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FAO: Planning Policy Team
15th December 2022

Dear Planning Policy Team



Caring for the environment through
conservation management, planning and urban design.

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**Consultation Response to the East Devon HELAA Nov 2022 Assessment re Sidm_27
(Draft East Devon Local Plan 2020-2040) (Local Plan Site ref LP_Sidm 08_041B)
Our Reference FS-Case-419961866**

Land at Two Bridges – Extant Development Land

1.1

To date, on behalf of my client, OG Holdings Retirement Benefit Scheme, submissions have been made to East Devon District Council (EDDC) in respect of land at Sidford, as part of EDDC's Call for Sites, including information related to both the Alexandria Industrial Estate and Sidford site, (referenced by the Council as Sidm_27) in the East Devon HELAA, November 2022. The Site Assessment Profile has now been reviewed, and in response, this additional correspondence is provided.

1.2

In the Site Assessment Profile, the HELAA assessment identifies that the land is 'available' and 'suitable' for housing, but with respect to 'achievable', under the category Site Potential, there is some question mark over the assessment's conclusion. Based on page 591 of the report, it is not fully clear as to the conclusion; the report's text appears to be incomplete. Looking at other commentary in the Site Assessment Profile, it would appear that the Panel has identified two areas where achievability is questioned. These questions appear to be:

- i) in respect of flooding, and

- ii) employment capacity and provision in the wider context of Sidmouth's need to facilitate employment growth.

2.0 Flood Risk Assessment

2.1

Firstly, addressing the flood risk, the site is presently the subject of an extant approval, application reference 18/1094/MOUT.

2.2

The extant permission 18/1094/MOUT is to provide 8,445 sqm of new employment floor space.

2.3

The extant permission includes details regarding flood risk in Appendices folder 2, Appendix D.1: Flood Risk Assessment and Drainage Strategy.

2.4

During the life of the now extant application, the submitted Flood Risk Assessment and Drainage Strategy was fully assessed by the Environment Agency, the Drainage Authority and the LPA. It was concluded that there was no disagreement between the applicant and the Statutory Bodies as to the suitability of the development area and its capacity to achieve Flood Zone 1. The application was also reviewed by the Planning Inspectorate due to an appeal (*related to different matters*), and so it is also the case that the Planning Inspector will have been aware of this data and the site's capacity for development without causing flood risk or unacceptable drainage issues.

2.5

The total site area identified in application 18/1094/MOUT is 4.2 hectares. The proposals that form the extant consent are over an area of built development land equating to 2.27 hectares. Information in the Flood Risk Assessment and proposals identify that the site is generally flat, with a steady gradient down to the east. 1.9 hectares is approved for flood

improvement, drainage attenuation and cycleway. Of this area, 1.15 hectares of land were proposed, and have now been delivered, as flood/drainage improvement land as a betterment to past drainage and flood risk issues.

2.6

In the submitted Flood Risk Assessment (*part of Application 18/1094/MOUT*), on page 9 of Report P9687-G-Rep-G201C, it is concluded that:

“The proposed development proposals are suitable for the site under the sequential test since the proposals on the development site will remain within the Flood Zone 1 (as modelled), and the site proposals are considered to be ‘compatible’ for development in a Flood Zone 1 in table 3.”

2.7

Prior to the commencement of any works, the site in its natural form included land in Flood Zones 1, 2 and 3. The approved, extant proposals would remodel all development land to Flood Zone 1.

2.8

The report forming Appendix D.1: Flood Risk Assessment and Drainage Strategy may be fully reviewed to give far more detail on the specifics of fluvial, tidal, coastal, groundwater and artificial risks, as well as additional impacts related to climate change, land management, topographic effects, existing sewage capacity, flood plain displacement and the phasing of new development.

2.9

The report also includes details as to how the extant permission seeks to improve existing flood risk beyond the site, further down the watercourse of the River Sid. The report identifies how:

- The proposed management associated with the culvert under Two Bridges Road is improved in terms of cubic flow as a consequence of the realignment of the unnamed watercourse that runs west to east across the site
- Land remodelling will result in additional storage capacity at times of increased drainage demand.
- The extant approval improves drainage and flood risk for Sidford by the proposed remodelling of land forming the southern section of the site, equating to approximately 1.15 hectares (*now completed*).

