, thereby having development value. Its land costs would be expected to be higher than option A, but depending on the impact upon development value of land to the east of the motorway could be either more or less expensive than option B.

4.7.2 Due to the indicative nature of the route options work to date, detailed estimates of cost of construction cannot be produced at this stage. However an initial, high level estimate was provided at the time of the public consultation taking into account relative road length, structures and junctions. The consultant also applied estimated costs from similar projects. The updated estimated cost for the delivery of the relief road taking into account updated information including the valuation advice relative to each route is as follows:

Option A £10.5 million
Option B £14 million
Option C £51-53 million

These estimates exclude the cost of primary mitigation and professional fees.

4.7.3 The relief road project is the subject of a bid to the Housing Infrastructure Fund. Delivery of infrastructure under this fund is required in 2021. Due to the length of route and bridging structures required to cross the railway line, motorway and River Culm it is not considered that route option C would be able to be delivered within this timescale. In contrast, whilst challenging, it is considered that route options A or B could be delivered within the timescale set by this fund.

4.8 **Preferred route.**

4.8.1 Section 9.0 of the preferred route options report (**Appendix 1**), deals with the recommendation of a single route as being preferred subject to further technical verification. Consideration of the outcome of the route options stage has drawn on representations made through the recent public consultation exercise, technical work undertaken to date and relative impact of the route options upon a range of environmental considerations. It also takes into account discussions with stakeholders and statutory bodies such as the Environment Agency, the expected outcome of work currently underway such as the flood risk assessments and issues relating to delivery, relative cost and funding. The report draws together the strands of work and relevant considerations in coming to a conclusion over the preferred route.

4.8.2 There was 77% support for the need for a relief road as indicated via the public consultation. Option B was the preferred route of the local community, it does not segregate the majority of the community association fields from the town centre and population of Cullompton and there is a variation of route to the south with less impact on the CCA fields that can be investigated further. Whilst the Cricket and Bowling Clubs would be impacted by this route, the Cricket Club has indicated a willingness to relocate, having outgrown its

existing premises and has aspirations to expand. The Bowling Club has indicated a willingness to work collaboratively to address the impacts of the development upon them were this route chosen. The cost estimate for option B is not considered prohibitive to its delivery in relation to the £10 million funding bid through the HIF process and is viable to be delivered through the HIF timescale.

4.8.3 Taking all this into account it is recommended that route Option B be the preferred route, but that this be subject to a process of further technical verification as the project progresses.

4.9 **Technical verification.**

4.9.1 It is proposed that a process of technical verification take place to inform the project further. This will update the technical evidence base, feeding into preferred route decision making and verify the viability of the project through revised cost estimates. The scope of this verification work is set out in section 10.0 of the preferred route option report and will be expected to cover:

- The design optimisation of the preferred route, including alignment and cross-sections.
- Closer consideration of the route at the southern end of option B, to assess whether the alternative route suggested in this area should be incorporated.
- Flood risk assessments for all alternative route options are not yet complete, including that for option B. Their completion, taking into account mitigation / compensation measures and the view of the Environment Agency will be important considerations in progressing the project further, updating design an cost estimates.
- Noise and air quality: preliminary assessments for each route are underway and will predict the impact of each upon sensitive receptors and the resultant change in noise and air quality. This will be used for verification and to inform design.
- Highway improvements and access arrangements such as to Meadow Lane / Exeter Road, Duke Street and revised / new highway access arrangements to affected land and property interests.
- Updated construction and land cost estimates taking into account the further information.

5.0 **Next steps.**

5.1 A decision is sought from the Cabinet of Mid Devon District Council over the route to be regarded going forward as preferred and that this be subject to a technical verification process. As the Highway Authority, it will be for Devon County Council to facilitate the delivery of the new road and that Council has been identified as the delivery partner for the scheme in discussions with Homes England over the live HIF bid. Mid Devon District Council recommendations would therefore need be made to the County Council. These recommendations have been formulated to cover the issues of preferred route, that technical verification work be undertaken and that a planning application be drawn up for the road together with supporting documentation. The County Council would be the planning applicant,

submitting any planning application to Mid Devon District Council for determination.

5.2 It is understood that a report on the proposed relief road will be considered by the Cabinet of Devon County Council. This is currently scheduled for March 2019.

5.3 At the time of writing this report there is no final decision from Homes England over the Council's £10 million bid under the Housing Infrastructure Fund. At a previous meeting of Cabinet it was resolved to approve a £100,000 budget to progress the project to fund associated technical work. Under provisions within the Financial Procedure Rules this was subsequently extended to £132,000 and has allowed the project to proceed to the current position of selecting a preferred route. This £132,000 has been met from air quality S106 funds collected to advance the relief road.

Cabinet has also resolved previously that:

*In the event that HIF funding from Homes England is confirmed, delegated authority be granted to the Head of Planning, Economy and Regeneration and the Director of Finance, Assets and Resources (Section 151 Officer), in consultation with the Cabinet Member for Planning and Regeneration, to approve a further budget of up to £300,000 to support pre-application work which would then be reimbursed through the HIF fund.*

It is to be noted that this was therefore only authorised once HIF funding was confirmed.

5.4 The outcome of the HIF bid is currently unknown. However should it be confirmed, the road will need to be delivered to a very tight timescale. In order to meet this timescale, work must continue to progress the project to the next stages of technical verification and the preparation of a planning application together with associated documentation which will include the submission of an environmental statement prepared under the Environmental Impact Assessment Regulations. This documentation will take time to prepare, necessitating a commitment to undertake these next steps to progress the project in the absence of a HIF funding outcome and therefore uncertainty over whether this further cost would be reimbursed through the HIF fund. The work would not be abortive, since progressing the project to planning application determination would provide certainty and allow S106 funds to continue to be collected from qualifying developments and greater capitalisation of any further funding streams or forward funding opportunities. Therefore the recommendations over preferred route and next steps for the project are made irrespective of the outcome of the HIF process and to reduce risk of the project stalling.

5.5 The County Council estimates the cost of progressing the route Option B relief road to the stage of planning application submission to be an additional £250,000. Mid Devon District Council has been collecting S106 monies from qualifying developments for both the relief road project specifically and more generally to undertake air quality improvement mitigation measures in Cullompton. The delivery of the relief road is identified in the air quality action

plan as a significant planned mitigation measure. There is sufficient S106 money collected to fund this work. Accordingly it is also recommended that an additional £250,000 of S106 funds are utilised. Subject to the outcome of the meeting of Devon County Council's Cabinet, this will allow the relief road project to progress in a timely manner through its next key stages. This further £250,000 of funding is currently considered at risk in the absence of a final decision over HIF and if planning permission is granted, there will only be a certain timescale within which it must be implemented or the permission will lapse. However, there are considered to be substantial policy reasons to progress the project by securing a preferred route alignment and gaining planning permission.

| | |
|---|---|
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# CULLOMPTON TOWN CENTRE RELIEF ROAD

## Preferred Route Options Report




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# CULLOMPTON TOWN CENTRE RELIEF ROAD

## Preferred Route Options Report

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# 1

# INTRODUCTION

# 1. INTRODUCTION

## 1.1. BACKGROUND

A Relief Road east of the town centre of Cullompton has been included in the Local Plan since 2013 to divert north-south traffic away from Fore Street and through the town centre. The Relief Road will help to tackle Cullompton's long term issues of traffic congestion which impacts poor air quality and constraints on development which generate restrictions on the town's economic growth.

Assessments of the traffic patterns show that a high portion of the working population of Cullompton commute to work via the M5 motorway using junction 28, either travelling south to Exeter or north towards Taunton. Therefore, the morning peak traffic queues from J28 along Station Road and the High Street. The evening peak traffic also queues back from the signalised junction of High Street/Higher Street/Station Road; these queues extend back onto the junction 28 northbound off-slip.

A Relief Road will reduce queuing durations on both the local and national road networks, improving the air quality within Cullompton and supporting its sustainable growth for the future.

Assessments into the Cullompton Relief Road have been undertaken to support the public consultation which include:

- Cullompton Town Centre Relief Road, Route Options Report
- Comparative Environmental Assessment
- Land Impact Assessment

These documents and the options presented at public consultation can be found in Appendix A which provide more information on the background of the scheme and the development of the options selected for public consultation.

## 1.2. PURPOSE OF THIS REPORT

This report summarises and assesses the available information to date to be able to make an informed decision on a preferred route for the Cullompton Town Centre Relief Road. This preferred route option report takes into consideration the information provided within the following reports and assessments:

- Cullompton Town Centre Relief Road (August 2018)
- Public Consultation Report (January 2019)
- Ecological Assessment, Cullompton Relief Road (Draft - December 2018)
- Preliminary Ecological Assessment, CCA Fields, Cullompton (April 2018)
- Preliminary Ecological Appraisal, Land at East Cullompton (November 2016)
- Cullompton Relief Road, Heritage Assessment (December 2018)
- Cullompton Town Centre Relief Road, Traffic Modelling Report (September 2018)

# 2

# PUBLIC CONSULTATION OUTCOME

# 2. PUBLIC CONSULTATION OUTCOME

## 2.1. INTRODUCTION

A public consultation was held between 13th September and 25th October 2018 which detailed the options which had been assessed for the Cullompton Town Centre Relief Road. The consultation made available reports, option plans, a summary leaflet, exhibition reports, questionnaires and FAQ's in order to give the public a chance to review the material collated and discuss queries on the scheme. All the materials provided at the public exhibitions were also made available online.

The report provides information on the responses received including those from potentially affected landowners and residents. Consultation with Key Stakeholders commenced prior to the consultation period and included meetings with affected landowners and Local Councillors.

The Cullompton Town Centre Relief Road, Report on Public Consultation can be found in Appendix B.

## 2.2. PUBLIC CONSULTATION RESPONSE

Public exhibitions were held between 14th September and 6th October to provide the public with an opportunity to discuss the different options for the scheme and provide feedback on preferred routes. It was found that over 600 residents from Cullompton and the local area attended these events and had the opportunity hold discussions with project representatives from Devon County Council (DCC), Mid Devon District Council (MDDC) and WSP.

In response to the public consultation, responses from Highways England, Natural England, Historic England and Sport England were received.

## 2.3. SUMMARY

The 6-week consultation for the Cullompton Town Centre Relief Road concluded on the 25th October 2018 and responses were received from 617 people, with 80% from the Cullompton area. In analysing the public consultation responses with the 2011 Census Data, it was also found that the results represented a fair sample of the demographic of the area.

It was found that the majority of the respondents preferred Option B from the Route Options Report.

# 3

# FLOOD RISK ASSESSMENT

# 3. FLOOD RISK ASSESSMENT

Flood risk assessments (FRA) for route options A, B & C are being prepared, including consultation with the Environment Agency (EA). It was expected that FRA for all options would have been now been completed, however that it not the case.

The FRA for Option A has been substantially completed, with the EA confirming broad acceptance of the findings, conclusions and recommendations within the document. FRAs for Options B & C have not yet been progressed to the same degree as that of the Option A FRA. Following initial feedback from the EA, the Option B & C FRAs are currently being developed to include mitigation measures and scenarios as advised. The expectation is that with further development and consultation with the EA, FRA's acceptable to the EA will be achievable for options B & C.

Preparation of FRAs is an iterative process, consequently the timescale for completion of the outstanding FRAs cannot be confirmed. To progress the project on a viable programme it will be necessary for a preferred route to be established ahead of completion of the FRAs, on the assumption that all routes will be acceptable to the EA with flood compensation and mitigation which are compatible with project delivery. It is proposed these assumptions are confirmed through the technical verification stage subsequent to a preferred route decision as outlined in Section 10 of this report.

# 4

# ECOLOGY

# 4. ECOLOGY

## 4.1. INTRODUCTION

4.1.1. MDDC have appointed WSP to undertake an Ecology Assessment for the Cullompton Relief Road, Devon in December 2018. The purpose of the report is to identify whether the options will give rise to any likely significant ecology impacts. This assessment has been undertaken on the reports provided by MDDC which can be found in Appendix C.

## 4.2. IMPACT ASSESSMENT

### 4.2.1. Likely Impacts: Option A

Option A runs through cultivated/ disturbed land – amenity grassland. The amenity grassland consists of play areas and sports fields and the habitat had low botanical diversity and value for protected species is limited.

The option runs through mixed woodland which is semi-natural. At this site, mature mixed woodland is present and comprises of deciduous and leyllanli trees that are used as curtilage between playing fields and screening from the motorway and the railway line.

The route also cuts through hedges with trees that are species rich. The hedgerows comprise of mature well-established trees and are identified as adding significant ecological value to the site. There is a tributary of the River Culm that traverses the west boundary and south-west section of the site. This stream is heavily lined and shaded by deciduous trees on both banks, here the proposed route crosses over the stream.

The wider environment was assessed as high value for bats with a large network of fields, hedgerows and woodland, as well as roosting opportunities in nearby structures. The grassland and woodland provided moderate potential for foraging bats, with the mature trees having high potential for roosting bats.

The site was also assessed as having a moderate to high value for birds, with the scrub, grassland and woodland providing suitable nesting and feeding opportunities.

The site location was assessed as having a moderate value for reptiles, (the grassland tussocks and scrub fringes) and invertebrates (white clawed crayfish). There was no sign of badgers on site, however the overall site was assessed to hold potential for foraging badgers, hedgehogs and the River Culm had the potential to support otter and water voles. The pond on site provided potential for breeding habitat for great crested newts.

Direct impact on Priority Habitats.

**Qualitative Assessment Score – Moderate Adverse**

### 4.2.2. Likely Impacts: Option B

Option B also runs through hedgerows that are species rich with mature well-established trees that are identified as adding a significant ecological value to the site. This proposed route also runs through mature mixed woodland that comprises of deciduous and leyllanli trees that are used as curtilage between playing fields and screening from the motorway and the railway line.

There is a tributary of the River Culm that traverses the west boundary and south-west section of the site. This stream is heavily lined and shaded by deciduous trees on both banks.

The wider environment was assessed as high value for bats with a large network of fields, hedgerows and woodland, as well as roosting opportunities in nearby structures. The grassland and woodland provided moderate potential for foraging bats, with the mature trees having high potential for roosting bats.

The site was also assessed as having a moderate to high value for birds, with the scrub, grassland and woodland providing suitable nesting and feeding opportunities.

The site location was assessed as having a moderate value for reptiles, (the grassland tussocks and scrub fringes) and invertebrates (white clawed crayfish).

There was no sign of badgers on site, however the overall site was assessed to hold potential for foraging badgers, hedgehogs and the River Culm had the potential to support otter and water voles. The pond on site provided potential for breeding habitat for great crested newts.

Direct impact on Priority Habitats.

**Qualitative Assessment Score – Moderate Adverse**

### 4.2.3. Likely Impacts: Option C

The site is dominated by large fields of arable land, improved and semi improved grassland. The proposed option runs through hedgerows that are species rich with mature well-established trees that are identified as adding a significant ecological value to the site. The route also runs through mature mixed woodland that comprises of deciduous and leylandii trees that are used as curtilage between playing fields and screening from the motorway and the railway line.

There is a tributary of the River Culm that traverses the west boundary and south-west section of the site. This stream is heavily lined and shaded by deciduous trees on both banks.

The wider environment has been assessed as high value for bats with a large network of fields, hedgerows and woodland, as well as roosting opportunities in nearby structures. The grassland and woodland provided moderate potential for foraging bats, with the mature trees having high potential for roosting bats.

The site was also assessed as having a moderate to high value for birds, with the scrub, grassland and woodland providing suitable nesting and feeding opportunities.

The site location was assessed as having a moderate value for reptiles (the grassland tussocks and scrub fringes) and invertebrates (white clawed crayfish).

There were records of badgers within the data search. These included several records from the M5 Motorway to the north of the site. The habitats on site were assessed to provide good habitat for badgers with a mosaic of fields, woodlands and hedgerows.

The data search returned records of otter within the data search. The River Culm had the potential to support otter and water voles. The pond on site provided potential for breeding habitat for great crested newts.

The site was assessed to have diverse ecological habitats such as mature tree lined hedgerows, riparian habitats, broadleaved woodland of varying ages, and pasture cut for hay. These habitats

subsequently provide habitat suitability for a range of European Protected Species such as otters, bats, and dormouse.

There are likely to be direct effects on biodiversity as a result of habitat loss (including Priority Habitat) during construction, and indirect effects associated with increased disturbance (e.g. lighting and noise) during both construction and operation.

Direct impact on Priority Habitats

**Qualitative Assessment Score – Moderate Adverse**

## 4.3. SUMMARY

The qualitive assessment of the information provided has shown that all options have a 'Moderate Adverse' effect on the local ecology. All schemes have identified direct effects on biodiversity as a result of habitat loss during the construction and operation of the scheme.

It should be noted that the Moderate Adverse impact on ecology for each of the routes, is the unmitigated impact. Mitigation of these impacts would be addressed during the next stages of the project through an Environmental Statement supporting a planning application, where the obligation is to eliminate or reduce the impact where reasonable possible.

# 5

# HERITAGE

# 5. HERITAGE

## 5.1. INTRODUCTION

MDDC have appointed Cotswold Archaeology to undertake a Heritage Assessment for the Cullompton Relief Road, Devon in December 2018. The purpose of the report is to identify impacts on any significant heritage assets that the future relief road development may have and the relative heritage impact of each route option.

The Heritage Assessment report is included in Appendix D.

## 5.1.1. SUMMARY

### 5.1.2. Summary of findings

A review of heritage assets within the area of the route study determined that other than a Neolithic hammer and Romano-British coin recorded along the route of Option A, all other evidence was derived from the post -medieval and modern periods and to be of local and low heritage significant.

The settings of the following 8 heritage assets were also assessed:

- Church of St Andrews
- Nork House
- Old Chimes
- First Bridge
- 2 No. Roman Forts and 1 2 No. Roman Camps at St Andrew's Hill

Option A is considered to have low impact to the Grade 1 Listed Church of St Andrews and two Grade II Listed Buildings known and Nork House and Old chimes. Route Options B & C offered no impact to the settings of assessed designated assets.

The report states that it was predicted that Route Option A would have an adverse impact to the landscape setting of Cullompton Conservation Area, specifically to the Mill Leat Character Area along its eastern edge. However, this impact was predicted to be more than offset by the benefits of reduced traffic flow through Cullompton town centre, which would provide significant enhancements to its character and appearance as experienced from within the historic core of Cullompton CA and other nearby designated heritage assets.

### 5.1.3. Conclusion

The report concludes that Option B presents the least potential impact to the historic environment, but that in all instances the proposed development would be consistent with the requirements of National Planning Policy (2018) as well as other relevant and local policy.

# 6

# TRAFFIC ASSESSMENT

# 6. TRAFFIC ASSESSMENT

## 6.1. INTRODUCTION

DCC have undertaken traffic modelling for the 3 proposed route options, to determine the impacts upon traffic flows for each route. The modelling is based on traffic counts and a traffic model produced in proprietary software.

The purpose of the traffic modelling was to provide an assessment on whether each of the proposed route options would provide sufficient highway capacity to enable future developments identified in the emerging local plan, and their relative effect on reducing traffic flows from Cullompton High Street.

The Traffic Modelling Report is included within Appendix E.

## 6.2. SUMMARY

The report concludes that all 3 route option alignments proposed would provide additional highway capacity to accommodate the remaining 750 new dwellings at NW Cullompton along with 500 new dwelling east of the M5 Motorway as part of a first phase of the Culm Garden Village.

The traffic modelling also assessed that options A & B are expected to remove 40% of the traffic from the High Street once the proposed developments are complete, with Option C expected to remove 30%. However, option C is likely to provide more relief to Junction 28 of the M5 Motorway.

# 7

# ALTERNATIVE ROUTES

# 7. ALTERNATIVE ROUTES

## 7.1. INTRODUCTION

In response to the public consultation and the options presented, three additional options were submitted to DCC and MDDC for further consideration as alternative routes for the proposed relief road. The layouts and details of these proposals can be found in Appendix F.

## 7.2. ALTERNATIVE ROUTE 1

The first alternative route option depicts a new motorway junction located at the existing Duke Street/Old Hill bridge.

In preliminary consultation with Highways England, this arrangement would not be a viable alternative due to the location of Junction 28 and safety implications in providing new northbound entry and southbound exit slips in such close proximity to an existing junction.

In assessment of the current traffic challenges, this proposal would also not deliver the foreseen benefits of Options A-C in reducing congestion in the town centre and improving air quality in providing a relief road rather than a new motorway junction. The existing route options previously presented show their compatibility with a future new motorway junction to deliver the long-term strategies for the economical develop of the town.

## 7.3. ALTERNATIVE ROUTE 2

The second alternative route option is similar to Option D from the Cullompton Town Centre Relief Road, Route Options Report. It is located to the east of the M5 corridor and links Honiton Road with Duke Street, utilising the existing road and rail bridge.

As with Option D, which was not taken forward as an option for consideration, a route to the east of the town centre would not be viable in consultation with the EA due to the impacts on the River Culm and surrounding areas.

The proximity to the existing developments and the Cumming's Nursey would not provide sufficient width to accommodate the proposed road, which is estimated to exceed 16m in this location to be able mitigate impacts of flood water levels on the carriageway.

Due to the widths of the existing road and rail bridge, 3.5m and 5m respectively, this option would not be feasible without the use of controlled signalling which will limit the impact of relieving the traffic within the town centre and improvements in air quality. The weight restriction on the railway bridge would also mean this route would not be suitable for HGVs.

## 7.4. ALTERNATIVE ROUTE 3

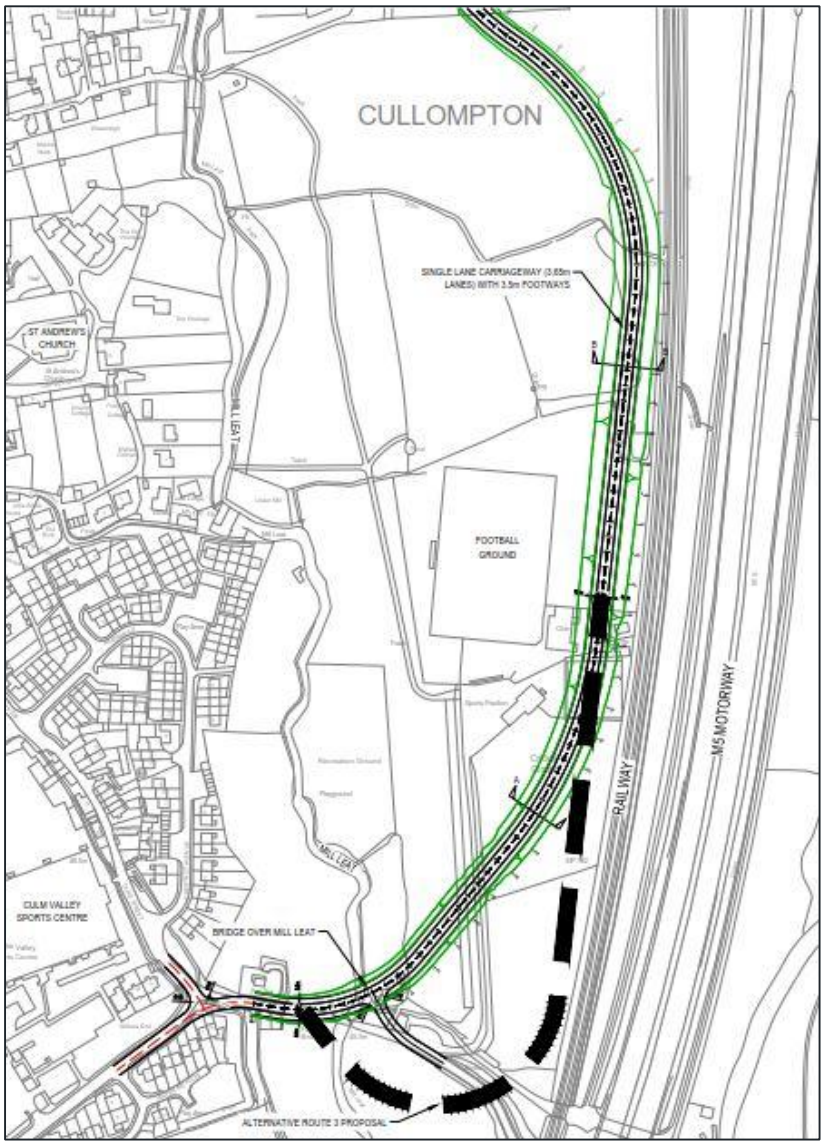
The third alternative route which was submitted following a similar alignment proposed in Option B, with an additional length of carriageway to accommodate the change in elevation taken to the south of Duke Street. The proposed route includes an additional road and rail bridge across the M5 to connect the Relief Road to the east of the M5 corridor across the River Culm.

On assessment of this proposed route, the relief road element of this proposal has some potential merit and could be reviewed in the next phase of the project if Option B is taken forward. By taking the carriageway alignment south of Duke Street it would reduce the loss of the existing vegetation bordering Duke St, it will also give a greater clearance from First Bridge, reduce the number of affected landowners and reduce land take from the CCA fields. The section of Duke St up to the sport clubs access could be maintained thereby minimising accommodation works and alternative accesses. This is shown in Figure 7-1.

This proposal would need to be considered in consultation with the EA due to the location of the proposed carriageway, being located in the deepest part of the floodplain and the requirement of maintaining the existing bridge embankment which mitigates flooding in this area.

The crossing of the railway, M5 corridor and the River Culm shown in the sketch provided by the proposer is not considered to be feasible due to its alignment at 45 degrees to the railway and motorway complicating the lengthen the structure that would be required and incompatibility with motorway on and off-slip design standards.

**Figure 7-1** - Alternative Route 3: Intergration with Option B



# 8

# SCHEME DELIVERY

# 8. SCHEME DELIVERY

## 8.1. LAND EVALUATION

MDDC have instructed Drew Pearce 1748 Ltd to undertake a valuation report in respect of the estimated cost of acquiring the land necessary for each of the route options. The valuation has been undertaken in accordance with the Royal Institution of Chartered Surveyors Valuation – Global Standards 2017 (Red Book) in order to provide an informed assessment of future land costs on the basis of appropriate Market Value. The report is not appended as it is commercially sensitive, and for the same reason figures are not included below.

### OPTION A

As identified in the Route Options Report (WSP, December 2018), 7 landowners were identified as being affected by Option A, with an estimated initial area of 27,800m$^2$. Option A is expected to have the lowest projected land compensation cost of the 3 options.

### OPTION B

The Route Options Report (WSP, December 2018) identified 12 known areas of registered and unregistered land, impacting approximately 28,400m$^2$. The projected land compensation cost for Option B is significantly more in comparison to Option A, primarily due to the impacts upon the Cricket and Bowls club and the expected requirement to compensate them on an equivalent reinstatement basis as the whole of their land parcels would no longer be suitable for the current use.

### OPTION C

As identified in the Route Options Report (WSP, December 2018), 11 known areas of registered and unregistered land are affected by Option C, with an estimated initial area of 40,000m$^2$. The total projected compensation for Option C is expected to be higher than Option A, but could be lower or higher than Option B depending on land costs east of the motorway. This is due to the land being potentially developable as part of the Culm Garden Village, and therefore having potential development value. However, the road enables the proposed development land value could be offset. The timing of the land acquisition in relation to planning policy and consents would determine this current uncertainty.

## 8.2. Construction Cost

Due to the indicative nature of the route options, detailed cost estimates of construction cannot be produced on the information available at this stage of the scheme development. An initial cost estimation was provided in the Cullompton Town Centre Relief Road, Route Options Report (December 2018) taking into account length of carriageway, number and type of structures and number and type of junctions.

Estimated costs from similar projects were applied to the identified elements along with allowances for identified risks and constraints to produce the initial costs estimates for each route. It has been assumed for each route that the highway will be constructed above flood water levels wherever possible.

In combination with the estimated costs of land purchase information provided by Drew Pearce Ltd, the construction costs of each option have been updated in Table 8-1.

## 8.3. SUMMARY

The current estimated delivery cost for each option are provided in the table below

**Table 8-1 – Combined Estimated Delivery Costs**

| | Revised Estimate (Approximate) |
|---|---|
| Option A | £10.5m |
| Option B | £14m |
| Option C | £51m - £53m |

The anticipated primary mitigation costs have not been estimated and included due to insufficient information available at this stage. Professional fees have also not been included.

# 9

# PREFERRED ROUTE RECOMMENDATION

# 9. PREFERRED ROUTE RECOMMENDATION

## 9.1. INTRODUCTION

The review of the route options and all the supporting information has been undertaken by the project team consisting of officers from MDDC, DCC and staff from consultant WSP. The relative advantages and disadvantages of each of the routes has been discussed taking into consideration the technical elements, community feedback and viability of delivery. The decision on the preferred route recommendation was by consensus, with all parties agreeing on the Option to be recommended.

## 9.2. REVIEW

### 9.2.1. Technical

9.2.1.1. Ecology

As discussed in Section 4, the qualitive assessment of the information provided has shown that all options have a 'Moderate Adverse' effect on the local ecology. Each option has identified direct effects on biodiversity as a result of habitat loss during the construction and operation of the scheme.

It should be noted that the Moderate Adverse impact on ecology for each of the routes, is the unmitigated impact and mitigation would be addressed during the next stages of the project to eliminate or reduce impact where reasonably possible.

9.2.1.2. Heritage

The Heritage Assessment discussed in Section 5 includes a review of heritage assets within the area of the route, determined that the impact of Option A would be greater, although still minimal than Option B & C. A Neolithic hammer and Romano-British coin was recorded along the route of Option A.

Option B presents the least potential impact to the historic environment, but that in all instances the proposed development would be consistent with the requirements of National Planning Policy (2018) as well as other relevant and local policy.

9.2.1.3. Air Quality

A Qualitative Environmental Appraisal was undertaken in the Cullompton Town Centre Relief Road, Route Options Report in August 2018 where the impacts on Air Quality were considered. The appraisal found that both Option A & B were found to have 'Moderate Benefit' on the Air Quality and Option C to have 'Moderate to High Benefit'. Sensitive receptors along the B3181 corridor are likely to experience moderate to high improvements in the air quality on Option B. The alignment of Option B will limit any potential changes to air quality on residential properties located on Meadow Lane, Chestnut Avenue and Rivermead in comparison to Option A which is located further west.

9.2.1.4. Noise

Within the Qualitive Environmental Appraisal, and assessment on the impact of noise of the proposed road was assessed on each option. Due to the change in environment, all of the options showed they would have a 'Moderate' or 'High' impact from noise. Through reductions in traffic, it is likely that Option B will provide a reduction in noise levels on the Cullompton high-street however residents to the west of the proposed route may experience higher levels. In comparison to Option A, Option B

provides betterment in its alignment along the rail way and the M5 corridor. As described in the Route Options Report, it is likely that mitigation measures would have the potential to reduce predicted increase in noise levels from traffic.

9.2.1.5. Flood risk

FRA information for each option has not yet been made available, however in initial consultation with the EA it is anticipated that each route will produce and FRA acceptable to the EA. Flood compensation and mitigation requirements will need to be confirmed within the technical verification stage.

### 9.2.2. Community feedback

Option B was favoured by the responses received to the public consultation questionnaire. Mainly because of the relatively small impact on the CCA fields whilst still providing a route which would reduce congestion and noise and air quality impacts.

All of the options impact upon the CCA fields. Whilst the impact to the CCA fields from each route is subjective, the general consensus from discussions during the public consultation and engagement with the CCA committee members is that route A has most impact, with option C having the least impact.

Option B would impact on the football, cricket and bowls clubs, where Options A & C do not directly affect any of the sports clubs. Both the cricket and bowls club have indicted their willingness to engage in negotiations regarding relocation should Option B be progressed, whilst the impact to the football club is expected to be limited and not significantly affect their current operations.

### 9.2.3. Delivery

Funding of £10m has been sought from Homes England through the Housing Infrastructure fund, with the £10m confirmed subject to due diligence that is expected to be announced imminently. The cost estimates for Options A & B lie within the amount sought through the Housing Infrastructure Fund and developer contributions.

Route Option C with an estimated cost in excess of £50 million, could not be viably funded by MDDC regardless of the £10m from Homes England. Whilst it could provide much of the strategic highway infrastructure to accommodate the proposed Culm Garden Village, there is little prospect of £50 million of funding becoming available before the first occupation of the Culm Garden Village as would be required.

## 9.3. RECOMMENDATION

Having considered each of the elements above the project team have determined that Option B is the preferred route that should be recommended to MDDC and DCC. The recommendation from the project team is on the basis of the work completed to date and expected outcomes of work underway, specifically the Flood Risk Assessments. A further Technical Verification stage is proposed and outlined in Section 10 of this report to validate the recommendation, incorporating the work currently outstanding and further detailed design/assessment work.

In summary Option B was selected for the following primary differentiating reasons:

- Option B was favoured by the local community through the public consultation
- Option B does not segregate the majority of the CCA Fields from the town centre and population of Cullompton
- The Cricket and Bowls clubs impacted by Option B have indicated a willingness to relocate
- The cost estimates for Option B are affordable within MDDC's budget
- Option B is viable to be delivered within the Home England – Housing Infrastructure Fund timescale

All routes have been assessed to provide sufficient highway capacity to support the development identified in the emerging Local Plan, are expected to be acceptable with regard to environmental impact, be compatible with a future new M5 motorway junction and be capable of mitigating flood risk so that it is not increased as a result of the scheme. Whilst each of the routes achieve these requirements with different levels of impacts, costs etc, they all ultimately meet the criteria and they are not differentiating factors in the preferred route option recommendation.

The intention is for the preferred route recommendation to be considered by the MDDC cabinet and DCC seeking a primary decision to confirm Option B as the preferred route. The cabinets would also be requested to confirm the scheme should be progressed to submission of a planning application subject to an acceptable Technical Verification process as detailed in Section 10 of this report.

MDDC would also be requested to confirm funding for the Technical Verification and Planning Application phases of the project. The current intention would be for DCC to act as the delivery partner for MDDC, and therefore a decision from Devon County Cabinet to agree to take on delivery of the project, with the funding from MDDC, would also be sought.

# 10

# TECHNICAL VERIFICATION SCOPE

# 10. TECHNICAL VERIFICATION SCOPE

## 10.1. TECHNICAL VERIFICATION

### 10.1.1. Verification process

The outcomes and information produced from the technical verification tasks will be collated and reported on in a Technical Verification Report. The purpose of the report is twofold. Firstly, to reconsider the preferred route decision with the benefit of additional information and confirm whether the previous recommendation stands. And secondly, verify the viability of the project in terms of deliverability through updated cost estimates.

### 10.1.2. Scope

The scope of the technical verification is expected to comprise of the following tasks:

- Alternative route alignment – Detailed consideration of the alternative alignment for the southern section of the Option B alignment as proposed by Mr Roy Gould during the consultation as per Section 8 of this report. A preliminary alignment will be prepared and its viability in terms of highway design, flood risk, environmental and cost impact will be assessed to determine whether it has merit and should be adopted within the alignment design development.
- Preferred route design optimisation, including alignment and cross section – The option B alignment will be progressed to confirm the highway cross section (the widths and arrangement of the carriageway, footway and cycleways) and develop the horizontal and vertical alignment to optimise construction and land take.
- Flood risk – The completed FRAs for all options will be completed and the EA's acceptance or otherwise should be established. This will permit the viability for all routes to be considered in terms of flood risk and also the mitigation/compensation measures required for Option B to be incorporated in the preliminary design and updated cost estimates.
- Noise and Air Quality – Preliminary assessments will be undertaken for each route option based on the forecast traffic flows to predict the impact of each route option on sensitive receptors. The assessments will identify the sensitive receptors associated with each route and resultant change in noise levels and air quality. This information will be used to both verify the preferred route recommendation and potentially influence route alignment development.
- Offline highway improvements and access arrangements – Preliminary design details for improvements to the Meadow Lane/Exeter Road (B3181) will be developed, along with consideration of potential improvements to Meadow Lane to accommodate the additional traffic flows. New and revised highway access arrangements with be developed to maintain existing accesses, such as those to the sports facilities, Weary Traveller public house and also review the potential for a new access to the Tesco superstore.
- Updated construction and land cost estimates – All the additional design and information generation from the technical verification tasks outlined above will be used to review and update the previously prepared Option B cost estimates for construction and land acquisition/compensation.

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# Appendix A

## ROUTE OPTION STUDY

# CULLOMPTON TOWN CENTRE RELIEF ROAD

## Route Options Report




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Mid Devon District Council
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70047809-ROR-001
AUGUST 2018


PUBLIC

# CULLOMPTON TOWN CENTRE RELIEF ROAD

## Route Options Report

**TYPE OF DOCUMENT (VERSION) PUBLIC**

**PROJECT NO. 70047809**
**OUR REF. NO. 70047809-ROR-001**

**DATE: AUGUST 2018**

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# 1

# INTRODUCTION

# 1 INTRODUCTION

## 1.1 BACKGROUND

Traffic congestion within Cullompton has been a long-term issue resulting in poor air quality, constraints on development and associated restrictions on the future economic growth of the area. There is a single arterial route for vehicular traffic running north/south through the centre of the town, where carriageway width is less than 6.5m in places with typically narrow footways.

A high proportion of the working population in Cullompton and the surrounding area commute to work via the M5 motorway, accessing and egressing the M5 at junction 28 either heading south towards Exeter and beyond or northwards towards Taunton.

In the morning peak traffic queues back from the motorway junction along Station Road and onto the High Street and Higher Street sections south and north of Station Road respectively. In the evening traffic peak there are queues back from the signalised junction of High Street/Higher Street/Station Road that extend back onto the Junction 28 northbound off-slip.

A Relief Road east of the Town Centre has been included within the Local Plan since 2013, and before that in the Allocation and Infrastructure Development Plan Document in 2011, to divert north-south traffic away from Fore Street and through the town centre. Such a relief road would reduce queuing on both the local and national road networks with consequent improvements to air quality, whilst also permitting sustainable growth of the town.

## 1.2 PURPOSE OF THIS REPORT

The purpose of this Route Options Report (ROR) is to identify the existing issues, problems and constraints, define the main objectives of the scheme, and to present and provide high level appraisal of the viable options considered to address the issues and meet the objectives.

This Report is intended to be considered by MDDC Cabinet and DCC Members, to seek approval from both councils to proceed to public consultation on the options.

Following public consultation, a further report recommending a preferred route will be prepared reporting on and drawing on the consultation responses and high-level assessment. Further investigations, surveys and design may be undertaken prior to completion of the preferred route report, to inform the recommendation.

## 1.3 STUDY AREA

The Study Area is shown in Appendix A, extracted from the Local Plan.

## 1.4 METHODOLOGY

WebTAG (Web-based Transport Appraisal Guidance) is the Department for Transport's overarching guidance for the appraisal of proposed transport schemes.

The WebTAG Transport Analysis Guidance includes the following elements:

- Understand the current context of the study area
- Understand the future context of the study area
- Establish the need for intervention

- Identify intervention-specific objectives within a defined geographic area
- Generate options
- Undertake an initial sift
- Develop and assess potential options and undertake public consultation
- Document the option development process within an Options Appraisal Report
- Clarify the methodology for further appraisal within an Appraisal Specification Report

This ROR covers the elements set out above, except for public consultation and the last 2 bullet points. Public consultation will follow the ROR, subject to MDDC and DCC approvals to proceed with consultation

The initial sift of options will be undertaken through assessment of each of the options against the objectives, with those that are assessed not to substantially meet the objectives and/or are not technically viable due to other identified issues, excluded from further consideration.

# 2

# UNDERSTANDING THE CURRENT SITUATION: POLICY CONTEXT

# 2 UNDERSTANDING THE CURRENT SITUATION: POLICY CONTEXT

## 2.1 INTRODUCTION

This Chapter presents an understanding of local, regional and national policies affecting the study area. In addition to establishing the strategic policy context in the area, this understanding also helps to identify the local and strategic issues, and define the objectives of the scheme

## 2.2 NATIONAL POLICY

The National Planning Policy Framework (NPPF) was adopted by the UK Government on 27th March 2012. The NPPF sets out national policy, which is a material consideration in the determination of planning applications. A revised version of the NPPF was adopted in July 2018. Table below considers the parts of the 2018 NPPF relevant to the proposal.

**Table 2.1: Relevant 2018 NPPF References**

| Policy or Paragraph Number | Policy Text | Relevance to Scheme |
|---|---|---|
| Paragraph 14- Sustainable Development | At the heart of the NPPF is a presumption in favour of sustainable development, which should be a golden thread running through both plan-making and decision taking. | The new relief road will address existing congestion in the transport network. Easing this congestion will contribute to social well-being through reduced journey times and has the potential to result in economic benefits through consequential effects in terms of increased productivity.<br>The new relief road aims to improve conditions for all travellers via the reduction of traffic passing through the town centre, the provision of new highways, footways and cycle ways and the general improvement of road safety and infrastructure. |
| Paragraph 91 – Promoting Healthy and Safe Communities | Enable and support healthy lifestyles, especially where this would address identified local health and well-being needs. | Due to congestion the current air quality levels in Cullompton are very poor and could impact human health. The new relief road would reduce vehicle movements through the town centre directly improving air quality. |
| Paragraph 80 – Building a strong, competitive economy | Seek to address potential barriers to investment, such as inadequate infrastructure, services or housing, or a poor environment. | Improving accessibility to and within economic centres improves the local economy which in turn attracts further investment. It also allows the town to grow sustainably, accommodating new housing and attract more financial investment. |
| Paragraph 102 – Promoting Sustainable Transport | Transport issues should be considered from the earliest stages of plan-making and development proposals, so that: a) potential impacts of development on transport networks can be addressed; | The proposed relief road is a viable option to achieve sustainable development. The road will have pedestrian and cycle paths running in both directions. Any planning application submitted will be accompanied by the relevant |

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| | b) opportunities from existing or proposed transport infrastructure, and changing transport technology and usage, are realised – for example in relation to the location or density of development that can be accommodated; scale,<br>c) opportunities to promote walking, cycling and public transport use are identified and pursued;<br>d) the environmental impacts of traffic and transport infrastructure can be identified, assessed and considered – including appropriate opportunities for avoiding and mitigating any adverse effects, and for net environmental gains; and<br>e) patterns of movement, streets, parking and other transport considerations are integral to the design of schemes, and contribute to making high quality places. | environmental assessment work outlining mitigation and enhancement measures. |
| Paragraph 103 – Promoting Sustainable Transport | The planning system should actively manage patterns of growth in support of these objectives. Significant development should be focused on locations which are or can be made sustainable, through limiting the need to travel and offering a genuine choice of transport modes. This can help to reduce congestion and emissions, and improve air quality and public health. However, opportunities to maximise sustainable transport solutions will vary between urban and rural areas, and this should be taken into account in both plan-making and decision-making. | The proposed relief road will help to promote the sustainable growth of Cullompton. Cullompton has been recognised along with Crediton and Tiverton as suitable urban areas for sustainable expansion.<br><br>The relief road would incorporate cycleways and footways providing greater connectivity and improved provision for non-motorised users. The relief road will significantly reduce congestion on the existing primary bus routes through Cullompton, shortening journey times with the potential for resultant more frequent services. |

## 2.3 REGIONAL POLICY

### 2.3.1. Local Transport Plan – Devon and Torbay Strategy 2011-2026 (April 2011)

The Local Transport Plan 3 (LTP3) is a 15-year plan, covering the period 2011-2026. It aims to deliver a transport system that can meet economic, environmental and social challenges

Over the next 15 years Devon and Torbay will need to diversify and grow the economy, but just as importantly develop a low carbon transport system that offers choice and encourages sustainable travel behaviour. To achieve Devon and Torbay's vision the strategy has five key objectives:

- Deliver and support new development and economic growth
- Make best use of the transport network and protect the existing transport asset by prioritising maintenance
- Work with communities to provide safe, sustainable and low carbon transport choices
- Strengthen and improve the public transport network
- Make Devon the 'place to be naturally active'

Devon and Torbay's Strategic Connections Strategy states pressures on the transport network because of increased employment and housing growth will be minimised by:

- Managed maintenance of the transport network

- Proactively addressing congestion and increased demand
- Supporting low carbon measures
- Promoting sustainable communities

The plan explains several priority schemes listed for Targeted Capital Interventions. One of these schemes is the "Cullompton Town Centre Relief Road - the objective is to improve air quality, street environment and traffic congestion within the town centre."

## 2.4 LOCAL POLICY

The current local plan for Mid-Devon consist of the following plans:

- Core Strategy 2026 (adopted 2007)
- Allocations and Infrastructure Development Plan (adopted 2010)
- Local Plan Part 3: Development Management Policies (adopted 2013)

A new Local Plan, the Local Plan Review 2013-2033 is currently at Examination by the Planning Inspectorate. Initial hearings are due to take place in late September 2018, but at time of writing this report dates have not yet been set for the examination of the remainder of the plan. Subject to the outcome of the examination process, adoption of the new plan is expected in the first half of 2019.

Due to the new Local Plan's scheduled adoption next year policies from the emerging plan have been assessed in this report. Due to timing, it is likely that any future planning application submitted will be assessed against the new Local Plan policies. These have been included in Table 1

The adopted policy AL/CU/14 of the Allocations and Infrastructure Development Plan Document 2011 expresses the aspiration to provide a relief road for the town.

A neighbourhood plan for Cullompton is also being progressed, but has not yet been submitted for examination. At this stage in its production, it's emerging policies may be subject to further amendment and are referred to below to give local context. Draft policy SD07 seeks the phasing of major development in tandem with the co-ordinated provision of infrastructure to help support sustainable growth and ensure that an unacceptable strain is not placed on the existing infrastructure. Draft policy HT01 relates to proposals to ensure that junction 28 of the M5 functions efficiently and safely and states that they will be supported. Also relevant is draft policy WL02 relating to Cullompton Community Association Fields which are described as an important resource for the local community. A series of criteria for proposals to develop part of the CCA Fields to provide a relief road for Cullompton are set out with the intention of minimising potential impact.

**Table 1.2: Relevant Local Plan Policies**

| POLICY | POLICY TEXT | RELEVANCE TO SCHEME |
|---|---|---|
| S1- Sustainable Development Priorities | The following strategic priorities outline what will need to be achieved to deliver the Vision and address the key issues that have been identified in Mid Devon. All development will be expected to support the creation of sustainable communities by:<br>a) A development focus at Tiverton, Cullompton and Crediton as Mid Devon's most sustainable settlements, with long-term growth to the east of Cullompton and a limited level of development in identified villages;<br>b) Building a strong, competitive economy through access to education, training and jobs, infrastructure, the creation of new enterprise, economic regeneration and flexibility of uses to respond to changing circumstances;<br>c) Promoting sustainable transport by delivering appropriate infrastructure, reducing the need to travel by car, integrating public transport and other forms of sustainable travel such as walking and cycling, and providing safe environments while recognising Mid Devon's rural locality;<br>d) good sustainable design that respects local character, heritage, surroundings and materials, creates safe and accessible environments, designs out crime and establishes a strong sense of place. | The new relief road would help to achieve the sustainable development priorities which include Cullompton. The relief road would provide infrastructure for growth and help to future proof the town.<br><br>The relief road would improve accessibility helping to attract business and investment to the town.<br><br>The new relief road would reduce traffic flows through the centre of Cullompton allowing the promotion of sustainable modes and regeneration in the town centre. The new road would also have dual pedestrian/ cycle routes running in both directions. |
| S2- Amount and disruption of development | The development needs of the community will be met through the provision of approx. 7,860 dwellings and 147,000sqm if commercial floorspace between 1st April 2013- 31st March 2033.<br>Development will be concentrated at Tiverton, Cullompton and Crediton, to a scale and mix appropriate to their individual infrastructures, economies, characters and constraints. | New housing is planned for Cullompton. The new relief road is future proofing for an increase in vehicle movements in and around Cullompton. |
| S8- Infrastructure | The location, scale and form of development will be guided by the need for community facilities and any existing infrastructure deficiencies. The Council will work with providers and developers to ensure that new development is served by necessary infrastructure in a predictable, timely and effective fashion. Development and transport planning will be coordinated to improve accessibility for the whole community and promote the use of sustainable modes of transport. The Council will set out key infrastructure and facility requirements for new development in an Infrastructure Plan, taking account of existing provision and cumulative impact of new development. | The new relief road is vital for improving accessibility and increasing economic investment into Cullompton. Mid Devon District Council has already highlighted the relief road as important for future growth. |

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| S9- Environment | Development will sustain the quality, character and diversity of Mid Devon's environmental assets and minimise the impact of development on climate change through:<br>a) High quality sustainable design which reinforces the character and distinctiveness of Mid Devon's historic built environment, mitigates and adapts to climate change and creates attractive places;<br>b) The efficient use and conservation of natural resources of land, water and energy, minimising pollution and preserving the quality and productivity of the best and most versatile agricultural land wherever possible;<br>c) measures to reduce the risk of flooding to life and property, requiring sustainable drainage systems including provisions for future maintenance, guiding development to locations of lowest flood risk by applying a sequential test where appropriate, and avoiding an increase in flood risk elsewhere;<br>d) Renewable energy in locations where there is an acceptable local impact, including visual, on nearby residents, landscape character and wildlife, balanced with the wider sustainability benefits of renewable energy;<br>e) preservation and enhancement of the distinctive qualities of Mid Devon's natural landscape, supporting opportunities identified within landscape character areas. Within or adjoining the Blackdown Hills Area of Outstanding Natural Beauty, and Exmoor and Dartmoor National Parks, the primary objective will be to protect the special qualities of that landscape and its setting;<br>f) protection and enhancement of designated sites of international, national and local biodiversity and geodiversity importance. On both designated and undesignated sites, development will support opportunities for protecting and enhancing species populations and linking habitats, providing mitigation and compensation measures where appropriate; and<br>g) The preservation and enhancement of Mid Devon's cultural and historic environment, and the protection of sites, buildings, areas and features of recognised national and local importance such as listed buildings, conservation areas, scheduled monuments and local heritage assets. | Although the new relief road could potentially result in the loss of green open space, it will improve the existing built form by reducing traffic flows through the centre of the town and improving air quality. This in turn will make the town more attractive.<br><br>Any application submitted will be supported by the relevant environmental survey and assessment work. An Environmental Impact Assessment will identify potential risks so suitable mitigation and enhancement measures can be implemented through sustainable design.<br><br>It is recognised that the new relief road could result in the loss of public open green space which is enjoyed by the local community. Mid-Devon and DCC would work hard to establish compensation areas and work towards a net gain in biodiversity and future habitats.<br><br>There is potential that Priority Habitats will be lost. Extensive ecology/ biodiversity surveys will be undertaken to establish the existing baseline and how any negative impacts can be mitigated.<br><br>There are a limited number of listed heritage assets within the Study Area. The preservation of those present would be considered in the design. There is likely to be an impact on the setting of the Conservation Area which lies south west of the site. However, there will also be improvements as traffic movements within the Conservation Area are reduced. |

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| S11- Cullompton | Cullompton will develop as a fast-growing market town with a strategic role in the hierarchy of settlements in Mid Devon. The town will become the strategic focus of new development reflecting its accessibility, economic potential and environmental capacity. This strategy will improve access to housing through urban extensions and expanded employment opportunities. There will be significant improvements to the town's infrastructure and connectivity, including the reopening of the railway station, and improved services for its population and nearby rural areas. Proposals will provide for approximately 3,930 dwellings, of which 1,100 will be affordable, and 73,500 gross square metres of commercial floor space over the plan period.<br>The council will guide high quality development and other investment to:<br>a) Make any necessary improvements to the M5 motorway including junction 28 to maintain highway capacity and safety;<br>c) Continue measures to support the implementation of the Cullompton Air Quality Action Plan including the construction of new highway links to relieve the town centre and enhanced walking and cycling opportunities around the town;<br>d) Manage the town centre so that economic regeneration and heritage reinforce each other by promoting new homes, shops, leisure, offices and other key town centre uses which are well designed and contribute to vitality and viability;<br>e) Provide community infrastructure such as education and enhanced open space to support new development proposals;<br>f) Enhance the tourism and visitor role of the town and surrounding area; and<br>g) Reduce flood risk within Cullompton and make provision for green infrastructure. | The new relief road would directly support the future growth targets for Cullompton.<br><br>The new relief road would allow traffic to exit the M5 motorway quickly and safely reducing congestion on the north bound off slip in the evening peak.<br>It would reduce the amount of vehicle emissions in the town centre by reducing traffic movements through the town.<br>It would promote economic investment by improving accessibility.<br>The new relief road would be vital infrastructure to help create a sustainable future for Cullompton allowing the town and local community to cope with future growth. |
| CU7- East Cullompton | A site of 160 hectares to the East of Cullompton is allocated for mixed use development subject to the following:<br>1,750 dwellings within the plan period and further development of at least 850 dwellings post-2033;<br>28% affordable housing to include extra care housing and at least ten pitches for gypsies and travellers, subject to viability;<br>5% of housing to be provided as serviced plots for sale to self-builders;<br>20,000 square metres commercial floorspace within the plan period and a further 12,000 post-2033, to include a care home or retirement complex, appropriately scaled retail development and other suitable uses such as offices and a hotel or leisure development;<br>Provision of at least 40 hectares strategic green infrastructure;<br>Transport provision to ensure appropriate accessibility for all modes, including a new or | To meet the needs of future population growth, Cullompton needs to provide land for new housing.<br>Land to the east of the M5 has been identified as a future growth area for housing and mixed-use developments. The government has also granted Garden Village status establishing the principle for future development of this type in the area. |

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| | improved access and egress onto the M5 motorway and pedestrian and cycling links across the motorway to the existing town;<br>Environmental protection and enhancement and noise mitigation where necessary;<br>Assessment of land contamination and remediation if necessary;<br>Land and facilities for community use including a new primary school to meet local needs arising;<br>Contributions towards expansion of local secondary education facilities to meet needs arising;<br>Carbon reduction and air quality improvements;<br>Archaeological investigation and appropriate mitigation;<br>phasing strategy to bring forward development and infrastructure in step and retain the overall viability of development; and<br>Master planning of the development including at least two stages of public consultation and adoption of the Masterplan as a Supplementary Planning Document, before any planning application is determined. | |
| CU8- East Cullompton Transport Provision | As part of the development of East Cullompton, contributions towards or delivery of the following transport infrastructure will be provided by all new development within the site:<br>a) Provision of mitigation measures to ensure only acceptable impacts occur to J28 of the M5 because of traffic generated from the site;<br>b) highway improvements on roads around the development to ensure any unacceptable traffic impacts are mitigated;<br>c) Reopening of Cullompton Railway Station;<br>d) network of streets linking to the existing highway network, and appropriate mitigation to reduce impacts on the existing road network such as Honiton Road;<br>e) bus, pedestrian and cycle routes at appropriate locations throughout the development, creating an attractive, permeable network for non-car modes;<br>f) Safe and attractive cycle and pedestrian links to and from the town centre and within the mixed-use urban extension; | The new relief road would directly support this policy by improving the local road network and accessibility. Routes will be provided for pedestrians and cyclists along the new relief road. |
| CU10- East Cullompton Community Facilities | As part of the development of East Cullompton, the following community infrastructure will be provided at the expense of all new development within the site:<br>a) A site of 2.5 hectares for a new primary school at no cost to the Local Education Authority;<br>b) A site of 2 hectares for a shopping and community centre, and the provision of a multi-purpose community building for youth, children and other community uses;<br>c) Construction costs for a primary school;<br>d) Contributions towards the expansion of secondary education facilities in the local area;<br>e) Contributions towards the expansion or improvement of local library services; and | The new relief road would help to alleviate new traffic flows generated by future community facilities. |

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| | f) Contribution towards sporting and leisure facilities. | |
| CU19 – Cullompton Town Centre Relief Road | A relief road, providing traffic relief to the town centre, will be provided subject to the following:<br>a) Public consultation exercise before the route of the road is determined;<br>b) Provision of replacement open space and sporting facilities elsewhere in Cullompton if these are affected;<br>c) Provision of a shared use foot and cycleway; and<br>d) Measures to protect and enhance trees, hedgerows and other environmental features which contribute to the character and biodiversity, maintaining a wildlife network on the affected alignment and linking to the surrounding countryside. Appropriate noise measures to mitigate the effects from the relief road including the provision of landscaping Provision of landscaping to mitigate the effects of noise from the relief road; and<br>e) Archaeological investigation and appropriate mitigation. | The new relief road directly supports this policy. All appropriate mitigation and enhancement measures will be incorporated into the design. |
| CU20- Cullompton Infrastructure | The Council will promote the reopening of the Cullompton Railway Station. A site for a new railway station north of Station Road is allocated for this purpose.<br>The Council will use developer funding via planning obligations and the Community Infrastructure Levy where appropriate, seek external sources of funding and work with partners to deliver the following:<br>a) Provision of a Town Centre Relief Road and implementation of other measures in the Cullompton Air Quality Action Plan;<br>b) Mitigation to reduce traffic impacts on the Trunk and Local Road network in association with the East Cullompton Urban Extension and other Cullompton allocations;<br>c) Town centre regeneration and enhancement;<br>d) Extra care housing provision;<br>e) Expansion of library facilities;<br>f) Primary and secondary education facilities;<br>g) Public open space and green infrastructure;<br>h) Bus service enhancements;<br>i) Provision of railway and bus interchange;<br>j) Expansion of emergency fire and rescue services;<br>k) Provision of healthcare facilities;<br>l) Community facilities including sports and leisure facilities; and<br>m) Provision of works to reduce flood risk. | The new relief road is specifically identified in the policy and would help to deliver improved air quality (a), mitigate traffic impacts from developments (b) and provide the potential to enhance the town centre. |
| DM3- Transport and air quality | Development must ensure safe access to the transport network. Development proposals that would give rise to significant levels of vehicular movement must be accompanied by an integrated Transport Assessment, Travel Plan, traffic pollution assessment | Any planning application for the new relief road would be supported by the required transport and emissions assessment work. |

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| | and Low Emission Assessment. The traffic pollution assessment must consider the impact of traffic-generated nitrogen oxides on environmental assets including protected sites listed in Policy DM28, and propose mitigation measures where appropriate. The Low Emission Assessment shall include the following:<br>a) Assessment of the impact on existing Air Quality Management Areas, or an impact likely to result in the declaration of an additional Air Quality Management Area, in cases where a demonstrable negative impact on ambient concentrations of air pollutants is considered likely;<br>b) Modelling of local residual road transport emissions from the development without mitigation measures; and<br>c) Onsite mitigation measures to reduce negative impacts on local air quality. | |

## 2.5 GARDEN VILLAGE STATUS

The government has confirmed garden village status (Culm Garden Village) for land to the east of the M5 motorway at Cullompton. The land relates to the objectives set out in policy CU7 of the emerging Local Plan (see section 2.5). The long-term plans for the garden village are to deliver up to 5,000 new homes, as well as employment, shops, schools, healthcare facilities and leisure opportunities including the potential for new sports facilities and country park. The relief road could provide sufficient highway capacity for the first phase of development of the garden village. Once established, further phase of the garden village would help to deliver M5 J28 motorway improvements and a potential new motorway junction. The garden village is also expected to provide benefits in terms of natural flood management together with sport and recreational opportunities. There is also an ambition to re-open Cullompton railway station and improve bus transport.

## 2.6 ALLOCATED SITES

Along with the Garden Village proposal for the east of Cullompton, other growth planned includes an urban extension site of approximately 100 hectares north west of the town centre. This is allocated for mixed -use development. The Local Plan Review allocates this for 1350 dwellings and 10,000 square metres commercial floorspace.

Planning permission has also been granted for the construction of new homes to the west of Cullompton off the Knowle Lane area. The Saxon Fields development is currently being built out.

The Local Plan Review Proposals Map showing the allocated sites can be viewed in Appendix A.

## 2.7 POLICY CONCLUSIONS

The analysis above demonstrates that the principle for developing a new relief road is supported at a national, regional and local level. The scheme has been identified at a regional and local level as being vitally important to the sustainable future growth of Cullompton, and is imperative for the delivery of housing allocations with the Local Plan and supports the proposed garden village. The relief road would provide the improvements to the local highway network to allow traffic to exit the motorway quickly and safely reducing safety implications from traffic queuing on the motorway. It is also key to reducing extremely poor air quality levels that are currently present which are likely to be affecting human health.

# 3

# UNDERSTANDING THE CURRENT SITUATION: NEED FOR INTERVENTION

# 3 UNDERSTANDING THE CURRENT SITUATION: NEED FOR INTERVENTION

## 3.1 INTRODUCTION

Chapter 2 has established the proposed scheme is in accordance with the relevant policies. This section details the specific requirement for the scheme to be progressed to enable the growth and connectivity referenced in the policies.

## 3.2 HIGHWAY NETWORK AND ISSUES

The B3181 is the primary road in Cullompton. It runs north/south through the centre of the town, leading to Exeter in the south and Willand to the north. A spur from the B3191 to the east, Station Road (also the numbered B3181), connects to the M5 motorway at Junction 28 and the A379 towards Honiton. The junction of the B3191 and Station Road is a signalised T-junction; there are two roundabout junctions on Station Road before the M5 motorway interchange.

In the AM peak the majority of traffic is leaving the town towards the M5 motorway, via the town centre and Station Road. Queuing occurs regularly back from the motorway junction into the town centre and can easily be significantly exacerbated if there are vehicle breakdowns, parking/unloading or stationary buses/coaches.

The PM peak is the reverse of the AM peak with the majority of Cullompton bound traffic exiting the M5 onto Station Road and then onto the B3181 through the town centre. Queuing is frequent and leads back on to the motorway off-slip, in extreme instances queues have stretched back onto the inside lane of the motorway. This is a safety critical issue as stationary traffic on the inside lane motorway increases the potential for vehicle collisions dramatically. As with the AM peak, congestion is regularly amplified by temporary obstructions.

DCC carried out multiple queue surveys in 2016 both east and west of Junction 28 and made the results available to the public through leaflets.

## 3.3 PLANNING OBJECTIONS AND APPEALS

In 2016 an outline planning application for 259 dwellings to the north of Cullompton at the village of Willand was submitted to Mid Devon District Council, followed in 2017 by a further three separate planning applications for a total of 600 dwellings for the first phase of development to the north west of Cullompton at the proposed urban extension.

Devon County Council as the local highway authority initially objected to all 4 applications on the basis that there was insufficient highway capacity to accommodate the developments; no improvements were proposed in the applications.

The application at Willand was refused by Mid Devon District and was subsequently taken to planning appeal by the applicant. The appeal for the development of 259 dwellings in Willand was considered by the Planning Inspectorate. Whilst the appeal was ultimately dismissed due to an issue unrelated to highway capacity the inspector did state in his report that the impact of additional traffic from the proposed development could not be considered significant, and would not be a valid reason for refusal.

As a consequence of the Inspector's report, Devon County Council withdrew their objections to the 3 other applications totalling 600 dwellings with the anticipation that the Town Centre Relief Road will be completed or underway prior to full occupation of the 600 dwellings. Without the relief road Devon County Council anticipate

that once the additional 600 dwellings are constructed and occupied the local highway network will be at absolute capacity, and will review the situation after occupation of the first 300 homes.

Queuing on the Junction 28 M5 off-slip will also increase as a result of the additional dwellings and it is increasingly likely that Highways England will object to further developments unless the increased risk of vehicles queuing back beyond the off-slip onto the motorway is mitigated.

## 3.4 TRAFFIC MODELLING

Following the inspectors report, DCC has undertaken further traffic modelling to determine the impact of the development proposed in the Local Plan Review, and the potential highway improvements to accommodate them.

To assess the impacts, the existing Cullompton traffic model was used. This was initially built to assess the impact of the existing Local Plan development but has since been updated with new TEMPRO factors and development assumptions to match the Local Plan Review timetable. The existing network was also edited to replicate the observed queuing in the PM peak from the High Street to the motorway.

A number of developments are included in the existing Local Plan or have subsequently been granted planning permission. These are shown in Table  below and are included in all the scenarios.

**Table 3: Base Development**

| SITE | HOUSES | EMPLOYMENT (m²) |
|---|---|---|
| Venn Farm | | 12,000 |
| Cummings Nursery | 100 | |
| Court Farm | 76 | |
| Exeter Road | 45 | |
| Padbrook | 14 | |
| Colebrook1 | 100 | |
| Knowle Lane | 334 | |
| Week Farm | | 15,000 |

In addition to this, 600 dwellings currently at planning application stage at North West Cullompton have also been included.

Assigning this development to the current network resulted in some queuing building up on Station Road west bound in the PM peak but this does not extend back to the north bound off-slip or onto the M5 mainline. This model is only for a neutral weekday and it is not possible to model the impacts of parked cars and other disruptions in the High Street, so in reality the model would likely reach back to the off-slips more frequently than it currently does.

However, the east bound queue along Station Road in the AM peak extends back to the High Street and Higher Street, and this will cause air quality issues within the already designated Air Quality Management Area (AQMA).

Adding in the Cullompton Town Centre Relief Road to this base of development provides an alternative road for the traffic in the AM peak to queue on outside of the AQMA. It also provides a bypass of the town in the PM peak so reduces the west bound queue along Station Road.

To assess the traffic benefits of the Town Centre Relief Road, a future 2033 development scenario, with the all the development shown in Table  as well as the full Local Plan Review allocation at North West Cullompton of 1350 dwellings and 10,000m² employment floorspace was created. An early release of 500 houses on the Culm Garden Village site to the east of the M5 were also included.

Initially this resulted in queues on the northbound off-slip extending back onto the M5 mainline because there was a high traffic demand over the M5 bridge. However, by changing the signal timings of the eastern junction to hold some of the traffic on the Honiton Road eastbound approach, the queue on the northbound off-slip can be reduced and prevented from reaching the mainline. This does cause a large queue to build up on the Honiton Road approach but DCC is prepared to accept this outcome in the short term provided a strategic intervention is coming forward in the future.

Increasing the number of houses on the eastern side beyond the 500 modelled would result in additional queueing on the north bound off-slip. This could be mitigated by constraining the signal timings of the eastern junction further but this would result in an unacceptable queue on the Honiton Road approach. Devon County Council would therefore be very reluctant to permit any additional development to come forward without a strategic intervention.

## 3.5 SUMMARY

Without the intervention of a highway improvement reducing queuing in the AM and PM peaks, growth in Cullompton in line with the Local Plan is unlikely to be achieved. Beyond the 600 dwellings at North West Cullompton that have been submitted for outline approval, additional development would result in the queue on Station Road increasing which will have a negative impact air quality within the AQMA. The chance of the PM queue extending back down the off-slips into the motorway also increases and if this would reach the mainline there would be a significant safety issue.

The Town Centre Relief Road is expected to mitigate the issue by moving the queue out of the AQMA in the AM peak as well as providing an alternative route in the PM peak which would reduce the risk prevents of west bound queue on Station Road from extending back onto the motorway mainline. The Town Centre Relief Road scheme therefore unlocks the remaining 750 dwellings at NW Cullompton plus 500 dwellings to the east of the M5, together with certain other more minor housing development sites in advance of a more strategic motorway intervention. Beyond this level, there is a greater chance of queuing on the M5 mainline which is a safety issue, or the queue on Honiton Road becomes more significant.

# 4

# OBJECTIVES FOR FUTURE IMPROVEMENTS

# 4 OBJECTIVES FOR FUTURE IMPROVEMENTS

## 4.1 OVERARCHING STRATEGIC AIMS

The objectives for intervention have been developed based on an understanding of the current situation, the future situation and the identification of the causes of the poor connectivity of Cullompton. Policy has also been considered.

The key strategic aims of future interventions are:

1. To enhance the economic prosperity and competitiveness of Mid Devon, both nationally and in line with other areas of Devon; and

2. To support planned sustainable growth including housing and employment development opportunities in Cullompton.

To support the strategic objectives above, scheme objectives have been developed in conjunction with Mid Devon District and Devon County Councils, which reflect the differing issues identified.

## 4.2 SCHEME OBJECTIVES

The primary objectives are:

1A Reduction of queuing on the highway network. Mitigating queues extending back onto the motorway from the northbound off slip and queues extending back into the High Street in the other direction.

1B Removal of traffic from Cullompton High Street which is an existing Air Quality Management Area (AQMA) resulting in improved air quality and town centre amenity;

1C Delivery of a long-standing community aspiration for a town centre relief road to support economic and environmental regeneration of Cullompton High Street.

The secondary objectives are:

2A Early delivery of the first part of the longer term strategic solution which will be required to unlock the full potential for homes and growth at Cullompton Garden Village;

2B Minimising impact to the Cullompton Community Association recreation grounds and facilities;

2C Compatibility with a longer term strategic solution to provide additional highway capacity to support the full potential for homes and growth at the identified Culm Garden Village site, through a new motorway junction.

The tertiary objectives are:

3A Compatibility with a potential future southern extension to the relief road;

3B Provision of an alternative route for traffic, avoiding Cullompton High Street, diverted from the M5 motorway during closures for both incidents and planned events.

# 5

# POTENTIAL IMPROVEMENTS

# 5 POTENTIAL IMPROVEMENTS

## 5.1 OPTION GENERATION

Several options have been considered within the corridor identified for the relief road within the Local Plan review, which draw on current policy, as well as previous strategies and studies.

This ROR considers all options, including combinations of the options listed in the 5. The drawings for each option are included within Appendix B.

**Table 5: Summary of Options Considered**

| Option Name | Drawing Reference |
|---|---|
| Option A | 70047809 – Option A |
| Option B | 70047809 – Option B |
| Option C | 70047809 – Option C |
| Option D | 70047809 – Option D |

## 5.2 OPTION PRINCIPLES

Each of the options considered has only been developed to a preliminary level of detail, for the purposes of seeking early stakeholder and public feedback. Consequently, the drawings showing the options do not show the finalised route that may be progressed further for a planning application submission.

The drawings indicatively show the highway alignments and junctions considered with key features annotated along with typical cross sections. Any option that is progressed as the preferred option will be subject to detailed design and assessment to optimise the alignment. Features such as crossing points, highway accesses and environmental mitigation measures, etc, would also be developed as part of a subsequent planning application.

### 5.2.1. Option A

This option alignment is entirely within the corridor between Cullompton Town Centre to the west and the rail/motorway corridor to the east. The route is broadly aligned to the east edge of the Town Centre, seeking to retain a large proportion of the current green open space to the east of the relief road.

At the southern extent of the route a new junction with Duke Street, just east of Meadow Lane would be the starting point for the relief road. The existing road layout would be revised at the junction, which would likely include making the Meadow Lane/Relief Road the priority and potentially either closing Duke Street west of Meadow Lane to prevent access or permitting one-way access only to Duke Street west of Meadow Lane. This would help increase junction capacity and reduce traffic using Duke Street to access the town centre from the relief road.

The route alignment would head roughly north from the junction with Duke Street with grass pastureland between the rear gardens of properties on Chestnut Avenue and a South West Water pumping station.

Approximately 130m north of the junction with Meadow Lane the alignment crosses the Mill Leat watercourse and enters recreational land containing a children's play area bordered by a timber fence. The alignment continues northwards through the northern fence enclosing this land and proceeds through another recreational grassland area bordered by the Mill Leat watercourse to the west and a tree lined hedge to the east with the Cullompton Rangers Football Club main pitch beyond the hedge line.

The alignment continues north through the northern field boundary formed by trees and drainage ditch and enters an open grassland known as The Meadow with the Mill Leat to the west and a drainage ditch to the east. Approximately 150m north the alignment crosses from The Meadow to The Main Meadow recreational grassland area through a drainage ditch and line of trees forming the border between The Meadow and Main Meadow.

The route crosses through the main meadow northwards to its tree lined boundary with the grassland pasture immediately east of the Tesco superstore building. The alignment proceeds along the eastern boundary of this pasture with a potential new roundabout junction east of the Tesco car park, which could provide alternative routes to both the Tesco superstore to the west and the Longbridge Meadow Industrial Estate to the east.

The alignment continues north, between the Tesco petrol station and a mobile home and caravan site, concluding with a junction with Station Road (B3181) in the vicinity of the existing junction with Millennium Way. The junction shown is a new enlarged roundabout, offset west from the current junction. It should be noted that the precise design of the junction arrangement at the northern end is yet to be established and there is flexibility in junction arrangement options pending further discussions with landowners.

### 5.2.2. Option B

This option alignment is entirely within the corridor between the Cullompton Town Centre to the west and the rail/motorway corridor to the east. The route is broadly aligned towards the rail/motorway, seeking to minimise bisection of the open green space. The route would commence at its southern end with a realignment of a section of Duke Street east of its junction with Meadow Lane, between the pumping station and First Bridge over the Mill Leat watercourse.

The existing layout of the Meadow Lane / Duke Street junction would be revised to simplify the junction, making the Meadow Lane/Relief Road the priority and potentially either closing Duke Street west of Meadow Lane to prevent access or permitting one-way access only to Duke Street west of Meadow Lane. This would help increase junction capacity and reduce traffic using Duke Street to access the town centre from the relief road.

The alignment of the Relief Road then heads northwest deviating from Duke Street and crossing the Mill Leat upstream of First Bridge into a grassland pasture containing some small agricultural buildings. A new junction with Duke Street would be included in this location.

Continuing roughly northwest the route crosses through a tree lined hedge into a grass recreation area west of the access road to the sport facilities and whippet track. The alignment proceeds across the access road and whippet track into the Cullompton Cricket Club cricket pitch.

The alignment bisects the cricket field before turning northwards and entering the Cullompton Bowls Club bowling green at its southern boundary and continuing north adjacent to the rail line through the bowling club pavilion.

Proceeding north, the route stays parallel to the rail line passing to the east of the Cullompton Rangers Football club clubhouse and main pitch, passing through a football training pitch. Continuing north the alignment crosses over an attenuation pond surrounded by trees and proceeds through the southeast corner of a second football training pitch whilst keeping parallel with the rail line through a wooded area of mature trees.

At the northern extent of the wooded area the alignment deviates from the rail line and heads northwest through The Main Meadow recreation area to its northern tree lined boundary with the grassland pasture immediately east of the Tesco superstore building. The alignment proceeds northwest through this pasture until a potential new roundabout junction immediately east of the Tesco car park, that could provide alternative routes to both the Tesco superstore to the west and the Longbridge Meadow Industrial Estate to the east.

The alignment continues north, between the Tesco petrol station and a mobile home and caravan site, concluding with a junction with Station Road (B3181) in the vicinity of the existing junction with Millennium Way. The junction shown is a new enlarged roundabout, offset west from the current junction. It should be noted that the precise design of the junction arrangement at the northern end is yet to be established and there is flexibility in junction arrangement options pending further discussions with landowners.

### 5.2.3. Option C

This option alignment spans across the rail/motorway commencing at its southern extent west of the rail/motorway and concluding at its northern end east of the rail/motorway corridor. The route is seeking to minimise impact on the green spaces between Cullompton Town Centre and the rail/motorway.

At the southern extent of the route, a new junction with Duke St just east of Meadow Lane would be the starting point for the relief road. The existing road layout would be revised at the junction, which would likely include making the Meadow Lane/Relief Road the priority and potentially either closing Duke Street west of Meadow Lane to prevent access or permitting one-way access only to Duke Street west of Meadow Lane. This would help increase junction capacity and reduce traffic using Duke Street to access the town centre from the relief road.

The route alignment would head roughly northeast from the junction with Duke Street through grass pastureland between the rear gardens of properties on Chestnut Avenue and a South West Water pumping station. Proceeding northwest the route would cross the Mill Leat watercourse and pass through tree lined hedges either side of a field of grassland pasture with agricultural buildings to the south.

The route continues into a grass recreation area west of the access road to the sport facilities and whippet track. The alignment proceeds across the access road and whippet track before the alignment heads west on the boundary of the Cullompton Cricket Club land to the north and the Small Field recreation area to the south.

The alignment would then bridge over both the rail line, motorway and the river Culm before returning towards existing ground levels within agricultural land west of the River Culm. The alignment then proceeds northwest through a series of agricultural field separated by managed low-level hedges. This area is proposed for part of the Culm Garden Village.

The route alignment concludes with a junction with a new junction with Honiton Road (A373) between the property of 28 Honiton Road and the existing bridge over the unnamed tributary to the River Culm. It is shown as a T-junction on the drawing, but could be a roundabout subject to detailed design development.

### 5.2.4. Option D

This option alignment spans across the rail/motorway commencing at its southern extent west of the rail/motorway and concluding at its northern end east of the rail/motorway corridor. The route is seeking to minimise impact on the green spaces between Cullompton Town Centre and the rail/motorway and take a direct north south alignment east of the rail/motorway corridor.

At the southern extent of the route a new junction with Duke St just east of Meadow Lane would be the starting point for the relief road. The existing road layout would be revised at the junction, which would likely include making the Meadow Lane/Relief Road the priority and potentially either closing Duke Street west of Meadow Lane to prevent access or permitting one-way access only to Duke Street west of Meadow Lane. This would help increase junction capacity and reduce traffic using Duke Street to access the town centre from the relief road.

The route alignment would head roughly northeast from the junction with Duke Street through grass pastureland between the rear gardens of properties on Chestnut Avenue and a South West Water pumping station.

Proceeding northwest the route would cross the Mill Leat watercourse and pass through tree lined hedges either side of a field of grassland pasture with agricultural buildings to the south.

The route continues into a grass recreation area west of the access road to the sport facilities and whippet track. The alignment proceeds across the access road and whippet track before the alignment heads west on the boundary of the Cullompton Cricket Club land to the north and the Small Field recreation area to the south.

The alignment would then bridge over both the rail line, motorway and the river Culm before returning towards existing ground levels within agricultural land west of the River Culm.

Once across the river Culm the alignment would head north, a junction is indicatively shown with a spur continuing east, and crossing the river Culm once again to continue north approximately parallel with the river Culm within grassland pasture. Before culminating with a new junction with Honiton Road (A373) immediately west of Stoneyford Bridge, the alignment would cross the River Culm for final time

## 5.3 OPTIONS DISCOUNTED

The Longmeadow Industrial Estate is included within the broad area identified for the Town Centre Relief Road in the emerging Local Plan Policy. Consideration was given to locating the northern section of an alignment through the Industrial Estate when generating route options. However, the current highway access to the industrial estate is in close proximity to the M5 junction 28 roundabout and is constrained by the Weary Traveller public house to the west and the River Culm to the east. It is consequently considered that a new highway junction in this location is not physically viable and would not provide highway capacity benefits, and therefore an alignment through the industrial estate is not included within the options presented in this report.

# 6

# SIFT 1 – ASSESSMENT OF OPTIONS AGAINST SCHEME OBJECTIVES

# 6 SIFT 1 – ASSESSMENT OF OPTIONS AGAINST SCHEME OBJECTIVES

## 6.1 OPTION ASSESSMENT

Table 6 shows a high-level assessment of each of the options against the scheme objectives. This exercise is intended to feed into a first sift of the options to assist in determining which are suitable for progressing to further assessment.

**Table 6: High Level Option Assessment**

| Objective | Option A | Option B | Option C | Option D |
|---|---|---|---|---|
| 1A – Highway capacity | ✔✔ | ✔✔ | ✔✔ | ✔✔ |
| 1B – Air Quality | ✔✔✔ | ✔✔✔ | ✔✔ | ✔✔ |
| 1C – Town Centre Regeneration | ✔✔ | ✔✔ | ✔ | ✔ |
| 2A – Early delivery of infrastructure support Culm Garden Village | ✔✔✔ | ✔✔✔ | X X | X X |
| 2B – Minimise impact to CCA fields | X X X | X X | X | X |
| 2C – Compatibility with strategic M5 motorway junction improvement | ✔✔✔ | ✔✔ | ✔✔ | ✔✔ |
| 3A – Compatibility with potential future southern relief road extension | ✔✔✔ | ✔✔ | ✔✔✔ | ✔✔✔ |
| 3B – Alternative M5 diverted traffic route | ✔✔ | ✔✔ | ✔✔ | ✔✔ |

✔✔✔: Objective largely achievable

✔✔: Objective partially achievable

✔: Objective slightly achievable

X : Objective slightly unachievable

X X: Objective partially unachievable

X X X: Objective largely unachievable

## 6.2 SUMMARY OF OPTION ASSESSMENT

### 6.2.1. 1A – Highway Capacity

Preliminary traffic modelling has been undertaken for all options to predict the impact on queuing and diverting traffic from the town centre, for the scenario described in section 3.4. Options A & B are predicted to result in a reduction of vehicle movements through the town centre of approximately 40% in the peak periods, when the 600 houses at NW Cullompton have been built and occupied. Options C & D are expected to result in a 30% reduction. All options would provide sufficient capacity for the first phase of the future growth of Cullompton proposed within the emerging Local Plan.

### 6.2.2. 1B – Air Quality

Improvement in Air Quality is linked primarily to the reduction of congestion and diversion of traffic from the town centre. Options A & B take more traffic out of the High Street so have a larger benefit to air quality.

### 6.2.3. 1C Town Centre Regeneration

As above, all options are expected to relief the town centre of both traffic and associated poor air quality, with Options A & B expected to have a greater impact than C & D. However, all options for the relief road alignment as susceptible to flooding in the vicinity of their proposed junctions with Duke Street. Consequently, the relief road would be closed during flood events and traffic would to revert back to passing through the town centre on those occasions. This is expected to limit, to some extent, the options to improve the street scene as part of regeneration. These issues are overcome if a southern extension to the relief road is added at some point in the future as this will raise the road out of the floodplain as described in section 6.2.7.

### 6.2.4. 2A – Early delivery of infrastructure supporting the Culm Garden Village

Options A & B are relatively low cost in comparison with Options C & D, both of which would require a significant structure, or structures, spanning over the rail line, motorway and river Culm. The associated cost of that structure(s) would require significant upfront funding that may be disproportional to the value of housing proposed in the first phase of the Garden Village.

### 6.2.5. 2B – Minimise Impact to the CCA fields

Options C & D have the least impact on the CCA fields, whilst still impacting on Long Meadow and Small Field south of the Cricket Club. The area of Option B within the CCA fields is reduced by being located through the Cricket Club and Bowling Club land, and is also aligned parallel with the rail line where possible to minimise segregation of the fields. Option A is considered to have the most significant impact on the CCA fields, with the largest footprint within CCA ownership and segregating the majority of the fields from the Town Centre.

### 6.2.6. 2C – Compatibility with strategic M5 motorway junction improvement

Drawings showing the arrangement of potential new motorway junctions connecting with the relief road options are contained in Appendix C. All options have considered to be compatible with a viable new motorway junction. It should be noted that the nature of the strategic improvement to the motorway is still subject to discussion with Highways England and whilst it may take the form of a new junction, this has yet to be finalised.

The new junction slip roads for Options B, C and D would need to be designed and constructed in a tight corridor adjacent the rail line to the west and River Culm to the east. The existing Duke Street motorway overbridge would also need to be removed or reconstructed. Option A would not require removal/replacement of the Duke Street overbridge, and the design and construction of the slip roads are less constrained by the rail line and river Culm.

Slip roads for a new motorway junction would only be provided for the northbound off-slip and southbound on-slip. This is due to highway safety issues relating to merging and weaving traffic movements that would result from junctions in close proximity without limiting the vehicle movements.

### 6.2.7. 3A – Compatibility with potential future southern relief road extension

Drawings indicating the connection point for a southern extension to each option are included in Appendix C. All the option alignments connect to Duke Street, east of the junction with Meadow Lane. At their southern extent. Duke Street in this vicinity is prone to flooding and the relief road would need to be closed on those occasions. Extending the relief road further south would provide the potential for connection to the existing highway at a location above flood levels that would avoid such closures during flood events. This would be required if a new junction onto the M5 is accessed from the relief road.

Options A, C & D could accommodate a southern extension through a simple T-junction with the proposed relief road, that wouldn't necessarily need to be signalised. A southern extension to Option B, if implemented alongside a new motorway junction, would be expected to result in a cross-road junction that would need to be signalised, and therefore not as compatible as Options A, C & D.

### 6.2.8. 3B – Alternative M5 diverted traffic route

All of the options would provide an alternative route for traffic diverted from the M5 during both planning roadworks and accidents/incidents. With 15 miles (23 kilometres) between Junction 29 and 27, motorway closures resulting in additional traffic through Cullompton are relatively frequent. The relief road would be expected to become the designated diversion route for motorway traffic, regardless of the option implemented.

## 6.3 SIFTED OPTIONS

All Options considered are assessed to be capable of achieving the majority of the objectives, and on that basis, all would be worth considering in more detail. However, early engagement with the Environment Agency has determined that Option D would not be viable due to flood risk. The alignment of Option D is adjacent to the river Culm and right through the deepest and fastest flowing flood water in storm conditions, and consequently the expected impact to flood risk would be unacceptable to the Environment Agency.

**As a result of the advice from the Environment Agency, Option D was not taken forward to the Comparative Assessment stage.**

## 6.4 OPTION SIFTING CONCLUSION

The following options have been progressed to this second sifting stage, having either met each of the scheme objectives to an acceptable level, complied with strategy and policy, and passed key technical viability criteria:

- Option A
- Option B
- Option C

# 7

# COMPARATIVE ENVIRONMENTAL ASSESSMENT

# 7 COMPARATIVE ENVIRONMENTAL ASSESSMENT

This report provides a high level environmental appraisal for each of the route options within an appropriate Study Area.

The Environmental Routes Options Appraisal is intended to be qualitative and high-level and therefore will not provide a detailed or quantitative assessment of environmental issues. It does however, identify any key environmental constraints which may affect the deliverability, e.g. through risk, programme or cost.

This Environmental Routes Options Appraisal covers the following topic areas:

- Air Quality;
- Noise;
- Landscape / Townscape;
- Socio-economic;
- Geotechnical and contamination;
- Arboriculture; and
- Waste;
- Ecology;
- Historic Environment; and
- Water Environment

The environmental appraisal is based on publicly available desk-based data. Limited consultation has been undertaken with statutory and non-statutory organisations at this stage. As such, an appropriate level of consultation will undertaken at later stage to ensure that all available site specific and surrounding area data has been considered.

No detailed designs of the potential route option are available at this stage in the project and would only be prepared in connection with a planning application. Therefore, the assessment impacts in relation to construction and operation are high level. More detailed environmental impact assessments will take place at planning application stage.

## 7.1 SURROUNDING AREA

Cullompton is a historic town and civil parish in the district of Mid Devon and the County of Devon. The wider environment was assessed as semi-rural; dominated by agricultural fields and pasture with sporadic residential plots. A tributary of the River Culm runs through the site near the southern boundary, with the main river running east of the M5 motorway. Junction 28 of the M5 lies within the parish of Cullompton and a short distance from the town centre. Other major road links are the A373 to Honiton and the former A38 to Exeter which runs through the town and is now the B3181. The surrounding area includes a few recreational and sports ground facilities such as, the recreational playground, the cricket ground, the bowling green and the football ground.

## 7.2 METHODOLOGY

### 7.2.1. Desk Study

A desk study was carried out to establish possible statutory and non-statutory designations that may pose a constraint or be impacted by proposed route options.

The sources of information used to provide the baseline evidence were:

- The Multi-Agency Geographic Information for the Countryside (MAGIC) Map
- In-house GIS layers

- Environment Agency online data
- Devon County Council website
- Mid Devon District Council Website

Several other data sources have been consulted as part of this appraisal and identified within topic sections where relevant.

## 7.3 ENVIRONMENTAL STUDY AREA

The site is located north of Duke Street in the town of Cullompton (Grid Reference: ST 0237806718). The east boundary follows the line of an existing tributary to the River Culm on the eastern side of the M5 motorway. The north and west boundary are bordered by the town of Cullompton and the south is bordered by agricultural fields. The site is 13 miles north-east of Exeter and lies on a tributary of the River Culm.

The complete study area is shown on the accompanying Environmental Constraints Plan in Appendix D.

## 7.4 QUALITATIVE ENVIRONMENTAL APPRAISAL

A high-level appraisal for each route option was undertaken for each of the environmental topic areas identified within Section 8.1.

7.1 explains the qualitative appraisal scores applied to each option for each environmental topic area in **Table 2**.2. All of the assessments have assumed that no mitigation has been included in the design. Once a preferred route is chosen, appropriate mitigation will be incorporated in the design to minimise the impact on the environment and provide betterment if possible.

**Table 7.1: Qualitative Appraisal Scores**

| Qualitative Appraisal | Threshold Description |
|---|---|
| High Adverse | Loss of resource and/or quality and integrity of resource; severe damage to key characteristics, features or elements |
| Moderate Adverse | Some measurable change in attributes, quality or vulnerability; minor loss of, or alteration to, one (maybe more) key characteristics, features or elements |
| Small Adverse | Very minor loss or detrimental alteration to one or more characteristics, features or elements |
| Negligible | No loss or alteration to key characteristics, features or elements |
| Small Beneficial | Very minor gain or beneficial alteration to one or more characteristics, features or elements |
| Moderate Beneficial | Some measurable beneficial change in attributes, quality, minor gain or beneficial alteration to key characteristic, features or elements |
| High Beneficial | Gain of resource and/or quality and integrity of resource; dramatic beneficial improvement to key characteristics, features of elements |

The likely impacts for the different environmental topics are presented below. The desk-based baseline gathered for the appraisal can be viewed in Appendix E.

## 7.5 AIR QUALITY

### 7.5.1. OPTION A

**Likely Impacts**

As a result of the realignment of traffic away from B3181, sensitive receptors along this route are likely to experience a moderate to high improvement. In addition, the roundabout to the north of the scheme is likely to result in more freely flowing traffic, reducing emissions per vehicle and thereby reducing pollutant concentrations at sensitive receptors to the north of Station Road.