2.10

In addition to the betterment to the local flood risk created by the extant permission, the proposals also include attenuation ponds. Their sizes are based on a higher than expected demand associated with surface water drainage. In the Appendices forming part of the Flood Risk Assessment, it can be noted that in the calculation of runoff, an assumption has been made for a higher level of hard surface treatment across the site than is actually proposed. In reality, the proposed level of landscaping, with the provision of the landscaping in accordance with the Landscape Strategy, would most likely see a reduction to the need for attenuation, as the proposed landscaping would result in less hard space than has been calculated for. In reality, landscape calculations will probably see a higher level of soakaway and SUDS, reducing the required size of the attenuation ponds. These are not yet implemented.

2.11

The approved application 18/1094/MOUT is extant. The extant works include:

- The provision of the Flood Improvement Area. Works have been undertaken on an area of land of 1.15 hectares. This land has been regraded in accordance with the details submitted as part of the Flood Risk and Drainage Strategy. Significant volumes of land have been remodelled and the flood improvement is now provided.

- New landscaped edges to the south and north of the Flood Improvement Area have been fully provided
- New bunds/Devon Banks to the southern edge of the site and to the north of Laundry Lane have been implemented and are part of the drainage management and flood improvement
- Over 2000 trees and hedgerow plants has been planted
- The unnamed watercourse has had engineering works undertaken, involving improvements to its bed, margins and alignment. Banks and margins have been designed with regard to improving the efficient and appropriate management of water, but also with regard to environmental improvement.

2.12

The edge of the site to the west along Two Bridges Road has not yet been fully delivered, but would ultimately include surface water drainage from Two Bridges Road into the flood improvement area. The wider Flood Risk and Drainage Strategy identified existing drainage issues on Two Bridges Road. The extant proposals include a betterment to this, with the remodelling to the edge of the carriageway and footways to allow drainage from the level of the carriageway into the flood improvement zone to the southern section of the site within the proposed scheme.

2.13

In conclusion, it is clear from the extant scheme that development on the proposed developable area of 2.27 hectares would be accommodated in a Flood Zone 1 area. The site attenuation and overall betterment with regard to flood risk has a positive impact, both onsite and offsite. It is also clear that highway drainage will be improved by the scheme.

2.14

From the technical perspective of achieving development on Flood Zone 1 land, the developable area of 2.27 hectares on the Sidford site would be suitable for either employment or housing development, assuming that any new emerging proposals were

consistent with the extant permission in respect of the remodelling of ground within the development area.

2.15

The background evidence and proposals that form the extant consent have been delivered along the lines of earlier evidence that was submitted to the Examination in Public (EIP) related to the 2012-2031 Adopted Local Plan. At this time, Flood Risk Assessments were supplied, along with land modelling sections, and were available for the Inspector to review.

2.16

In assessing the Sidford Site as part of the HELAA assessment, the LPA's Policy Team are asked to take account of the extant permission and the technical data available to them, including the Environmental Impact Assessment, which is already available to the LPA as part of the extant consent. This information confirms that the development area of the site can be delivered to achieve Flood Zone 1 and would in this respect be 'achievable' for housing.

3.0 Employment Capacity within Sidmouth

3.1

At the time of the Examination in Public (EIP) of the 2013-2031 Adopted Local Plan, evidence was given by the Local Authority, the Highways Authority and OG Holdings Retirement Benefit Scheme as to the impossibility to significantly expand employment provision at the Alexandria Industrial Estate. The evidence from all three parties concluded a similar position. At this time, there was a ransom strip that was beyond the means of the Highways Authority or Local Authority to obtain by Compulsory Purchase to provide a new access into the Alexandria Industrial Estate from the B3176. Evidence was given from the owners of OG Holdings Retirement Benefit Scheme, who at that time were the owners of Fords of Sidmouth, related to their own efforts to achieve ownership of the ransom strip.

3.2

A statement regarding an update to this position has been provided as part of the recent Call for Sites submissions. The ransom strip has been purchased by OG Holdings Retirement Benefit Scheme, a circumstance that could not have been expected by any of the parties at the time of the EIP.