To the south of the scheme, where the route alignment lies within 20m of properties along Chestnut Avenue, there is likely to be an increase in pollutant concentrations as a cause of the reduction in distance between pollutant sources and receptors. Similarly, properties to the south along Water Meadow are likely to experience an increase in pollutant concentration as a result of the likely change in vehicle flows in the vicinity of the junction of Meadow Lane with Duke Street. In addition, slight increases in pollutant exposure are likely to occur at residential properties along Rivermead and to the west of Lower Mill Lane, where the route brings traffic sources within 150m of these properties.

As such, a moderate to high improvement in air quality along B3181, the corridor of which encompasses many sensitive receptors and locations of relevant exposure to the air quality objectives, will be slightly offset by a moderate to low deterioration in air quality at approximately 10 properties to the south of the scheme.

**Qualitive Appraisal Score – Moderate Benefit**

### 7.5.2. OPTION B

**Likely Impacts**

Similarly, to Option A, sensitive receptors along the B3181 corridor are likely to experience a moderate to high improvement in air quality due to the rerouting of traffic flows away from the B3181. Slight improvements in air quality are also likely to occur at properties to the north near station road as a cause of more freely flowing traffic along this route.

At properties towards the north of meadow lane a slight deterioration in air quality may occur as a result of the increased traffic flow near the junction. However, due to the alignment of the southern section of the scheme in Option B routing traffic flows further from residential properties than under option A, any deterioration will be less significant than that under Option A and is likely to have a low impact on receptors in this area.

In addition, the increased distance between pollutant sources and receptors to the west of Rivermead under Option B will serve to limit any potential changes in air quality at these properties. While this alignment brings some proportion of traffic slightly closer to these receptors than traffic currently using the B3181, the distance between road traffic and residential properties in this area will result in only very slight changes in pollutant concentration.

The moderate to high improvement in air quality at the large number of sensitive receptors along the B3181, where air quality is currently poor, will be more beneficial under Option B than Option A due to less significant changes in pollutant concentration at properties to the west and south of the residential areas along the scheme.

**Qualitive Appraisal Score – Moderate Benefit**

### 7.5.3. OPTION C

**Likely Impacts**

Under Option C, a moderate to high improvement in air quality is likely at the large number of sensitive receptors along the B3181 corridor as a result of the rerouting of traffic in the area. This option is also likely to result in slight improvements in air quality to the north of the scheme along Station Road by cause of more freely flowing traffic in this area.

Due to the route alignment and introduction of a new junction on Honiton Road, residential receptors in this area are likely to experience a Low to Moderate increase in pollutant exposure. This slight increase is likely to occur at approximately 15 properties along Honiton Road and the impact will reduce with increasing distance from the scheme and the new junction. In addition, a slight increase in pollutant concentrations is likely to occur at sensitive receptors in Upton Lakes and Lodges, where the new route passes within approximately 100m of the receptors. Similarly, to Option A, a slight increase in pollutant exposure is also likely to occur at properties to the north of Meadow Lane and along Chestnut Avenue, though the impact of Option C is likely to be smaller than that of Option A due to the alignment moving pollutant sources nearer to a lower number of receptors.

**Qualitive Appraisal Score – High Benefit**

## 7.6 NOISE

### 7.6.1. Option A

### 7.6.2. Likely impacts

There is likely to be an increase in road traffic noise level at Noise Sensitive Receptors (NSRs) near the proposed route. Properties to the west of the route, on the eastern edge of Cullompton, are likely to experience an increase in road traffic noise due to the proximity of the new route. Recreation and outdoor amenity areas to the southern end of the route are also likely to experience an increase in noise levels.

There is likely to be a reduction in noise levels along Cullompton high-street.

It is likely that the use of mitigation measures in the form of noise barriers or earth bunds would have the potential to reduce predicted increase in road traffic noise levels.

Traffic data has yet to be used to model the impacts and therefore it is not possible to determine any likely change in noise levels, including decreases, which may occur as a result of changes to traffic flows on the wider road network as a result of the proposed scheme.

**Qualitive Appraisal Score – High Adverse**

### 7.6.3. Option B

**Likely Impacts**

There is likely to be an increase in road traffic noise level at NSRs near the proposed route. Properties to the west of the route, on the eastern edge of Cullompton, are likely to experience an increase in road traffic noise due to the proximity of the new route. Recreation and outdoor amenity areas to the southern end of the route are also likely to experience an increase in noise levels.

There is likely to be a reduction in noise levels along Cullompton high-street.

It is likely that the use of mitigation measures in the form of noise barriers or earth bunds would have the potential to reduce predicted increase in road traffic noise levels.

Traffic data has yet to be used to model the impacts and therefore it is not possible to determine any likely change in noise levels, including decreases, which may occur as a result of changes to traffic flows on the wider road network as a result of the proposed scheme.

**Qualitive Appraisal Score – High Adverse**

### 7.6.4. Option C

**Likely Impacts**

There is likely to be an increase in road traffic noise level at NSRs near the proposed route, namely Upton Lake Lodges and East Culm Farm. Noise levels would also likely increase to the rear of properties on Honiton Road.

It is likely that the use of mitigation measures in the form of noise barriers or earth bunds would have the potential to reduce predicted increase in road traffic noise levels.

There is likely to be a reduction in noise levels along Cullompton high-street.

Traffic data has yet to be used to model the impacts and therefore it is not possible to determine any likely change in noise levels, including decreases, which may occur as a result of changes to traffic flows on the wider road network as a result of the proposed scheme.

**Qualitive Appraisal Score – Moderate Adverse**

## 7.7 LANDSCAPE/TOWNSCAPE

### 7.7.1. Option A

**Likely Impacts**

**Permanent impacts:**

- The new relief road is in close proximity to properties 1 – 10 Chestnut Avenue and 7 – 9 Water Meadow.
- Crossing of Mill Leat and loss of leat waterside vegetation and individual mature trees;
- Severance of 2 mature native species rich hedgerows;
- The new relief road passes through CCA playground;
- Severance of access track to sports fields;

- The new relief road passes through CCA meadows;
- Loss of young oak tree avenue in central meadow;
- Loss of semi natural mixed woodland;
- Impact on setting of Cullompton Conservation Area; and
- Impact on setting of St Andrew's Church.

**Qualitive Appraisal Score – High Adverse**

### 7.7.2. Option B

**Likely impacts**

**Permanent impacts;**

- The new relief road is in close proximity to properties 1 – 9 Water Meadow, Cullompton;
- The new relief road is near First Bridge, Grade II listed structure;
- Crossing of Mill Leat and loss of waterside vegetation and individual mature trees;
- Severance of vehicular access to CCA Fields and mature mixed specimen tree avenue;
- The new relief road passes through cricket ground, bowling green and east side of football ground;
- Impact on mature trees alongside east boundary of football fields and CCA meadows;
- The new relief road passes through CCA meadows;
- Impact on setting of Cullompton Conservation Area; and
- Loss of semi-natural mixed woodland.

**Qualitative Appraisal Score – High Adverse**

### 7.7.3. Option C

**Likely Impacts**

**Permanent impacts:**

- The new relief road is in close proximity of properties in Chestnut Avenue and Water Meadow;
- Visual impact of scale of embankment and structures to elevate the alignment over the railway and M5;
- Crossing of southern end of Mill Leat and loss of leat waterside vegetation and individual mature trees;
- The new relief road passes through southern end of CCA meadows;
- Severance of vehicular access to CCA Fields and mature mixed specimen tree avenue;
- Loss of veteran landmark oak trees and hedgerow on southern boundary of cricket ground;
- New slip roads to/from the south would impact on motorway embankments and verges;
- Crossing of River Culm and loss of waterside vegetation and individual mature trees;
- The new relief road is near Upton Lakes and Lodges complex;
- The new relief road conflicts with local field pattern;
- Impact on setting of Cullompton Conservation Area; and
- Eastern extent of the new relief road is in close proximity to 27 - 29 Honiton Road.

**Qualitative Appraisal Score – High Adverse**

## 7.8 SOCIO-ECONOMIC

### 7.8.1. Option A

**Likely Impacts**

The loss of public green and recreational space would be a real loss to the local community. It is clear CCA land and remaining fields are popular with the public and are used by all ages of the community.

Option A would lead to direct loss of the existing CCA children's playground, a substantial amount of the associated community fields and would divide the recreational areas remaining. Implementing the scheme would also have a negative impact on tranquillity levels and the visual setting, making the area less appealing to the public. The loss of public open space will be viewed with significant negativity by the local community and strong opposition to the scheme is expected.

Option A would have a beneficial impact on poor air quality levels within Cullompton as explained in section 3.1. By reducing traffic flows through the town, especially the High-street, the relief road will improve air quality levels for residents and improve accessibility to existing shops and businesses. Improving accessibility to and within economic centres improves the local economy which in turn attracts further investment. It also allows the town to grow sustainably and benefit the character and appearance of the Conservation Area and wider attractiveness of the town centre.

**Qualitative Assessment Score – High Adverse**

### 7.8.2. Option B

**Likely Impacts**

Option B would lead to direct loss Cullompton Cricket Club, Cullompton Bowling Club and a substantial amount of the associated community fields.

Implementing the scheme would also have a negative impact on tranquillity levels and the visual setting, making the area less appealing to the public. The loss of public open space will be viewed with significant negativity by the local community and strong opposition to the scheme is expected.

Option B would have a beneficial impact on poor air quality levels within Cullompton as explained in section 3.1. By reducing traffic flows through the town, especially the High-street, the relief road will improve air quality levels for residents and improve accessibility to existing shops and businesses. Improving accessibility to and within economic centres improves the local economy which in turn attracts further investment. It also allows the town to grow sustainably and benefit the character and appearance of the Conservation Area and wider attractiveness of the town centre.

**Qualitive Assessment Score – High Adverse**

### 7.8.3. Option C

**Likely Impacts**

Sensitive receptors include Upton Lakes & Lodges which focuses on fishing holidays. Option C would pass within 50m of the lodges dramatically changing the tranquillity of the holiday site.

Option C would have a beneficial impact on poor air quality levels within Cullompton as explained in section 3.1. By reducing traffic flows through the town, especially the High-street, the relief road will improve air quality levels for residents and improve accessibility to existing shops and businesses. Improving accessibility to and within economic centres improves the local economy which in turn attracts further investment. It also allows the town to grow sustainably.

Option C would also open land parcels to support Policy CU7-CU12 in the emerging local plan. More housing is required to satisfy growth targets.  the land identified in policy CU7-CU12 could form the first phase of the garden village. The aim of Culm Garden Village:

- Deliver 5,000 new homes, as well as employment, shops, schools, healthcare facilities and leisure opportunities including the potential for new sports facilities;
- The garden village will help to deliver the M5 J28 motorway improvements and the town centre relief road, and will also provide benefits of natural flood management.
- Part of the garden village will be allocated for development under the Mid Devon Local Plan Review (1,750 houses to 2033) but wider ambition is to create a new community of up to 5,000 homes; and
- It will be locally led.

Option C would provide vital infrastructure to support the above social expansion which in turn would boost the local economy.

**Qualitative Assessment Score – Small Benefit**

## 7.9 GEOTECHNICAL AND CONTAMINATION

### 7.9.1. Option A and B

**Likely Impacts**

If either Option A or B is developed, the new relief road would be a potential source of contamination to the remaining green field areas and existing water courses. Any incident could also have a negative impact on existing wildlife and vegetation.

**Qualitative Assessment Score – Moderate Adverse**

### 7.9.2. Option C

**Likely Impacts**

- Loss of good quality agricultural land.
- Potential negative impact on existing Nitrate Vulnerable Zone.
- Potential for future contamination of existing water sources through surface run off and fuel leakages.

**Qualitative Assessment Score – Moderate Adverse**

## 7.10 ARBORICULTURE

### 7.10.1. Option A

**Likely Impacts**

- Crossing of Mill Leat and loss of leat waterside vegetation and individual mature trees;
- Loss of young oak tree avenue in central meadow; and
- Loss of semi natural mixed woodland.

**Qualitative Assessment Score – High Adverse**

### 7.10.2. Option B

**Likely Impacts**

- Crossing of Mill Leat and loss of waterside vegetation and individual mature trees;
- Severance of vehicular access to CCA Fields and mature mixed specimen tree avenue;
- Impact on mature trees alongside east boundary of football fields and CCA meadows; and
- Loss of semi-natural mixed woodland.

**Qualitative Assessment Score – High Adverse**

### 7.10.3. Option C

**Likely Impacts**

- Crossing of southern end of mill leat and loss of leat waterside vegetation and individual mature trees;
- Severance of vehicular access to CCA Fields and mature mixed specimen tree avenue;
- Loss of veteran landmark oak trees and hedgerow on southern boundary of cricket ground; and
- Crossing of River Culm and loss of waterside vegetation and individual mature trees.

**Qualitative Assessment Score – Moderate Adverse**

## 7.11 WASTE

### 7.11.1. Option A

**Likely Impacts**

Option A is the shortest of the three route options (985m), therefore construction is likely to produce the least amount of waste and the build will require the least amount of material.

**Qualitative Assessment Score – Moderate Adverse**

### 7.11.2. Option B

**Likely Impacts**

Option B is the second longest of the three route options (1150m), therefore construction is likely to produce the second largest amount of waste and the build will require the second largest amount of material.

**Qualitative Assessment Score – Moderate Adverse**

### 7.11.3. Option C

**Likely Impact**

Option A is the longest of the three route options (1500m), therefore construction is likely to produce the most amount of waste and the build will require the largest amount of material. Option C will also require the construction of a rail and motorway bridge unlike the other two options.

**Qualitative Assessment Score – High Adverse**

## 7.12 ECOLOGY

### 7.12.1. Option A

**Likely Impacts**

Option A runs through cultivated/ disturbed land – amenity grassland. The amenity grassland consists of play areas and sports fields and the habitat had low botanical diversity and value for protected species is limited.

The option runs through mixed woodland which is semi-natural. At this site, mature mixed woodland is present and comprises of deciduous and leyllanli trees that are used as curtilage between playing fields and screening from the motorway and the railway line.

The route also cuts through hedges with trees that are species rich. The hedgerows comprise of mature well-established trees and are identified as adding significant ecological value to the site. There is a tributary of the River Culm that traverses the west boundary and south-west section of the site. This stream is heavily lined and shaded by deciduous trees on both banks, here the proposed route crosses over the stream.

The wider environment was assessed as high value for bats with a large network of fields, hedgerows and woodland, as well as roosting opportunities in nearby structures. The grassland and woodland provided moderate potential for foraging bats, with the mature trees having high potential for roosting bats.

The site was also assessed as having a moderate to high value for birds, with the scrub, grassland and woodland providing suitable nesting and feeding opportunities.

The site location was assessed as having a moderate value for reptiles, (the grassland tussocks and scrub fringes) and invertebrates (white clawed crayfish). There was no sign of badgers on site, however the overall site was assessed to hold potential for foraging badgers, hedgehogs and the River Culm had the potential to support otter and water voles. The pond on site provided potential for breeding habitat for great crested newts.

Direct impact on Priority Habitats.

**Qualitative Assessment Score – Moderate Adverse**

### 7.12.2. Option B

**Likely Impacts**

Option B also runs through hedgerows that are species rich with mature well-established trees that are identified as adding a significant ecological value to the site. This proposed route also runs through mature mixed

woodland that comprises of deciduous and leyllanli trees that are used as curtilage between playing fields and screening from the motorway and the railway line

There is a tributary of the River Culm that traverses the west boundary and south-west section of the site. This stream is heavily lined and shaded by deciduous trees on both banks.

The wider environment was assessed as high value for bats with a large network of fields, hedgerows and woodland, as well as roosting opportunities in nearby structures. The grassland and woodland provided moderate potential for foraging bats, with the mature trees having high potential for roosting bats.

The site was also assessed as having a moderate to high value for birds, with the scrub, grassland and woodland providing suitable nesting and feeding opportunities.

The site location was assessed as having a moderate value for reptiles, (the grassland tussocks and scrub fringes) and invertebrates (white clawed crayfish).

There was no sign of badgers on site, however the overall site was assessed to hold potential for foraging badgers, hedgehogs and the River Culm had the potential to support otter and water voles. The pond on site provided potential for breeding habitat for great crested newts.

Direct impact on Priority Habitats.

**Qualitative Assessment Score – Moderate Adverse**

### 7.12.3. OPTION C

Ecology surveys are currently being undertaken and not yet available to inform this report.

## 7.13 HISTORIC ENVIRONMENT

### 7.13.1. Option A and B

**Likely Impacts**

Potential direct impact on the Grade II Listed First Bridge located where the proposed routes begin and crosses over the tributary of the River Culm.

Likely to be visual impacts on the setting of the Grade I Listed St Andrew's Church which sits 100m west of the site and the Cullompton Conservation Area.

There is the potential for below ground archaeology in the area. Further survey work would be required to establish any future impact.

**Qualitative Assessment Score – Moderate Adverse**

### 7.13.2. Option C

Potential direct impact on the Grade II Listed First Bridge located where the proposed routes begin and crosses over the tributary of the River Culm.

Likely to be visual impacts on the setting of the Grade I Listed St Andrew's Church which sits 100m west of the site and the Cullompton Conservation Area. However, these visual impacts will not be as server as those for Options A and B.

There is the potential for below ground archaeology in the area. Further survey work would be required to establish any future impact.

**Qualitative Assessment Score – Small Adverse**

## 7.14 WATER ENVIRONMENT

The implications for flood risk and mitigation measures are considered in more detail in Section 9.2.

### 7.14.1. Option A, B & C

**Likely Impacts**

Flood risk assessment for all 3 options are currently being prepared, but are not available to inform this report

## 7.15 SUMMARY OF ENVIRONMENTAL ROUTE OPTIONS APPRAISAL

The table below provides a summary:

**Table 2: Summary of Environmental Route Options Appraisal**

| Topic | Route Option (A,B,C) | Qualitative Appraisal High/Moderate/Low/Negligible |
|---|---|---|
| Air Quality | Option A | Moderate Benefit |
| | Option B | Moderate Benefit |
| | Option C | High Benefit |
| Noise | Option A | High Adverse |
| | Option B | High Adverse |
| | Option C | Moderate Adverse |
| Landscape / Townscape | Option A | High Adverse |
| | Option B | High Adverse |
| | Option C | High Adverse |
| Socio-economic | Option A | High Adverse |
| | Option B | High Adverse |
| | Option C | Small Adverse |
| Geotechnical & Contamination | Option A | Moderate Adverse |
| | Option B | Moderate Adverse |
| | Option C | Moderate Adverse |
| Arboriculture | Option A | High Adverse |
| | Option B | High Adverse |
| | Option C | Moderate Adverse |
| Waste | Option A | Moderate Adverse |
| | Option B | Moderate Adverse |
| | Option C | High Adverse |
| Ecology | Option A | Moderate Adverse |
| | Option B | Moderate Adverse |
| | Option C | Awaiting information |
| Historic Environment | Option A | Moderate Adverse |
| | Option B | Moderate Adverse |

| | | |
|---|---|---|
| | Option C | Small Adverse |
| Water Environment | Option A | Awaiting information |
| | Option B | Awaiting information |
| | Option C | Awaiting information |

# 8

# COMPARATIVE DELIVERY ASSESSMENT

# 8 COMPARATIVE DELIVERY ASSESSMENT

## 8.1 LAND

### 8.1.1. Option A

The proposed layout of Option A will affect approximately 7 known areas of registered and unregistered land according to the Land Registry information provided.

The initial proposed area of the scheme is 27,800m2; the proposed route primarily affects areas of greenfield where little development currently exists, though these areas are currently for reactional purposes for the town. Further information on the impact of the scheme can be seen in Appendix F.

### 8.1.2. Option B

The proposed layout of Option B will affect approximately 12 known areas of registered and unregistered land according to the Land Registry information provided.

The initial proposed area of the scheme is approximately 28,400m2, the majority of which, as in Option A, falls within little developed recreational areas for the town. Further information on the impact of the scheme can be seen in Appendix F.

### 8.1.3. Option C

The proposed layout of Option C will affect approximately 11 known areas of registered and unregistered land according to the Land Registry information provided. The majority of these areas are greenfield or agricultural land, with the exception of the proposed crossing of the railway and the M5 corridor.

The total estimated area of the scheme is approximately 40,000m2; further information on the impact of the scheme can be seen in Appendix F.

## 8.2 FLOOD RISK

The alignments of Options A & B are entirely within Flood Zone 3b, which have a high probability of flooding and are effectively part of the functional flood plain where water flows or is stored during flood events. Approximately 50% of the alignment of option C is within flood zone 3, from its commencement at Duke St until it crosses over the rail line, motorway and river Culm to the east of the flood plain

Development within flood zones is restricted with only essential infrastructure permitted within flood zone 3b. Where infrastructure is proposed within flood zone 3 the proposals have to be considered against the requirements of both a sequential and exception test.

### 8.2.1. Sequential Test

NPPF and the associated Flood Risk and Coastal Change Planning Practice guidance sets out the requirements in relation to flood risk. NPPF requires Local Planning Authorities (LPAs) to take a sequential risk-based approach to determine the suitability of land for development when allocating sites in the Local Development Framework (LDF) or determining planning applications.

National planning guidance on flood risk articulates a presumption in favour of locating new development in Flood Zone 1 (low probability). If there are no reasonably available sites in Flood Zone 1, the flood vulnerability

of the proposed development can be considered in locating development in Flood Zone 2 (medium probability) and then Flood Zone 3 (3a high probability and 3b functional floodplain).

### 8.2.2. Exception test

If the sequential test establishes the need to locate the proposed development in the flood zone, it is then appropriate to apply the exception test, as set out in paragraphs 102-104 of the National Planning Policy Framework.

The exception test requires that the following questions are answered with supporting evidence:

a) Would the proposed development provide wider sustainability benefits to the community? If so, could these benefits be considered to outweigh the flood risk to and from the proposed development?

b) How can it be demonstrated that the proposed development will remain safe over its lifetime without increasing flood risk elsewhere?

c) Will it be possible to for the development to reduce flood risk overall (e.g. through the provision of improved drainage)?

### 8.2.3. Option A

As stated above the whole of the Option A alignment is within flood zone 3b. Whilst it would be possible to raise most of the alignment length above flood levels, at the tie-ins to the existing highway network at Duke St and Station Road the alignment would need to return to exiting highway levels.

Duke Street, at the southern location where Option A is proposed to connect, is predicted to flood in the 50% flood scenario which equates to a probability of flooding once every 2 years.

Station Road at the northern location where Option A is proposed to connect, is predicted to flood in the 1% flood scenario, which equates to a probability of flooding once in every 100 years.

Whilst flooding of the proposed connection point on Station Road is predicted infrequently and to a depth of less than 200m, with Duke Street susceptible to frequent flooding with depths over 500mm there would be periods when the road would need to be closed.

Whilst these periods of closure are expected to be short term, it would necessitate that advance warning signs and barriers closing the road for these periods are installed as part of the works. Similarly, there is potential the relief road would be closed in parallel with the M5 motorway, and therefore diverted traffic would still need to use Fore Street. This would potentially limit options for regeneration of the town centre.

The remainder of the highway alignment is generally close to the western edge of the flood zone, which is predicted to be less disruptive to water flows and storage during flood events. Therefore, mitigation and compensatory measures are expected to be less extensive than options that cut across the flood zone.

### 8.2.4. Option B

As with Option A the whole of the Option B alignment is within flood zone 3b. Whilst it would be possible to raise most of the alignment length above flood levels, at the tie-ins to the existing highway network at Duke Street and Station Road the alignment would need to return to existing highway levels.

Duke Street, at the southern location where Option B is proposed to connect, is predicted to flood in the 50% flood scenario which equates to a probability of flooding once every 2 years.

Station Road at the northern location where Option B is proposed to connect, is predicted to flood in the 1% flood scenario, which equates to a probability of flooding once in every 100 years.

Whilst flooding of the proposed connection point on Station Road is predicted infrequently and to a depth of less than 200m, with Duke Street susceptible to frequent flooding with depths over 1m there would be periods when the road would need to be closed.

Whilst these periods of closure are expected to be short term, it would necessitate that advance warning signs and barriers closing the road for these periods are installed as part of the works. Similarly, there is potential the relief road would be closed in parallel with the M5 motorway, and therefore diverted traffic would still need to use the Fore Street. This would potentially limit options for regeneration of the town centre.

The alignment of Option B cuts transversely across the flood zone east to west towards its southern extent north of Dukes St and then west to east deviating from the rail line towards the Tesco supermarket further north. Flood water flows will be significantly impeded and disrupted as a consequence, and significant mitigation and compensation measures are anticipated to be required to avoid increasing flood risk.

### 8.2.5. Option C

As stated above approximately 50% of the Option C alignment is within flood zone 3. However, the route alignment commences at the proposed new junction with Duke St in the same location as Option A. Therefore, the route is predicted to flood in the 50% flood scenario, which equates to a probability of flooding once in every 2 years.

From the junction with Duke St the Option C alignment leads west cutting transversely across the floodplain on both the west and east sides of the motorway. The alignment will need to be rising significantly above existing levels to provide sufficient clearances to the rail line and motorway. The supporting structures to the highway will impede the flood water flow and storage including the areas east of the motorway where the flow is fastest and storage at its deepest. It is therefore expected that flood mitigation and compensation measures would be the most substantial of the 3 options.

### 8.2.6. Potential Future Motorway Junction and Southern Relief Road Extension

As all of the Option alignments are susceptible to flooding at their junctions with Duke Street, the full benefits of the relieving the town centre are not achievable as the road is expected to be closed due to flooding during flood events. In those instances, traffic would be diverted back through the town centre.

Potential future provision of a southern extension to the relief road would provide the opportunity for a new highway connection above flood levels that would permit the road to remain open in all but the most extreme flood events. The currently proposed relief road alignments are within the area identified on the Local Plan Review map, and a southern extension would be beyond those extents and consequently hasn't been considered in detail by this report.

The viability of a future new motorway junction connecting with the relief road is also considered to be linked with the provision of a southern extension. The financial investment required for a new motorway junction would necessitate that the local highway infrastructure connecting with the new junction is resilient to flooding.

### 8.2.7. Flood Risk Assessment

As part of the Mid Devon Local Plan review a Flood Risk Assessment (FRA) has been undertaken for local plan purposes, for a scheme which includes the Option A proposed alignment of the relief road along with the potential new M5 motorway junction as indicated on plan Option A1 within Appendix C. The FRA is available through MDDC's website in the Local Plan Review section (https://www.middevon.gov.uk/residents/planning-policy/local-plan-review/), along with a letter from the Environment Agency confirming based on the FRA that the principle of construction proposed is acceptable subject to further detailed design.

The FRA produced is necessary to support the Local Plan review, confirming the Town Centre Relief Road and potential connection motorway junction is viable. However, it does not necessitate that the alignment assessed within the FRA is taken forward and any alignment taken forward will need to be subject to a further FRA based on the more detailed proposals included within a planning application submission.

In parallel with the preparation of this report and the proposed public consultation, further FRAs are being prepared based on the alignments of Options B & C, along with Option A independent without the motorway junction. They will be completed prior to determination of a preferred route and will therefore be considered as part of the determination process.

## 8.3 BUILDABILITY CONSTRAINTS

### 8.3.1. Option A

The proposed route of Option A lies predominately within a greenfield location, thereby minimising the number of third party approvals required for the construction due to its location in comparison to the other scheme layouts. The most significant impact of the layout will be the amendments to the existing roundabout location on Station Road. During the construction, traffic management requirements will be key to maintaining the flow of traffic from the M5 into Cullompton and vice versa.

Due to the amendments to the current layout, access to 'The Weary Traveller' will be required to be maintained both during construction and within the design of the final arrangement to minimise impact on the business. Access to the CCA fields for both vehicles and non-motorised users will need to be maintained throughout construction and upon completion of the scheme through the design.

The proposed new roundabout at chainage 780m will need to be reviewed with the supermarket owners due to its proximity and potential impact on access for customers and deliveries to the store. To the South of the scheme, the proposed junction onto Duke Street will need to be considered in accordance with the flood risk strategy and South West Water to ensure that there are minimal impacts to the pumping station location during construction. Consultation with the EA will be required to the construction location within the floodplain and to agree a strategy of directing water flow of the drain and the Mill Leat both during construction and with the final design.

### 8.3.2. Option B

The proposed layout of Option B is similar in its alignment to Option A, and therefore has a similar impact to the existing location with regards to the north of the scheme, and the impact on the super market. The amendments to the alignment of Option B will require consultation with the National Rail authority due to its proximity to the existing railway line to the East of the proposed development.

The alignment of Option B also requires to the demolition of the existing bowling, cricket ground and some of the associated buildings such as the club house and pavilions. Building surveys will be required to ensure that these are removed in accordance with the appropriate building regulations. Public consultations will also

ascertain the impact on the scheme on the existing whippet track which the proposed layout severs at approximately chainage 150m. Access to the CCA fields for both vehicles and non-motorised users will need to be maintained throughout construction and upon completion of the scheme through the design.

As with Option A, Option B will require consultations with the EA due to the impact of the scheme within the area of flood risk, as well as the impact on diverting the flow of the Mill Leat, as well as the impact on the First Bridge where the proposed scheme joins Duke Street. During the construction period, and after the proposed scheme is constructed, access to the football ground will need to be taken into consideration, as well as the traffic management requirements during the construction phase of the works on Duke Street.

### 8.3.3. Option C

Much of the proposed alignment of Option C is located within greenfield space or agriculture land. Traffic management requirements will need to be considered at the junction of Duke Street and Honiton Road. Consultation with the National Rail authority and Highways England will be required to the proximity of the works, overhead, to the existing rail network and the M5 to connect both the east and west sections of the scheme.

To the West of the M5 crossing, access will need to be maintained both within the final design and the construction phase for the football ground, and bowling green. As with Option B, public construction will also ascertain the potential impacts of the scheme on the existing whippet track. To the east of the M5 crossing, access will need to be negotiated with the land owner across the farm land for both the design and construction of the proposed alignment.

Access to the CCA fields for both vehicles and non-motorised users will need to be maintained throughout construction and upon completion of the scheme through the design.

Option C benefits of a minimal amount of disruption to the existing roundabout and therefore traffic flow during construction by The Weary Traveller will not be affected. However, additional consultation requirements with the National Rail authority and Highways England will be required in relation to the bridge, or bridges, over both the rail line and motorway. As with Option A and B, Option C will also require construction with the EA due to the development being located with a flood plain for considerations during the construction phase, as well as crossings of the Mill Leat and the River Culm to the east of the M5 corridor.

## 8.4 COST

Due to the indicative nature of the route options detailed cost estimates of construction cost cannot be produced on the information available at this stage of scheme development. To provide comparative information on construction cost the anticipated primary elements of each option have been determined, such as length of carriageway, number and type of structures, number and type of junctions.

Estimated costs from similar projects have then applied, along with allowances for identified risks and constraints to produce a construction cost estimate for each option. For all options the estimates have been prepared on the assumption the highway will be constructed above flood levels wherever possible.

Land purchase and mitigation/compensation costs have not been estimated as there is insufficient information available at this stage and would be subject to negotiation. The anticipated primary mitigation/compensation cost elements are identified but not costed at this stage.

For each option the comparative construction cost estimate is given below, with a summary of the key differentiators from the other options.

### 8.4.1. Option A

The estimated construction cost for Option A is £10m, and is the lowest of the 3 options. The route has the shortest overall length of highway construction and as it is on the fringe of the floodplain is expected to require less flood mitigation and compensation. More pedestrian/cycle crossing points are expected to be required in comparison to the other Options as the alignment segregates the majority of the recreational and sporting areas from the town centre.

The alignment is entirely within green field and recreational areas, and is therefore not anticipated to necessitate abnormal land compensation/mitigation costs.

### 8.4.2. Option B

The estimated construction cost for Option B is £12m, approximately £2m greater than Option A. The primary differences are that the Option B alignment length is over 15% longer and the alignment cuts transversely across the flood plain and is expected to require more extensive flood compensation and mitigation consequently.

The Option B alignment would significantly impact Cullompton Cricket Club, Cullompton Bowls Club and to a lesser extent Cullompton Rangers Football Club. Significant costs associated with compensation and/or mitigation are expected beyond the construction costs and typical land purchase prices. Land to relocate the affected sports clubs would be expected to be required.

### 8.4.3. Option C

The estimated construction cost for Option C is £50m. The primary cost element resulting in the substantial increase in relation to Options B & C is the structure, or potentially series of structure, that would be required to span over the rail line, motorway and river Culm. In addition to the cost of structure(s), that would need to satisfy the requirements of Network Rail, Highways England and the Environment Agency, the alignment cuts transversely across the flood plain on both sides of the rail/motorway corridor.

The floodplain area to the east of the motorway is the most sensitive with the fastest and deepest flows in flood conditions. Significant additional flood compensation/mitigation measure in comparison to Options A & B are anticipated.

The alignment is in proximity to the southern boundary of the Cullompton Cricket Club land and may impact on the viability of maintaining the current land use either temporarily during construction or possibly permanently. Therefore, costs associated with compensation and/or mitigation are expected beyond the construction costs and typical land purchase prices.

# 9

# SUMMARY, NEXT STEPS AND FUNDING

# 9 SUMMARY, NEXT STEPS AND FUNDING

## 9.1 SUMMARY

This report concludes that 3 alignment options for the Cullompton Town Centre relief road meet most of the identified objectives and provides a high-level comparative assessment of those options in terms on environmental impact and viability of delivery.

## 9.2 NEXT STEPS

### 9.2.1. Public Consultation

Subject to MDDC cabinet and DCC member approval, it is proposed to undertake public consultation on Options A, B and C based on the plans and information contained within this report.

Public consultations events are expected to be scheduled to provide the maximum practical opportunities for the public to attend. Multiple dates in different locations are proposed to include morning, afternoon, evening and weekend sessions to provide the maximum practical opportunity for public attendance.

Members of the project team from MDDC, DCC and consultant WSP will be in attendance at each consultation event to provide guidance on the proposals and answer questions. A leaflet will be produced providing summary details and an internet link address to provide consultation responses. Consultation responses will also be accepted via post and in person at the consultation events.

### 9.2.2. Preferred route option determination and development

Following public consultation, the project team will collate and review the consultation responses along with the completed flood modelling and environmental survey work. The objective of the review will be to establish a preferred route that provides the best balance of public acceptability, environmental impact, value for money and deliverability.

The project team will identify route(s) to be taken forward for further investigation in order to identify a preferred route to be taken forward to a planning application.

### 9.2.3. Planning application

A planning application for the preferred route would be expected to be submitted to MDDC as the Local Planning Authority. Due to both the area of the proposed planning application and environmental sensitivity of the study area, an Environmental Impact Assessment (EIA) would be required. An EIA constitutes a detailed assessment of all the environmental impacts of a scheme, that is undertaken in parallel with the design to minimise impacts and incorporate mitigation measures.

A full detailed flood risk assessment would also be prepared and accompany the application including flood compensation/defence mitigation measures that may be required.

A series of public exhibitions would be held prior to the planning application submission providing details of the proposals. Following submission of the application, there will also be a 30-day period for the public to provide comments on the application.

## 9.3 FUNDING

### 9.3.1. Housing Infrastructure Fund

In 2017 MDDC submitted a bid to the Homes Infrastructure Fund - Marginal Viability Fund (HIF MV) established by Homes England as part of their £2.3 billion of financing of infrastructure to unlock housing delivery. MDDC submitted 2 bids to Homes England for HIF MV funding, including £10m towards improvement of Junction 28 of the M5 to increase capacity through construction of an additional lane on the bridge over the M5, new footbridges and full signalisation of the western junction.

In February 2018 Homes England announced both of MDDC's bids were successful, subject to completion of due diligence confirming value for money and delivery viability.

Since the submission of the MV HIF bid in February 2018 announcement of the intended funding allocation, the principal project partners (MDDC, DCC and Highways England) continued to progress with detailed analysis of the proposals and associated refinement and clarification of the most beneficial and deliverable set of immediate, short-term interventions within the context of the longer-term growth ambitions and potential strategic solutions.

This process identified that moving straight to the immediate provision of the Town Centre Relief Road will deliver the same outcomes (in terms of releasing planned homes and growth) as the previously proposed scheme of improvements to J28 (as described in the original HIF submission). Furthermore, the highways authorities both now consider that the scheme as originally submitted for HIF funding will not achieve the envisaged benefits to traffic flows and the operation of J28. They have also expressed strong concerns with the likely major disruption and adverse effects on traffic movements during construction, as well as expressing doubts over the ability to physically construct and deliver that scheme as currently proposed.

Consequently, the project partners have been in discussion with Homes England regarding the potential to reallocate the funding from the proposed Junction 28 improvement to the Town Centre Relief Road. To date those discussions have been positive and the expectation is that provided the value for money and deliverability are demonstrable Homes England will authorise the change in the nature of the transport intervention under the current intending funding allocation.

HIF MV funding must be fully expended and the benefits of the scheme realised by March 2021, which would require the Town Centre Relief Road to be substantial completed by that date for that obligation to be met. It is considered that Options A and B could meet that criteria. However, Option C is not thought viable to be substantially completed by March 2021 due to the planning, permissions, design and construction complexities of the structure(s) over the rail line, motorway and River Culm.

### 9.3.2. Other sources of funding

Section 106 payments from developments associated with the housing unlocked by the scheme would be expected to contribute to the scheme costs. The scale of development is not sufficient to fund the full scheme costs through Section 106 contributions, hence the successful application for HIF MV funding.

If the preferred route selected is not compatible with the HIF time constraints or the funding allocation is not confirmed for other reasons, other funding sources for the relief road would need to be considered as there is no significant funding available from either MDDC or DCC.

The Department for Transport has allocation £900 million of funding to Highways England over a 6 year spending period between 2015 and 2021. £100m of this funding is allocated to the Growth and Housing Fund to bridge funding shortfalls for highway schemes that can enable the delivery of jobs and homes wherever possible.

The Growth and Housing Fund is not currently open to new applications/bids and the timescale for spending the funding and realising the benefits is March 2021, matching the HIF MV requirements. The Growth and Housing Fund is unlikely to be a source of funding for the relief road.

There are currently no other identified sources of funding for the scheme. If HIF MV funding is not secured it is likely development of the scheme would be dependent on new sources of funding becoming available which are most likely to come forward after 2021 when the current government spending plans expire.

# Appendix A

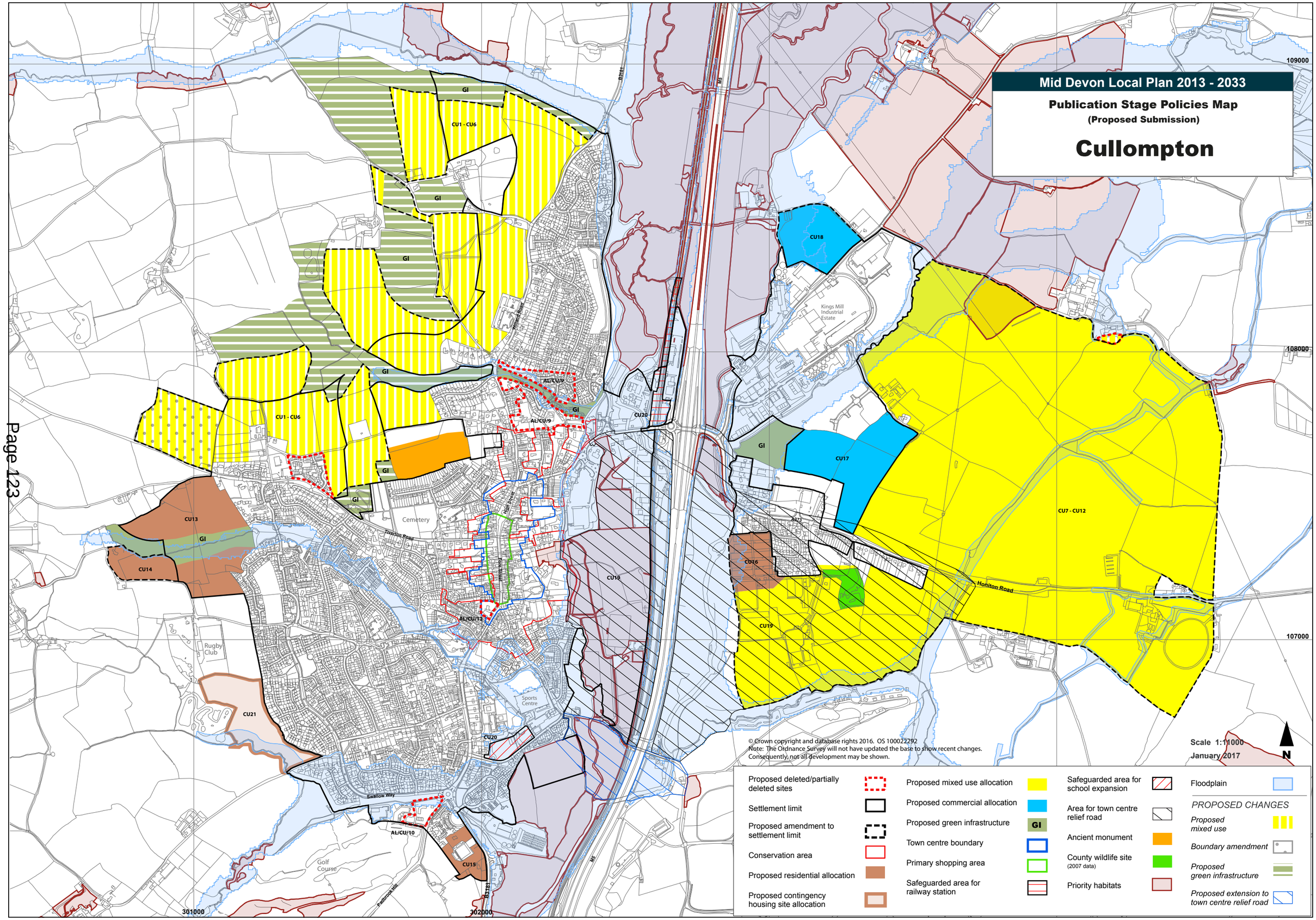
SUBMISSION LOCAL PLAN:

CULLOMPTON EXTRACT MAP

# Mid Devon Local Plan 2013 - 2033

**Publication Stage Policies Map**
**(Proposed Submission)**

# Cullompton




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Note: The Ordnance Survey will not have updated the base to show recent changes. Consequently, not all development may be shown.

Scale 1:11000
January 2017

N

- Proposed deleted/partially deleted sites
- Settlement limit
- Proposed amendment to settlement limit
- Conservation area
- Proposed residential allocation
- Proposed contingency housing site allocation
- Proposed mixed use allocation
- Proposed commercial allocation
- Proposed green infrastructure
- Town centre boundary
- Primary shopping area
- Safeguarded area for railway station
- Safeguarded area for school expansion
- Area for town centre relief road
- Ancient monument
- County wildlife site (2007 data)
- Priority habitats
- Floodplain

*PROPOSED CHANGES*

- *Proposed mixed use*
- *Boundary amendment*
- *Proposed green infrastructure*
- *Proposed extension to town centre relief road*

# Appendix B

## ROUTE OPTION LAYOUT PLANS

DO NOT SCALE

SINGLE LANE CARRIAGEWAY (3.65m LANES) WITH 3.5m FOOTWAYS

SINGLE LANE CARRIAGEWAY (3.65m LANES) WITH 3.5m FOOTWAYS

BRIDGE OVER MILL LEAT

THE WEARY TRAVELLER

LONGBRIDGE MEADOW TRADING ESTATE

TESCO

FOOTBALL GROUND

BOWLING GREEN

CRICKET GROUND

CULM VALLEY SPORTS CENTRE

ST ANDREW'S CHURCH

M5 MOTORWAY

RAILWAY

RIVER CULM

MILL LEAT

DUKE STREET

FIRST BRIDGE

STATION ROAD

HIGHER MILL LANE

MIDDLE MILL LANE

GRAVEL WALK

COLLOMPTON

0+610.000

0+430.000

0+350.000

0+870.000

C C

B B

A A

3.5m FOOTWAY | 7.3m CARRIAGEWAY | 3.5m FOOTWAY

SECTION C-C
SCALE 1:100

SECTION B-B
SCALE 1:100

SECTION A-A
SCALE 1:100

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PROJECT: CULLOMPTON TOWN CENTRE RELIEF ROAD - ROUTE OPTIONS REPORT

TITLE: OPTION A - LAYOUT PLAN

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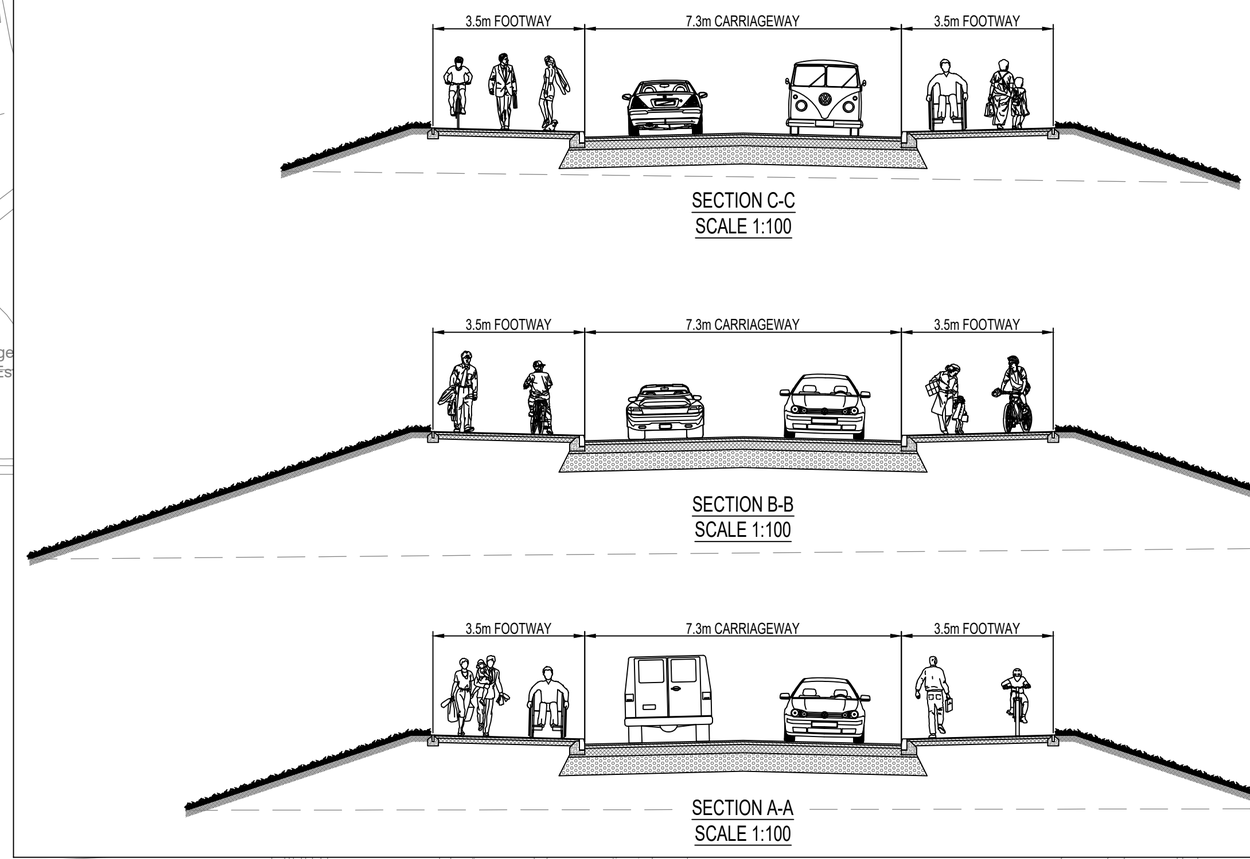


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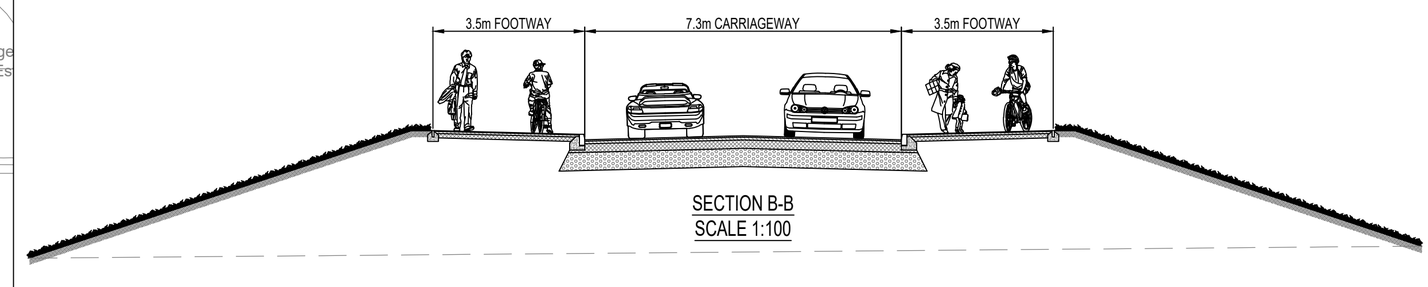
DO NOT SCALE

SINGLE LANE CARRIAGEWAY (3.65m LANES) WITH 3.5m FOOTWAYS

SINGLE LANE CARRIAGEWAY (3.65m LANES) WITH 3.5m FOOTWAYS




SECTION C-C
SCALE 1:100




SECTION B-B
SCALE 1:100




SECTION A-A
SCALE 1:100

CULLOMPTON

BOWLING GREEN

CRICKET GROUND

FOOTBALL GROUND

BRIDGE OVER MILL LEAT

FIRST BRIDGE

RAILWAY

M5 MOTORWAY

RIVER CULM

MP 181.75

MP 182

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TITLE: OPTION B - LAYOUT PLAN

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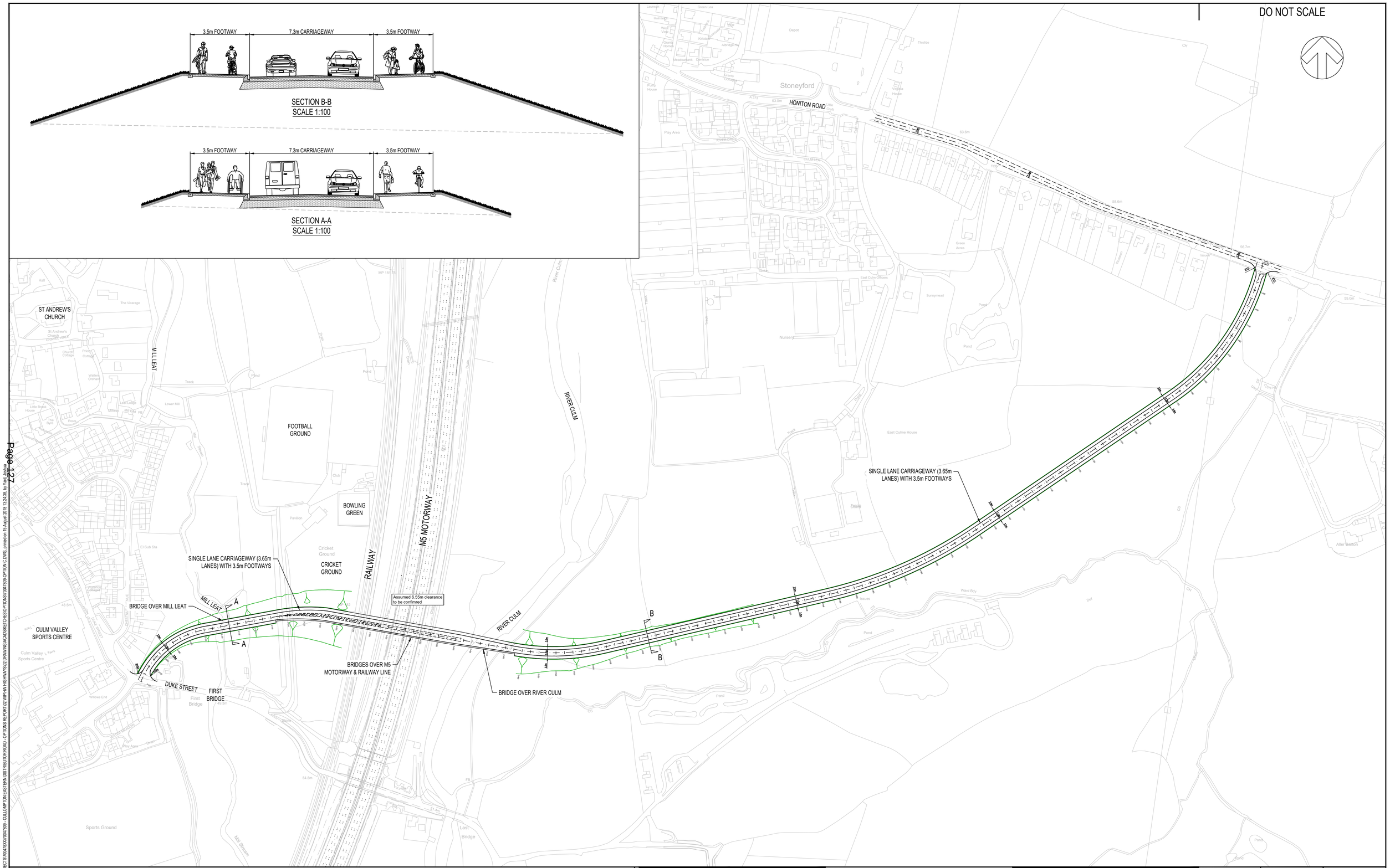
DO NOT SCALE




SECTION B-B
SCALE 1:100




SECTION A-A
SCALE 1:100




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TITLE: OPTION C - LAYOUT PLAN

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DO NOT SCALE

THE WEARY TRAVELLER

LONGBRIDGE MEADOW TRADING ESTATE

M5 MOTORWAY

RAILWAY

RIVER CULM

CULLOMPTON

Stoneyford

TESCO

FOOTBALL GROUND

BOWLING GREEN

CRICKET GROUND

SINGLE LANE CARRIAGEWAY (3.65m LANES) WITH 3.5m FOOTWAYS

BRIDGE OVER MILL LEAT

BRIDGE OVER M5 MOTORWAY & RAILWAY LINE

BRIDGE OVER RIVER CULM

DUKE STREET

FIRST BRIDGE

HONITON ROAD

STATION ROAD

MILL LEAT

Long Bridge

Stoneyford Bridge

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TITLE: OPTION D - LAYOUT PLAN

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# Appendix C

## ROUTE OPTIONS CONNECTIVITY

## PLANS

DO NOT SCALE

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SINGLE LANE CARRIAGEWAY (3.65m LANES) WITH 3.5m FOOTWAYS

POTENTIAL FUTURE MOTORWAY JUNCTION

BRIDGE OVER MILL LEAT

POTENTIAL FUTURE SOUTHERN EXTENSION

POTENTIAL SOUTHERN LINK

THE WEARY TRAVELLER

LONGBRIDGE MEADOW TRADING ESTATE

ST ANDREW'S CHURCH

TESCO

FOOTBALL GROUND

CRICKET GROUND

BOWLING GREEN

CULM VALLEY SPORTS CENTRE

FIRST BRIDGE

M5 MOTORWAY

RAILWAY

RIVER CULM

STATION ROAD

MILL LEAT

DUKE STREET

COLLEGE ROAD

HIGHER MILL LANE

GREENHOUSE GARDENS

RIVER DRIVE

GERBERA WAY

RIVERMEAD

GRAVEL WALK

WATER MEADOW

CHESTNUT AVENUE

Court Farm
Court Farm Meadow
Court Farm Cottage
Court House Cottages
Court Lodge
Court
Court Bungalows
Square Close
Sluice
ESS
Long Bridge
51.8m
51.5m
Filling Station
The Weary Traveller
Works
Penn-y-dre
Orchard House
Surgery
Surgery
Garde Terrace
Stone's Place
Amb Sta
52.4m
Palmer's Bridge
Pol Sta
Belle Vue Terrace
PCs
El Sub Sta
FB
Bowford House
Mill House
Higher Mill
Car Park
Fairway
Superstore
Pond
Millside
Perdon House
Braemar
House
Court
13 to 35
Waverleigh
Monks' Walk
Walk
The Old Vicarage
Hall
The Vicarage
St Andrew's Church
Church Cottage
Priory Cottage
Walters Orchard
Little Brook House
The Byre
Posts
Pantasia
Holcroft Mead
Lower Mill
Leat Lodge
Millway
Mill End
Mill Leat
Lower Mill
Play Area
Waterloo Cottages
Culm Valley Sports Centre
Willows End
Ppg Sta
Stone
Sports Pavilion
Club
Pav
Track
Path
Drain
Pond
Longbridge Mea Trading Estate
El Sub Sta
Jayanem
Sumpter's Farm
MP 181.5
MP 181.75
MP 182
Track
Drain
Pond
Devon Business Park
Riven River
Exe
SM
Brent Knoll
Wanstead
Prestbury
Sunnybrook
Brookside
Launson
Green Lea
Holmleigh
West View
Tuebrook
Sunnivale
Kirkdale
Grants Homes
Meadowbank
Albridge H
Deniston
Stonyford Bridge
Grants Cottages
Ppg Sta
Play Area
Simms
Track
River Culm
Track
Pond
Drain
Drain
Drain
Drain
Pond
Pond
Stone
Mill Leat
Drain
Drain
Drain
Drain

DO NOT SCALE

SINGLE LANE CARRIAGEWAY (3.65m LANES) WITH 3.5m FOOTWAYS

SINGLE LANE CARRIAGEWAY (3.65m LANES) WITH 3.5m FOOTWAYS

BOWLING GREEN

CRICKET GROUND

BRIDGE OVER MILL LEAT

FIRST BRIDGE

POTENTIAL FUTURE SOUTHERN EXTENSION

POTENTIAL FUTURE MOTORWAY JUNCTION

M5 SOUTHBOUND SLIP ROADS

POTENTIAL SOUTHERN LINK

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DO NOT SCALE

CULLOMPTON

Stoneyford

HONITON ROAD

TESCO

ST ANDREW'S CHURCH

MILL LEAT

FOOTBALL GROUND

BOWLING GREEN

CRICKET GROUND

SINGLE LANE CARRIAGEWAY (3.65m LANES) WITH 3.5m FOOTWAYS

RAILWAY

M5 MOTORWAY

RIVER CULM

BRIDGE OVER MILL LEAT

CULM VALLEY SPORTS CENTRE

DUKE STREET

BRIDGES OVER M5 MOTORWAY & RAILWAY LINE

BRIDGE OVER RIVER CULM

FIRST BRIDGE

POTENTIAL SOUTHERN EXTENSION

POTENTIAL SOUTHERN LINK



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TITLE: OPTION C1 - LAYOUT PLAN

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THE WEARY TRAVELLER

LONGBRIDGE MEADOW TRADING ESTATE

TESCO

FOOTBALL GROUND

BOWLING GREEN

CRICKET GROUND

Stoneyford

HONITON ROAD

M5 MOTORWAY

RAILWAY

RIVER CULM

MILL LEAT

STATION ROAD

Long Bridge

Stoneyford Bridge

RIVER DRIVE

CULM LEA

GREENHOUSE GARDENS

GERBERA WAY

SINGLE LANE CARRIAGEWAY (3.65m LANES) WITH 3.5m FOOTWAYS

BRIDGE OVER MILL LEAT

BRIDGE OVER M5 MOTORWAY & RAILWAY LINE

BRIDGE OVER RIVER CULM

DUKE STREET FIRST BRIDGE

POTENTIAL SOUTHERN EXTENSION

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PROJECT: CULLOMPTON TOWN CENTRE RELIEF ROAD - ROUTE OPTIONS REPORT

TITLE: OPTION D1 - LAYOUT PLAN

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# Appendix D

## ENVIRONMENTAL CONSTRAINTS

## PLAN

DO NOT SCALE

Key

- Option A
- Option B
- Option C
- Flood Zone 2
- Flood Zone 3
- Main River
- Flood Defense
- Air Quality Management Area
- Priority Habitats
- Zone 1 - Nitrate Inner Protection Zone
- Zone 2 - Nitrate Outer Protection Zone
- Grade 1 Listed
- Grade 2 Listed
- County Wildlife Site
- Conservation Area - Heritage

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CLIENT: MID DEVON DISTRICT COUNCIL

ARCHITECT:

SITE/PROJECT: J28 CULLOMPTON EASTERN DISTRIBUTOR ROAD

TITLE: ENVIRONMENTAL CONSTRAINTS PLAN

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# Appendix E

## COMPARATIVE ENVIRONMENTAL ASSESSMENT - BASELINE

# 1 COMPARATIVE ENVIRONMENTAL ASSESSMENT - BASELINE

## 1.1 AIR QUALITY

### 1.1.1. Baseline Conditions for all 3 Options

The Cullompton EDR is within the district of Mid-Devon. As part of the requirements of Local Air Quality Management (LAQM) as set out in Part IV of the Environment Act, Mid Devon District Council (MDDC) regularly review and assess air quality in the area and determine if the UK air quality objectives are likely to be achieved. Where an exceedance is considered likely the local authority must declare an Air Quality Management Area (AQMA) and prepare an Air Quality Action Plan (AQAP) setting out the measures it intends to put in place to move towards compliance with the UK objectives.

As a result of air quality monitoring and assessment across the region MDDC has declared two such AQMAs. In 2006, due to monitored exceedances of the annual mean objective for nitrogen dioxide (NO2) concentrations at roadside locations within Cullompton, MDDC declared the Cullompton AQMA which encompasses the entire built up area of Cullompton. As such, the northern and southern most sections of the scheme lie within the Cullompton AQMA. MDDC is acting to improve air quality in these areas and across the region. These actions are described in the councils Air Quality Action Plan which was adopted in 2009. The measures adopted include the ongoing programme of monitoring pollutant concentrations in the area.

The pollutant concentration at any location has two components, namely a contribution from local sources and a contribution from more distant sources and pollutant transport. Defra provide background pollutant concentrations as a 1km x 1km grid for the UK. The background pollutant concentrations for NO2 (12µg/m3, objective = 40µg/m3), PM10 (16µg/m3, objective = 40µg/m3) and PM2.5 (10µg/m3, objective = 25µg/m3) are currently well within the relevant UK objectives for annual mean pollutant concentrations.

MDDC undertake nitrogen dioxide diffusion tube monitoring at 7 sites across Cullompton. The locations of these diffusion tubes, as well as the results of the monitoring undertaken, are presented in ***Table 1***.

**Table 1: MDDC Annual Mean NO2 monitoring results ( µg/m3, UK objective = 40, exceedances shown in bold)**

| ID | Site Name | XY OS Grid Reference | Site Type | 2012 | 2013 | 2014 | 2015 | 2016 |
|---|---|---|---|---|---|---|---|---|
| DT 7 | Cullompton (Culm Lea) | 303005, 107418 | Roadside | - | - | - | - | 17.43 |
| DT 8 | Cullompton (Police Station, Station Road) | 302187, 107549 | Roadside | 27.24 | 32.06 | 27.42 | 24 | 28.62 |
| DT 9 | Cullompton (49 Station Road) | 302289, 107591 | Roadside | 26.14 | 28.98 | 26.08 | 24.4 | 26.87 |

| | | | | | | | | |
|---|---|---|---|---|---|---|---|---|
| DT 10 | Cullompton (15 Higher Street) | 302129, 107595 | Roadside | 22.91 | 29.21 | 28.05 | 24.56 | 27.06 |
| DT 11 | Cullompton (17 High Street) | 302092, 107446 | Roadside | 25.65 | 27.41 | 25.12 | 25.12 | 26.82 |
| DT 12 | Cullompton (HSBC) | 302050, 107359 | Roadside | - | - | - | - | 32.40 |
| DT 13 | Cullompton (8 Fore Street) | 302056, 107296 | Roadside | - | - | - | 38.49 | 43.21 |
| DT 14 | Cullompton (45 Fore Street) | 302071, 107199 | Roadside | 32.42 | 33.16 | 34.12 | 32.53 | 36.43 |

Concentrations are generally within the UK objective, except for elevated concentrations along Fore Street and a single exceedance of the UK objective at DT 13 as a result of road traffic and proximity of sensitive locations to the roadside. Concentrations are generally lower further north and are well within the objective to the east at DT7, though limited data are available at this location.

## 1.2 NOISE

### 1.2.1. Option A

**Baseline and Sensitive Receptors**

The closest noise important area (NIA) to Option A is approximately 2.2 km to the north and is detailed below:

- IA_ID 3468: HA M5 at Willand (B3181)

Given the proximity of the M5, road traffic noise is likely to be the dominant noise source in the area. The strategic noise map contours published by the Department for Environment, Food and Rural Affairs (DEFRA) indicate that the LAeq, 16h noise level is in the range of 60-65 dB from traffic on the M5. The Exeter to Bristol mainline railway runs along adjacent to the M5 to the east of the option A route.

The area immediately surrounding the Option A route is primarily open fields with some retail/light industrial units to northern end. There is existing noise sensitive receptors (NSRs) to the west of the scheme in Cullompton. To the southern end of the route there are several outdoor recreational areas and educational facilities within 300 m of the route option.

### 1.2.2. Option B

**Baseline and Sensitive Receptors**

The closest noise important area (NIA) to Option B is approximately 2.2 km to the north and is detailed below:

- IA_ID 3468: HA M5 at Willand (B3181)

Given the proximity of the M5, road traffic is likely to be the dominant noise source in the area. The strategic noise map contours published by the Department for Environment, Food and Rural Affairs

(DEFRA) indicate that the LAeq, 16h noise level is in the range of 60-70 dB from traffic on the M5. The Exeter to Bristol railway runs along adjacent to the M5 to the east of the option B route.

The area immediately surrounding the Option B route is primarily open fields with some retail/light industrial units to northern end. There is existing noise sensitive receptors (NSRs) to the west of the scheme in Cullompton. To the southern end of the route there are several outdoor recreational areas and educational facilities within 300m of the route option

### 1.2.3. Option C

**Baseline and Sensitive Receptors**

The closest noise important area (NIA) to Option C is approximately 2.5 km to the north and is detailed below:

- IA_ID 3468: HA M5 at Willand (B3181)

Given the proximity of the M5 and A373 (Honiton Road), road traffic is likely to be the dominant noise source in the area. The Exeter to Bristol railway runs parallel to the western side of the M5.

The area immediately surrounding the Option C route is primarily open fields. There are individual NSRs near the route. To the eastern end of the route, on Honiton Road, there are several residential properties.

## 1.3 LANDSCAPE/TOWNSCAPE

### 1.3.1. Option A

**Baseline and Sensitive Receptors**

The scheme area lies predominantly within open green space between the east edge of Cullompton and the north-south running mainline railway. This area of land is the Cullompton Community Association's (CCA) Fields, which cover 32 acres (13 ha) and are a major recreational area for the town. Formed in 1970, the CCA purchased the fields and water meadows that are used by recreational and sports clubs, and for a variety of regular events, which include shows, a circus, whippet racing and a fireworks display.

The Fields comprise formal marked pitches for football, hockey, cricket and bowls, a children’s play area with equipment to suit a range of ages, and meadows with surfaced tracks and mown grass paths, which are well used for dog walking and informal recreation.

The traffic on the M5 is a source of constant background noise, with trains passing regularly on the Bristol to Exeter mainline railway adding to the intrusion. The well treed boundaries and dense mature hedgerows within the Fields offer some sense of relative tranquillity within the area.

**Landscape Character: National Level**

The area falls within National Character Area (NCA) 148: Devon Redlands. Key relevant characteristics of this NCA include:

- Hilly landscape of villages, hamlets, farmsteads, hedge banks and winding lanes, cut through by steep-sided valleys with wide floodplains;
- Extensive urban development, roads and railways on the lower valleys and coasts; and
- Open flood meadows with little tree cover in the lower valleys…

**Landscape Character: Local Level**

At the local level, the area immediately east of the town falls within Mid Devon Local Character Type (LCT) 3C: Sparsely settled farmed valley floors. Key relevant characteristic of this LCT include:

- Low-lying flood plains of the lower reaches and broader parts of the river valleys. A medium to small scale landscape, characterised by relatively narrow strips of gently sloping or level land with a smooth surface topography.

**Designations**

St Andrew's Church, a Grade I listed building, is on the east edge of the town and the tower is a feature in many local views.

First Bridge, the Duke Street crossing of the Mill Leat, is Grade II listed.

**Landscape Features**

- The main branch of the River Culm flows north to south to the east of Cullompton and the M5. The Cullompton Leat, a mill leat that takes its water from the Sratford Stream, runs along the east edge of the town.
- There are several mature landmark oak trees, including some veteran trees, within the CCA Fields, both in hedgerows and as field trees.
- An oak tree avenue has been planted alongside the surfaced track running north to south through the central meadow.
- The vehicle access to the CCA Fields is lined by an avenue of mature tree specimens, including oak, sweet chestnut, robinia, and maples.
- Hedgerows in the area are mainly species rich with trees. Ash is the predominate species, with alder and willow near ditches and streams, and hazel, aspen, oak, hawthorn, field maple and sweet chestnut.
- There is an area of semi-natural woodland south of the B3181, east of the superstore.

**Sensitive Receptors**

**Landscape receptors:**

- Local landscape character;
- Mature trees, including landmark specimens and oak tree avenue;
- Meadowland; and
- Species rich hedgerows.

**Visual receptors:**

- Local residents in Chestnut Avenue, Rivermead, and WaterMeadow, Cullompton;
- Users of CCA recreational facilities; children's playground, football club, cricket club, hockey club, bowling club, army cadets, whippet club.
- Visitors to events on CCA Fields (e.g. dog shows/circus/whippet racing);
- Users of CCA informal open space, including dogwalkers on tracks, mown paths and meadows; and
- Users of public footpaths.

### 1.3.2. Option B

**Baseline and Sensitive Receptors**

The scheme area lies predominantly within open green space between the east edge of Cullompton and the mainline railway. This area of land is the Cullompton Community Association's (CCA) Fields, which cover 32 acres (13 ha) and are a major recreational area for the town. Formed in 1970, the CCA purchased the fields and water meadows that are used by recreational and sports clubs and for a variety of regular events, which include shows, a circus, whippet racing and a fireworks display.

The traffic on the M5 is a source of constant background noise, with trains passing regularly on the Bristol to Exeter mainline railway adding to the intrusion. The well treed boundaries and dense mature hedgerows within the Fields offer some sense of sense of relative tranquillity within the area.

**Landscape Character: National Level**

The area falls within National Character Area (NCA) 148: Devon Redlands. Key relevant characteristics of this NCA include:

- Hilly landscape of villages, hamlets, farmsteads, hedge banks and winding lanes, cut through by steep-sided valleys with wide floodplains;
- Extensive urban development, roads and railways on the lower valleys and coasts; and
  - Open flood meadows with little tree cover in the lower valleys…

**Landscape Character: Local Level**

At the local level, the area immediately east of the town falls within Mid Devon Local Character Type (LCT) 3C: Sparsely settled farmed valley floors. Key relevant characteristic of this LCT include:

- Low-lying flood plains of the lower reaches and broader parts of the river valleys. A medium to small scale landscape, characterised by relatively narrow strips of gently sloping or level land with a smooth surface topography.

**Designations**

St Andrew's Church, a Grade I listed building, is on the east edge of the town and the tower is a feature in many local views.

First Bridge, the Duke Street crossing of the Mill Leat, is Grade II listed.

**Landscape Features**

- The Cullompton Leat, a mill leat that takes its water from the Sratford Stream, runs along the east edge of the town.
- There are several mature landmark oak trees, including some veteran trees, within the CCA Fields, both in hedgerows and as field trees.
- The vehicle access to the CCA Fields is lined by an avenue of mature tree specimens, including oak, sweet chestnut, robinia, and maples.
- Hedgerows in the area are mainly species rich with trees. Ash is the predominate species, with alder and willow near ditches and streams, and hazel, aspen, oak, hawthorn, field maple and sweet chestnut.
- There is an area of semi-natural woodland south of the B3181, east of the superstore.

**Sensitive Receptors**

**Landscape receptors:**

- Local landscape character;
- Mature trees, including landmark specimens and mixed specimen tree avenue;
- Meadowland; and
- Species rich hedgerows.

**Visual receptors:**

- Local residents in Water Meadow, Cullompton;
- Users of CCA recreational facilities; children's playground, football club, cricket club, hockey club, bowling club, army cadets, whippet club.
- Visitors to events on CCA Fields (e.g. dog shows/circus/whippet racing);
- Users of CCA informal open space, including dogwalkers on tracks, mown paths and meadows; and Users of public footpaths

### 1.3.3. Option C

**Baseline and Sensitive Receptors**

The scheme area lies within the southern end of the open green space between the east edge of Cullompton and the mainline railway. This area of land is the Cullompton Community Association's (CCA) Fields, which cover 32 acres (13 ha) and are a major recreational area for the town. Formed in 1970, the CCA purchased the fields and water meadows that are used by recreational and sports clubs and for a variety of regular events, which include shows, a circus, whippet racing and a fireworks display.

The main length of this option lies east of the M5, within pastoral farmland.

**Landscape Character: Local Level**

At the local level, the study area immediately east of the town falls within Mid Devon Local Character Type (LCT) 3C: Sparsely settled farmed valley floors. Key relevant characteristics of this LCT include:

- Low-lying flood plains of the lower reaches and broader parts of the river valleys. A medium to small scale landscape, characterised by relatively narrow strips of gently sloping or level land with a smooth surface topography.

East of the River Culm, the study area falls within Mid Devon Local Character Type (LCT) 3E: Primarily managed as arable farmland with some areas of improved grassland, this is a traditional Devon landscape where the Redlands

Characteristics are superimposed on the rolling landform of the Culm giving great soil fertility. Key relevant characteristic of this LCT include:

- An agrarian landscape with medium to large scale field patterns;
- Hedgerow trees are infrequent within the type. Individual trees within amalgamated fields indicate the positions of lost hedges; and
- Views are highly variable. The landscape is semi-open with some long extensive views afforded from on top of hilltops. Where hedges are high views are mostly framed or confined with glimpses into and out only present from field gate openings.

**Designations**

St Andrew's Church, a Grade I listed building, is on the east edge of the town and the tower is a feature in many local views.

First Bridge, the Duke Street crossing of the Mill Leat, is Grade II listed.

**Landscape features**

- The main branch of the River Culm flows north to south, to the east of Cullompton and the M5.
- There are several mature landmark oak trees, including some veteran trees, within the CCA Fields, both in hedgerows and as field trees.
- The vehicle access to the CCA Fields is lined by an avenue of mature tree specimens, including oak, sweet chestnut, robinia, and maples.
- Hedgerows in the area, including field hedges east of the M5, are mainly species rich with trees. Ash is the predominant species, with alder and willow near ditches and streams, and hazel, aspen, oak, hawthorn, field maple and sweet chestnut.

**Sensitive Receptors**

**Landscape receptors:**

- Local landscape character;
- Mature trees, including landmark specimens and formal avenue;
- Meadowland and pasture; and
- Species rich hedgerows.

**Visual receptors:**

- Local residents in Chestnut Avenue, 7 – 9 Water Meadow, Cullompton, and in properties alongside the A373, Honiton Road, Stonyford;
- Users of CCA recreational facilities; children's playground, football club, cricket club, hockey club, bowling club, army cadets, whippet club;
- Visitors to events on CCA Fields (e.g. dog shows/circus/whippet racing);
- Users of CCA informal public open space, including dogwalkers on tracks, mown paths and meadows;
- Visitors to Upton Lakes and Lodges;
- Users of public footpaths; and
- Travellers on the M5.

## 1.4 SOCIO-ECONOMIC

### 1.4.1. Option A and B

**Baseline and Sensitive Receptors**

As explained in the Landscape/ Townscape section above, the scheme area lies predominantly within open green space between the east edge of Cullompton and the north-south running mainline railway. 32 acres of this green space is owned by the CCA and are a major recreational area for the town. Desk-based research has revealed that the following people/ groups/ organisations use the space:

- Cullompton Ranger Football Club;
- Cullompton Cricket Club;

- Cullompton Bowling Club;
- Culm Valley Hockey Club;
- Devon & Somerset Whippet Club;
- Army Cadets;
- CCA children's playground;
- Community car boot sales;
- Touring circus; and
- Dog walkers.

The fields are used by many members of the community as a place for walking, relaxation and recreational activities.

The CCA has plans to make the area a wildlife haven and the fields are classed as Priority Habitat in the soon to be adopted Mid Devon Local Plan 2013-2033. The CCA have produced their own Biodiversity Action Plan which will help to achieve this.

A Tesco superstore and Longbridge Meadow Trading Estate are located either side of the northern section of the site. The Weary Traveller pub is also present.

Although the CCA are promoting the importance of the area it is designated for the Town Centre Relief Road under Policy CU19 of the emerging Local Plan.

### 1.4.2. Option C

**Baseline and Sensitive Receptors**

Option C would start in the same position as Option A and B, however would continue east over the M5 motorway. Land immediately east of the M5 is flood plain associated with the River Culm which flows north to south parallel to the M5. Beyond that is farmland, however the land is allocated for mixed use development in the emerging Mid Devon Local Plan 2013-2033 (Policy CU7-CU12).

## 1.5 GEOTECHNICAL AND CONTAMINATION

### 1.5.1. Option A and B

**Baseline and Sensitive Receptors**

- There is no recorded history of contamination or sensitive geological receptors.
- There are several water sources which are located within or flow through the site. A leat flows from north to south through the open green space. A flood relief stream for the leat flows from west to east through the middle of the green space. There is no recorded history of pollution incidents associated with these water courses.
- The southwest rail mainlines and M5 motorway form the eastern boundary of the site. These are both potential sources of contamination.
- The site sits within the River Culm flood plain.
- Historical mapping shows the land being used for farming.

### 1.5.2. Option C

**Baseline and Sensitive Receptors**

- There is no recorded history of contamination or sensitive geological receptors.
- The north-eastern section of the route is within 50m of Nitrate Vulnerable Zone.

- Land east of the M5 is Grade 3a agricultural Land.
- Historical mapping shows the land being used for farming.

## 1.6 ARBORICULTURE

### 1.6.1. Option A

**Baseline and Sensitive Receptors**

- There are several mature landmark oak trees, including some veteran trees, within the CCA Fields, both in hedgerows and as field trees.
- An oak tree avenue has been planted alongside the surfaced track running north to south through the central meadow.
- The vehicle access to the CCA Fields is lined by an avenue of mature tree specimens, including oak, sweet chestnut, robinia, and maples.
- Hedgerows in the area are mainly species rich with trees. Ash is the predominate species, with alder and willow near ditches and streams, and hazel, aspen, oak, hawthorn, field maple and sweet chestnut.
- There is an area of semi-natural woodland south of the B3181, east of the superstore.

### 1.6.2. Option B

**Baseline and Sensitive Receptors**

- There are several mature landmark oak trees, including some veteran trees, within the CCA Fields, both in hedgerows and as field trees.
- The vehicle access to the CCA Fields is lined by an avenue of mature tree specimens, including oak, sweet chestnut, robinia, and maples.
- Hedgerows in the area are mainly species rich with trees. Ash is the predominate species, with alder and willow near ditches and streams, and hazel, aspen, oak, hawthorn, field maple and sweet chestnut.
- There is an area of semi-natural woodland south of the B3181, east of the superstore

### 1.6.3. Option C

**Baseline and Sensitive Receptors**

- There are several mature landmark oak trees, including some veteran trees, within the CCA Fields, both in hedgerows and as field trees.
- The vehicle access to the CCA Fields is lined by an avenue of mature tree specimens, including oak, sweet chestnut, robinia, and maples.
- Hedgerows in the area, including field hedges east of the M5, are mainly species rich with trees. Ash is the predominant species, with alder and willow near ditches and streams, and hazel, aspen, oak, hawthorn, field maple and sweet chestnut.

## 1.7 ECOLOGY

### 1.7.1. Option A

**Baseline and Sensitive Receptors**

Option A runs through cultivated/ disturbed land – amenity grassland. The amenity grassland consists of play areas and sports fields and the habitat had low botanical diversity and value for protected species

was limited. The scheme runs through mixed woodland which is semi-natural. At this site, mature mixed woodland was present and comprises of deciduous and leyllanli trees that are used as curtilage between playing fields and screening from the motorway and the railway line. To the north of the site there is semi-improved grassland covering approximately 7 Ha that include common species such as greater plantain, ribwort plantain, perennial rye-grass, Yorkshire fog, and common sorrel. The route also cuts through hedges with trees that are species rich. The hedgerows comprise of mature well-established trees and are identified as having significant ecological value to the site. There is a tributary of the River Culm runs traverses the west boundary and south-west section of the site. This stream is heavily lined and shaded by deciduous trees on both banks, here the proposed route crosses over the stream.

The wider environment was assessed as high value for bats with a large network of fields, hedgerows and woodland, as well as roosting opportunities in nearby structures. The grassland and woodland provided moderate potential for foraging bats, with the mature trees having high potential for roosting bats. The site was also assessed as having a moderate to high value for birds, with the scrub, grassland and woodland providing suitable nesting and feeding opportunities. The site location was assessed as having a moderate value for reptiles, (the grassland tussocks and scrub fringes) and invertebrates (white clawed crayfish). There was no sign of badgers on site, however the overall site was assessed to hold potential for foraging badgers, hedgehogs and the River Culm had the potential to support otter and water voles. The pond on site provided potential for breeding habitat for great crested newts.

### 1.7.2. Option B

**Baseline and Sensitive Receptors**

Option B also runs through hedgerows that are species rich with mature well-established trees that are identified as having a significant ecological value to the site. This proposed route also runs through mature mixed woodland that comprises of deciduous and leyllanli trees that are used as curtilage between playing fields and screening from the motorway and the railway line. To the north of the site there is semi-improved grassland covering approximately 7 Ha that include common species such as greater plantain, ribwort plantain, perennial rye-grass, Yorkshire fog, common sorrel and patches of yellow rattle. The proposed scheme also cuts through hard standing concrete and a few buildings that are mostly used as changing facilities. There is a tributary of the River Culm runs traverses the west boundary and south-west section of the site. This stream is heavily lined and shaded by deciduous trees on both banks, here the proposed route crosses over the stream.

The wider environment was assessed as high value for bats with a large network of fields, hedgerows and woodland, as well as roosting opportunities in nearby structures. The grassland and woodland provided moderate potential for foraging bats, with the mature trees having high potential for roosting bats. The site was also assessed as having a moderate to high value for birds, with the scrub, grassland and woodland providing suitable nesting and feeding opportunities. The site location was assessed as having a moderate value for reptiles, (the grassland tussocks and scrub fringes) and invertebrates (white clawed crayfish). There was no sign of badgers on site, however the overall site was assessed to hold potential for foraging badgers, hedgehogs and the River Culm had the potential to support otter and water voles. The pond on site provided potential for breeding habitat for great crested newts.

### 1.7.3. Option C

AWAITING PHASE 1 ECOLOGY SURVEY FROM ETHOS. AVAILABLE OCTOBER 2018.

## 1.8 HISTORIC ENVIRONMENT

### 1.8.1. Option A, B and C

**Baseline and Sensitive Receptors**

First Bridge is a grade II listed structure that is located right where the proposed route begins and crosses over the tributary of the River Culm.

St Andrew's Church, a Grade I listed building, is on the east edge of the town and the tower is a feature in many local views.

A large portion of the built form of Cullompton to the west of the site forms the Cullompton Conservation Area.

## 1.9 WATER ENVIRONMENT

### 1.9.1. Option A, B and C

**Baseline and Sensitive Receptors**

AWAITING INFORMATION FROM ARCADIS

# Appendix F

## LAND IMPACT ASSESSMENT

# 1 LAND IMPACT ASSESSMENT

## 1.1 OPTION A

The proposed layout of Option A will affect approximately 7 known areas of registered and unregistered land according to the Land Registry information provided. The initial proposed area of the scheme is 27,800m$^2$, the majority of which is located within the CCA land; however, the scheme land take in this area is approximately 10% of the total area. An approximate impact on the affected land owners can be seen in Table 1.

**Table 1 : Option A Land Owner Summary**

| Land Owner | Approximate land take (m$^2$) | Approximate % of land affected |
|---|---|---|
| 3 | 365 | 12 |
| 4 | 8,950 | 15 |
| 5 | 4,000 | 30 |
| 6 | 140 | 5 |
| 7 | 40 | 100 |
| 10 | 500 | 7 |
| 18 | 14,000 | 10 |

The proposed layout primarily affects areas of greenfield where no development currently exists, though these areas are currently for reactional purposes for the town. The north of the proposed development has more impact on developed areas such as the existing roundabout expansion however these areas are not thought to have significant compensatory requirements

## 1.2 OPTION B

The proposed layout of Option B will affect approximately 12 known areas of registered and unregistered land according to the Land Registry information provided. The initial proposed area of the scheme is approximately 28,400m$^2$, the majority of which, as in Option A, falls within undeveloped recreational areas for the town. This Option also has a significant impact on the existing bowling and cricket grounds. An approximate impact on the affected landowners can be seen in Table 2.

**Table 2 : Option B Land Owner Summary**

| Land Owner | Approximate land take (m$^2$) | Approximate % of land affected |
|---|---|---|
| 1 | 100 | 15 |
| 2 | 650 | 23 |
| 3 | 365 | 12 |
| 4 | 9200 | 16 |
| 5 | 720 | 6 |
| 6 | 140 | 5 |

| | | |
|---|---|---|
| 7 | 40 | 100 |
| 10 | 500 | 7.00 |
| 11 | 230 | 2 |
| 12 | 1300 | 70 |
| 18 | 15,000 | 11 |
| 19 | 3150 | 30 |

To the north of the proposed roundabout near the supermarket location, Option A and B have similar impacts on the existing developments. Option B has a lesser impact on the CCA fields to its alignment differences however it has significantly more impact on the existing bowling green, cricket ground, and associated buildings. These will be required to be demolished for the proposed alignment to be constructed and therefore will require more land compensatory requirements than Option A. Consideration will also be required for the impact on the whippet track and the access onto Duke Street the South West Water pumping station location.

## 1.3 OPTION C

The proposed layout of Option C will affect approximately 11 known areas of registered and unregistered land according to the Land Registry information provided. Most of these areas are greenfield or agricultural land, with the exception of the proposed crossing of the railway and the M5 corridor. The total estimated area of the scheme is approximately 40,000$m^{2}$. An approximate impact on the affected landowners can be seen in Table 3.

**Table 3: Option C Land Owner Summary**

| Land Owner | Approximate land take ($m^2$) | Approximate % of land affected |
|---|---|---|
| 2 | 950 | 35 |
| 5 | 720 | 6 |
| 8 | 7000 | 14 |
| 9 | 2000 | 1.5 |
| 13 | 395 | 2 |
| 14 | 5300 | 3 |
| 15 | 2100 | 8 |
| 16 | 1200 | 13 |
| 17 | 2100 | 8 |
| 18 | 3900 | 3 |
| 19 | 2400 | 24 |
| Unidentified | 12000 | N/A |

The proposed layout primarily affects areas which are not developed or areas of agriculture and therefore compensatory requirements to the land owners will need to be agreed in accordance with the specific land uses. As with Option B, public consultation will also ascertain the impact of the scheme on the existing whippet track, and South West water will need to be consulted with regards to the location of the pumping station.

DO NOT SCALE

CULLOMPTON

Court Farm
Court Farm Meadow
Court Farm Cottage
Court House Cottages
Court Lodge
Court
Court Bungalows
Surgery
COLLEGE ROAD
Garden Terrace
Stone's Place
STATION ROAD
Sluice
ESS
Square Close
Long Bridge
51.8m
51.5m
The Weary Traveller
Filling Station
FB
SM
River Culm
Drain
Devon Business Park
Brent Knoll
Wanstead
Prestbury
Sunnybrook
Brookside
Launson
Green Lea
Holmleigh
West View
Tuebrook
Sunnivale
Kirkdale
Grants Homes
Meadowbank
Albridge He
Deniston
Grants Cottages
Track
52.4m
53.9m
Palmer's Bridge
Pol Sta
Belle Vue Terrace
El Sub Sta
GHER MILL LANE
Bowford House
Mill House
Higher Mill St
Longbridge Meadow Trading Estate
MP 181.5
Sumpter's Farm
Jayaram
0+870.000
Drain
Pond
Stonyford Bridge
Ppg Sta
A 373
Play Area
RIVER DRIVE
GREENHOUSE GARDENS
GERBERA WAY
Car Park
Fairway
Superstore
Pond
Millside
Perdon House
Braemar
Waverleigh
0+610.000
Track
Mill Leat
Path
The Old Vicarage
The Vicarage
Andrew's Church
TRAVEL WALK
Church Cottage
Priory Cottage
Walters Orchard
0+430.000
0+350.000
Leat Lodge
Millway
Mill End
Lower Mill
Posts
Shingle
River Culm
Track
Drain
Pond
Football Ground
Club
Pav
Sports Pavilion
Bowling Green
Cricket Ground
Recreation Ground
Playground
RIVERMEAD
Play Area
WATER MEADOW
Waterloo Cottages
CHESTNUT AVENUE
DUKE STREET
48.5m
MP 182
M 5
Drain
Willows End
First Bridge
49.3m
Stone
Mill Leat
Pond
CS

| REV | DATE | BY | DESCRIPTION | CHK | APP |
|---|---|---|---|---|---|
| P01 | 16/08/18 | JY | FIRST ISSUE | KT | TO |

DRAWING STATUS: I - FOR INFORMATION


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CLIENT: Devon County Council / Mid Devon District Council

PROJECT: CULLOMPTON TOWN CENTRE RELIEF ROAD - ROUTE OPTIONS REPORT

TITLE: OPTION A - LAND OWNERSHIP PLAN

| SCALE @ A1: | CHECKED: | APPROVED: |
|---|---|---|
| 1500 | AMR | TO |

| PROJECT No: | DESIGNED: | DRAWN: | DATE: |
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DO NOT SCALE

CULLOMPTON

Court Farm
Court Farm Meadow
Court Farm Cottage
Court House Cottages
Court Lodge
Court
Court Bungalows
Surgery
COLLEGE ROAD
Garden Terrace
Stone's Place
STATION ROAD
Sluice
ESS
Square Close
Long Bridge
51.8m
51.5m
The Weary Traveller
Filling Station
Palmer's Bridge
52.4m
53.9m
Pol Sta
Belle Vue Terrace
El Sub Sta
GHER MILL LANE
FB
Bowford House
Mill House
Higher Mill St
Car Park
Fairway
Superstore
ESS
Pond
Millside
Perdon House
Braemar
FB
Waverleigh
MILL LANE
Mill Leat
Track
Drain
Longbridge Meadow Trading Estate
MP 181.5
Sumpter's Farm
Jayaram
El Sub Sta
Drain
Sluice
Pond
Track
Drain
MP 181.75
Drain
FB
Path
The Old Vicarage
The Vicarage
Andrew's urch
AVEL WALK
Church Cottage
Priory Cottage
Walters Orchard
Track
Pond
Leat Lodge
Millway
Mill End
FB
Lower Mill
Mill Leat
Posts
Play Area
RIVERMEAD
Track
Football Ground
Club
Pav
Bowling Green
Sports Pavilion
Recreation Ground
Playground
Cricket Ground
Waterloo Cottages
CHESTNUT AVENUE
DUKE STREET
48.5m
Ppg Sta
FB
Willows End
First Bridge
49.3m
Stone
Mill Leat
WATER MEADOW
Play Area
Drain
Track
Drain
Drain
Drain
Pond
CS
Pond
River Culm
Shingle
M 5
Drain
Drain
Track
A 373
Ppg Sta
Play Area
RIVER DRIVE
GREENHOUSE GARDENS
GERBERA WAY
Grants Cottages
Stonyford Bridge
Devon Business Park
River Exe
Rivers
SM
SM
SM
SM
SM
SM
FB
Brent Knoll
Wanstead
Prestbury
Sunnybrook
Brookside
Launson
Green Lea
Holmleigh
West View
Tuebrook
Sunnivale
Kirkdale
Grants Homes
Meadowbank
Albridge He
Deniston
Track
Lane End
FB
Track
Track
Track

DO NOT SCALE

CULLOMPTON

Stoneyford

Longbridge Metal Trading Estate

River Culm

Culm Valley Sports Centre

Cricket Ground

Football Ground

First Bridge

Last Bridge

| REV | DATE | BY | DESCRIPTION | CHK | APP |
|---|---|---|---|---|---|
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CLIENT: Devon County Council / Mid Devon District Council

PROJECT: CULLOMPTON TOWN CENTRE RELIEF ROAD - ROUTE OPTIONS REPORT

TITLE: OPTION C - LAND OWNERSHIP PLAN

| SCALE @ A1: | CHECKED: | | APPROVED: |
|---|---|---|---|
| 1:2000 | AMR | | TO |
| PROJECT No: | DESIGNED: | DRAWN: | DATE: |
| 70047809 | JY | JY | 26/06/18 |

DRAWING No: 70047809-OPTION C - LAND PLAN REV: P01

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# Cullompton Town Centre Relief Road Project

## Public Consultation Report

January 2019

# Authorisation Sheet

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|---|---|---|
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# 1. Introduction

## 1.1. Background

1.1.1. Mid Devon District Council (MDDC) commenced a local plan review in 2014, thereby considering strategic options for future development beyond the timescale of the adopted Local Plan (2026). After consideration of the options available and public consultation, land at Cullompton was selected as the most sustainable location for strategic growth in the medium and long term with a large proportion of future development to the east of the town. A map showing the location of this development site is shown in Figure 1 below.

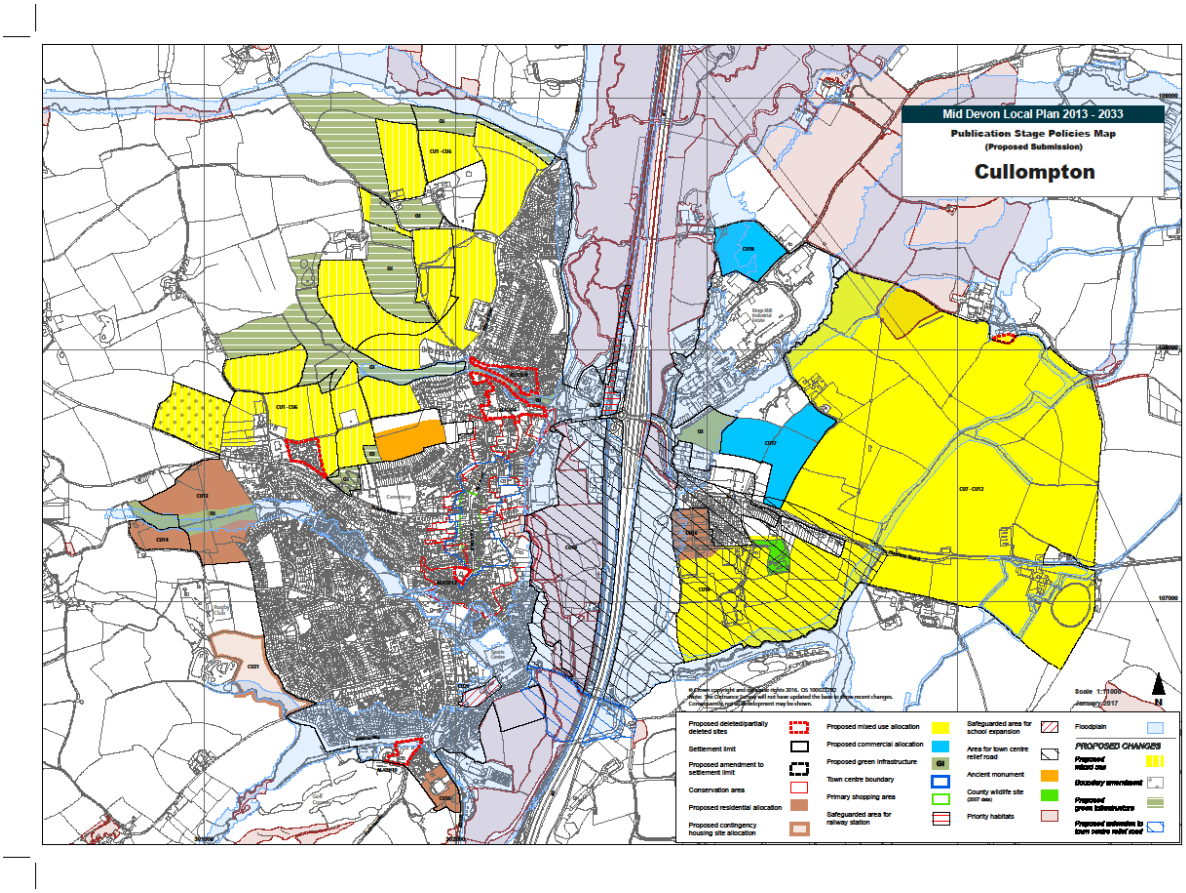



***Figure 1: Mid Devon Local Plan Review Development Map of Cullompton***

1.1.2. The proposed development to the east of the motorway is up to 1,750 dwellings to the end of the Local Plan Review (2033), with an additional 850 dwellings beyond then. The site has also been recognised as the Culm Garden Village, which would deliver up to 5,000 dwellings on the site east of the motorway.

1.1.3. In addition to the housing, there is also proposed employment floorspace of up to 32,000 sqm, local facilities and a primary school.

1.1.4. This growth has demonstrated a need for a strategic intervention to unlock the homes and alleviate congestion around Cullompton. The need for a Cullompton Town Centre Relief Road was included in the 2011 Allocations and Infrastructure Development Plan Document (AIDPD) and the Local Plan

(2013) and is also included in the emerging Local Plan Review. Devon County Council developed four options for this relief road, building on work previously carried out.

1.1.5. Due to flooding concerns from the Environmental Agency on one of the four options (Option D), was considered undeliverable and removed from the consultation process. The remaining three options (Options A-C) were brought forward for public consultation.

## 1.2. Scheme Objectives

1.2.1. The scheme objectives are as follows:

- Primary Objectives:
  - 1A – Reduction of queueing on the highway network. Mitigating queues extending back onto the motorway from the northbound off slip and queues extending back into the High Street in the other direction;
  - 1B – Removal of traffic from Cullompton High Street which is an existing Air Quality Management Area (AQMA) resulting in improved air quality and town centre amenity;
  - 1C – Delivery of long-standing community aspiration for a town centre relief road to support economic and environmental regeneration of Cullompton High Street.
- Secondary Objectives:
  - 2A – Early delivery of the first part of the longer-term strategic solution which will be required to unlock the full potential for homes and growth at Cullompton Garden Village;
  - 2B – Minimising impact to the Cullompton Community Association recreation grounds and facilities;
  - 2C - Compatibility with a longer-term strategic solution to provide additional highway capacity to support the full potential for homes and growth and the identified Culm Garden Village site, through a new motorway junction.
- Tertiary Objectives:
  - 3A - Compatibility with a potential future southern extension to the relief road;
  - 3B - Provision of an alternative route for traffic, avoiding Cullompton High Street, diverted from the M5 Motorway during closures for both incidents and planned events.

## 1.3. Scope of the Report

1.3.1. This report describes the options presented at public consultation held between 13th September and 25th October 2018 and the consultation arrangements. It also provides information on the responses received including those from potentially affected landowners and residents.

1.3.2. The report draws conclusions on the consultation and makes recommendations for including suggested modifications and alternatives in any further scheme development following the Public Consultation.

# 2. Scheme Option Presented for Consultation

## 2.1. Description of Options

2.1.1. The proposed scheme for the Cullompton Town Centre Relief Road included four options for consideration, Options A-D. The options were presented to the Environmental Agency for consultation regarding the flood plains each option would be crossing. Upon review of Option D, which crossed the M5 and continued North to Honiton Road to the east of the M5, the Environmental Agency stated that this would be an unacceptable option for them because of impacts on the functional floodplain, river channel and increased flood risk.

2.1.2. The three options that were brought forward for public consultation are detailed below. A plan showing the three options is included in the leaflet included in Appendix A.

## 2.2. Option A

2.2.1. The alignment for Option A connects Station Road to Duke Street near the Meadow Lane junction within the corridor between the town centre to the west and the railway/motorway to the east. It travels through the CCA fields close to the town and connects to the B3181/Millennium Way Junction to the north. It is approximately 985m long.

2.2.2. A new junction would be created with Duke Street. This will likely require traffic flow management consideration to prevent Duke Street becoming the preferred route into the town centre.

2.2.3. The children's play area at Mill Leat will be relocated due to the alignment crossing through. The sports clubs' facilities within the CCA fields are unaffected.

2.2.4. The existing roundabout on Station Road will be realigned and increased to accommodate additional traffic and the new relief road. A roundabout east of Tesco could also be considered to help access the superstore and Longbridge Meadow Industrial Estate.

## 2.3. Option B

2.3.1. The alignment for Option B connects Station Road to Duke Street near Meadow Lane junction within the corridor between the town centre to the west and the railway/motorway to the east. This differs from Option A as it takes a route closer to the railway/motorway and a different connection alignment with Duke Street. This option runs approximately 1150m in length.

2.3.2. A new junction would be created with Duke Street. This will likely require traffic flow management consideration to prevent Duke Street becoming the preferred route into the town centre.

2.3.3. This alignment would bisect the whippet track and cricket field. The Cullompton Bowls Club bowling green and the pavilion are also affected. The Cullompton Rangers Football club clubhouse and main pitch are passed to the east, but the football training pitch is affected.

2.3.4. The existing roundabout on Station Road will be realigned and increased to accommodate additional traffic and the new relief road. A roundabout east of Tesco could also be considered to help access the superstore and Longbridge Meadow Industrial Estate.

## 2.4. Option C

2.4.1. The alignment for Option C connections Honiton Road with Duke Street near the junction with Meadow Lane. It follows a longer broadly east-west route and crosses the motorway, railway line and River culm. It connects to Honiton Road east of existing houses. The alignment runs approximately 1500m in length.

2.4.2. A new junction would be created with Duke Street. This will likely require traffic flow management consideration to prevent Duke Street becoming the preferred route into the town centre.

2.4.3. The alignment would require a new junction onto Honiton Road (A373) between the property of 28 Honiton Road and the existing bridge over a tributary to the River Culm.

# 3. Consultation Arrangements

## 3.1. Introduction

3.1.1. The consultation was held between 13th September and 25th October 2018. Reports, option plans, summary leaflet, FAQs, exhibition boards and a questionnaire were prepared and were all available on the scheme website https://new.devon.gov.uk/haveyoursay/consultations/cullompton-town-centre-relief-road/. Six public exhibitions were held and manned by staff involved in the project, giving the public a chance to discuss their queries with the scheme.

3.1.2. Consultation with Key Stakeholders commenced prior to the consultation period and included meetings with affected landowners and Local Councillors.

## 3.2. Reports and Scheme Plans

3.2.1. As part of the consultation process, a number of reports on the scheme were made available on the scheme website. These reports included the Full Cullompton Town Centre Relief Road Report, Cullompton Traffic Modelling Report, Mid Devon Adopted Local Plan, and Mid Devon Local Plan Review.

## 3.3. Public Consultation Leaflet, FAQs and Questionnaire

3.3.1. A public consultation leaflet was prepared, containing summary information on the scheme proposals, as well as details of the exhibition dates and venues. This leaflet is included in Appendix A.

3.3.2. The leaflet also contained contact details to enable the public to reach the Cullompton Town Centre Relief Road public consultation team by post, email, telephone or via the scheme website.

3.3.3. Alongside the leaflet, a questionnaire was also available, which is also included in Appendix A. The public consultation questions were framed to seek views on the options for the relief road and ascertain further information from the public. The questions also met corporate requirements and were aligned to questions commonly asked in Devon County Council (DCC) public consultations.

3.3.4. As well as completing the survey online via the scheme website, a paper copy was available at the exhibition events This could be completed at the event or taken away and posted back to the project team.

## 3.4. Advertising

3.4.1. Details of the public consultation including the exhibitions were advertised by press coverage in local newspapers, websites and local radio. A leaflet drop was also ordered for households within the town covering the distribution area of the Cullompton Crier.

## 3.5. Landowners

3.5.1. Landowners were identified through the Land Registry prior to consultation and were given the option of a meeting prior to public consultation to discuss the options and gather views. They were also invited to complete the survey.

## 3.6. Public Exhibitions

3.6.1. The methods used to consult the public included an online consultation and public exhibitions. Those who did not have internet access had the alternative of attending public exhibitions, accessing the internet at a local library, or contacting MDDC/DCC directly. Online and public exhibitions were chosen to enable the full public demographic to be consulted.

3.6.2. Four exhibitions were initially proposed but an additional two were added in October to give the public more opportunities to engage in the scheme. The six exhibitions were held in the three venues in and around Cullompton. The exhibition dates, times and locations are shown in Table 1, along with an estimate of the number of people who attended each one:

| Date | Location | Time | Attendance |
|---|---|---|---|
| Friday 14th September | Cullompton Town Hall | 12:30 pm – 4:30 pm | >101[a] |
| Saturday 15th September | Cullompton Town Hall | 9:30 am – 1:30 pm | >76[b] |
| Wednesday 26th September | Hayridge Centre | 4:00 pm – 8:00 pm | 162 |
| Friday 28th September | Hayridge Centre | 2:00 pm – 6:00 pm | 68 |
| Tuesday 2nd October | Kentisbeare Village Hall | 4:00 pm – 8:00 pm | 57 |
| Saturday 6th October | Cullompton Town Hall | 9:30 am – 1:30 pm | 141 |

***Table 1: Exhibition Locations and Times***

3.6.3. The exhibitions were staffed at all times by at least 3 members of the project team. This included representatives from DCC, MDDC and specialist consultants, who provided expertise from different environmental, engineering and transport disciplines. All staff were available to answer questions from members of the public.

3.6.4. The public consultation material included exhibition displays detailing the various scheme options, as well as an overall scheme plan and layout plans with details of the proposed widening and junction improvements.

3.6.5. Reduced scale versions of the exhibition boards are included in Appendix B.

3.6.6. FAQs to supplement the display material were made available at the exhibitions to facilitate discussions if required and were available on the scheme website. Hard copies of the leaflets and questionnaires were also made available. Any requests received at the exhibitions were logged by the staff in attendance and actioned upon returning to the office.

## 3.7. Drawings of Scheme Options

3.7.1. Drawings of the proposed options, as shown in the public consultation exhibitions, are shown in Appendix B. It was noted that these were based on preliminary design work and therefore were subject to refinement during the next design phase.

[a] Recorded between 2pm and 4.30pm
[b] Too busy to record all people who attended

## 3.8. Consultation Period

3.8.1. A decision to proceed with the consultation was taken by the Mid Devon District Council Cabinet and the start date and end dates confirmed as 13th September 2018 and 25th October 2018 respectively.

3.8.2. Due to the 6-week duration of the public consultation, stakeholders and statutory consultees were contacted in advance to inform them of the start date and determine whether they had adequate time to comment. No organisation or individual stakeholder responded that the duration was inadequate.

# 4. Response to Consultation

## 4.1. Introduction

4.1.1. A total of 617 completed questionnaires were received within the consultation period, including those from affected landowners and residents. This included people who completed the questionnaire online as well as those who posted in their paper responses. Over 80% of the responses were from Cullompton, as shown by the postcode plot in Figure 2 below.

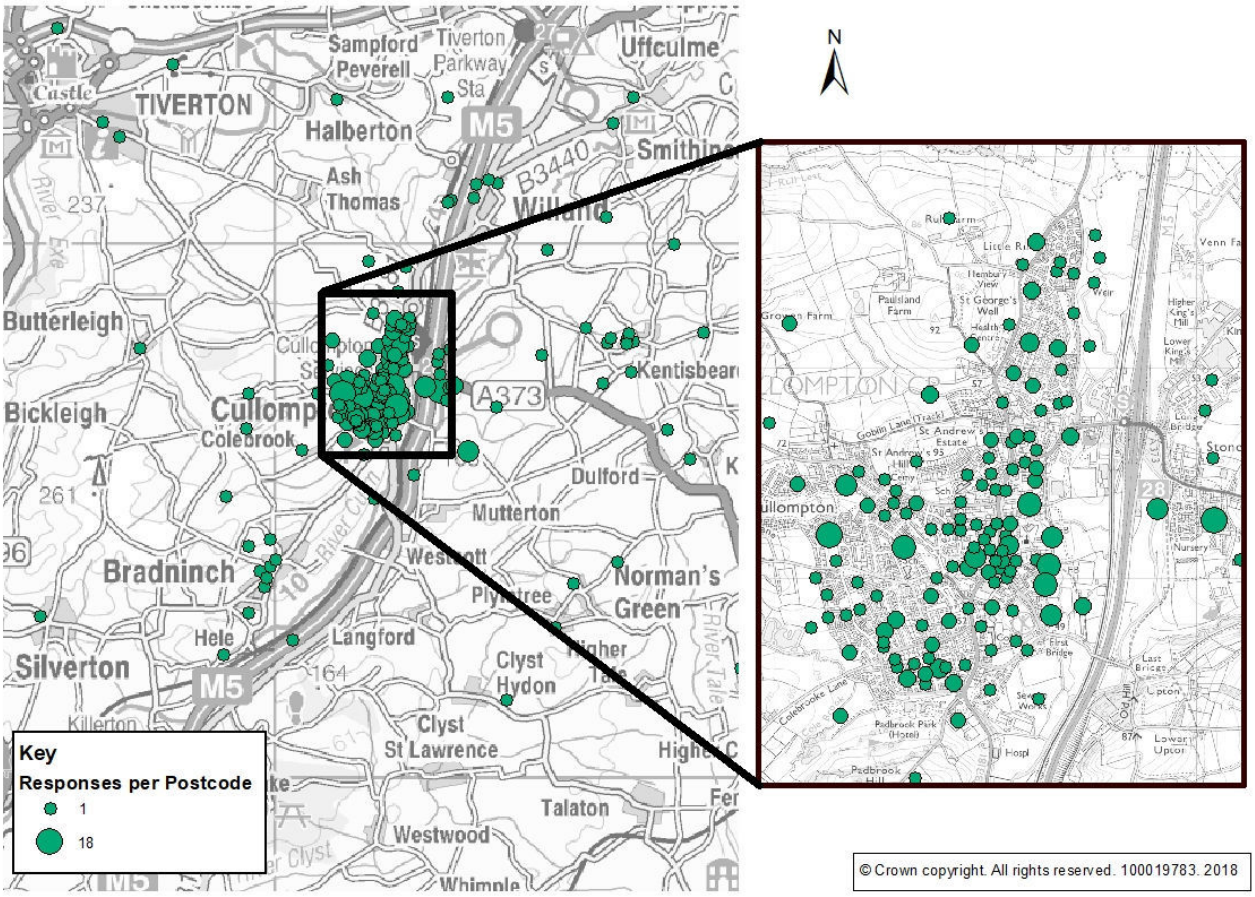



***Figure 2: Location Map of Responses***

4.1.2. 15 responses in other forms were received, of which 5 were letters and 10 were emails. Four responses were from key stakeholders, three from other stakeholders, three from organisations, and five from residents and landowners.

4.1.3. The responses to the consultation from stakeholders and consultees, including local government, organisations, and the public, are summarised below. The stakeholders and consultees are grouped as follows:

Key Stakeholders:

- Statutory Bodies - Historic England, Natural England, Highways England, Sport England

Other Stakeholders:

- Local Government – DCC Public Rights of Way (PROW) team

## 4.2. Response from Key Stakeholders

Highways England

4.2.1. Highways England has noted that Junction 28 exit queues are currently within the junction off-slips and do not affect the mainline in the peak periods. However, there is congestion and slow-moving queues occurring on the local road network in close proximity to the junction at peak times which extend into the town.

4.2.2. After review of the traffic model, HE concluded that the trigger points for the infrastructure proposed in the Cullompton Traffic Modelling Report were accepted.

4.2.3. HE does not consider it appropriate to state a preferred option from their viewpoint but do note that Options A and B are in line with what was previously submitted to them for consultation, though Option C includes infrastructure that was not previously agreed.

4.2.4. Highways England states their support of the principle of a proposed relief road as set out in this consultation.

Natural England

4.2.5. Natural England has noted receipt of the consultation and advised they can provide an environmental impact assessment (EIA) Scoping Opinion prior to the production of the EIA. No further comments were made at this stage.

Historic England

4.2.6. Historic England has noted at the current stage, they are unable to provide detailed advice on the proposals and relative impacts of each option due to lack of heritage impact assessment information available but were able to give an overview of the impacts of the options.

4.2.7. They have advised the need to assess the extent of the impact on the significance of heritage assets affected directly or through the proposal's construction within their settings. The impacts should then be minimised or mitigated as part of the design process.

4.2.8. Historic England advised that the potential to improve the performance of the town centre and enhance its profile and attractiveness should be considered a key factor in the decision-making process. Their opinion is that the heavy traffic is a main contributing factor to the 'At Risk' Conservation Area in Cullompton.

4.2.9. They also mentioned the impact on the Grade I listed Parish Church of St Andrew and the Grade II listed First Bridge. As these will have significant impacts on the wider area, they have also advised to assess the impact of the open grassland known as The Meadow, along the mill stream to the east of the town in appropriate detail.

4.2.10. Noting that Options A and B are listed to have similar impacts in the report, Historic England has advised that all options be evaluated under the EIA process to understand the individual impacts of each.

Sport England

4.2.11. Sport England has noted that there will be potential loss of land and/or building for sport and recreation including some playing fields. While they

have stated they are not against the principle of the road, they would require details of replacement facilities before being able to fully support the scheme.

## 4.3. Response from Other Stakeholders

Devon County Council PROW Team

4.3.1. The DCC Public Right of Way (PROW) team has noted that the options proposed have a direct effect on public rights of way. Two footpaths are crossed by the proposals.

4.3.2. The team has requested further details on the options on how they will incorporate or divert the public rights of way. They also note that there is an increased flood risk near one of the footpaths and would like clarification as to how this would be protected.

4.3.3. Finally, they note that any grant of permission does not allow for closure, alternation or construction over a right of way, even temporarily and due legal process will be required to make any changes in relation to the scheme.

## 4.4. Questionnaire Responses

### Introduction

4.4.1. The questions were chosen to obtain feedback on the proposed options for the Cullompton Town Centre Relief Road. Respondents were invited to comment on whether they agree with the proposed options and provide reasons for agreeing/disagreeing. Respondents were also asked whether they own land that may be affected by the proposed options.

4.4.2. Responses were received from other organisations as well, including the Cullompton Bowling club, the Cullompton Community Association (CCA), Upton Lake and Lodges, Pegasus Group, Heynes Planning and Cullompton Community College. These responses have been included in the analysis of results below.

4.4.3. The following sections provide analysis of each of the questions.

4.4.4. Answers that required comment from respondents were categorised to most relevant categories. Tables of these categories are found in Appendix C.

### Question 1: Do you agree that there is a need for a Town Centre Relief Road in Cullompton?

4.4.5. Respondents were invited to comment on whether they believed there is a need for a town centre relief road in Cullompton.

4.4.6. Table 2 below shows that 77% of respondent's agree that there is a need for a town centre relief road. 13% of the responses do not agree and a further 10% are not sure.

| *Q1. Do you agree that there is a need for a Town Centre Relief Road in Cullompton?* | | |
|---|---|---|
| Yes | 469 | 77% |
| Not Sure | 80 | 13% |
| No | 64 | 10% |
| **Total** | **613** | **100%** |

***Table 2: Question 1 results***

**Question 2: Which side of the motorway do you think the majority of the route should be located?**

4.4.7. Respondents were invited to comment on which side of the motorway most of the relief road scheme should be located: east or west.

4.4.8. Table 3 below shows that 61% of respondents believe the relief road should be on the west of the M5. 39% of respondents believe the relief road should be located on the east of the M5.

| *Q2. Which side of the motorway do you think the majority of the route should be located?* | | |
|---|---|---|
| West | 367 | 61% |
| East | 238 | 39% |
| **Total** | **605** | **100%** |

***Table 3: Question 2 results***

**Questions 3 and 4: What is your opinion on Option A and why do you support/not support this option?**

4.4.9. Table 4 below shows that 22% of respondents support this option. 71% opposed this option.

| *Q3. What is your opinion on Option A?* | | |
|---|---|---|
| Strongly Support | 82 | 13% |
| Support | 58 | 9% |
| No preference | 40 | 7% |
| Oppose | 108 | 18% |
| Strongly Oppose | 326 | 53% |
| **Total** | **614** | **100%** |

***Table 4: Question 3 results***

Question 4: Why do you support/not support this option (Option A)? (Please provide comments)

4.4.10. The main factors for supporting with the option include: low cost, low impact on sport facilities, and most effective option at reducing congestion.

4.4.11. The main factors for not supporting the option include: Air and noise impact, other environmental factors, proximity to residential areas, impact on the Cullompton Community Association (CCA) fields, and lack of resolving congestion. 354 people commented that the impact on the CCA fields was too great for option A to be brought forward.

**Questions 5 and 6: What is your opinion on Option B and why do you support/not support this option?**

4.4.12.

| *Q5. What is your opinion on Option B?* | | |
|---|---|---|
| Strongly Support | 194 | 32% |
| Support | 132 | 22% |
| No preference | 35 | 6% |
| Oppose | 93 | 15% |
| Strongly Oppose | 151 | 25% |
| **Total** | **609** | **100%** |

4.4.13. Table 5 below shows that 54% of respondents support this option compared to 40% of respondents who opposed this option.

| *Q5. What is your opinion on Option B?* | | |
|---|---|---|
| Strongly Support | 194 | 32% |
| Support | 132 | 22% |
| No preference | 35 | 6% |
| Oppose | 93 | 15% |
| Strongly Oppose | 151 | 25% |
| **Total** | **609** | **100%** |

***Table 5: Question 5 results***

Question 6: Why do you support/not support this option (Option B)? (Please provide comments)

4.4.14. The main factors for supporting the proposed option include: low cost, improved air quality, least impact on CCA fields, most effective route to relieve congestion, and reduces noise and air pollution. 212 respondents felt this route caused the least impact on the CCA fields while still resolving congestion.

4.4.15. Those that did not support the option included the following reasons: further congestion at Millennium Way roundabout, poor impact on the environment, large impact on the CCA fields, in particular, the sports facilities, increased flood risk, proximity to residential areas, and lack of resolving congestion. 139 respondents believed the impact on the CCA fields was too great to bring option B forward.

**Questions 7 to 8: What is your opinion of Option C and why do you support/not support this option?**

4.4.16.

| *Q7. What is your opinion on Option C?* | | |
|---|---|---|
| Strongly Support | 94 | 15% |
| Support | 111 | 18% |
| No preference | 73 | 12% |
| Oppose | 103 | 17% |
| Strongly Oppose | 226 | 37% |
| **Total** | **607** | **100%** |

4.4.17. Table 6 below shows that 33% of respondents support the option and 54% oppose this option.


| *Q7. What is your opinion on Option C?* | | |
|---|---|---|
| Strongly Support | 94 | 15% |
| Support | 111 | 18% |
| No preference | 73 | 12% |
| Oppose | 103 | 17% |
| Strongly Oppose | 226 | 37% |
| **Total** | **607** | **100%** |


***Table 6: Question 7 results***

Question 8: Why do you support/not support this option (Option C)? (Please provide comments)

4.4.18. The main factors for supporting the proposed option include: least impact on the CCA fields, a future proof option with regards to the Culm Garden Village, least impact on existing development and residence, and most effective route to resolve congestion.

4.4.19. For those who do not support this option, reasons include: expense of this option, environmental impact, and a lack of resolving congestion. 104 respondents felt the scheme was too expensive to receive funding or be made viable in the short term, while 183 respondents thought it would not solve congestion.

**Questions 9 and 10: Which option do you prefer and why do you prefer this option?**

4.4.20. Respondents were asked to select which options they preferred from those proposed. To account for those respondents who did not prefer or did not think a relief road was required, a second table was created removing the responses of those that indicated this in Question 1. This was because it was not possible to select *none* in response to this question online.

| *Q9. Which option do you prefer? (All responses)* | | |
|---|---|---|
| Option A | 91 | 15% |
| Option B | 285 | 48% |
| Option C | 224 | 37% |
| **Total** | **600** | **100%** |

***Table 7: Question 9 results (all answers)***

| *Q9. Which option do you prefer? (Those who do not want the scheme separated)* | | |
|---|---|---|
| Option A | 89 | 15% |
| Option B | 275 | 45% |
| Option C | 162 | 27% |
| None | 83 | 14% |
| **Total** | **609** | **100%** |

***Table 8: Question 9 results (those who do not want scheme separated)***

4.4.21. Separating those who do not believe a scheme is required shows that Option B is preferred by 45%, followed by Option C 27%.

**Question 10: Why do you prefer this option?**

4.4.22. Users were invited to comment on why they chose their preference. Some also wrote in why they did not prefer options. This raised the same issues discussed above.

**Question 11: Do you have any other comments you wish to make on the Town Centre Relief Road?**

4.4.23. Respondents were invited to put forward any additional comments on the scheme. Over 100 respondents agreed with the need for a relief road, in most cases urgently. Many of these comments included other options for reducing congestion in Cullompton.

4.4.24. There are other concerns that were highlighted in this section. The most common concerns were those concerning perceived pinch points around the town centre including the Tiverton Rd junction, Millennium Way Roundabout, the signals at Station Rd and Higher St, Signals at Junction 28, and the Kingsmill Estate junction.

**Questions 12-17 Analysis**

4.4.25. These questions related to land ownership and demographic questions asked to respondents. Tables of the results are showing below (Table 9 - Table 11).

| *Q12. Do any of the options cross land you own? If yes, please select the option. If no, please select "Does not cross land I own".* | |
|---|---|
| Option A | 13 |
| Option B | 14 |
| Option C | 8 |
| Does not cross land I own | 596 |
| **Total** | **613** |

***Table 9: Question 12 results***

| *Q14. Which age-band are you in?* | | |
|---|---|---|
| Under 25 | 18 | 3% |
| 25-34 | 59 | 10% |
| 35-44 | 89 | 14% |
| 45-54 | 121 | 20% |
| 55-65 | 128 | 21% |
| Over 65 | 200 | 33% |
| **Total** | **615** | **100%** |

***Table 10: Question 14 results***

4.4.26. The demographics for Cullompton (EX15 1) were compared between the respondents of the consultation and the 2011 Census data. In general, the responses and the census data matched quite closely. There was slight discrepancy between the 18-25 age group with a larger discrepancy in the 45-54 age group, with more of this group responding to the consultation than expected by census demographics. However, overall the sample of responses is considered to represent the demographics of the population of Cullompton. Results are show in Figure 3[c].

[c] The Census data age bands did not match the questionnaire age bands directly, so some were changed to match the questionnaire age bands.

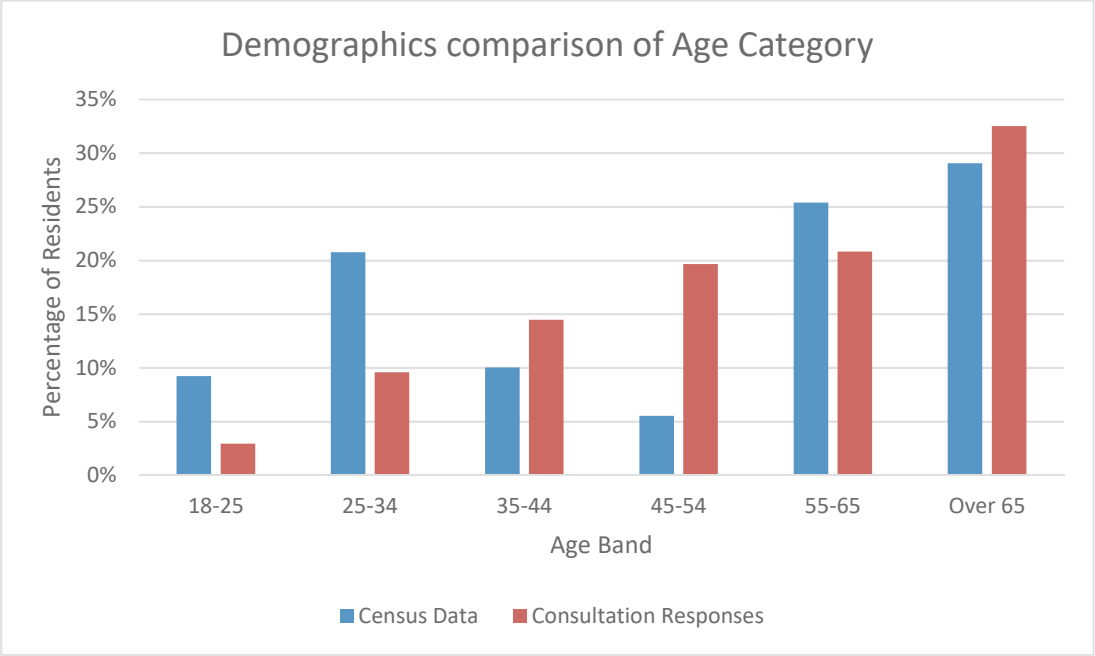



***Figure 3: Demographic Comparison between Consultation Responses and Census Data***

| *Q15. What is your gender?* | | |
|---|---|---|
| Female | 305 | 50% |
| Male | 282 | 46% |
| Prefer not to say | 23 | 4% |
| Other | 5 | 1% |
| **Total** | **615** | **100%** |

***Table 11: Question 15 results***

| *Q16. Do you consider yourself to be disabled?* | | |
|---|---|---|
| Yes | 54 | 9% |
| No | 561 | 91% |
| **Total** | **615** | **100%** |

***Table 12: Question 16 results***

4.4.27. These all show a reasonable split of gender and age, with the latter being similar to the Census data. It is therefore concluded that the questionnaire responses are a representative sample of the population of Cullompton and are not skewed towards a certain demographic.

## 4.5. Other Options Suggested

4.5.1. Three alternative alignments were proposed in the consultation responses. These alignments were reviewed and are discussed in the Preferred Options Report.

# 5. Conclusion

5.1.1. The consultation of the Cullompton Town Centre Relief Road concluded on October 25th, 2018 after a 6-week period. This time allowed for six exhibition events in and around Cullompton. Materials were made available through a variety of means including online resources and various stakeholders and residents were invited to complete the survey.

5.1.2. A total of 617 people responded to the questionnaire, 80% of which were in the Cullompton area. The majority of respondents agreed with the need for a town centre relief road and most respondents preferred Option B.

5.1.3. Most other responses from organisations or stakeholders asked for more detailed study information. This is to be addressed within the Technical Note that comprises this report and will be developed further as more detail is added to the design of the lead up to submission of a planning application.

## Appendix A1. Public Consultation Leaflet

# Cullompton Town Centre Relief Road - Route Options Consultation

**Background**

Traffic congestion within Cullompton has long been an issue resulting in:

- Poor air quality,
- Negative impact upon the attractiveness and environment of the town centre,
- Constraints on development and associated restrictions on the future economic growth of the area.

A relief road east of the Town Centre has been included within the Local Plan since 2011, to divert north-south traffic away from the town centre and Fore Street. Such a relief road would reduce queuing on both the local and national road networks with consequent improvements to air quality, whilst also facilitating sustainable growth of the town.

**Need for the Scheme**

Key problems that are currently experienced are as follows:

- High volumes of vehicular traffic using M5 Junction 28 owing to the high proportion of the working population in the Cullompton area commuting to work via the motorway
- Capacity on the highway network is limited leading to:
  - Queues in the morning peak extending from Junction 28 of the motorway along Station Road and onto the High Street and Higher Street
  - Queues in the evening traffic peak from the signalised junction of High Street/Higher Street/Station Road that extend back onto the Junction 28 northbound off-slip which is a significant safety risk
- The historic High Street's width is restricted to only 6.5m in places and has typically narrow footways which makes it unsuitable for large volumes of vehicular traffic
- The town centre is dominated by traffic, with poor air quality reducing its attractiveness
- Opportunities for greater prosperity and growth are limited by highway constraints.

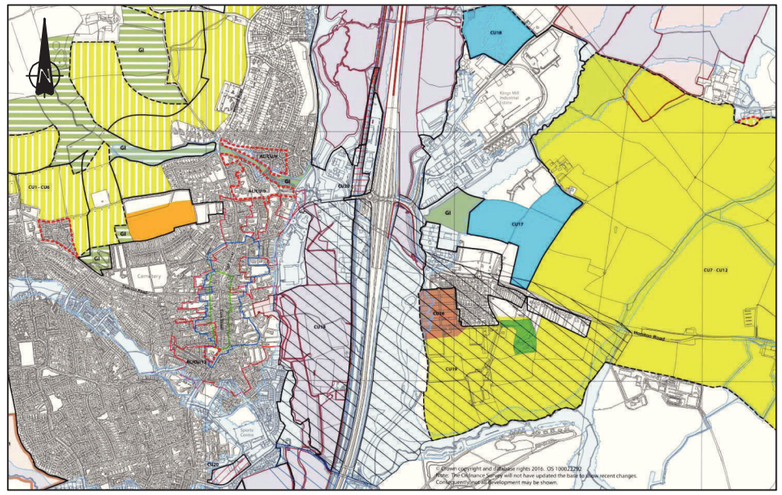
The relief road will move the queue out of the Air Quality Management Area in the morning peak as well as providing an alternative route in the evening peak. It will also unlock planned housing development in the area in advance of a more strategic motorway intervention. The relief road is being considered as a first phase of highway improvement which in the longer term is intended to achieve a more substantial motorway junction improvement. The route options take into account how they could operate in the longer term as part of these more significant improvements.

None of the 3 route options overleaf are preferred as this stage. Mid Devon District Council (MDDC) has applied for £10 million government infrastructure funding for the road. To qualify it would need to be delivered by 2021.



**Study Area**

The area identified for the relief road within the Local Plan review is highlighted by blue cross hatching on the plan below.



**Public Consultation**

Public consultation is being held between **13th September - 25th October 2018** to seek the views of the residents, businesses, organisations and other stakeholders ahead of any decision to progress with a planning application for the relief road. The consultation is being undertaken at the earliest opportunity to obtain feedback that can then be given due consideration in both the decision making and design processes.

Exhibitions of the route option plans along with additional information on the expected impacts of each of the routes are being undertaken across a range of locations and times as below. The exhibitions will be staffed by members of the project team. Small scale versions of the option plans and summary text is provided overleaf.

**Exhibition Dates**

| Date | Location | Time |
|---|---|---|
| Friday September 14th 2018 | Cullompton Town Hall | 12.30pm to 4.30pm |
| Saturday 15th September 2018 | Cullompton Town Hall | 9.30am to 1.30pm |
| Wednesday 26th September 2018 | Hayridge Centre | 4pm to 8pm |
| Friday 28th September 2018 | Hayridge Centre | 2pm to 6pm |
| Tuesday 2nd October 2018 | Kentisbeare Village Hall | 4pm to 8pm |
| Saturday 6th October 2018 | Cullompton Town Hall | 9.30am to 1.30pm |

**Next Steps**

Following public consultation, the project team will collate and review the consultation responses along with the completed flood modelling and environmental survey work. The objective of the review will be to establish a preferred route that provides the best balance of public acceptability, environmental impact, value for money and deliverability.

The project team will identify route(s) for further investigation in order to identify a preferred route to be taken forward to a planning application.

A planning application for the preferred route would be expected to be submitted to MDDC as the Local Planning Authority. Due to both the area of the proposed planning application and environmental sensitivity of the study area, an Environmental Impact Assessment (EIA) will be required. An EIA constitutes a detailed assessment of all the environmental impacts of a scheme, which is undertaken in parallel with the design to minimise impacts and incorporate mitigation measures.

A full detailed flood risk assessment will also be prepared to accompany the application including flood compensation/defence mitigation measures that may be required.

Following submission of the application, there will be a 30-day period for the public to provide comments on the application.

**Making Representations**

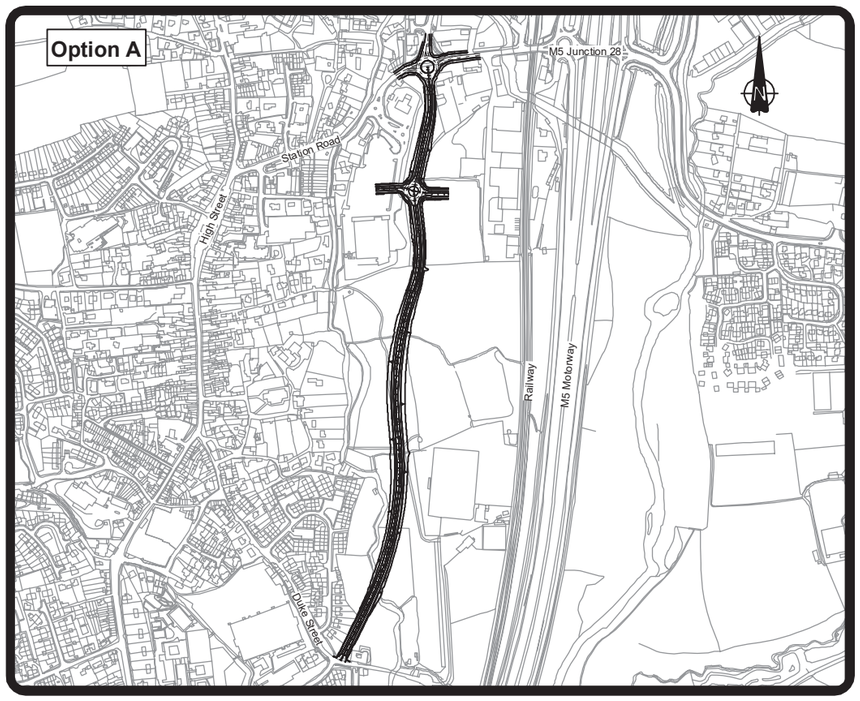
There are a variety of ways to provide feedback on this consultation until 25th October 2018:

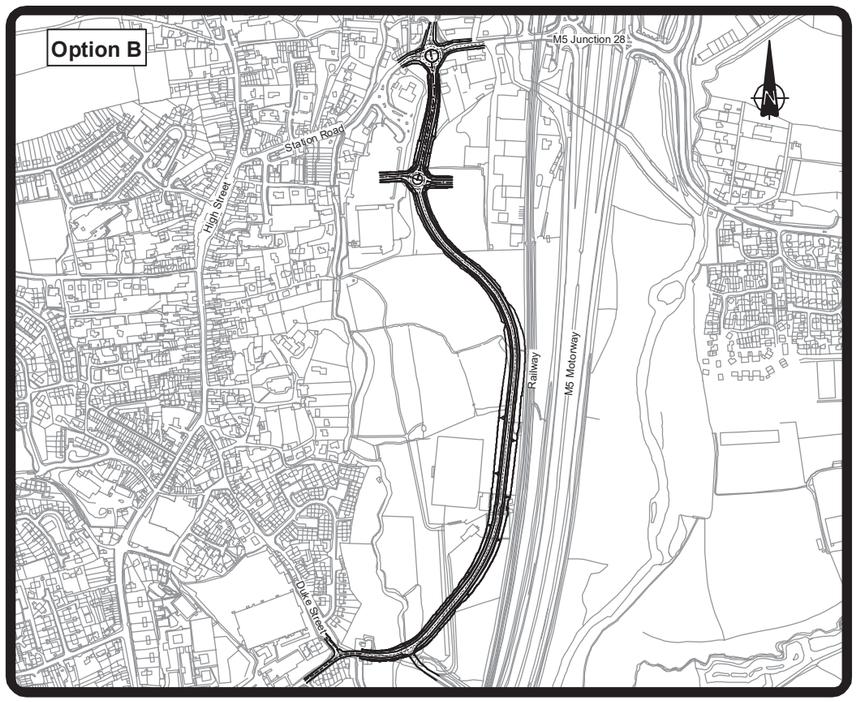
- Complete one of the feedback forms available at the consultation events and either place it in the box provided, scan/photograph the form and email it to transportplanning@devon.gov.uk or post a copy to:

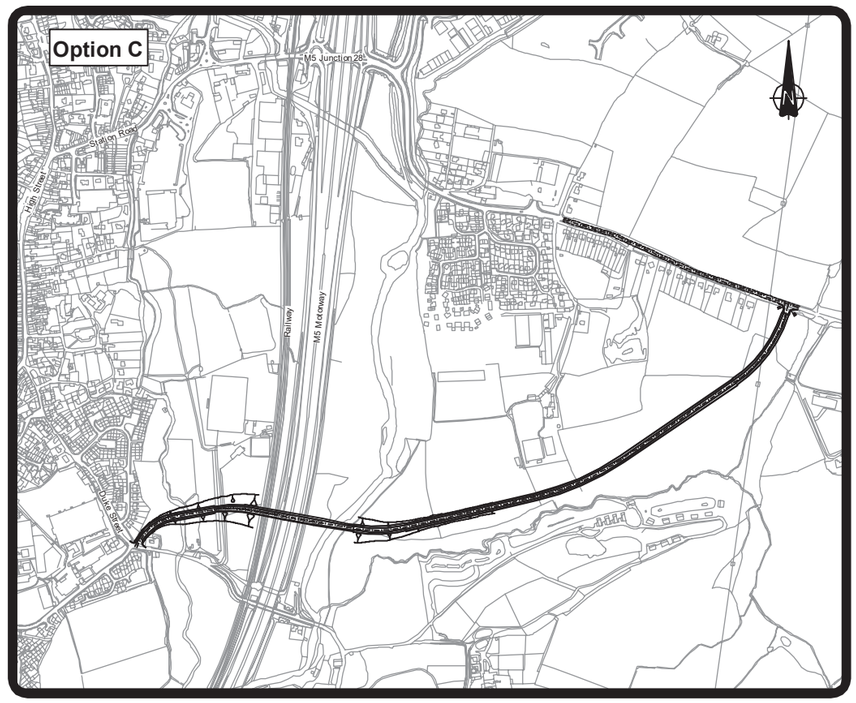
  Transport Planning Team, AB2 Lucombe House, County Hall, Topsham Road, Exeter, Devon EX2 4QD
- Complete the online feedback form on the Devon County Council website - https://new.devon.gov.uk/haveyoursay/consultations/cullompton-town-centre-relief-road/

If you need more information or a different format please phone 0345 155 1015 or email transportplanning@devon.gov.uk

**The six week consultation period runs from 13th September to 25th October 2018.**




**Option A Summary**

**Performance Against Objectives**

Option A is generally considered to meet the majority of the established objectives for the scheme. However, this option is assessed to have the greatest impact to the Cullompton Community Association (CCA) fields, with the highest proportion of CCA land take and creating a barrier between fields and users accessing them.

**Comparative Environmental Impact**

The high level comparative appraisal of the unmitigated environmental impacts of Option A indicates that impacts for Options A & B would be similar. Option C is expected to be better in terms of air quality, noise and historic environment, but worse in relation to arboriculture and ecology.

**Comparative Delivery Assessment**

Option A has the shortest alignment length and is expected to have the least impact on flooding. These are primary factors resulting in Option A having the lowest estimate construction cost of £10m. The existing sports club facilities are also unaffected, which would be expected to reduce land purchase and compensation costs in comparison to Option B.

**Option A**

**Summary:** Connects Station Road to Duke Street near the Meadow Lane junction within the corridor between the town centre to the west and the railway /motorway to the east.

**Option A is generally considered to meet the majority of the established objectives for the scheme with the exception of seeking to minimise impact upon the CCA Fields.**

| Comparative advantages | Comparative disadvantages |
|---|---|
| Will take more traffic out of the town centre than Option C<br>Positive impact upon air quality (town centre)<br>Positive townscape /heritage impact (town centre)<br>Expected to have least impact upon flooding requiring least mitigation / compensation works<br>Sports club facilities in CCA Fields largely unaffected<br>Performs better than Option C over ecology and arboriculture<br>Shortest route<br>Construction cost estimate £10 million | Greatest negative impact upon CCA Fields (land take and segregation)<br>Will require amenity land compensation<br>Greatest impact upon setting of St Andrew's Church and eastern edge of the conservation area<br>Greatest impact upon existing dwellings |

Environmental Impact: The environmental impacts of Option A are considered to be similar to those for Option B

**Option B Summary**

**Performance Against Objectives**

Option B is generally considered to meet the majority of the established objectives for the scheme. There is still a significant impact to the CAA fields, however segregation is reduced with the alignment primarily to the eastern extent of the fields.

**Comparative Environmental Impact**

The high level comparative appraisal of the unmitigated environmental impacts of Option B indicates that impacts for Options A & B would be similar. Option C is expected to be better in terms of air quality, noise and historic environment, but worse in relation to arboriculture and ecology.

**Comparative Delivery Assessment**

Option B has a similar anticipated land take area to Option A, although there would be a significant impact to the existing sports clubs with both the cricket club and bowls club expected to be displaced.

Estimated construction cost is £12m, which excludes land purchase and land compensation costs. The increased cost in relation to Option A, is due to the greater alignment length and increased flood mitigation/compensation expected to be required.

**Option B**

**Summary:** Connects Station Road to Duke Street near Meadow Lane junction within the corridor between the town centre to the west and the railway /motorway to the east. This differs from Option A as it takes a route closer to the railway /motorway and a different connection alignment with Duke Street.

**Option B is generally considered to meet the majority of the established objectives for the scheme. There is still a significant impact to the CAA Fields, however segregation is reduced with the alignment primarily to the eastern extent of the fields.**

| Comparative advantages | Comparative disadvantages |
|---|---|
| Will take more traffic out of the town centre than Option C<br>Positive impact upon air quality (town centre)<br>Positive townscape /heritage impact (town centre)<br>Performs better than Option C over ecology and arboriculture<br>Construction cost estimate £12 million as longer than Option A | Negative impact upon CCA Fields, but less than Option A<br>Significant impact upon existing sports clubs: cricket and bowling in particular<br>Will require sports relocation<br>Impact upon setting of St Andrews Church and eastern edge of conservation area, but less than Option A<br>Increased flood mitigation/compensation expected to be required, in comparison to Option A |

Environmental Impact: The environmental impacts of Option B are considered to be similar to those for Option A.

**Option C Summary**

**Performance Against Objectives**

Option C is generally considered to meet most of the established objectives for the scheme. There is an impact to the CCA fields, but it is limited to the southern portion of the fields. The extent of the infrastructure required for Option C, and the resultant cost, is considered to restrict the viability of early delivery supporting the Culm Garden Village.

**Comparative Environmental Impact**

Option C is expected to be better in terms of air quality, noise and historic environment in comparison to options A & B, but worse in relation to arboriculture and ecology.

**Comparative Delivery Assessment**

The £50 million estimated construction cost is significantly higher than those for Options A & B, primarily due to the cost of a structure, or structures, spanning over the rail line, motorway and River Culm. In addition to the cost of the structure(s), costs associated with flood compensation/mitigation works are also considered to be significant as the main floodplain east of the motorway is impacted.

Option C does minimise land take from the CCA, and is not expected to significantly impact the existing sports club. Whilst it has the highest area of land take, much of that is agricultural fields east of the motorway.

**Option C**

**Summary:** Connects Honiton Road with Duke Street near the junction with Meadow Lane. It follows a longer broadly east- west route and crosses the motorway, railway line and River Culm. It connects to Honiton Road east of existing houses.

**Option C is generally considered to meet most of the established objectives for the scheme. Option C removes the lowest proportion of traffic from the town centre. There is an impact upon the CCA fields, but it is limited to the southern portion of the fields. The extent of the infrastructure required for Option C, and the resultant cost, is considered to restrict the viability of early delivery.**

| Comparative advantages | Comparative disadvantages |
|---|---|
| Least impact upon CCA Fields<br>Positive impact upon air quality (town centre), but less than Options A or B<br>Positive townscape /heritage impact (town centre), but less than Options A or B<br>Least impact upon historic environment in proximity to the road<br>Least impact on noise and air quality (road)<br>Greatest area of land take but mainly agricultural fields east of the motorway | Takes least traffic out of the town centre<br>Some negative impact upon CCA Fields<br>Greatest impact on trees and ecology<br>Greatest impact upon flooding requiring more mitigation /compensation works<br>Construction cost estimate £50 million due to bridge structures<br>Cannot be delivered by 2021<br>Funding uncertain |

Environmental Impact: Option C is expected to be better in terms of air quality, noise and historic environment in the area directly affected by the road than Options A or B but worse in relation to arboriculture and ecology.

**High Level Route Options Assessment Against Scheme Objectives**

| Scheme Objectives | Option A | Option B | Option C |
|---|---|---|---|
| Increase Highway Capacity | ✓✓ | ✓✓ | ✓✓ |
| Improve Air Quality | ✓✓✓ | ✓✓✓ | ✓✓ |
| Facilitate Town Centre Regeneration | ✓✓ | ✓✓ | ✓ |
| Facilitate early delivery of infrastructure support Culm Garden Village | ✓✓✓ | ✓✓✓ | x x |
| Minimise Impact to CCA Fields | x x x | x x | x |

**High Level Route Options Assessment Against Scheme Objectives**

| Scheme Objectives | Option A | Option B | Option C |
|---|---|---|---|
| Compatibility with strategic M5 motorway junction improvement | ✓✓✓ | ✓✓ | ✓✓ |
| Compatibility with potential future southern relief road extension | ✓✓✓ | ✓✓ | ✓✓✓ |
| Provide alternative M5 diverted traffic route | ✓✓ | ✓✓ | ✓✓ |
| Estimated Construction Cost | £10 million | £12 million | £50 million |

✓✓✓ - Objective largely achievable
✓✓ - Objective partially achievable
✓ - Objective slightly achievable
x - Objective slightly unachievable
x x - Objective partially unachievable
x x x - Objective largely unachievable

## Appendix A2. FAQs

# Cullompton Town Centre Relief Road Route Options Consultation

## Frequently Asked Questions

**September 2018**

## Background

1. **Why is a town centre relief road needed?**
   A relief road for the town centre will improve air quality and traffic flows, reduce queuing through the town centre and release motorway junction capacity. Significantly a relief road will provide an opportunity to enhance the attractiveness of the town centre environment and unlock planned housing growth.

   The adopted Local Plan, The Allocations and Infrastructure Development Plan Document (January 2011) allocates land for a relief road in Policy AL/CU/14. The question of need was considered by the Planning Inspector holding the Examination of the Allocations and Infrastructure Development Plan Document in April 2010. Since that time the volume of traffic moving through Cullompton has increased

   His report states

   ***'Eastern Relief Road [ERR]*** *[Policy AL/CU/14]*
   *Need*
   *3.91 The ERR would bring significant benefits to the town, for example in terms of air quality, traffic flows and the enhancement of the town centre, in accordance with the CS (Core Strategy). A CHA (County Highway Authority) assessment supports the provision of the ERR to achieve these objectives and, whilst work on its design is at an early stage, the need for the ERR has been sufficiently demonstrated.'*

2. **How will the land necessary to deliver the road be secured?**
   It is hoped that the land will be acquired by negotiation.

3. **What would happen if landowners do not wish to sell?**
   The Council has a range of legal powers available over land acquisition and assembly which could include compulsory purchase.

4. **Which is the preferred route?**
   There is not a preferred route. This will only be chosen following the results of the public consultation and after further technical work has been carried out.

5. **How will a decision be made over a preferred route?**
   Following the public consultation and completion of additional technical work, a decision will be made by Mid Devon Cabinet and DCC Members.

6. **What about planning permission?**
   Following consideration of the consultation responses and of the technical reports on issues such as flood risk, ecology, historic impact assessment, etc a preferred route will be identified. Once the preferred route is selected, a full detailed design planning application will be submitted to Mid Devon District Council for determination. Like any other planning application, individuals and organisations will be able to make representations to the Council. These will be considered as part of the determination process by the Planning

Committee of Mid Devon District Council. Mid Devon Planning Committee will determine whether planning permission should be granted or not having taken account of all planning matters and the representations received.

7. **Why is a new road proposed when public transport should be improved?**
   The new road is proposed to cater for the additional traffic generated by the developments in the local plan and represents the proportion of people using private motor vehicles as demonstrated by the Census 2011. Public transport improvements are also a requirement of the developments and are dealt with on a site by site basis and secured through contributions from developers through the planning process

8. **Do you take any notice of what is said in responses to exhibitions?**
   Yes. When the consultation is closed, all comments received will be analysed and a summary of these responses will be detailed in a report, along with recommendations of which option(s) should be taken forward.

9. **Shouldn't the priority be to improve the M5 junction instead?**
   The relief road will act to improve the operation of the M5 motorway junction and is being seen as a first phase of wider motorway junction improvement works. The relief road will also act to reduce traffic through the town centre.

10. **Isn't a new motorway junction to the north / south of Cullompton better?**
    The Highway Authority (Devon County Council) has previously considered a wide range of options for upgrading motorway access near Cullompton. This has included consideration of new junction locations to the north and south of the town. A junction located immediately to the south of Junction 28 was concluded to be the preferred option. More information on this is detailed in the Strategic Highways Options Report 2014 available here: https://www.middevon.gov.uk/media/103561/strategic-highways-options-report-2014.pdf

    Improving access to the motorway is the most likely solution to unlock the development to the east of the M5 at Culm Garden Village. The relief road is only phase 1 of this transport strategy and future work will focus on the motorway junction and the public will be able to give their view on this at a future date.

11. **Will the cheapest option be selected?**
    The objective of the review will be to establish a preferred route that provides the best balance of public acceptability, environmental impact, value for money and deliverability.

12. **What plans are there to reopen a railway station and won't this relieve traffic?**
    Planning policies allocate a site for new railway station for Cullompton. Once delivered, it will form an important component of transport provision and an alternative to the car for certain trips. However, it is not considered to replace the need for a traffic road.

13. **Wouldn't better parking enforcement in Fore Street solve the problem?**
    No. Whilst the unauthorised stopping of vehicles makes congestion and vehicles queuing worse, it is not considered to be the main cause of congestion within the town.

14. **Shouldn't the comparative advantages / disadvantages of each route be made clear?**
    Comparative assessment of the different route options forms part of the options generation and assessment process. Details are to be found within the WSP Route Options Report.

15. **What is the Housing Infrastructure Fund and how is it relevant?**
    In July 2017 the Government launched its £2.3 billion Housing Infrastructure Fund to finance infrastructure to unlock housing delivery. Mid Devon District Council made a bid under the marginal viability part of the fund for £10 million for highway infrastructure improvements in Cullompton to unlock planned housing growth by releasing capacity at the J28 of the M5.

    Whilst the Government announced in January 2018 the success of Mid Devon's bid, the Council is still in a process of due diligence with Homes England before a final decision is made over the award of the funding. In order to qualify, the infrastructure to be funded must unlock housing growth and be delivered by 2021.

    There is therefore currently the potential for £10 million of Government infrastructure funding to go towards the cost of the relief road. It is estimated that options A and B could be delivered by the deadline. Due to the longer design process, construction time and permissions required to cross the motorway, railway and River Culm, it is not considered that Option C could be delivered within a timescale that would meet the Housing Infrastructure fund requirements.

16. **How does the relief road relate to proposals for new homes?**
    The relief road would act to unlock housing growth planned for Cullompton by increasing the capacity of junction 28 of the motorway. One of the requirements for Housing Infrastructure Fund financial support is that the delivery of housing is unlocked by the road.

The housing that would be unlocked by the road is mainly at NW Cullompton together with a first phase of housing east of Cullompton (part of the proposed Garden Village site).

17. **How will the road be funded and when would it be delivered?**
The construction cost of each road route option differs. It is estimated that the construction cost of each would be Option A £10 million, Option B £12 million and option C £50 million. Subject to final confirmation from Homes England, options A or B would be primarily funded through the Housing Infrastructure Fund (HIF) with any gap being funded by housing development. This would require delivery by 2021. It is not considered that Option C would qualify for HIF funding as it could not be delivered by 2021. Money to secure its delivery would be sought from housing development, but would need to be supplemented by other infrastructure fund as yet to be identified. Funding and delivered date for Option C are currently uncertain.

18. **How can I make my views known?**
There are a number of ways of making your views known.

Complete the online questionnaire at https://new.devon.gov.uk/haveyoursay/consultations/cullompton-town-centre-relief-road/

Alternatively, you can complete a hard copy of the questionnaire and post it in the box at an exhibition event, email the completed questionnaire to transportplanning@devon.gov.uk or send it to Transport Planning Team, AB2 Lucombe House, County Hall, Topsham Road, Exeter, Devon, EX2 4QD

Comments should be received by the close of the consultation on **25th October 2018**

## Traffic Impacts

19. **What work have you done to understand traffic in Cullompton?**
Roadside interview data was collected by interviewing drivers in the town centre to understand their purpose for their journey as well as their origin and destination. Three days of queue length monitoring were carried out on both sides of Junction 28 as well as numerous traffic counts before and after the recent improvements to Junction 28.

This data was used to update the Cullompton traffic model to assess the impacts of the proposed development in the Local Plan. The model also allows the impacts of the different alignments of the Town Centre relief road to be assessed.

20. **How would a relief road affect junction 28 of the motorway?**

The relief road will provide an alternative route to M5 Junction 28 in the morning, moving the queue out of the High Street and Air Quality Management Area (AQMA). In the evening, the road will provide a more free-flowing exit off the motorway junction, reducing the chances of the queue extending back from the High Street through Junction 28 and down the northbound off-slip towards the active motorway itself. This would be a severe safety hazard.

**21. How would a relief road affect the town centre of Cullompton?**

The relief road will provide an alternative north-south route to the High Street and will remove 30-40% of the traffic out of the town centre depending upon the route option selected. This will encourage regeneration of the High Street and provide opportunities to investigate traffic management options for changing the traffic priority within the town.

**22. How will it affect Duke Street? Will it become a short cut?**

It is expected that whichever route is progressed, measures to prevent Duke Street being used to connect the relief road and town centre will be included within the detailed design. This could be through restricting all vehicular traffic using a short section of Duke Street just north of junction with Meadow Lane. This would effectively result in the northern section of Duke Street becoming a cul-de-sac with no through access. Details of traffic management measures on Duke Street would be worked on as part of the wider scheme's detailed design.

**23. How will it affect Meadow Lane and its junction with Exeter Road?**

Meadow Lane will become part of the relief road. The junction of Meadow Lane/Exeter Road will require some changes and these will be investigated as part of the detailed design stage.

**24. How will it affect Station Road?**

Options A and B will reduce the amount of traffic between Millennium Way roundabout and High Street. Option C will reduce the traffic on the whole of Station Road by moving vehicles to the other side of the motorway, but overall will be less effective than either options A or B in reducing traffic movements through the town centre.

**25. How will it affect Honiton Road?**

Options A and B will not affect the traffic flow on Honiton Road. Option C will move the traffic from Station Road to Honiton Road.

**26. How will it relieve Fore Street?**

The relief road will provide an alternative north-south connection, diverting traffic out of Fore Street onto the new road. Options A and B are predicted to remove 40% of the traffic out of Fore Street whereas Option C is expected to remove 30%.

27. **Won't the section of Station Road between the new relief road junction and the motorway become more congested?**
    No. This section of the road will carry the same volume of traffic with or without the relief road under options A and B. Option C distributes traffic to the other side of the motorway so will reduce the volume of traffic on Station Road.

28. **What level of future growth has been taken into account?**
    The traffic model includes all of the development being proposed in the emerging Local Plan.

## Design

29. **Where will it go from/ to?**
    All of the routes start at the southern end close to the junction of Duke Street and Meadow Way. Options A and B will connect to Millennium Way via a new arm at the existing roundabout whereas Option C will cross the M5 and railway and connect to Honiton Road to the east of the existing houses. See plans for more details.

30. **How wide and how high will the road be?**
    The road is proposed to be 7.3m wide, with at least one 3.5m wide shared cycleway/footway adjacent to the carriageway.

31. **How will the relief road plan for pedestrians and cyclists?**
    As a minimum the relief road will include at least one 3.5m wide shared cycleway/footway adjacent to the road for its full length. Pedestrian/cycle access and crossing points will be provided at locations determined to be on the primary desire lines for users. The extent of the road corridor would be fenced, with gates at the access points.

32. **What are the expected costs of the different route options?**
    The construction costs estimates for the routes are: Option A £10million; Option B £12 million; and Option C £50 million. These estimates do not include costs for land acquisition, land compensation/mitigation or scheme development. These further costs will become clearer as the scheme is planned in more detail.

33. **Will vehicular access to the CCA Fields be retained?**
    Yes. The option plans produced so far are indicative so retained access arrangements are not clear. At the detailed design stage, provision for vehicular access to the CCA Fields will be made.

34. **How long would it take to build?**
    It is anticipated that construction of options A and B would take approximately 1 year. Option C is estimated to have a construction duration of approximately

2 years due to the scale and complexity of the structures required to cross over the rail line, motorway and River Culm

35. **What will the speed limit of the road be?**
The speed limit is expected to be 30mph.

36. **How does this relate to a future motorway junction improvement?**
Each of the proposed alignments have been considered in relation to their compatibility with a new motorway junction, seeking to confirm that whichever route is progressed for the Town Centre Relief Road it does not compromise a potential new motorway junction. Potential arrangements of new motorway junctions connecting with each of the relief road options are shown in plans available for viewing at the consultation exhibitions. All options are considered to be compatible with a viable new motorway junction. It should be noted that the nature of the strategic improvement to the motorway is still subject to discussion with Highways England and whilst it is likely to take the form of a new junction, this has yet to be finalised.

37. **What will happen in the event that the motorway is closed?**
It is expected that the M5 diversion route will be re-routed from the High Street to the relief road.

38. **Why can't the road be parallel to the motorway on its eastern side?**
The Environment Agency has advised that they would object to an alignment in close proximity to the River Culm due to flood risk and ecology impacts. An early option for a route (Option D) has therefore been discounted and is not one of the viable route options within this consultation.

39. **Why is there a roundabout shown on land to the east of the Tesco store and would the road link in with the existing Tesco access?**
A roundabout has been indicated in this location within Options A and B as it might be preferable to provide a link from the relief road to the Tesco site and its existing access. This may prove to provide the optimum highway capacity and access arrangement and would be given consideration if either Option A or B are progressed to detailed design.

    A roundabout in this location could also provide an alternative means of access to the Long Meadow Industrial Estate. This could permit the existing access close to the M5 junction 29 junction to be closed and potentially provide a bus layby.

40. **Can the road link into Longbridge Meadow Industrial estate and use its existing access point onto Station Road?**
Consideration was given to locating the northern section of a relief road on an alignment taking it through the Industrial Estate. However, the current highway access to the industrial estate is in close proximity to the M5 junction 28 roundabout and is constrained by the Weary Traveller public house to the west and the River Culm to the east. It is consequently considered that a new highway junction in this location is not physically viable and would not provide

the highway capacity required for the relief road. Therefore, an alignment through the industrial estate is not included within the options presented at this consultation.

**41. Has the Council looked at a locating a relief road to the west of Cullompton?**

The adopted Local Plan, The Allocations and Infrastructure Development Plan Document (January 2011) allocates land for a relief road in Policy AL/CU/14. The question of whether the Relief Road should run East or West of the town was considered by the Planning Inspector holding the Examination of the Allocations and Infrastructure Development Plan Document in April 2010.

His report states

***"Eastern Relief Road [ERR]*** *[Policy AL/CU/14]*

*Need*
*3.91 The ERR would bring significant benefits to the town, for example in terms of air quality, traffic flows and the enhancement of the town centre, in accordance with the CS. A CHA assessment supports the provision of the ERR to achieve these objectives and, whilst work on its design is at an early stage, the need for the ERR has been sufficiently demonstrated.*

*Route*
*3.92 The ERR would cross land owned and managed by the Cullompton Community Association [CCA]. A route for the ERR which crosses the open space between Station Road and Meadow Lane is justified in principle.*

*Environmental Effects*
*3.93 Criterion a of Policy AL/CU/14 commits MDDC to undertaking a public consultation exercise before the route of the ERR is determined. There is no evidence of any adverse environmental impact, for example on wildlife, trees, flood risk and the enjoyment of the CCA land, that could not be satisfactorily addressed. Indeed the ERR could provide opportunities for improved planting and wildlife habitats in the area and to further enhance the value of open space.*

*Delivery*
*3.94 The construction of the ERR is reliant upon developer contributions from the allocated housing sites. However, the ERR is ranked as high priority by MDDC and very high priority by the CHA to receive CIL funding, demonstrating a clear public commitment to the scheme. Therefore, despite the range of matters to be taken into account in the design, including flood risk alleviation, there is no reason why the ERR cannot be delivered within the plan period.*

*Alternative Route*
*3.95 Consideration has been given to a western relief road associated with development to the north west of the town. However, technical evidence shows that such a route would not solve problems of congestion and air*

*quality in the town centre as travel distances would be longer, carbon impact would be greater and congestion would still occur in Fore Street. There is no substantive evidence that a western relief road would provide the same or greater traffic benefits than the proposed route to the east, whereas proposed improvements to accessibility north and west of the town would complement the benefits of the ERR.*

*Conclusion*
*3.96 The need for the ERR has been demonstrated and a route within the area shown on the submission proposals map is the most appropriate in terms of highway function, air quality and delivery. Policy AL/CU/14 is sound."*

42. **Why do all the routes connect onto Duke Street? Why not bypass the town further south?**
A more southerly connection point into the existing road network for the relief road would significantly lengthen it, increase costs and involve greater construction in the flood plain. The highway benefits can be achieved by connecting to Duke Street close to its junction with Meadow Lane.

43. **Has Cullompton Community College pupil safety been considered?** Yes. As the road is designed up in detail the need for pupils to cross Meadow Lane to access the sports field and how that can be accommodated safely will be taken into account.

44. **Will the road be fenced?**
Yes. It is expected that the extent of the road corridor would be fenced with gates at the access points.

45. **Is there an alternative route option to those presented that can be delivered in comparative cost and time?**
Whilst the route options that have come forward to date are not definitive and could be subject to amendment as a result of consultation responses and technical work, no alternative viable route options have been identified.

## Flooding

46. **Aren't the proposed routes in a flood plain?**
The majority of the study area is within Flood Zone 3, designated by the Environment Agency as the functional floodplain with an annual probability of flooding greater than 1 in 100.

Arcadis Consulting was commissioned by Devon County Council, supported by Mid Devon District Council, to undertake a Flood Risk Assessment to consider the construction of a relief road and motorway junction system to the east of Cullompton town centre. This commission pre-dated the recent work to produce relief road route options and instead was intended to demonstrate to

the Local Plan Inspector whether a new road and motorway improvement was broadly feasible in flood risk terms.

The Environment Agency has reviewed all the evidence within this report and considers the Flood Risk Assessment to contain sufficient information to demonstrate that a motorway junction and relief road scheme as allocated in the Mid Devon Local Plan can be implemented in a way that adequately manages flood risk and could lead to an overall net reduction in flood risk to people and property. More details on this flood risk assessment are available on the District Council's website here https://www.middevon.gov.uk/residents/planning-policy/local-plan-review/

Flood risk assessments of route options A, B and C have been commissioned and are currently being prepared. They build on the existing flood risk work already undertaken.

**47. Will a road through the flood plain make flooding worse?**

This issue is being comprehensively investigated as planning policy seeks to ensure that flood risk is not increased as a result of development. Work to date indicates that a relief road and motorway junction improvement can be located within the floodplain in a way that does not increase flood risk (see question above).

A full detailed flood risk assessment would need to be prepared as part of any planning application submission demonstrating that flood risk is controlled and mitigated.

**48. Will the relief road flood?**

It is expected that for most of its length the road will be constructed above predicted flood water levels. However, at the location where the new road ties-in to existing roads, the level of the relief road will be lower and subject to potential flooding. This is particularly the case in the area of the proposed junction with Duke Street. At such times it is expected that the relief road would be closed.

An possible future extension to the south would provide a connection to the existing highway at a location above expected flood levels, avoiding road closures.

## Impact on Affected People

**49. How will the routes affect the Cullompton Community Association (CCA) Fields?**

All of the options will have a varying level of impact on the CCA fields. The plans show the alignment of each of the routes as well as details of the impacts on the CCA fields.

Option A takes a broadly north-south route through the Fields and would separate the fields either side, requiring pedestrian access across the road at

key points. It would affect the way in which the Fields are currently used and require the relocation of the existing children's play area. Option B takes a similar route with the exception that it runs closer to the railway line and does not separate the Fields to the same extent as Option A. Option B will affect the Cricket Club, Bowling Club and to a lesser extent the Football Club facilities. The impact of Option C upon the Fields will be more limited to the southern area which it will cross before heading over the other side of the motorway.

**50. Will replacement / compensatory open space provision be made?**
Yes. Planning policy for the relief road makes it clear that replacement open space and sporting facilities elsewhere in Cullompton be provided if these are affected. Details of how and where this could take place are yet to be established but the Council will look to work with affected landowners over this.

**51. How will the routes affect sports facilities in the CCA fields?**
All of the options will have a varying level of impact on the CCA fields. The plans show the alignment of each of the routes as well as details of the impacts on the sports clubs. Option B would have the most effect upon existing sports provision as it is likely to require the relocation of the Cricket Club and Bowling Club. Football Club facilities would be affected to a lesser extent.

**52. Will replacement / compensatory provision be made for affects sports clubs?**
Yes. Planning policy for the relief road makes it clear that replacement open space and sporting facilities elsewhere in Cullompton be provided if these are affected. Details of how and where this could take place are yet to be established but the Council will look to work with affected landowners and clubs over this.

**53. What about impact upon existing properties?**
The impacts of the road upon a range of factors including existing properties and residents will be considered as part of the planning process. This will include assessment of whether there will be a significant impact upon residential amenity.

## Environment

**54. What about ecology?**
Mid Devon District Council has commissioned a Phase One and Phase Two Habitat Assessments.

The surveys have yet to be completed but will be of sufficient detail and scope to inform an Environmental Impact Assessment, an Appropriate Assessment and accompany a planning application for a relief road.

**55. How are environmental impacts assessed?**

Any planning application for the relief road is expected to require a full Environmental Impact Assessment in accordance with planning regulations.

**56. How will the impacts of the road be mitigated (ie noise, air quality, visual)?**

As the detailed design of the road scheme is worked up for planning application submission, its environmental impacts will be fully assessed within an Environmental Impact Assessment. This will consider the degree of impact upon a range of issues and seek to mitigate those effects where they are significant.

**Additional question added in response to the first public consultation events:**

**57. Why can't a new motorway junction at Little Copse be built?**

A junction in this location was investigated but there are several significant issues. The gap between the railway and the M5 is not big enough to accommodate the northbound slip roads. The slip road would therefore have to cross the railway and be located very close to the main channel of the River Culm. This would require significant structures and mitigation measures and would be under significant scrutiny from the Environment Agency. The Agency would not want works that interfere with the River Culm main channel.

Traffic from the Culm Garden Village would not be able to access a junction in this location without first travelling across the existing Junction 28 to get to the B3181 and the existing junction would not be able to cope with the additional traffic. Once across the M5, there is a tight bend close to the bridge over the M5 on the B3181 south of Cullompton where two large vehicles such as Heavy Goods Vehicles as cannot pass.

For these reasons, a junction in this location has been discarded.

# Appendix A3. Survey

# Cullompton Town Centre Relief Road

## Public Consultation Questionnaire

Please let us know your views on possible alignments for a Cullompton Town Centre Relief Road. This consultation is your opportunity to find out more about the options that have been developed and to input your opinion.

You are invited to read the consultation leaflet, visit the exhibitions and access further information at https://new.devon.gov.uk/haveyoursay/consultations/cullompton-town-centre-relief-road/. If you do not have access to a computer there are publicly available computers with access to the internet in all Devon libraries.

Thank you for taking the time to complete this questionnaire. Responses can be submitted online at the website above. Alternatively, paper copies, available at exhibitions, can be returned to the box provided at the exhibition, or handed into the Mid Devon office: Mid Devon, Phoenix House, Phoenix Lane, Tiverton, EX16 6PP or sent to: Transport Planning, County Hall, Exeter, EX2 4QD. All responses need to be submitted by Thursday 25th October 2018.

If you need more information or a different format please phone 0345 155 1015 or email transportplanning@devon.gov.uk.

**1. Do you agree that there is a need for a Town Centre Relief Road in Cullompton?**

(please select one option only)

◯ **Yes** ◯ **Not Sure** ◯ **No**

**2. What is your opinion on option A?**

(please select one option only)

◯ **Strongly Support** ◯ **Support** ◯ **No Preference** ◯ **Oppose** ◯ **Strongly Oppose**

**3. Why do you support/not support this option?** Please provide Comments

**4. What is your opinion on option B?**

(please select one option only)

◯ **Strongly Support** ◯ **Support** ◯ **No Preference** ◯ **Oppose** ◯ **Strongly Oppose**

**5. Why do you support/not support this option?** Please provide Comments

6. **What is your opinion on option C?**
(please select one option only)

◯ **Strongly Support** ◯ **Support** ◯ **No Preference** ◯ **Oppose** ◯ **Strongly Oppose**

7. **Why do you support/not support this option?** Please provide Comments

8. **Which option do you prefer?**
(please select one option only)

◯ **Option A** ◯ **Option B** ◯ **Option C**

9. **Why do you prefer this option?** Please provide comments

10. **Do you have any other comments you wish to make on the Town Centre Relief Road?**

11. **Do any of the options cross land you own?**
(please select one option only)
◯ **Yes** ◯ **No**

12. **If yes, which route(s)**
(please select all options relevant)
◯ **Option A** ◯ **Option B** ◯ **Option C**

13. **Are you representing an organisation?**
(please select one option only)
◯ **Yes** ◯ **No**

14. **If 'Yes', which organisation are you representing?**

15. **Which age-band are you in?**
(please select one option only)
◯ **Under 25** ◯ **25 to 34** ◯ **35 to 44** ◯ **45 to 54** ◯ **55 to 65** ◯ **Over 65**

16. **What is your gender?**
(please select one option only)

◯ **Male** ◯ **Female** ◯ **Other**

**17. Do you consider yourself to be disabled?**

(please select one option only)

◯ **Yes** ◯ **No**

**18. Please enter your full postcode:**

(this information will help us see the geographical spread of responses)

**Thank you for completing this questionnaire**

## Appendix B. Exhibition Boards

# Cullompton Town Centre Relief Road - Introduction

**Introduction**

Welcome to the public consultation for the Cullompton Town Centre Relief Road. This public consultation is being held to seek the views of the residents, businesses, organisations and other stakeholders ahead of any decision to progress with a planning application for the relief road. The consultation is being undertaken at the earliest opportunity to obtain feedback that can then be given due consideration in both the decision making and design processes.

**Background**

Traffic congestion within Cullompton has long been an issue resulting in:

- Poor air quality,
- Negative impact upon the attractiveness and environment of the town centre,
- Constraints on development and associated restrictions on the future economic growth of the area.

A relief road east of the Town Centre has been included within the Local Plan since 2011, to divert north-south traffic away from the town centre and Fore Street. Such a relief road would reduce queuing on both the local and national road networks with consequent improvements to air quality, whilst also facilitating sustainable growth of the town.

**Need for the scheme**

Current issues experienced are as follows:

- Large volumes of traffic using M5 J28 because of local commuters using the motorway to travel to work.
- Capacity on the highway network is limited leading to:
  - Queues in the morning peak extending from Junction 28 of the motorway along Station Road and onto the High Street and Higher Street
  - Queues in the evening traffic peak from the signalised junction of High Street/Higher Street/Station Road that extend back onto the Junction 28 northbound off-slip which is a significant safely risk
- The historic High Street's width is restricted to only 6.5m in places and has typically narrow footways which makes it unsuitable for large volumes of vehicular traffic
- The town centre is dominated by traffic, with poor air quality reducing its attractiveness
- Opportunities for greater prosperity and growth are limited by highway constraints.

The Town Centre Relief Road is expected to mitigate the issue by moving the queue out of the Air Quality Management Area in the morning peak. This will also provide an alternative route in the evening peak which will reduce the risk of queuing on Station Road extending back onto the M5.

The Town Centre Relief Road scheme therefore unlocks plans for housing growth at NW Cullompton plus a first phase of dwellings to the east of the M5, and other minor housing development sites in advance of a more strategic motorway intervention.

**Planning Policy**

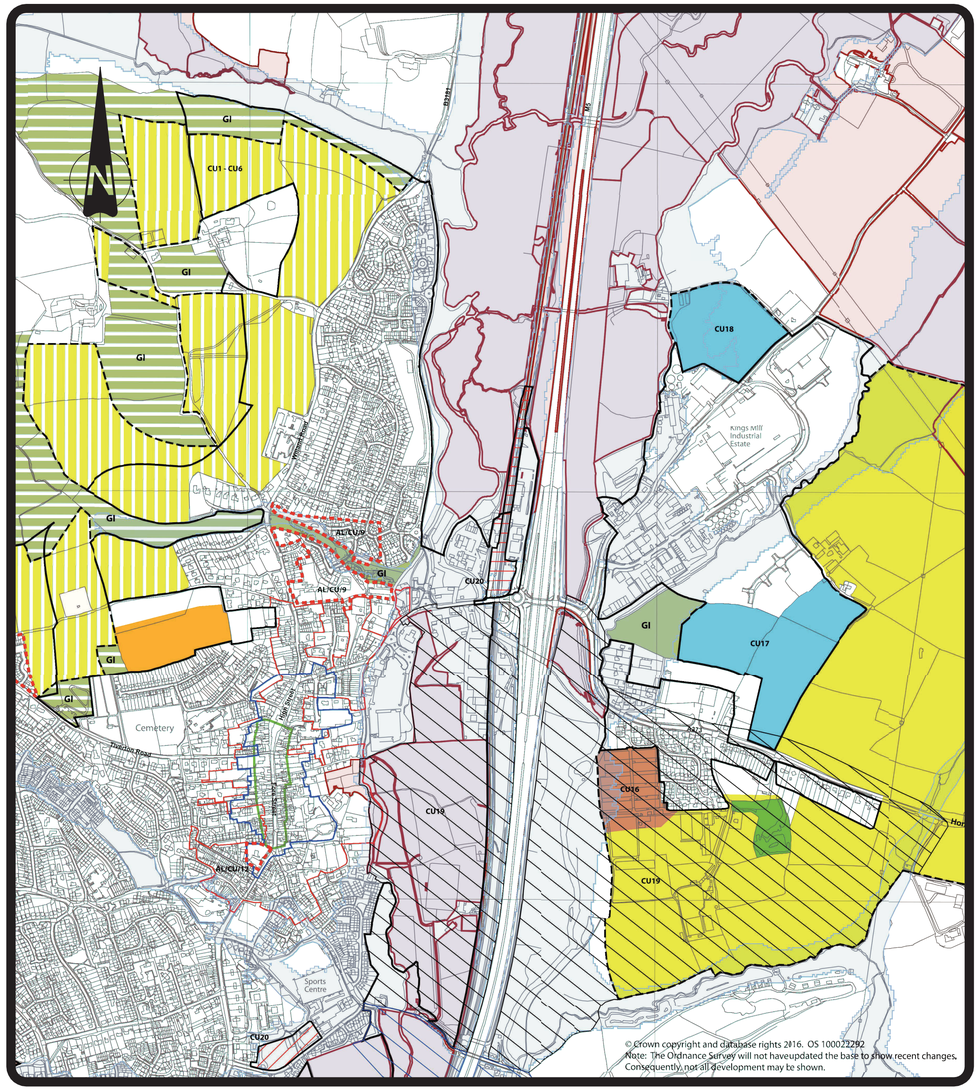
The principle for developing a new relief road is supported by planning policy at a national, regional and local level. The scheme has been identified as being important to the sustainable future growth of Cullompton.

The relief road would provide improvements to Cullompton and the local highway network by:

- allowing traffic to exit the motorway safely,
- reducing safety implications from traffic queuing on the motorway,
- reducing poor air quality levels which can affect human health
- supporting the delivery of housing allocations with the Local Plan
- enabling sustainable growth of the town
- Providing opportunity to enhance the attractiveness of the town centre environment

**Study Area**

The area identified for the relief road within the Local Plan review is highlighted by blue cross hatching on the plan opposite.




Proposed deleted/partially deleted sites
Settlement limit
Proposed amendment to settlement limit
Conservation area
Proposed residential allocation
Proposed contingency housing site allocation
Proposed mixed use allocation
Proposed commercial allocation
Proposed green infrastructure
GI
Town centre boundary
Primary shopping area
Safeguarded area for railway station
Safeguarded area for school expansion
Area for town centre relief road
Ancient monument
County wildlife site (2007 data)
Priority habitats
Floodplain

*PROPOSED CHANGES*

*Proposed mixed use*
*Boundary amendment*
*Proposed green infrastructure*
*Proposed extension to town centre relief road*

Mid Devon DISTRICT COUNCIL
Devon County Council
wsp

# Cullompton Town Centre Relief Road - Objectives

**Overarching Strategic Aims**

The objectives for intervention have been developed based on an understanding of the current situation along with likely future requirements. These take into account relevant policies and constraints.

The key strategic aims of future interventions are:

1. To enhance the economic prosperity and competitiveness of Mid Devon, both nationally and in line with other areas of Devon; and
2. To support planned sustainable growth including housing and employment development opportunities in Cullompton.

Scheme objectives have been developed in conjunction with Mid Devon District and Devon County Councils.

**Scheme Objectives**

The primary objectives are:

1A Reduction of queuing on the highway network. Mitigating queues extending back onto the motorway from the northbound off slip and queues extending back into the High Street in the other direction.

1B Removal of traffic from Cullompton High Street which is an existing Air Quality Management Area (AQMA) resulting in improved air quality and town centre amenity;

1C Delivery of a long-standing community aspiration for a town centre relief road to support economic and environmental regeneration of Cullompton High Street.