3.3

As a consequence of the purchase of the ransom strip, a planning application to intensify the Alexandria Industrial Estate has now been submitted. The full application was provided to the Policy Team at the point of the application's submission. The application number is 22/2063/MOUT. In brief, the proposal is for a total provision of 4,531 sqm of employment. The development would retain one existing building on the site, with a floor area of 1,096 sqm, which would be remodelled and repurposed. The new development that would be created equates to 3,435 sqm, and the overall additional floor space in comparison to the present provision of 2,830 sqm, would rise by 1,701 sqm to 4,531 sqm. The total new development provision in replacing and expanding existing stock would meet demand in a way that present facilities are unable to due to their age, condition and format.

3.4

If it had been possible to obtain the required access prior to the 2012 Local Plan, through either Fords of Sidmouth's endeavours over a 20 year period, or through Compulsory Purchase, then it would have been unlikely that OG Holdings Retirement Benefit Scheme would have sought to have the Sidford site allocated for employment. Instead, investment in the Alexandria Industrial Estate would have been possible.

3.5

At this time, it is hoped that the currently submitted Alexandria Industrial Estate application for expanded employment will be granted consent, and that an uplift in value at the Sidford site as a result of a partial housing allocation, will enable the delivery of the investment at the Alexandria Industrial Estate.

3.6

The current planning application for the Alexandria Industrial Estate, and evidence previously supplied as part of the Call for Sites, identifies that the Alexandria Industrial Estate has characteristics and a history that would result in high costs in order to deliver the proposed redevelopment. Although the proposal seeks to expand development, only a limited area is proposed to be two storeys, and this also implicates on the return to be seen by investment. Viability of Alexandria Industrial Estate is beyond question, in itself it is not credible. However, with investment from the Sidford Site, if a sale is achieved, this capital receipt would enable the delivery of the Alexandria Industrial Estate application. It is for this reason alone that at this stage, extant works already engaged at Sidford have not been taken further with the delivery of roads and buildings. Instead, works are paused until the outcome of the Local Plan allocations.

3.7

If it is that the LPA cannot accept a degree of housing on the Sidford site (Sidm_27), then the proposed investment in the Alexandria Industrial Estate would be unachievable. In order to deliver employment investment at Sidford, without a capital receipt from Alexandria Industrial Estate (*which was previously envisaged*), the Sidford site may need to be intensified for employment.

3.8

It is hoped that a capital receipt from the Sidford site for 75% housing would bring about investment in the Alexandria Industrial Estate. At this time, it is understood that the best option would be to deliver the proposed Alexandria Industrial Estate expansion, including the new access, in accordance with application 22/2063/MOUT, and to see 75% of the Sidford site delivered for housing. To achieve investment potential will require land value enhancement at Sidford and a capacity of development at Alexandria Industrial Estate no lower than that proposed.

3.9

On the basis that the present extant permission at Sidford is for 8,445 sqm of development, it would therefore be expected that the potential capacity for employment at

Sidford, if the Alexandria Industrial Estate was to provide 4,531 sqm of employment, would be approximately 2,110 sqm. The overall investment in new employment space would therefore provide 6,641 sqm (over the two sites).

3.10

Conversely, if variation in the allocation is not achieved, the Alexandria Industrial Estate would not see investment, and the Sidford site may need to be reviewed to improve viability.

3.11

It can be concluded that to see the urgent delivery of investment in employment, it would be best to have the flexibility over the Sidford site in order to enable investment at the Alexandria Industrial Estate and a compatible mixed-use alternative for Sidford (*approximately 75% housing and 25% employment*).

3.12

In conclusion, the Policy Team are requested to review this representation and application 22/2063/MOUT, which details why the rewording of the policy associated with the two allocations is desirable if employment need is to be facilitated by viable levels of investment. Equally a shift in the nature of the allocations can relieve/improve the capacity to find suitable, available and achievable land for approximately 50 houses.

4.0 Other

4.1

At the present time, two reports on costs and constraints to development at the Alexandria Industrial Estate and Sidford are commissioned. One exercise is seeking up to date figures for the new road provision for the Alexandria Industrial Estate. The other exercise is examining ground conditions for the Sidford site in respect of likely foundations. It is expected that these reports will further reinforce the desirability of rewording of the Strategy/Policy for the Sidford land and the Alexandria Industrial Estate allocations to enable the investment requirements.

Yours sincerely

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