The secondary objectives are:

2A Early delivery of the first part of the longer term strategic solution which will be required to unlock the full potential for homes and growth at Cullompton Garden Village;

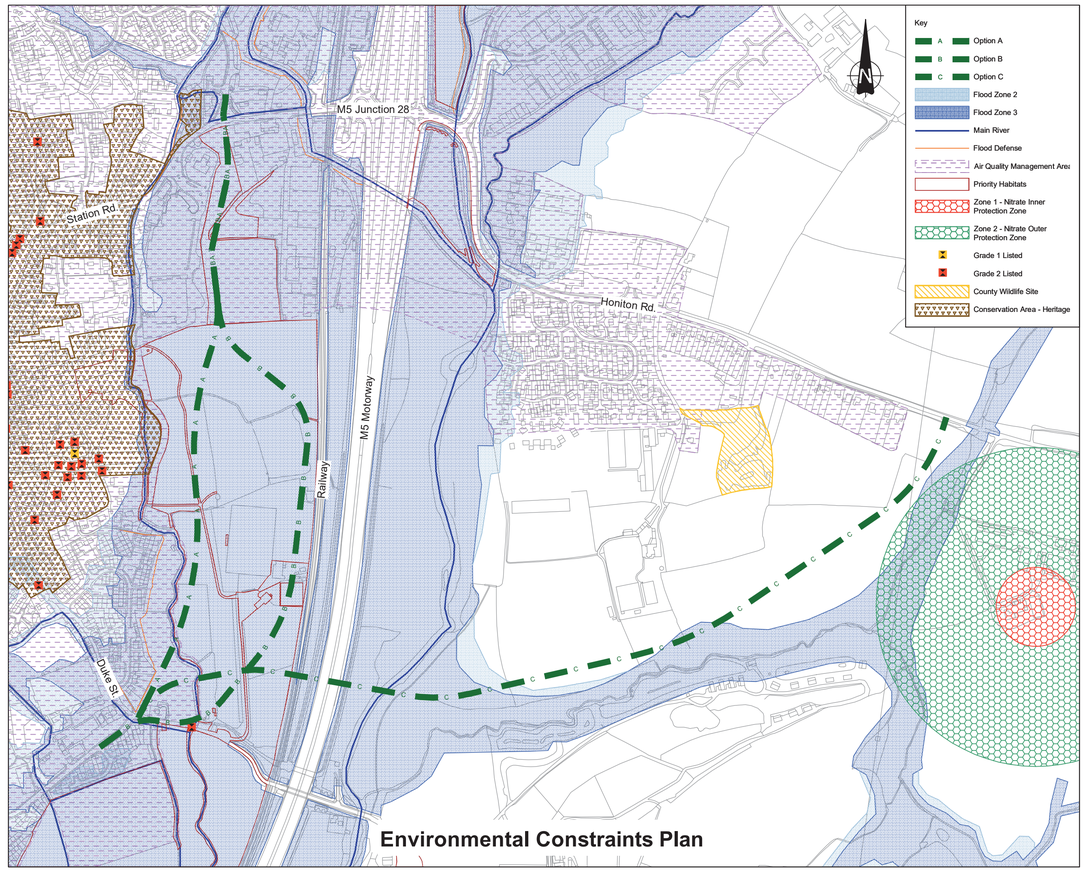
2B Minimising impact to the Cullompton Community Association recreation grounds and facilities;

2C Compatibility with a longer term strategic solution to provide additional highway capacity to support the full potential for homes and growth at the identified Culm Garden Village site, through a new motorway junction.

The tertiary objectives are:

3A Compatibility with a potential future southern extension to the relief road

3B Provision of an alternative route for traffic, avoiding Cullompton High Street, diverted from the M5 motorway during closures for both incidents and planned events.



**Environmental Constraints Plan**

**High Level Route Options Assessment Against Scheme Objectives**

| Scheme Objectives | Option A | Option B | Option C |
|---|---|---|---|
| 1A - Increase Highway Capacity | ✓✓ | ✓✓ | ✓✓ |
| 1B - Improve Air Quality | ✓✓✓ | ✓✓✓ | ✓✓ |
| 1C - Facilitate Town Centre Regeneration | ✓✓ | ✓✓ | ✓ |
| 2A - Facilitate early delivery of infrastructure support Culm Garden Village | ✓✓✓ | ✓✓✓ | x x |
| 2B - Minimise Impact to CCA Fields | x x x | x x | x |
| 2C - Compatibility with strategic M5 motorway junction improvement | ✓✓✓ | ✓✓ | ✓✓ |
| 3A - Compatibility with potential future southern relief road extension | ✓✓✓ | ✓✓ | ✓✓✓ |
| 3B - Provide alternative M5 diverted traffic route | ✓✓ | ✓✓ | ✓✓ |
| Estimated Construction Cost | £10 million | £12 million | £50 million |

The route options covered within boards 4, 5 and 6 have been assessed against these scheme objectives

# Cullompton Town Centre Relief Road - Option Generation

**Key Considerations**

When preparing the Option alignments, the following key issues fundamental to the viability of the scheme have been given consideration:

- **Traffic Impacts**

Increasing highway capacity and diverting traffic from the town centre is central to achieving all the primary objectives. The three main traffic issues the scheme seeks to address are:

- AM queuing along Station Road eastbound
- PM queuing along Station Road westbound and extending back onto the M5 motorway
- Traffic flows through the Town Centre

- **Flooding**

Most of the area indicated for the Town Centre relief road within the Local Plan review is within Flood Zone 3b. Flood Zone 3b is categorised as the land where water has to flow or be stored in times of flooding. Essential infrastructure can be developed within this zone provided it is demonstrated that there are no viable alternatives, there are wider benefits and flood risk is not increased.

The Environment Agency has advised that in principle it accepts that the scheme is required, has wider benefits and alternatives outside Flood Zone 3b are not viable. The remaining requirement is to demonstrate flood risk is not increased. The primary factors affecting flood risk are the displacement of flood storage areas and disruption of flood water flows. Therefore, The greater the impact upon these factors the more compensation area and mitigation measures are required.

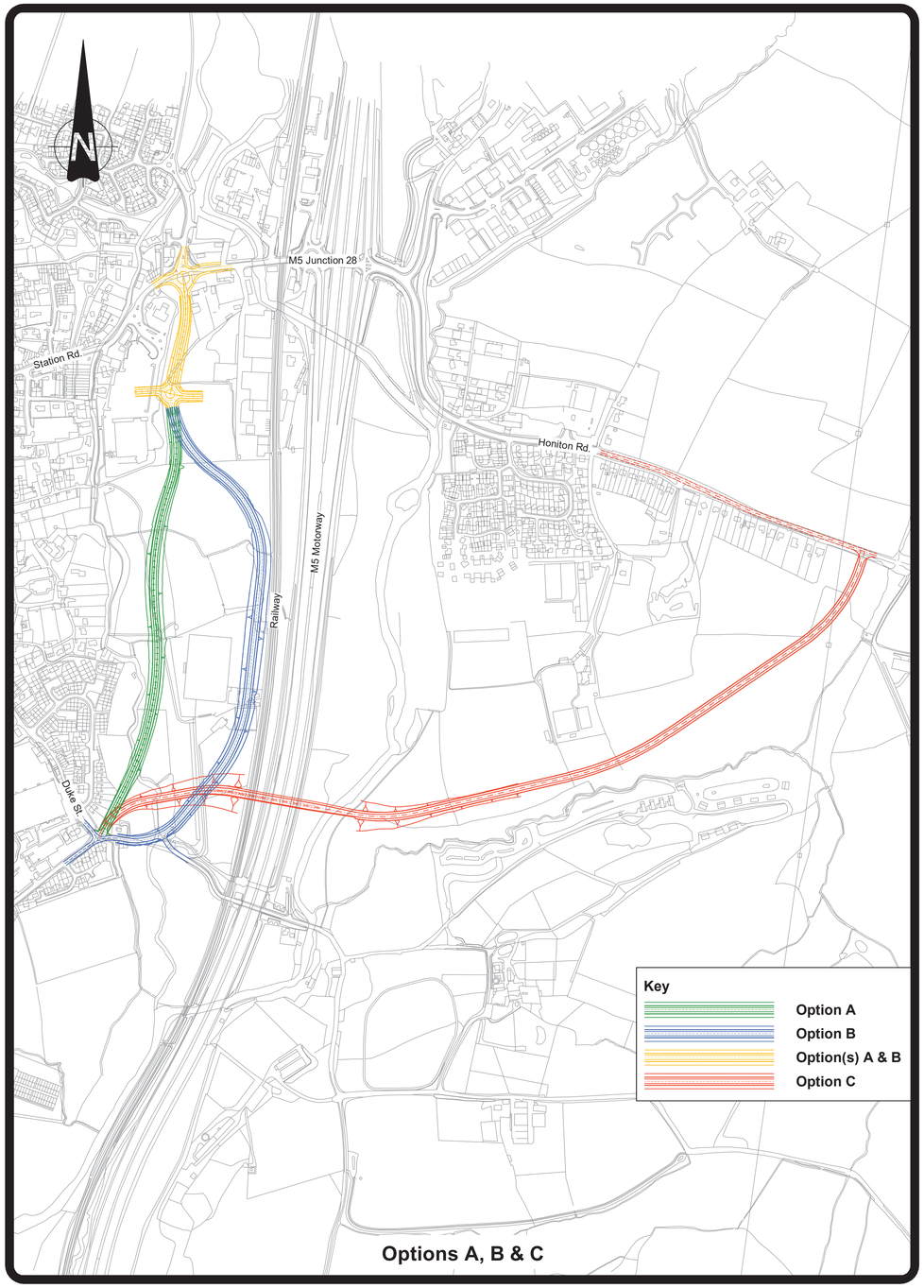
- **Land Use**

The majority of the land identified for the relief road within the Local Plan review is in private ownership, therefore any route for the relief road would impact on existing land use and land owners. The options were prepared with the aim of providing genuine alternatives. Land impacts differ significantly across the range of options produced.

**Option Preparation**

Each of the options considered has been developed to a preliminary level of detail, for consultation purposes. They have not been developed to the degree of detail that will occur at application stage.  Feedback from this consultation will inform the future process of detailed design and refinement of a preferred route alignment for planning application submission.

The drawings indicatively show highway alignments and junctions together with typical cross sections. Key features are annotated. The preferred option will be subject to detailed design and assessment to optimise the alignment. Features such as crossing points, highway accesses and environmental mitigation measures, etc, would also be developed as part of a subsequent planning application.




Options A, B & C

# Cullompton Town Centre Relief Road - Option A

## Option A

### Route Description

This option alignment is entirely within the corridor between Cullompton Town Centre to the west and the rail/motorway corridor to the east. The route is the most easterly of those proposed and hence closest to the town centre. The route runs broadly north-south through the Cullompton Community Association Fields.

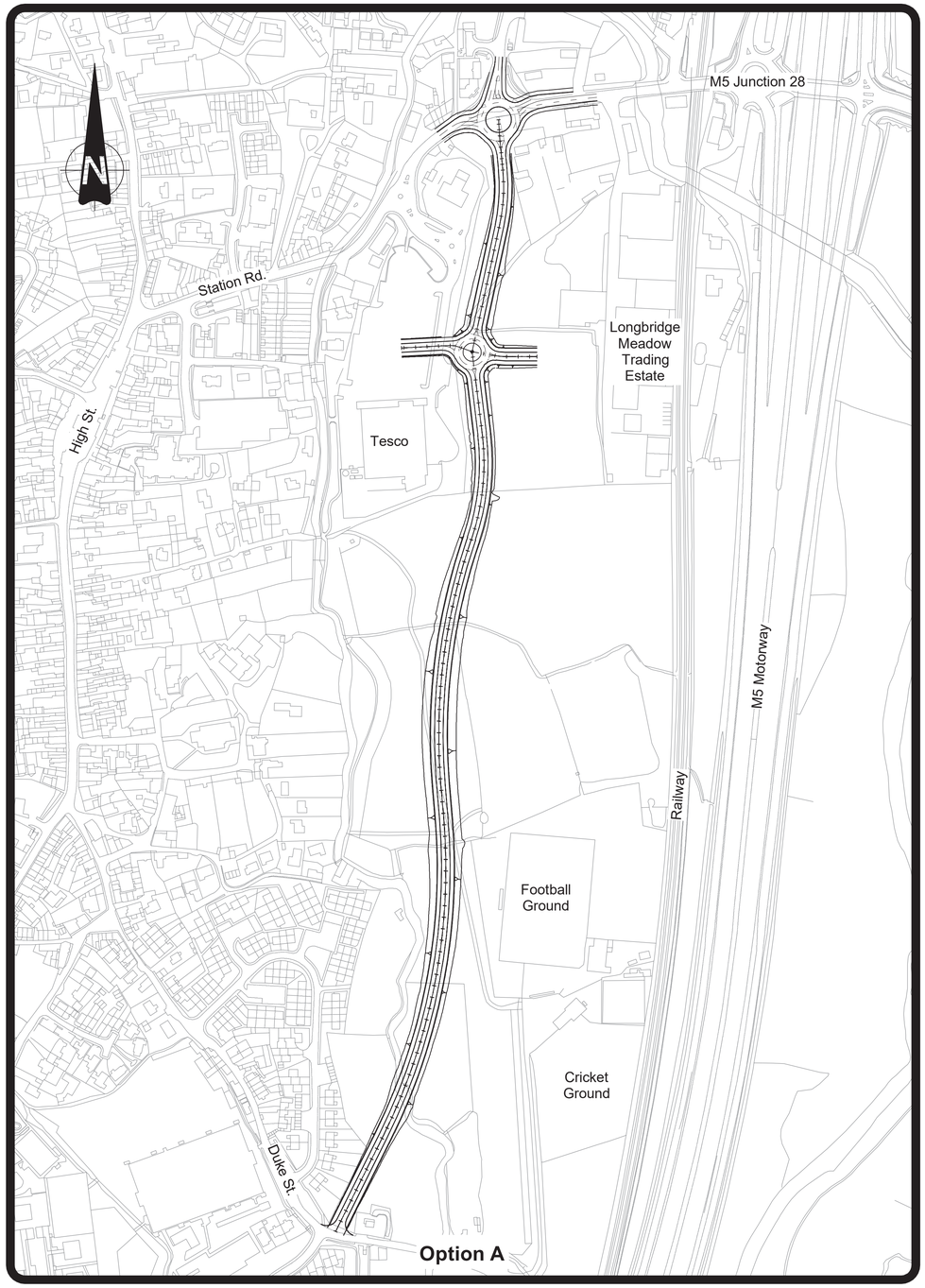
### Route Characteristics

- Option A is approximately 985m in length, connecting Duke Street with B3181 Station Road at the existing roundabout,
- The proposed relief road would form a new junction with Duke Street. Traffic flow management to prevent Duke Street from becoming the preferred route into the town centre would be considered. This could include making Duke Street a cul-de-sac,
- The Proposed route crosses the Mill Leat watercourse proceeds through the children's play area and recreational grassland. If this option is selected, the children's play area shall be relocated,
- Existing sports club facilities within the Cullompton Community Association (CCA) fields are unaffected by the route,
- A roundabout to the east of Tesco could be considered to help accessibility to the superstore and the Longbridge Meadow Industrial Estate,
- The existing roundabout on Station Road will be realigned and increased to accommodate the additional traffic and new relief road.

### Performance Against Objectives

Option A is generally considered to meet the majority of the established objectives for the scheme. It is also the shortest, and simplest option from a highways perspective. However, it has the greatest impact to the CCA fields, with the highest proportion of CCA land required and greatest segregation of land parcels within the fields.

| Comparative advantages | Comparative disadvantages |
|---|---|
| Will take more traffic out of the town centre than Option C<br>Positive impact upon air quality (town centre)<br>Positive townscape /heritage impact (town centre)<br>Expected to have least impact upon flooding (with mitigation)<br>Sports club facilities in CCA Fields largely unaffected<br>Performs better than Option C over ecology and arboriculture<br>Shortest route<br>Construction cost estimate £10 million | Greatest negative impact upon CCA Fields (land take and segregation)<br>Will require amenity land compensation<br>Greatest impact upon setting of St Andrew's Church and eastern edge of the conservation area<br>Greatest impact upon existing dwellings |
| Environmental Impact: The environmental impacts of Option A are considered to be similar to those for Option B | |




Mid Devon District Council | Devon County Council | wsp

# Cullompton Town Centre Relief Road - Option B

## Option B

### Route Description

This option alignment is entirely within the corridor between Cullompton Town Centre to the west and the rail/motorway corridor to the east. The difference from Option A is that it takes a route closer to the railway /motorway and has a different connection alignment with Duke Street. It reduces segregation of open green space.

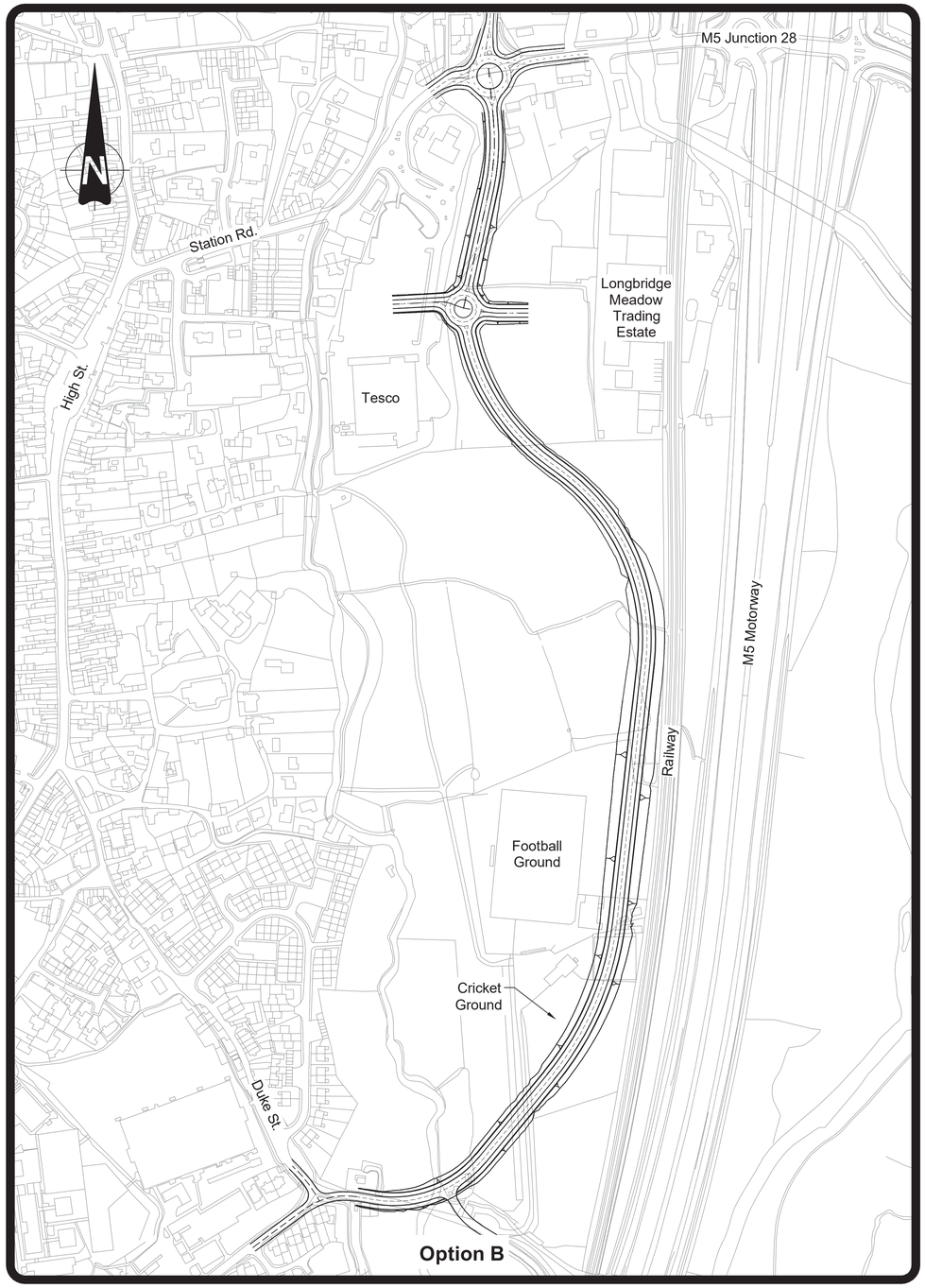
### Route Characteristics

- Option B is approximately 1150m in length, connecting Duke Street with the B3181 Station Road roundabout,
- The proposed relief road would form a new junction with Duke Street. Traffic flow management to prevent Duke Street from becoming the preferred route into the town centre would be considered. This could include making Duke Street a cul-de-sac,
- The Relief Road heads northwest crossing the Mill Leat, bisects the whippet track and cricket field. The Cullompton Bowls Club bowling green and the pavilion are also affected.
- The route stays parallel to the rail line passing to the east of the Cullompton Rangers Football club clubhouse and main pitch, passing through a football training pitch.
- A roundabout to the east of Tesco could be considered to help accessibility to the superstore and the Longbridge Meadow Industrial Estate,
- The existing roundabout on Station Road will be realigned and increased to accommodate the additional traffic and new relief road connection.

### Performance Against Objectives

Option B is generally considered to meet the majority of the established objectives for the scheme. There is still a significant impact to the CAA fields, however splitting of the fields is reduced as the alignment is situated primarily to the eastern extent of the fields.

| Comparative advantages | Comparative disadvantages |
|---|---|
| Will take more traffic out of the town centre than Option C<br>Positive impact upon air quality (town centre)<br>Positive townscape /heritage impact (town centre)<br>Expected to have least impact upon flooding (with mitigation)<br>Performs better than Option C over ecology and arboriculture<br>Construction cost estimate £12 million as longer than Option A | Negative impact upon CCA Fields, but less than Option A<br>Significant impact upon existing sports clubs: cricket and bowling in particular<br>Will require sports relocation<br>Impact upon setting of St Andrews Church and eastern edge of conservation area, but less than Option A<br>Increased flood mitigation/compensation expected to be required. |
| Environmental Impact: The environmental impacts of Option B are considered to be similar to those for Option A. | |



# Cullompton Town Centre Relief Road - Option C

## Option C

### Route Description

This option connects Honiton Road with Duke Street near the junction with Meadow Lane. It follows a longer broadly east- west route and crosses the motorway, railway line and River Culm. It connects to Honiton Road east of existing houses. The route is seeking to minimise impact on the green spaces between Cullompton Town Centre and the rail/motorway.

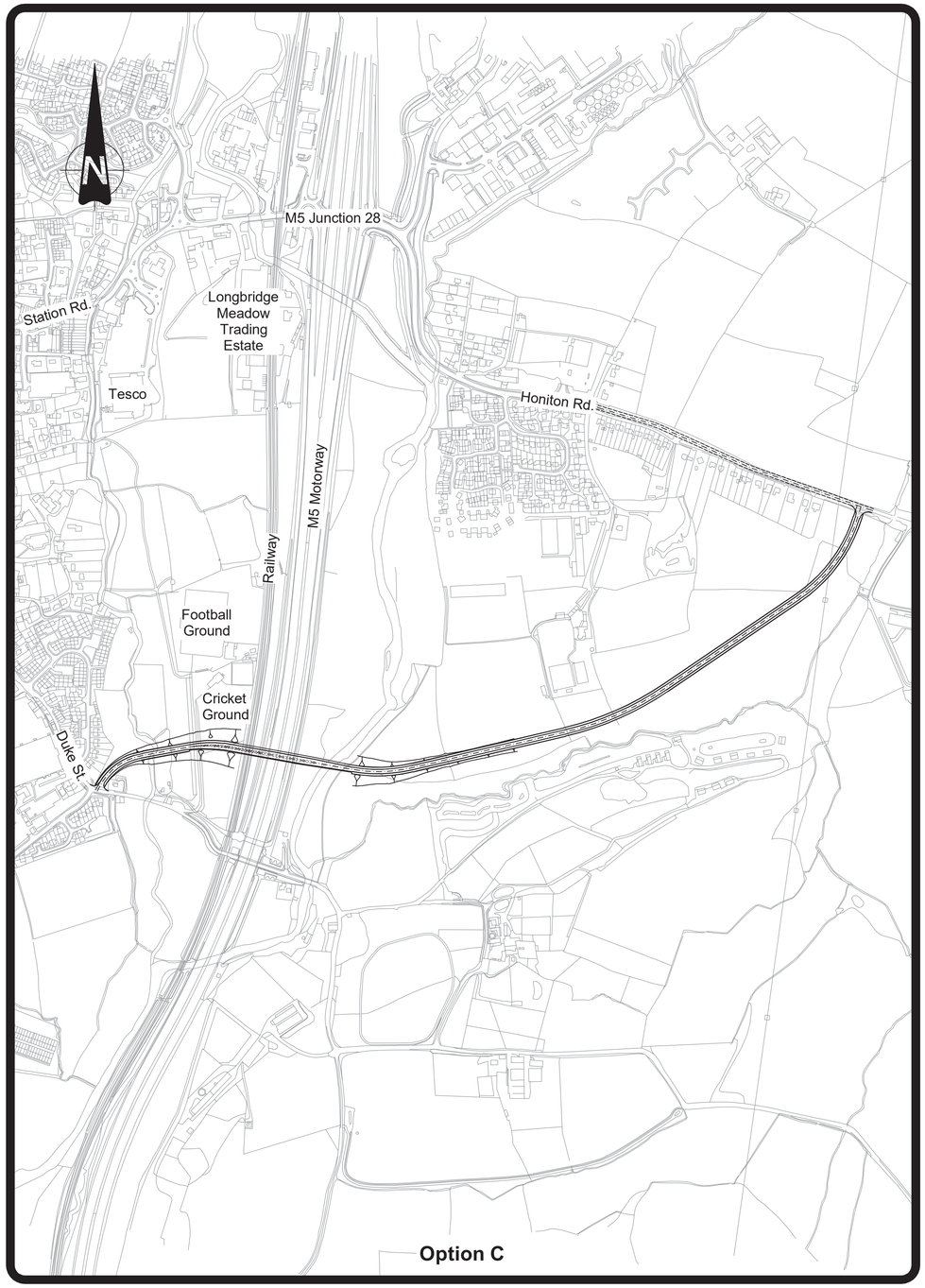
### Route Characteristics

- Option C is approximately 1500m in length, connecting Duke Street with Honiton Road.
- The proposed relief road would form a new junction with Duke Street. Traffic flow management to prevent Duke Street from becoming the preferred route into the town centre would be considered. This could include making Duke Street a cul-de-sac.
- The route alignment would head roughly northeast and cross the Mill Leat watercourse, passing through tree lined hedges either side of a field of grassland pasture.
- The route continues west towards the sport facilities and whippet track, along the boundary of the Cullompton Cricket Club.
- The route rises to bridge the rail line, motorway and the river Culm before returning towards existing ground levels within agricultural land west of the River Culm.
- The route alignment requires a new junction onto Honiton Road (A373) between the property of 28 Honiton Road and the existing bridge over a tributary to the River Culm.

### Performance Against Objectives

Option C is generally considered to meet most of the established objectives for the scheme. Option C removes the lowest proportion of traffic from the town centre. There is an impact upon the CCA fields, but it is limited to the southern portion of the fields. The extent of the infrastructure required for Option C, and the resultant cost, is considered to restrict the viability of early delivery.

| Comparative advantages | Comparative disadvantages |
|---|---|
| Least impact upon CCA Fields | Takes least traffic out of the town centre |
| Positive impact upon air quality (town centre), but less than Options A or B | Some negative impact upon CCA Fields |
| Positive townscape /heritage impact (town centre), but less than Options A or B | Greatest impact on trees and ecology |
| Least impact upon historic environment in proximity to the road | Greatest impact upon flooding requiring more mitigation /compensation works |
| Least impact on noise and air quality (road) | Construction cost estimate £50 million due to bridge structures |
| Greatest area of land take but mainly agricultural fields east of the motorway | Cannot be delivered by 2021 |
| | Funding uncertain |
| **Environmental Impact:** Option C is expected to be better in terms of air quality, noise and historic environment in the area directly affected by the road than Options A or B but worse in relation to arboriculture and ecology. | |



Option C

# Cullompton Town Centre Relief Road - Other Options

## Option D

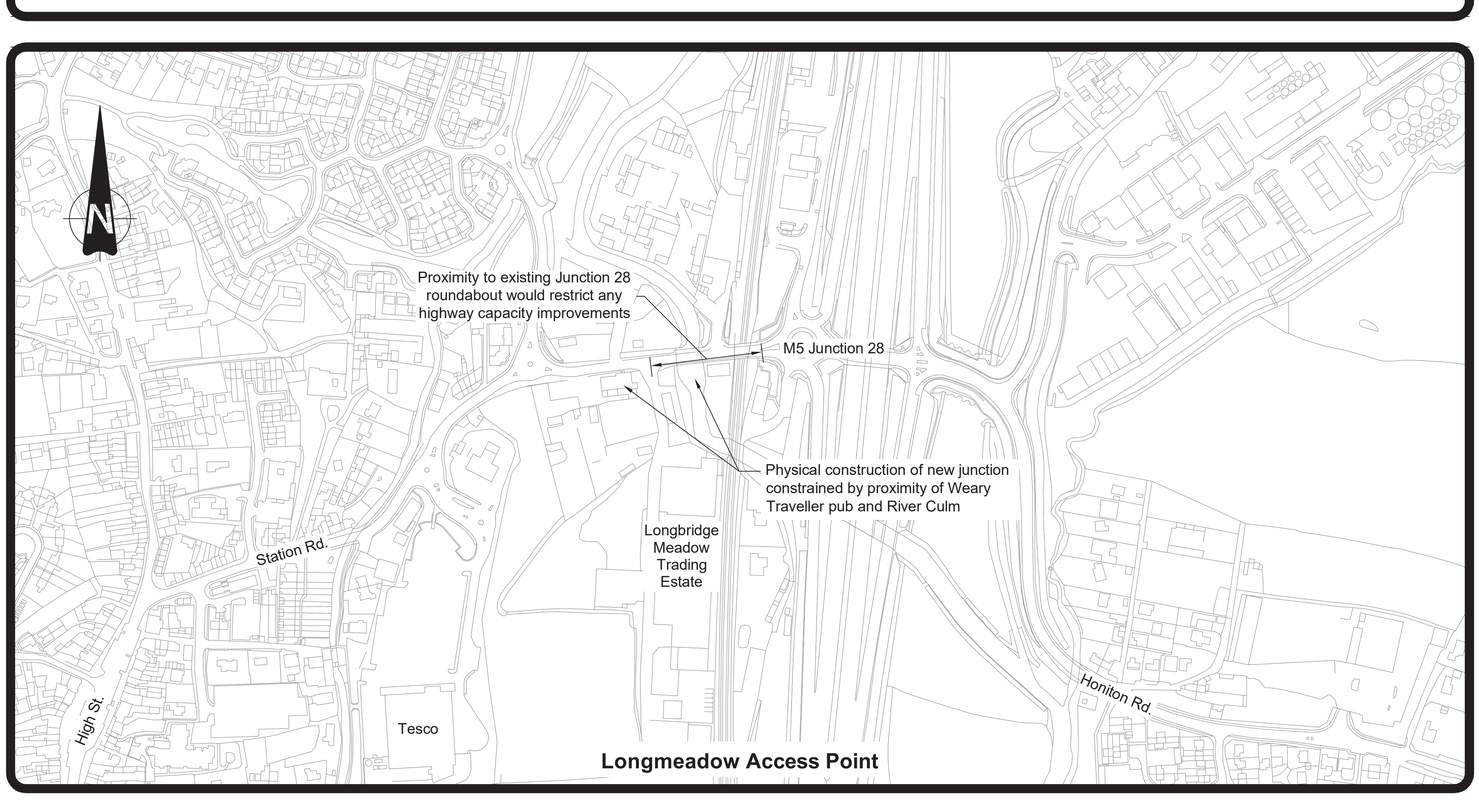
An Option D alignment was prepared in parallel with Options A, B & C. It has the same alignment as Option C west of the rail and motorway corridor, however it takes a direct route north to connect to Honiton Road (A373), west of Stoneyford Bridge.

The preliminary proposed alignment of Option D is shown on the adjacent plan.

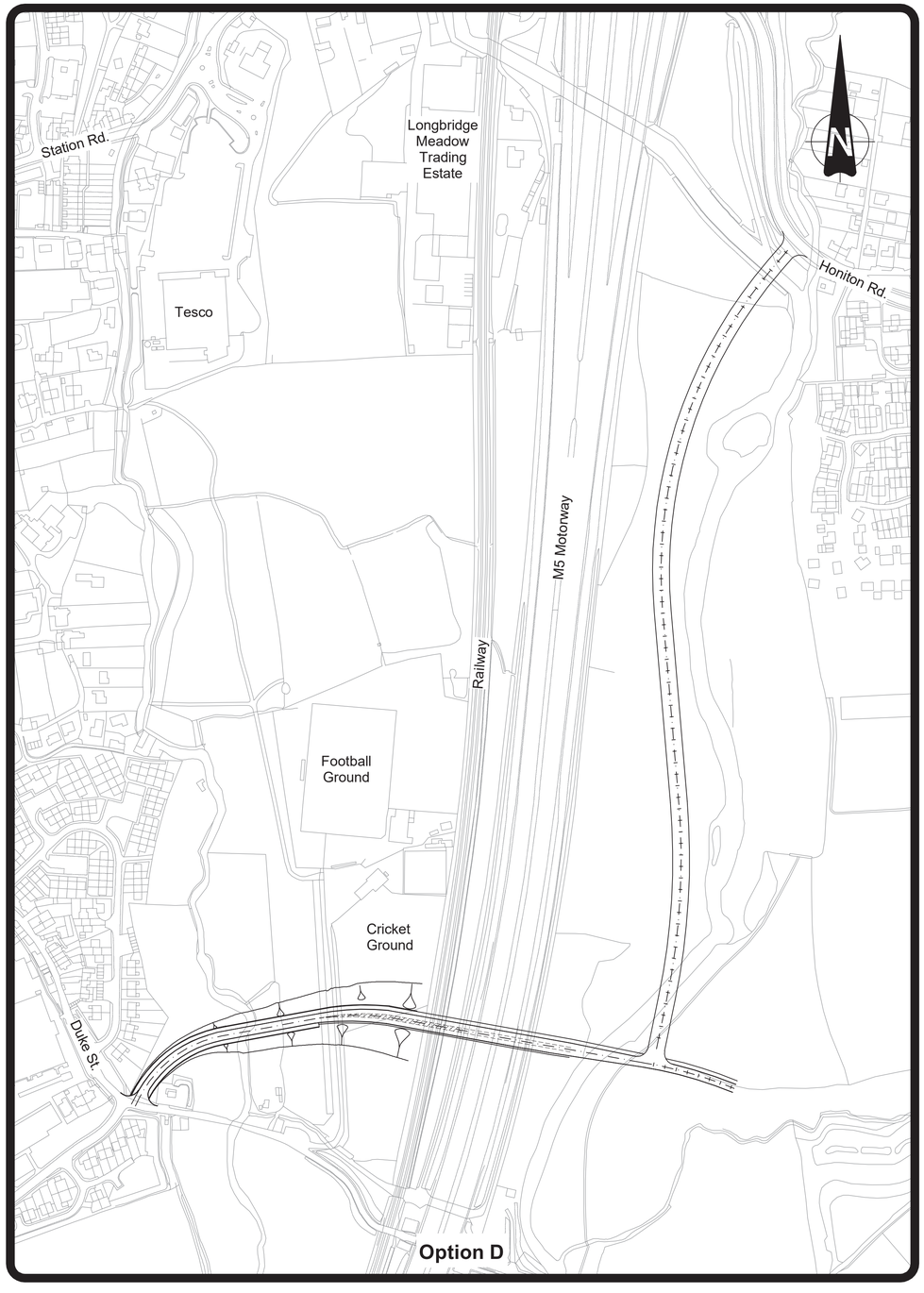
The Environment Agency advised that Option 4 would adversely affect the conveyance of flood waters increasing the risk of flooding to the M5, railway and other areas. The route would also involve many watercourse crossings which could require modifications to the river and result in deterioration in the ecological status. Option D is unacceptable to the Environment Agency and therefore has been excluded from further consideration and does not form part of the viable options within this consultation.

## Longmeadow Industrial Estate

Consideration was given to locating the northern section of a route alignment through the Longmeadow Industrial Estate when generating route options. A new highway junction in this location would not be physically viable due to the proximity constraint of the M5 junction 28 roundabout, existing developments and the River Culm. An alignment option in this area has therefore not been included within the options presented.




**Longmeadow Access Point**




**Option D**

# Cullompton Town Centre Relief Road - Future Proofing & Next Steps

## Future Proofing

### New Motorway Junction

The town centre relief road is seen as the first phase of wider highway improvements that will necessitate a more major transport improvement to junction 28 of the M5 motorway. This future, more significant improvement is likely to take the form of a new junction and is required to enable planned growth in and around Cullompton including a new community of up to 5,000 new homes to the east (Culm Garden Village). Each relief road option has been tested for compatibility with a potential new motorway junction.

The compatibility of each alignment with a potential new motorway junction is shown in the adjacent plans. Key requirements for compatibility include:

- New junction slip roads for Options B and C in a tight corridor due to the railway and the River Culm
- Duke Street motorway overbridge removal/reconstruction for Options B and C
- Option A can accommodate slip roads easier than B and C due to the area being less constrained
- Only south facing slip roads (northbound off-slip and southbound on-slip) would be provided due to highway safety

### Relief Road Southern Extension

All the option alignments connect to Duke Street, which is prone to flooding in this area; on these occasions the road would need to be closed.

To avoid the flooding and resultant closure, an extension of the relief road further south would be required. This would be above expected flood levels and necessary when it connects with a new motorway junction.

The adjacent drawings indicate potential connection points for a southern extension of the relief road for each Option. This is indicative only at this stage

## Next Steps

Following public consultation, the project team will collate and review the consultation responses along with further technical work. The objective of the review will be to establish a preferred route that provides the best balance of public acceptability, environmental impact, value for money and deliverability.

The project team will identify and recommend a preferred route.

A planning application for the preferred route would be expected to be submitted to MDDC as the Local Planning Authority. Due to both the area of the proposed planning application and environmental sensitivity of the study area, an Environmental Impact Assessment (EIA) will be required. An EIA constitutes a detailed assessment of all the environmental impacts of a scheme, which is undertaken in parallel with the design to minimise impacts and incorporate mitigation measures.

A full detailed flood risk assessment will also be prepared and accompany the application including any flood compensation/defence mitigation measures that may be required.

Following submission of the application, there will also be public consultation on the planning application.

## Making Representations

There are a variety of ways to provide feedback on this route option consultation:

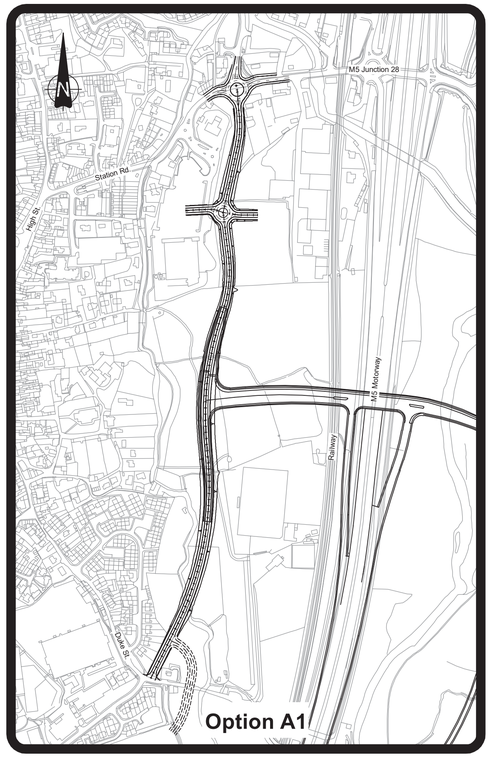
- Complete one of the feedback forms available at the consultation events and either place it in the box provided, scan/photograph the form and email it to transportplanning@devon.gov.uk or post a copy to:

  Transport Planning Team, AB2 Lucombe House, County Hall, Topsham Road, Exeter, Devon EX2 4QD

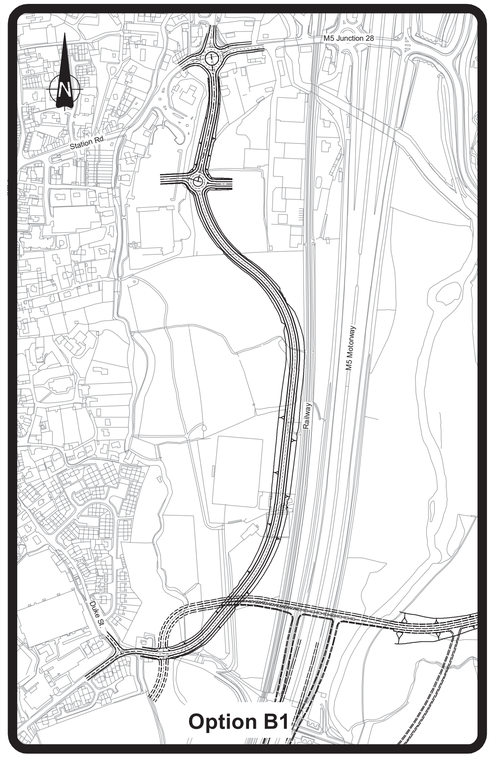
- Complete the online feedback form on the Devon County Council website - https://new.devon.gov.uk/haveyoursay/consultations/cullompton-town-centre-relief-road/

If you need more information or a different format please phone 0345 155 1015 or email transportplanning@devon.gov.uk

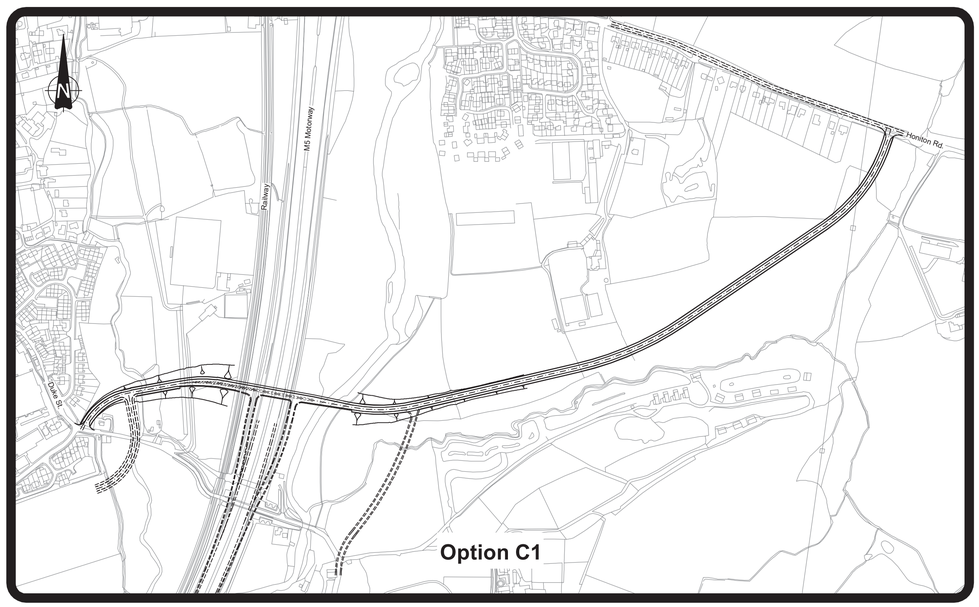
**The six week consultation period runs from 13th September to 25th October 2018.**



Option A1



Option B1



Option C1

# Appendix C. Tables of categorised comments from consultation responses

| | |
|---|---|
| Impact on CCA | 354 |
| Most effective | 45 |
| Proximity to residential area | 27 |
| Cheap | 19 |
| Disagree with all options | 18 |
| Won't resolve congestion | 17 |
| Least impact on sports facilities | 7 |
| Air impact | 5 |
| Direct | 5 |
| Environmental Impact | 3 |
| Reduces congestion | 3 |
| Wrong location | 3 |
| Alternative | 2 |
| Noise Impact | 2 |
| New motorway junction | 2 |
| Preserves sports pitches | 1 |
| Increased flood risk | 1 |
| Least impact on CCA | 1 |
| Expensive | 1 |

***Table 12: Option A categories and counts for each category***

| | |
|---|---|
| Least impact on CCA | 212 |
| Impact on CCA | 139 |
| Impact on sport facilities | 36 |
| Most effective | 29 |
| Won't resolve congestion | 19 |
| Disagree with all options | 18 |
| Alternative | 12 |
| Increased flood risk | 10 |
| Reduces noise | 5 |
| Proximity to residential area | 5 |
| Wrong location | 4 |
| Expensive | 4 |
| Environmental Impact | 3 |
| Improved air quality | 3 |
| Reduce air pollution | 2 |
| Cheap | 2 |
| Not futureproof | 2 |
| Direct | 1 |
| Congestion at Millennium Way | 1 |
| Good location | 1 |
| Positive environmental impacts | 1 |
| New motorway junction | 1 |
| Least worst | 1 |

***Table 13: Option B categories and counts for each category***

| | |
|---|---|
| Won't resolve congestion | 183 |
| Expensive | 104 |
| Most effective | 71 |
| Least impact on CCA | 64 |
| Futureproof | 23 |
| Disagree with all options | 19 |
| Impact on CCA | 16 |
| Environmental impact | 9 |
| Wrong location | 4 |
| Avoids CCA | 4 |
| Proximity to residental area | 2 |
| Least impact to residence | 2 |
| Congestion at J28 | 1 |
| Positive environmental impact | 1 |
| Least impact on CCA | 1 |
| Combination | 1 |
| Need Garden Village | 1 |
| Least worst | 1 |

***Table 14: Option C categories and counts for each category***

| | |
|---|---|
| Least impact on CCA | 226 |
| Most effective | 136 |
| Disagree with all options | 21 |
| No preference of options | 21 |
| Cheap | 16 |
| Futureproof | 12 |
| Least worst | 7 |
| Impacts CCA | 6 |
| Option D | 4 |
| Reduces noise | 3 |
| Avoids CCA | 3 |
| Least impact on sports facilities | 3 |
| Environment | 2 |
| Won't resolve congestion | 2 |
| Reduces air pollution | 1 |
| Best location | 1 |
| Proposed plan attached | 1 |
| Least impact to residence | 1 |
| Improved air quality | 1 |
| Need relief road | 1 |
| Impact on CCA | 1 |
| Combination of options | 1 |

***Table 15: Preferred option categories and counts for each category***

| | |
|---|---|
| Need relief road | 109 |
| New motorway junction | 75 |
| Restrict High Street access | 25 |
| Traffic redistribution | 18 |
| Disagree with all options | 18 |
| Alternative alignment | 11 |
| Impacts on CCA | 9 |
| Sustainable options | 7 |
| Parking | 4 |
| Least impact on CCA | 3 |
| Western Relief Road | 2 |
| Traffic study results | 2 |
| Won't resolve congestion | 2 |
| Junction 28 Signals | 2 |
| Alternative recreational area | 2 |
| Noise impact | 2 |
| Market Place residents | 1 |
| Improvements to CCA | 1 |
| Flood risk on CCA | 1 |
| Signals at Station Rd | 1 |
| Futureproof | 1 |
| Expensive | 1 |
| Further detailed study | 1 |
| Improve air quality | 1 |
| Child safety | 1 |
| No additional housing | 1 |

***Table 16: Additional comments categories and counts for each category***

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# Appendix C

## ECOLOGY REPORTS

# Ecological Assessment

# Cullompton Relief Road (CRR)



**Draft_V1**
**December 2018**

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Report Produced for **Mid Devon District Council**

**Written by: Martin Smith, Ecologist**

**Checked by: Jim Phillips, Principal Ecologist**

**Issue: V1**

**Date: November 2018**

## EXECUTIVE SUMMARY

- The site Cullompton Relief Road (CRR) consisted of agricultural and recreational land dissected by the M5 Motorway, Cullompton, Mid Devon (Central Grid Reference ST 02653 07128).
- The draft proposals for the site include the creation of a relief road within the site, this will necessitate the removal of internal hedgerows, grassland, and woodland.
- A phase 1 survey was undertaken on site which included an extended survey for protected species.
- An unconfirmed wildlife site; Helle Marsh, was located within southern boundary of the site.
- The habitats on site included running water, amenity grassland, poor semi-improved grassland, hardstanding, broadleaved woodland, hedge with trees, species poor, hedge with trees species rich, defunct species poor hedgerow, buildings, scattered scrub, and a single pond.
- The hedgerows, woodland, and riparian habitats were assessed to be the key ecological features on site.
- The site was assessed to provide suitable habitat for a range of species including otter, dormouse, a range of birds, and bats.
- Adult and juvenile dormice were recorded across the site during dormouse tube surveys
- A detailed report will be issued when the final proposals are issued.
- The detailed report will highlight the ecological constraints regarding the impact of the relief road on protected species and will provide recommendations such as appropriate mitigation, compensation, and enhancements.

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DRAFT

# 1 INTRODUCTION

## 1.0 Aims and objectives

The overall assessment has been informed by guidelines provided in the *'CIEEM guidelines for ecological report writing 2nd Edition,* 2017*'*. Further guidance in relation to surveys for protected species is detailed in the relevant sections within this report. The primary aims of the ecological assessment is to provide a robust evaluation of the potential impacts of the proposed scheme on ecological features that may be affected; with due regard to relevant local planning policy and legislation.

The ecological appraisal has the following objectives:

- to identify the existing habitats on site;
- to identify the potential for protected species;
- to establish baseline ecological conditions and determine the importance of ecological features present within the specified area;
- to identify if any further surveys are required with regards to protected habitats or species.
- to identify key ecological constraints to the project and make recommendations for design options to avoid significant effects on important ecological features/resources;
- to establish any requirements for further surveys or licensing;

## 1.1 Structure of Report

The following sections are included within this report:

- Legislative and planning context;
- Methodology;
- Background data search;
- Phase 1 habitat survey;
- Protected species results; and,
- Discussion

DRAFT

## 1.2 Site Location

The site was located at Cullompton, Mid Devon (Central Grid Reference ST 02653 07128 as shown on **Figure 1**.

*Figure 1: Site Location*




## 1.3 Development proposals

The development proposals included the creation of a relief road. A final layout has not been given to date.

The draft proposals included the creation of a road from the north to the south within the western section of the site. Several draft proposals also included the creation of an adjoining road located to the south of the site and running from west to east. The proposals require the removal of certain areas of habitat including internal hedgerows.

# 2 LEGISLATIVE AND POLICY CONTEXT

This section provides a summary of the legislative and planning context which has been used to inform the ecological assessment and subsequent recommendations made in this report. Appendix 1 sets out further details in relation to the most relevant legislation and policy.

## 2.0 Summary of Legislation

**The Habitats Directive** (together with the Birds Directive) forms the cornerstone of Europe's nature conservation policy. It is built around two pillars: the Natura 2000 network of protected sites and the strict system of species protection. All in all, the directive protects over 1,000 animals and plant species and over 200 "habitat types" (e.g. special types of forests, meadows, wetlands, etc.), which are of European importance. The habitats Directive and parts of the Birds Directive are transposed into legislation by the **Conservation of Habitat and Species Regulations 2017**. Further detail on legislation and designated sites is provided in appendix A1.2; with reference to the protection of Special Areas of Conservation (SAC) and Special Protection Areas (SPA).

**The Wildlife and Countryside Act 1981** (as amended) is a key piece of national legislation which implements the Convention on the Conservation of European Wildlife and Natural Habitats (Bern Convention) and implements the species protection obligations of Council Directive 2009/147/EC (formerly 79/409/EEC) on the Conservation of Wild Birds (EC Birds Directive) in Great Britain.

Badgers and their setts are protected under the **Protection of Badgers Act 1992** as amended by the Hunting Act 2004.

The **Natural Environment and Rural Communities Act 2006** (the NERC act) places a duty on all public authorities, including local planning authorities, to consider biodiversity in their work. Local planning authorities are to ensure that there is no net loss of biodiversity on a site, no net loss in habitat connectivity and aims to enhance biodiversity.

The **Hedgerows Regulations 1997** protect 'important hedgerows' from being removed (uprooted or destroyed). Hedgerows are protected if they are at least 30 years old and meet at least one of the criteria listed in part II of schedule 1.

Specific legislation related to different species such as bats, birds and reptiles is outlined in Appendix 1, A1.1.

## 2.1 Policy

The **National Planning Policy Framework (NPPF)** aims to minimise impacts on biodiversity and provide net gains in biodiversity where possible, contributing to the Government's commitment to halt the overall decline in biodiversity, including the establishment of coherent ecological networks more resilient to current and future pressures.

The UK Biodiversity Action Plan (UKBAP) was organised to fulfil the Rio Convention on Biological Diversity in 1992, to which the UK is a signatory.

There is no longer a UK Biodiversity Action Plan; this has been replaced by the **UK Post-2010 Biodiversity Framework (2012).** The England Biodiversity Strategy has been replaced by **Biodiversity 2020: A strategy for England's wildlife and ecosystem services (2011).** As a result, the BAP process has been devolved to local level with each county deciding its own way forward.

### 2.1.1 Local Policy

***Development Management Policies***

5.10 Major applications (defined in the glossary) should be accompanied by a habitat survey describing what flora and fauna are present on the site, with particular regard to protected species. In permitting the development, the Council must be satisfied that onsite biodiversity mitigation, where required, is sufficient to make the development acceptable in planning terms.

5.11 Green infrastructure provided within major development sites should normally serve a variety of purposes such as flood attenuation, leisure and recreation, provision of natural habitats, and shading and cooling of buildings and public areas. Green infrastructure functions can co-exist in one place, so the land coverage does not have to be extensive in every case. Green infrastructure within the site should be achieved as part of the broader objectives for sustainable design contained in Policy DM3 and high-quality design (Policy DM2). Applicants should have regard to the Town and Country Planning Association document, Biodiversity by Design, and should explore opportunities for green infrastructure to deliver wider environmental measures, such as those set out in the SW River Basin Management Plan.

5.25 County Wildlife Sites are undesignated sites selected because of the presence of important habitats or species. There are over 200 such sites in Mid Devon, representing a variety of habitats. Development proposals adversely affecting a County Wildlife Site will be considered on a case by-case basis, according to the amount of information available about the site and its significance, relative to the type, scale and benefits of the development being proposed. The same position will be taken on proposals that impact on Local Nature Reserves.

5.27 Policy DM30 affords protection to specific sites of significant wildlife or geological importance. The Council will also have regard to whether the application site is a priority habitat as defined in the UK Biodiversity Action Plan, including certain classifications of grassland, heathland, woodland or marsh. While the loss of irreplaceable habitats will not normally be permitted, the Council will seek the replacement of a priority habitat where it is significantly affected, and its replacement can be achieved, through a planning obligation as appropriate. The Countryside and Rights of Way Act 2000, the UK Biodiversity Action Plan and several other Regulations and Directives also designate protected species with legal protection. It is an offence recklessly or deliberately to kill, injure, capture or disturb protected species, which includes carrying out works which obstruct, damage or destroy access to that species habitat. These provisions are set out in law and apply in addition to relevant policies in the Local Plan.

# 3 METHODOLOGY

## 3.1 Background data search

A background data search was received from Devon Biodiversity Records Centre (DBRC) - June 2018. The search area included records of protected and notable species and non-statutory sites 2km from the proposed development site and statutory designated sites within 1km of the Site.

An additional search for granted European Protected Species (EPS) licenses was undertaken within 1.5km of the site boundary using publicly available information (DEFRA Magic map).

## 3.2 Phase 1 habitat survey

The Phase 1 habitat survey and mapping has drawn on guidance provided in the *Handbook for Phase 1 Habitat Survey - a technique for environmental audit* (JNCC 2010). A Phase 1 habitat survey was carried out on the 10th July 2018. The survey incorporated detailed assessment of the land within the development boundary, including a description and mapping of all key features and habitat types. The survey was carried out to identify the range of habitats within the site and the predominant and notable species of flora, including any invasive non-native species present.

## 3.3 Protected species surveys

The Phase 1 habitat survey has been extended to include an assessment for protected species in line with *Guidelines for Preliminary Ecological Appraisal, 2nd edition, CIEEM 2017*. Additionally, targeted surveys for bats were undertaken in the form of static detector surveys. Details of targeted surveys and general methodologies focusing on habitat suitability are described below.

### 3.3.1 NERC S. 41 Mammals

The survey included an assessment of the habitats on site for their potential to support NERC Section 41 species such as hedgehog *(Erinaceus europaeus)*, polecat *(Mustela putorius)*, harvest mouse *(Micromys minutus)* and brown hare *(Lepus europaeus)*. This included a search for nests, runs, latrines, paw prints, and live specimens.

### 3.3.2 Badger

The survey for badger *(Meles meles)* included a search of the development site for any evidence of badgers, including setts, foraging signs (snuffle holes), runs and latrines.

### 3.3.3 Hazel Dormouse

120 dormouse tubes were deployed in suitable habitat across the site on 26th July 2018 at roughly 20 metre intervals. The tubes were checked once a month between July – November 2018 under the supervision of Roger Martindale who holds a Natural England Class License for surveying dormice. Table 1 below (taken from **Table 5** of the *Dormouse Conservation Handbook*) shows the index of probability of finding evidence of dormouse in nest tubes. The score is based on 50 tubes deployed (doubled for 100 tubes and halved for 25 tubes) and a minimum score of 20 must be reached to determine presence/likely absence. The months and scores highlighted in red show the dates when the 120 dormouse tubes were deployed on site.

*Table 1: Presence/absence likelihood*

| Month | Score |
|---|---|
| *April* | *1* |
| *May* | *4* |
| **June** | 2 |
| **July** | **2** |
| **August** | **5** |
| **September** | **7** |
| **October** | **2** |
| ***November*** | ***2*** |
| **Total x 2 for over 100 tubes** | **36** |

### 3.3.4 Otter

A detailed otter survey was undertaken across the study area on 9th July 2018. The surveys involved searching along the banks of the River Culm, ditches and a small brook within the west of the site for signs of otter activity.

The methodology was informed by English Nature's advice sheet Monitoring the Otter, Conserving Natura 2000 Rivers Monitoring Series No. 10 and the national otter survey of Wales 2002. Principal field signs for otter are:

- Holts - underground shelters, often found under tree roots, in rock piles, earth banks, and can be located within existing structures such as badger setts, rabbit burrows, fox earths. Above ground shelters in dense scrubby vegetation.
- Couches - lying up places above ground. Often found in long grasses, dense vegetation or rushes near watercourses or in wetland areas.
- Feeding sites - where food remains are found, mainly fish, shellfish or amphibians.
- Spraints - faeces left by the otter, showing food remains. Typically, in prominent positions on rocks, trees or tree roots, beneath bridges, at crossing points of fences or walls, or confluence of river systems.
  Spraints can be placed in one of three categories: old, recent or fresh. This provides some indication of the level and most recent occurrence of activity.
- Tracks - otter tracks (typically footprints) are highly distinctive and diagnostic and clearly differentiated from mink tracks by both size and shape.

### 3.3.5 Water vole

Standard survey methodology based on that found in the 'Water Vole Conservation Handbook' 2nd edition (*Strachan 2006*) was undertaken on the 9th July 2018. Surveys were undertaken during the optimal period - May to September when voles are active.

Data was recorded on the standard water vole survey form (*Strachan et al.*) which records background and habitat information, which can inform the relative suitability of a water body for water voles. Presence of water voles is recorded and includes: number of sightings, number of latrines, number of burrows and presence of other evidence (footprints, feeding remains etc). All water bodies within the site have been visited on foot by experienced surveyors. The survey entailed a search for the following evidence:

- Sightings;
- Footprints;
- Run-ways in vegetation;
- Burrows;
- Lawns;
- Nests;
- Feeding stations;
- Faeces and latrines.

### 3.3.6 Bats

The methodology for the bat survey has been informed by the Bat Conservation Trust *Bat Surveys Good Practice Guidelines 2016.* The habitats on site were assessed for their suitability for foraging and commuting bats and the potential for roosting bats. Additionally, the following surveys and assessment were undertaken:

#### 3.3.6.1 Bats: Habitats

The habitats on site were assessed for their suitability to support foraging and commuting bats. The assessment looked at availability of suitable habitat and connectivity features in the wider landscape.

#### 3.3.6.2 Bats: Preliminary roost inspection

Physical external inspection of the buildings and an inspection for potential roosting features of the trees on site were undertaken by the surveyor using the equipment described below to assist the inspection. A CLU-10 (1 million candlepower) searchlight fitted with a red filter was used to search dark areas for signs of bats. Pentax 0.5m Papilio (8.5x21) close focusing binoculars were used to view areas inaccessible on foot.

The physical search includes a search for live animals and a search for other signs that give an indication of past or present occupancy as outlined below. In the case of bats, typical indicators include droppings (which are characteristic and can often be speciated or at least

be indicative of species type), signs of staining, urine splashing, characteristic odours, and accumulations of discarded prey remains.

#### 3.3.6.3 Bats: Static activity surveys

Passive bat detector surveys were used to identify levels of bat activity on the Site, as recommended in BCT Survey Guidelines. Passive bat detectors can provide a greater understanding of the bat species using the Site and identify patterns in bat activity over long periods of time.

Four Wildlife Acoustics Song Meter 4 (SM4) passive bat detectors were deployed in suitable locations on site **(Figure 7)**. This provided an assessment of bat activity across the site and highlighted areas of high activity. All calls recorded were analysed using Kaleidoscope Software. Two additional detectors were deployed on site but failed to record; discussed in limitations section 3.5.

*Figure 2: Detector locations*

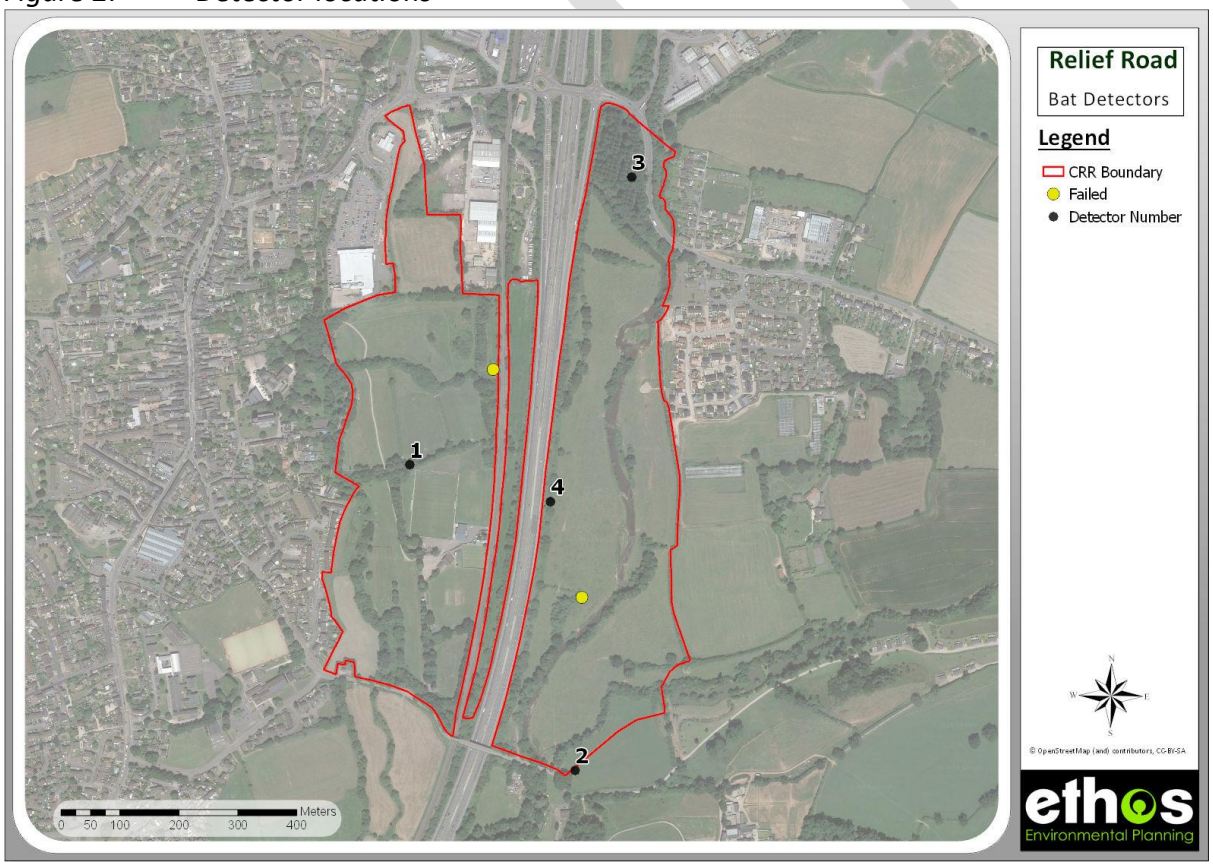


*Table 2: Statics on site*

| Detector Number | Detector | Deploy Date | Collect date | Nights Recorded |
|---|---|---|---|---|
| 1 | SM4 ZC | 10/07/2018 | 26/07/2018 | 16 |
| 2 | SM4 ZC | 23/08/2018 | 30/08/2018 | 7 |
| 3 | SM4 ZC | 22/07/2018 | 30/08/2018 | 8 |
| 4 | SM4 ZC | 30/08/2018 | 24/09/2018 | 25 |

#### 3.3.6.4 Bats: Activity Surveys

Three activity surveys were undertaken on site. These involved surveyors walking a transect around the site for approximately 2 hours after sunset; see below.

*Table 3: Activity surveys*

| Survey Night | Transects |
|---|---|
| 10th July 2018 | 3 |
| 23rd August 2018 | 2 |
| 27th September 2018 | 2 |

#### 3.3.6.5 Advanced bat surveys

Given the landscape scale of the development, determining the sex and breeding status of key bat species is also considered essential for the appropriate evaluation of the sites importance, which only bat trapping can achieve. The aims of the surveys are to:

- Further investigate the status of barbastelle and horseshoe bats at the proposed Garden Village site with an emphasis on woodland habitats and tree lines during the breeding season (May to September 2018);
- Radio-track key individuals using the site to locate breeding roosts of barbastelle, possibly Bechstein's *Myotis bechsteinii*, greater horseshoe *Rhinolophus ferrumequinum*, lesser horseshoe *Rhinolophus hipposideros* and the tree roosting species Natterer's *Myotis nattereri*, noctule *Nyctalus noctula* and Daubenton's *Myotis daubentonii* bats to determine activity patterns and habitat use; and
- Present a robust baseline of the use of the site and surrounding areas by a range of bat species, from which effective assessment of impacts can be made, and mitigation measures developed, including appropriate roost protection measures, lighting design, bat road crossing mitigation and detailed landscaping/planting inventories and habitat management.

### 3.3.7 Birds

The bird survey included an assessment of the habitats on site for their potential to support breeding birds. Surveyors were equipped with Barr and Stroud 8 x 42 binoculars and any bird species observed during all site visits were recorded.

### 3.3.8 Reptiles

The survey methodology for this assessment was informed by the Froglife Advice Sheet 10 – Surveying for Reptiles. One hundred refugia were positioned in suitable habitat on site, focusing on the grassland fringes and scrub. Whilst the site red line boundary totalled approximately 50 ha, the vast majority of this was heavily grazed semi-improved grassland which was assessed to be unsuitable for reptiles. Approximately ten percent of the site was assessed to provide suitable habitat for reptiles. Mats were therefore deployed at a density of 20 per ha, which doubles the maximum refugia rate in Froglife (5 – 10 per ha). The reptile mats were deployed on site on 4th July 2018.

A search of natural refugia and basking areas was also undertaken during site surveys.

Surveys were targeted to areas most likely to contain reptile habitats and to those areas that may be disturbed as part of the scheme and also (to maximize the encounters with reptiles) searches were undertaken when the air temperature was between 9°C and 18 °C with intermittent or hazy sunshine, little or no wind, and no rainfall.

### 3.3.9 Amphibians

The habitats on site were assessed for their potential to support amphibian species, including great crested newts (*Triturus cristatus)* (GCN). Surveys for GCN were informed by the *Great Crested Newt Conservation Handbook,* Froglifea 2001. The site was examined for suitable waterbodies and for breeding terrestrial habitat. Terrestrial habitats providing sufficiently structured vegetation in which amphibians may forage or hibernate over winter were also surveyed for. In addition to the on-site assessment, *Great Crested Newt Mitigation Guidelines* (English Nature, 2001) recommend that a desktop analysis of ponds within 500m of the site be undertaken, to identify any potential breeding ponds which may require further survey. Ponds within 500m of the site were mapped on GIS with an OS OpenData base map at 1:10,000 resolution.

**HSI Scoring**

HSI (Habitat suitability Index) assessments for GCN were undertaken on a single pond on site as well as three other ponds within a 500m radius of the site boundary. The HSI assessments were undertaken on the 9th June 2018 by a suitably experienced ecologist.

### 3.3.10 White Tailed Crayfish

Surveys for white-clawed crayfish (*Austropotamobius pallipes*) was undertaken using the manual searching methodology. On 9th June 2018, surveys were undertaken including a search along the river banks for live specimens or evidence of predated crayfish on the shore.

### 3.3.11 Insects

An assessment of the habitat on site for insects was undertaken, including the need for additional targeted surveys.

## 3.4 Personnel

Surveyors included Charlie Fayers, BSc (Hons), ACIEEM, Sarah Forsyth, BSc (Hons), ACIEEM, Rachel Fayers BSc (Hons) ACIEEM, Roger Martindale, BSC Hons), MSC. CEnv, MCIEEM, Matt Attrill BSc (Hons) grad CIEEM, Martin Smith BSc (Hons) Grad CIEEM, Joel Moore BSc (Hons), Steph Green MSc (Hons), and Katie Mitchell (Intern from Exeter University).

Charlie, Rachel and Sarah are qualified ecologists with over five years' experience of practical field ecology experience and are associate members of the Chartered Institute of Ecology and Environmental Management (CIEEM). Martin, Matt, and Steph are graduate members of CIEEM and between them hold Natural England bat and GCN licenses.

Roger Martindale (Alder Ecology) is an associate of Ethos and holds a Natural England dormouse license. Roger has worked on numerous projects with Ethos.

The survey team have worked together on numerous similar projects and have a complimentary range of skills and experience which are considered to have provided a robust ecological appraisal of the site.

## 3.5 Limitations

Two SM4 ZC bat detectors failed during deployment and did not record. This included two detectors deployed between the 10th – 26th July from different location on site **(see figure 7)**.

Reptile mats were deployed on site in line with the methodology. However, all of the reptile mats were removed across the site. Therefore, no further surveys were undertaken. Results within section 6.6 were of incidental records during site visits and systematic searches of natural refugia.

Pond 1 (P1) was dry at the time of survey and surveys were initiated in July. Therefore, GCN surveys were not undertaken within this assessment.

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# 4 BACKGROUND DATA REVIEW

Previous surveys by Ethos were undertaken on a site approximately 500m east of the site boundary (Preliminary Ecological Appraisal, 2016). This included previous dormouse and GCN surveys. These surveys were used to inform the protected species results within this report.

A background data search was also provided by Devon Biodiversity Records Centre (DBRC) 4th June 2018.

The background data search included a 2km search for all species and statutory and non-statutory sites and an additional 4km search radius for bats and bat roosts.

## 4.1 Notable Sites

### 4.1.1 Statutory Sites

There were four ASNW (Ancient Semi-Natural Woodland) within the data search.

No other statutory sites within the data search. See below **(Figure 8)**.

*Figure 3: Statutory Sites*



### 4.1.2 Non Statutory Sites

There was one UWS (Unconfirmed Widlife Site) on site. This included Cullompton Hele Marsh, a possible flooodplain grazing marsh located within the western section of the site (**Figure 9**). Willand Marsh UWS was also located 200m north of the site and extended 5km north of the site boundary.

*Figure 4: Non Statutory sites provided by Devon Biological Records Centre*

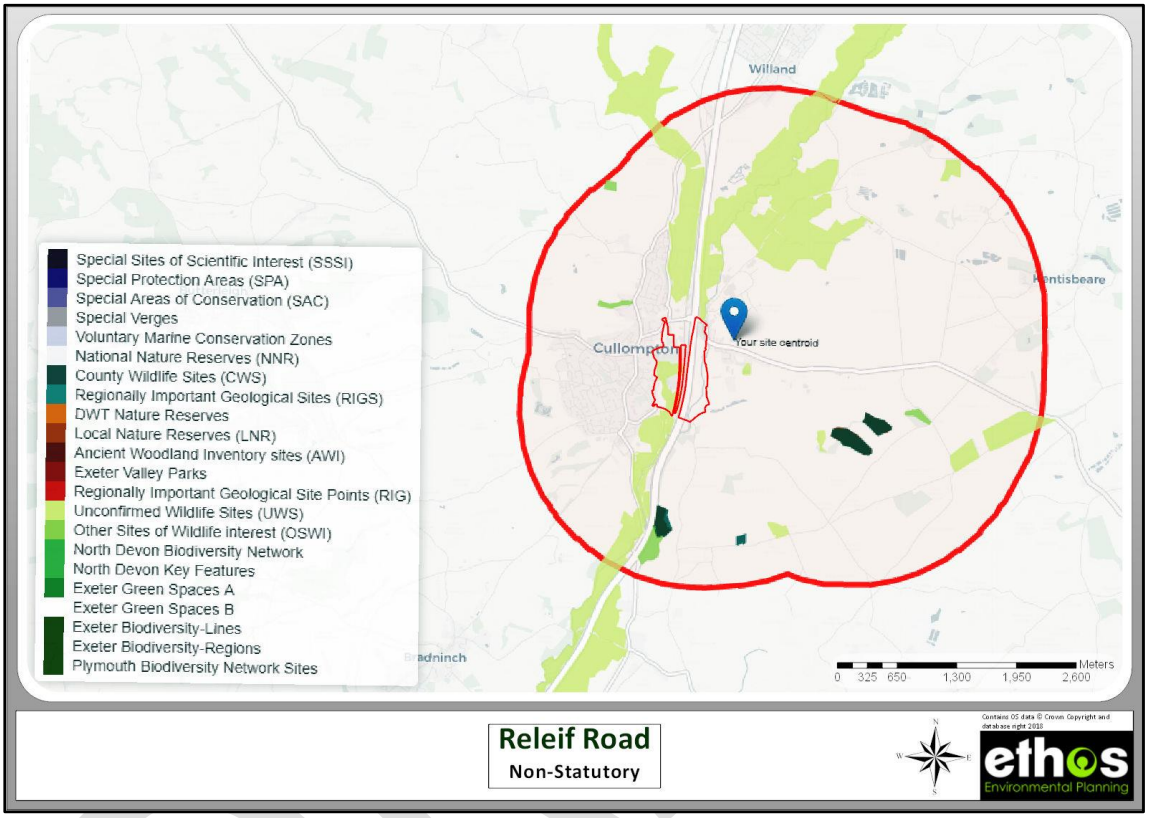



*Table 4: Non-statutory sites*

| Site Name | Grid Reference | Distance from Site | Description | Status |
|---|---|---|---|---|
| Knight's Wood | ST023055 | 1km south | Ancient semi-natural woodland | CWS |
| Aller Wood | ST045064 | 1.6km east | Plantation on ancient woodland site, wet in areas | CWS |
| Weekes Farm Orchard | ST032053 | 1.5km south | Traditional ridge and furrow orchard | CWS |
| Bourne Wood | ST018092 | 2km north | Wet secondary broadleaved woodland | OSWI |
| St.Andrew's Hill | ST019079 | 600m north-west | Semi-improved neutral & marshy grassland | OSWI |
| Peverstone Embankment | ST022052 | 1km south | Unimproved neutral grassland with scrub | OSWI |
| Maddock's Farm | ST052066 | 2km east | Mixed plantation with a pond | OSWI |
| Kentis Moor | ST062065 | 3km east | Secondary woodland | UWS |

| | | | | |
|---|---|---|---|---|
| Aller Wood (West) | ST041064 | 1.3km south-east | Broadleaved woodland | UWS |
| Gardener's Covert | ST056094 | 3.3km north-east | Broadleaved woodland | UWS |
| East Culm House | ST032071 | 340m east | Pond with amphibian interest | UWS |
| Willand - Cullompton Marsh | ST027096 | 2km north | Possible floodplain grazing marsh | UWS |
| Sherwoods (E) | ST036053 | 1.4 south-east | Orchard | UWS |
| Cullompton - Hele Marsh | ST016045 | within site boundary | Possible floodplain grazing marsh | UWS |
| Culmstock - Willand Marsh | ST067122 | 6km north-east | Possible floodplain grazing marsh | UWS |
| KNIGHTS WOOD | ST023054 | 1km south | Ancient & Semi-Natural Woodland | ASNW |
| No Name | ST044063 | 1.6km east | Ancient Replanted Woodland | PAWS |
| No Name | ST047065 | 1.7km east | Ancient Replanted Woodland | PAWS |

## 4.2 Notable Species

### 4.2.1 Amphibians

- The site was located within the Mid Devon GCN *(Triturus cristatus)* consultation zone.
- Two records of GCN were submitted within the data search; this included a record from the fishing lakes **(P3)** 300m east of the site, another record was submitted from Cullompton Ponds 600m south of the site. Both records were submitted post 2014.
- Four records of common frog *(Rana temporaria)* were submitted within the data search, three records were submitted from a pond over 1km south-west of the site, one from Court Drive 1km north west of the site, and another from Higher Nursery Down 1km south-east.
- Two common toad *(Bufo bufo)* records were submitted in the search, one over 2km north of the site boundary and the other 1.6km south of the site boundary.

### 4.2.2 Birds

- Birds within the data search included swift *(Apus apus)*, common bullfinch *(Pyrrhula pyrrhula)*, house sparrow *(Passer domesticus)*, and mallard *(Anas platyrhynchos)*.
- Wildlife and Countryside Act (WCA) schedule 1 species included red kite *(Milvus milvus)*, barn owl *(Tyto alba)*, and kingfisher *(Alcedo atthis).*
- Three records of kingfisher *(Alcedo atthis)* were submitted within the site boundary.

### 4.2.3 Mammals (Excluding bats)

#### 4.2.3.1 Badger

- There were 11 records of badger *(Meles meles)* submitted within the data search since the year 2000.
- 5 records were submitted from the M5 motorway which dissects the site from north to south.
- One record was submitted 900m south of the site, one from 1.17km west of the site, and two records over 2km east of the site.
- No records were submitted from within the site boundary.

#### 4.2.3.2 Brown hare

- One record of brown hare *(Lepus europaeus)* was recorded over 2km north west of the survey site.

#### 4.2.3.3 Otter

- Five records of Otter *(Lutra lutra)* were submitted within the data search.
- Four records were associated with the River Culm, within the site boundary.
- One record was submitted 800m west of the site, whilst the other records were over 1km from the site boundary.

#### 4.2.3.4 Dormouse

- Three records were submitted within the data search.
- Two records were submitted from Middle lane adjacent to the north western section of the site, 2006.
- The other record was submitted over 2km east of the site boundary.
- Dormouse *(Muscardinus avellanarius)* were recorded by Ethos 2017, north of the Honiton Road, 700m east of the site.

#### 4.2.3.5 Polecat

- One polecat *(Mustela putorius)* was recorded from the Plymtree area, 1.6km south-east in 2015.

#### 4.2.3.6 Hedgehog

- Three records of hedgehog *(Erinaceus europaeus)* were submitted within the data search.
- Two records submitted in 2016 were recorded from gardens over 1km west of the site.
- The other record was submitted 400m west of the site in 2009.

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### 4.2.4 Invertebrates

- Invertebrates recorded within the last ten years included cinnabar moth (*Tyria jacobaeae*), jersey tiger (*Euplagia quadripunctaria*), rosy rustic (*Hydraecia micacea*), and small square spot, (*Diarsia rubi*).
- No records of white-clawed crayfish (*Austropotamobius pallipes*) were returned within the data search.

### 4.2.5 Plants

- Plant species returned were predominantly invasive WCA schedule 9 species.
- This included twelve records of Japanese knotweed (*Fallopia japonica*), two of Himalayan Balsam *(Impatiens balsamina)*, rhododendron *(Rhododendron ponticum)*, and floating pennywort (*Hydrocotyle ranunculoides*).
- Records of Himalayan balsam and Japanese knotweed were both returned within the site boundary.

### 4.2.6 Bats

- Bat species returned within the 4 km search radius within the last ten years included: common pipistrelle *(Pipistrellus pipistrellus)*, brown long-eared bat *(Plecotus auritus)*, lesser horseshoe bat *(Rhinolophus hipposideros)*, soprano pipistrelle *(Pipistrellus pygmaeus)*, whiskered bat *(Myotis mystacinus),* noctule bat *(Nyctalus noctula)*, Daubenton's bat *(Myotis daubentonii)*, and Brandt's bat *(Myotis brandtii)*.
- One record of pipistrelle bat was recorded within the site boundary in 2014.

#### 4.2.6.1 Pipistrelle Roosts

- Three records of pipistrelle roosts were returned within the last ten years.
- This included an occasional roost within a building, Cockpit Road, 300m west, in 2015.
- Twenty bats emerging from a structure, Old Hill Barn, 300m south of site, 2014.
- A day roost at Newlands Farm, 1.3km east of site, 2015.

#### 4.2.6.2 Brown long-eared roosts

- Six brown long-eared roosts were returned within the past ten years.
- One was 300m west in Cockpit Hill; bats observed emerging from the structure.
- Two bats were observed emerging from a barn at Upton Lakes, 300m east.
- Three records from Newlands Farm were returned 1.3km east of the site in 2015.

#### 4.2.6.3 Lesser horseshoe roosts

- Three roosts were returned within the data search.
- A transitional roost was returned from Upton Lakes, 300m east, 2013.

- A night roost was recorded from an agricultural building at Newlands Farm, 13km east, 2015.
- A single bat was recorded flying within a stable, Newlands farm, 1.3km east, 2013.

## 4.3 Granted EPS licenses

- Granted license for dormouse, 1.2km north-east, start date:2018
- Common pipistrelle and brown long-eared, 1.2km north-west, start date: 2011
- Brown long-eared and lesser horseshoe, 800m south east, start date:2014

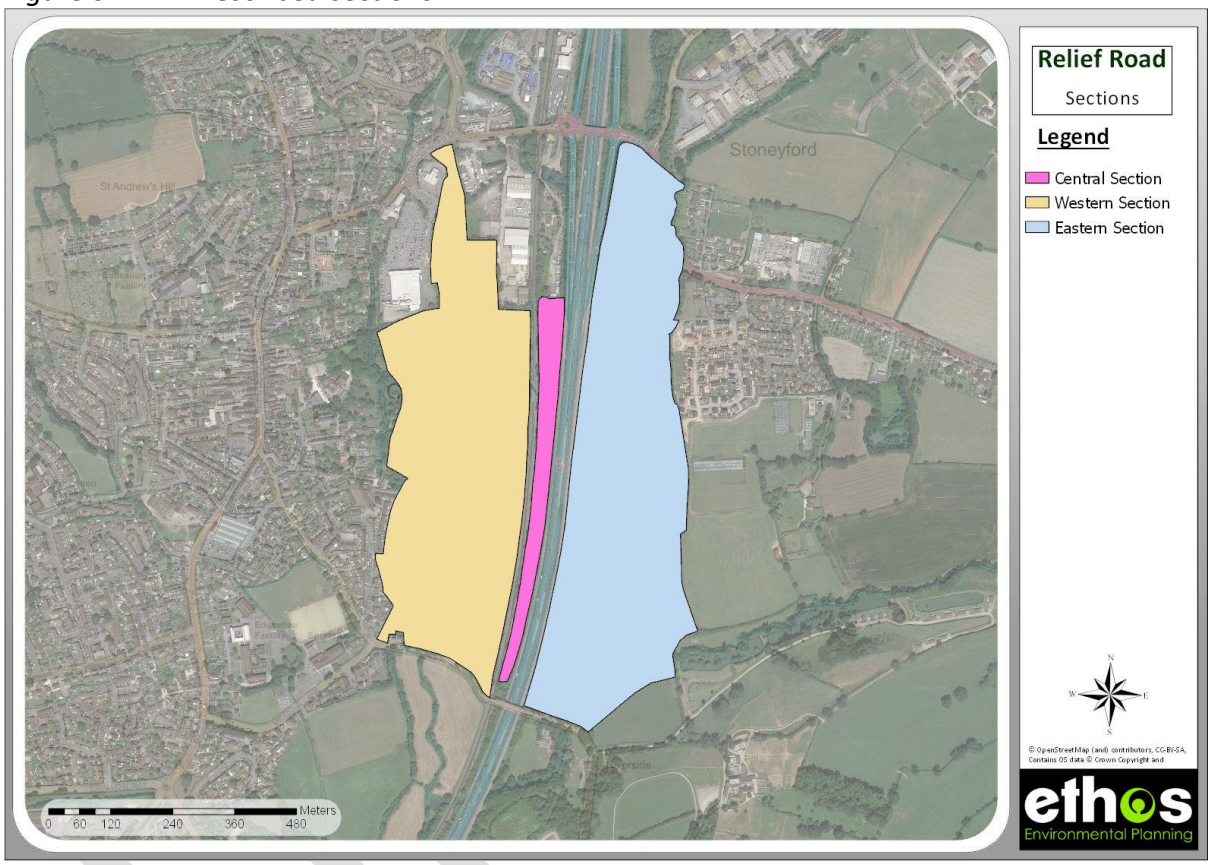
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# 5 PHASE 1 HABITAT SURVEY

## 5.1 General site description

The site consisted of three sections: the western section, central section, and eastern section. These sections are described below

*Figure 5: Described sections*




***Western Section***
The western section was dominated by grassland and contained the Cullompton Community Association fields sport grounds. The north of the western section was dominated by semi-improved grassland with sections of woodland, scrub, and hedgerow. The south was also dominated by grassland with sections of woodland and a small tributary which flows into the River Culm. The western section was bordered by residential properties to the west, industrial buildings to the north, and agricultural land to the south. The section was divided from the central section by the railway which ran from north to south.

***Central section***
The central section was a linear strip of grassland and scrub. The central section was bordered by a railway to the west, the M5 Motorway to the east, and commercial units to the north.

***Eastern Section***
The eastern section was dominated by permanent pasture which was cattle grazed. There was a woodland plantation to the north and several areas of scattered trees along the west

of the site. The River Culm ran through the site entering south of the plantation and then running through the centre of the section. The eastern section was bordered by the M5 to the west and agricultural land to the south, the south east of the site was adjacent to the Upton Lakes fishing lakes and an extensive area of woodland which extends over 1.7km south of the site boundary.

## 5.2 Habitat description

**Figure 10** shows the key habitats using the Phase 1 habitat classifications. The key features described within this section are:

- Scattered Trees (A3.1)
- Broadleaved woodland plantation (A1.1.2)
- Broadleaved woodland semi-natural (A1.1.1)
- Buildings (J3.6)
- Cultivated disturbed land, amenity grassland (J1.2)
- Hardstanding (J5)
- Hedge with trees – native species rich (J2.3.1)
- Hedge with trees – species poor (J2.3.2)
- Neutral Grassland – semi-improved (B2.2)
- Poor semi-improved grassland (B6)
- Running water (G2)
- Standing water (G1)

*Figure 6: Phase 1 Habitat Map*



### 5.2.1 Scattered Trees

There were sections of scattered trees within the eastern section of the site. This habitat was located along the River Culm to the south. There was also a linear strip to the north of the eastern section. The habitat was dominated by willow *(Salix)* to the south whereas the habitat was comprised of trees such as blackthorn *(Prunus spinosa)*, apple *(Malus domestica)*, hawthorn *(Crataegus monogyna)*, and oak *(Quercus spp.)* to the north. The understorey was dominated by grasses with some patches of brambles to the north of the site.



*Photo 1: willow along the River Culm*



*Photo 2: Scattered tree – eastern section*

### 5.2.2 Broadleaved Woodland Plantation

The plantation was located to the north of the eastern section of the site. The plantation was dominated by white poplar *(Populus alba)*. Other species included field maple *(Acer campestre)*, sycamore *(Acer pseudoplatanus)*, hawthorn *(Crataegus monogyna)*, willow *(Salix)*, and English oak *(Quercus robur)*. The woodland had a good vegetative understorey comprised of bramble *(Rubus fruticosus)*, common nettle *(Urtica dioica)*, curly dock (*Rumex crispus*), tansy (*Tanacetum vulgare*), ox eye daisy (*Leucanthemum vulgare*), St John's wort (*Hypericum perforatum*). The northern section of the site also contained buddleia (*Buddleia davidii*), and Himalayan balsam (*Impatiens balsamina*).



*Photo 3: Woodland plantation*

### 5.2.3 Broadleaved Woodland semi-natural

Much of the woodland on site was located within the western section. This included several woodland copses. A copse to the south of the site contained species such as ash *(Fraxinus excelsior)*, hazel *(Corylus avellana)*, and crack willow *(Salix)*. The woodlands understorey was comprised of common nettle and hemlock, (*Conium maculatum*).

Another coppice located to the north of the western section was dominated by ash with field maple, elder *(Sambucus nigra)*, hawthorn, English elm *(Ulmus procera)*, and hazel. There were multiple trees with bat root potential within the woodland further discussed within section 7.4 of this report.



*Photo 4: Woodland copse*



*Photo 5: Ash within copse*

### 5.2.4 Buildings

There were several structures within the western section of the site. These are described in further detail within section 6.4.2



*Photo 6: Corrugated tin shed*




*Photo 7: Building located at sport ground*

### 5.2.5 Cultivated disturbed land, amenity grassland

The western section of the site was dominated by intensively managed, short sward amenity grassland consisting of play areas and sports fields. The habitat was assessed to hold low botanical diversity and low value for protected species. Species included: perennial rye grass

(*Lolium perenne*), creeping buttercup (*Ranunculus repens*), broad-leaved plantain (*Plantago major*), sheep fescue (*Festuca ovina*), meadow foxtail (*Alopecurus pratensis*), and cock's foot (*Dactylis glomerata*).



*Photo 8: Sports ground*



*Photo 9: Amenity grassland*

### 5.2.6 Hardstanding

Hard standing comprised of concrete was located adjacent to the structures in the western section of the site. There was also an access road to the west and a path which led to the north west of the site. The hardstanding was in a good structural condition with low/negligible potential for wildlife.




*Photo 10: Hardstanding*

### 5.2.7 Neutral Grassland – semi-improved

***Eastern section***

The eastern section of the site was dominated by semi-improved grassland. The grassland was grazed by cattle and was dominated by grasses. Species included: perennial rye, Yorkshire fog *(Holcus lanatus)*, yarrow *(Achillea millefolium)*, crested-dogs tail, (*Cynosurus cristatus*), common brome (*Bromus*), cock's foot, silver-weed, (*Argentina anserine*) and bird's-foot trefoil (*Lotus corniculatus).* There were also extensive stands of creeping thistle *(Cirsium arvense)* present to the south of the site.



*Photo 11: Grazed grassland*



*Photo 12: Grassland with low sward height*

***Central Section***

The grassland within the central section was cattle grazed with some herbaceous rich sections. The species consisted of perennial rye grass, Yorkshire fog, cock's foot, creeping thistle, white clover *(Trifolium spp.)*, broad-leaved dock *(Rumex obtusifolius)*, timothy *(Phleum pratense)*, creeping buttercup, red fescue *(Festuca rubra)*, lesser stitchwort (*Stellaria graminea*), bird's-foot trefoil, yarrow, black medic (*Medicago lupulina*), and Himalayan balsam.



*Photo 13: Central section*



*Photo 14: Creeping thistle*

***Western Section***

There were several areas of semi-improved grassland present to the west of the site. These sections were located within the north and west of the western section.

These areas were cattle grazed and were cut for hay. Several of the areas were cut by the time of the survey. A section to the north was not cut at the time of the survey with a subsequent increased sward height. However, the grassland was dominated by grasses and was assessed to have low/moderate botanical diversity.

Species included Yorkshire fog, creeping thistle, common ragwort *(Senecio jacobaea)*, creeping buttercup, perennial rye grass, broad-leaved plantain, meadow foxtail, cock's foot, and false oat *(Avena sativa)* at the boundaries of the site. Patches of yellow rattle *(Rhinanthus minor)* were also identified.



*Photo 15: Semi-improved grassland*



*Photo 16: Unmanaged section in north*

### 5.2.8 Poor semi-improved

A section of poor semi-improved grassland was located at the west of the site. Species included false oat grass, common nettle, greater willowherb *(Epilobium spp.)*, creeping thistle, silverweed, broad-leaved dock, and hedge bindweed *(Calystegia sepium)*. Several trees were included within the grassland including ash *(Fraxinus excelsior)* and sycamore *(Acer pseudoplatanus)*.



*Photo 17: Poor semi-improved*



*Photo 18: Grassland sward*

### 5.2.9 Running Water

***Western Section***

A tributary of the river Culm traverses the west boundary and south-western section of the site. Features of the stream included a weir which runs under a house and a small island which contained species such as rushes *(Juncaceae spp.)* and pendulous sedge (*Carex pendula).* The stream was predominantly natural with banks comprised of ruderal vegetation and trees. However, some sections such as the weir and bridge were man made, constructed of stone and brick, with fewer natural features.



*Photo 19: Tributary of the River Culm*



*Photo 20: Western section*

***Eastern Section***

The River Culm ran through the eastern section of the site from the north to the south. A small stream also fed into the river from the woodland plantation to the north and another stream entered the river to the south. There was also a running ditch that ran to the west of the northern section which ran adjacent to the motorway. The River Culm had large banks and was bordered by cattle grazed semi-improved grassland. There were several small islands within the river comprised of scrub, rushes, and some mature trees (See photo 22). The river was bordered by trees in the south, dominated by willow *(Salix)*. Vegetation along the river banks included burdock (*Arctium lappa*), mugwort (*Artemisia vulgaris*), bramble, willowherb, hazel, elder, alder *(Alnus glutinosa)*, purple loosestrife *(Lythrum salicaria),* and Himalayan balsam.



*Photo 21: River Culm with heavily grazed banks*



*Photo 22: Island within river*

### 5.2.10 Standing Water

A pond was located within Western Hedgerow 6 (WH6) (Figure 12) within the western section of the site. The pond was dry at the time of the survey.

There were multiple ponds east of the site boundary discussed further within the protected species results (section 7.7)

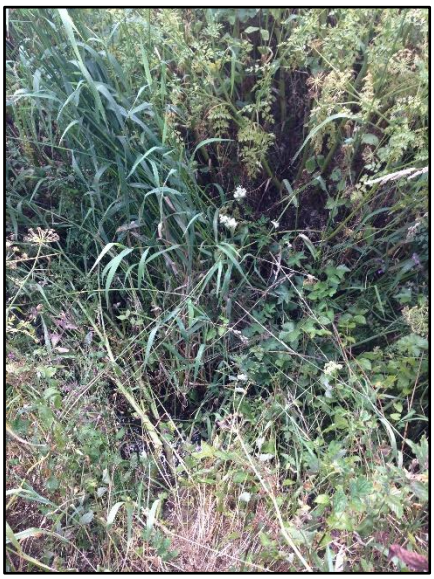


*Photo 23: Dried pond P1*

## 5.3 Hedgerows

There were multiple hedgerows on site. These were described in western (W), central (C), and eastern (E) sections, given below:

*Figure 7: Hedgerow map*

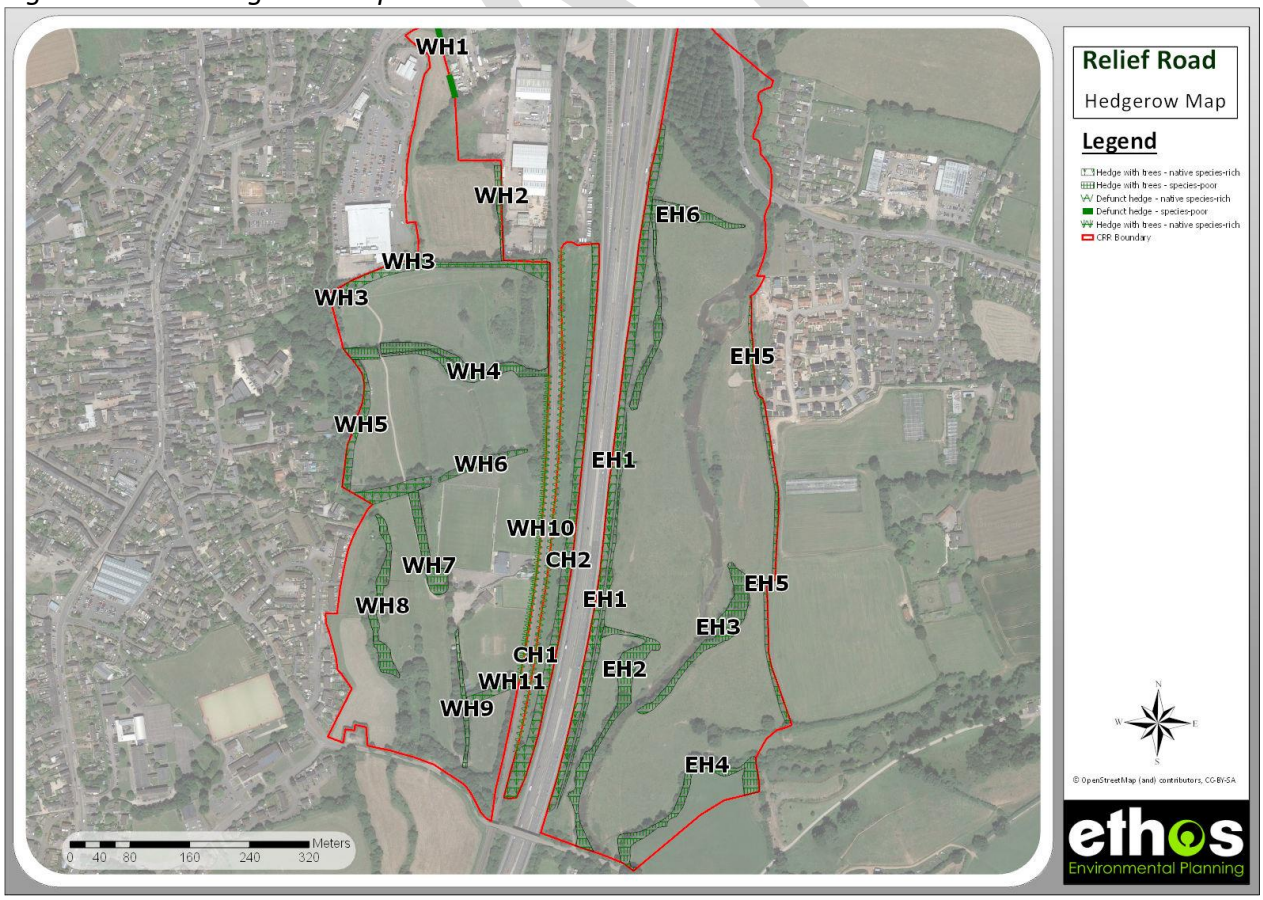
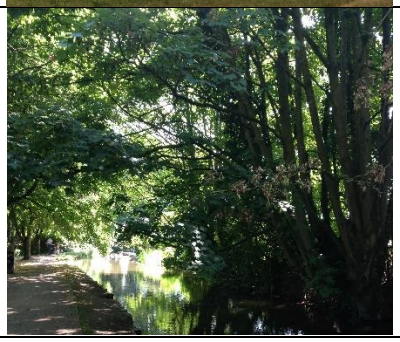


*Table 5: Summaries of hedgerows within western section*

| Hedgerow Number | Classification | Description | Photo |
|---|---|---|---|
| **WH1** | Defunct species poor | Hedgerow dominated by hawthorn with ash, hazel, elder, bramble, and honeysuckle. Understorey comprised of nettle, hemlock, and creeping thistle. |  |
| **WH2** | Hedge with trees species-poor | Located on the north-eastern boundary. Species included: elm, privet, oak, bramble, and nettle. |  |
| **WH3** | Hedge with trees species-rich | Forms a copse which runs from west to east across the western section of the site. Contains silver birch, rowan, ash, and beach. |  |
| **WH4** | Hedge with trees species-poor | Forms and woodland belt with a dry ditch. Species included crack willow, alder buckthorn, sweet chestnut and sycamore |  |
| **WH5** | Hedge with trees species-rich | Borders path to the west of the site. Species included ash, sycamore, oak, hawthorn, and willow |  |

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| | | | |
|---|---|---|---|
| **WH6** | Hedge with trees species-rich | Trees with a grassland understorey. Borders football pitch and has a dry ditch to the north. Species included willow, sweet chestnut, Douglas fir, sycamore, field maple, and hawthorn. |  |
| **WH7** | Hedge with trees species-poor | A row of mature trees including ash, oak, field maple, and conifer | No picture available |
| **WH8** | Hedge with trees species-poor | A small hedgerow belt. Species included ash, crack willow, and sycamore. Understorey included brambles, cleavers, and greater willow herb |  |
| **WH9** | Hedge with trees species-poor | Planted avenue of trees which line the road into the site. Included species such as horse chestnut, oak, and copper beach. |  |
| **WH10** | Hedge with trees species-rich | Hedgerow WH10 forms the eastern boundary of the western section of the site. Species included ash, oak, hawthorn, hazel, elder, and blackthorn. | No picture available |
| **WH11** | Hedge with trees species-rich | Hedgerow adjoined WH10 and WH9 with a similar species composition. |  |

*Table 6:Summary of hedgerows within Central section*

| Hedgerow Number | Classification | Description | Photo |
|---|---|---|---|
| **CH1** | Defunct species rich with trees | Formed the western boundary of the central section. Species included, hawthorn, oak, ash, sycamore, and hazel. Herbaceous species bordering the hedgerow included, greater willow herb, hemp agrimony, horsetail, bramble, tufted vetch, purple loosestrife, teasel, campion, and Himalayan balsam |  |
| **CH2** | Hedge with trees species-rich | Located on the eastern boundary of the central section. Species included ash, hazel, laurel, blackthorn, hawthorn, oak, alder, and goat willow. Herbaceous species included bittersweet nightshade, hedge woundwort, hemp agrimony, and bramble |  |

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*Table 7:Summary of hedgerows within Eastern section*

| Hedgerow Number | Classification | Description | Photo |
|---|---|---|---|
| **EH1** | Defunct species poor | A double hedge formed of mature trees dominated by willow. A dry ditch was also present in the hedgerow. The hedgerow bordered the motorway to the west of the eastern section |  |
| **EH2** | Hedge with trees species-poor | Hedgerow dominated by willow and ash. The hedgerow contained several trees with bat roost potential and a tree with a wild honey bee nest |  |
| **EH3** | Hedge with trees species-rich | Mature trees with limited understorey. Species included oak, alder, sycamore, holly, wytch elm, hawthorn, and ash. |  |
| **EH4** | Hedge with trees species-poor | Hedgerow with ditch. Species included willow |  |
| **EH5** | Hedge with trees species-poor | Hedgerow dominated by hawthorn which was under hard browsing pressure resulting in a leggy hedgerow with no understorey. Species included hawthorn |  |

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# 6 RESULTS FOR PROTECTED SPECIES

## 6.0 NERC S. 41 Mammals

#### 6.0.1.1 Harvest mouse

There were no records of harvest mouse *(Micromys minutus)* within the background data search. The surrounding area was dominated by permanent pasture which was grazed with very little herbaceous rich margins suitable for harvest mouse. The habitats on site which may have provided habitat for harvest mouse included the fields in the north of the western section. No nests or field signs were identified during the initial site survey. Harvest mice were considered likely absent from the site.

#### 6.0.1.2 Hedgehog

There were multiple records of hedgehog *(Erinaceus europaeus)* within the data search; these were submitted from the west of the site boundary in the town of Cullompton. The habitats on site were dominated by grazed grassland which was assessed as being unsuitable for hedgehogs. It was assessed that the boundary features and woodland within the western section of the site would provide good habitat for hedgehogs. The western section of the site also connects to woodland and the semi-urban environment of Cullompton which may provide an ecological corridor for hedgehogs. No nests, field signs, or live specimens were identified on site.

#### 6.0.1.3 Polecat

One record of polecat *(Mustela putorius)* was returned within the background data search. The record was submitted over 1km east of the site boundary. The habitats were assessed to provide good habitat for polecat with a mosaic of field and hedgerows. There were also old agricultural structures located offsite, north of the central section which may provide shelter for polecat. There were no field signs or evidence of polecats found on site.

#### 6.0.1.4 Brown hare

One record of brown hare *(Lepus europaeus)* was submitted within the data search. However, the record was over 2km east of the site boundary. The habitats on site were dominated by permanent pasture which was grazed intensively providing poor habitat for hares. There was no arable habitat on site for favoured by hares. Also, no hares were identified on site which included no evidence of couches or of live specimens.

## 6.1 Badger

There were eleven records of badgers within the data search. These included several records from the M5 Motorway to the north of the site. The habitats on site were assessed to provide good habitat for badgers with a mosaic of fields, woodland, and hedgerows. There were several runs identified within the western section of the site. No setts, latrines, or live specimens were identified on site.

## 6.2 Dormouse

There were multiple records of dormouse returned within the data search including two records from Middle Lane in the western section of the site WH3 **(figure 11)**. There were also records to the east of the site including previous records submitted by Ethos (12 and 13) **(Figure 12)**.

The habitats on site were assessed to provide optimal habitat for dormouse with diverse mature hedgerows, young broadleaved plantation, scrub habitat, and good ecological connectivity.

Nests and dormouse were recorded during the September and October surveys. These included a range of nests and dormice of different life stages; given below:

*Figure 8: Dormouse records on site*

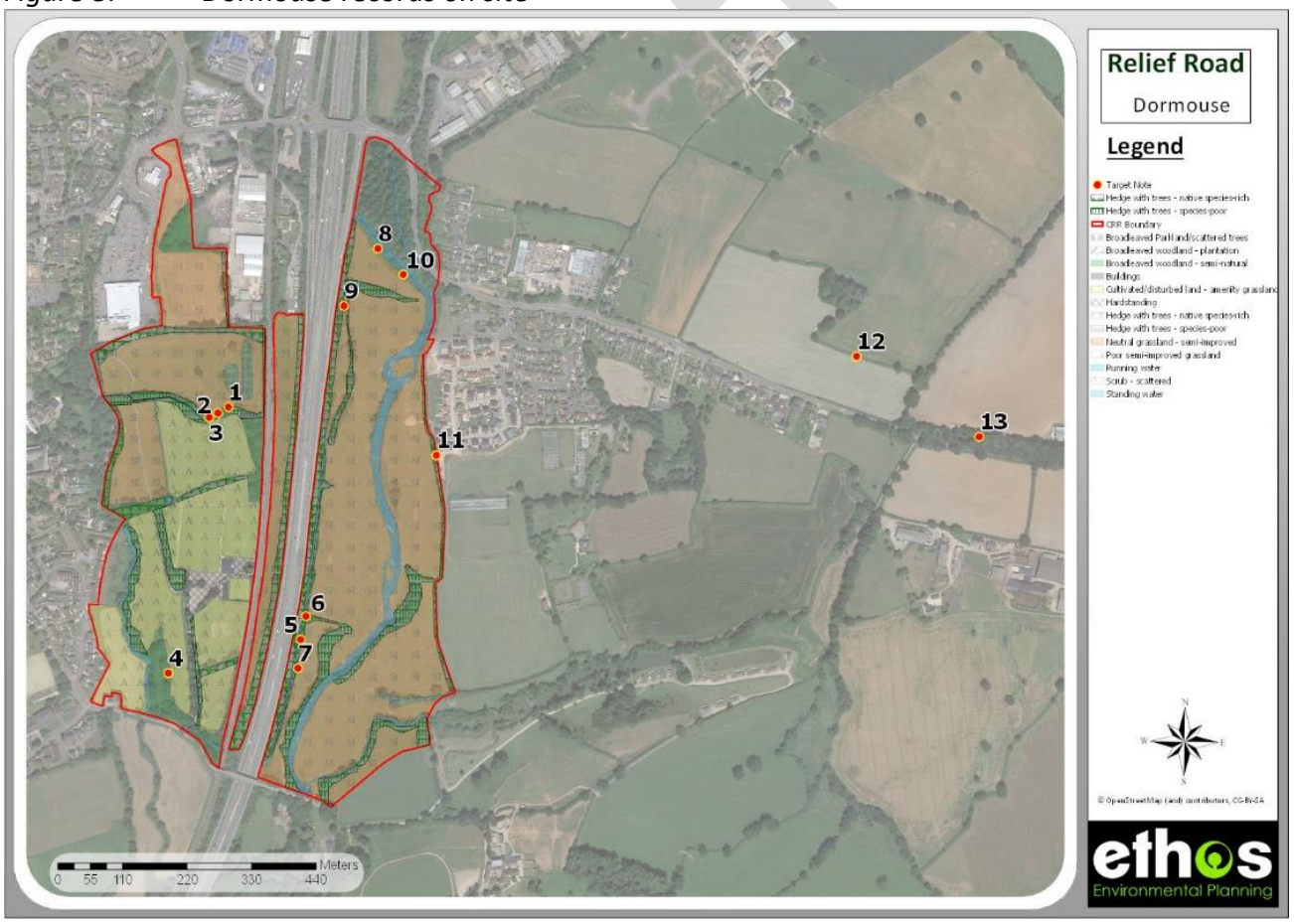


*Table 8: Dormouse records*

| Label | Target Note | Date |
|---|---|---|
| 1 | Dormouse nest | 26/09/2018 |
| 2 | 3 Dormouse in tube | 26/09/2018 |
| 3 | 3 Dormouse in tube | 10/10/2018 |
| 4 | Dormouse nest | 10/10/2018 |
| 5 | 2 Dormouse in tube | 10/10/2018 |
| 6 | 1 Dormouse in tube | 10/10/2018 |
| 7 | Dormouse nest (woven, fresh leaves) | 26/09/2018 |
| 8 | Dormouse nest | 10/10/2018 |
| 9 | Dormouse nest | 10/10/2018 |
| 10 | Dormouse nest | 10/10/2018 |
| 11 | 1 Dormouse in tube | 26/09/2018 |
| 12 | 4 Dormouse in tube | 26/09/2017 |
| 13 | 1 Dormouse | 01/08/2017 |



*Photo 24: Label 7 dormouse nest*



*Photo 25: Label 3 juvenile dormouse*



*Photo 26: Label 10 dormouse nest*



*Photo 27: Label 4 dormouse nest*

## 6.3 Riparian Mammals

### 6.3.1 Otter

The data search returned four records of otter *(Lutra lutra)* within the data search. This included two records in the eastern section and two records within the west, one just north of the boundary. The River Culm was assessed to provide optimal habitat for otter with abundant prey for otters. There were several wet ditches on site as well as a culvert which connects the east of the site to the west. The habitats were assessed to have good terrestrial and riparian connectivity.

One spraint was identified during a systematic search of the river bank; the spraint was small and washed away. No further evidence of otter was identified on site.

*Figure 9: Otter records*

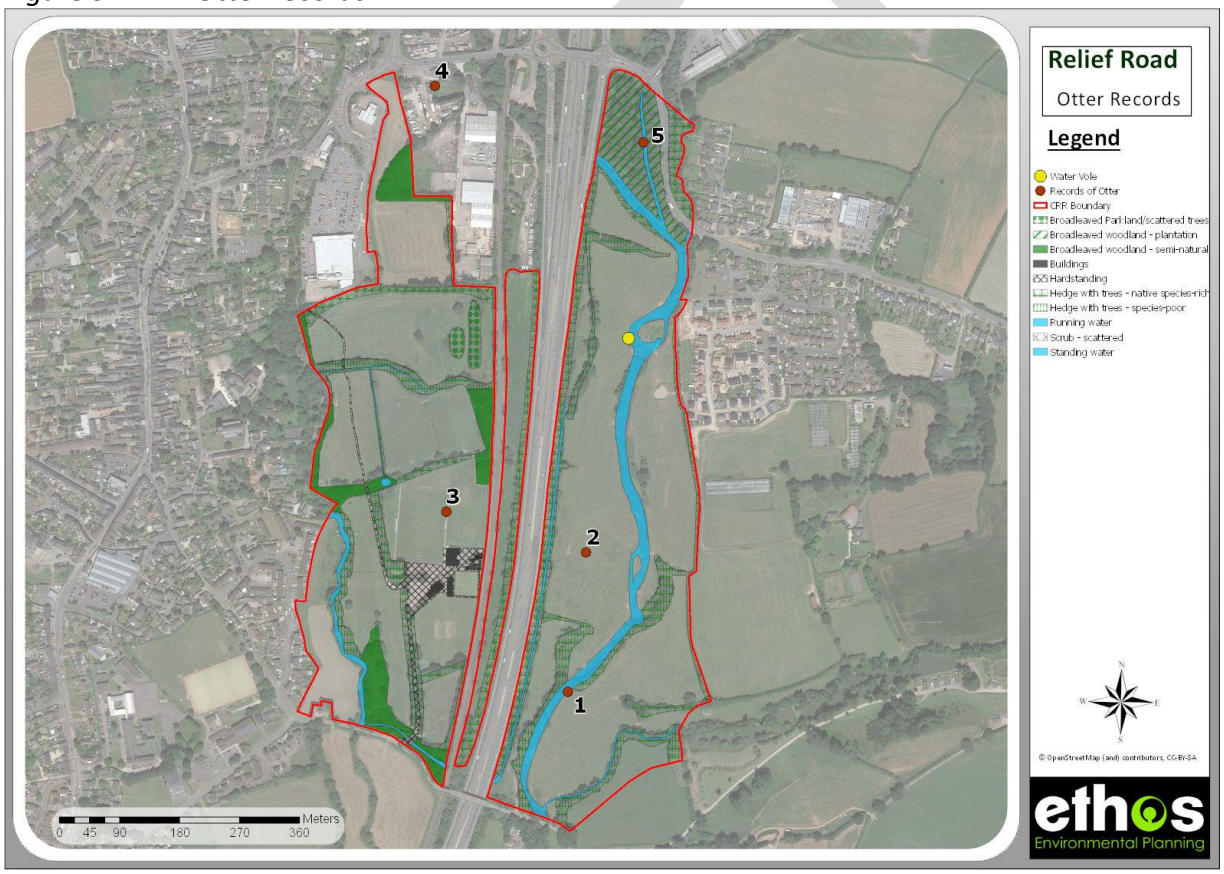



*Table 9: Otter records within the site boundary*

| Label | Evidence | Date |
|---|---|---|
| 1 | Potential otter spraint | 09/07/2018 |
| 2 | Environmental Record | 2004 |
| 3 | Environmental Record | 2009 |
| 4 | Environmental Record | 2011 |
| 5 | Environmental Record | 2016 |

### 6.3.2 Water vole

There were no records of water vole *(Arvicola amphibius)* within the data search. The banks of the river were grazed intensively; resulting in a low grassland sward with low botanical diversity. Subsequently, there was minimal food source or shelter available for water voles.

Suitable vegetation for water voles included sections within the centre of the river and within the plantation to the north.

A network of water vole burrows was identified on the banks of the River Culm (See figure 13). The tunnels were approximately 1m above the current water levels and certain sections of tunnel were collapsed due to compaction from livestock. The aforementioned factors provided an assessment that the burrows were disused.

No other evidence was recorded on site such as feeding remains or droppings.



*Photo 28: Water vole tunnel in grassland next to river bank*



*Photo 29: Disused hole*

## 6.4 Bats

### 6.4.1 Habitats

The habitats on site were assessed as being good for bats with young broadleaved plantation, well connected hedgerows with trees, copses, and abundant riparian habitat on site. The surrounding area such as the fishing lakes adjacent to the south-east of the site was assessed to provide optimal habitat for bats.

### 6.4.2 Structures

There were multiple structures on site including sports buildings in the western section of the site and a bridge which crosses the River Culm to the south-east of the site.

*Figure 10: Structures and trees with roosting potential*

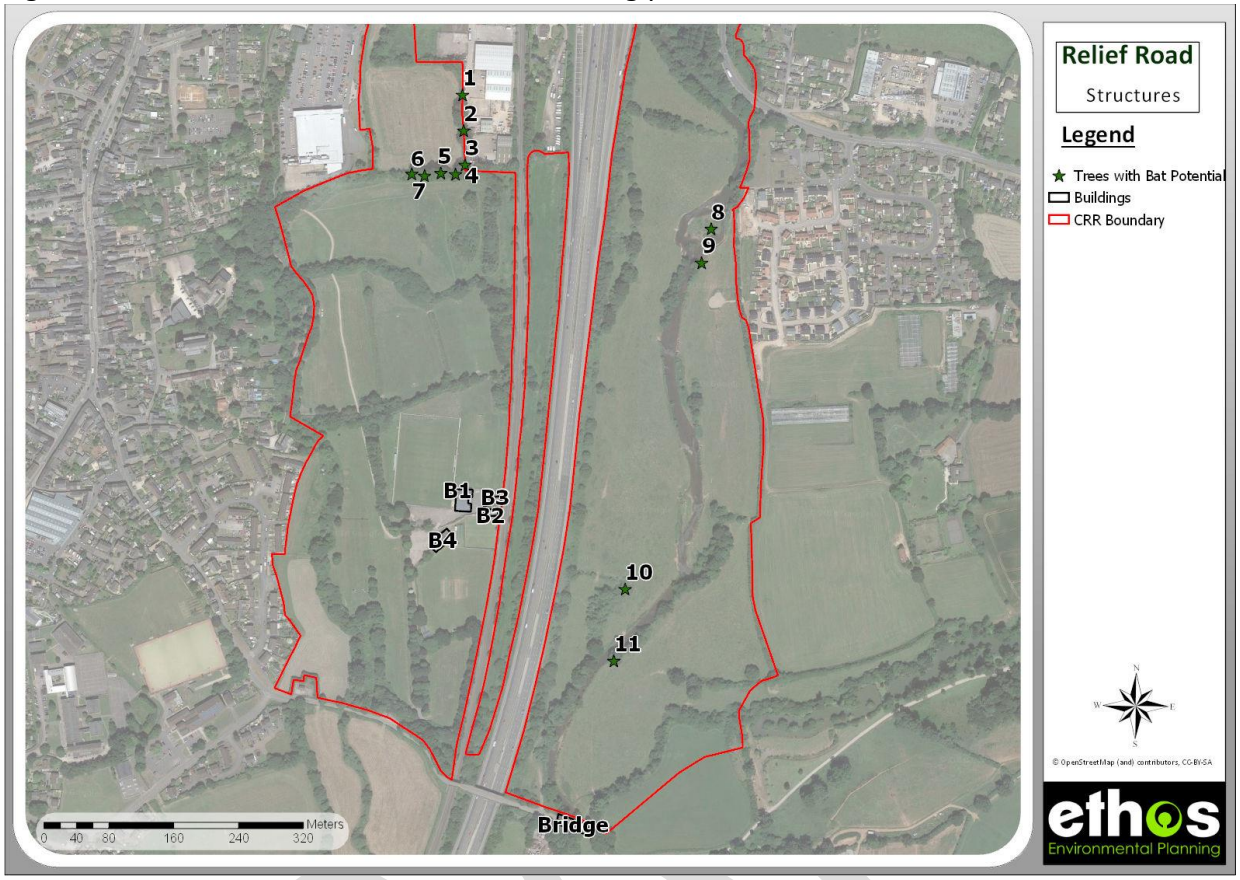



*Table 10: Structures on site*

| Building Number | Description | Bat Potential | Photo |
|---|---|---|---|
| 1 | Brick-construction rendered with flat felt roof. PVC fittings all tight with no access for bats. Sky lights to rear of the structure. High-light levels from nearby floodlighting No evidence of bats recorded during assessment. | ***Negligible potential*** |  |
| 2 | Brick construction with pitched over hanging roof with interlocking composite tiles and hanging tiles on northern elevation. Good structural condition with no access points or evidence of bats identified. | ***Low potential*** |  |
| 3 and 4 | Sports buildings constructed of corrugated metal. No vegetation present around structure and high levels of | ***Negligible Potential*** | No picture available |

| | | | |
|---|---|---|---|
| | light from nearby flood lighting. | | |
| Bridge | The bridge crosses the River Culm to the south of the eastern section of the site. The bridge was in a good structural condition however, there were some gaps within the brick work | ***Moderate Potential*** |  |

### 6.4.3 Trees with Roots Potential

*Table 11: Trees with bat potential*

| Tree Number | Species/PRFs | Potential | Photo |
|---|---|---|---|
| 1 - 3 | Oak/Multiple PRF's | ***low*** |  |
| 4 - 7 | Beech, ash, and sycamore | ***Low potential*** | No picture available |
| 8 | Ash/Could not identify PRF's | ***Low Potential*** |  |
| 9 | Oak/ Damaged limbs | ***Low potential*** |  |
| 10 | Alder/ Hollow Trunk | ***Moderate potential*** |  |

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| | | | | |
|---|---|---|---|---|
| 11 | Ash/ Dead and hollow at base | **Moderate potential** | |  |

### 6.4.4 Activity

#### 6.4.4.1 Variables

*Table 12: Variable for activity surveys*

| | 10/07/2018 **Sunset: 21:25** | | 23/08/2018 **Sunset: 20:16** | | 27/09/2017 **Sunset: 18:57** | |
|---|---|---|---|---|---|---|
| **Variable** | **Start** | **End** | **Start** | **End** | **Start** | **End** |
| Time | 21:26 | 23:40 | 21:19 | 23:19 | 19:00 | 20:45 |
| Temperature (°C) | 18 | 17 | 16 | 14 | 23 | 16 |
| Relative Humidity (%) | 72 | 80 | 64 | 72 | 71 | 74 |
| Cloud cover (oktas) | 0 | 1 | 8 | 8 | 8 | 4 |
| Precipitation | None | None | None | None | None | None |
| Average wind speed (mps) | 5 | 3 | 5 | 7 | 2.3 | 4.5 |

#### 6.4.4.2 10th July 2018

***Western section***

- 21:54 common pipistrelle foraging along avenue of trees WH9
- 22:00 noctule recorded near football pitch; heard not seen
- 22:02 common pipistrelle recorded north of football pitch; heard not seen
- 22:05 pipistrelle bat recorded foraging around mature oak within hedgerow WH6
- 22:06 pipistrelle bats recorded dispersing along tree avenue, WH9
- 22:14 pipistrelle and noctule recorded foraging along stream; west of the site
- 22:27 common pipistrelle foraging along WH2
- 22:44 noctule foraging along railway
- 23:24 common pipistrelle recorded in the centre of the site
- 23:33 pipistrelle bats foraging along avenue WH9

***Central Section***

- 21:45 common pipistrelle bat recorded on northern boundary of the site
- 21:50 pipistrelle bats dispersing along western hedgerow CH2

***Eastern Section***

- 21:52 four soprano pipistrelle foraging; south-west
- 21:56 myotis foraging; EH2
- 21:59 common and soprano pipistrelles foraging; south-west
- 22:00 Daubenton's foraging over river

- 22:02 Noctule foraging recorded for over ten minutes; centre of site over River Culm
- 22:16 myotis heard not seen; island in River Culm
- 22:20 soprano pipistrelle heard not seen; EH6
- 22:22 soprano pipistrelle heard not seen; EH6
- 22:29 soprano pipistrelle heard not seen; south-west EH1
- 22:34 soprano pipistrelle heard not seen; south-west
- 22:39 soprano pipistrelle heard not seen; south of site
- 22:39 soprano pipistrelle heard not seen; south of site
- 22:42 common pipistrelle and soprano heard not seen; east of site EH5
- 22:52 Serotine foraging over site until 22:55; east of EH3
- 23:13 Daubenton's foraging over river; River Culm south of island
- 23:16 myotis and common pipistrelle heard not seen; River Culm south of island

***Summary***

- Species included common pipistrelle *(Pipistrellus pipistrellus)*, soprano pipistrelle *(Pipistrellus pygmaeus)*, Daubenton's bat *(Myotis daubentonii)*, noctule bat *(Nyctalus noctula)*, and serotine *(Eptesicus serotinus)*.
- Activity was dominated by pipistrelle species
- Noctule were recorded over the whole site
- Serotine and Daubenton's bats were recorded on the eastern section of the site
- Activity was focused on the hedgerows on the western section and the River Culm to the east.

#### 6.4.4.3 23rd August 2018

***Western Section***

- 20:41 soprano pipistrelle foraging to the south-east of the site
- 20:59 serotine and natterer's bat recorded in the north-west of the site

***Central Section***

- No bats recorded

***Eastern Section***

- Constant foraging activity along the River Culm, including soprano pipistrelle, Daubenton's, and common pipistrelle
- No activity along hedgerows
- Increased noise pollution on western hedgerow may disturb bats

***Summary***

- Species included soprano pipistrelle, Daubenton's Natterer's bat *(Myotis nattereri)*, and serotine
- Low activity levels across the site
- Activity focused on the River Culm within the eastern section of the site

#### 6.4.4.4 27th September 2018

***Western Section***

- 19:17 soprano pipistrelle foraging around oak trees WH4
- 19:19 soprano pipistrelle foraging along avenue WH8
- 19:23 soprano pipistrelle foraging WH7
- 19:27 soprano pipistrelle foraging along stream WH8
- 19:28 soprano pipistrelle commuting east to west along hedgerow WH3
- 19:29 common pipistrelle heard not seen; north of site
- 19:41 myotis heard not seen; south-west of site

***Central section***

- No bats recorded

***Eastern section***

- 19:32 soprano pipistrelle commuting along eastern boundary
- 19:42 lesser horseshoe commuting along south-eastern boundary WH11

***Summary***

- Species included common pipistrelle, Soprano pipistrelle, Daubenton's bat, and lesser horseshoe bat *(Rhinolophus hipposideros)*.
- Lesser horseshoe bats were recorded dispersing on the eastern hedgerow EH5
- Activity within the western section was focused on the internal hedgerows and the stream

*Figure 11: Overall bat activity from the three activity surveys*



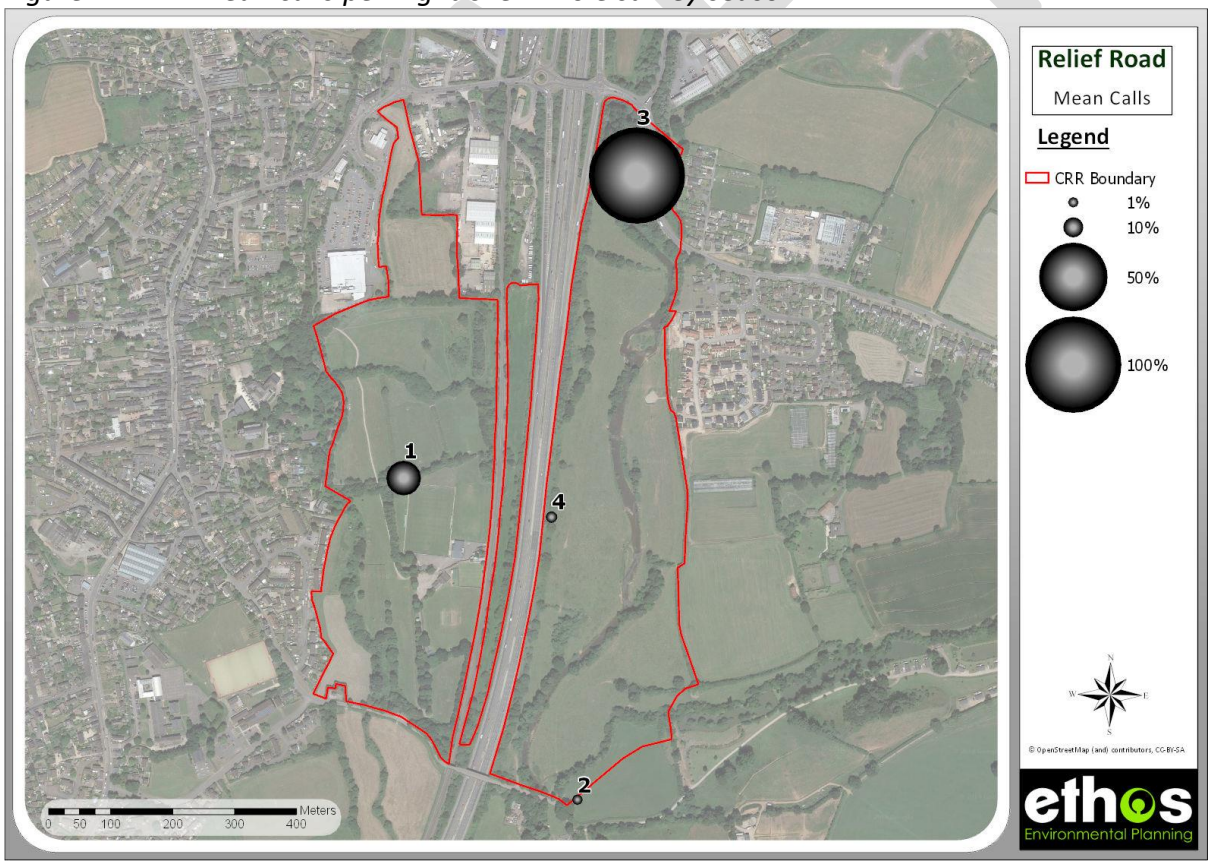
#### 6.4.4.5 Overall Activity Summary

- Species included common pipistrelle, soprano pipistrelle, serotine bat, Natterer's bat, Daubenton's bat, noctule bat, and lesser horseshoe bats
- Activity was focussed on the internal hedgerows within the western section and the River Culm
- High levels of activity were identified on hedgerow WH4
- Lesser horseshoes were recorded commuting along the eastern hedgerow EH5 during the September survey
- Activity was low within the central section with low levels of bat activity on the northern boundary.

### 6.4.5 Static Survey

Static surveys were undertaken between July and September; detailed below. Bat activity levels were calculated as low < 100 calls per night; medium < 500 calls per night; and high > than 500 calls per night.

*Figure 12: Mean calls per night over whole survey season*



***Summary***

- Eight species were recorded during the static surveys including common pipistrelle *(Pipistrellus pipistrellus)*, soprano pipistrelle *(Pipistrellus pygmaeus)*, noctule bat *(Nyctalus noctula)*, Leisler's bat *(Nyctalus leisleri)*, Daubenton's bat *(Myotis daubentonii)*, brown long-eared bat *(Plecotus auritus)*, lesser horseshoe bat *(Rhinolophus hipposideros)*, and greater horseshoe bat *(Rhinolophus ferrumequinum)*.
- There was a total of 6066 bat echolocation calls over 54 survey nights.
- Static one had medium levels of bat recording with 134.9 mean calls per night and 37% of the total recordings
- Static two recorded low levels of activity with only 80 calls over six survey nights
- 53% of the total bat calls were recorded from static three with over 3261 calls over a seven-night period
- Static four had low levels of bat activity with only 18.9 mean calls of bats per night
- Static four had the greatest species richness with eight species of bat recorded
- Four greater horseshoe bats and one lesser horseshoe were recorded on SM4 4 30th Aug

*Table 13: SM4 1 deployed 10th – 27th July*

| Bat Species | No. recordings | Records / night | First recording | Mean |
|---|---|---|---|---|
| Common pipistrelle | 2001 | 125.06 | 21:33:37 | 118.40 |
| Soprano pipistrelle | 138 | 8.63 | 21:31:34 | 8.50 |
| Noctule | 127 | 7.94 | 20:54:39 | 7.94 |
| Leisler's | 1 | 0.06 | 22:39:29 | 0.06 |

| | Deployed | Collected | |
|---|---|---|---|
| **Dates:** | 10/07/2018 | 26/07/2018 | |
| **Activity:** | 2267 records / 16 nights | | Medium activity levels |

*Table 14: SM4 2 deployed 23rd – 30th Aug*

| Bat Species | No. recordings | Records / night | First recording | Mean |
|---|---|---|---|---|
| Common pipistrelle | 1 | 0.17 | 20:52:57 | 0.17 |
| Soprano pipistrelle | 75 | 12.50 | 20:15:18 | 6.00 |
| Noctule | 3 | 0.50 | 20:36:19 | 0.33 |
| Daubenton's | 1 | 0.17 | 21:09:27 | 0.00 |

| | Deployed | Collected | |
|---|---|---|---|
| **Dates:** | 23/08/2018 | 30/08/2018 | |
| **Activity:** | 80 records / 6 nights | | Low activity levels |

*Table 15: SM4 3 deployed 23rd – 30th Aug*

| Bat Species | No. recordings | Records / night | First recording | Mean |
|---|---|---|---|---|
| Common pipistrelle | 305 | 43.57 | 20:12:22 | 50.33 |
| Soprano pipistrelle | 2888 | 412.57 | 20:04:45 | 412.00 |
| Noctule | 55 | 7.86 | 20:19:16 | 7.86 |
| Leisler's | 6 | 0.86 | 20:26:47 | 0.86 |
| Daubenton's | 7 | 1.00 | 21:02:59 | 0.00 |

| | Deployed | Collected | |
|---|---|---|---|
| **Dates:** | 23/08/2018 | 30/08/2018 | |
| **Activity:** | 3261 records / 7 nights | | Medium activity levels |

*Table 16: SM4 4 deployed 30th Aug – 24th Sept*

| Bat Species | No. recordings | Records / night | First recording | Mean |
|---|---|---|---|---|
| Common pipistrelle | 43 | 1.72 | 19:47:49 | 1.67 |
| Soprano pipistrelle | 134 | 5.36 | 19:41:45 | 5.36 |
| Noctule | 221 | 8.84 | 19:14:33 | 8.84 |
| Leisler's | 51 | 2.04 | 18:59:42 | 2.04 |
| Daubenton's | 2 | 0.08 | 21:09:31 | 0.00 |
| Brown long-eared | 2 | 0.08 | 21:55:25 | 0.08 |
| Lesser Horseshoe | 1 | 0.04 | 21:54:21 | 0.04 |
| Greater Horseshoe | 4 | 0.16 | 00:28:17 | 0.16 |

| | Deployed | Collected | |
|---|---|---|---|
| **Dates:** | 30/08/2018 | 24/09/2018 | |
| **Activity:** | 458 records / 25 nights | | Low activity levels |

### 6.4.6 Advanced bat surveys

Appendix 1 provides the results of the advanced bat surveys. Figures 14 and 15 shows where bats were trapped and where the roosts were tracked. Figure 13 below shows the species of bat trapped:

*Figure 13 Species proportions of the trapping surveys June, July August and September 2018*

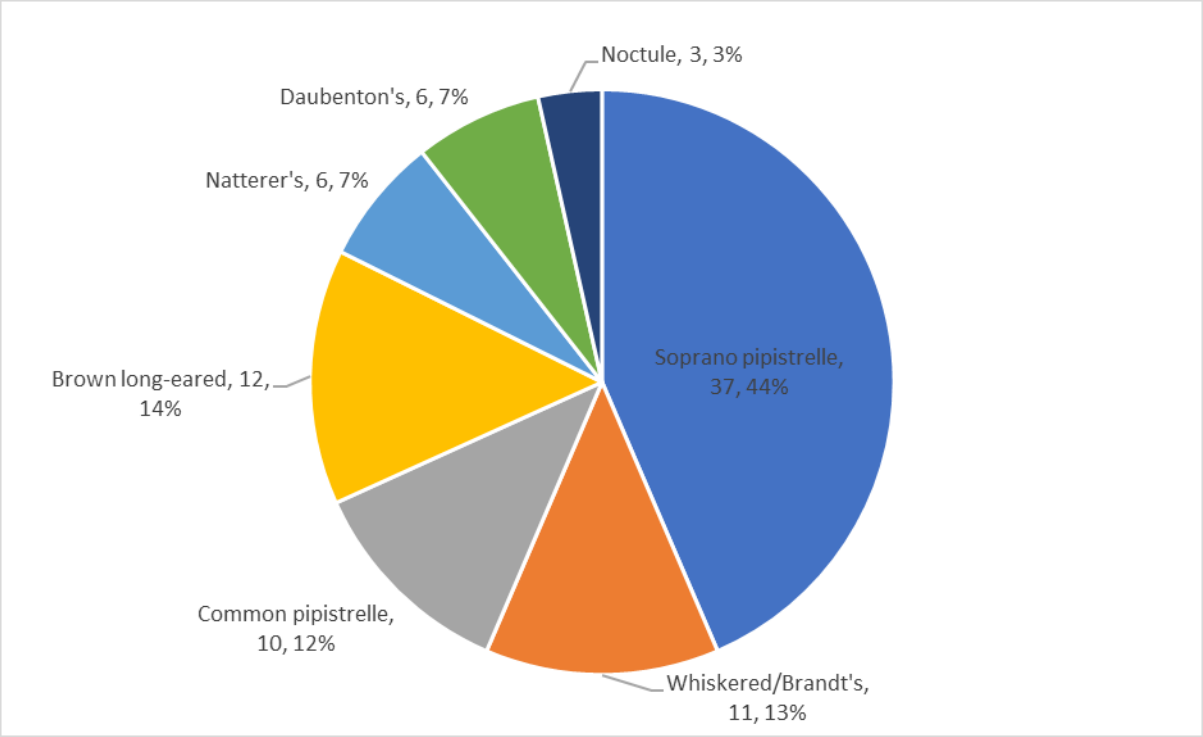



*Figure 14 Bat trapping locations*

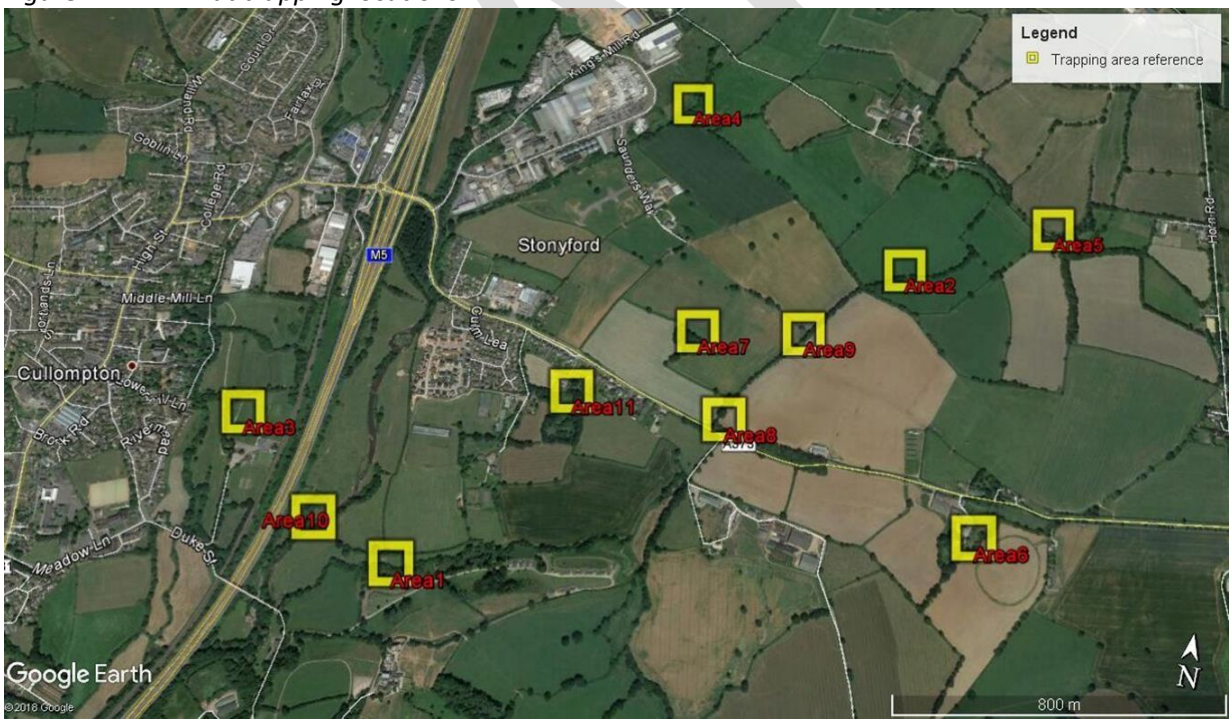
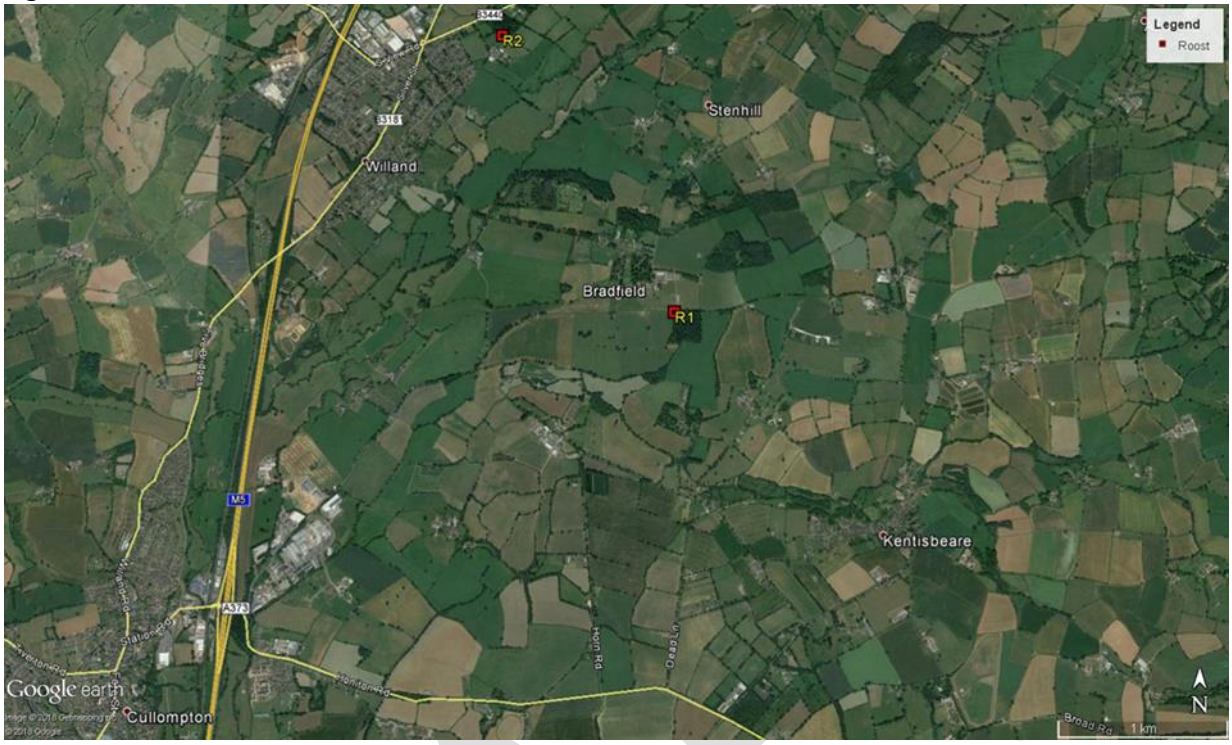


*Figure 15 Bat roost locations*




## 6.5 Birds

There were low numbers of birds returned within the data search. WCA schedule 1 species included within the data search included barn owl, red kite, and kingfisher.

The habitats on site were assessed to provide a range of habitats for birds on site. This included hedgerows which provided nesting and feeding habitat for birds, abundant riparian habitat, and farmland habitat which provided potential for ground nesting birds.

Exposed river banks provided suitable habitat for kingfisher. Nesting material was identified within a hole in a bank and kingfishers were recorded foraging along the River Culm during site surveys.

*Table 17: Birds recorded on site*

| Common Name | Scientific Name | NERC S. 41 | W&CA (1981) |
|---|---|---|---|
| wood pigeon | *Columba palumbus* | - | - |
| pied wagtail | *Motacilla alba* | - | - |
| magpie | *Pica pica* | - | - |
| wren | *Troglodytes troglodytes* | - | - |
| blackcap | *Sylvia atricapilla* | - | - |
| bullfinch | *Pyrrhula pyrrhula* | - | - |
| herring gull | *Larus argentatus* | *Global concern* | - |
| buzzard | *Buteo buteo* | - | - |

| | | | |
|---|---|---|---|
| goldfinch | *Carduelis carduelis* | - | - |
| house sparrow | *Passer domesticus* | *European concern* | - |
| robin | *Erithacus rubecula* | - | - |
| dunnock | *Prunella modularis* | - | *European concern* |
| blackbird | *Turdus merula* | - | - |
| blue tit | *Cyanistes caeruleus* | - | - |
| great tit | *Parus major* | - | - |
| coal tit | *Periparus ater* | - | - |
| Swallow | *Hirundo rustica* | - | - |
| great Spotted Woodpecker | *Dendrocopos major* | - | - |
| song Thrush | *Turdus philomelos* | *Global concern* | - |
| carrion crow | *Corvus corone* | - | - |
| swift | *Apus apus* | - | - |
| greenfinch | *Chloris chloris* | - | - |
| little egret | *Egretta garzetta* | - | - |
| kingfisher | *Alcedo atthis* | - | *Schedule 1* |
| moorhen | *Gallinula chloropus* | - | - |
| grey wagtail | *Motacilla cinerea* | - | - |
| whitethroat | *Sylvia communis* | - | - |
| chiffchaff | *Phylloscopus collybita* | - | - |



*Photo 30: Suitable kingfisher habitat*



*Photo 31: Bird nesting material in disused hole*



*Photo 32: Swallow nest in willow tree*

## 6.6 Reptiles

The habitats on site were dominated by grassland which was intensively grazed with a short sward and low botanical diversity. Suitable habitats included the western boundary of the eastern section, the hedgerow fringe habitat within the western section, and the hedgerow fringes within the central section. There was also abundant riparian habitat on site which was assessed to provide some suitable habitat for reptiles. No reptiles were returned within the data search.

One common lizard was recorded from the north of the central section during the phase 1 survey 9th July 2018.

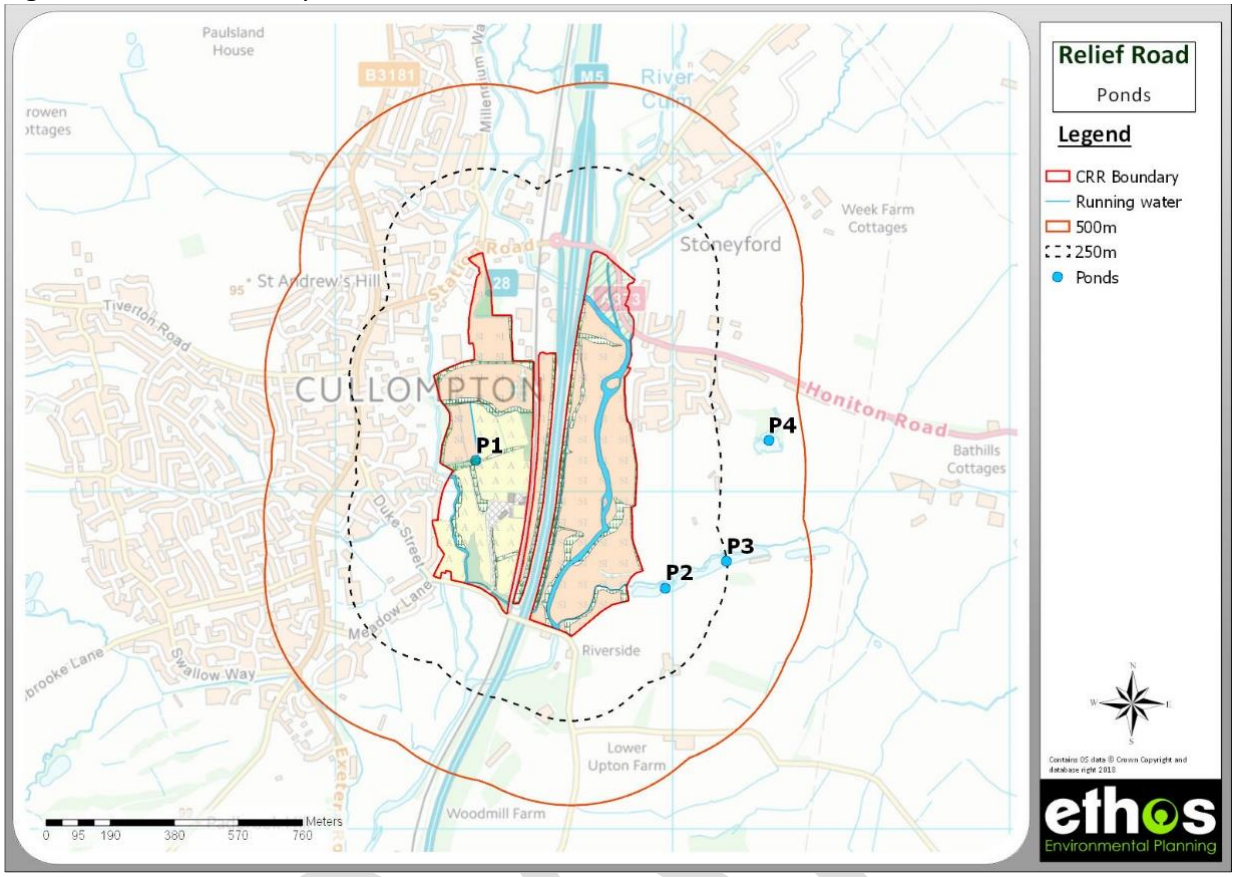
## 6.7 Amphibians

The site was within the Mid Devon GCN consultation zone. The data search returned records of GCN from P2, fishing lakes south west of the site boundary. Records of frogs and toads were also returned within the data search.

There was a single pond on site (P1) located within the western section of the site and multiple ditches on site which were dry at the time of survey. Although, GCN surveys were not undertaken it was assessed that the site may provide some areas of suitable habitat for GCN.

Much of the site was dominated by heavily grazed grassland with a subsequent low sward height providing unsuitable habitat for GCN. However, there was suitable terrestrial habitat within the north of the western section of the site and good terrestrial connectivity between the site and the fishing lakes south-east of the site boundary.

*Figure 16: GCN Map*




### 6.7.1.1 Pond 1

Pond 1 was located within the centre of the western section of the site.; within a small copse WH6. The pond was heavily shaded and dry at the time of survey. The terrestrial habitats adjacent to the pond was assessed as optimal with high ecological connectivity to other waterbodies. The pond was assessed as being excellent regarding habitat suitability for GCN (**table 18**).



*Photo 34: Pond 1*

*Table 18: Habitat suitability index pond 1*

| Parameter | Description | Score | Index |
|---|---|---|---|
| **Location** | England = optimal | Optimal | 1.00 |
| **Pond Area** | Measure pond surface area ($m^2$) and round to nearest $50m^2$ | 50.00 | 50.00 |
| **Pond Drying** | | Annually | 0.10 |
| **Water Quality** | Abundant/Moderate/Low invertebrate community/Few submerged plants/clearly polluted | Good | 1.00 |
| **Shade** | Estimate percentage perimeter shaded to 1m from shore | 70.00 | 0.80 |
| **Fowl** | No evidence/present but little impact/severe impact | Absent | 1.00 |
| **Fish** | No records/no evidence but local conditions suggest they may be present/small number of carp, goldfish or stickelback/ dense populations | Absent | 1.00 |
| **Ponds** | Count number of ponds within 1km of survey pond, not separated by major barriers | 3.00 | 0.62 |
| **Terrestrial Habitat** | | Good | 1.00 |
| **Macrophytes** | Estimate percentage of pond surface occupied | 30.00 | 0.60 |
| | | **TOTAL** | **1.059** |
| | | **CATEGORY** | **Excellent** |

#### 6.7.1.2 Pond 2-3

Pond 2 and 3 consisted of two fishing lakes. P2 was over $5000m^2$ and P3 was approximately $19,000m^2$. Pond 2 had low levels of shade and good terrestrial habitat which included a stream with banks with abundant vegetation which fed into the River Culm to the west. P3 was heavily shaded, well connected to P2, and had good terrestrial habitats. Both ponds were assessed to contain high levels of fish and water fowl such including abundant Canada geese *(Branta canadenensis)*.

P2 was assessed to have below average suitability for GCN whereas P3 had poor suitability (**Table 19**). Although, P3 was assessed as having poor habitat suitability for GCN a record of GCN was submitted from the area in 2014.



*Photo 35: P3*



*Photo 36: P3*

*Table 19: Habitat suitability index P2 and P3*

| | | Pond 2 | | Pond 3 | |
|---|---|---|---|---|---|
| **Parameter** | **Description** | **Score** | **Index** | **Score** | **Index** |
| **Location** | England = optimal | Optimal | 1.00 | | 0.01 |
| **Pond Area** | Measure pond surface area ($m^2$) and round to nearest $50m^2$ | 5000.00 | 50.00 | 19000.00 | 0.80 |
| **Pond Drying** | | Never | 0.90 | Never | 0.90 |
| **Water Quality** | Abundant/Moderate/Low invertebrate community/Few submerged plants/clearly polluted | Good | 1.00 | Good | 1.00 |
| **Shade** | Estimate percentage perimeter shaded to 1m from shore | 30.00 | 1.00 | 70.00 | 0.80 |
| **Fowl** | No evidence/present but little impact/severe impact | Major | 0.01 | Major | 0.01 |
| **Fish** | No records/no evidence but local conditions suggest they may be present/small number of carp, goldfish or stickelback/ dense populations | Major | 0.01 | Major | 0.01 |
| **Ponds** | Count number of ponds within 1km of survey pond, not separated by major barriers | 3.00 | 0.62 | 3.00 | 0.62 |
| **Terrestrial Habitat** | | Good | 1.00 | Good | 1.00 |
| **Macrophytes** | Estimate percentage of pond surface occupied | 30.00 | 0.60 | 10.00 | 0.40 |
| | | **TOTAL** | **0.527** | **TOTAL** | **0.207** |
| | | **CATEGORY** | **Below Average** | **CATEGORY** | **Poor** |

#### 6.7.1.3 Pond 4

Pond 4 was located approximately 400m east of the site boundary. A GCN survey was undertaken by Ethos 17th May 2017. This included torching, egg searching, and bottle trapping. A maximum of 10 GCN were trapped during the surveys providing an assessment that the pond had a medium population of GCN.



*Photo 37: P4*



*Photo 38: Abundant terrestrial vegetation*

## 6.8 Invertebrates

### 6.8.1 White-clawed Crayfish

No records of white-clawed crayfish (*Austropotamobius pallipes*) were returned within the data search. The habitat was assessed to be good for crayfish with abundant refugia, sections of slow flowing water, and natural banks. Although, the habitat was assessed to be good for crayfish the visual search of the banks of the River Culm identified no crayfish.

### 6.8.2 Insects

The habitats on site were assessed to provide suitable habitats for insects. This included abundant riparian habitat, hay meadows to the north of the northern section, and abundant areas of scrub and hedgerow.

## 6.9 Plants

### 6.9.1 Invasive species

Himalayan balsam *(Impatiens balsamina)* was abundant throughout the site. Extensive stands were located within the central section of the site as well as stands within the south of the western section of the site. Balsam was also located within the plantation to the north of the eastern section, along the river banks in some sections, and within the fields to the east of the River Culm.

# 7 DISCUSSION

The site was assessed to have diverse ecological habitats such as mature tree lined hedgerows, riparian habitats, broadleaved woodland of varying ages, and pasture cut for hay. These habitats subsequently provide habitat suitability for a range of EPS such as otters, bats, and dormouse.

A detailed ecological assessment will be provided once the final layout has been provided. The detailed report would provide detailed advice regarding the specific ecological constraints that may arise from the proposals.

The detailed report will also include recommendations to mitigate and compensate the effects of the development and to enhance the site post development.

# 8 CONCLUSION

- The habitats on site were assessed to provide habitat suitability for a range of protected species including dormouse, birds, otters, hedgehogs, and polecat.

- A detailed assessment including mitigation, enhancements, and recommendations will be provided once a final layout has been issued.

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# REFERENCES

*Bat Conservation Trust Bat Surveys for Professional Ecologists – Good Practice Guidelines 3rd edition,* Collins, J (ed.) 2016

*Bat mitigation Guidelines*, English Nature 2004

*Bat Workers Manual* 3rd edition, Nature Conservancy Council 2004

*Development Management Policies Sites and Policies Plan Part 1*. North Somerset Council, Adopted July 2010.

*English Nature Reports No 576: An assessment of the efficiency of capture techniques and the value of different habitats for the great crested newt (Triturus cristatus),* Cresswell & Whitworth, 2004.

*Evaluating local mitigation/translocation programmes: Maintaining best practice and lawful standards.* HGBI advisory note for amphibians and reptile groups (ARGs)

*Froglife* advice sheet 10, *Reptile Survey*. An introduction to planning, conducting and interpreting surveys for snake and lizard conservation, Froglife 1999

*Froglife* advice sheet 11, *Surveying for Great Crested Newts,* Froglife 2003

Froglife *Great Crested Newt Conservation Handbook,* Froglife 2001

Guidence on Habitat for White-clawed crayfish. English Nature, 2002

*Guidelines for Ecological Impact Assessment in the UK and Ireland: Terrestrial, Freshwater and Coastal, 2nd Ed. CIEEM 2016*

*Guidelines for Ecological Report Writing, 2nd Edition, CIEEM 2017*

*Guidelines for Preliminary Ecological Appraisal*, 2nd edition, CIEEM 2017

*Handbook for Phase 1 Habitat Survey - a technique for environmental audit,* JNCC 2010

*Hedgerow Survey Handbook: A standard procedure for local surveys in the UK, Defra 2007*

*Local Plan part 3 – Development and Management Policies, Mid Devon 2013*

*Standing Advice Species Sheet: Hazel dormouse*, Natural England 2015

*Surveying Badgers*, Harris S, Creswell P and Jefferies D, Mammal Society 1989

*The Conservation of Habitats and Species Regulations 2017* (the Habitat Regulations), SI 2017 No. 1012 Wildlife Countryside, legistation.gov.uk

*The Dormouse Conservation Handbook*, 2nd edition, English Nature, 2006

*Wildlife and Countryside Act 1981 (as amended by the Countryside and Rights of Way Act 2000*), 1981 Chapter 69, legislation.gov.uk

*National Planning Policy Framework (2018)*
*https://www.gov.uk/government/publications/national-planning-policy-framework--2*

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# APPENDIX 1 LEGISLATION AND POLICY DETAILS

## A1.1 Legislation - Species

This section outlines the key legislation related to the habitats and species considered within this survey report.

### A1.1.1 Bats

All British bats are fully protected under Section 9 Schedule 5 of the Wildlife and Countryside Act 1981 and amendments. Agreement, and are fully protected under The Conservation of Habitats and Species Regulations 2017. In addition, they are protected under the Berne Convention; they are given migratory species protection within the Bonn Convention.
Regulation 43 (1) of The Conservation of Habitats and Species Regulation 2017 makes it an offence to:

- deliberately capture, injure or kill any species of bat;
- deliberately disturb any species of bat;
- damage or destroy a breeding site or resting place of any species of bat.

It is an offence to disturb any bat roosting site, whether the bats are there or not. Under Regulations 43 (2) disturbance includes in particular any disturbance which is likely:

- To impair their ability
  - to survive, to breed or reproduce, or to rear or nurture their young; or
  - in the case of a hibernating or migratory species, to hibernate or migrate; or
- To affect significantly the local distribution or abundance of the species to which they belong.

Presence of bats does not necessarily mean that development cannot go ahead, but that with suitable, approved mitigation, exemptions can be granted from the protection afforded to bats under regulation 43 by means of a licence. Natural England (NE) is the appropriate authority for determining licence applications for works associated with developments affecting bats, including demolition of their roost sites. In cases where licences are required, certain conditions have to be met to satisfy Natural England. Before the Statutory Nature Conservation Organisation (SNCO), in this case NE, can issue a licence to permit otherwise prohibited acts three tests have to be satisfied under the requirement of Regulation 55. These are:

1. Imperative Reasons of Overriding Public Interest [Reg 55(2)(e)];
2. No Satisfactory Alternative [Reg 55(9)(a)];
3. Maintenance of Favourable Conservation Status [Reg 55(9)(b)].

In order to meet the tests, SNCO usually expects the planning position to be fully resolved as this is necessary to satisfy tests 1 and 2. Full planning permission, if applicable, will need to have been granted and any conditions relating to bats fully discharged. ahead of any licence application to the SNCO. The LPA have a legal duty under The Conservation of Habitats and Species Regulations 2017, to assess whether the application is likely to meet the Three Tests

and therefore the requirements for Natural England licensing, prior to determination of an application The Licence application process may take two months before a licence is issued. Planning Permission and granting of a bat licence are separate legal functions. Therefore, receiving planning permission from the Local Authority is no guarantee that the SNCO will issue a derogation licence.

**A1.1.2 Reptiles**

All reptile species in Great Britain receive some legal protection from legislation in the Wildlife and Countryside Act 1981 (as amended), and the two rarest species are afforded additional protection by European law (The Conservation of Habitats and Species Regulations 2017). Both the Wildlife and Countryside Act 1981 and Habitat Regulations 1994 provide mechanisms to protect species, their habitats and sites occupied by the species.

The two European protected species, **Sand lizards** (*Lacerta agilis*) and **Smooth snakes** (*Coronella austriaca*), receive all elements of protection in Section 9 of the Wildlife and Countryside Act 1981 (as amended) and Conservation of Habitats and Species Regulations 2017:

These pieces of legislation prohibits the following on any of the above species:

- Deliberately or intentionally killing and capturing (taking) or intentional injuring.
- Deliberately disturbing
- Deliberately taking or destroying eggs
- Damaging or destroying a breeding site or resting place or intentionally damaging a place used for shelter or protection.
- Intentionally obstructing access to a place used for shelter; and keeping, transporting, selling or exchanging; offering for sale or advertising.

Under Regulations 43 (2) (The Conservation of Habitats and Species Regulations 2017) disturbance includes in particular any disturbance which is likely:

- To impair their ability
    - to survive, to breed or reproduce, or to rear or nurture their young; or
    - in the case of a hibernating or migratory species, to hibernate or migrate; or

To affect significantly the local distribution or abundance of the species to which they belong.

Species that receive protection against intentional killing, injuring and sale only from Schedule 9 of the Wildlife and Countryside Act 1981 (as amended): **Slow-worm** (*Anguis fragilis*), **Common lizard** (*Lacerta vivipara*), **Adder** (*Vipera berus*) and **Grass snake** (*Natrix natrix*).

Both the Wildlife and Countryside Act 1981 and The Conservation of Habitats and Species Regulations 2017apply to all life stages of the protected species: i.e. eggs and spawn, larvae, juveniles and adults are all protected.

### A1.1.3 Badger

The Protection of Badgers Act 1992 is based primarily on the need to protect badgers from baiting and deliberate harm or injury. It also contains restrictions that apply more widely and it is important for developers to know how this may affect their work. All the following are criminal offences:

- to wilfully kill, injure, take, possess or cruelly ill-treat a badger;
- to attempt to do so; or
- to intentionally or recklessly interfere with a sett.

Sett interference includes damaging or destroying a sett, obstructing access to a sett, and disturbing a badger whilst it is occupying a sett. It is not illegal, and therefore a licence is not required, to carry out disturbing activities in the vicinity of a sett if no badger is disturbed and the sett is not damaged or obstructed.

Development should not be permitted unless it is possible to take steps to ensure the survival of the badgers in their existing range and at the same population status, with provision of adequate alternative habitats if setts and foraging areas are destroyed. Natural England will normally only issue a licence after detailed planning permission has been granted, where applicable, so that there is no conflict with the planning process.

Before the planning application is determined, the local planning authority should request a detailed ecological survey/report and developers should be prepared to provide the following information:

- The numbers and status of badger setts and foraging areas that are affected by the proposal;
- the impact that the proposal is likely to have on badgers and what can be done by way of mitigation;
- judgment on whether the impact is necessary or acceptable; and
- a recommendation on whether a licence will be required.

A badger survey usually requires assessment of the site and a 30-50m buffer area as tunnels can extend up to 20m from sett entrances. As badgers are not a European Protected species the Three Test do not need to be applied, however Planning Permission and badger licensing are separate legal functions. Thus receiving planning permission from the Local Authority is no guarantee that development operations will not breach the Protection of Badgers Act 1992. Similarly planning permission does not guarantee that a badger licence will be granted.

### A1.1.4 Birds

All wild birds are protected under the Wildlife and Countryside Act 1981 (as amended) and cannot be killed or taken, their nests and eggs taken, damaged or destroyed while their nest is in use or being built. It also prohibits or controls certain methods of killing or taking except under licence. Other activities that are prohibited include possession and sale. Activities such as killing or taking birds (including relocating) which would otherwise be illegal can be carried

out under licence where there is suitable justification and the issue cannot be resolved by alternative means.

Specially protected or Schedule 1 birds receive full protection under the Wildlife and Countryside Act 1981 (as amended). Part I birds are protected at all times, Part II during the close season only. In addition to the protection from killing or taking that all birds, their nests and eggs have under the Act, Schedule 1 birds and their young must not be disturbed at the nest.

**A1.1.5 Dormouse**

They are protected under both the Conservation of Habitats and Species Regulations 2017 and the Wildlife and Countryside Act 1981 (as amended). Dormice and their breeding sites and resting places are fully protected. Without a licence it is an offence for anyone to deliberately disturb, capture, injure or kill them. It is also an offence to damage or destroy their breeding or resting places, to disturb or obstruct access to any place used by them for shelter. It is also an offence to possess or sell a wild dormouse.

If it is not possible to avoid harming dormice or damaging or blocking access to their habitats, a derogation licence will be required. Planning permission is required to be in place before a licence application.

Planning Permission and granting of a mitigation licence are separate legal functions. Therefore receiving planning permission from the Local Authority is no guarantee that the SNCO will issue a derogation licence.

**8.0.1.1 A1.1.6 Great crested newt**

Great crested newts are fully protected under UK and European legislation:

- Bern Convention 1979: Appendix III
- Wildlife & Countryside Act (as Amended) 1981: Schedule 5
- EC Habitats Directive 1992: Annex II and IV
- The Conservation of Habitats and Species Regulations 2017
- Countryside Rights of Way Act 2000 (CRoW 2000).

These pieces of legislation prohibit the following:

- Deliberately or intentionally killing and capturing (taking) or intentional injuring.
- Deliberately disturbing
- Deliberately taking or destroying eggs
- Damaging or destroying a breeding site or resting place or intentionally damaging a place used for shelter or protection.
- Intentionally obstructing access to a place used for shelter; and keeping, transporting, selling or exchanging; offering for sale or advertising.

Under Regulations 43 (2) (The Conservation of Habitats and Species Regulations 2017) disturbance includes in particular any disturbance which is likely:

- To impair their ability
    - to survive, to breed or reproduce, or to rear or nurture their young; or
    - in the case of a hibernating or migratory species, to hibernate or migrate; or

To affect significantly the local distribution or abundance of the species to which they belong. Paragraphs 43(1) and 43(2) ensure that protection applies to all stages of their life cycle.

GCN mitigation and licensing can be complex. Natural England have a rapid risk assessment tool which can be used for guidance to assist with determining whether a licence needs to be applied for, or if the development can proceed with Reasonable non-licensed Avoidance Measures (RAM). If a licence is required, the Favourable Conservation Test needs to be met.

**A1.1.7 Otter**

The European Otter is fully protected under UK and European law by the Wildlife and Countryside Act 1981 (as amended) and The Conservation of Habitat and Species Regulations 2017. Otters and their breeding sites and resting places are fully protected. It is an offence for anyone to deliberately disturb, capture, injure or kill them; to deliberately damage or destroy their breeding or resting places; to disturb or obstruct access to any place used by them for shelter. It is also an offence to possess or sell an otter.

Under Regulation 43(2) of The Conservation of Habitats and Species Regulations 2017 the disturbance of otter includes in particular any disturbance which is likely to impair their ability to survive, breed or reproduce, or to rear or nurture their young; or to affect significantly the local distribution or abundance of the species to which they belong.

If it is not possible to avoid harming otter or damaging or blocking access to their habitats, a derogation licence will be required. Planning permission is required to be in place before a licence application.

Planning Permission and granting of a mitigation licence are separate legal functions. Therefore receiving planning permission from the Local Authority is no guarantee that the SNCO will issue a derogation licence.

**A1.1.8 Water Vole**

Water vole are protected from intentional harm or capture or killing, from deliberate damage or destruction to any structure or place used for protection or shelter; from obstruction of access to any structure or place used for protection or shelter or intentional disturbance whilst occupying a place of rest or shelter.

Mitigation and licensing is complex, and usually compensatory habitat will be required and maintenance of connectivity between populations is of key importance. If it is not feasible to avoid disturbing or damaging water vole and/or their habitats it may be possible to apply for a licence. However licences cannot be issued for the specific purpose of development.

Natural England may issue a licence in some situations, if it is considered that the licence action of the development proposal will provide a conservation benefit for water vole.

#### A1.1.9 White clawed crayfish

White clawed crayfish are listed on Schedule 5 of the Wildlife and Countryside Act 1981 (as amended) however, though they are rare in the UK, they only receive protection under some sections making it an offence to take or sell the species only.

Under law, a licence is only necessary to survey for white clawed crayfish (at sites where there is an expectation for presence). The presence of white clawed crayfish is a material consideration in planning and development proposals, however, a mitigation licence is not needed if disturbance or harm cannot be reasonably avoided.

## A1.2 Legislation – Habitats

#### A1.2.1 European Designated Sites: Special Area of Conservation / Special Protection Area

The legal requirements relating to the designation, protection and management of SACs and SPAs in England are set out in the Conservation of Habitats and Species Regulations 2017 (SI No. 1012) , often referred to as 'the Habitats Regulations'. The 2017 regulations encapsulate all the amendments since they were last consolidated in 2010. SACs are designated under the EC Habitats Directive and SPAs under the EC Birds Directive. Collectively this network of EU-wide nature conservation site is referred to as Natura 2000 sites.

All SACs and SPAs in England are also Sites of Special Scientific Interest (SSSIs). The additional SAC/SPA designation is recognition that some or all of the wildlife habitats and species within a SSSI are particularly valued in a European context and require additional protection.

The Habitats Regulations require that any plans, projects or activities that is likely to significantly affect a SAC/SPA, either alone or in combination with other plans or project, must be subject to an assessment. This is irrespective of whether planning permission or other consent is required. The plan or project can only be consented or proceed if strict conditions are met to ensure protection of the site / favourable conservation status of qualifying species is met with no net negative impacts. The assessment must include consideration of potential off-site impacts to populations for which the sites are designated (for example loss of key foraging habitat beyond the SAC/SPA boundary), and in-direct impacts such as recreational pressure to SAC/SPA habitats and species.

The process is known as a Habitat Regulations Assessment (HRA) and comprises four stages:

i) Screening – Test of Likely Significant Effect (TOLSE)
ii) Appropriate Assessment and the Integrity Stage
iii) Alternative Solutions
iv) Imperative Reasons of Overriding Public Interest and Compensatory Measures.

The first stage is for the Competent Authority, usually the Local Authority, to carry out a TOLSE, or to request that a shadow HRA is completed to be adopted by the Competent Authority. The screening stage can take the form of an iterative process, whereby potential Likely Significant Effects are designed out or mitigated for. Whilst not a legal requirement until Stage 2 of the HRA process, this stage of the assessment is usually carried out in consultation with Natural England. Mitigation measures must be sufficiently detailed to inform the screening assessment and then secured through condition if it is for a planning proposal. In some situations, this may mean that the Competent Authority may request details for the screening process that would not usually be presented or submitted until the later stages of a proposal.

The decision-making authority may only permit or undertake the proposals if the screening assessment concludes that there would no adverse effect on the integrity of the SAC. Where it cannot reach this conclusion, the project can then only proceed by undertaking an 'Appropriate Assessment' of the adverse effect(s) which could not be screened out. This must be detailed, objective, based on best available scientific evidence and carried out in on-going consultation with Natural England, a legal requirement under the Habitat Regulations. If, with additional assessment and additional mitigation measures, the Competent Authority can still not ascertain that an adverse effect on the SAC/SPA habitats or favourable conservation status of qualifying species cannot be protected/maintained, permission to proceed with the plan or project should not be granted – subject to the provisions of Regulations 64 and 68: i) Overriding Public Interest (in the absence of alternative solutions) and ii) Secure Compensatory Measures (to ensure overall coherence of Natura 2000 is protected) respectively.

The HRA process allows those proposals which clearly will not impact upon the special European wildlife interest of a SAC to proceed. Natural England is able to provide advice to authorities on how proposed activities can avoid adverse impacts on a SAC/SPA.

Under the Habitats Regulations planning authorities must also require that any permitted development normally carried out under a general planning permission, but which may affect a SAC requires further approval before being undertaken.

As the statutory nature conservation body in England, Natural England is duty bound to ensure that SACs/SPAs are protected and managed favourably for conservation in line with the requirements of the Habitats Directive. Our experience is that it is usually possible to find mutually acceptable solutions where sustainable land use and wildlife can flourish.

**A1.2.2 UK Designated Sites – National Nature Reserves (NNR), Sites of Special Scientific Interest (SSSI)**

Nationally protected sites are designated under the Wildlife and Countryside Act 1981 (as amended), reinforcing protection provided by the National Parks and Access to the Countryside Act 1948. SSSIs may also form component units of SACs. Natural England have a statutory duty to protect NNRs and SSSIs and must be consulted for activities or applications where there is risk of damage to the SSSI. Consent from Natural England ('Request permission for works or activity on a SSSI') may be required for certain activities within or near to a SSSI.

## A1.3 Policy considerations

The National Planning Policy Framework (NPPF) set out the Government's planning Policies for England, to provide the framework and planning requirements for local plans; to deliver strategic and sustainable development.

### A1.3.1 National Planning Policy

**NPPF 2018**

The 2012 National Planning Policy Framework has been updated and replaced with NPPF 2018. This consolidates proposals from various Government consultation documents in recent years.

The NPPF 2018 sets out principles for conserving and enhancing the local environment. Key policies are that local plans should allocate land with least environmental or amenity value and take a strategic approach to maintaining and strengthening networks of habitats and green infrastructure.

Para 173 sets out nature conservation principles that LPAs should apply to the determination of planning applications:

'*When determining planning applications, local planning authorities should apply the following principles:*

a) *if significant harm to biodiversity resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused;*
b) *development on land within or outside a Site of Special Scientific Interest, and which is likely to have an adverse effect on it (either individually or in combination with other developments), should not normally be permitted. The only exception is where the benefits of the development clearly outweigh both its likely impact on the features of the site that make it of special scientific interest, and any broader impacts on the national network of Sites of Special Scientific Interest;*
c) *development resulting in the loss or deterioration of irreplaceable habitats (such as ancient woodland) should be refused, unless there are wholly exceptional reasons and a suitable mitigation strategy exists. Where development would involve the loss of individual aged or veteran trees that lie outside ancient woodland, it should be refused unless the need for, and benefits of, development in that location would clearly outweigh the loss; and*
d) *development whose primary objective is to conserve or enhance biodiversity should be supported; while opportunities to incorporate biodiversity improvements in and around developments should be encouraged, especially where this can secure measurable net gains for the environment.'*

# Preliminary Ecological Assessment

# CCA Fields, Cullompton



**April 2018**

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Appendix 1 Legislation and Policy

# 1.0 EXECUTIVE SUMMARY

- The site was located at CCA Fields in Cullompton, Mid Devon (Grid Reference: ST 04242 07098);
- The site area covered 19.82 hectares (Ha) and comprised mixed woodland, species-poor grassland, species-rich hedgerows, waterbodies, hard standing and structures;
- The woodland, species-rich hedgerows and river Culm were identified as key habitat features;
- Yellow rattle *(Rhinanthus minor)* was identified in grassland in the north of the site; and
- Protected species surveys are recommended for:
    - Bats (buildings, trees and activity);
    - Birds (breeding, farmland, overwintering);
    - Great crested newt;
    - Reptiles;
    - Hazel dormouse*;*
    - Otter;
    - Water vole; and
    - White clawed crayfish.
- Other surveys that may be required include badger, schedule 1 bird, and invertebrates.

# 2.0 INTRODUCTION

This preliminary ecological assessment produced by Ethos Environmental Planning (Ethos) relates to land located at CCA Fields in Cullompton, Mid Devon (Grid Reference: ST 04242 07098). The total area surveyed consisted of 19.82 Ha – See Figure 1.

## 2.1 Aims and objectives of the assessment

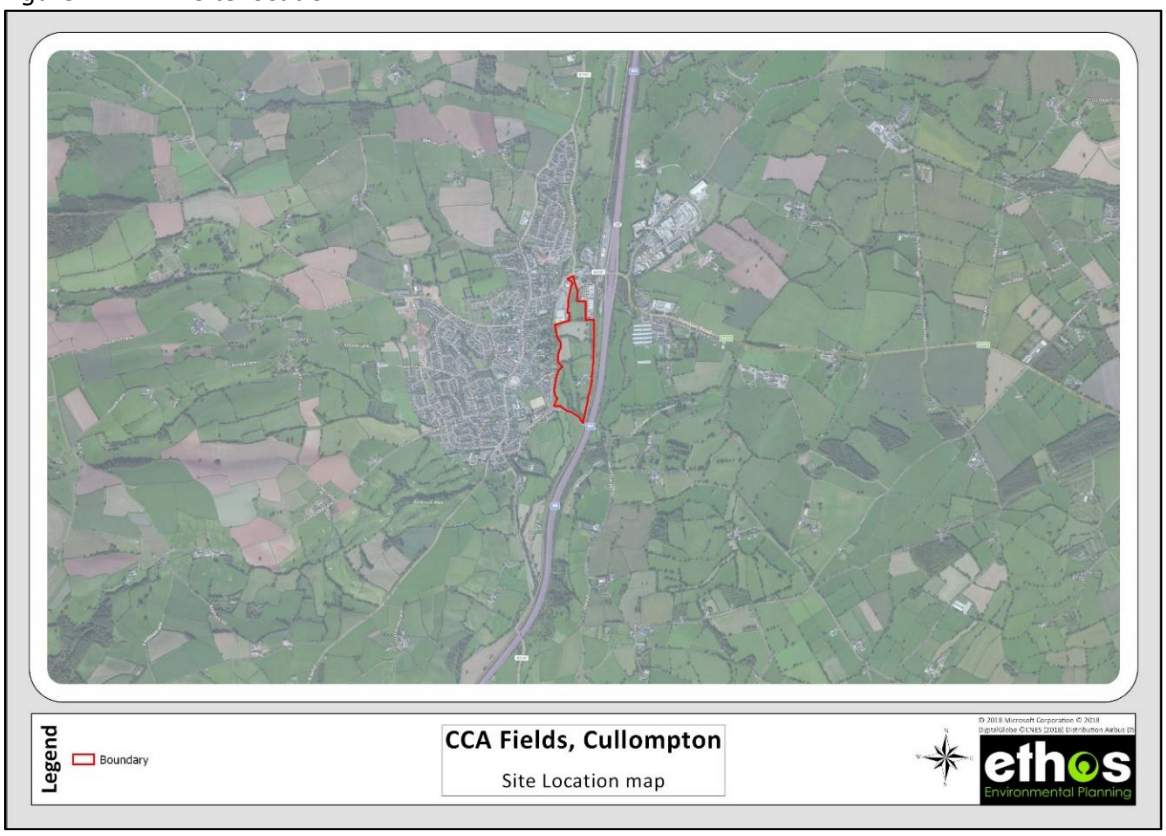
The preliminary ecological assessment has been informed by guidelines provided in the *'CIEEM Guidelines for Ecological Report Writing, 2015'.* Further guidance in relation to surveys for protected species is detailed in the relevant sections within this report. The survey has the following objectives:

- to identify the existing habitats on site;
- to assess the potential and presence of notable species;
- to establish baseline conditions and determine the importance of ecological features present (or those that could be present) within the specified area;
- to establish any requirements for further surveys or licensing;
- to identify key constraints to the project and make recommendations for design options to avoid significant effects on important ecological features/resources;
- to identify the mitigation measures to reduce any identified or potential ecological impact;
- to identify enhancement opportunities.

## 2.2 Site Location

The site was located north of Duke Street CCA Fields in the town of Cullompton (Grid Reference: ST 04242 07098). The east boundary was directly bordered by a railway line, and then the M5 motorway. The north and east boundary were bordered by the town of Cullompton and the south was bordered by agricultural fields. The wider environment was assessed as semi-rural; dominated by agricultural fields and pasture with sporadic residential plots. A section of the River Culm runs through the site near the southern boundary as a result of a levee, with the main river running east of the M5 motorway.

*Figure 1 Site location*




## 2.3 Development proposals

There are currently no development proposals for the site. The ecological assessment has been carried out to inform future development proposals and to anticipate any future requirements for survey.

## 2.4 Structure of the report

The following is included within this report:

- Legislative and planning context;
- Methodology;
- Phase 1 Habitat Survey; and
- Summary and recommendations.

# 3.0 LEGISLATIVE AND POLICY CONTEXT

This section provides a summary of the legislative and planning context which has been used to inform the ecological assessment and subsequent recommendations made in this report. Appendix 1 sets out further details in relation to the most relevant legislation and policy.

## 3.1 Summary of Legislation

**The Habitats Directive** (together with the Birds Directive) forms the cornerstone of Europe's nature conservation policy. It is built around two pillars: the Natura 2000 network of protected sites and the strict system of species protection. All in all, the directive protects over 1,000 animals and plant species and over 200 "habitat types" (e.g. special types of forests, meadows, wetlands, etc.), which are of European importance. The habitats Directive and parts of the Birds Directive are transposed into legislation by the **Conservation of Habitat and Species Regulations 2017**.

**The Wildlife and Countryside Act 1981** (as amended) is a key piece of national legislation which implements the Convention on the Conservation of European Wildlife and Natural Habitats (Bern Convention) and implements the species protection obligations of Council Directive 2009/147/EC (formerly 79/409/EEC) on the Conservation of Wild Birds (EC Birds Directive) in Great Britain.

Badgers and their setts are protected under the **Protection of Badgers Act 1992** as amended by the Hunting Act 2004.

The **Natural Environment and Rural Communities Act 2006** (the NERC act) places a duty on all public authorities, including local planning authorities, to consider biodiversity in their work. Local planning authorities are to ensure that there is no net loss of biodiversity on a site, no net loss in habitat connectivity and aims to enhance biodiversity.

The **Hedgerows Regulations 1997** protect 'important hedgerows' from being removed (uprooted or destroyed). Hedgerows are protected if they are at least 30 years old and meet at least one of the criteria listed in part II of schedule 1.

Specific legislation related to different species such as bats, birds and reptiles is outlined in appendix 1.

## 3.2 Policy

***Mid Devon Local plan Development Management Policies***

5.10 Major applications (defined in the glossary) should be accompanied by a habitat survey describing what flora and fauna are present on the site, with particular regard to protected species. In permitting the development, the Council must be satisfied, as they have a legal duty under the Conservation of Habitats and Species Regulations 2017, that onsite biodiversity mitigation, where required, is sufficient to make the development acceptable in planning terms.

5.11 Green infrastructure provided within major development sites should normally serve a variety of purposes such as flood attenuation, leisure and recreation, provision of natural habitats, and shading and cooling of buildings and public areas. Green infrastructure functions can co-exist in one place, so the land coverage does not have to be extensive in every case. Green infrastructure within the site should be achieved as part of the broader objectives for sustainable design contained in Policy DM3 and high quality design (Policy DM2). Applicants should have regard to the Town and Country Planning Association document, Biodiversity by Design, and should explore opportunities for green infrastructure to deliver wider environmental measures, such as those set out in the SW River Basin Management Plan.

5.27 Policy DM30 affords protection to specific sites of significant wildlife or geological importance. The Council will also have regard to whether the application site is a priority habitat as defined in the UK Biodiversity Action Plan, including certain classifications of grassland, heathland, woodland or marsh. While the loss of irreplaceable habitats will not normally be permitted, the Council will seek the replacement of a priority habitat where it is significantly affected and its replacement can be achieved, through a planning obligation as appropriate. The Countryside and Rights of Way Act 2000, the UK Biodiversity Action Plan and a number of other Regulations and Directives also designate particular protected species with legal protection. It is an offence recklessly or deliberately to kill, injure, capture or disturb protected species, which includes carrying out works which obstruct, damage or destroy access to that species habitat. These provisions are set out in law and apply in addition to relevant policies in the Local Plan.

# 4.0 METHODOLOGY

## 4.1 Phase 1 habitat survey

The phase 1 habitat survey and mapping has drawn on guidance provided in the *Handbook for Phase 1 Habitat Survey - a technique for environmental audit (JNCC 2010).* A field survey was undertaken on the 15th June 2017 by the survey team (see below). The survey incorporated an assessment of the land within the development boundary and the adjoining area, including a description and mapping of all key features and habitat types. The survey was carried out to identify the range of habitats within the site.

## 4.2 Background data search

A background data search for the wider development area will be carried out by Devon Biodiversity Records Centre (DBRC) at a later stage. This will include local notable sites and species within a 1km radius of the site.

## 4.3 Protected Species Assessment

The Phase 1 habitat survey has been extended to include an assessment for protected species in line with *Guidelines for Preliminary Ecological Appraisal, CIEEM 2013*. At this preliminary stage, no detailed surveys have been undertaken but general methodologies focussing on habitat suitability are detailed below.

### 4.3.1 Badger

The survey for badger *(Meles meles)* included a search of the development site for any evidence of badgers, including setts, foraging signs (snuffle holes), runs and latrines.

### 4.3.2 Hedgehog

There is no standardised survey technique for this BAP species however, the habitats within the site were assessed for their potential to support hedgehog *(Erinaceus europaeus)*, and visually for evidence of hedgehogs themselves or their droppings.

### 4.3.3 Otter and water vole

The survey included an assessment of the potential of the site to support riparian mammals such as otter *(Lutra lutra)* and water vole *(Arvicola amphibius)*. The principal survey technique employed was a search for field signs including holts/burrows, couches, feeding sites, spraints/latrines and tracks.

### 4.3.4 Hazel dormouse

The survey included an assessment of the potential of the site for hazel dormouse *(Muscardinus avellanarius)*, focusing on the connectivity and suitability of the habitat on site.

### 4.3.5 Amphibians

The habitats on site were assessed for their potential to support amphibian species, including great crested newts (*Triturus cristatus)* (GCN). Surveys for GCN were informed by the *Great Crested Newt Conservation Handbook,* Froglife 2001. The site was examined for suitable waterbodies and for breeding terrestrial habitat. Terrestrial habitats providing sufficiently structured vegetation in which amphibians may forage or hibernate over winter were also surveyed for.

### 4.3.6 Birds

The bird survey included an assessment of the habitats on site for their potential to support breeding birds. Surveyors were equipped with Barr and Stroud 8 x 42 binoculars and any bird species observed during all site visits were recorded.

### 4.3.7 Invertebrates

Due to the many invertebrate taxonomic groups that exist, the often-large differences in invertebrate diversity between habitats and the many survey techniques available, invertebrate surveys are highly specific to individual sites. Therefore, an assessment of the potential site for invertebrates was undertaken, including the need for targeted surveys.

### 4.3.8 Reptiles

The potential presence of reptiles on site was assessed considering the habitats present (availability of refugia and basking areas) and suitability of surrounding environment. Where possible, attempts to confirm reptile presence on site were made following *Froglife Advice Sheet 10 – Surveying for Reptiles* through direct observation in reptile "hotspots" and checking of any existing refugia.

### 4.3.9 Bats

The methodology for the bat survey has been informed by the Bat Conservation Trust *Bat Surveys Good Practice Guidelines 2016*.

The habitats on site were assessed for their suitability for foraging and commuting bats and the trees were assessed for their potential for roosting bats. The assessment was also contextualized through examination of suitable habitat and features in the wider landscape and possible flight-lines across the proposed site following natural linear features such as hedgerows.

## 4.4 Personnel

All surveys were led by Jim Phillips, BSc (Hons), MA, MCIEEM. Due to the size of site and potential scope of surveys involved, Jim was assisted by Rachel Godden BSc (Hons), ACIEEM and Charlie Fayers BSc (Hons), ACIEEM. Jim is a Director of Ethos and a qualified and

experienced ecologist with over 8 year's field work experience and a full member of the Chartered Institute of Ecology and Environmental Management (CIEEM). Rachel and Charlie are qualified ecologists with four years' experience of practical field ecology. The survey team have worked together on numerous similar projects and have a complimentary range of skills and experience which are considered to have provided a robust ecological appraisal of the site.

## 4.5 Limitations

The assessment at this stage is not informed by background desk study data of existing records in the area. Phase 1 Habitat Survey was undertaken at an optimal time of year when flora was in full bloom and the site was fully accessible.

# 5.0 PHASE 1 HABITAT SURVEY

## 5.1 General site description

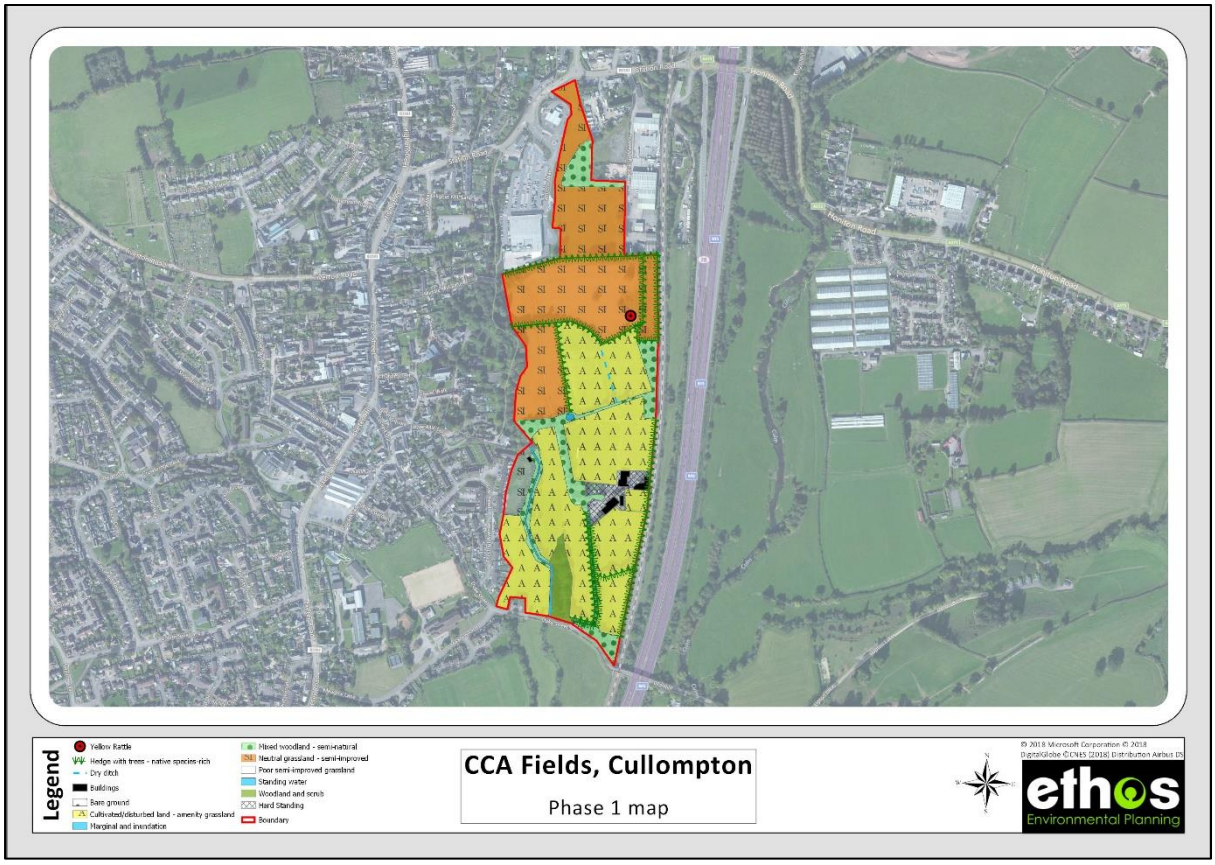
The site was dominated by large fields of amenity grassland and semi-improved grassland interspersed with woodland and hedgerows. Several water bodies were present on site including a pond, a ditch and the River Culm. The site is used as a cricket ground with the cricket club and associated car park located in the southern half of the site.

## 5.2 Habitat description

Figure 1 shows the key habitats using the Phase 1 habitat classifications. The key habitat types described within this section are:

- Neutral grassland – Semi-improved (B2.2);
- Poor semi-improved grassland (B4);
- Cultivated/disturbed land – amenity grassland (J1.2);
- Mixed woodland – semi-natural (A3.1);
- Hedge with trees – native species-rich (J3.1);
- Woodland and scrub;
- Standing water (G1);
- Running water (G2);
- Dry ditch (J2.6);
- Hardstanding;
- Buildings; and
- Target Note – yellow rattle *(Rhinanthus minor)*.

*Figure 2 Phase 1 habitat map of site*




### 5.2.1 Neutral grassland – semi-improved (B2.2)

Semi-improved grassland was abundant in the north of the site, covering approximately 7 Ha. Despite the grassland being left unmanaged it had relatively low diversity, harbouring only common species such as greater plantain *(Plantago major)*, ribwort plantain *(Plantago lanceolata)*, perennial rye-grass *(Lolium perenne),* Yorkshire fog *(Holcus lanatus)* and common sorrel *(Rumex acetosa)*. Patches of yellow rattle *(Rhinanthus minor)* were also identified.



*Photo 1: Semi-improved grassland*



*Photo 2: Semi-improved grassland*

### 5.2.2 Poor semi-improved grassland (B4)

Poor semi-improved grassland was present on the western boundary. The habitat was overgrown with poor botanical diversity within this section. Species recorded include; common nettle *(Urtica dioica)*, cow parsley *(Anthriscus sylvestris)* and hogweed *(Heracleum sphondylium)*.



*Photo 3: poor semi-improved grassland*

### 5.2.3 Cultivated/disturbed land – amenity grassland (J1.2)

The site was dominated by heavily managed, short sward amenity grassland which consisted of play areas and sports fields. The habitat had low botanical diversity and value for protected species was limited.



*Photo 4: Amenity grassland*



*Photo 5: Amenity grassland*

### 5.2.4 Mixed woodland – semi-natural (A3.1)

Mature mixed woodland was present within the centre of the site and comprised of a combination of deciduous and leyllandli trees used as curtilage between playing fields and screening from the motorway and railway line.



*Photo 6: Mixed woodland understorey*



*Photo 7: Mixed woodland*

### 5.2.5 Hedge with trees – native species-rich (J3.1)

Species rich hedgerows were located predominantly on the site boundaries and were used to separate playing fields and grasslands. The hedgerows comprised of mature well-established trees and were identified as having significant ecological value to the site.



*Photo 8: Species rich hedgerows either side of road*



*Photo 9: Species- rich hedgerow adjacent to amenity grassland*

### 5.2.6 Running Water (G2)

A tributary of the river Culm runs traverses the west boundary and south-west section of the site. This stream is heavily lined and shaded by deciduous trees on both banks.



*Photo 10: River Culm*

### 5.2.6 Standing Water (G1)

A single pond was located within the woodland in the centre of the site. This pond was over shadowed however was assessed as holding ecological value on site.



*Photo 11: Pond*

### 5.2.7 Dry /wet ditch (J2.6)

A ditch was located between two sport pitches within the north of the site. The banks were dominated by ruderal species including; common nettle *(Urtica dioica)*, cow parsley *(Anthriscus sylvestris)*, goosegrass *(Galium aparine)* and woody nightshade (*Solanum dulcamara*).

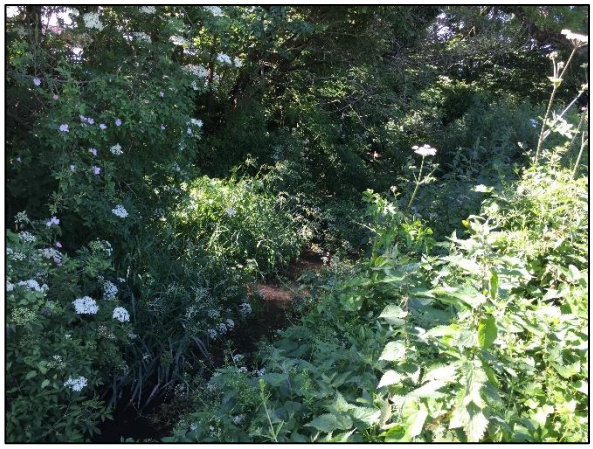


*Photo 12: Wet ditch*

### 5.2.8 Hardstanding

Hard standing concrete was located on the main access road and within the car park.



*Photo 13: Hard standing*

### 5.2.10 Buildings (J6)

Five buildings were located within the site boundary. These structures varied in design but were mostly used as changing facilities.



*Photo 14: Building*



*Photo 15: Building*

# 6.0 SUMMARY AND RECOMMENDATIONS

## 6.1 Habitat

The habitats on site were assessed to be of moderate- high value and important at a local level, including areas of woodland and species-rich hedgerow.

A detailed habitat and hedgerow survey will be required, with potential for targeted botanical surveys (phase 2 NVC or similar) if a more detailed baseline is required in certain areas of the site.

## 6.2 Protected species (recommended further surveys)

The initial survey identified potential for a number of protected species on site due to the suitability of habitats. From this the following further surveys are recommended:

### 6.2.1 Badger

There was no evidence of badger on site; no mammal trails, foraging evidence, smeuses, latrines or setts were found. The habitats on site were assessed as having high potential for foraging badgers. The surrounding environment was largely urbanised with the village of Cullompton west of the site. Large agricultural fields were located to the east of the site however, these were separated by the south west rail line and the M5 which were assessed to be a significant barrier. Overall the site was assessed to hold potential for foraging badgers however no evidence of permanent occupation was found during the site walkover. Badgers are transient in nature, so there is potential for presence to be found later on. No further survey is recommended at this stage, however should any evidence of badger *(Meles meles)* become apparent during other protected species surveys, further survey may be required.

### 6.2.2 Hedgehog

The wider environment was assessed to be urban with mosaic of urban development and nature, providing potential habitat for hedgehogs. Suitable habitat for hedgehogs was present on site including scrub and grassland. No further survey is required; however development design should consider connectivity for hedgehog *(Erinaceus europaeus)*.

### 6.2.3 Otter and water vole

The river Culm was present within the site which had potential to support these species. Overall it was assessed that the river Culm had moderate potential to harbour these species and that further surveys will be required.

### 6.2.4 Hazel dormouse

The site was largely isolated from other suitable habitat due to the village of Cullompton and the railway line, with connectivity limited to fields and hedgerows south of the site. Despite the poor connectivity the habitats on site had moderate- high potential with scrub and woodland offering good foraging and commuting habitat. Overall it was assessed that further surveys are required.

### 6.2.5 Amphibians - Great crested newt

The pond on site provided potential breeding habitat for great crested newts, with the scrub and tall ruderal providing good terrestrial habitat. The wider environment was largely urbanised to the west and although the habitat to the east was assessed as having high potential GCN the M5 and Railway line were assessed to be a significant barrier. Despite the poor connectivity due to the high records and the suitable habitats on site, further surveys will be required.

### 6.2.6 Birds

The habitats on site were assessed to have moderate- high value for birds, with the scrub, grassland and woodland providing suitable nesting and feeding opportunities. The mosaic of woodland, grassland and riverain habitats provide potential for birds of conservation concern and schedule 1 birds to be present, it is therefore recommended that further surveys will be required covering breeding, farmland and overwintering bird surveys.

### 6.2.7 Invertebrates – White clawed crayfish

The grassland was assessed as having moderate value for invertebrates with the hedgerows and scrub being assessed as having high potential. It is recommended that the potential need for targeted invertebrate surveys, in particular for white-clawed crayfish, is considered following review of the development proposals on aquatic habitat and the river Culm.

The river Culm supports one of the two remaining populations of white-clawed crayfish in Devon.

### 6.2.8 Reptiles

Several areas on site were assessed to have moderate suitability for reptiles, in particular the grassland tussocks and scrub fringes. Therefore, it is recommended that an initial presence/absence survey for reptiles is undertaken in areas of most suitable habitat. If reptiles are found, further targeted population assessment surveys will be required.

### 6.2.9 Bats

The wider environment was assessed as high value for bats with a large network of fields, hedgerows and woodland, as well as roosting opportunities in nearby structures. The grassland and woodland provided moderate potential for foraging bats, with the mature trees

having high potential for roosting bats. Overall it was assessed that the site had moderate-high potential for bats and therefore further targeted species surveys will be required.

### 6.2.10 Survey Summary and time periods

Table 2 summarises the additional surveys that would be required to complete a full ecological impact assessment of the proposed development on the site.

*Table 2 Survey time periods*

| Survey | J | F | M | A | M | J | J | A | S | O | N | D |
|---|---|---|---|---|---|---|---|---|---|---|---|---|
| **Detailed habitat and Hedgerow** | | | | | | | | | | | | |
| **Aquatic plants** | | | | | | | | | | | | |
| **Invertebrates (terrestrial and aquatic)** | | | | | | | | | | | | |
| **Bats – tree assessment** | | | | | | | | | | | | |
| **Bats – activity/emergence** | | | | | | | | | | | | |
| **Bats – static monitoring** | | | | | | | | | | | | |
| **Birds - winter** | | | | | | | | | | | | |
| **Birds – breeding** | | | | | | | | | | | | |
| **Birds - farmland** | | | | | | | | | | | | |
| **Reptiles** | | | | | | | | | | | | |
| **GCN** | | | | | | | | | | | | |
| **Hazel dormouse** | | | | | | | | | | | | |
| **Otter/Water Vole** | | | | | | | | | | | | |
| **Badger** | | | | | | | | | | | | |
| **White clawed crayfish** | | | | | | | | | | | | |

# REFERENCES

*Guidelines for Preliminary Ecological Appraisal*, 2nd edition. CIEEM 2017

*Guidelines for Accessing and Using Biodiversity Data*, CIEEM 2016

*Guidelines for Ecological Impact Assessment in the UK and Ireland: Terrestrial, Freshwater and Coastal, 2nd Ed. CIEEM 2016*

*Handbook for Phase 1 Habitat Survey - a technique for environmental audit,* JNCC 2010

*Hedgerow Survey Handbook: A standard procedure for local surveys in the UK, Defra 2007*

*BCT Bat Surveys for Professional Ecologists – Good Practice Guidelines 3rd edition,* Collins, J (ed.) 2016

*Bat Workers Manual* 3rd edition, Nature Conservancy Council 2004

*Bat mitigation Guidelines*, English Nature 2004

Standing Advice Species Sheet: Hazel dormouse, Natural England 2015

*The Dormouse Conservation Handbook*, 2nd edition, English Nature, 2006

*Froglife* advice sheet 10, *Reptile Survey*. An introduction to planning, conducting and interpreting surveys for snake and lizard conservation, Froglife 1999

Froglife *Great Crested Newt Conservation Handbook,* Froglife 2001

*Froglife* advice sheet 11, *Surveying for Great Crested Newts,* Froglife 2003

*Wildlife and Countryside Act 1981 (as amended by the Countryside and Rights of Way Act 2000*), 1981 Chapter 69, legislation.gov.uk

*The Conservation of Habitats and Species Regulations 2017* (the Habitat Regulations), SI 2017 No. 1012 Wildlife Countryside, legistation.gov.uk

# APPENDIX 1 LEGISLATION AND POLICY DETAILS

## A1.1 Legislation - Species

This section outlines the key legislation related to the habitats and species considered within this survey report.

***Bats***

All British bats are fully protected under Section 9 Schedule 5 of the Wildlife and Countryside Act 1981 and amendments. Agreement, and are fully protected under The Conservation of Habitats and Species Regulations 2017. In addition, they are protected under the Berne Convention; they are given migratory species protection within the Bonn Convention.
Regulation 43 (1) of The Conservation of Habitats and Species Regulation 2017 makes it an offence to:

- deliberately capture, injure or kill any species of bat;
- deliberately disturb any species of bat;
- damage or destroy a breeding site or resting place of any species of bat.

It is an offence to disturb any bat roosting site, whether the bats are there or not. Under Regulations 43 (2) disturbance includes in particular any disturbance which is likely:

- To impair their ability
  - to survive, to breed or reproduce, or to rear or nurture their young; or
  - in the case of a hibernating or migratory species, to hibernate or migrate; or
- To affect significantly the local distribution or abundance of the species to which they belong.

Presence of bats does not necessarily mean that development cannot go ahead, but that with suitable, approved mitigation, exemptions can be granted from the protection afforded to bats under regulation 43 by means of a licence. Natural England (NE) is the appropriate authority for determining licence applications for works associated with developments affecting bats, including demolition of their roost sites. In cases where licences are required, certain conditions have to be met to satisfy Natural England. Before the Statutory Nature Conservation Organisation (SNCO), in this case NE, can issue a licence to permit otherwise prohibited acts three tests have to be satisfied under the requirement of Regulation 55. These are:

1. Imperative Reasons of Overriding Public Interest [Reg 55(2)(e)];
2. No Satisfactory Alternative [Reg 55(9)(a)];
3. Maintenance of Favourable Conservation Status [Reg 55(9)(b)].

In order to meet the tests, SNCO usually expects the planning position to be fully resolved as this is necessary to satisfy tests 1 and 2. Full planning permission, if applicable, will need to have been granted and any conditions relating to bats fully discharged. ahead of any licence application to the SNCO. The LPA have a legal duty under The Conservation of Habitats and

Species Regulations 2017, to assess whether the application is likely to meet the Three Tests and therefore the requirements for Natural England licensing, prior to determination of an application. The Licence application process may take two months before a licence is issued.

Planning Permission and granting of a bat licence are separate legal functions. Therefore receiving planning permission from the Local Authority is no guarantee that the SNCO will issue a derogation licence.

***Reptiles***

All reptile species in Great Britain receive some legal protection from legislation in the Wildlife and Countryside Act 1981 (as amended), and the two rarest species are afforded additional protection by European law (The Conservation of Habitats and Species Regulations 2017). Both the Wildlife and Countryside Act 1981 and Habitat Regulations 1994 provide mechanisms to protect species, their habitats and sites occupied by the species.

The two European protected species, **Sand lizards** (*Lacerta agilis*) and **Smooth snakes** (*Coronella austriaca*), receive all elements of protection in Section 9 of the Wildlife and Countryside Act 1981 (as amended) and Conservation of Habitats and Species Regulations 2017:

These pieces of legislation prohibits the following on any of the above species:

- Deliberately or intentionally killing and capturing (taking) or intentional injuring.
- Deliberately disturbing
- Deliberately taking or destroying eggs
- Damaging or destroying a breeding site or resting place or intentionally damaging a place used for shelter or protection.
- Intentionally obstructing access to a place used for shelter; and keeping, transporting, selling or exchanging; offering for sale or advertising.

Under Regulations 43 (2) (The Conservation of Habitats and Species Regulations 2017) disturbance includes in particular any disturbance which is likely:

- To impair their ability
    - to survive, to breed or reproduce, or to rear or nurture their young; or
    - in the case of a hibernating or migratory species, to hibernate or migrate; or

To affect significantly the local distribution or abundance of the species to which they belong.

Species that receive protection against intentional killing, injuring and sale only from Schedule 9 of the Wildlife and Countryside Act 1981 (as amended): **Slow-worm** (*Anguis fragilis*), **Common lizard** (*Lacerta vivipara*), **Adder** (*Vipera berus*) and **Grass snake** (*Natrix natrix*).

Both the Wildlife and Countryside Act 1981 and The Conservation of Habitats and Species Regulations 2017apply to all life stages of the protected species: i.e. eggs and spawn, larvae, juveniles and adults are all protected.

***Badgers***

The Protection of Badgers Act 1992 is based primarily on the need to protect badgers from baiting and deliberate harm or injury. It also contains restrictions that apply more widely and it is important for developers to know how this may affect their work. All the following are criminal offences:

- to wilfully kill, injure, take, possess or cruelly ill-treat a badger;
- to attempt to do so; or
- to intentionally or recklessly interfere with a sett.

Sett interference includes damaging or destroying a sett, obstructing access to a sett, and disturbing a badger whilst it is occupying a sett. It is not illegal, and therefore a licence is not required, to carry out disturbing activities in the vicinity of a sett if no badger is disturbed and the sett is not damaged or obstructed.

Development should not be permitted unless it is possible to take steps to ensure the survival of the badgers in their existing range and at the same population status, with provision of adequate alternative habitats if setts and foraging areas are destroyed. Natural England will normally only issue a licence after detailed planning permission has been granted, where applicable, so that there is no conflict with the planning process.

Before the planning application is determined, the local planning authority should request a detailed ecological survey/report and developers should be prepared to provide the following information:

- The numbers and status of badger setts and foraging areas that are affected by the proposal;
- the impact that the proposal is likely to have on badgers and what can be done by way of mitigation;
- judgment on whether the impact is necessary or acceptable; and
- a recommendation on whether a licence will be required.

A badger survey usually requires assessment of the site and a 30-50m buffer area as tunnels can extend up to 20m from sett entrances. As badgers are not a European Protected species the Three Test do not need to be applied, however Planning Permission and badger licensing are separate legal functions. Thus receiving planning permission from the Local Authority is no guarantee that development operations will not breach the Protection of Badgers Act 1992. Similarly planning permission does not guarantee that a badger licence will be granted.

***Birds***

All wild birds are protected under the Wildlife and Countryside Act 1981 (as amended) and cannot be killed or taken, their nests and eggs taken, damaged or destroyed while their nest is in use or being built. It also prohibits or controls certain methods of killing or taking except under licence. Other activities that are prohibited include possession and sale. Activities such as killing or taking birds (including relocating) which would otherwise be illegal can be carried

out under licence where there is suitable justification and the issue cannot be resolved by alternative means.

Specially protected or Schedule 1 birds receive full protection under the Wildlife and Countryside Act 1981 (as amended). Part I birds are protected at all times, Part II during the close season only. In addition to the protection from killing or taking that all birds, their nests and eggs have under the Act, Schedule 1 birds and their young must not be disturbed at the nest.

***Hazel Dormouse***

They are protected under both the Conservation of Habitats and Species Regulations 2017 and the Wildlife and Countryside Act 1981 (as amended). Dormice and their breeding sites and resting places are fully protected. Without a licence it is an offence for anyone to deliberately disturb, capture, injure or kill them. It is also an offence to damage or destroy their breeding or resting places, to disturb or obstruct access to any place used by them for shelter. It is also an offence to possess or sell a wild dormouse.

If it is not possible to avoid harming dormice or damaging or blocking access to their habitats, a derogation licence will be required. Planning permission is required to be in place before a licence application.

Planning Permission and granting of a mitigation licence are separate legal functions. Therefore receiving planning permission from the Local Authority is no guarantee that the SNCO will issue a derogation licence.

***Great Crested Newts***

Great crested newts are fully protected under UK and European legislation:

- Bern Convention 1979: Appendix III
- Wildlife & Countryside Act (as Amended) 1981: Schedule 5
- EC Habitats Directive 1992: Annex II and IV
- The Conservation of Habitats and Species Regulations 2017
- Countryside Rights of Way Act 2000 (CRoW 2000).

These pieces of legislation prohibit the following:

- Deliberately or intentionally killing and capturing (taking) or intentional injuring.
- Deliberately disturbing
- Deliberately taking or destroying eggs
- Damaging or destroying a breeding site or resting place or intentionally damaging a place used for shelter or protection.
- Intentionally obstructing access to a place used for shelter; and keeping, transporting, selling or exchanging; offering for sale or advertising.

Under Regulations 43 (2) (The Conservation of Habitats and Species Regulations 2017) disturbance includes in particular any disturbance which is likely:

- To impair their ability
    - to survive, to breed or reproduce, or to rear or nurture their young; or
    - in the case of a hibernating or migratory species, to hibernate or migrate; or

To affect significantly the local distribution or abundance of the species to which they belong. Paragraphs 43(1) and 43(2) ensure that protection applies to all stages of their life cycle.

GCN mitigation and licensing can be complex. Natural England have a rapid risk assessment tool which can be used for guidance to assist with determining whether a licence needs to be applied for, or if the development can proceed with Reasonable non-licensed Avoidance Measures (RAM). If a licence is required, the Favourable Conservation Test need to be met.

***Otter***

The European Otter is fully protected under UK and European law by the Wildlife and Countryside Act 1981 (as amended) and The Conservation of Habitat and Species Regulations 2017. Otters and their breeding sites and resting places are fully protected. It is an offence for anyone to deliberately disturb, capture, injure or kill them; to deliberately damage or destroy their breeding or resting places; to disturb or obstruct access to any place used by them for shelter. It is also an offence to possess or sell an otter.

Under Regulation 43(2) of The Conservation of Habitats and Species Regulations 2017 the disturbance of otter includes in particular any disturbance which is likely to impair their ability to survive, breed or reproduce, or to rear or nurture their young; or to affect significantly the local distribution or abundance of the species to which they belong.

If it is not possible to avoid harming otter or damaging or blocking access to their habitats, a derogation licence will be required. Planning permission is required to be in place before a licence application.

Planning Permission and granting of a mitigation licence are separate legal functions. Therefore receiving planning permission from the Local Authority is no guarantee that the SNCO will issue a derogation licence.

***Water vole***

Water vole are protected from intentional harm or capture or killing, from deliberate damage or destruction to any structure or place used for protection or shelter; from obstruction of access to any structure or place used for protection or shelter or intentional disturbance whilst occupying a place of rest or shelter.

Mitigation and licensing is complex, and usually compensatory habitat will be required and maintenance of connectivity between populations is of key importance. If it is not feasible to avoid disturbing or damaging water vole and/or their habitats it may be possible to apply for a licence. However licences cannot be issued for the specific purpose of development. Natural England may issue a licence in some situations, if it is considered that the licence action of the development proposal will provide a conservation benefit for water vole.

***White Clawed Crayfish***

White clawed crayfish are listed on Schedule 5 of the Wildlife and Countryside Act 1981 (as amended) however, though they are rare in the UK, they only receive protection under some sections making it an offence to take or sell the species only.

Under law, a licence is only necessary to survey for white clawed crayfish (at sites where there is an expectation for presence). The presence of white clawed crayfish is a material consideration in planning and development proposals, however, a mitigation licence is not needed if disturbance or harm cannot be reasonably avoided.

## A1.2 Legislation – Habitats

***European Designated Sites: Special Area of Conservation / Special Protection Area***

The legal requirements relating to the designation, protection and management of SACs and SPAs in England are set out in the Conservation of Habitats and Species Regulations 2017 (SI No. 1012) , often referred to as 'the Habitats Regulations'. The 2017 regulations encapsulate all the amendments since they were last consolidated in 2010. SACs are designated under the EC Habitats Directive and SPAs under the EC Birds Directive. Collectively this network of EU-wide nature conservation site is referred to as Natura 2000 sites.

All SACs and SPAs in England are also Sites of Special Scientific Interest (SSSIs). The additional SAC/SPA designation is recognition that some or all of the wildlife habitats and species within a SSSI are particularly valued in a European context and require additional protection.

The Habitats Regulations require that any plans, projects or activities that is likely to significantly affect a SAC/SPA, either alone or in combination with other plans or project, must be subject to an assessment. This is irrespective of whether planning permission or other consent is required. The plan or project can only be consented or proceed if strict conditions are met to ensure protection of the site / favourable conservation status of qualifying species is met with no net negative impacts. The assessment must include consideration of potential off-site impacts to populations for which the sites are designated (for example loss of key foraging habitat beyond the SAC/SPA boundary), and in-direct impacts such as recreational pressure to SAC/SPA habitats and species.

The process is known as a Habitat Regulations Assessment (HRA) and comprises four stages:

i) Screening – Test of Likely Significant Effect (TOLSE)
ii) Appropriate Assessment and the Integrity Stage
iii) Alternative Solutions
iv) Imperative Reasons of Overriding Public Interest and Compensatory Measures.

The first stage is for the Competent Authority, usually the Local Authority, to carry out a TOLSE, or to request that a shadow HRA is completed to be adopted by the Competent Authority. The screening stage can take the form of an iterative process, whereby potential

Likely Significant Effects are designed out or mitigated for. Whilst not a legal requirement until Stage 2 of the HRA process, this stage of the assessment is usually carried out in consultation with Natural England. Mitigation measures must be sufficiently detailed to inform the screening assessment and then secured through condition if it is for a planning proposal. In some situations, this may mean that the Competent Authority may request details for the screening process that would not usually be presented or submitted until the later stages of a proposal.

The decision-making authority may only permit or undertake the proposals if the screening assessment concludes that there would no adverse effect on the integrity of the SAC. Where it cannot reach this conclusion, the project can then only proceed by undertaking an 'Appropriate Assessment' of the adverse effect(s) which could not be screened out. This must be detailed, objective, based on best available scientific evidence and carried out in on-going consultation with Natural England, a legal requirement under the Habitat Regulations. If, with additional assessment and additional mitigation measures, the Competent Authority can still not ascertain that an adverse effect on the SAC/SPA habitats or favourable conservation status of qualifying species cannot be protected/maintained, permission to proceed with the plan or project should not be granted – subject to the provisions of Regulations 64 and 68: i) Overriding Public Interest (in the absence of alternative solutions) and ii) Secure Compensatory Measures (to ensure overall coherence of Natura 2000 is protected) respectively.

. The HRA process allows those proposals which clearly will not impact upon the special European wildlife interest of a SAC to proceed. Natural England is able to provide advice to authorities on how proposed activities can avoid adverse impacts on a SAC/SPA.

Under the Habitats Regulations planning authorities must also require that any permitted development normally carried out under a general planning permission but which may affect a SAC requires further approval before being undertaken.

As the statutory nature conservation body in England, Natural England is duty bound to ensure that SACs/SPAs are protected and managed favourably for conservation in line with the requirements of the Habitats Directive. Our experience is that it is usually possible to find mutually acceptable solutions where sustainable land use and wildlife can flourish.

***UK Designated Sites – National Nature Reserves (NNR), Sites of Special Scientific Interest (SSSI)***

Nationally protected sites are designated under the Wildlife and Countryside Act 1981 (as amended), reinforcing protection provided by the National Parks and Access to the Countryside Act 1948. SSSIs may also form component units of SACs. Natural England have a statutory duty to protect NNRs and SSSIs and must be consulted for activities or applications where there is risk of damage to the SSSI. Consent from Natural England ('Request permission for works or activity on a SSSI') may be required for certain activities within or near to a SSSI.

## A1.3 Policy considerations

This section considers key policies that are relevant to ecology and development of the site.

***National Planning Policy***

**NPPF policy 109: Conserving and enhancing the natural environment**

The planning system should contribute to and enhance the natural and local environment by:

- protecting and enhancing valued landscapes, geological conservation interests and soils;
- recognising the wider benefits of ecosystem services;
- minimising impacts on biodiversity and providing net gains in biodiversity where possible, contributing to the Government's commitment to halt the overall decline in biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures;
- preventing both new and existing development from contributing to or being put at unacceptable risk from, or being adversely affected by unacceptable levels of soil, air, water or noise pollution or land instability; and
- remediating and mitigating despoiled, degraded, derelict, contaminated and unstable land, where appropriate.

# Ethos Environmental Planning



# Preliminary Ecological Appraisal

# Land at East Cullompton

# November 2016

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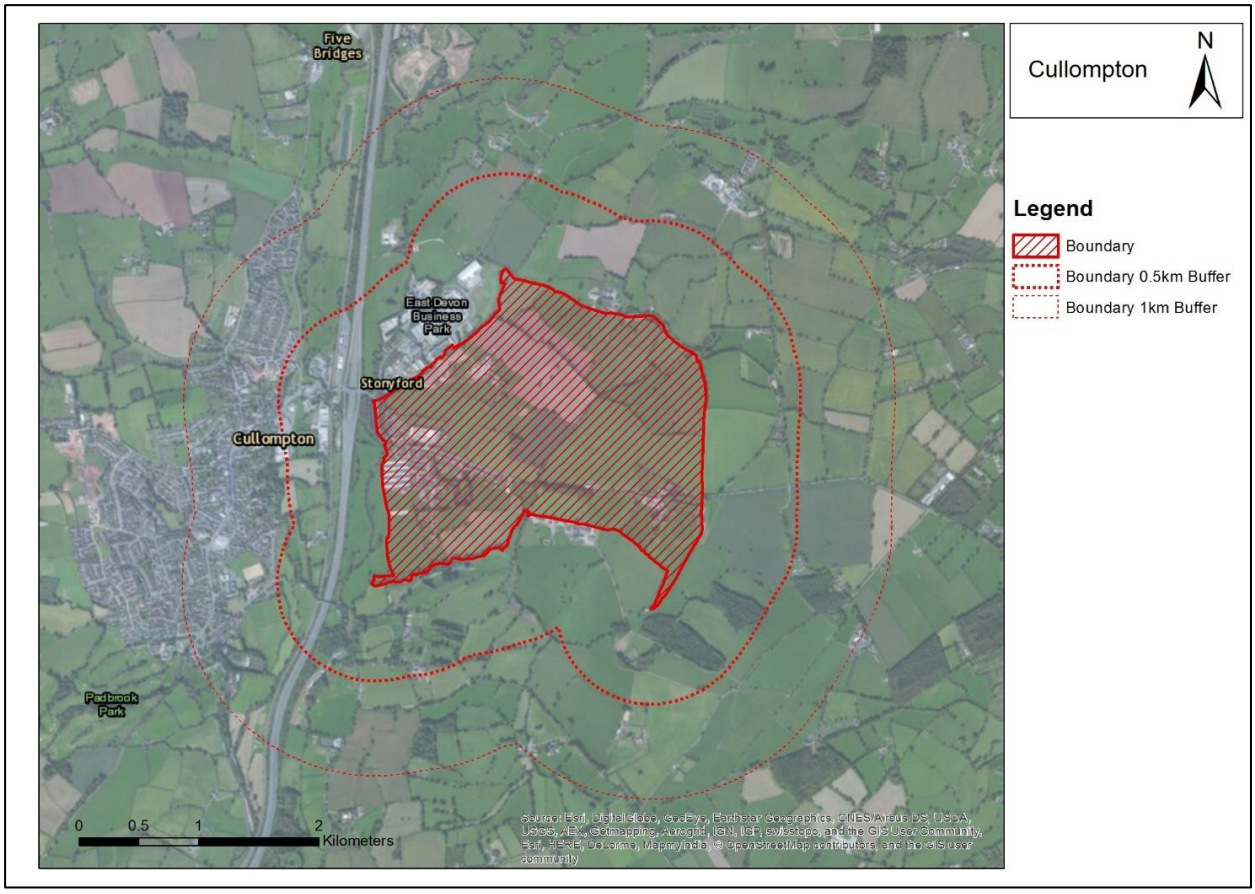
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# 1.0 INTRODUCTION

This preliminary ecological appraisal produced by Ethos Environmental Planning (Ethos) relates to land west of Cullompton (central grid reference: ST 03729 07476) (Fig. 1). The total area surveyed was 197 hectares and includes land to the east of the M5 and the East Devon Business Park. Additional areas of ecological interest within 0.5km of the site were also appraised including the adjacent River Culm.

*Figure 1 Site location*




## 1.1 Aims and objectives of the appraisal

The preliminary ecological appraisal has been informed by guidelines provided in the *'CIEEM Guidelines for Ecological Report Writing, 2015'.* Further guidance in relation to surveys for protected species is detailed in the relevant sections within this report. The survey has the following objectives:

- to identify the existing habitats on site;
- to assess the potential and presence of notable species;
- to establish baseline conditions and determine the importance of ecological features present (or those that could be present) within the specified area;
- to establish any requirements for further surveys or licensing;
- to identify key constraints to the project and make recommendations for design options to avoid significant effects on important ecological features/resources;

- to identify the mitigation measures to reduce any identified or potential ecological impact;
- to identify enhancement opportunities.

## 1.2 Structure of the report

The following is included within this report:

- Legislative and planning context;
- Methodology;
- Background data review;
- Phase 1 habitat survey;
- Summary and recommendations.

# 2.0 LEGISLATIVE AND POLICY CONTEXT

This section provides a summary of the legislative and planning context which has been used to inform the ecological assessment and subsequent recommendations made in this report. Appendix 1 sets out further details in relation to the most relevant legislation and policy.

## 2.1 Legislation

**The Habitats Directive** (together with the Birds Directive) forms the cornerstone of Europe's nature conservation policy. It is built upon two foundations: the Natura 2000 network of protected sites, and the strict system of species protection. In total the directive protects over 1,000 animals and plant species and over 200 "habitat types" (e.g. special types of forests, meadows, wetlands, etc.) which are of European importance.

**The Wildlife and Countryside Act 1981** (as amended) is a key piece of national legislation which implements the Convention on the Conservation of European Wildlife and Natural Habitats (Bern Convention) and implements the species protection obligations of Council Directive 2009/147/EC (formerly 79/409/EEC) on the Conservation of Wild Birds (EC Birds Directive) in Great Britain.

Badgers and their setts are protected under the **Protection of Badgers Act 1992** as amended by the Hunting Act 2004.

The **Natural Environment and Rural Communities Act 2006** (the NERC act) places a duty on all public authorities, including local planning authorities, to consider biodiversity in their work. Local planning authorities are to ensure that there is no net loss of biodiversity on a site, no net loss in habitat connectivity and aims to enhance biodiversity.

The **Hedgerows Regulations 1997** protect 'important hedgerows' from being removed (uprooted or destroyed). Hedgerows are protected if they are at least 30 years old and meet at least one of the criteria listed in part II of schedule 1.

Specific legislation related to different species such as bats, birds and reptiles is outlined in appendix 1.

## 2.2 National Policy summary

The **National Planning Policy Framework (NPPF)** aims to minimise impacts on biodiversity and provide net gains in biodiversity where possible, contributing to the Government's commitment to halt the overall decline in biodiversity, including the establishment of coherent ecological networks more resilient to current and future pressures (see Appendix 1).

The **UK Biodiversity Action Plan (UK BAP)** sets out a programme for conserving the UK's biodiversity. It led to the production of 436 action plans between 1995 and 1999 to help many of the UK's most threatened species and habitats to recover. A review of the UK BAP priority list in 2007 led to the identification of 1,150 species and 65 habitats that meet the BAP criteria at UK level.

## 2.3 Local Policy summary

Mid Devon District Council produced a local plan in October 2013, from which the following policy is of relevance to the site:

**DM28 GREEN INFRASTRUCTURE IN MAJOR DEVELOPMENT**

*Major development proposals must demonstrate that green infrastructure will be incorporated within the site as follows:*

*a) Biodiversity mitigation where warranted, resulting in a net gain in biodiversity;*

*b) Flood and water resource management;*

*c) Green corridors and public rights of way to link the site to the wider GI network, provide walking and cycling opportunities and avoid habitat fragmentation;*

*d) New green infrastructure such as the creation of native woodland where possible;*

*e) Public open space within housing developments.*

*Where evidence demonstrates that meeting these criteria would render the development unachievable, the Council will consider off site provision in lieu of one or more of the policy criteria. The Council will balance the benefits of the development against the objectives of this policy. Housing proposals that do not include public open space within the application site must demonstrate that this will be in the public interest, have no significant adverse impact on the amenity of residents within or adjoining the development, and provide appropriate compensation through design, such as the provision of larger private gardens.*

# 3.0 METHODOLOGY

## 3.1 Phase 1 habitat survey

The phase 1 habitat survey and mapping has drawn on guidance provided in the *Handbook for Phase 1 Habitat Survey - a technique for environmental audit (JNCC 2010).* A field survey was undertaken on the 7th April 2016 by the survey team. The survey incorporated assessment of the land within the development boundary and the adjoining area, including a description and mapping of all key features and habitat types. The survey was carried out to identify the range of habitats within the site, however due to the size of the site it was not possible to make a full species list.

## 3.2 Background data search

An initial desktop study utilised information provided in previous ecological surveys of nearby land, as well as local biodiversity data records. All of this information is publicly available, and was seen to be the most effective way of gaining an understanding of the site and its context.

## 3.3 Personnel

All surveys were led by Jim Phillips, BSc (Hons), MA, MCIEEM. Due to the size and scope of the surveys involved, Jim was assisted by Charles Cunningham, BSc (Hons) and Kane Burchill.

Jim is a Director of Ethos and a qualified and experienced ecologist with over 8 year's field work experience and a full member of the Chartered Institute of Ecology and Environmental Management (CIEEM). Charles and Kane are qualified ecologists each with two years' experience of practical field ecology. The survey team have worked together on numerous similar projects and have a complimentary range of skills and experience which are considered to have provided a robust ecological appraisal of the site.

## 3.4 Limitations

The phase 1 survey was carried out in April, and therefore it was not possible to make a full species list of flora and fauna present on site. Sufficient evidence was gathered, with respect to the large size of the site, to make an accurate assessment of the habitats present on site and to recommend and inform further surveys.

# 4.0 BACKGROUND DATA REVIEW

A background data review was undertaken using publicly available data for the proposed site. The primary sources of this information were:

- *EAD Ecology Consultants* and *Environmental Gain Limited*, which both carried out ecological appraisals (March and April 2014 respectively) for sites in west Cullompton, approximately 2km west of the proposed site. As well as carrying out Phase 1 habitat surveys, existing biodiversity records were within 1km and bat records within 4km. These provided biological records for protected and notable species and information on sites with both statutory and non-statutory conservation designations. Additionally, information on sites with statutory conservation designations was found using the UK Government's Countryside Geographic Information website (MAGIC map).

- *Devon Biodiversity Records Centre (DBRC)* carried out a Phase 1 habitat survey and produced a Wildlife site resource map (2014) for the site. These contain local species records and an overview of the habitat within the site.

- *Acorn Ecology Limited* carried out a Phase 2 Ecological Survey (2012) following an extended Phase 1 habitat survey undertaken in September 2011. A search for relevant protected species within the 10km grid square containing the site (ST00) and within the past 10 years was completed using the National Biodiversity Network website (www.nbn.org.uk). The Devon Biodiversity Records Centre (DBRC) was contacted in July 2012 to determine whether there are any records of great crested newts within 2km of the pond on site. The historic site was located to the west of Cullompton, approximately 2km from the site covered by this appraisal.

## 4.1 Notable Sites

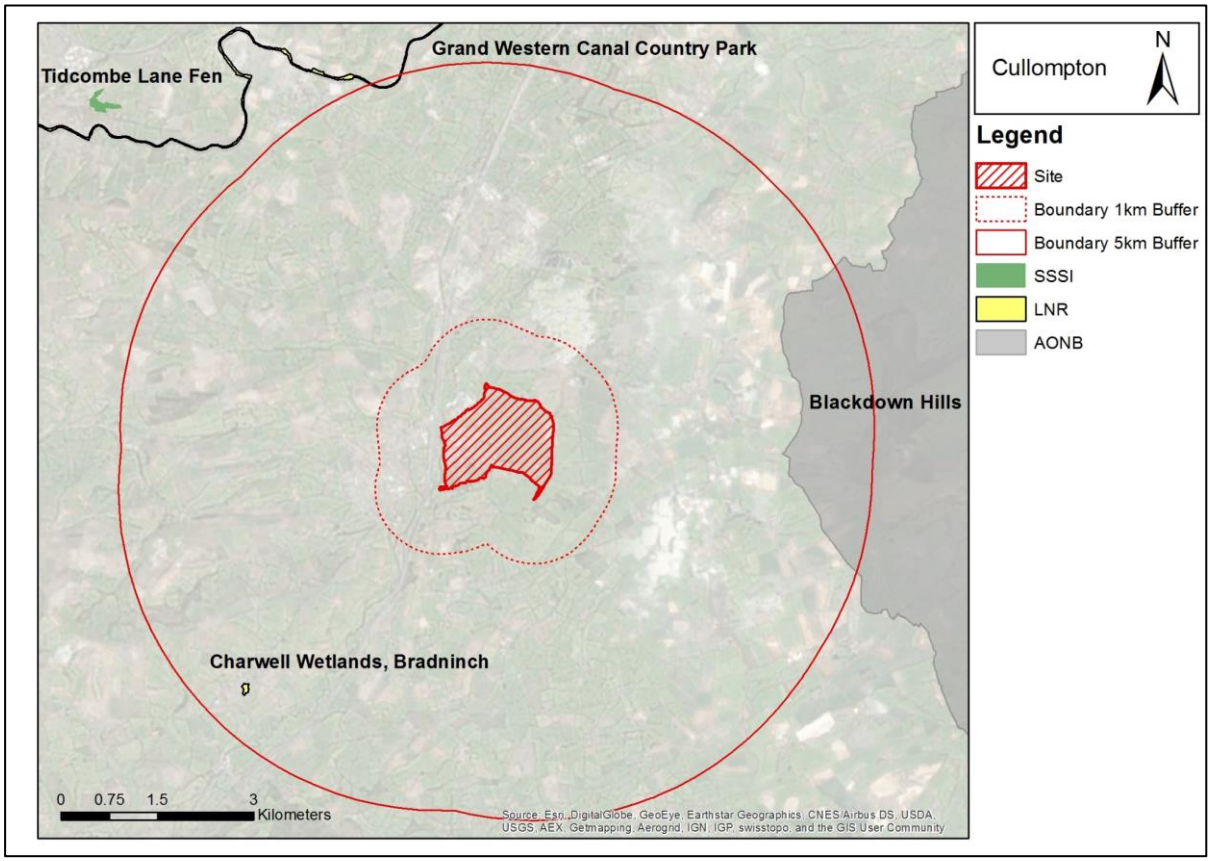
There are no designated sites within a 1km radius of the site, but there are several Local Nature Reserves within 5km as well as the Blackdown hills AONB to the east of the proposed site (see Fig. 2).

- Blackdown Hills (AONB), approximately 4km east of the site;

- Grand Western Canal Country Park (LNR), 5km approx. northwest of the site, supports many waterfowl species and supports rare bankside vegetation and orchids;

- Charwell Wetlands (LNR), approximately 4.5km to the southwest of the site, comprises of fen meadow habitat and an area of peat land.

*Figure 2. Statutory habitat designations within 5km of the site, with 1km and 5km buffers*

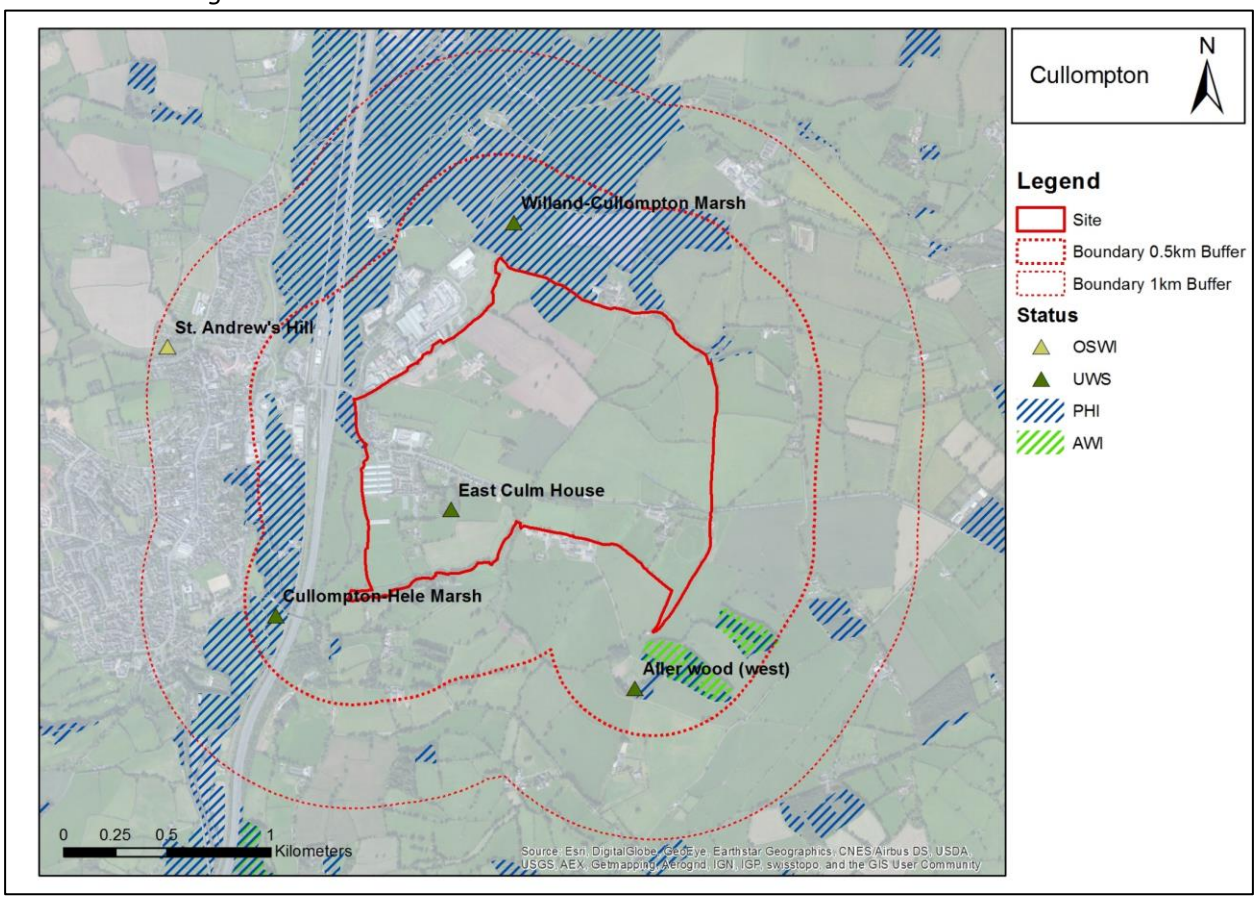



Additionally, there are a number of non-statutory sites within 1km of the application site which are presented in Table 1 and Figure X. There are also priority habitats and ancient woodland present within 1km of the site.

*Table 1 Nearby non-statutory areas of interest*

| Name | Brief Description | Approximate distance from site |
|---|---|---|
| **St, Andrew's Hill (OSWI)** | Semi improved neutral & marshy grassland | 900m west |
| **Willand–Cullompton Marsh (UWS)** | Possible floodplain grazing marsh | Borders north of site, one field included |
| **Cullompton–Hele Marsh (UWS)** | Possible floodplain grazing marsh | 300m west, across M5 transport infrastructure |
| **East Culm House (UWS)** | Pond with amphibian interest | Within site |
| **Aller Wood (west) (UWS)** | Broadleaved woodland | 250m south |

*Figure 3 Non-statutory habitat designations within 1km of the site, and ancient woodland and priority habitats bordering the site.*



## 4.2 Notable Species

A list of notable species records in the area**,** obtained from previous ecological surveys and data searches, are presented in table 2:

*Table 2 Notable species records within 5km of the site*

| *Common Name* | *Binomial* |
|---|---|
| ***Birds*** | |
| *Barn owl** | Tyto alba |
| *Barn swallow* | Hirundo rustica |
| *Common kingfisher** | Alcedo atthis |
| *Sand martin* | Riparia riparia |
| *Common swift* | Apus apus |
| *Little egret* | Egretta garzetta |
| *Red kite** | Milvus milvus |
| *Mistle Thrush* | Turdus viscivorus |
| *Willow Warbler* | Phylloscopus trochilus |
| ***Mammals*** | |
| *European otter** | Lutra lutra |
| *Eurasian badger** | Meles meles |
| *Hazel dormouse** | Muscardinus avellanarius |
| *Common pipistrelle** | Pipistrellus pipistrellus |
| *Soprano pipistrelle** | Pipistrellus pygmaeus |
| *Brown long-eared bat** | Plecotus auritus |
| *Noctule bat** | Nyctalus noctula |
| *Lesser horseshoe bat** | Rhinolophushipposideros |
| *Whiskered bat** | Myotis mystacinus |
| *Serotine bat** | Eptesicus serotinus |
| *Leisler's bat** | Nyctalus leisleri |
| *Barbastelle bat** | *Barbastella barbastellus* |
| *Roe Deer* | Capreolus capreolus |
| *West European Hedgehog* | Erinaceus europaeus |
| ***Reptiles and Amphibians*** | |
| *Common frog* | Rana temporaria |
| *Common Toad* | Bufo bufo |
| *Newt species* | Lissotriton |
| ***Invertebrates*** | |
| *Jersey tiger* | Euplagia quadripunctaria |
| *White-legged damselfly* | Platycnemis pennipes |
| ***Flora*** | |
| *Japanese Knotweed** | Fallopia japonica |
| *Primrose* | Primula vulgaris |
| *Water Chickweed* | Myosoton aquaticum |
| *Rhododendron* | Rhododendron ponticum |
| *Floating Pennywort* | Hydrocotyle ranunculoides |
| *Himalayan Balsam* | Impatiens glandulifera |

***Developmental control species**

These are species considered most important by local authorities in the planning process. They include species part of the NERC Act (2006) Section 41, those that have European protection, those on the Wildlife and Countryside Act (1981), and Japanese knotweed.

## 4.3 Summary of previous ecology surveys

Results from previous surveys by *Environmental Gain Limited* (April 2014)*, EAD Ecology Consultants* (March 2014) and *Acorn Ecology Limited* (2012)*: NEEDED? AS 2KM FROM SITE*

**Habitat:** Environmental Gain found the sites to be of moderate ecological value, comprising primarily of semi-improved, cattle-grazed grassland, arable land and rush pasture. The surveys found features of ecological value including native hedgerows, mature trees, marshy grassland, designated as an Other Site of Wildlife Interest (OSWI) and a number of streams. Other surveys found similar habitat or were in more urban environments and so less relevant.

**Reptiles**: Although the are no records of reptiles in the area, the majority of the reports identified potential for reptile presence in the mosaic of habitats within the sites. Primarily for slow worm, and possibly grass snake and common lizard. The phase 2 ecological survey carried out by Acorn Ecology Limited did not include a reptile survey.

**Bats:** There are records of many bat species in the area that were noted by the previous phase 1 surveys (see table x), with potential for roosting as well as foraging areas. The phase 2 survey (Acorn Ecology Limited) carried out both static and walked transect surveys, and found at least 8 bat species, including lesser-horseshoe and barbastelle bat.

**Otter:** There are multiple otter records in the area, the phase 1 surveys found potential habitat for otters adjacent to the streams and also spraint (faeces) and holt (exposed tree root systems on river banks or similar) sites. Further otter surveys were recommended. An otter pad mark was found during the phase 2 survey and a verification survey recommended.

**Amphibians**: Although there are records of common frogs, there are none of great crested newt within 2km of the historic sites and the sites were not in a Great Crested Newt Consultation Zone. Specific surveys were not carried out, possibly because it is unlikely the species is present due to the lack of suitable nearby water bodies.

**Badger:** Evidence of badger activity was found during multiple phase 1 surveys, including foraging tracks and a fresh latrine, and there are multiple records in the wider area. The site where the phase 2 survey was carried out included a large sett within the boundary, and multiple smaller setts were found in the surrounding area.

**Dormice:** There are multiple records of dormice in the area, and suitable habitat was found including hazel hedgerows. The phase 2 report included a specific dormice survey, which did not find any evidence of dormouse presence at that site.

**Breeding birds:** Previous appraisals found suitable nesting and foraging habitat for a variety of bird species, farmland birds in particular. Suitable nesting habitat consisted of mature hedgerows, native trees and overgrown scrub along riverbanks. A number of mature trees were noted as having potential for barn owls.

**Invertebrates:** The historic sites were found to support a diverse assemblage of invertebrates, although the diversity and importance of the invertebrate community was constrained by the relatively intensive grassland management practices.

## 4.4 Relevance of the background data search

### 4.4.1 Notable Sites

The nearest statutory site is over 3km from the site, however, given the scale of the development any impacts should be considered carefully. There are a number of non-statutory sites within 1km of the site, of particular note are the UWS pong in the centre of the site and the large areas of high quality grazing marsh to the west and north of the site.

### 4.4.2 Notable species

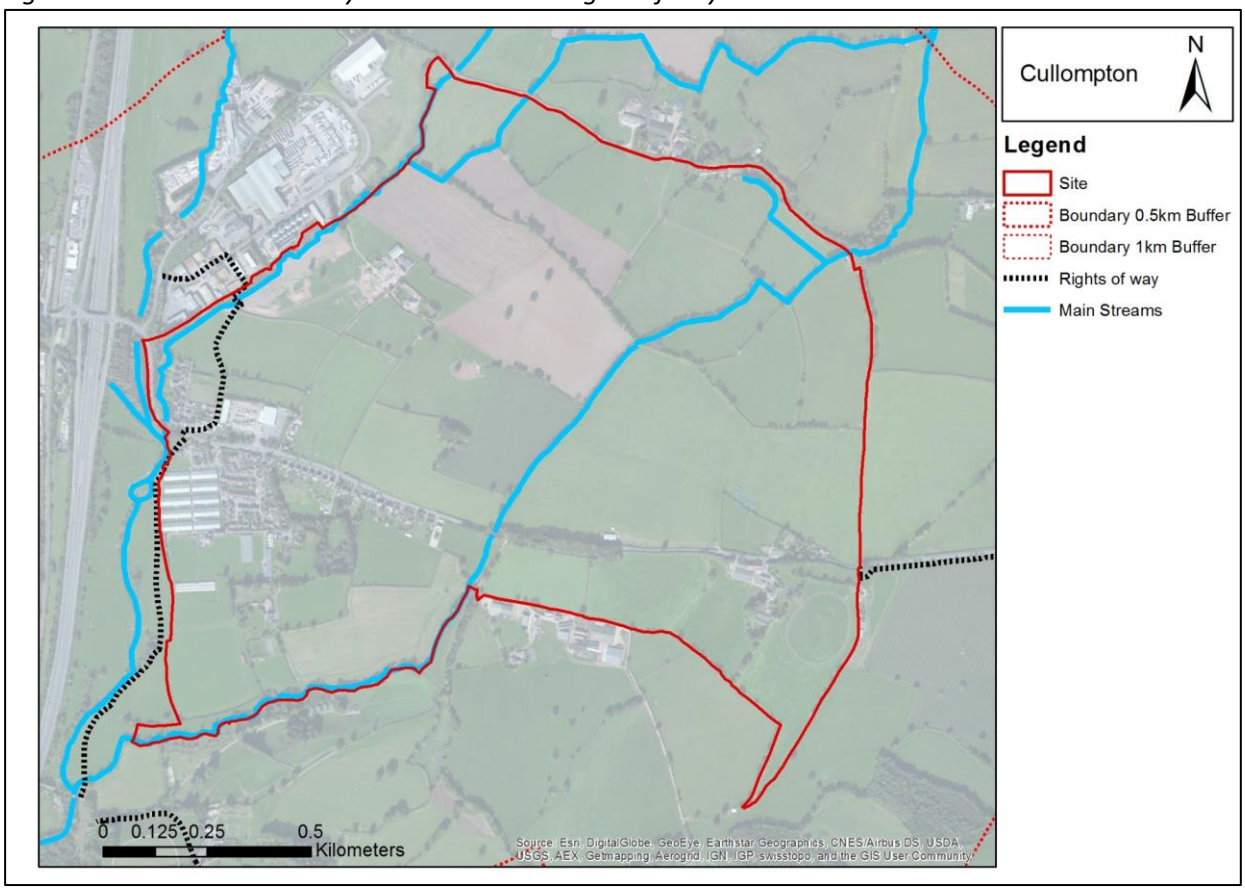
There are a number of species considered in the historic reports and surveys that are of especial relevance to this site, including otter, dormice and bat species. Potential for these species was taken into consideration during the recommendations for future surveys. It is of note is that the stream where the otter tracks were found during the Phase 2 carried out by Acorn Ecology (2012) is a tributary of the Culm river which flows directly to the west of the proposed site. Given the high riparian connectivity and close proximity (1.5km upstream from the conference of the stream and the Culm river), it is probable otters are present in the stretch of the Culm river adjacent to the site. A small stream runs through the centre of the site and this should also be investigated for signs of otter habitation.

# 5.0 PHASE 1 HABITAT SURVEY

## 5.1 General site description

The 197 Ha site is dominated by large fields of arable land, improved and semi-improved grassland. Two streams run through the site and join the River Culm flowing southwards adjacent to the western site boundary as shown in figure 4.

*Figure 4 Site boundary with stream and rights of way*

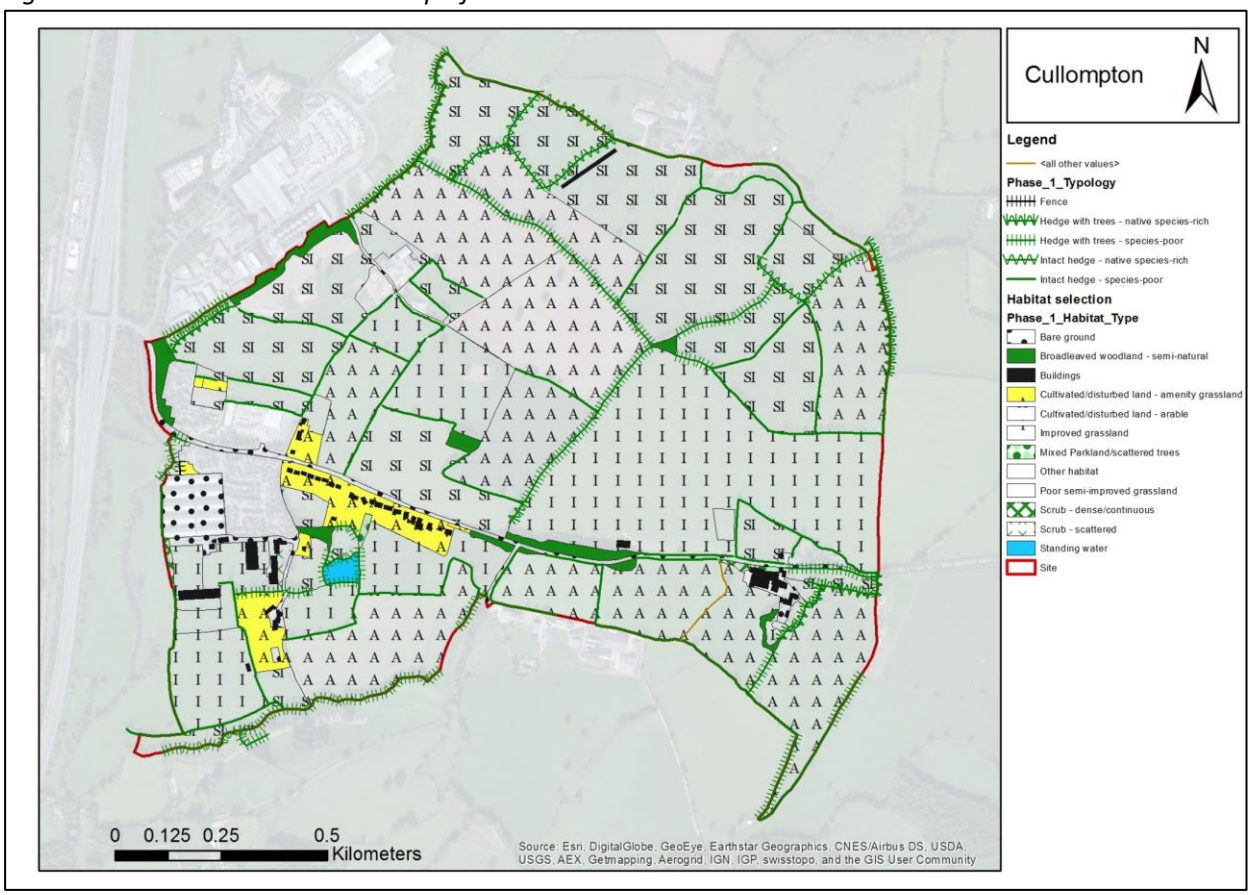



## 5.2 Habitat description

Figure 5 shows the key habitats using the phase 1 habitat classifications. The key habitat types described within this section are:

- Semi-improved grassland
- Improved grassland
- Amenity grassland
- Arable
- Hedgerows
- Woodland
- Scrub
- Standing water

*Figure 5 Phase 1 habitat map of site*




### 5.2.1 Poor semi-improved grassland



*Photograph 1*

There are 59.1 Ha of poor semi-improved grassland throughout the site. This habitat is of higher ecological value than improved grassland due to less intensive management. This habitat is mostly in the north of the site, and one field forms part of a wider grazing marsh priority habitat complex to the north of the site.

### 5.2.2 Improved grassland



*Photograph 2*

46.5 Ha of the land within the site comprised improved grassland. This habitat is of low ecological value due to intensive management such as heavy grazing or use of pesticides, and supports a narrower community of species.

### 5.2.3 Amenity grassland



*Photograph 3*

Amenity grassland within the site comprises almost entirely of residential gardens. This forms a small proportion of the entire site; 5.3 Ha. The amenity grassland is concentrated in the west of the site around Stonyford.

### 5.2.4 Arable field



*Photograph 4*

There were a number of arable fields on the site, with a mixture of autumn sown crops and fields left in stubble for spring sowing. Fields with spring sown crops are particularly attractive for ground nesting birds and generally have higher invertebrate and farmland bird abundance. Arable land formed 63.4 Ha of the total site, with the fields surrounded by hedgerows of varying ecological value.

### 5.2.5 Hedgerows



*Photograph 5*

17.2 km of hedgerows run through the site. The hedgerows range from native species poor hedges with only a few species present to species-rich hedgerows with mature trees within them. The hedges have potential for a variety of protected species, including breeding farmland birds, and the mature trees on site have roosting potential for bats. Additionally, due to records in the area, there is potential for dormouse presence in certain locations.

### 5.2.6 Woodland



*Photograph 6*

Woodland within the site is mostly deciduous, located in strips and small patches; 3.4 Ha in total excluding isolated trees part of hedgerows. Connectivity between the woodland is generally poor, with no priority habitat or ancient woodland. However, there is a small wood approximately 100m southeast of the site, which is designated as ancient woodland and is also a priority habitat.

### 5.2.7 Scrub



*Photograph 7*

There is approximately 0.6 Ha of both scattered and dense scrub within the site, generally located in small strips between other habitat types.

### 5.2.8 Standing water



*Photograph 8*

The only large area (0.5 Ha) of standing water within the site is the pond next to Culm House (UWS). The pond had an algal bloom at the northern edge, and there may be some eutrophication occurring, lowering the ecological value of the pond. It is likely there are amphibians present here, although the lack of records in the area and eutrophy make great crested newt presence unlikely.

# 6.0 SUMMARY AND RECOMMENDATIONS

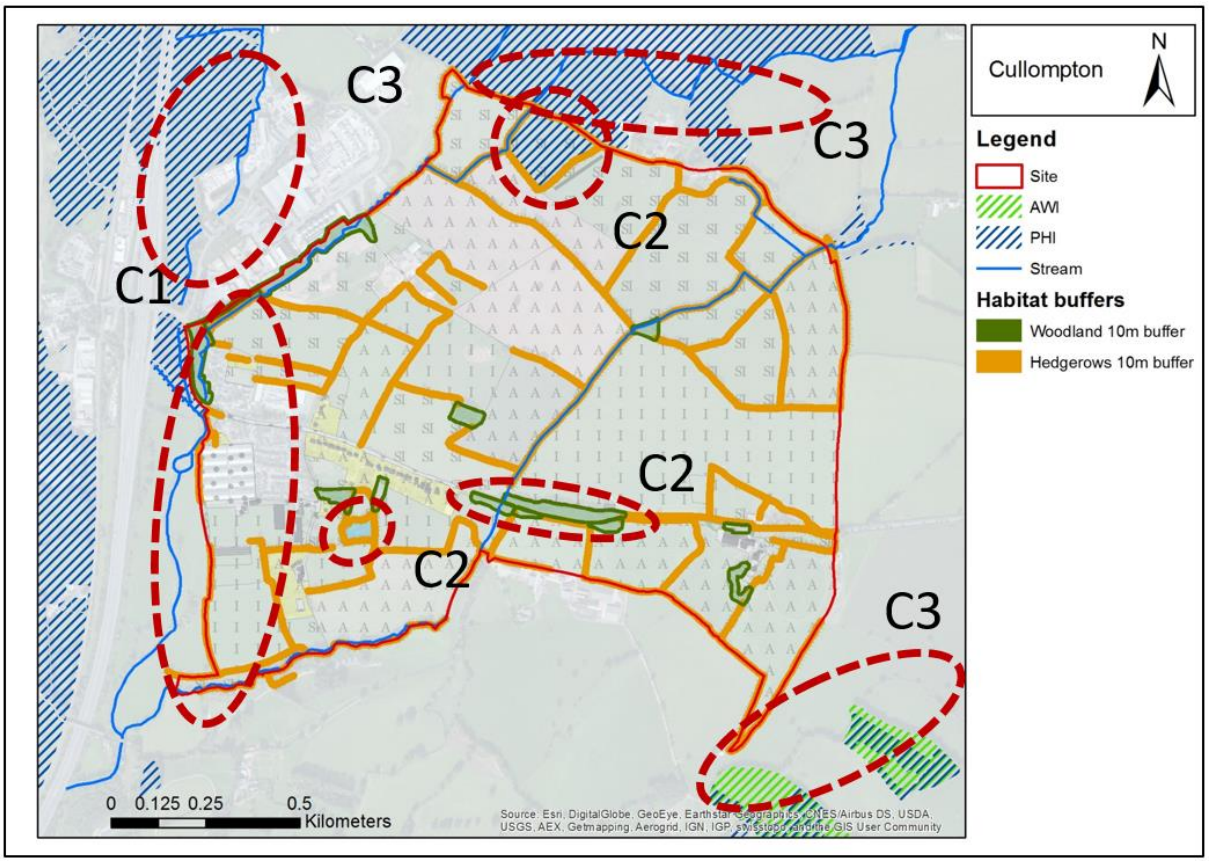
## 6.1 Habitat

### 6.1.1 Ecological constraints

Ecological constraints (see Fig. 6) of the site can be summarised as follows:

**C1.** The proximity of the River Culm bordering the site to the west, with probable otter presence, and to a lesser extent the streams that run through the site;
**C2.** The existing green infrastructure within the site boundary, including trees present in the area covered by TPOs, large woodland strips and native species rich hedgerows, including a pond with amphibian interest and one field of priority grazing marsh habitat;
**C3.** The existing green infrastructure within the broader site, i.e., the presence of deciduous woodland priority habitat blocks to the southeast, and large areas of grazing marsh surrounding the site.

*Figure 6 Ecological constraints*



### 6.1.2 Ecological opportunities

Ecological opportunities of the site can be summarised as follows:

- Enhance connectivity throughout the site through provision of new green infrastructure links across the promoted site, potentially incorporating a stream to create a central corridor, to improve both access and biodiversity, or linking up fragmented woodland;
- Improvement to hedgerows: filling in defunct hedges, planting of additional native species, removal of non-natives;
- Creation of new hedgerows to link other habitats together and create ecological corridors, implemented either as part of any proposed street scene or residential gardens;
- Installation of bird and bat boxes into new residential dwellings;
- Transport infrastructure can be better screened through enhanced green infrastructure provision;
- Planting of wildflower meadows and/or improvement to improved grassland which will benefit pollinators.

## 6.2 Protected species (recommended further surveys)

The initial survey identified potential for a number of protected species on site due to the suitability of habitats. From this and results from previous surveys, the following further surveys are recommended:

### 6.2.1 Badger

Given that there are badger records nearby and the scale of the site, focused badger surveys are recommended to ensure any development would not impact on setts nearby. The survey for badgers would inlcude a search of the development site for any evidence of badgers, including setts, foraging signs (snuffle holes), runs and latrines. If signs of badger presence are found, then camera traps should be used to confirm activity.

### 6.2.2 Hedgehog

There is no standardised survey technique for this BAP species however, hedgerows and other habitats within the site were assessed for their potential to support hedgehogs, and visually for evidence of hedgehogs themselves or their droppings. Assessment of suitable foraging and nesting habitat within site boundaries. The development site contains significant barriers to movement and there are no records of hedgehog within 1km of the site.

### 6.1.3 Otter and water vole

There are records of otter from the surrounding area and presence within the stage of the Culm adjacent to the site is likely. Surveys should be undertaken to establish whether otters are using the watercourse next to the site to commute or forage and whether the lower courses of the streams running through the site have otter presence.

All waterbodies on site should be assessed for their potential to support riparian mammals. Although no evidence was found when the banks of the river were visually inspected for evidence of water vole and otter (including mammal holes, mammal trails, droppings and feeding remains) more surveys are needed to establish riparian mammal abundance.

### 6.2.4 Hazel dormouse

Due to records of dormouse presence in the area, assessment of suitable habitat for hazel dormice within hedgerows on site should be carried out, focusing on hedgerows which will be impacted through development.

### 6.2.5 Amphibians

There are no records of great crested newt in the area. However, due to the size of the site and the presence of an UWS pond and a number of streams within the site, surveys should be undertaken. These would include a survey of the pond as potential breeding habitat and habitat assessment of hedgerows as possible dispersal routes. In addition to the on site assessment, a desktop analysis of ponds within 500 metres of the site should be undertaken, to identify any potential breeding ponds which may require further survey.

### 6.2.6 Birds

The following bird species were recorded within the site during the assessment: great tit (*Parus major*), house sparrow (*Passer domesticus*), common chiffchaff (*Phylloscopus collybita*), Eurasian blackcap (*Sylvia atricapilla*), common blackbird (*Turdus merula*), barn swallow (*Hirundo rustica*), common buzzard (*Buteo buteo*). Additionally, two dippers (*Cinclus cinclus)* and approximately ten sand martins (*Riparia riparia)* were seen foraging along the Culm river adjacent to the site. Probable sand martin nest holes were observed in the river bank. Over the entire site, suitable habitat is present for both breeding farmland and ground-nesting birds and further bird surveys are required. Three winter (November to March) and three breeding (May-July) bird surveys are recommended.

### 6.2.7 Reptiles

Assessment of the potential of the site for reptiles and the need for further surveys, which may be carried out between April and October.

### 6.2.7 Bats

There was suitable foraging and commuting habitat present across the site. Additionally, mature trees within hedgerows demonstrated bat roosting potential. Further bat surveys should be carried out including a combination of activity surveys and static bat detector surveys. Depending on the results of these surveys, there may be a requirement for advanced surveys comprising trapping and/or radio tracking. In addition, if any trees are to be removed then emergence surveys should be carried out to establish if there are any active roosts within the site.

*Table 3 Survey time periods*

| **Survey** | J | F | M | A | M | J | J | A | S | O | N | D |
|---|---|---|---|---|---|---|---|---|---|---|---|---|
| Detailed habitat | | | | | | | | | | | | |
| Bats | | | | | | | | | | | | |
| Birds | | | | | | | | | | | | |
| Reptiles | | | | | | | | | | | | |
| GCN | | | | | | | | | | | | |
| Hazel dormouse etc | | | | | | | | | | | | |

# REFERENCES

Guidelines for preliminary ecological appraisal, 2013. *Chartered Institute of Ecology and Environmental Management (CIEEM)*.

Guidelines for ecological impact assessment in the United Kingdom, 2006. *CIEEM.*

Handbook for Phase 1 Habitat Survey - a technique for environmental audit, 2010. *JNCC*.

Hedgerow Survey Handbook: A standard procedure for local surveys in the UK, 2007. *DEFRA*.

Bat Surveys – Good practise guidelines, 2012. *Bat Conservation Trust*.

The dormouse conservation handbook (2nd edition), 2006. *English Nature*.

Bat Workers Manual (3rd edition), 2004. Nature Conservancy Council.

Bat mitigation Guidelines, 2004. *English Nature*.

Wildlife and Countryside Act (as amended by the Countryside and Rights of Way Act 2000), 1981. *Her Majesty's Stationary Office (HMSO)*.

The Conservation (Natural Habitats, &c) Regulations 1994 (the Habitat Regulations), 1994. *HMSO*.

Guidelines for Preliminary Ecological Appraisal, 2012. *CIEEM (online)*.

Advice sheet 10: Reptile Survey. An introduction to planning, conducting and interpreting surveys for snake and lizard conservation, 1999. *Froglife*.

Advice sheet 11: Surveying for Great Crested Newts, 2003. *Froglife*.

Great Crested Newt Conservation Handbook, 2001. *Froglife*.

# APPENDIX 1 LEGISLATION AND POLICY DETAILS

## A1.1 Legislation - Species

This section outlines the key legislation related to the habitats and species considered within this survey report.

***Bats***

All British bats are protected under Section 9 Schedule 5 of the Wildlife and Countryside Act 1981 and amendments. In addition, they are protected under the Berne Convention, they are given migratory species protection within the Bonn Convention Agreement, and are protected under Schedule 2 of the EC Council Directive on the Conservation of Natural Habitats and Wild Fauna and Flora (Habitats Directive).

Regulation 41 of The Conservation of Habitats and Species Regulation 2010 makes it an offence to deliberately capture or kill bats, to deliberately disturb a bat, damage or destroy a breeding site or resting site of any bat. It is an offence to disturb any bat roosting site. Presence of bats does not necessarily mean that development cannot go ahead, but that with suitable, approved mitigation, exemptions can be granted from the protection afforded to bats under regulation 41 by means of a licence. Natural England (NE) is the appropriate authority for determining licence applications for works associated with developments affecting bats, including demolition of their roost sites. In cases where licences are required, certain conditions have to be met to satisfy Natural England. Before the Statutory Nature Conservation Organisation (SNCO), in this case NE, can issue a licence to permit otherwise prohibited acts three tests have to be satisfied. These are:

1. Regulation 53(2)(e) states that licenses may be granted by SNCO to *'preserve public health or public safety or other imperative reasons of overriding public interest including those of a social or economic nature and beneficial consequences of primary importance for the environment.*

2. Regulation 42(10)(a) states that a license may not be granted unless SNCO is satisfied *'that there is no satisfactory alternative'.*

3. Regulation 42(10)(b) states that a license cannot be issued unless SNCO is satisfied that the action proposed *'will not be detrimental to the maintenance of the population of the species concerned at a favourable conservation status in their natural range'*.

In order to meet the tests, SNCO usually expects the planning position to be fully resolved as this is necessary to satisfy tests 1 and 2. Full planning permission, if applicable, will need to have been granted and any conditions relating to bats fully discharged. For test 3, the licensing body seek advice from Natural England. As well as consulting with Natural England, the licensing body may also seek information from the local authority before they will determine

any licence application. The licence application process may take two months before a licence is issued.

***Reptiles***

All reptile species in Great Britain receive some legal protection from legislation in the Wildlife and Countryside Act 1981. More recently, further protection was afforded in Great Britain to species listed in the Habitat Regulations 1994. Both the Wildlife and Countryside Act 1981 and Habitat Regulations 1994 provide mechanisms to protect species, their habitats and sites occupied by the species. Native reptile species fit into two bands of protection:

European protected species receive all elements of protection in Section 9 of the Wildlife and Countryside Act 1981 and the Habitat Regulations 1994. Native species that receive this protection are:

- Sand lizards (*Lacerta agilis*)
- Smooth snakes (*Coronella austriaca*)

This legislation prohibits the following on any of the above species:

- Deliberately or intentionally killing and capturing (taking) or intentional injuring.
- Deliberately disturbing
- Deliberately taking or destroying eggs
- Damaging or destroying a breeding site or resting place or intentionally damaging a place used for shelter or protection.
- Intentionally obstructing access to a place used for shelter; and keeping, transporting, selling or exchanging; offering for sale or advertising.

Species that receive protection against intentional killing, injuring and sale only:

- Slow-worm (*Anguis fragilis*)
- Common lizard (*Lacerta vivipara*)
- Adder (*Vipera berus*)
- Grass snake (*Natrix natrix*)

Both the Wildlife and Countryside Act 1981 and the Habitat Regulations 1994 apply to all life stages of the protected species: eggs and spawn, larvae, juveniles and adults are all protected.

***Badgers***

The Protection of Badgers Act 1992 is based primarily on the need to protect badgers from baiting and deliberate harm or injury. It also contains restrictions that apply more widely and it is important for developers to know how this may affect their work. All the following are criminal offences:

- to willfully kill, injure, take, possess or cruelly ill-treat a badger;
- to attempt to do so; or

- to intentionally or recklessly interfere with a sett.

Sett interference includes damaging or destroying a sett, obstructing access to a sett, and disturbing a badger whilst it is occupying a sett. It is not illegal, and therefore a licence is not required, to carry out disturbing activities in the vicinity of a sett if no badger is disturbed and the sett is not damaged or obstructed.

Development should not be permitted unless it is possible to take steps to ensure the survival of the badgers in their existing range and at the same population status, with provision of adequate alternative habitats if setts and foraging areas are destroyed. Natural England will normally only issue a licence after detailed planning permission has been granted, where applicable, so that there is no conflict with the planning process.

Before the planning application is determined, the local planning authority should request a detailed ecological survey/report and developers should be prepared to provide the following information:

- The numbers and status of badger setts and foraging areas that are affected by the proposal;
- the impact that the proposal is likely to have on badgers and what can be done by way of mitigation;
- judgment on whether the impact is necessary or acceptable; and
- a recommendation on whether a licence will be required.

Planning Permission and badger licensing are separate legal functions. Thus receiving planning permission from the Local Authority is no guarantee that development operations will not breach the Protection of Badgers Act 1992. Similarly planning permission does not guarantee that a badger licence will be granted.

***Birds***

All wild birds are protected under the Wildlife and Countryside Act 1981 (as amended) and cannot be killed or taken, their nests and eggs taken, damaged or destroyed, it also prohibits or controls certain methods of killing or taking except under licence. Other activities that are prohibited include possession and sale. Activities such as killing or taking birds (including relocating) which would otherwise be illegal can be carried out under licence where there is suitable justification and the issue cannot be resolved by alternative means.

Specially protected or Schedule 1 birds receive full protection under the Wildlife and Countryside Act 1981 (as amended). Part I birds are protected at all times, Part II during the close season only. In addition to the protection from killing or taking that all birds, their nests and eggs have under the Act, Schedule 1 birds and their young must not be disturbed at the nest.

***Hazel Dormouse***

They are protected under both the Conservation of Habitats and Species Regulations 2010 and the Wildlife and Countryside Act 1981 (as amended). Dormice and their breeding sites and

resting places are fully protected. Without a licence it is an offence for anyone to deliberately disturb, capture, injure or kill them. It is also an offence to damage or destroy their breeding or resting places, to disturb or obstruct access to any place used by them for shelter. It is also an offence to possess, or sell a wild dormouse.

***Great Crested Newts***

Great crested newts are fully protected under UK and European legislation:

- Bern Convention 1979: Appendix III
- Wildlife & Countryside Act (as Amended) 1981: Schedule 5
- EC Habitats Directive 1992: Annex II and IV
- Conservation (Natural Habitats etc.) Regulations 1994: Schedule 2
- Countryside Rights of Way Act 2000 (CRoW 2000)

Because great crested newts are listed on Schedule 5 of the Wildlife & Countryside Act 1981, Section 9(1) of the Act makes it an offence to intentionally kill, injure or take great crested newts. Section 9(2) makes it an offence to possess or control a live or dead great crested newt or any part or thing derived from them. Section 9(4) makes it an offence to intentionally damage, destroy, obstruct access to, any structure or place which great crested newts use for shelter or protection. It is also an offence to intentionally disturb them while occupying a structure or place which it uses for that purpose. Section 9(5) makes it an offence to sell, offer or expose for sale, or possess or transport for the purpose of sale, any live or dead great crested newt or any part or thing derived from them. It is also an offence to publish or cause to be published any advertisement likely to be understood as conveying that great crested newts, or parts or derived things of them are bought, sold or are intended to be. Section 9 applies to all stages in their life cycle.

Their inclusion on Schedule 2 of the Conservation Regulations 1994 affords great crested newts extra protection by also making it an offence under Regulation 39(1) to deliberately capture, kill or disturb great crested newts or to deliberately take or destroy their eggs, or damage or destroy a breeding site or resting place. Regulation 39(2) makes it an offence to keep, or transport, or exchange great crested newts or any part or thing derived from them. Paragraphs 39(1) and 39(2) apply to all stages of their life cycle.

## A1.2 Policy considerations

This section considers key policies that are relevant to ecology and development of the site.

***National Planning Policy***

**NPPF policy 109: Conserving and enhancing the natural environment**

*The planning system should contribute to and enhance the natural and local environment by:*

- *protecting and enhancing valued landscapes, geological conservation interests and soils;*
- *recognising the wider benefits of ecosystem services;*

- *minimising impacts on biodiversity and providing net gains in biodiversity where possible, contributing to the Government's commitment to halt the overall decline in biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures;*
- *preventing both new and existing development from contributing to or being put at unacceptable risk from, or being adversely affected by unacceptable levels of soil, air, water or noise pollution or land instability; and*
- *remediating and mitigating despoiled, degraded, derelict, contaminated and unstable land, where appropriate.*

# APPENDIX 2 LIST OF ACRONYMS USED

*ASNW – Ancient & Semi-Natural Woodland*
*AWI – Ancient Woodland Inventory*
*BAP – Biodiversity Action Plan*
*CWS – County Wildlife Site*
*DBRC – Devon Biodiversity Records Centre*
*LNR – Local Nature Reserve*
*MAGIC – Multi-Agency Geographic Information for the Countryside*
*OSWI – Other Site of Wildlife Interest*
*PHI – Priority Habitat Inventory*
*SAC – Special Areas of Conservation*
*SPA – Special Protection Area*
*SSSI – Site of Special Scientific Interest*
*UWS – Unconfirmed Wildlife Site*

# Appendix D

## HERITAGE ASSESSMENT



PUBLIC

Cotswold Archaeology

# Cullompton Relief Road
# Devon

*Heritage Assessment*



*Report prepared for:*
Mid Devon District Council

CA Project: 880378

CA Report: 18711

January 2019



Andover Cirencester Exeter Milton Keynes

# Cullompton Relief Road, Devon

*Heritage Assessment*

CA Project: 880378

CA Report: 18711

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## SUMMARY

**Project Name**: Cullompton Relief Road

**Location**: Cullompton, Devon

**NGR**: Route A & B (302432 107703 to 302293 106745)
Route C (302293 106745 to 303157 107401)

In November 2018, Cotswold Archaeology (CA) was commissioned by Mid Devon District Council to undertake a Heritage Assessment along the route corridor of three proposed scheme options for the Cullompton Relief Road, Devon, all located to the east of Cullompton, close to the M5 corridor. These are identified as Route Options A, B, and C.

A review of heritage assets in the area identified a focus of settlement activity from the Iron Age onwards located within the historic core of Cullompton Town, to the west of the proposed Route Options. The unstratified find spot of a Neolithic hammer and a Romano-British coin were recorded along the alignment of Route Option A. Otherwise, the evidence identified within the three different Route Options was derived from the post-medieval and modern periods; assessed to be of local and low heritage significance. Along all three routes, a number of historic boundaries recorded on the 1841 Cullompton Tithe map were found to be upstanding. Furthermore, three undated earthwork features were also identified. Based on the reviewed evidence, combined with the length of each route and past impacts, it was concluded that Route Option B presents the least impact to known and previously unrecorded significant archaeological features, deposits and/or artefacts

The settings of eight heritage assets were also assessed. Route A was found to offer less than substantial harm at the lower end of the scale for the Grade I Listed Church of St Andrew and two Grade II Listed Buildings known as Nork House and Old chimes. Route Option B and C offered no impact to the settings of assessed designated assets.

It is concluded that Route Option B presents the least potential impact to the historic environment, but that in all instances, the proposed development would be consistent with the requirements of the National Planning Policy Framework (2018) as well as with other relevant national and local policy.

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# 1. INTRODUCTION

1.1. In November 2018, Cotswold Archaeology was commissioned by Mid Devon County Council (hereafter MDDC) to undertake a Heritage Assessment in respect of three separate route options for the Cullompton Relief Road, Devon (hereafter referred to as 'Route Option A, B and C). The Route Options are all located to the east of Cullompton (Fig. 1).

1.2. The proposed development will comprise the construction of a new relief road with attendant infrastructure and footways for the town of Cullompton, Devon. At this stage there are three proposed Route Options. Route Options A and B run north to south but on diverging courses, linking the roundabout junction at Millennium Way on Station Road (B3181; NGR 302432 107703) with Duke Street opposite its junction with Meadow Lane (NGR 302293 106745). In contrast, Route Option C runs broadly east to west, linking Duke Street at its junction opposite Meadow Lane (NGR 302293 106745) with Honiton Road (A373) to the east of Stoneyford (NGR 303615 107228) before returning north-west to utilise the existing route of Honiton Road towards Stoneyford (NGR 303157 107401). Route Options A and B run broadly parallel with the M5, on its west side, whereas Route Option C would be bridged over the M5, railway, and River Culm.

1.3. Route Option A measures approximately 1km in length, Route Option B approximately 1.2km and Route Option C approximately 2km (including approximately 500m of the existing Honiton Road). The proposals are for single lane carriageways, with a total carriage width of 7.3m and 3.5m footways to either side. In all three instances, the carriageways and flanking footways will be raised above the level of the adjacent ground surface. Although specific heights along the length of each Route Option have not been ascertained at this stage, it is likely that Route Option A will be more elevated than Route Option B.

### *Objectives and professional standards*

1.4. The composition and development of the historic environment along each of the Route Options and wider landscape is assessed. A determination of the significance of any heritage assets located within the Site, and any heritage assets beyond the Site boundary that may potentially be affected by the development proposals, is presented. Any potential development effects upon the significance of these heritage assets (both adverse and/or beneficial) are then described.

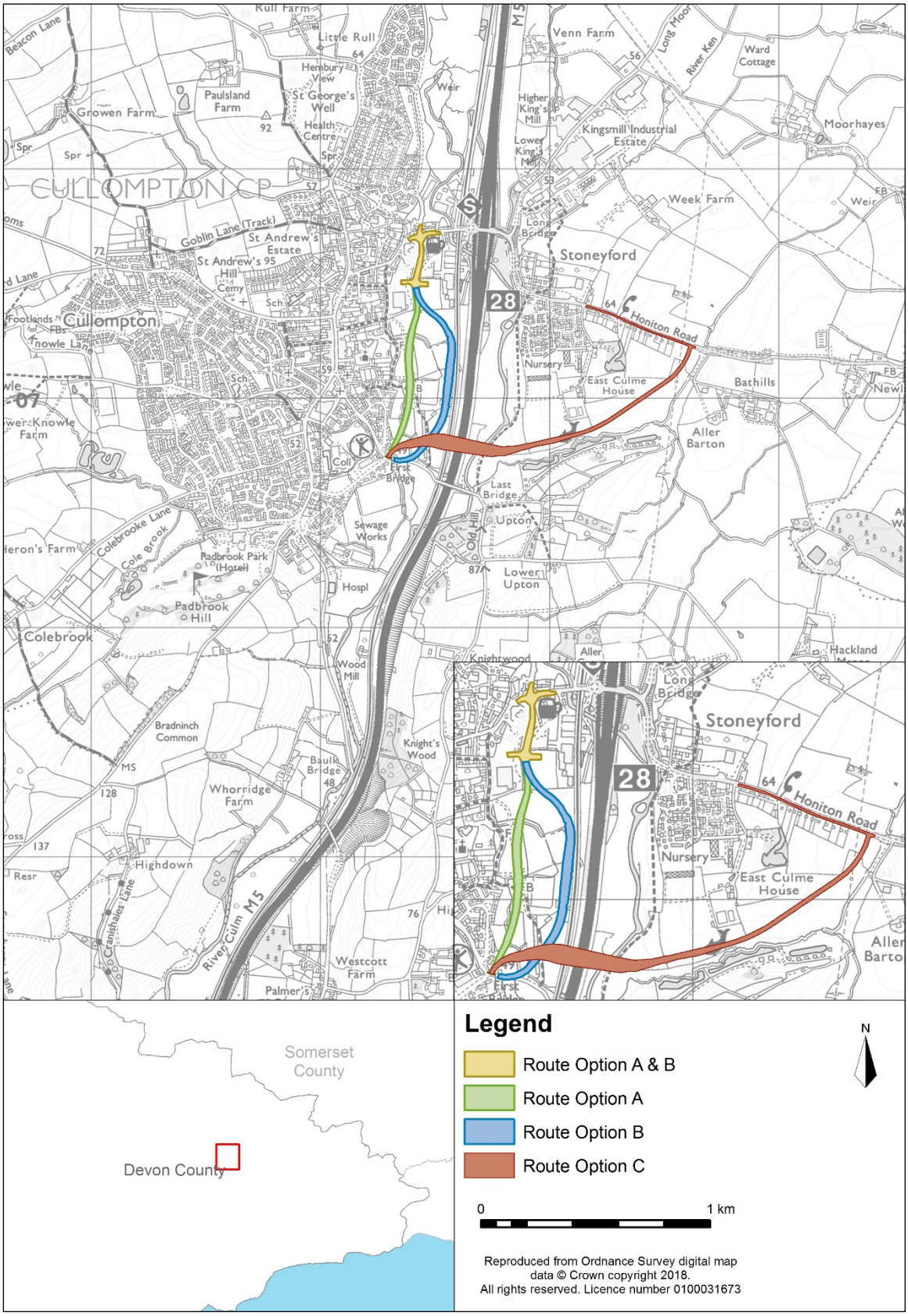



**Fig. 1 Site Location**

1.5. Cotswold Archaeology is a Registered Organisation (RO) with the Chartered Institute for Archaeologists (CIfA). This report has been prepared in accordance with the 'Standard and Guidance for Historic Environment Desk-Based Assessment' published by the Chartered Institute for Archaeologists (2014). This states that, insofar as they relate to the determination of planning applications, heritage desk-based assessments should:

> *'…enable reasoned proposals and decisions to be made* [as to] *whether to mitigate, offset or accept without further intervention* [any identified heritage] *impact'* (CIfA 2014, 4).

1.6. The 'Historic Environment Good Practice Advice in Planning Note 2: Decision-Taking in the Historic Environment' (Historic England 2015), further clarifies that a desk-based assessment should:

> *'…determine, as far as is reasonably possible from existing records, the nature, extent and significance of the historic environment within a specified area, and the impact of the proposed development on the significance of the historic environment, or will identify the need for further evaluation'*(Historic England 2015, 3).

### *Statute, policy and guidance context*

1.7. The proposed development responds to an aim of the Mid Devon Core Strategy 2026 (adopted 2007) to support the growth of Cullompton. Under policy COR14, the council aims to *'promote the removal of through traffic from the town centre and improve local air quality by enhancing walking and cycling opportunities around the town, completing a relief road system and implementing air quality action plan initiatives.'*

1.8. This assessment has been undertaken within the key statute, policy and guidance context presented within the table overleaf (Table 1.1). The applicable provisions contained within these statute, policy and guidance documents are referred to, and discussed, as relevant, throughout the text. Fuller detail is provided in Appendix 1.

| Statute | Description |
|---|---|
| **Ancient Monuments and Archaeological Areas Act (1979)** | Act of Parliament providing for the maintenance of a schedule of archaeological remains of the highest significance, affording them statutory protection. |
| **Planning (Listed Buildings and Conservation Areas) Act (1990)** | Act of Parliament placing a duty upon the Local Planning Authority (or, as the case may be, the Secretary of State) to afford due consideration to the preservation of Listed buildings and their settings (under Section 66(1)), and Conservation Areas (under Section 72(2)), in determining planning applications. |
| **National Heritage Act 1983 (amended 2002)** | One of four Acts of Parliament providing for the protection and management of the historic environment, including the establishment of the Historic Monuments & Buildings Commission, now Historic England. |
| **Conservation Principles (Historic England 2008)** | Guidance for assessing heritage significance, with reference to contributing heritage values, in particular: *evidential* (archaeological), *historical* (illustrative and associative), *aesthetic*, and *communal*. |
| **National Planning Policy Framework (2018)** | Provides the English government's national planning policies and describes how these are expected to be applied within the planning system. Heritage is subject of Chapter 16 (page 54). |
| **Good Practice Advice in Planning: Note 2 (GPA2): Managing Significance in Decision-Taking in the Historic Environment (Historic England, 2015)** | Provides useful information on assessing the significance of heritage assets, using appropriate expertise, historic environment records, recording and furthering understanding, neglect and unauthorised works, marketing and design and distinctiveness. |
| **Good Practice Advice in Planning: Note 3 (GPA3): The Setting of Heritage Assets, Second Edition (Historic England, 2017)** | Provides guidance on managing change within the settings of heritage assets, including archaeological remains and historic buildings, sites, areas, and landscapes. |
| **Mid Devon Local Development Framework:**<br>Mid Devon Core Strategy 2026 (adopted 2007)<br>Allocations and Infrastructure Development Plan Document (adopted 2010)<br>Part 3 - Development Management Policies (adopted 2013) | Comprises the local development plan (local plan), as required to be compiled, published and maintained by the local authority, consistent with the requirements of the NPPF (2018). Intended to be the primary planning policy document against which planning proposals within that local authority jurisdiction are assessed. Where the development plan is found to be inadequate, primacy reverts to the NPPF (2018). |
| **Hedgerows Regulations (1997)** | Provides protection for 'important' hedgerows within the countryside, controlling their alteration and removal by means of a system of statutory notification. |

**Table 1.1** Key statute, policy and guidance


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# 2. METHODOLOGY

*Data collection, analysis and presentation*

2.1. This assessment has been informed by a proportionate level of information sufficient to understand the archaeological potential of the Route Options, the significance of identified heritage assets, and any potential development effects. This approach is in accordance with the provisions of the NPPF (2018) and the guidance issued by CIfA (2014). The data has been collected from a wide variety of sources, summarised in Table 2.1.

| Source | Data |
|---|---|
| **National Heritage List (NHL)** | Current information relating to designated heritage assets, and heritage assets considered to be 'at risk'. |
| **Devon County Council Historic Environment Record (DHER)** | Heritage sites and events records, Historic Landscape Characterisation (HLC) data, and other spatial data supplied in digital format (shapefiles) and hardcopy. |
| **Historic England Archives (HEA)** | Additional sites and events records, supplied in digital and hardcopy formats. |
| **Devon Heritage Centre** | Historic mapping, historic documentation, and relevant published and grey literature. |
| **The Genealogist, Old-Maps, National Library of Scotland & other cartographic websites** | Historic (Tithe and Ordnance Survey) mapping in digital format. |
| **British Geological Survey (BGS) website** | UK geological mapping (bedrock and superficial deposits) and borehole data. |
| **Cranfield University's Soilscapes website** | UK soil mapping. |

**Table 2.1** Key data sources

2.2. Prior to obtaining data from these sources, an initial analysis was undertaken in order to identify a relevant and proportionate study area. This comprised a 1km radius from the Site boundary for designated assets and a 500m radius for non-designated assets, which was considered sufficient to capture the relevant DHER and HEA data and provide the necessary context for understanding the archaeological potential and heritage significance in respect of the Route Options being assessed.

2.3. All of the spatial data held by the DHER and HEA – the primary historic data repositories – for the land within the study area, was requested. The records were

analysed and refined in order to narrow the research focus onto those of relevance to the present assessment. These are provided in a gazetteer, in Appendix 2. *Not all HER records are therefore referred to, discussed or illustrated further within the body of this report, only those that are relevant to the historical development of the proposed Route Options.*

### *Heritage Settings Assessment*

2.4. The assessment also considers the potential effects of the scheme upon the settings of heritage assets. After an initial scoping assessment of the surrounding landscape, designated heritage assets within a 1km radius of the Site were considered relevant for the settings assessment. These are recorded on Appendix 2: Gazetteer of Recorded Heritage Assets and illustrated on Fig. 3.

2.5. The assessment considers the implications of the proposed development on the significance of heritage assets through the alteration of their setting in accordance with the approach outlined in the Historic England guidance (The Setting of Heritage Assets GPA3, 2017). Each asset was visited in the field and the potential impact of the proposed development upon its significance assessed.

### *Walkover Survey*

2.6. A site visit was also undertaken on Wednesday 12th December in overcast and wet conditions as part of this assessment. The primary objectives of the site visit were to assess the Site's historic landscape context, including its association with any known or potential heritage assets, and to identify any evidence for previous truncation of the on-site stratigraphy. The site visit also allowed for the identification of any previously unknown heritage assets within the Site, and assessment of their nature, condition, significance and potential susceptibility to impact. The wider landscape was examined, as relevant, from accessible public rights of way.

### *Assessment of heritage significance*

2.7. The significance of known and potential heritage assets within the Route Options, and any beyond which may be affected by the proposed development, has been assessed and described, in accordance with paragraph 189 of the NPPF (2018), the guidance issued by CIfA (2014) and 'Historic Environment Good Practice Advice in Planning Note 2' (Historic England 2015). Determination of significance has been undertaken according to the industry-standard guidance on assessing heritage value provided within 'Conservation Principles' (Historic England 2008). This approach

considers heritage significance to derive from a combination of discrete heritage values, principal amongst which are: i) evidential (archaeological) value, ii) historic (illustrative and associative) value, iii) aesthetic value, iv) communal value, amongst others. Further detail of this approach, including the detailed definition of those aforementioned values, as set out, and advocated, by Historic England, is provided in Appendix 1 of this report.

*Assessment of potential development effects (benefit and harm)*

2.8. The present report sets out, in detail, the ways in which identified susceptible heritage assets might be affected by the proposals, as well as the anticipated extent of any such effects. Both physical effects, i.e. resulting from the direct truncation of archaeological remains, and non-physical effects, i.e. resulting from changes to the setting of heritage assets, have been assessed. With regards to non-physical effects or 'settings assessment', the five-step assessment methodology advocated by Historic England, and set out in the Second Edition of 'Historic Environment Good Practice Advice in Planning Note 3' (Historic England 2017), has been adhered to (presented in greater detail in Appendix 1).

2.9. Identified effects upon **designated** heritage assets have been defined within broad 'level of effect' categories (Table 2.2 below). These are consistent with key national heritage policy and guidance terminology, particularly that of the NPPF (2018). This has been done in order to improve the intelligibility of the assessment results for purposes of quick reference and ready comprehension. These broad determinations of level of effect should be viewed within the context of the qualifying discussions of significance and impact presented in this report.

2.10. It should be noted that the overall effect of development proposals upon the designated heritage asset are judged, bearing in mind both any specific harms or benefits (an approach consistent with the Court of Appeal judgement *Palmer v. Herefordshire Council & ANR* Neutral Citation Number [2016] EWCA Civ 1061).

| Level of effect | Description | Applicable statute & policy |
|---|---|---|
| **Heritage benefit** | The proposals would better enhance or reveal the heritage significance of the designated heritage asset. | Enhancing or better revealing the significance of a heritage asset is a desirable development outcome in respect of heritage. It is consistent with key policy and guidance, including the NPPF (2018) paragraphs 185 and 200. |
| **No harm** | The proposals would preserve the significance of the designated heritage asset. | Preserving a Listed building and its setting is consistent with s66 of the Planning (Listed Buildings and Conservation Areas) Act (1990).<br>Preserving or enhancing the character or appearance of a Conservation Area is consistent with Section 72 of the Act.<br>Sustaining the significance of a heritage asset is consistent with paragraph 185 of the NPPF, and should be at the core of any material local planning policies in respect of heritage. |
| **Less than substantial harm (lower end)** | The proposals would be anticipated to result in a restricted level of harm to the significance of the designated heritage asset, such that the asset's contributing heritage values would be largely preserved. | In determining an application, this level of harm should be weighed against the public benefits of the proposals, as per paragraph 196 of the NPPF (2018).<br>Proposals involving change to a Listed building or its setting, or any features of special architectural or historic interest which it possesses, or change to the character or appearance of Conservation Areas, must also be considered within the context of Sections 7, 66(1) and 72(2) of the 1990 Act. *The provisions of the Act do not apply to the setting of Conservation Areas*.<br>Proposals with the potential to physically affect a Scheduled Monument (including the ground beneath that monument) will be subject to the provisions of the Ancient Monuments and Archaeological Areas Act (1979); *these provisions do not apply to proposals involving changes to the setting of Scheduled Monuments*. |
| **Less than substantial harm (upper end)** | The proposals would lead to a notable level of harm to the significance of the designated heritage asset. A reduced, but appreciable, degree of its heritage significance would remain. | |
| **Substantial harm** | The proposals would very much reduce the designated heritage asset's significance or vitiate that significance altogether. | Paragraphs 193–195 of the NPPF (2018) would apply. Sections 7, 66(1) and 72(2) of the Planning Act (1990), and the Ancient Monuments and Archaeological Areas Act (1979), may also apply. |

**Table 2.2** Summary of level of effect categories (benefit and harm) referred to in this report in relation to designated heritage assets, and the applicable statute and policy.







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2.11. In relation to non-designated heritage assets, the key applicable policy is paragraph 197 of the NPPF (2018), which states that:

> *'The effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the* ***scale of any harm or loss*** *and the* ***significance of the heritage asset*** [our emphasis]'.

2.12. Thus, with regard to non-designated heritage assets, this report seeks to identify the significance of the heritage asset(s) which may be affected, and the scale of any harm or loss to that significance.

### *Limitations of the assessment*

2.13. This assessment is primarily a desk-based study and has utilised secondary information derived from a variety of sources, only some of which have been directly examined for the purpose of this assessment. The assumption is made that these data, as well as the information derived from other secondary sources, is reasonably accurate.

2.14. The records held by the HER and the HEA are not a record of all surviving heritage assets, but rather, a record of the discovery of a wide range of archaeological and historical components of the historic environment. Thus, the information held is not complete and does not preclude the subsequent discovery of elements of the historic environment that are currently unknown.

2.15. A selection of archival material pertaining to the Site and study area was consulted in person at the Devon Heritage Centre. The quantity of material viewed was considered sufficient to understand the historic development of the Site for the purposes of this assessment. There may be other relevant material held by the National Archives, other local repositories, and in private collections; although these were not accessed under the scope of this report.

2.16. In places the Route Options are overgrown with scrub and trees which hindered the visual identification of above-ground features of archaeological and historical interest during the walkover survey. This does not preclude the presence and subsequent discovery of earthwork and buried archaeological remains within the Site.


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# 3. ARCHAEOLOGICAL AND HISTORICAL BACKGROUND

*Introduction*

3.1. This section provides an overview of the historical and archaeological background of the study area and wider landscape, in order to provide a better understanding of the context and significance of heritage assets of archaeological interest that may be affected by development within the Site. The assessment also seeks to identify the potential for encountering buried archaeological remains within the Site and to predict their likely nature, date, extent and condition (Section 4). A determination is also made of the significance of any such affected archaeological remains.

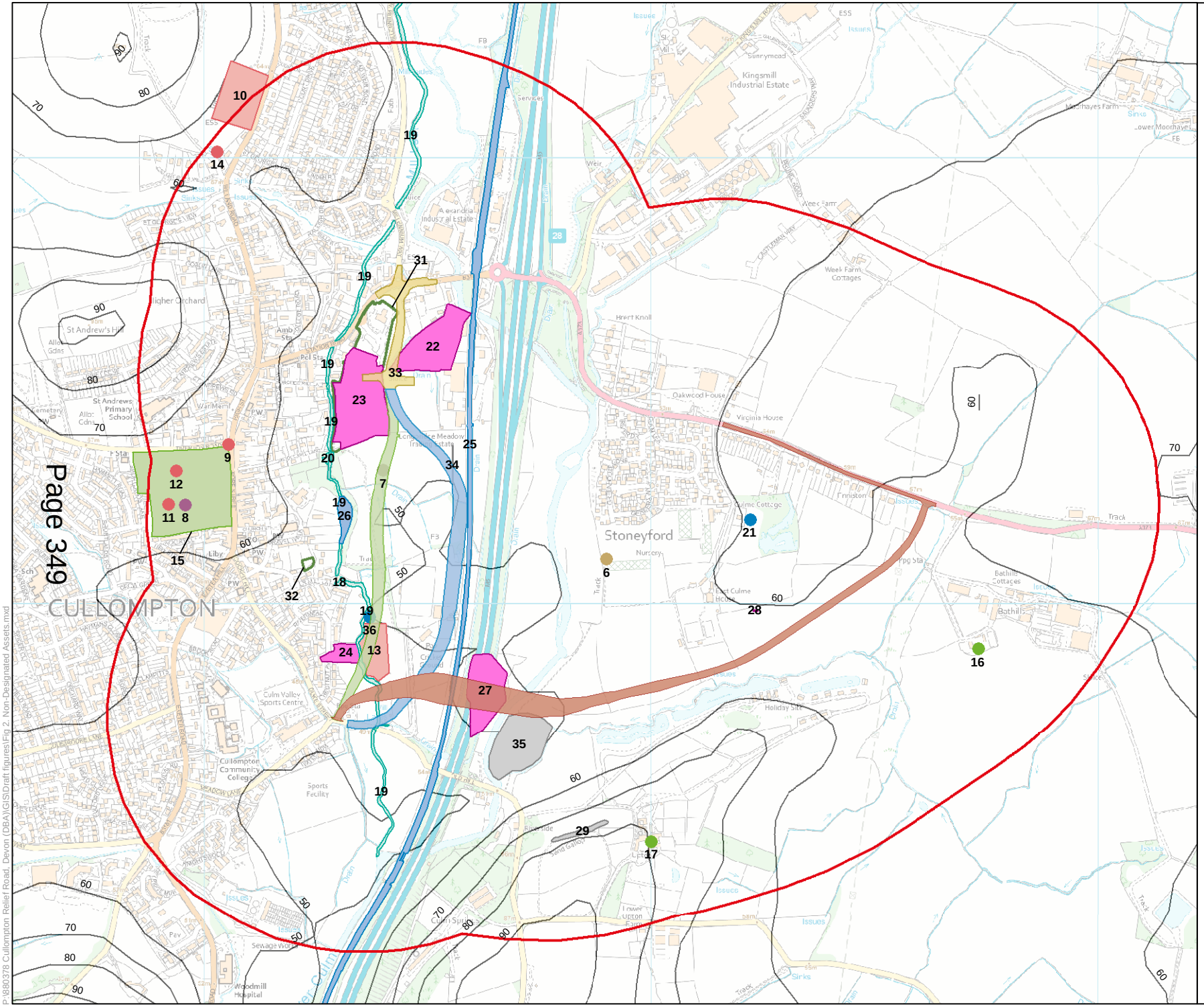
3.2. Figure 2 provides an illustration of those DHER and HEA non-designated heritage assets recorded within the environs of the Site, considered to be relevant to its historical development and archaeological potential, and that of its surroundings (1 – 39). These heritage assets within the study area are also recorded on Appendix 2: Gazetteer of Recorded Heritage Assets. Assets which are contained on the DHER and the HEA but not recorded or illustrated here mostly comprise post-medieval and modern buildings which are not considered to have significantly influenced the Site's historical development

*Landscape context*

3.3. All three Route Options generally occupy low lying ground between 50m and 60m above Ordnance Datum (aOD) to the east of Cullompton in the historic parish of the same name.

3.4. The underlying geology forms part of the Aylesbeare Mudstone Group, comprising mudstone; described as a sedimentary bedrock formed between 247 and 252 million years ago, during the Triassic period. Superficial deposits comprising alluvial clays, silts and sands are also recorded in the low lying flood plains along all Route Options, formed up to 2 million years ago in the Quaternary Period (British Geological Viewer, accessed 03/12/18: http://mapapps.bgs.ac.uk/geologyofbritain/home.html

3.5. The specific landscape context for the individual Route Options are discussed below. Photograph locations and directions are shown in Appendix. 3


Page 349
CULLOMPTON
Stoneyford
Kingsmill Industrial Estate
Alexandria Industrial Estate
Culm Valley Sports Centre
Cullompton Community College
St Andrews Primary School
Woodmill Hospital
Sewage Works
Week Farm
Week Farm Cottages
Moorhayes Farm
Oakwood House
Virginia House
Culme Cottage
Bathills
Bathills Cottages
Holiday Site
Sunnymead
Higher Orchard
Hrent Knoll
Tower Upton Farm
Culm Surgery
Sports Facility
Nursery
Track
Drain
Weir
Issues
Sirks
Liby
Ppg Sta
Sch
Cemetery
Allo: Gdns
Amb Sta
Pel Sta
Pev
Sand Gallery
Riverside
Meadow Industrial Estate
Conigar Close
Cullompton Relief Road
Exeter
Tiverton
Honiton
A373
A38
M5
28
F3
F5
FB
ESS
PW

### The northern section of Route Options A & B

3.6. The northern section of Route Options A & B run directly south from Station Road (B3181) at the roundabout with Milllenium Way. These options diverge after approximately 275m. However, from the roundabout they pass south across an irregularly shaped grassed field and then a V-shaped field boundary of historic origin, and part of a scrub area to the east of this boundary. A drainage channel runs alongside the field boundary on the eastern side of this part of Route Options A & B and follows the V-shaped return before continuing to the east.

3.7. To the west this part of Route Options A & B is bounded by Tesco Stores and to the east by residential development and Longbridge Meadow Trading Estate.

3.8. The soils along the Route Option are described as loamy and clayey floodplain soils with naturally high groundwater of generally moderate fertility, suitable for some arable and grassland (Cranfield Soilscapes accessed 12/11/18: http://www.landis.org.uk/soilscapes/).



**Photograph 1. Northern part of Route Options A & B looking south from Station Road**

### Route Option A (south of the divergence with Route Option B)

3.9. From the point of divergence, Route Option A runs south, for much of its length running parallel to Mill Leat (**19**), with Cullompton town centre further to the west. It measures approximately 750m in length and for the most part traverses recreational ground/common, sown to grass and bisected in places by footpaths (Photograph 2). At its southern end the route enters a grassed children's playground (Photograph 3) before crossing Mill Leat (**19**) and into a pasture field before forming a junction with Duke Street.

3.10. For most of its length Route Option A is bounded by grassed recreational ground/common, crossing a number of field boundaries with attendant drainage channels, some of which are considered to be of historic origin.

3.11. The soils along Route Option A are described as loamy and clayey floodplain soils with naturally high groundwater of generally moderate fertility, suitable for some arable and grassland (Cranfield Soilscapes accessed 11/12/18: http://www.landis.org.uk/soilscapes/).



**Photograph 2. Route Option A looking south**



**Photograph 3. Route Option A Looking south-west towards the playground and Mill Leat**

**Route Option B (south of the divergence with Route Option A).**

3.12. From the point of divergence Route Option B swings to the south-east, then turns in a southerly direction running parallel and adjacent to the route corridor of the railway line (**25**) and M5 motorway, before swinging back to the south-west, crossing Mill Leat (**19**) and then forming a junction with Duke Street, immediately west of First Bridge (**3**). Across its northern extent the route crosses grassed recreational/common ground, as well as some scrub and wooded areas adjacent to the railway line (Photograph 4), and at least one historic boundary with an attendant drainage channel. Along its southern half the route crosses sports facilities/grounds associated with Cullompton football, cricket and bowling clubs (Photograph 5).

3.13. Route option B measures approximately 1.4km in length.

3.14. The soils along the Route Option B are described as loamy and clayey floodplain soils with naturally high groundwater of generally moderate fertility, suitable for some arable and grassland (Cranfield Soilscapes accessed 11/12/18: http://www.landis.org.uk/soilscapes/).



**Photograph 4. Looking north along Route Option B at scrub adjacent to the railway line**



**Photograph 5. Looking south at football pitches along Route Option B**

### Route Option C

3.15. From its junction with Duke Street, Route C swings to the east across green fields/space and over Mill Leat (**19**) before being bridged over the railway line (**25**), the M5 and the River Culme (Photograph 6). To the east of the River it continues on an easterly then north-easterly trajectory, crossing agricultural fields and breaching a number of historic field boundaries (Photograph 7). To the north, the route merges with Honiton Road (A373), and continues westerly along this route to Stoneyford, which is bounded to the south by residential development and to the north by agricultural fields (Photograph 8). The route measures approximately 2km, including approximately 500m of the existing Honiton Road.

3.16. Directly west of the M5, the soils along Route Option C are described as loamy and clayey floodplain soils with naturally high groundwater of generally moderate fertility, suitable arable and grassland. Directly east of the M5 they are described as loamy soils with naturally high groundwater, then further east as freely draining slightly acid loamy soils. Closest to Honiton Road, around 60m aOD they are described as slightly acid loamy and clayey soils with impeded drainage (Cranfield Soilscapes accessed 11/12/18: http://www.landis.org.uk/soilscapes/).



**Photograph 6. Looking east along Route Option C, east of the M5**



**Photograph 7. Looking north east along Route Option C, south of East Culme House**




**Photograph 8. Looking west along Honiton Road (A373)**


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### *Summary of Designated Assets*

3.17. No Scheduled Monuments are located within the Route Options but there is one Scheduled Monument located within the study area. This is 'Two Roman Forts and Two Roman Camps at St Andrew's Hill' (**2**), located approximately 500m west of Route Option A.

3.18. There is one Conservation Area located within the study area. This is the Cullompton Conservation Area (**1**; hereafter Cullompton CA), which encompasses the historic core of the settlement, largely as illustrated on a town plan of 1633 (Mid-Devon District Council 2009). At its closest point Cullompton CA is located approximately 40m to the west of Route Option A. There are 46 Listed Buildings within Cullompton CA. These include 42 Grade II Listed Buildings, as well as the Grade I 15th century St Andrews Church, the Grade I Listed 17th Century Walronds, the Grade II* Manor House and the Grade II* Listed Merchants House.

3.19. Beyond Cullompton CA but within the study area, there are an additional thirteen Grade II Listed Buildings. In closest proximity to a Route Option is the Grade II Listed road bridge, called First Bridge, spanning Duke Street over the Spratford Stream, a tributary of the River Culm (**3**). This bridge is located on Duke Street, adjacent to Route Option C. Also, in relatively close proximity to Route Option A are Nork House (**4**) and Old Chimes, both of which are Grade II Listed (**5**).

3.20. No Registered Park and Gardens, or Registered Battlefields, are recorded within the Site, study area, or surrounding landscape.

3.21. No World Heritage Sites, or sites included on the Tentative List of Further Nominations for World Heritage Site status, are situated within the Site, study area or surrounding landscape.

3.22. Where relevant, designated assets are discussed in greater detail below. They are illustrated on Fig 3.

### *Previous Work*

3.23. There has been a relatively large amount of archaeological fieldwork undertaken within the study area and the broader landscape; much of which has been undertaken in advance of residential development. Archaeological features and finds relevant to the historical development of the Route Options, where relevant, are recorded and identified below. In the first instance though, and within close proximity to the Route

Options it should be noted that archaeological work undertaken in association with the construction of the new Tesco Store, located directly west of Route Option A & B failed to identify any notable archaeological features or finds (**31**). A watching brief undertaken at Priory Cottage identified a drainage or boundary ditch of probable historic date (**32**).

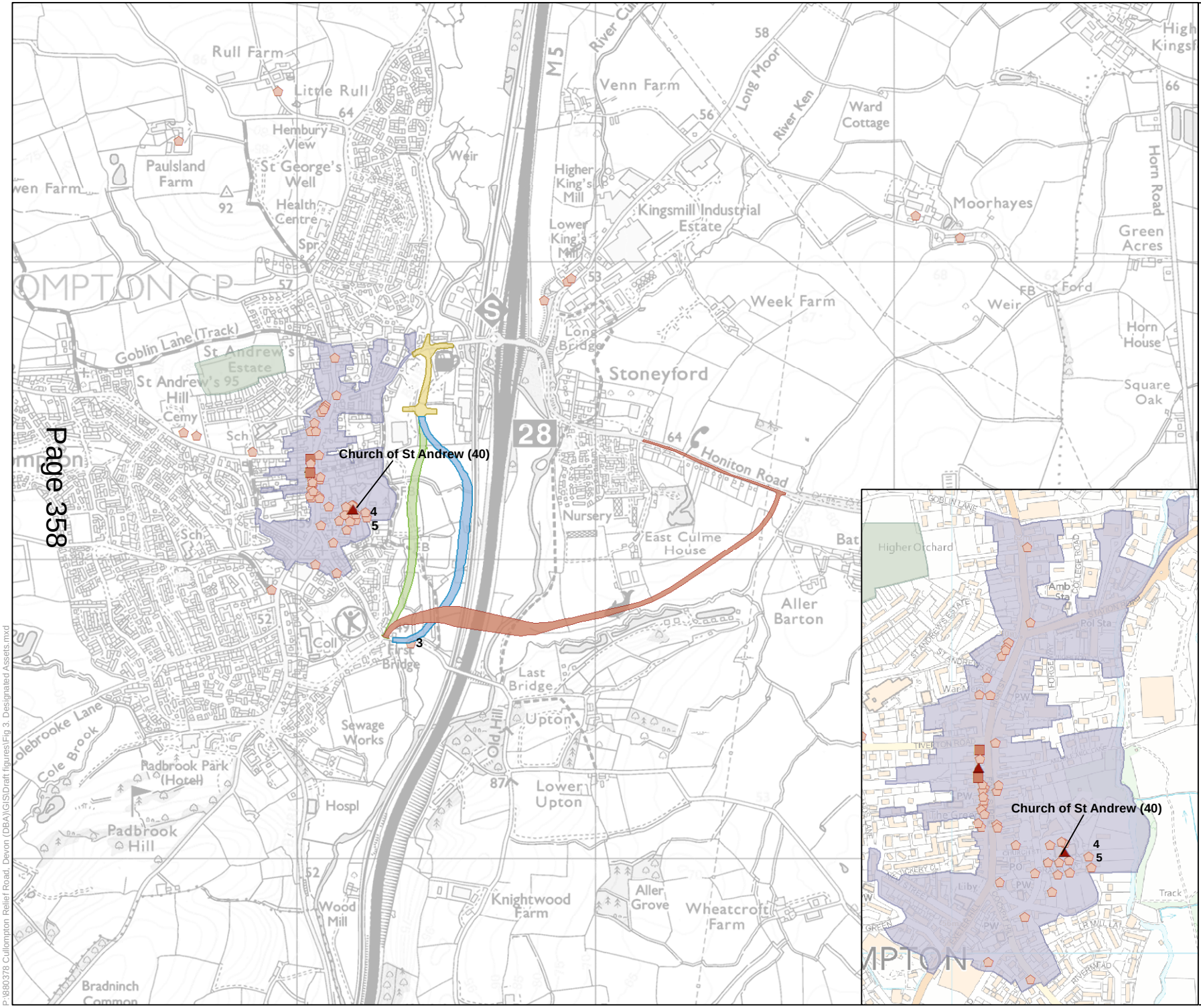
*Prehistoric*

3.24. No finds or features dating to the Palaeolithic period are recorded within the study area, and this is generally consistent with the wider landscape pattern. The Palaeolithic resource in Devon is largely associated with cave sites recorded in the south of the county, with remains elsewhere limited to unstratified finds recovered within river terrace deposits (Hosfield *et. al* 2008).

3.25. The Mesolithic period in Devon is represented primarily by surface scatters of flint-work, often found in association with later material. Within the study area, the DHER records a chert pick of probable Mesolithic date found at East Culme Farm, located approximately 300m north of Route Option C (**6**). Presumably, this is an unstratified find, recovered from plough soil, as there are no records of associated features. Within the broader landscape, human activity becomes more apparent during the Neolithic (4,000 BC – 2,400 BC), Bronze Age (2,400 BC – 700 BC) and Iron Age (700 BC - AD 43) periods, especially on the higher ground to the north-west of Cullompton, beyond the study area. Recent archaeological work here has revealed prehistoric worked flint and pottery of a Bronze Age and Iron Age date, with features including Bronze Age/Neolithic ditches and pits, a Bronze Age oval enclosure and an Iron Age ring ditch (Cotswold Archaeology 2018a, 2018b and 2018c). A large number of intercutting pits, dated to the later Neolithic were also revealed during excavations on Land off Tiverton Road, to the northwest of the study area (Rohan and Morris 2014).

3.26. Within the study area, DHER identifies a Neolithic perforated hammer of quartzite found in Cullompton, but lacks information concerning the context or exact location of the find (**7**). Although ostensibly this record lies within Route Option A, it is likely that this is an unstratified find, and that the National Grid Reference provided (accurate to 100m) does not identify the exact location of recovery or primary deposition.


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N

## Legend

- Route Option A & B
- Route Option A
- Route Option B
- Route Option C

## Listed Buildings

- I
- II
- II*
- Scheduled Monuments
- Conservation Area

0 600m

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PROJECT TITLE
Cullompton Relief Road

FIGURE TITLE
**Fig. 3 Designated Hertiage Assets**

PROJECT NO. 880378 | DATE 01-10-2019 | FIGURE NO. 3
DRAWN BY CJM | REVISION 00
APPROVED BY DC | SCALE@A3 1:12,000

P:\880378 Cullompton Relief Road, Devon (DBA)\GIS\Draft figures\Fig 3. Designated Assets.mxd

3.27. Within the town of Cullompton, approximately 400m west of Route Option A, Iron Age features have also been identified (**8**). A short curving length of gully and a post hole were found during excavations off Shortland Lane; interpreted as possibly forming part of an Iron Age round house. Another curvilinear gully, potentially indicating an Iron Age roundhouse was revealed during excavations to the west of Willand Road, located approximately 450m north-west of Route Option A & B (**10**). The excavators noted, however, that these features appeared to have been severely truncated, so that interpretation was uncertain (Cotswold Archaeology 2009).

### *Romano-British*

3.28. Exeter (*Isca Dumnoniorum*), located *c.* 17km south-west of the Site, represents the principal Roman centre in the region, and numerous forts and marching camps were located within its wider environs. Two Roman forts and two Roman camps at St Andrew's Hill, designated as a Scheduled Monument (**2**), located approximately 500m west of Route Option A & B, represent one such example.

#### Scheduled Monument on St Andrew's Hill

3.29. Identified on aerial photographs, the Roman camps, located on the eastern side of the St Andrew's Hill monument, were constructed and used by Roman soldiers either on campaign or for training purposes. They are characterised by double defensive ditches, with one of the camps thought to have preceded the other. The associated Roman forts, which served as permanent bases for auxiliary army units, were constructed to the west of the camps.

3.30. The original fort, defended by double defensive ditches, has entrances to the south and west, with the northern and eastern sides appearing to have been obscured by the development of the second, larger fort. The western defences of this later fort are thought to have been subsequently incorporated into the historic field pattern, surviving as bank and hedge field boundaries, with the known entrance-way located along the western side. Roman forts were typically established between mid-1st and mid-2nd centuries AD and the investigations within the St Andrew's Hill monument revealed pottery assemblages dated from AD 50 to AD 70. The exact date of the abandonment of the fort remains unclear (Historic England 2001).

3.31. It is thought that the military establishments at St Andrew's Hill were developed in order to control presumed route-ways running north from Exeter, along the River Culm, to the east of Cullompton. It has been suggested that Tiverton Road may follow

the line of a Roman Road to the Scheduled Roman fort at Bolham, Tiverton (NHL 1013409) (South West Archaeology 2014a).

#### Other Romano-British assets

3.32. Beyond the foci of activity at camps and forts such as St Andrew's Hill, and towns such as Exeter, it is considered that Roman occupation had relatively limited impact on the wider landscape in Devon. It is thought that agricultural practices and settlement patterns continued broadly unchanged from those of the preceding Iron Age.

3.33. On Willand Road, approximately 450m north-west of route Option A & B excavations have revealed evidence of an early Roman agricultural settlement, with field boundaries, sub-rectangular enclosures, a circular enclosure and possible post-holes (**10**). More recent investigations on Shortlands Lane, approximately 450m west of Route Option A, revealed the remains of a prosperous Romano-British rural settlement which was established in the mid-2nd century AD with occupation lasting into the 4th century (**11**).

3.34. Elsewhere, a possible Roman-British road surface was exposed in the early 20th century at the junction of Tiverton Lane and Fore Street in Cullompton, located approximately 350m west of Route Option A (**9**). Approximately 430m west of Route Option A, several test pits produced eight sherds of Romano-British greyware broadly comparable with the material from Shortlands Lane (**12**). Roman coins and reputedly the head of a bronze figurine of Bacchus has been found in the area around St. George's Well, *c.*500m to the north-west of Route Option A & B (**14**). Finally, a Roman coin was found in 1991 by a metal detectorist on the playing field at Cullompton (**13**). Although Route Corridor A crosses this field, the coin was an unstratified artefact, and may represent a casual loss, that expired post-depositional movement. Alternatively, it may indicate a focus of Romano-British activity in this area.

### *Early medieval and medieval*

3.35. Cullompton is a settlement of early medieval origin. The town is first mentioned in approximately AD 880 in the will of King Alfred, and formed part of the royal demesne by the late 9th century AD. The town burgage plots could be Saxon in origin, subdivided into narrower plots during the medieval periods (**15**). These are located within the historic core of the town, located approximately 300m to the west of Route Option A.

3.36. Within the broader landscape of Cullompton, several rural settlements are mentioned in the Domesday Survey of AD 1086, including Sutton to the north of Cullompton, Ponsford to the west and Newland to the east. The early medieval origin of these manors is indicated by the recording of pre-Conquest landlords in the Domesday Survey. However, within the study area there is a single early medieval settlement identified. This is the settlement of Upton, located approximately 300m south of Route Option C (**17**).

3.37. During the medieval period, Cullompton developed as a market town, surrounded by agricultural fields and scattered farmsteads. Within the study area Upton appears to have remained occupied (**17**), whilst the settlement of Aller, located approximately 300m south-east of Route Option A, is recorded during the 12th and 13th centuries (**18**). All the Route Options are likely to have comprised farmland during the medieval period, part of the medieval hinterlands of Cullompton and surrounding rural manors. An undated but potentially medieval earthwork field boundary is located to the west of Upton, approximately 285m south of Route Option C (**28**).

*Post-medieval and modern*

3.38. The majority of the post-medieval/modern heritage assets recorded within the Site environs are associated with the continued use of the farmland surrounding Cullompton, and the growth of the town. Such assets include historic field boundaries (such as those within the Site shown in Fig. 4), water meadows, orchard banks, and numerous dwellings and public amenities in the centre of Cullompton (Fig. 2 & 3) which supported the growth in population during the post-medieval and modern periods.

3.39. Many of these buildings survive as Listed Buildings within the Cullompton CA (Fig. 3). In summary, the Cullompton CA was designated for its historic interest from the Roman period onwards, and medieval to modern architectural interest. The majority of the Listed Buildings within the Cullompton CA date to the 19th century, following the rebuilding of many buildings in the town after a major fire in 1839 (Mid Devon District Council 2003).

3.40. The DHER contains records for three archaeological features of the post-medieval period within the study area. Most notable in the proximity of the Route Options is a Mill Leat, which runs north to south along the eastern edge of town (**19**). The Leat takes its water from Spratford Spring, and although its date is uncertain it is shown

marking the eastern edge of town on the Wyndham Town Map dated to 1633 (not reproduced; viewed in the Cullompton Area Appraisal 2009). Most importantly, Mill Leat will need to be bridged by all three Route Options. There are also two post-medieval mills recorded along the leat. The most southerly is Lower Mill, first recorded on the 1633 town map (**18**). This mill was originally a corn mill, converted to a woollen manufactory in the 19th century, although by the 1880s it was being used for grinding animal feed. The mill last worked in 1968 and has now been converted to a residential dwelling but retains a waterwheel. Lower Mill is located approximately 70m west of Route Option A. Further to the north, Middle Mill had two waterwheels in the 18th century, each serving a mill on opposite sides of the leat (**20**). The buildings, used for engineering works during the 20th century, have now largely been demolished. Middle Mill was located approximately 115m to the west of Route Option A. Neither mill falls within the alignment of the proposed Route Options. A modern millpond is also recorded along Mill Leat (**26**), roughly mid-point between the mills. This pond is recorded on the late 19th and early 20th century ordnance survey maps, and is located approximately 40m west of Route Option A.

3.41. A number of modern records, relevant to the historical development of the Route Options have also been identified within the study area. These include former orchards, visible as linear earthworks on aerial photographs dating from 1947 onwards, which lie adjacent on the west side of Route Option A (**24**), and adjacent and partly within Route Option A & B, to either side (**22** & **23**). The area of orchard banks off Station Road, is now occupied entirely by the new Tesco Store (**23**). The area of orchard banks adjacent and to the east of the northern part of Route Option A & B are now partly developed within Longbridge Meadow Trading Estate (**22**), although part of the area seems to have remained undeveloped and is presently beneath scrub and rough ground. Similarly, the area orchard banks to the east of Chestnut Avenue occupy part of a field and part of development alongside the road (**24**).

3.42. Also, of some interest, is the Beambridge to Exeter Railway (**25**). The Devon section of the Bristol and Exeter Railway, which opened in 1844, ran from White Ball tunnel to Exeter St David's Station. The route of this railway line is still in use and will need to be bridged by Route Option C. Directly to the east of the railway line, there is a water meadow, of probable 19th century date (**27**). It was visible as a series of earthwork banks on aerial photographs dating from 1947 onwards, but the areas was

largely levelled, following the construction of the M5 motorway. The DHER records that a single ditch remained visible up until 2005.

3.43. Elsewhere, the site of the East Culme Brick and Tile Works as shown on late 19th and early 20th century Ordnance Survey Maps, is located approximately 225m north, west and south of Route Option C (**21**). A small building is also marked on the First Edition Ordnance Survey Map (1888), across the boundary of two orchards/plantations approximately 75m north of Route Option C (**28**). It is not shown on the Second Edition Ordnance Survey (c.1905), at which time the fields illustrated as orchards/plantation have notably reduced in size.

3.44. Finally, during the walkover survey, a granite commemoration plinth was recorded adjacent to Route Option A, with a dedication plaque to the twinning between Cullumpton and Ploudalmezeau, dated 1987 (**36**).

3.45. The Devon Historic Landscape Characterisation (hereafter HLC) defines all the fields encompassing Route Options A & B as forming modern enclosures. These are described as '*enclosures that have been created by adapting earlier fields of probable post-medieval date'*.

3.46. For Route Option C, much of the route is also characterised as modern enclosures, although to the south of East Culme House there are former orchards. The HLC describes these as '*once an orchard planted with fruit trees, but….lost in the 20th century*'. Land along Hontion Road (A373) at Stoneyford is described on the HLC as modern settlement, developed during the 20th century.

3.47. Along all three Route Options there has been extensive boundary removal and field amalgamation. However, some historic boundaries illustrated on the 1841 Cullumpton Tithe map remain upstanding. These field boundaries survive as 'Devon Banks', which may represent fossilised medieval fields systems, or potentially earlier boundaries. Devon County Council defines these as '*typically comprising a large bank, with laid hedge shrubs on top and veteran hedge trees at wider intervals. Adjacent ditches and stone-faced revetting of the bank were also common practices to aid drainage and provide support*'.

3.48. Figure 4 illustrates those boundaries which are recorded on the Cullompton Tithe map and appear to remain upstanding in the modern landscape. The map illustrates where they are likely to be breached by the different Route Options. These boundaries may have some notable antiquity, possibly dating from the medieval period, and potentially earlier.

*Undated*

3.49. Three undated features were identified during the walkover survey. A large overgrown mound was recorded within Route Option A & B, adjacent to the V-shaped boundary junction between two upstanding historic field boundaries (**33**). The mound measured approximately 25m long by 10m wide and 3m high. Although undated, it is thought most likely to be a modern feature, possibly relating to the nearby construction of Longbridge Meadow Trading Estate. It is contained within an area generally overgrown with scrub.

3.50. An undated linear stretch of bank was also recorded in a field to the south, along the alignment of Route Option B (**34**). This feature was overgrown, concealed within scrub and trees. It measured approximately 90m long by 3m wide and 1.5m high but did not conform to any recorded historic field boundaries. This earthwork is undated but may conceivably relate to the construction of the 19th century railway, the route of which lies adjacent to the east (**25**).

3.51. A series of undated irregular earthworks, with curvilinear channels up to 1m deep and 1m wide bisecting areas of high ground were also recorded in a field to the south of Route Option C, directly east of the M5 (**35**). These were undated and of uncertain origin but may relate to the adjacent confluence between the River Culme and a tributary.

*Cartographic Regression*

3.52. The earliest detailed mapping for the Route Options is the 1841 Cullompton Tithe Map (Fig. 5). This map shows the three different Route Options traversing agricultural fields to the east of Cullompton. These fields are predominantly described as meadow and pasture, with occasional arable fields and orchards. Plot numbers and field names are included as Table 3.




N

## Legend

- Route Option A & B
- Route Option A
- Route Option B
- Route Option C
- Surviving Historic Field Boudaries

0 200m

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PROJECT TITLE
Cullompton Relief Road

FIGURE TITLE
**Fig. 4 Location of Upstanding Historic Bouindaries**

| | | | | |
|---|---|---|---|---|
| PROJECT NO. | 880378 | DATE | 10-01-2019 | FIGURE NO. |
| DRAWN BY | CJM | REVISION | 00 | 4 |
| APPROVED BY | DC | SCALE@A3 | 1:4,300 | |

P:\880378 Cullompton Relief Road, Devon (DBA)\GIS\Draft figures\Fig 4. Location of Upstanding Historic Boundaries.mxd

| Route Option | Plot No. | Plot Name | Land Use |
|---|---|---|---|
| **C** | 966 | Island Meadow | Meadow |
| **C** | 967 | Break Meadow | Meadow |
| **B & C** | 968 | Speeds Meadow | Meadow |
| **B & C** | 970 | Speeds Meadow | Meadow |
| **B & C** | 971 | First Bridge Orvhard | Orchard |
| **A & C** | 972 | Meadow | Meadow |
| **A** | 978 | Bones Meadow | Meadow |
| **B & C** | 980 | Speeds Meadow | Meadow |
| **B** | 982 | Sewer Meadow | Meadow |
| **B** | 983 | Goudes Meadow | Meadow |
| **A** | 985 | First Meadow | Meadow |
| **A** | 986 | Vicarage Meadow | Meadow |
| **A & B** | 1000 | The Ham | Meadow |
| **A & B** | 1001 | - | Pasture |
| **A & B** | 1002 | Long Bridge Orchard | Arable |
| **A & B** | 1003 | Waterlane Close | Meadow |
| **A & B** | 1004 | Crofsham Orchard | Orchard |
| **A & B** | 1007 | Path Meadow | Meadow |
| **A & B** | 1008 | Great Mill Meadow | Meadow |
| **A** | 1010 | Late Templars | Meadow |
| **B** | 1011 | Withey Ham | Meadow |
| **B** | 1012 | Vicarage Meadow | Meadow |
| **B** | 1013 | Bidewell Meadow | Meadow |
| **C** | 1340 | Dry Ham Meadow | Meadow |
| **C** | 1341 | Long Acre | Pasture |
| **C** | 1342 | Long Three Acres | Arable |
| **C** | 1343 | Dryham Meadow | Meadow |
| **C** | 1344 | Little Monkswood Meadow | Meadow |
| **C** | 1345 | Lower Three Acres | Arable |
| **C** | 1349 | Great Culme Meadow | Orchard |
| **C** | 1350 | East Culme Meadow | Meadow |
| **C** | 1356 | Shepherds Three Acres | Arable |
| **C** | 1357 | Shepherds Lower Field | Arable |
| **C** | 1358 | Shepherds Meadow | Meadow |
| **C** | 1358a | Shepherds Meadow | Meadow |
| **c** | 1359 | Oakish Meadow | Meadow |

**Table 3.1 Transcript from the Cullompton tithe Map (1841)**




N

## Legend

- Route Option A & B
- Route Option A
- Route Option B
- Route Option C

0 200m

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PROJECT TITLE
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FIGURE TITLE
**Fig. 5 Cullompton Tithe Map (1841)**

| | | | | | |
|---|---|---|---|---|---|
| PROJECT NO. | 880378 | DATE | 10-01-2019 | FIGURE NO. | 5 |
| DRAWN BY | CJM | REVISION | 00 | | |
| APPROVED BY | DC | SCALE@A3 | 1:4,500 | | |

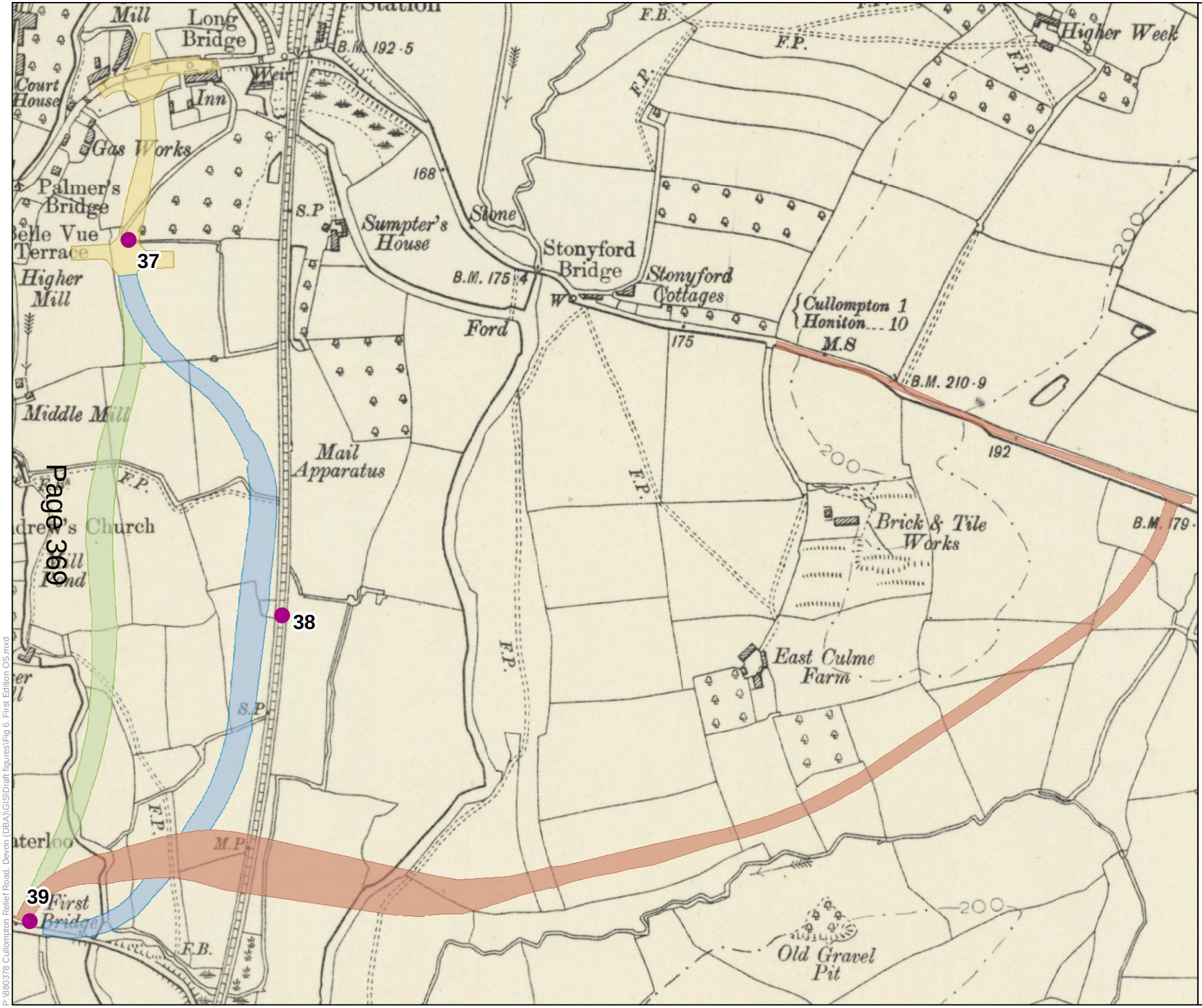
P:\880378 Cullompton Relief Road, Devon (DBA)\GIS\Draft figures\Fig 5 Cullmpton Tithe.mxd

3.54. The tithe field names across the Route Options are not indicative of the former presence of any significant archaeological features within any of the fields. Likewise, there are no structures or features illustrated on this map which might indicate that significant and previously unrecorded archaeological remains or deposits are present along the route corridors. That said, there is a track illustrated east of East Culme Farm, which will be intersected by Route Option C as it turns north for Honiton Road. This track is no longer visible in the landscape but may survive as ephemeral buried deposits. Those boundaries illustrated on the tithe maps which are still upstanding in the modern landscape are shown on Fig. 4.

3.55. The First Edition Ordnance Survey map of (1888) depicts a largely unchanged agricultural landscape. However, alterations along the Route Options and to adjacent fields include the amalgamation of some of the smaller plots into larger fields. This rationalisation appears to be the result of the newly constructed railway which is illustrated to the east of Route Option B (**25**). Otherwise, field boundary changes may also relate to changing agricultural practices. The orchards recorded to the east of Route Option A & B are clearly illustrated on this map (**22**), but those recorded directly to the west (**23**) are not shown. Mill Leat is clearly illustrated to the west of Route Option A, with Middle Mill (**26**) and Lower Mill (**26**) also labelled and illustrated along its course. Along Route Option C orchards are also illustrated to the south of East Culme Farm.

3.56. On the First Edition Ordnance Survey map (Fig. 6), three previously unrecorded historic features were identified, located along the Route Options. Firstly, a sluice is labelled along the northern part of Route Options A & B (**37**) at the V-shaped boundary return, formerly enclosing the orchard (**22**). This feature was not identified as upstanding during the walkover survey, although the boundary ditch here was water filled and the ditch banks very overgrown, so it is possible that elements survive, either concealed in the vegetation or beneath the water.

3.57. Secondly, about mid-way south along Route Option B there is a pond illustrated alongside the railway (**38**). Presumably this relates to the construction of the railway – providing some element of ground water attenuation – as it is not illustrated on the 1841 Cullompton Tithe map. This feature is still upstanding in the modern landscape, measuring approximately 20m by 20m although the area is very overgrown and not readily accessible.




Page 369

## Legend

- Route Option A & B
- Route Option A
- Route Option B
- Route Option C

## Map Feature

- Modern

N

0 200m

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PROJECT TITLE
Cullompton Relief Road

FIGURE TITLE
**Fig. 6 First Edition OS Map (1888)**

| | | | | |
|---|---|---|---|---|
| PROJECT NO. | 880378 | DATE | 10-01-2019 | FIGURE NO. |
| DRAWN BY | CJM | REVISION | 00 | 6 |
| APPROVED BY | DC | SCALE@A3 | 1:4,102 | |

P:\880378 Cullompton Relief Road, Devon (DBA)\GIS\Draft figures\Fig 6. First Edition OS.mxd

3.58. Finally, at the southern end close to the point where Route Options A and C diverge on the north side of Duke Street, there is a '*stone*' illustrated and labelled (**39**). Presumably, this was a former boundary marker. It was not located during the walkover survey, so has most likely been lost, buried or removed.

3.59. No further previously unrecorded archaeological features or deposits were identified on the First Edition Ordnance Survey along the course of the Route Options.

3.60. The Second Edition Ordnance Survey map (1906) shows very little change in the rural landscape along and around the Route Options (not reproduced). That said, the sluice along Route Option A & B is not labelled. Conversely, the stone is still illustrated close to where Route Options A & C form a junction with Duke Street, to the west of First Bridge (**39**), and the outline of the pond (**38**) is still shown to the east of Route Option B alongside the railway (**25**). The orchards to the south of East Culme Farm have reduced in size, so that at this time, Route Option B traverses an enclosed agricultural field here.

3.61. No previously unrecorded significant archaeological features or deposits were identified on the Second Edition Ordnance Survey map along the course of the Route Options.

3.62. Later historic mapping reveals little change along the proposed Route Options, although development along the eastern fringes of Cullompton is clearly evident., encroaching more closely on Mill Leat and along Station Road at the northern end of Route Option A & B (not reproduced). The orchards (**22** & **24**) are illustrated on the 1968 Ordnance Survey map, but are no longer shown on the 1972 map. Indeed, the modern landscape form begins to take shape on the 1972 Ordnance Survey map, with the arrival of the M5 motorway. Interestingly, the sluice recorded on the First Edition Ordnance Survey is also labelled on the 1972 map (**37**), and then again on the 1989 plan; by which time the Longbridge Meadow Trading Estate is also labelled and illustrated to the east of Route Options A & B. The stone identified at the southern end of Route Options A & B on Duke Street, is still labelled and illustrated on the 1972 Ordnance Survey Plan, but not on the 1988 plan, when there is residential development illustrated directly to the north-west. Presumably the stone was lost or removed by this time.

# 4. ARCHAEOLOGICAL SIGNIFICANCE & POTENTIAL EFFECTS

*The significance of known archaeological remains along the Route Options*

4.1. This assessment has identified that no designated archaeological remains are located within the Route Options; no *designated* archaeological remains will therefore be adversely physically affected by development within the Site.

4.2. The DHER records several non-designated entries along the Route Options, while other potential remains were identified from historical maps and during the walkover survey. These are summarised below in Table 4.1.

| Heritage Asset | Gazetteer Ref | Period | Route Option |
|---|---|---|---|
| **Neolithic Quartzite Hammer** | **7** | Neolithic | A |
| **Romano-British coin** | **9** | Romano-British | A |
| **Orchard Banks** | **22, 23 & 24** | Post-medieval to modern | A & B |
| **Mill Leat** | **19** | Post-medieval to modern | A + B |
| **Beambridge to Exeter Railway** | **25** | Modern | C |
| **Water Meadow** | **27** | Modern | C |
| **Sluice** | **37** | Modern | A & B |
| **Commemoration Plinth** | **36** | Modern | A |
| **Pond** | **38** | Modern | B |
| **Stone** | **39** | Modern | A + B |
| **Earthwork Bank** | **34** | Undated | B |
| **Earthwork Mound** | **33** | Undated | A & B |
| **Earthworks** | **35** | Undated | C |

**Table 4.1 Known and potential archaeological remains**

4.3. The Neolithic quartzite hammer (**7**) and the Romano-British coin (**9**) are both unstratified finds, recovered from a general area and perhaps not from within Route Option A. Moreover, it is likely that neither were recovered from their original, primary


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place of deposition. As such the context from which they were found is not thought to be of high evidential (archaeological) value.

4.4. The majority of archaeological remains identified along the Route Options relate to the post medieval and modern periods. These elements survive in varying condition. For example, the orchard banks (**22**, **23** & **24**) have been significantly truncated, whereas Mill Leat (**19**) and the railway (**25**), survive as an integral part of the modern landscape. In addition, the extent of survival for some historical elements has not been established, such as the sluice (**33**) and roadside stone (**39**). However, all the post-medieval and modern archaeological remains identified relate directly to contemporary landscape development on the eastern fringes of Cullompton and are generally considered to be of local heritage significance.

4.5. Several undated earthworks have also been identified (**33**, **34** and **35**). At present these are considered to be of unknown significance as their date and former purpose are uncertain based on present knowledge.

4.6. There are several upstanding historic field boundaries identified along the separate Route Options. Extant and buried remnants of historic field systems hold a level of evidential (archaeological) value in their potential to contain archaeological material, and historic (illustrative) value as they represent a component in the layout of the past landscape. The material they contain may provide information about the use of the land over time, and the daily lives of those who lived in it. However, they are a ubiquitous element of the historic rural landscape and in this instance are considered to be of low heritage significance. That said, they will be included within the remit of the Hedgerows Regulations 1997 (see Appendix 1).

*Previous Impacts*

4.7. Previous impacts along the route options will relate directly to the development of the modern landscape. The principal previous impacts are considered to be as follows:

- construction activities associated with the M5 motorway;
- construction activities associated with the 19th century railway;
- the development of the recreational sports grounds and facilities for Cullompton cricket, football and bowling clubs, along with associated infrastructure such as the access road linking from Duke Street;
- residential development along Duke Street and Chestnut Avenue;

- the children's playground facilities, and
- the construction of footpaths across the recreational/common grounds.

4.8. Otherwise, the Route Options predominantly traverse agricultural fields or recreational space formerly worked as agricultural fields. As such, other pre-existing impacts to any potential buried archaeological remains would chiefly result from agricultural practices, including ploughing, land drains, and subsoiling which may have caused damage to the upper horizons of any potential buried remains situated beneath the topsoil layer. The localised construction impacts associated with the former presence of short-lived agricultural buildings should also not be discounted.

*Potential development effects*

4.9. Any physical development effects upon the known and potential non-designated heritage assets identified within the Site would primarily comprise truncation or removal arising from groundworks associated with the development. The works associated with the potential development will be dependent upon the particular Route Option, but as a minimum are likely to include the following:

- pre-construction impacts associated with demolition and ground investigation works;
- ground reduction;
- construction ground works, including road foundation trench excavations and the excavation of service trenches;
- Excavations for bridge footings across Mill Leat and the M5 motorway corridor;
- excavation of new site drainage channels (including soakaways); and
- landscaping and planting.

4.10. For all Route Options it is considered that the principal impacts will relate to the construction of the new carriageway and flanking pedestrian footways, along with drainage infrastructure and bridge footings.

*Archaeological Potential & Impact*

4.11. The archaeological potential for each specific route corridor is outlined below.

**The northern section of Route Options A & B**

4.12. There are no known archaeological remains identified along Route Options A & B dating to the prehistoric, Romano-British or medieval periods. Likewise, there are no

significant known heritage assets of these dates in proximity to Routes A & B which are likely to extend into the Route Options. Hence, there is considered to be low potential for encountering any previously unrecorded significant deposits or remains dating to these periods within Routes A & B.

4.13. Remains dating to the post-medieval and modern periods have been identified along these Route Options. These comprise a sluice (**37**) and truncated orchard banks (**22** & **23**), both considered to be of low heritage significance given the frequency of comparable sites. There is considered to be low to moderate potential for encountering associated deposits, or previously unrecorded deposits of a post-medieval or modern date. However, if present, they are also likely to be of local and low heritage significance. That said, it should be noted that any such deposits may have previously been entirely truncated by the proposed development.

4.14. The northern part of Route Options A & B is predicted to breach two historic fields boundaries.

4.15. The earthwork mound identified during the walkover survey is undated (**33**) but considered most likely of modern origin and may in fact be associated with local redevelopment works. It is therefore possible that it is not of heritage significance. However, an earlier origin cannot be entirely discounted. It is predicted that this feature will be completely truncated by the proposed development.

#### Route Option A (south of the divergence with Route Option B)

4.16. Route Option A encompasses the find spot of a Neolithic axe (**7**) and a Romano-British coin (**13**). Whilst it is likely that these do not represent their initial point of deposition, a focus of nearby activity cannot be entirely ruled out. Therefore, there is considered to be a low potential for encountering significant previously unrecorded deposits of a Neolithic or Romano-British date along this Route Option. It is considered that any such deposits will have the potential to range from low to moderate heritage significance.

4.17. There are no medieval deposits recorded along Route Option B and there is considered to be low potential for encountering any previously unrecorded significant medieval deposits or remains along this Route Option. Any surviving buried features may relate to medieval agricultural practices; such features are not considered to be of high significance given the frequency of comparable examples.

4.18. Given the reviewed evidence there is considered moderate potential for encountering post-medieval and modern deposits along Route Option A. Where and if present they are most likely to be associated with Mill Leat (**19**) where the road is bridged over its course. Although predicted to be of low heritage significance, if present, they may be entirely truncated by the proposed development. Likewise, the modern commemoration plinth may have to be relocated to prevent its truncation (**36**). It is not considered that this would impact its heritage significance.

4.19. Route A is predicted to breach three historic field boundaries.

#### Route Corridor B (south of the divergence with Route Option A)

4.20. There are no known archaeological remains identified along or close to Route Option B dating to the prehistoric, Romano-British or medieval periods. Hence, there is considered to be low potential for encountering any previously unrecorded significant deposits or remains dating to these periods.

4.21. For much of its course Route Option B follows the railway (**25**) and M5 motorway corridor. Recorded post-medieval and modern heritage assets on its alignment include a pond probably associated with the railway (**38**) and Mill Leat (**19**). Route Option B will be bridged over Mill Leat north of First Bridge (**3**) before merging with Duke Street. Based on the reviewed evidence there is predicted to be low to moderate potential to encounter deposits associated with Mill Leat and/or the railway. It is considered that any such deposits will be of low/local heritage significance, as it is unlikely that any recovered features would provide significant new knowledge on the past use of the mill or railway.

4.22. Route B is predicted to breach one historic field boundary.

4.23. The linear earthwork bank identified during the walkover survey is undated (**34**) and of uncertain origin and significance, but this previously unrecorded feature will be partially truncated by the proposed development.

#### Route Corridor C

4.24. There are no known archaeological remains identified along or close to Route Option C dating to the prehistoric, Romano-British or medieval periods. Hence, there is considered to be low potential for encountering any previously unrecorded significant deposits or remains dating to these periods.

4.25. Recorded post-medieval and modern heritage assets on its alignment include the railway (**25**), Mill Leat (**19**) and a Water Meadow (**27**). Notably, Route Option C will be bridged over Mill Leat and further to the east over the railway, motorway and River Culm in a single span. As such there will be no direct impact to the course of the railway (**25**). Based on the reviewed evidence and given existing impacts, there is predicted to be low potential for encountering previously unrecorded significant deposits dating to the post-medieval or modern periods. Any that survive will most likely relate to Mill Leat and be of low/local heritage significance, as above.

4.26. Route C will breach seven historic field boundaries.

4.27. The irregular earthworks identified in a field to the east of the M5 motorway would be partly truncated by the proposed development, but only at their northern extent. These earthworks are of unknown origin and heritage significance.

*Conclusion*

4.28. Based on the reviewed evidence, it is considered that Route Option B offers the least impact to known and previously unrecorded archaeological deposits.

4.29. There are no prehistoric, Romano-British or medieval deposits identified along Route Option B. The identified modern and post-modern deposits (**19**, **22**, **23**, **37**, **38**) are considered to be of low/local heritage significance. Moreover, much of the route follows the course of the 19th century railway (**25**), where presumably there are levels of existing ground surface truncation associated with the railway construction, such as the probable flood attenuation pond (**38**). The past impacts associated with the construction of the railway may have already partially or entirely removed any archaeological features present along Route Option B and/or in its proximity. Route Option B will partially truncate the undated linear bank (**34**) but conversely will breach the fewest number of historic boundaries.

# 5. THE SETTING OF HERITAGE ASSETS

*Introduction*

5.1. This section considers potential non-physical effects upon the significance of susceptible heritage assets within the Site environs. Non-physical effects are those that derive from changes to the setting of heritage assets as a result of new development. All heritage assets included within the settings assessment are summarised in the gazetteer in Appendix 2 and are mapped on Fig. 3. Those assets identified as potentially susceptible to non-physical impact, and thus subject to more detailed assessment, are discussed in greater detail within the remainder of this section.

*Initial Assessment*

5.2. Step 1 of the Second Edition of Historic England's 2017 'Good Practice Advice in Planning: Note 3' (GPA3) is to 'identify which heritage assets and their settings are affected' (see Appendix 1). GPA3 notes that Step 1 should identify the heritage assets which are likely to be affected as a result of any change to their experience, as a result of the development proposal (Historic England 2017, 9).

5.3. An initial scoping process, carried out as part of Step 1 of the setting assessment methodology, utilised readily-available information, such as modern mapping, terrain mapping and aerial photography, to establish whether any particular heritage asset could be affected by the proposed development through an alteration to its setting. Designated heritage assets within a 1km radius of the Site were initially considered for the assessment, as well as those in the wider environs of the Site. The process took into account the nature of the prevailing topography, distance between the Site and the asset, the presence of intervening vegetation (woods, tree belts, hedgerows etc.), built form screening, the primary aspect and experience of the heritage assets and the nature of the proposed development.

5.4. Given scale, distance, topography, existing built form and intervening vegetation, it is considered that the proposed Route Options offer no non-physical impact to the majority of designated heritage assets identified within the study area.

5.5. Six designated assets or groups of designated assets were identified for further detail assessment. These are:

- Cullompton CA (**1**)

- St Andrews Church, Cullompton (**40**)
- First Bridge (**3**; Grade II Listed)
- Nork House & Old Chimes on Gravel Walk (**4** & **5**; Grade II Listed)
- Two Roman Forts and Two Roman Camps at St Andrew's Hill (**2**; Scheduled Monument

### *Cullompton CA*

#### The Asset and its Significance

5.6. Cullompton is a market town situated in mid-Devon in the Culm Valley, located approximately 11 miles north of Exeter. The M5 motorway runs close to the east side of the town, with the River Culm further beyond to the east. The B3181 runs through the town centre linking Exeter and Willand.

5.7. Cullompton CA was first designated in 1977 and encompasses the historic core of the town. It was designated for its historic interest from the Roman period onwards, and medieval to modern architectural interest. Its heritage significance is derived from its special architectural interest, special historic interest, character and appearance. Moreover, there are 46 Listed Building within Cullompton CA. These include 42 Grade II Listed Buildings, as well as the Grade I 15th century St Andrews Church, the Grade I Listed 17th Century Walronds, the Grade II* Manor House and the Grade II* Listed Merchants House. The majority of the Listed Buildings within the Conservation Area date to the 19th century, following the rebuilding of many buildings in the town after a major fire in 1839 (Mid Devon District Council 2009). The Cullompton CA Appraisal should be consulted for further detail (*ibid.).*

5.8. As a designated heritage asset, Cullompton CA is of high heritage significance. The evidential, historical, communal and aesthetic values of this significance are predominantly derived from the physical fabric of Cullompton Town's built form and the internally recursive setting of its historically fossilised urban layout. The broader landscape setting of Cullompton CA is considered to make a limited contribution to its significance, although experience of the asset from along its boundaries, in particular along Mill Leat, is a notable contributor.

#### Landscape Context

5.9. The extent of Cullompton CA and its relationship with the Route Options is shown in Fig.3. It comprises four sub area each with a different character. These are as follows:

- The core area comprising the frontages along Exeter Hill, Fore Street and High Street;
- Quieter areas around the parish Church of St Andrew (**40**) and Gravel Walk to the south of the CA and Higher Street and College Road to the north, along with the courts to the rear of Higher Street and College Road;
- Mill Leat (**19**) which defines the eastern edge of the Conservation Area, and;
- The area of former burgage plots that divided the land along the main Street frontages, together with courts of later development running at right angles to the main road.

5.10. There is no intervisibility from within much of the CA towards the proposed Route Options. The only discrete character area that is readily visible is along Mill Stream on the eastern edge of town. Hence, the focus of discussion is entirely on this character area.

5.11. Mill Leat forms a peaceful area defining much of the eastern boundary of the CA. It separates the gardens of Garden Terrace and Belle Vue Terrace from the Western Way Industrial Estate at the north end of town. To the south it divides the Church of St Andrew and large private gardens directly to the east of the Church (**40**) from the public open space further to the east. Although Mill Leat is rural in appearance, this area is subject to the intrusion of modern infrastructure, in the form of background noise from the nearby M5 motorway and mainline railway, located approximately 250m to the east.

5.12. The course of Mill Leat is heavily wooded, through which a public footpath runs parallel to the water course (Photograph 9). The large private gardens to the west of the leat are heavily screened with vegetation, so that views from the footpath into the historic core of the CA beyond are almost entirely obscured.

5.13. Likewise views from the public open space to the east of Mill Leat into the Conservation Area are entirely obscured. Only the church tower is readily visible climbing above the attendant tree line (Photograph 10). From the public space looking west towards the CA, Mill Leat is not readily apparent, only the woodland and vegetation which marks its course. Hence, this discrete character area of the CA is best experienced in close proximity either from along the footpath, and/or the very adjacent open space, directly to the east of the footpath. More distant views from

close to the railway and M5 motorway corridor are not considered to contribute to the heritage significance of Cullompton CA, unlike those from closer proximity.



**Photograph 9. Looking north along the Mill Leat footpath**



**Photograph 10. Looking west towards Mill Leat and Cullompton CA**

**Assessment of Development effects:**

5.14. The setting of this asset contributes to its heritage significance, although the larger extent of Cullompton CA is best experienced from in and around the urban townscape, and its historical core which is encompassed by the CA. It should be emphasised that the re-routing of traffic out of town, will significantly benefit the character and appearance of Cullompton CA as experienced within its historic core and from around the nearby designated assets. However, the setting of the Mill Leat character area, which forms the eastern edge of the CA is best experienced from the footpath running alongside the water course, and the public open space directly adjacent to the east.

5.15. Route Option A is aligned on a parallel course to Mill Leat and at its closest point would be located approximately 40m to the east; raised above the existing ground surface. As such, Route Option A would introduce a modern and incongruous feature to the setting of this CA character area, readily experienced and visible from the footpath alongside Mill Leat. Therefore, it is considered that there would be both a visual and an aural change to the character and appearance of this part of the Cullompton CA. That said, the Mill Leat character area forms only a discrete element in the setting of Cullompton CA whereas elsewhere, there are substantive benefits to the heritage significance of Cullompton CA by re-routing the heavy existing traffic away from the historic core of the town.

5.16. Route Options B and C are at a greater distance from Cullompton, and where they draw close such as at the northern end of Route Option A, the proposed development would be screened from the CA by intervening development such as the Tesco Store. As it passes the Mill Leat Character Area, Route Option B runs alongside the motorway corridor, between 180m and 230m to the east. Given the existing screening along Mill Leat, combined with distance, existing transport corridors and vegetation screening along the new road, there is predicted to be no meaningful intervisibility between Cullompton CA and Route Option B. Likewise, there is predicted to be no intervisibility between Route Option C and Cullompton CA.

5.17. The introduction of a new route around the town beyond the extent of the historic core and Conservation Area will reduce the weight of traffic considerably, which would be a positive change to the experience of the town from within the Conservation Area and from the setting of a number of designated heritage assets which contribute positively to the significance of it. Therefore, on balance, it is considered that overall,

there will be no harm to the Cullompton CA should any of the Route Options be implemented.

5.18. That said, although overall the negative and positive impacts to heritage significance offered by Route Option A are considered to be offset, it remains the case that there will be a specific negative impact to the landscape setting of the Mill Leat character area, situated adjacent to the route along the eastern edge of Cullompton CA. This impact will be both visual and aural, especially given the close proximity, raised level of the carriageway and footways and newly proposed lighting. Therefore, on balance it is considered that either Route Option B or C is the preferred route, having no predicted negative impacts to the setting or heritage significance of Cullompton CA, or other assessed designated assets.

### *Church of St Andrew*

#### The assets and its significance

5.19. The Parish Church of St Andrew is a Grade I Listed Building and as such considered to be a heritage asset of high significance (**40**). It is located within the Cullompton CA (**1**). The church is believed date back to the early 15th century, and displays architectural detail of very high quality, most notably the interior with its fan vaulting and other interesting stonework (Mid-Devon District Council, 2009). The church is constructed of local red sandstone with Beerstons Dressings.

5.20. The heritage significance of St Andrews, and associated features in the churchyard, are derived from a number of factors. The evidential value of the church, which substantially contributes to its significance, derives from the physical remains of the building, i.e. the historic fabric of the medieval structure, parts of which date back to the 15th century. The physical fabric of the church also holds aesthetic value in its architectural design, whereby craftsmanship and quality of building materials can be appreciated. The church is also of communal and historical (illustrative) value as the parish church of Cullompton Town which is of importance to the local community. The church is best experienced from in and around its grounds.

#### Landscape Context

5.21. Historically the Church of St Andrew was located on the eastern fringes of Cullompton. Development during the 20th century has seen encroaching development form the north and east, so that the church is now entirely encompassed within the urban environment. From ground level there are no views outwards

towards the broader rural landscape. There are certainly no views from in and around the churchyard towards the public space to the east, and the course of Route Options A, B or C (Photograph 11).

5.22. From the public open space to the east, there are views of the church tower projecting above the tree line along Mill Leat, so that the broader landscape views from this direction make a contribution - albeit limited compared to immediate physical proximity - to how this asset is experienced and appreciated from within the setting of this designated heritage (Photograph 10).

#### Assessment of development affects

5.23. At ground level from in and around the grounds of the Church of St Andrews there would be no intervisibility with the proposed Route Options.

5.24. However, from the wider landscape, views back towards from the church tower from the eastern half of the public space, to the east of Route Option A, would readily incorporate Route Option A. As such Route Option A would introduce a small but modern element to the broader landscape setting and appreciation of the Church of St Andrew (**40**). Therefore, it is considered that Route Option A may offer a very minor level of harm to the heritage significance of this heritage asset, such that it would certainly be considered at the lower end of less than substantial harm, taking into consideration the small component of its setting which will be altered.



**Photograph 11. Looking east across St Andrews Churchyard**

5.25. Conversely, given their alignments combined with distance, scale, topography, and intervening built form, there are considered to be no meaningful views towards the church tower that would incorporate either Route Options B and C. Therefore, Route Options B and C are predicted to offer no harm to the heritage significance of St Andrews Church.

### *Nork House and Old Chimes on Gravel Walk*

#### Significance

5.26. Nork House (**4**; now called Selwood House) is a substantial two storey detached house constructed in 1888. It is T-shaped in plan and occupies a prominent position to the east of the parish church. It is constructed of red brick with blue-black brick, terracotta and a little Portland stone detailing, under steeply pitched gabled-end slate roofs with crested ridge tiles.

5.27. Old Chimes (**5**) is a detached house constructed during the mid-19th century, possibly as the remodelling of an earlier house. It is constructed of plastered cob, with stone footings and a gable-ended slate roof.

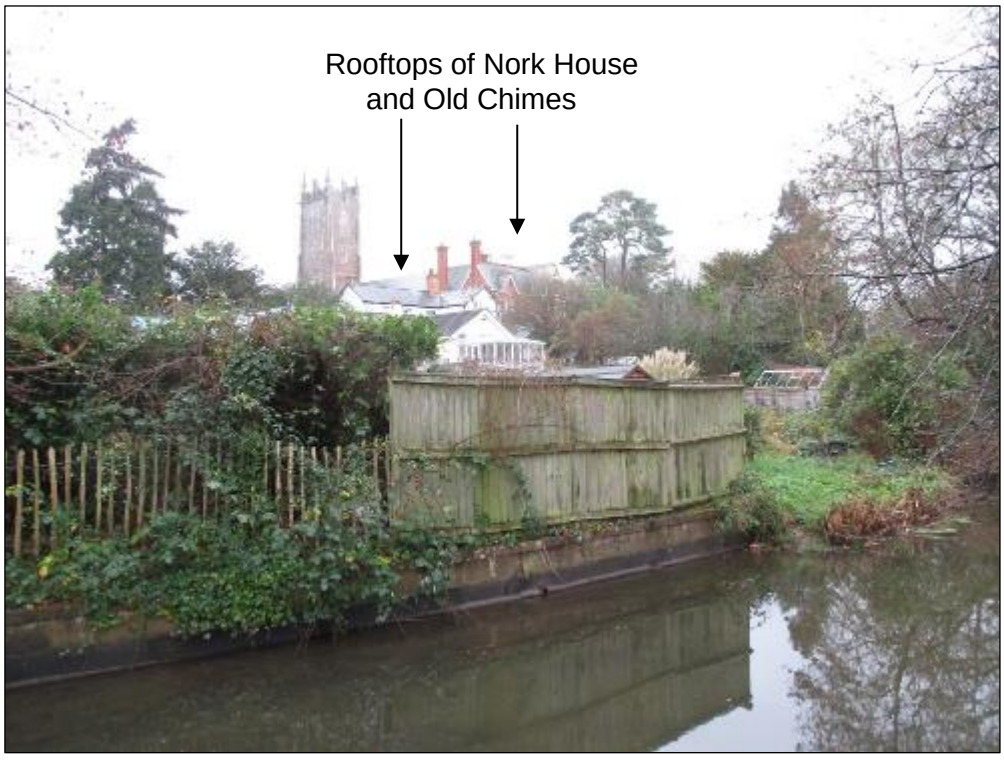
5.28. The Historic England online listing details states that Nork House is listed primarily for the quality of its interior features, although its exterior is finely detailed as well. It also states that Old Chimes is included for group value, as it occupies an important location on Gravel Walk to the south-east of the parish church. In addition, the significance of these Listed Buildings is primarily derived from their physical fabric. The evidential, historical and aesthetic values of the dwellings are embedded in their historic fabric, displaying the architectural and historic interest of them, as examples of post-medieval vernacular architecture in Mid-Devon. The historic fabric of neither asset will be impacted by the proposed development.

#### Landscape Context

5.29. On the 1841 Cullompton Tithe map, both properties are located on the eastern fringes of the town adjacent to the church. For Old Chimes the garden plot is illustrated bounding Mill Leat to the east, whereas the plot for Nork House does not extend as far as the Leat. However, at this time it is possible that both properties had good visual connectivity with the rural landscape to the east beyond Mill Leat. That said, it is likely that these buildings were located here, primarily for their visual and physical association with the church.

5.30. The dwellings and their plots appear to be little changed on the later 19th and early 20th century Ordnance Survey maps.

5.31. In the modern landscape their principle landscape setting forms part of the urban townscape, situated on Gravel Walk alongside the Church of St Andrew. They are best experienced at close proximity, from in and around their grounds. Given the intervening built form, combined with the extensive screening within their gardens and along Mill Leat there is considered to be no meaningful intervisibility from in and around these designated assets towards or from the open public space to the east of Mill Leat (Photograph 12).




**Photograph 12. Looking north-west over Mill Leat towards Nork House & Old Chimes**

### Assessment of Development effects

5.32. There are considered to be no meaningful views from in and around these designated assets toward the proposed Route Options. However, given the relatively close proximity, it is possible that Route Option A will result in an increase in traffic noise, and light pollution as experienced from in and around them. Therefore, it is predicted that Route Option A might potentially offer a minor impact to the setting of these designated heritage assets, and that this may result in harm to their heritage significance, albeit at the lower end of 'less than substantial harm'.

5.33. In contrast, given distance, scale, intervening built form and vegetation the northern sections of Route Options A and B are considered to offer no harm to these designated heritage assets.

### *First Bridge*

#### Significance

5.34. First Bridge is Grade II Listed and a heritage asset of high significance (**3**). It was constructed over Mill Leat in 1839, probably by James Green, the County Surveyor. The bridge was constructed in a single-span with three cast-iron girders in the form of segmental arches with open spandrels, supporting cast-iron deck plates and cast-iron parapet railings. The abutments are of sandstone ashlar with raised piers and strings. The bridge spans Spratford Stream and was built after the former bridge was destroyed in floods.

5.35. The significance of this Listed Building is primarily derived from its physical fabric. The evidential, historical and aesthetic values of the bridge are embedded in its historic fabric, displaying the architectural and historic interest of it, as an example of 19th century bridge architecture in Mid-Devon. The historic fabric of this asset will not be impacted by the proposed development.

#### Landscape Context

5.36. First Bridge spans Duke Street over Spratford Stream, close to where it is joined by Mill Leat, and approximately 300m north of its confluence with the Culm River. First Bridge is illustrated and labelled on the First Edition Ordnance Survey (1888), and a bridge is also illustrated here on the Cullompton Tithe Map (1841); presumably First Bridge too, given the dates. At this time, beyond the road, the broader landscape setting of First Bridge comprised enclosed agricultural fields to all sides. The bridge was located approximately 200m south-east of urban development associated within Cullompton Town.

5.37. The modern experience of First Bridge remains predominantly rural, although urban development has encroached from the west so that residential dwellings are now visible from on the bridge looking west (Photograph 13). To the north of the bridge the banks of the stream are overgrown and structural bridge features are concealed, but to the south there are enclosed agricultural fields sown to pasture. The parapet railings and sandstone abutments are partly over grown.

5.38. The principal and formative contributor to the setting of First Bridge is considered to be its road location over the Spratford Stream.

#### Assessment of Development effects

5.39. Route Options A and C will form a junction with Duke Street approximately 85m west of First Bridge. It is considered that the construction of either Route Option would be entirely in keeping with the formative historical setting of First Bridge, given that First Bridge forms an integral part of Duke Street, both in the historical and modern landscape context. Therefore, Route Options A & C will not impact the setting of First Bridge and as such will offer no harm to its heritage significance.



**Photograph 13. Looking west across First Bridge**

5.40. Route Option B would be bridged over Mill Leat to the north of First Bridge, with the principal junction to Duke Street located directly to the west. Route Option B would not impact the physical fabric of First Bridge. Furthermore, it is considered that the nature of the proposed road scheme would be keeping with the landscape context of the existing road and bridge, both in historical and modern terms. Hence, it is predicted that Route Option B would offer no harm to the heritage significance of this heritage asset. That said, wherever possible, the proposed development should seek to be sympathetic to the existing physical form and landscape setting of First Bridge.

### *Two Roman Forts and Two Roman Camps at St Andrew's Hill*

#### The asset and its significance

5.41. The Two Roman Forts and Two Roman Camps at St Andrew's Hill are designated as a Scheduled Monument, considered to be a heritage asset of high and national significance. Roman forts are rare nationally, especially south of the Severn Trent line, and form a small group of Roman military monuments, which are important in representing army strategy and hence, government policy. As such they are considered to be of particular significance to our understanding of the period.

5.42. Despite the partial truncation of the northern and eastern defences of the larger, later fort by hedge removal and the detrimental impacts of cultivation on other features, this designated asset survives comparatively well. The results of both aerial reconnaissance and archaeological fieldwork have also revealed considerable quantities of information, indicating that further remains are preserved as buried deposits within the forts and camps. This information will relate to the construction and use of the different structures, as well as including evidence relating to the local environment.

#### Landscape Context

5.43. The Roman camps and forts occupy a prominent topographic position on St Andrew's hill, on the north-west fringes of Cullompton. It is thought they took advantage of the high ground to control presumed route-ways running north from Exeter, along the River Culm, to the east of Cullompton, and possible west to the Scheduled Roman fort at Bolham, Tiverton (NHL 1013409; South West Archaeology 2014a). The hilltop would also have provided a strategic location for exerting dominion over the surrounding landscape, in particular any contemporary settlements at Cullompton.

5.44. In the modern landscape, the monument is bounded to the south and east by residential development, with similar development also encroaching from the west. To the north it is bordered by Goblin Lane with enclosed agricultural fields beyond.

5.45. The upstanding earthworks are not readily visible from the surrounding monument, and the monument is not intelligible as a Romano-British military camp/fort. Views from and towards St Andrew's Hill from the south and east are all framed within the context of modern urban development.

#### Assessment of Development effects

5.46. There is no intervisibility between Route Options A and B and the Romano-British Scheduled Monument on St Andrew's Hill. Conversely, very limited views between this monument and a short stretch of Route Option C, south-west of East Culme House, are possible. However, these are entirely framed within the context of urban development at Cullompton, and do not impact the broader setting of this designated heritage asset.

5.47. It is considered that the three proposed Route Options do not impact to the setting of this Scheduled Monument and offer no harm to its heritage significance.

*Conclusion*

5.48. Based on the above analysis, it is predicted that neither Route Option B or C would present an impact to the setting of any heritage assets identified within the study area and surrounding landscape.

5.49. Hence, in terms of the level of effect categories defined in Table 2.2 and with reference to NPPF (2018), it is considered that once completed Route Option B and C would off no harm additionally to the heritage significance of those designated assets identified within the study area and surrounding landscape.


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# 6. SUMMARY AND CONCLUSIONS

*Below Ground Archaeological Remains*

6.1. A review of the archaeological and historical baseline data has provided evidence for prehistoric, Romano-British, medieval, post-medieval and modern activity within the study area and surrounding landscape. There appears to have been a focus for settlement activity from the Iron Age onwards within the modern historic core of Cullompton. Settlement here appears to have become more concentrated from the medieval period onwards with the historic core of the medieval settlement located approximately 300m west of Route Option A. Prior to the Iron Age and Romano-British periods, during the Bronze Age and Neolithic, the focus of activity seems to have been on the higher ground to the north-west of Cullompton town.

6.2. Within the Route Options the evidence is comparatively sparse. For the prehistoric and Romano-British period there are just two find spots identified on the DHER. These include the recovery of a Neolithic stone hammer (**7**) and a Romano-British coin (**13**), both from along the alignment of Route Option A. However, the find location of both artefacts is not precise, and more importantly, they are unstratified finds, and not likely to have been found at their primary point of deposition. Otherwise, there was no evidence for prehistoric or Romano-British activity along the alignment of either Route Option B or C.

6.3. There are no previously recorded medieval deposits or artefacts along any of the Route Options.

6.4. There is evidence for post-medieval and modern activity along all three Route Options. These include a variety of landscape features including evidence of orchard banks (now mostly truncated; **22**, **23** and **24**), Mill Leat (**19**), a former water meadow (**27**), a possible sluice (**37**) and roadside stone (**39**) both recorded on historic mapping, a pond identified during the walkover survey and on historic mapping (**38**) and a commemoration plinth (**36**) also identified during the walkover survey. A short stretch of the Beambridge to Exeter Railway (**25**) will also be bridged over by Route Option C, but with no obvious direct physical impacts. Recorded post-medieval and modern remains that will potentially experience direct impacts from the proposed Route Options are assessed as being of low and local heritage significance.

6.5. In summary, the potential direct impacts to post-medieval and modern remains for each Route Option are as follows:

- Route Option A: **19**, **22**, **23**, **24**, **36**, **37**, **39**
- Route Option B: **19**, **22**,**23**, **38**, **39**
- Route Option C: **25**, **27**

6.6. Furthermore, several historic boundaries illustrated on the Cullompton Tithe map (1841) are upstanding in the modern landscape and will be breached by the proposed Route Options, as follows:

- Five are identified along Route Option A
- Three are identified along Route Option B
- Seven are identified along Route Option C

6.7. Three undated earthwork features were identified during the course of the walkover survey, all situated within proposed Route Options. These are undated and of unknown heritage significance. They include an earthwork mound (**33**), a linear bank (**34**), and a series of low amorphous earthworks east of the River Culm (**35**). Direct impact are as follows:

- Route Option A will breach the mound (**33**);
- Route Option B will breach the mound (**33**) and part of the long linear bank (**34**);
- Route Option C will truncate the northern extent of the low amorphous earthwork features east of the River Culm (**35**).

6.8. Overall, with due consideration given to past impacts combined with the overall length of the proposed Route Options, and based on the reviewed evidence it is predicted that Route Option B presents the least potential for encountering previously unrecorded significant archaeological remains, deposits and/or artefacts.

6.9. However, in respect of all three Route Options and the potential for buried and preserved archaeological deposits, there are considered to be no overriding archaeological constraints to the proposed development. That said, given that the presence of previously unrecorded deposits cannot be entirely discounted, it is possible that further archaeological investigation will be required order to confirm the presence and significance of any heritage assets present. Therefore, it is strongly recommended that the Historic Environment Planning Officer at Devon Council is consulted as early as possible in planning process.


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*The Setting of Heritage Assets*

6.10. After an initial appraisal, based on distance, scale, topography, vegetation screening and built form, six designated assets were identified for further detailed assessment of non-physical impacts to their heritage significance. These were Cullompton Conservation Area (**1**), the Grade I Listed Parish Church of St Andrew (**40**), the Grade II Listed Nork House (**4**) and Old Chimes (**5**), the Grade II First Bridge (**3**), and the Scheduled Monument known as Two Roman Forts and Two Roman Camps on St Andrew's Hill (**2**).

6.11. A detailed assessment of these designated heritage assets found that there were no non-physical impacts offered to their landscape settings by Route Options B and C; with no resultant harm found to their heritage significance.

6.12. Conversely, it was predicted that Route Option A would have an adverse impact to the landscape setting of Cullompton Conservation Area, specifically to the Mill Leat Character Area along its eastern edge. However, this impact was predicted to be more than offset by the benefits of reduced traffic flow through Cullompton town centre, which would provide significant enhancements to its character and appearance as experienced from within the historic core of Cullompton CA and other nearby designated heritage assets.

6.13. It was also found that Route Option A might offer a small negative impact to the setting of Nork House and Old Chimes, principally as a result of increases in traffic noise. The broader landscape setting of St Andrews Church will also be impacted as Route Option A will intercede in views towards its tower from the public space further to the east. In all instances, it was assessed that the impact of Route Option A on the heritage significance of these designated assets would result in less than substantial harm, and at the lower end of this scale.

6.14. Based on these assessments it was found that Route Option B and C would offer the least impact to the settings of designated assets identified with the study area and the broader landscape.

*Conclusions*

6.15. It is concluded that Route Option B would offer the least impact in respect of the historic environment, both in terms of potential buried remains and upstanding landscape features, as well as to the settings of heritage assets within the surrounding landscape to which it offers no impact.

6.16. However, for all three Route Options there are considered to be no overriding heritage constraints to the proposed development; hence, it is concluded that the proposed development would be consistent with the requirements of the National Planning Policy Framework (2018) as well as with other relevant national and local policy relating to the protection of the historic environment.

# 7. REFERENCES


**British Geological Society, 2018**. *Geology of Britain viewer, 1:50,000 geological mapping* http://mapapps.bgs .ac.uk/geologyofbritain/home.html.

**Chartered Institute for Archaeologists, 2014.** *Standard and Guidance for Historic Environment Desk-Based Assessment.*

**Cotswold Archaeology, 2009.** *Hillcrest, Willand Road, Cullompton, Devon: Archaeological Evaluation.* Unpublished Report No. 01934

**Cotswold Archaeology, 2018a.** *North-West Cullompton Expansion, Cullompton, Devon: Archaeological Evaluation*. Unpublished Report No. 18091.

**Cotswold Archaeology, 2018b.** *North-West Cullompton Expansion (South), Cullompton, Devon: Archaeological Evaluation*. Unpublished Report No. 18161.

**Cotswold Archaeology, 2018c.** *North-West Cullompton Expansion, Cullompton, Devon: Archaeological Evaluation*. Unpublished Report No. 18160.

**Cranfield Soil and Agrifood Institute 2018.** Soilscapes viewer *: 50,000 geological mapping* http://www.landis.org.uk/soilscapes/

**Historic England, 2015.** *Historic Environment Good Practice Advice in Planning Note 2: Managing Significance in Decision-Taking in the Historic Environment.*

**Historic England, 2016.** *Historic England Advice Note 1: Conservation Area Designation, Appraisal and Management.*

**Historic England, 2017.** *Historic Environment Good Practice Advice in Planning: Note 3: The Setting of Heritage Assets (Second Edition).*

**Hosfield, R. Straker. V. Gardiner. P. Brown. A. Davies. P. Fyfe. R. Jones. J. and Tinsley. H., 2008.** '*Palaeolithic and Mesolithic', in: C.J. Webster (ed.) 2008 The Archaeology of South West England.* Somerset Heritage Service: Somerset.

**Mid-Devon District Council, 2007.** *Mid-Devon Local Development Framework: Core Strategy 2026 (adopted July 2007).*

**Mid-Devon District Council, 2009 (revised).** *Cullompton Conservation Area Appraisal*
https://www.middevon.gov.uk/residents/planning/conservation/conservation-

areas/conservation-area-appraisals/cullompton-conservation-area-appraisal-and-management-plan/

**Mid-Devon District Council, 2011.** *Local Plan Part 3: Development Management Policies (adopted October 2013).*

**Mid-Devon District Council, 2011.** *Mid-Devon Local Development Framework: Allocations and Infrastructure Development Plan Document (adopted October 2007).*

**Ministry of Housing, Communities and Local Government, 2018.** *National Planning Policy Framework (NPPF). Published July 2018.*

**Planning (Listed Buildings and Conservation Areas) Act (1990).** *Act of UK Parliament.*

**Rohan, N. & Morris, B. 2014.** *Land of Tiverton Road, Cullompton, Devon. Southwest Archaeology Unpublished Report.*

**Southwest Archaeology. 2014.** *Land at Shortlands Lane, Cullompton, Devon: Results of a Desk-Based Assessment and Archaeological Excavation (*Unpublished Report No. *20140811*

### *Cartographic sources*

**1633** Wyndham town Map (viewed in the Cullompton CA Appraisal 2009)

**1841** Cullompton Tithe Map

**1888** First Edition Ordnance Survey 6-inch 57NW

**1906** Second Edition Ordnance Survey 6-inch 57NW

**1962** Ordnance Survey Plan 1:10,560

**1968** Ordnance Survey Plan 1:2,500

**1972** Ordnance Survey Plan 1:2,500

**1989** Ordnance Survey Plan 1:2,500

# APPENDIX 1: HERITAGE STATUTE POLICY & GUIDANCE

## *Heritage Statute: Listed Buildings*

Listed Buildings are buildings of 'special architectural or historic interest' and are subject to the provisions of the Planning (Listed Buildings and Conservation Areas) Act 1990 ('the Act'). Under Section 7 of the Act '*no person shall execute or cause to be executed any works for the demolition of a Listed Building or for its alteration or extension in any manner which would affect its character as a building of special architectural or historic interest, unless the works are authorised*.' Such works are authorised under Listed Building Consent.

Under Section 66 of the Act 'In considering whether to grant planning permission for development which affects a Listed Building or its setting, the local planning authority or, as the case may be, the Secretary of State shall have special regard to the desirability of preserving the building or its setting or any feature of special architectural or historic interest which it possesses'.

### Note on the extent of a Listed Building

Under Section 1(5) of the Act, a structure may be deemed part of a Listed Building if it is:

(a) fixed to the building, or

(b) within the curtilage of the building, which, although not fixed to the building, forms part of the land and has done so since before 1st July 1948

The inclusion of a structure deemed to be within the 'curtilage' of a building thus means that it is subject to the same statutory controls as the principal Listed Building. Inclusion within this duty is not, however, an automatic indicator of 'heritage significance' both as defined within the NPPF (2018) and within Conservation Principles (see Section 2 above). In such cases, the establishment of the significance of the structure needs to be assessed both in its own right and in the contribution it makes to the significance and character of the principal Listed Building. The practical effect of the inclusion in the listing of ancillary structures is limited by the requirement that Listed Building Consent is only needed for works to the 'Listed Building' (to include the building in the list and all the ancillary items) where they affect the special character of the Listed Building as a whole.

Guidance is provided by Historic England on 'Listed Buildings and Curtilage: A Historic England Advice Note' (Historic England 2016).

### *Heritage Statute: Conservation Areas*

Conservation Areas are designated by the local planning authority under Section 69(1)(a) of the Planning (Listed Buildings and Conservation Areas) Act 1990 ('the Act'), which requires that '*Every local planning authority shall from time to time determine which parts of their area are areas of special architectural or historic interest the character or appearance of which it is desirable to preserve or enhance*'. Section 72 of the Act requires that '*special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area*'.

The requirements of the Act only apply to land within a Conservation Area; not to land outside it. This has been clarified in various Appeal Decisions (for example APP/F1610/A/14/2213318 Land south of Cirencester Road, Fairford, Paragraph 65: '*The Section 72 duty only applies to buildings or land in a Conservation Area, and so does not apply in this case as the site lies outside the Conservation Area*').

The NPPF (2018) also clarifies in Paragraph 201 that '*Not all elements of a World Heritage Site or Conservation Area will necessarily contribute to its significance*'. Thus land or buildings may be a part of a Conservation Area, but may not necessarily be of architectural or historical significance. Similarly, not all elements of the setting of a Conservation Area will necessarily contribute to its significance, or to an equal degree.

### *Heritage Statute: Scheduled Monuments*

Scheduled Monuments are subject to the provisions of the Ancient Monuments and Archaeological Areas Act 1979. The Act sets out the controls of works affecting Scheduled Monuments and other related matters. Contrary to the requirements of the Planning Act 1990 regarding Listed Buildings, the 1979 Act does not include provision for the 'setting' of Scheduled Monuments.

### *National heritage policy: the National Planning Policy Framework ('NPPF')*

#### Heritage assets and heritage significance

Heritage assets comprise '*a building, monument, site, place, area or landscape identified as having a degree of significance meriting consideration in planning decisions, because of its heritage interest*' (NPPF (2018), Annex 2).

The NPPF (2018), Annex 2, states that the significance of a heritage asset may be archaeological, architectural, artistic, or historic. Historic England's 'Conservation Principles' (2008) looks at significance as a series of 'values' which include 'evidential', 'historical', 'aesthetic' and 'communal' (see below).

Designated heritage assets include World Heritage Sites, Scheduled Monuments, Listed Buildings, Protected Wreck Sites, Registered Parks and Gardens, Registered Battlefields and Conservation Areas (designated under the relevant legislation; NPPF (2018), Annex 2).

### The setting of heritage assets

The 'setting' of a heritage asset comprises '*the surroundings in which a heritage asset is experienced. Its extent is not fixed and may change as the asset and its surroundings evolve. Elements of a setting may make a positive or negative contribution to the significance of an asset, may affect the ability to appreciate that significance or may be neutral*' (NPPF (2018), Annex 2). Thus it is important to note that 'setting' is not a heritage asset: it may contribute to the value of a heritage asset.

Guidance on assessing the effects of change upon the setting and significance of heritage assets is provided in 'Historic Environment Good Practice Advice in Planning Note 3: The Setting of Heritage Assets', which has been utilised for the present assessment (see below).

### Levels of information to support planning applications

Paragraph 189 of the NPPF (2018) identifies that '*In determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets' importance and no more than is sufficient to understand the potential impact of the proposal on their significance*.'

### Designated heritage assets

Paragraph 184 of the NPPF (2018) explains that heritage assets '*are an irreplaceable resource and should be conserved in a manner appropriate to their significance*'.

Paragraph 193 notes that '*when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance*'.

Paragraph 194 goes on to note that '*substantial harm to or loss of a grade II listed building…should be exceptional and substantial harm to or loss of designated heritage assets of the highest significance (notably scheduled monuments, protected wreck sites, registered battlefields, grade I and II* listed buildings, grade I and II* registered parks and gardens, and World Heritage Sites) 'should be wholly exceptional*'.


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Paragraph 196 clarifies that '*Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including, where appropriate, securing its optimum viable use*.'

### *Mid Devon Local Development Framework*

Mid Devon District Council is in the process of reviewing the Local Plan. At present it is split into three parts comprising the Core Strategy (adopted July 2007), the Allocations and Infrastructure Development Plan Document (AIDPD, adopted October 2010) and the Local Plan Part 3 Development Management Policies (adopted in October 2013), which contain topic-based policies to guide specific development proposals. The relevant policies relating to the historic environment are reproduced below:

#### Policy COR2 of the Core Strategy: Local Distinctiveness

'Development will sustain the distinctive quality, character and diversity of Mid Devon's environmental assets through: (…)

e) The preservation and enhancement of Mid Devon's cultural and historic environment, and the protection of sites, buildings, areas and features of recognised national and local importance.'

#### Policy AL/CU/3 of AIDPD – North West Cullompton Environmental Protection and Green Infrastructure

'As part of the development of North West Cullompton, the following environmental protection and enhancement measures will be implemented at the expense of all new development within the site:

f) detailed archaeological investigation and measures to record, and where necessary, protect the archaeological interest of the site through appropriate design, layout and mitigation;

g) Design solutions which respect the settings of Listed Buildings within and adjoining the site.'

#### Policy DM27 of the Local Plan Part 3 – Development affecting heritage assets

'Heritage assets and their settings are an irreplaceable resource. Accordingly the council will:

a) Apply a presumption in favour of preservation in situ in respect of the most important heritage assets.

b) Require development proposals likely to affect heritage assets and their settings, including new buildings, alterations, extensions, changes of use and demolitions, to consider their significance, character, setting and local distinctiveness, and the opportunities to enhance them.

c) Only approve proposals that would be likely to substantially harm heritage assets and their settings if substantial public benefit outweighs that harm or the requirements of paragraph 133 of the National Planning Policy Framework are met.

d) Where a development proposal would lead to less than substantial harm, that the harm will be weighed against any public benefit, including securing optimum viable use.

e) Require developers to make a proportionate but systematic assessment of the impact on setting as set down in the guidance from English Heritage: "The Setting of Heritage Assets".'

### *Good Practice Advice 1-3*

Historic England has issued three Good Practice Advice notes ('GPA1–3') which support the NPPF. The GPAs note that they do not constitute a statement of Government policy, nor do they seek to prescribe a single methodology: their purpose is to assist local authorities, planners, heritage consultants, and other stakeholders in the implementation of policy set out in the NPPF (2018). This report has been produced in the context of this advice, particularly 'GPA2 – Managing Significance in Decision-Taking in the Historic Environment' and 'GPA3 – The Setting of Heritage Assets'.

#### GPA2 - Managing Significance in Decision-Taking in the Historic Environment

GPA2 sets out the requirement for assessing 'heritage significance' as part of the application process. Paragraph 8 notes that '*understanding the nature of the significance is important to understanding the need for and best means of conservation*.' This includes assessing the extent and level of significance, including the contribution made by its 'setting' (see GPA3 below). Page 3 notes that '*a desk-based assessment will determine, as far as is reasonably possible from existing records, the nature, extent and significance of the historic environment within a specified area, and the impact of the proposed development on the significance of the historic environment, or will identify the need for further evaluation to do so*'.

#### GPA3 – The Setting of Heritage Assets

The NPPF (Annex 2: Glossary) defines the setting of a heritage asset as '*the surroundings in which a heritage asset is experienced*'. Step 1 of the settings assessment requires heritage

assets which may be affected by development to be identified. Historic England notes that for the purposes of Step 1 this process will comprise heritage assets '*where that experience is capable of being affected by a proposed development (in any way)…*'.

Step 2 of the settings process '*assess*[es] *the degree to which these settings and views make a contribution to the significance of the heritage asset(s) or allow significance to be appreciated*', with regard to its physical surrounds; relationship with its surroundings and patterns of use; experiential effects such as noises or smells; and the way views allow the significance of the asset to be appreciated. Step 3 requires '*assessing the effect of the proposed development on the significance of the asset(s)*' – specifically to '*assess the effects of the proposed development, whether beneficial or harmful, on the significance or on the ability to appreciate it*', with regard to the location and siting of the development, its form and appearance, its permanence, and wider effects.

Step 4 of GPA3 provides commentary on '*ways to maximise enhancement and avoid or minimise harm*'. Paragraph 37 notes that '*Maximum advantage can be secured if any effects on the significance of a heritage asset arising from development liable to affect its setting are considered from the project's inception*.' Paragraph 39 notes that '*good design may reduce or remove the harm, or provide enhancement*'.

### *Heritage significance*

Discussion of heritage significance within this assessment report makes reference to several key documents. With regard to Listed Buildings and Conservation Areas it primarily discusses 'architectural and historic interest', which comprises the special interest for which they are designated.

The NPPF provides a definition of 'significance' for heritage policy (Annex 2). This states that heritage significance comprises 'The value of a heritage asset to this and future generations because of its heritage interest. That interest may be archaeological, architectural, artistic or historic'. This also clarifies that for World Heritage Sites '*the cultural value described within each site's Statement of Outstanding Universal Value forms part of its significance*'.

Regarding 'levels' of significance the NPPF (2018) provides a distinction between: designated heritage assets of the highest significance; designated heritage assets not of the highest significance; and non-designated heritage assets.

Historic England's 'Conservation Principles' (2008) expresses 'heritage significance' as comprising a combination of one or more of: evidential value, historical value, aesthetic value, and communal value.

### *Effects upon heritage assets*

#### Heritage benefit

The NPPF clarifies that change in the setting of heritage assets may lead to heritage benefit. Paragraph 200 of the NPPF (2018) notes that '*Local planning authorities should look for opportunities for new development within Conservation Areas and World Heritage Sites, and within the setting of heritage assets, to enhance or better reveal their significance. Proposals that preserve those elements of the setting that make a positive contribution to the asset (or which better reveal its significance) should be treated favourably*'.

GPA3 notes that '*good design may reduce or remove the harm, or provide enhancement*' (Paragraph 14). Historic England's 'Conservation Principles' states that '*Change to a significant place is inevitable, if only as a result of the passage of time, but can be neutral or beneficial in its effects on heritage values. It is only harmful if (and to the extent that) significance is reduced*' (Paragraph 84).

Specific heritage benefits may be presented through activities such as repair or restoration, as set out in Conservation Principles.

#### Heritage harm to designated heritage assets

The NPPF (2018) does not define what constitutes 'substantial harm'. The High Court of Justice does provide a definition of this level of harm, as set out by Mr Justice Jay in Bedford Borough Council v SoS for CLG and Nuon UK Ltd. Paragraph 25 clarifies that, with regard to 'substantial harm': '*Plainly in the context of physical harm, this would apply in the case of demolition or destruction, being a case of total loss. It would also apply to a case of serious damage to the structure of the building. In the context of non-physical or indirect harm, the yardstick was effectively the same. One was looking for an impact which would have such a serious impact on the significance of the asset that its significance was either vitiated altogether or very much reduced*'.

#### Effects upon non-designated heritage assets

Paragraph 197 of the NPPF (2018) guides that '*The effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that affect directly or indirectly non designated heritage*


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*assets, a balanced judgment will be required having regard to the scale of any harm or loss and the significance of the heritage asset*'.

### *Hedgerows Regulations (1997)*

The 1997 Hedgerows Regulations were made under section 97 of the Environment Act 1995, and introduced arrangements for Local Planning Authorities to protect 'important' hedgerows in the countryside, by controlling their removal through a system of notification. The DEFRA publication 'The Hedgerows Regulations 1997: A Guide to the Law and Good Practice' is a useful guide in this respect. The Regulations provide criteria for assessing whether a hedgerow is 'important' for the purposes of the Regulations. To qualify as 'important' a hedgerow must have existed for 30 years or more and following this must fulfil at least one of the criteria in the Schedule 1 criteria. Those for 'archaeology and history' comprise Part II, namely:

> 'The hedgerow marks the boundary, or part of the boundary, of at least one historic parish or township; and for this purpose "historic" means existing before 1850.
>
> The hedgerow incorporates an archaeological feature which is-
>
> > included in the schedule of monuments compiled by the Secretary of State under section 1 (schedule of monuments) of the Ancient Monuments and Scheduled Areas Act 1979(g); or
> >
> > recorded at the relevant date in a Sites and Monuments Record [Historic Environment Records have largely replaced Sites and Monuments Records].
>
> The hedgerow-
>
> > is situated wholly or partly within an archaeological site included or recorded as mentioned in paragraph 2 or on land adjacent to and associated with such a site; and
> >
> > is associated with any monument or feature on that site.
>
> The hedgerow-
>
> > marks the boundary of a pre-1600 AD estate or manor recorded at the relevant date in sites and Monuments Record or on a document held at that date at a Record Office; or


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is visibly related to any building or feature of such an estate or manor.

The hedgerow-

is recorded in a document held at the relevant date at a Record Office as an integral part of a field system pre-dating the Inclosure acts; or

is part of, or visibly related to, any building or other feature associated with such a system, and that system-

i is substantially complete; or

ii is of a pattern which is recorded in a document prepared before the relevant date by a local planning authority, within the meaning of the 1990 Act(b), for the purposes of development control within the authority's area, as a key landscape characteristic.'

The criterion of point five is the subject of debate and differing interpretation. Some heritage professionals interpret the criterion referring to the individual Inclosure Act for the parish in which a site is located, and numerous Acts were made in the 18th century (including the 1773 Inclosure Act). However, the criterion references the Short Titles Act of 1896, and it is commonly interpreted by LPAs and heritage professionals that it thus refers to the Inclosure Act of 1845, and subsequent Acts up to the Commonable Rights Compensation Act of 1882. This latter interpretation sets a date of 1845 as the benchmark test.

'Important' hedgerows are not designated heritage assets. The Regulations are essentially a notification mechanism. Thus an applicant needs to notify the LPA prior to the removal, either entirely or in part, of an 'important' hedgerow. There is a prescribed form of notice set out in Schedule 4 to the Regulations, although the form an LPA uses does not have to follow this. The requirement is for sufficient information to be given to the LPA for them to consider the proposed removal. However, where a hedgerow is impacted through a development proposal requiring Planning Consent no parallel consent process is required.

# APPENDIX 2: GAZETTEER OF SELECETD HERITAGE ASSETS

| Ref | Description | Period | HER Ref:<br>HEA Ref: |
|---|---|---|---|
| **1** | **Cullompton Conservation Area**:<br>Encompasses the historic core of the settlement as recorded on a town plan dated 1633 | Medieval to modern… | NA |
| **2** | **Two Roman Forts and Two Roman Camps at St Andrew's Hill**:<br>This monument includes two Roman camps and two Roman forts situated on the prominent St Andrew's Hill immediately to the north west of Cullompton town centre, overlooking the valley of the River Culm. The monument survives as a series of buried features which have been identified by aerial reconnaissance and geophysical survey, and partly as earthworks integrated within the existing field boundary pattern. | Romano-British | MDV29189<br>188092 |
| **3** | **First Bridge, Duke Street, Cullompton:**<br>Road bridge spanning Spratford Stream, a tributary of the River Culm; built in 1839 after the former bridge was destroyed in floods. | Modern | 1376799<br>MDV57198 |
| **4** | **Nork House, Cullompton**:<br>A substantial 2 storey detached house constructed in 1888. It is T-shaped n plan and occupies a prominent position to the east of the parish church. It is constructed of red brick with blue-black brick, terracotta and a little Portland stone detailing, under steeply pitched gabled-end slate roofs with crested ridge tiles. | Modern | 1326174 |
| **5** | **Old Chimes, Cullompton**:<br>A mid-19th century detached house, possibly remodelling of an earlier house. It is constructed of plastered cob, with stone footings beneath a gabled-end slate roof | Modern | 1168763 |
| **6** | **Find Spot:**<br>Chert pick found at East Culme Farm in 2003. | Mesolithic | MDV67678 |
| **7** | **Find Spot:**<br>Neolithic perforated hammer of quartzite found at Cullompton | Neolithic | MDV1405 |
| **8** | **Iron age Features:**<br>A short curving length of gully and a posthole revealed durings excavations on land off Shortlands Lane may have belonged to a prehistoric structure, possibly a roundhouse. | Iron Age | MDV114940 |
| **9** | **Roman Road, Cullompton:**<br>Possible Roman road surface exposed in the early 20th century at the junction of Tiverton Lane and Fore Street in Cullompton | Romano-British | MDV30067 |
| **10** | **Roman Features West of Willand Road:**<br>Several linear Roman features were excavated to the west of Willand Road in Cullompton in 2007 | Romano-British | MDV74213<br>EDV4361 |

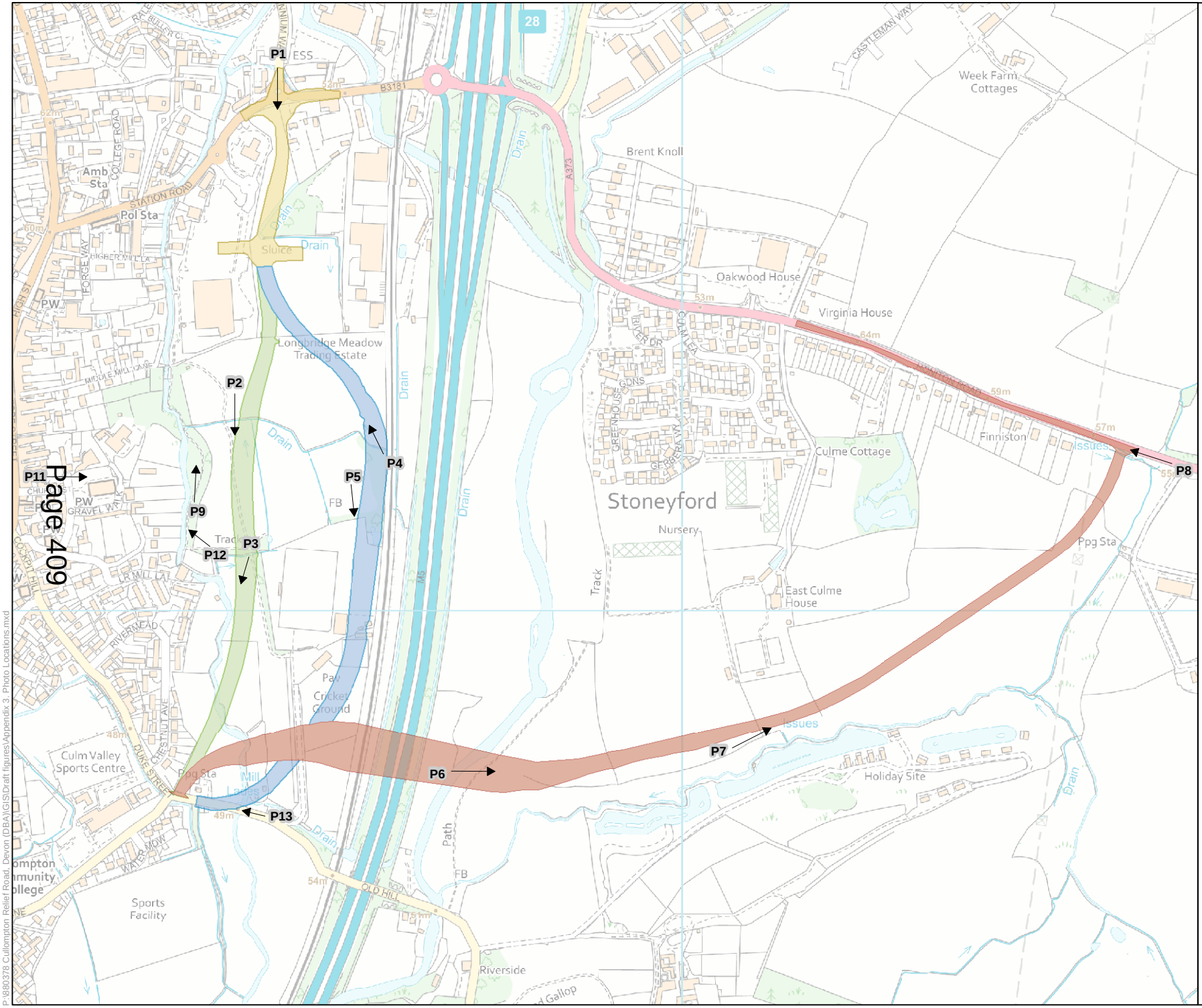

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| Ref | Description | Period | HER Ref:<br>HEA Ref: |
|---|---|---|---|
| **11** | **Romano-British Settlement, Shortlands Lane:**<br>Excavation on land off Shortlands Lane revealed the remains of a prosperous Roman rural settlement which was established in the mid-2nd century AD with occupation lasting into the 4th century | Romano-British | MDV114945<br>EDV6943 |
| **12** | **Artefact Scatter:**<br>Several test pits produced eight sherds of Romano-British greyware broadly comparable with the material from Shortlands Lane. | Romano-British | MDV102393<br>EDV5874 |
| **13** | **Find Spot:**<br>Roman coin found in 1991 by metal detectorist on the playing field at Cullompton | Romano-British | MDV40080 |
| **14** | **Find Spot:**<br>Roman coins and reputedly the head of a bronze figurine of Bacchus has been found in the area around St. George's Well. | Romano-British | MDV114927 |
| **15** | **Cullompton Settlement:**<br>The historic core of Cullumpton. Cullompton was a royal holding first mentioned in the 9th century. The town burgage plots could be Saxon in origin, subdivided into narrower plots in the medieval period. The remains of a Romano British settlement have also been recorded at Shortland Lane, along Prehistoric finds and features have also been recovered. | Prehistoric to Modern | MDV71719<br>MDV73707<br>MDV102393<br>MDV114945<br>876062 |
| **16** | **Farmstead:**<br>Aller farmstead of medieval origin, and is recorded on the Cullompton Tithe Survey (1842) | Medieval | MDV15360 |
| **17** | **Settlement:**<br>Upton is recorded in Domesday, when it was part of the church manor of Cullompton, which the conqueror gave to Battle Abbey. | Medieval | MDV16218 |
| **18** | **Lower Mill, Cullompton:**<br>Lower Mill is first shown on a map of 1633. Originally a corn mill it was converted to a woollen manufactory in the 19th century, although by the 1880s in was being used for grinding animal feed. The mill last worked in 1968. It has now been converted but retains a waterwheel, | Post-Medieval | MDV18704 |
| **19** | **Cullumpton Mill Leat:**<br>Cullompton Mill Leat takes its water from the Spratford Stream. Its age is uncertain although it is shown on a map of 1633. | Post-Medieval | MDV65780 |
| **20** | **Watermill:**<br>Middle Mill had two waterwheels in the 18th century, each serving a mill on opposite sides of the leat. The buildings, used for an engineering works during the 20th century, have now largely been demolished. | Post Medieval | MDV18702 |
| **21** | **Brickworks:**<br>Site of 'East Culme Brick & Tile works' shown on late 19th and early 20th century Ordnance Survey Maps | Modern | MDV67483 |

| Ref | Description | Period | HER Ref:<br>HEA Ref: |
|---|---|---|---|
| **22** | **Orchard Banks**:<br>Orchard banks of probable post-medieval to modern date are visible as a series of linear earthwork banks on aerial photographs of 1947 onwards, at Longbridge Meadow Trading Estate. | Modern | MDV107980 |
| **23** | **Orchard Banks off Station Road:**<br>Orchard banks of probable post-medieval to modern date are visible as a series of linear earthwork banks on aerial photographs of 1947, The site has been completely levelled and developed upon by 1989. The field is also named 'Great Mill Meadow' on the Cullompton Tithe Map (1841) | Modern | MDV73790 |
| **24** | **Orchard Banks to the east of Chestnut Avenue:**<br>Orchard banks of probable post-medieval to modern date are visible as a series of linear earthwork banks on aerial photographs of 1947 onwards, to the east of Chestnut Avenue | Modern | MDV107846 |
| **25** | **Beambridge to Exeter Railway:**<br>The Devon section of the Bristol and Exeter Railway, which opened in 1844, from White Ball tunnel to Exeter St David's Station. | Modern | MDV22421<br>1359290 |
| **26** | **Mill Pond North of Lower Mill:**<br>Large mill pond shown on late 19th and early 20th century Ordnance Survey maps, between Middle and Lower Mills | Modern | MDV69871 |
| **27** | **Possible Water Meadow to the north of Last Bridge:**<br>A possible water meadow of probable 19th century date is visible as a series of earthwork ditches on aerial photographs of 1947 onwards, By 1969, the earthwork ditches have been largely levelled following construction of the M5 motorway, although a single ditch remains partly visible up until 2005. | Modern | MDV107845 |
| **28** | **Building south east of East Culme House:**<br>A building is marked on the First Edition Ordnance Survey 25 inch map (1880-1899) | Modern | MDV73422 |
| **29** | **Earthwork Bank to the west of Upton:**<br>A possible former field boundary of potential medieval date is visible as an earthwork bank on aerial photographs of 1946 onwards, to the west of Upton. | Undated | MDV107844 |
| **31** | **Desk -based assessment and watching brief:**<br>Archaeological work was undertaken in connection with the new Tesco Store. No archaeological features were recorded. | - | EDV4396<br>EDV4242<br>1480114 |
| **32** | **Watching Brief, Priory Cottage:**<br>A watching brief was undertaken during groundworks for a new detached dwelling at the rear of Priory Cottage. A single archaeological feature was exposed – part of a probable drainage ditch or boundary, possibly of historic date. | Undated | EDV6826 |


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| Ref | Description | Period | HER Ref:<br>HEA Ref: |
|---|---|---|---|
| **33** | **Mound:**<br>Overgrown mound located at junction between historic field boundaries. Measuring approximately 25m long by 10m wide and 3m high | Undated | - |
| **34** | **Bank:**<br>Undated bank measuring approximately 90m long by 3m wide and 1.5m high but not conforming to any recorded historic field boundaries. | Undated | - |
| **35** | **Earthworks:**<br>Undated irregular earthworks, with c.1m deep and c.1m wide curvilinear channels winding between areas of higher/raised ground surface. | Undated | – |
| **36** | **Commemoration Plinth:**<br>Granite commemoration plinth with dedication to the twinning between Cullumpton and Ploudalmezeau, plaque dated in 1987(?). | Modern | - |
| **37** | **Sluice:**<br>Location of a sluice recorded on the First Edition OS but not on the Second Edition. The sluice is labelled on later OS mapping until at least 1988. Not identified during the walkover survey. | Modern | - |
| **38** | **Pond:**<br>A pond is illustrated on the First Edition OS and is upstanding in the modern landscape | Modern | - |
| **39** | **Stone:**<br>A stone is labelled and illustrated on the north side of Duke Street on the historic OS mapping, but appears to have been removed/lost by the time of the 1988 OS plan. | Modern | |
| **40** | **St Andrews Church, Cullompton:**<br>**Parish church of possible 15th century origin** | Grade I | 1306902. |






N

## Legend

- Route Option A & B
- Route Option A
- Route Option B
- Route Option C

**P1 - P13: Photographs 1-13**

0 250m

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PROJECT TITLE
Cullompton Relief Road

FIGURE TITLE
**Appendix 3: Photographic Locations**

| | | | | | |
|---|---|---|---|---|---|
| PROJECT NO. | 880378 | DATE | 10-01-2018 | FIGURE NO. | Appendix 3 |
| DRAWN BY | CJM | REVISION | 00 | | |
| APPROVED BY | DC | SCALE@A3 | 1:5,000 | | |

P:\880378 Cullompton Relief Road, Devon (DBA)\GIS\Draft figures\Appendix 3. Photo Locations.mxd

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# Appendix E

## TRAFFIC ASSESSMENT



PUBLIC

# Cullompton Town Centre Relief Road

Traffic Modelling Report
September 2018


| | |
|---|---|
| **Devon County Council**<br>County Hall<br>Topsham Road<br>Exeter<br>Devon<br>EX2 4QD | |

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# 1. INTRODUCTION

## 1.1. Background

1.1.1. Traffic congestion within Cullompton has been a long-term issue resulting in poor air quality, constraints on development and associated restrictions on the future economic growth of the area. There is a single arterial route for vehicular traffic running north/south through the centre of the town, where carriageway width is less than 6.5m in places with typically narrow footways. The Tiverton Road/High Street junction is particularly narrow and it is difficult to turn right into the side road.

1.1.2. A high proportion of the working population in Cullompton and the surrounding area commute to work via the M5 motorway, accessing and egressing the M5 at Junction 28 either heading south towards Exeter and beyond or northwards towards Taunton.

1.1.3. In the morning peak traffic queues back from the motorway junction along Station Road and onto the High Street and Higher Street sections south and north of Station Road respectively. In the evening peak there are queues back from the signalised junction of High Street/Higher Street/Station Road that extend back onto the Junction 28 northbound off-slip.

1.1.4. A Relief Road east of the Town Centre has been included within the Local Plan since 2013, and before that in the Allocation and Infrastructure Development Plan Document in 2011, to divert north-south traffic away from Fore Street and through the town centre. Such a relief road would reduce queuing on both the local and national road networks with consequent improvements to air quality, whilst also permitting sustainable growth of the town.

## 1.2. Purpose of this Report

1.2.1. The purpose of this report is to summarise the methodology carried out to create the traffic model and report the outputs of each of the different options.

1.2.2. This report is intended to support the public consultation and should be read in conjunction with the Route Options Report.

1.2.3. Following the public consultation, the model will be updated to reflect the modelling results of the preferred route(s) to be taken forward.

## 1.3. Study Area

1.3.1. The Study Area is shown in Appendix 1, extracted from the Local Plan.

## 1.4. Structure of this Report

1.4.1. This report is structured as follows:

- Section 2 – provides an overview of the forecast modelling approach
- Section 3 – summarises the outputs of the traffic modelling

# 2. Model Overview

## 2.1. Introduction

2.1.1. In order to better understand the traffic issues in Cullompton, traffic surveys were carried out in 2012. These consisted of two roadside interview sites and a series of traffic counts, with the count data subsequently updated in 2016 following the signalisation of the southbound off-slip at Junction 28.

2.1.2. Devon County Council subsequently developed a SATURN traffic model of Cullompton which was built to assess the impact of the development proposed in the adopted Local Plan. This is a very simple model of the town but gives a good high-level assessment of different alignment options for the Town Centre Relief Road. The detailed data collection provides a good level of certainty that the model is able to accurately reflect the current traffic patterns in Cullompton and forms a good basis for predicting the future situation.

2.1.3. The model included all the development in the adopted Local Plan as well as the new link road through the North-West (NW) Cullompton development, linking the B3181 in the north to Tiverton Road in the West.

2.1.4. The existing model includes an assessment of a neutral weekday for the AM (08:00 – 09:00) and PM (17:00 – 18:00) peak hours.

## 2.2. Network

2.2.1. The existing model included a high level of detail to the west of the M5, but given the Local Plan Review proposes development to the east of the M5, the model was expanded to the east along Honiton Road, with indicative roads added to allow the development to be loaded onto the network.

2.2.2. The existing model included the J28 roundabout improvements carried out in 2013 as well as the signalising of the southbound off-slip in 2016. The model was updated to include the lengthening of the Honiton Road approach to the eastern signalised junction at Junction 28 which was completed in 2018.

## 2.3. Forecast Demand

2.3.1. Since the Mid Devon Local Plan was adopted in 2011, the level of development at some of the proposed sites has changed. Some of these have already been completed but none were occupied when the base model was made in 2012. In addition to this, Mid Devon District Council (MDDC) are proposing some development to the east of the M5 known as the Culm Garden Village in the emerging Local Plan.

2.3.2. To see how much traffic can be accommodated on the current network and how much will be unlocked by the Town Centre Relief Road, two different development scenarios were created and run through the traffic model. These are shown in Table 1 below.

| Site | Development 1 | | Development 2 | |
|---|---|---|---|---|
| | Dwellings | Employment (m²) | Dwellings | Employment (m²) |
| Venn Farm | | 12,000 | | 12,000 |
| Cummings Nursery | 100 | | 100 | |
| Court Farm | 76 | | 76 | |
| Exeter Road | 45 | | 45 | |
| Padbrook | 14 | | 14 | |
| Colebrook[1] | 100 | | 100 | |
| Knowle Lane[2] | 334 | | 334 | |
| Week Farm | | 15,000 | | 15,000 |
| **NW Cullompton** | **600** | | **1350** | |
| **Culm Garden Village[3]** | | | **500** | |

**Table 1: Model Development Scenarios**

2.3.3. To take account of other development outside of Cullompton which would impact on the network such as Willand, a background growth factor was applied to the trips entering the model from outside Cullompton.

[1] This is only a contingency site but has been included to model a worst-case scenario. These have not yet been built

[2] 74 of these have yet to be built

[3] This is the first phase of the development which is likely to be unlocked by the Relief Road. Additional development on this site is likely to require a strategic intervention to mitigate the impacts.

# 3. Model Outputs

## 3.1. Network Scenarios

3.1.1. Three different possible alignments are proposed as part of the public consultation and more information on these can be found in the Route Options Report. These are shown in Appendix 2 of this report and include:

- Option A – connecting Duke Street to Station Road through the middle of the Cullompton Community Association (CCA) fields;
- Option B – also connecting Duke Street to Station Road alongside the railway line to the eastern side of the CCA fields;
- Option C – crosses the railway line and motorway and connects Duke Street to Honiton Road

## 3.2. Issues

3.2.1. The three main traffic issues being addressed by the scheme are:

- AM queuing along Station Road eastbound
- PM queuing along Station Road westbound and extending back onto the M5 mainline
- Traffic flows through the Town Centre

3.2.2. Each scenario was assessed against each of the issues and is summarised below.

## 3.3. AM Station Road Queuing

3.3.1. In the AM peak, traffic joining the roundabout at Junction 28 is held up by circulatory traffic turning right to the services, M5 north and Honiton Road. This causes a queue along Station Road and often into the High Street and through the Air Quality Management Area (AQMA). It was suggested that the queue was a result of the signalised eastern junction, but onsite observations revealed that the queue from the signals extends back into the roundabout only once in every 10 cycles.

3.3.2. Devon County Council believed that this queue was becoming a major issue so recommended that MDDC refused any additional development within the Cullompton area until improvements were made as previously identified in the adopted Local Plan. This decision was appealed by a development site in Willand and the inspector concluded that whilst there is a queue along Station Road in the morning peak, '*this is not significant delay*.'

3.3.3. The decision by the inspector is seen as helpful in allowing a proportion of the adopted Local Plan development in Cullompton to come forward. However, it only delays the inevitable of the need to address the lack of capacity at M5 Junction 28 and its approach roads. Following discussions with MDDC and recognising the level of current planning applications it was suggested that 600 dwellings should be allowed to progress through the system while monitoring traffic conditions.

3.3.4. Once the 600 dwellings at NW Cullompton have been occupied the queue in the AM peak will extend back to Tiverton Road in the High Street and there is also a queue on Millennium Way. DCC believe this to be the limit of acceptable queuing and would

recommend that MDDC do not allow any further development until improvements are implemented to mitigate the queuing impacts.

3.3.5. Building the Town Centre Relief Road provides an alternative route for traffic to reach the motorway. This helps spread out the queue onto routes outside of the AQMA. Once the Development 2 sites have come forward (1350 dwellings at NW Cullompton and 500 at Culm Garden Village), the queue in the AM peak is once again back to the High Street so this is considered the limit of development that can come forward without a significant intervention.

3.3.6. Options A and B have the same traffic impact on the local highway network, but Option C distributes the traffic to both sides of Junction 28 and therefore provides more resilience to incidents and accidents as well as allowing some traffic to avoid the congested Junction 28 roundabout completely.

## 3.4. PM Northbound Off-Slip Queuing

3.4.1. In the PM peak, the flow of traffic through the High Street is slowed down by 'friction' of pedestrians, parked vehicles, unloading lorries and right turning traffic. This results in a queue extending back from the High Street, along Station Road and into Junction 28. This starts queuing down the M5 Junction 28 northbound off-slip and if this was to regularly extend back onto the mainline, this would be a significant safety issue.

3.4.2. Once the first 600 dwellings at NW Cullompton have been occupied, the queue in the PM peak is expected to extend onto the slip road on an average day. On the basis of this, it is considered that allowing any more development would increase the chances of the queue extending back onto the mainline to an unacceptable level. Therefore, DCC recommend that no further development is allowed to come forward until this issue has been addressed.

3.4.3. Constructing the relief road provides a route from the M5 into Cullompton that will be unobstructed from congestion in the High Street so reduces the chance of the queue extending back into Junction 28 and onto the mainline.

3.4.4. Once the Development 2 sites have been fully built out, the roundabout at Junction 28 approaches capacity and the chance of the queue extending onto the M5 increases again. The traffic lights at the eastern side of Junction 28 can be adjusted to hold the traffic on the Honiton Road approach to allow more traffic off the northbound off-slip to enter the roundabout. However, if this is adjusted too much, it will cause a large queue on Honiton Road and this will have implications for traffic exiting Kingsmill Industrial Estate.

3.4.5. As with the AM peak queuing, options A and B have the same level of mitigation on the High Street by providing an alternative route to and from Junction 28. Option C allows the traffic to choose to travel on the other side of the motorway and this helps distribute traffic more across the network, providing slightly more benefits to Junction 28.

## 3.5. Town Centre Traffic Flows

3.5.1. Cullompton Town Centre is a designated Conservation Area and Air Quality Management Area. The High Street has narrow pavements and roads between the shops and this is affecting businesses in the area. If traffic could be removed from the

High Street, then options for changing the layout of the town centre could be investigated.

3.5.2. Options A and B run parallel to the High Street so provide a direct alternative route and remove approximately 40% of the traffic out of the High Street once Development 2 sites have been completed. Option C is a longer route and is predicted to remove 30% of the peak hour traffic out of the High Street.

## 3.6. Conclusion

3.6.1. In summary, 600 dwellings at NW Cullompton, along with 100 dwellings at Colebrook and the remaining 74 dwellings at Knowle Lane can come forward without the Relief Road based on the inspector's decision. Once this level has been reached, mitigation of the queuing will be required. Devon County Council would prefer the road to be completed earlier in the development phasing and is hopeful that the road will be completed prior to the full build out of these developments.

3.6.2. All three alignments of the Relief Road would allow the remaining 750 dwellings at NW Cullompton to come forward along with the first 500 dwellings to the east of the M5 at Culm Garden Village. After this, a strategic intervention would be required to unlock the remaining dwellings at the Garden Village site.

3.6.3. Options A and B are likely to remove more traffic from the High Street but Option C is likely to offer more relief to Junction 28.

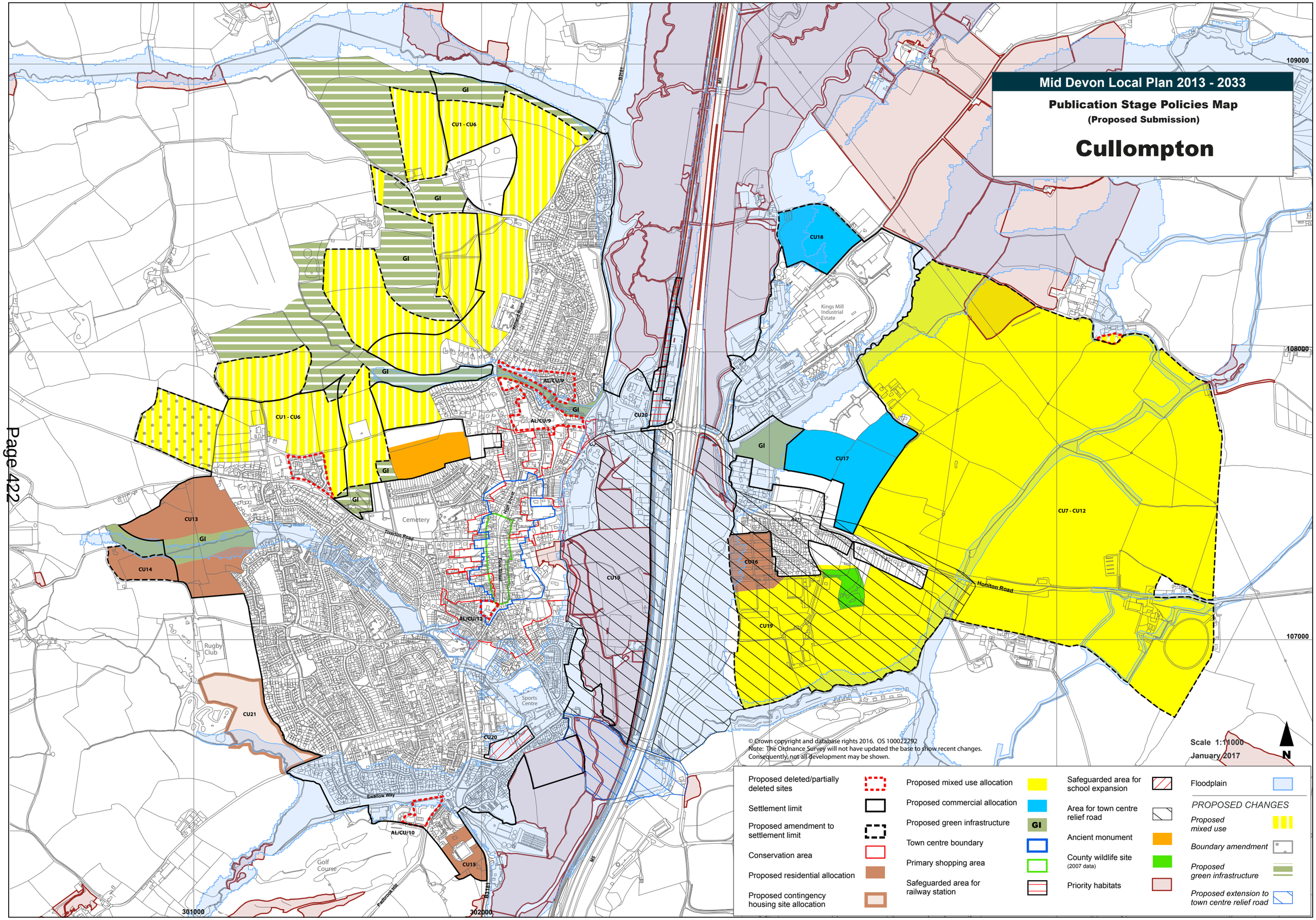
# 4. Appendices

## 4.1. Appendix 1: Cullompton Development Plan

# Mid Devon Local Plan 2013 - 2033

**Publication Stage Policies Map**
**(Proposed Submission)**

# Cullompton




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Note: The Ordnance Survey will not have updated the base to show recent changes. Consequently, not all development may be shown.

Scale 1:11000
January 2017

N

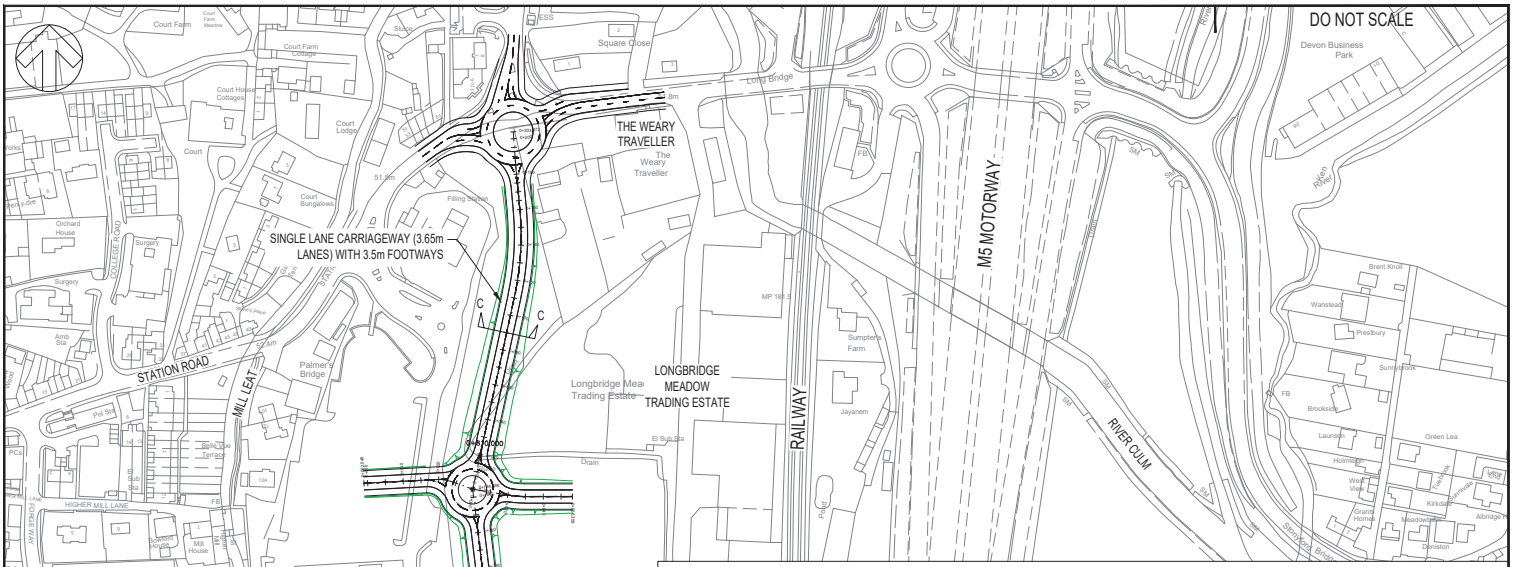
- Proposed deleted/partially deleted sites
- Settlement limit
- Proposed amendment to settlement limit
- Conservation area
- Proposed residential allocation
- Proposed contingency housing site allocation
- Proposed mixed use allocation
- Proposed commercial allocation
- Proposed green infrastructure
- Town centre boundary
- Primary shopping area
- Safeguarded area for railway station
- Safeguarded area for school expansion
- Area for town centre relief road
- Ancient monument
- County wildlife site (2007 data)
- Priority habitats
- Floodplain

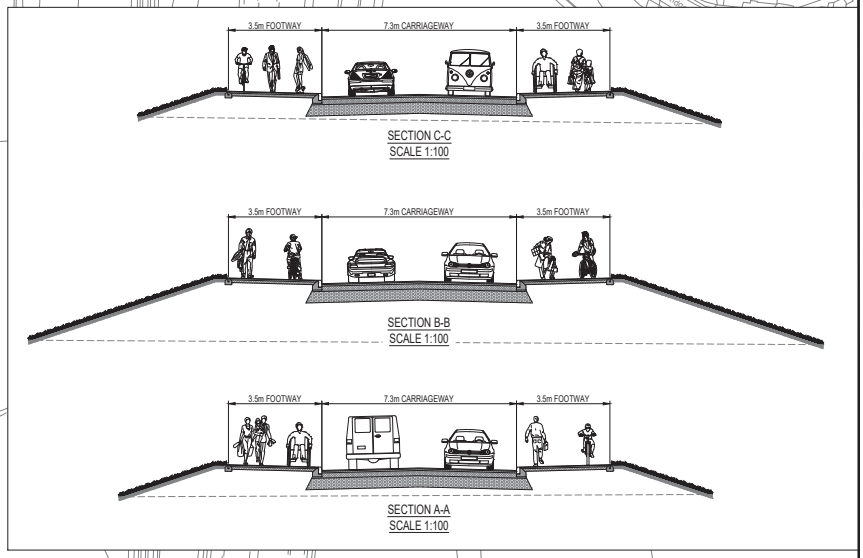
*PROPOSED CHANGES*

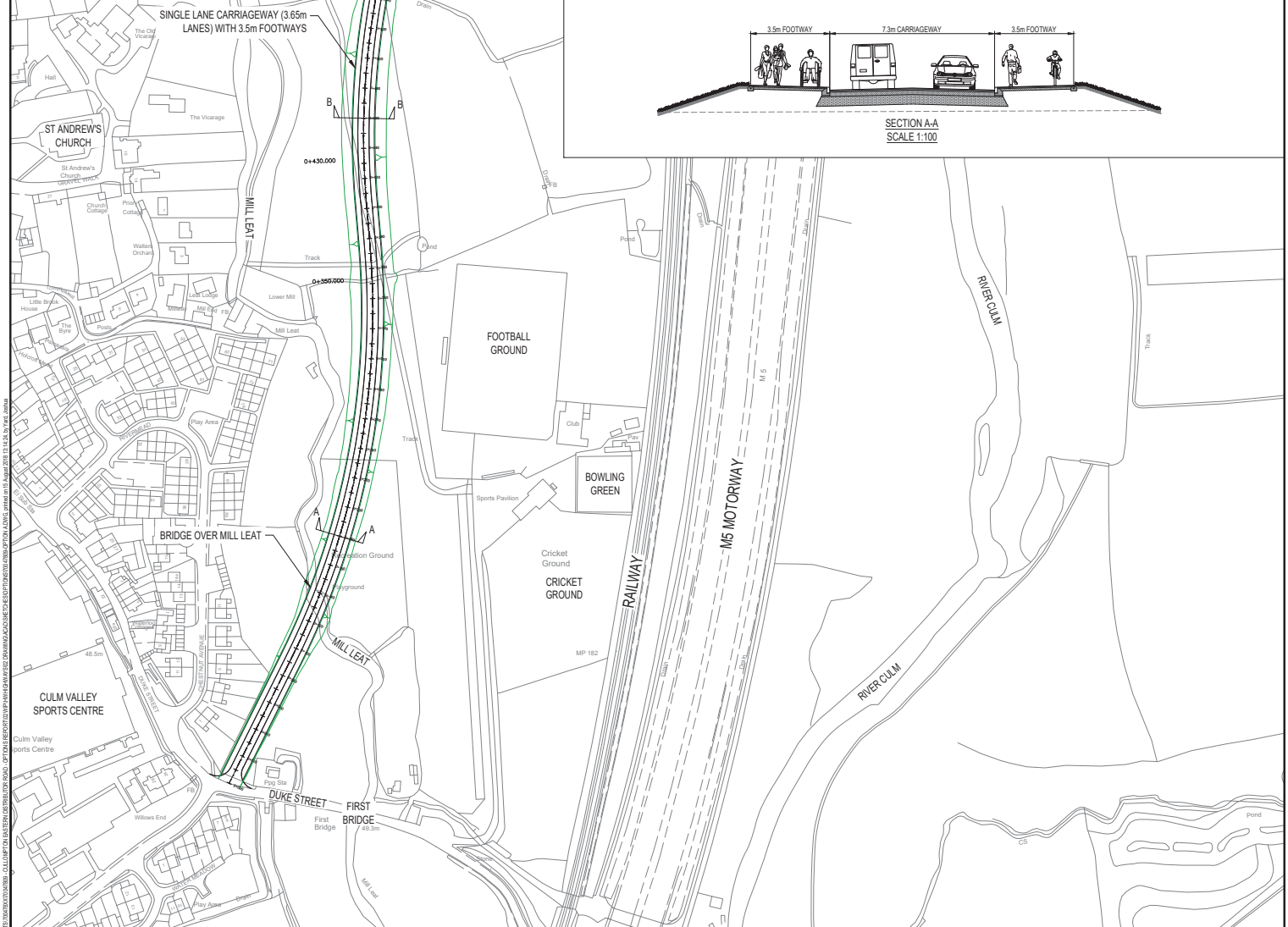
- *Proposed mixed use*
- *Boundary amendment*
- *Proposed green infrastructure*
- *Proposed extension to town centre relief road*

## 4.2. Appendix 2: Town Centre Relief Road Options

DO NOT SCALE




| REV | DATE | BY | DESCRIPTION | CHK | APP |
|---|---|---|---|---|---|
| P01 | 13/08/18 | JY | FIRST ISSUE | AMR | TO |

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PROJECT: CULLOMPTON TOWN CENTRE RELIEF ROAD - ROUTE OPTIONS REPORT

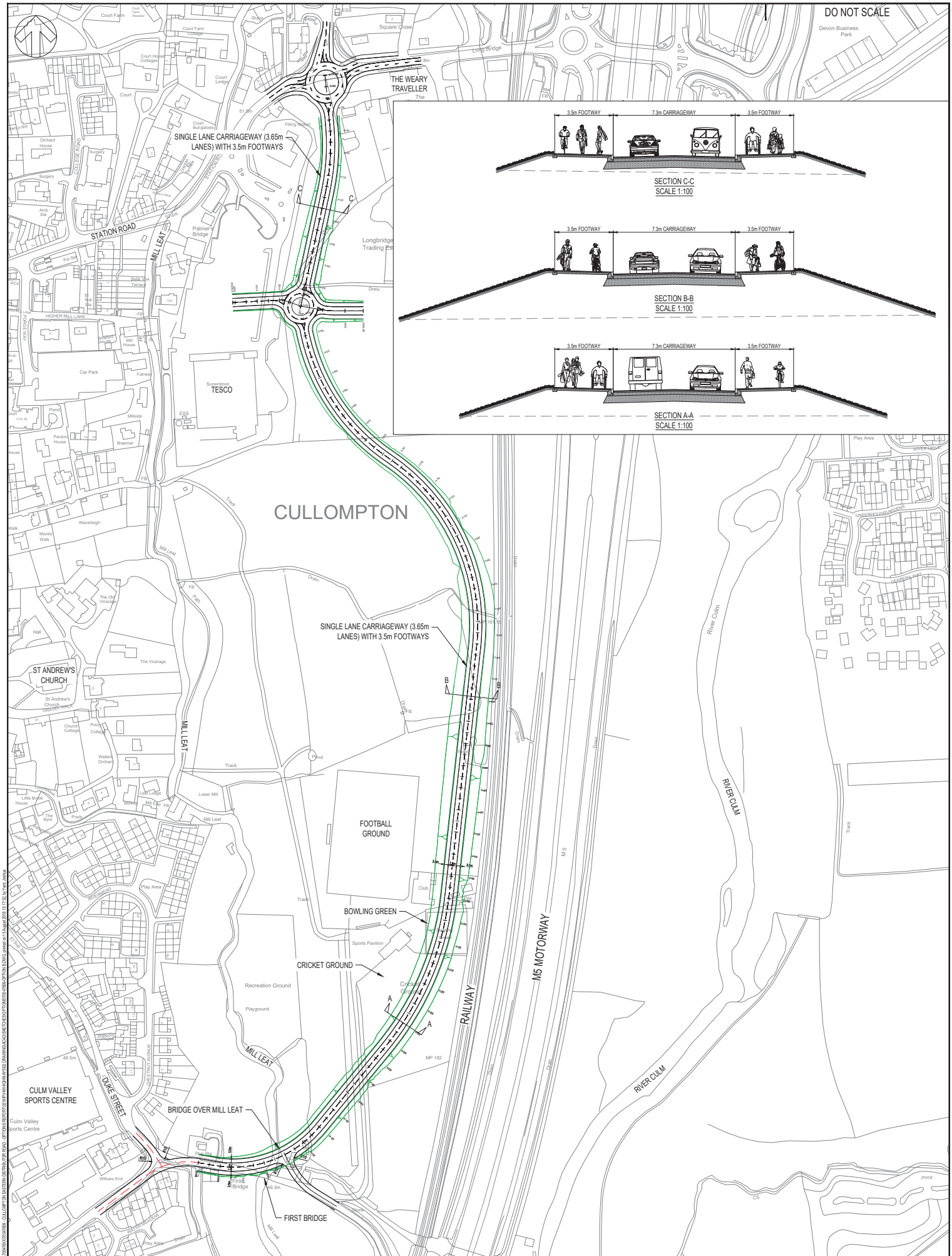
TITLE: OPTION A - LAYOUT PLAN

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|---|---|---|
| 1:1500 | AMR | TO |

| PROJECT No: | DESIGNED: | DRAWN: | DATE: |
|---|---|---|---|
| 70047809 | AMR | OJ | 26/06/18 |

DRAWING No: 70047809-OPTION A | REV: P01

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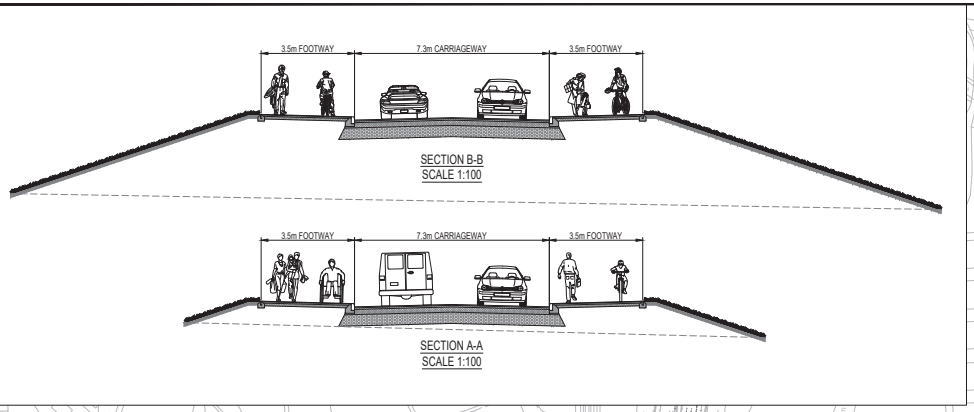
TITLE: OPTION B - LAYOUT PLAN

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| PROJECT No: 70047809 | DESIGNED: AMR | DRAWN: OJ |
| DATE: 26/06/18 | | |

DRAWING No: 70047809-OPTION B REV: P01

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PROJECT: CULLOMPTON TOWN CENTRE RELIEF ROAD - ROUTE OPTIONS REPORT

TITLE: OPTION C - LAYOUT PLAN

| SCALE @ A1: | CHECKED: | APPROVED: |
|---|---|---|
| 1:2000 | AMR | TO |

| PROJECT No: | DESIGNED: | DRAWN: | DATE: |
|---|---|---|---|
| 70047809 | AMR | OJ | August 18 |

DRAWING No: 70047809-OPTION C REV: P01

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File name: UK.WSPGROUP.COM\CENTRAL DATA\PROJECTS\70047809 - CULLOMPTON\EASTERN DISTRIBUTOR ROAD - OPTIONS REPORT\02 WIP\HY HIGHWAYS\DRAWINGS\ACADNETCD\ESSOPTIONTWO\ESSOPTIONTWO-OPTION C.DWG, printed on 15 August 2018 13:24:36 by Ford, Joshua

# Appendix F

## ALTERNATIVE ROUTE PROPOSALS

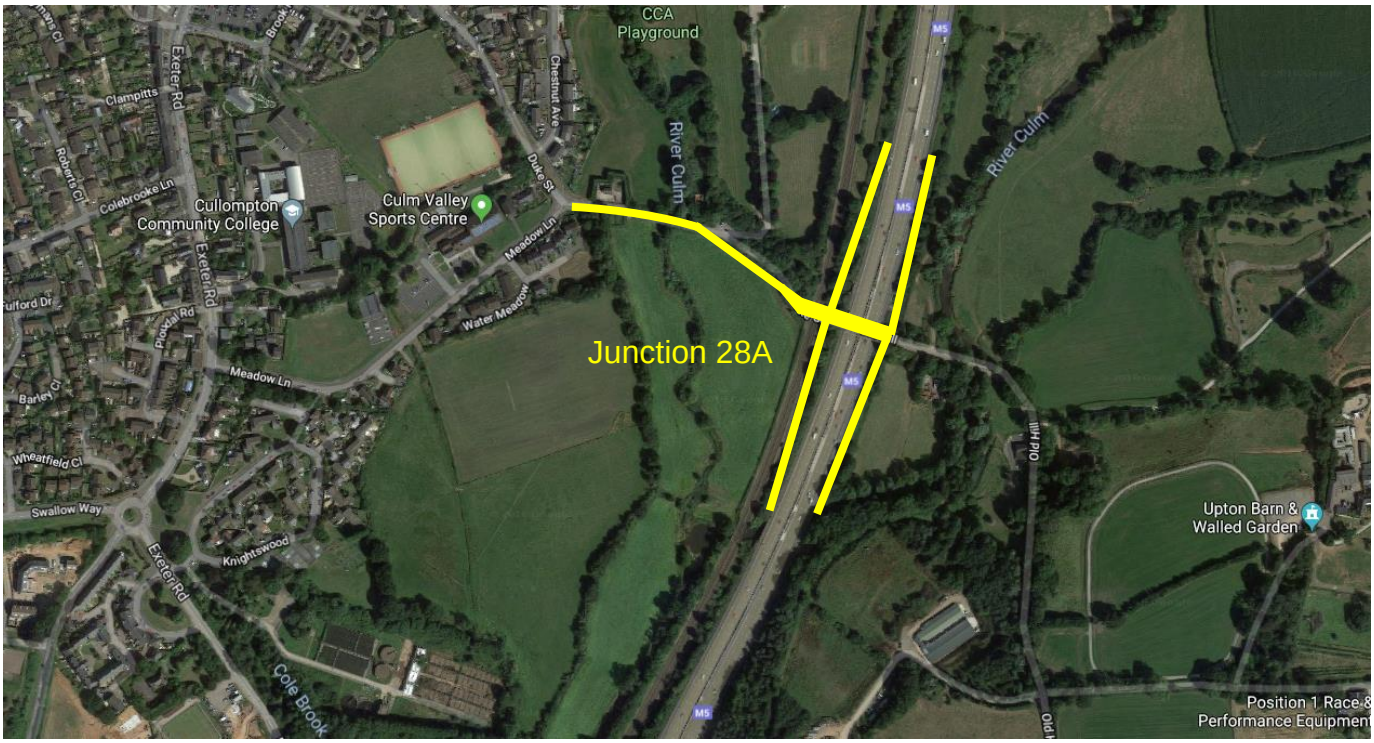


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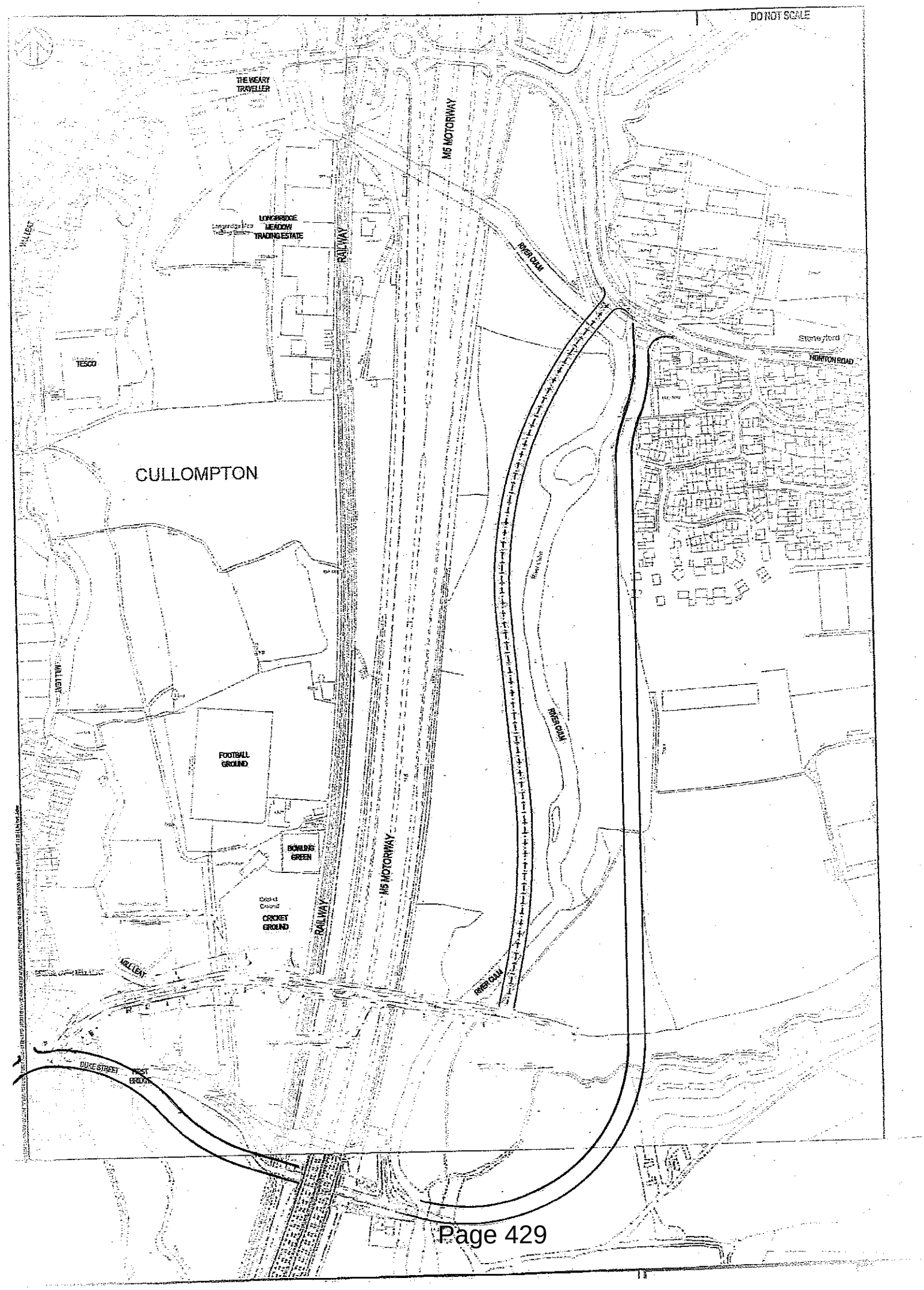
# Cullompton Town Centre Relief Road
# - Route Options Consultation

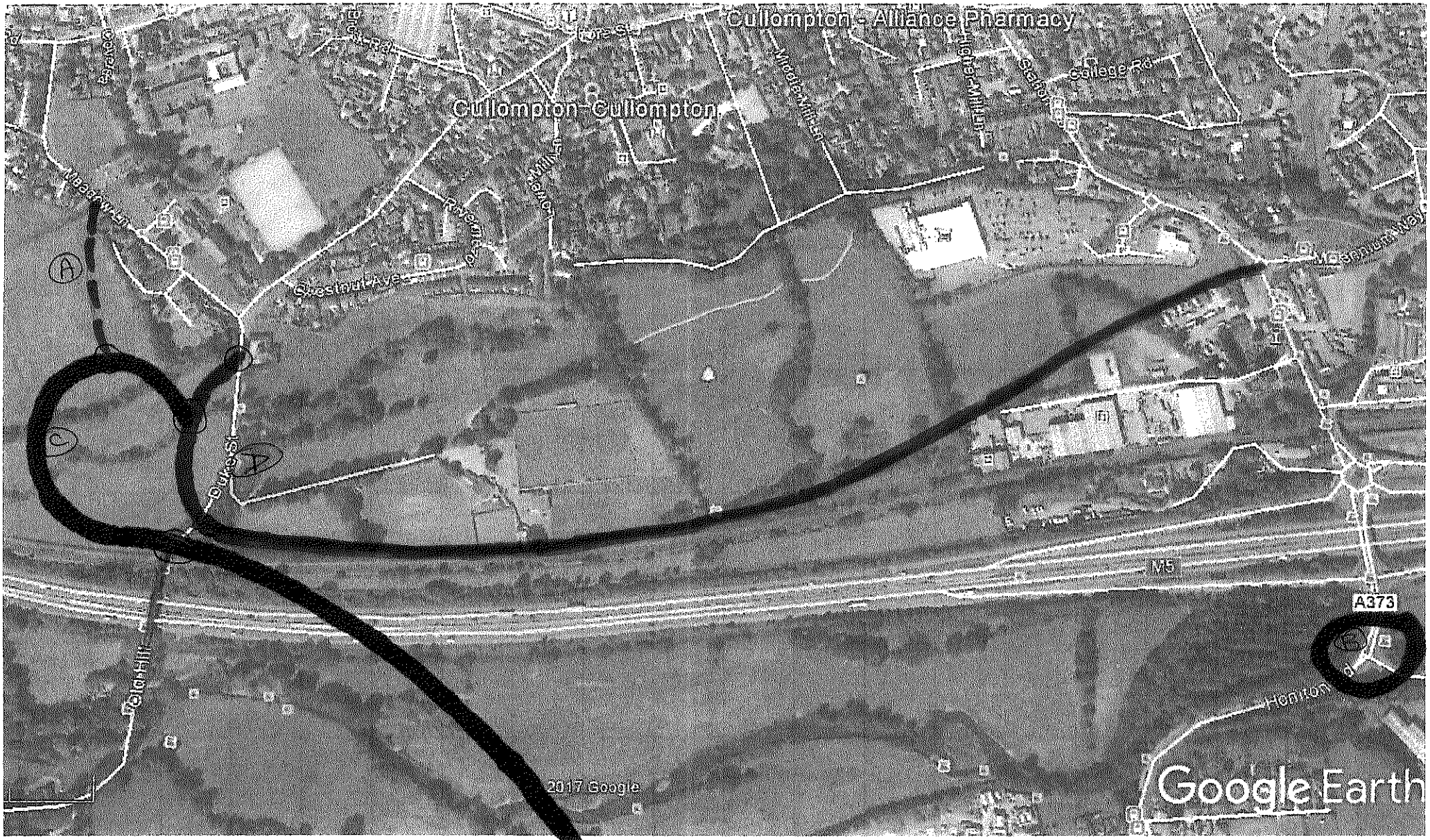
**Option D**

**Summary:** Connects M5 with Duke Street near junction with Meadow lane.




| Comparative advantages | Comparative disadvantages |
|---|---|
| No impact on CAA fields<br>Positive impact upon air quality (town centre)<br>Positive townscape/heritage impact (town centre)<br>No impact upon historic environment<br>Least impact on noise and air quality (road)<br>Least area of land take | Close to M5 junction 28<br>Replacement of motorway and railway bridge<br>New entry and exit slip roads. |


DO NOT SCALE
THE WEARY TRAVELLER
M5 MOTORWAY
LONGBRIDGE MEADOW TRADING ESTATE
RAILWAY
RIVER CULM
TESCO
Stoneyford
HORITON ROAD
CULLOMPTON
MILLWAY
FOOTBALL GROUND
BOWLING GREEN
CRICKET GROUND
DUKE STREET
FIRST GROUND




(A) PART BYPASS FOR MEADOW LA DUKE ST

(C) DESCENDING ELEVATION INCORPORATING FOOTWAY TO OLD HILL

(D) DUKE ST & CCA AVENUE ISOLATED FROM MAIN TRAFFIC ROUTE

FROM QV1 A373 ELEVATED OVER RAILWAY, M5 AND FIELDS

(B) CREATION OF EAST DUMBELL ROUNDABOUT



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