

East Devon Local Plan 2020 to 2040 Preferred Options Reg. 18 Consultation Land South of Axminster - Sites: LP_Axmi_02, LP_Axmi_08, LP_Axmi_09 Representations on behalf of C G Fry & Son Ltd

Introduction

On behalf of C G Fry & Son Ltd, (C G Fry), we make the following representations on the East Devon Local Plan 2020 to 2040 - Preferred Options Reg. 18 Consultation (draft LP) in so far as it relates to Axminster and the above sites. These representations develop the representations submitted in connection with the Issues and Options consultation.

C G Fry considers that:

1. Axminster is a highly sustainable settlement with very good transport connections and a strong range of shops, services and facilities.
2. The failure of the strategic site allocated in the adopted LP for 850 homes to deliver any housing, compounded by factors including the:
 - Current housing land supply deficit
 - Need to allocate more land for the next LP period to meet future need
 - Opportunity to re-dress the acknowledged imbalance in the distribution of development between the West End and the Rest of East Devon and the
 - Potential to accommodate unmet need at Lyme Regis......Combine to indicate strongly that land for at least 1,000 new homes should be allocated at Axminster.
3. Anecdotally, the town centre is struggling and needs significant additional footfall through new housing allocations in order to survive and thrive.
4. Axminster is outside the AONB and relatively free of environmental constraints.
5. All sites proposed for development in the draft LP, even the "Preferred Allocations", will require further technical assessment. The result of this is that anticipated levels of delivery may not be achieved on some sites and others may even fall away entirely.
6. The site is being promoted by an award winning, family owned housebuilder that does things properly and has a strong track record of delivering very high quality new homes in the region, including in East Devon.
7. C G Fry has undertaken initial technical assessment of the site which demonstrates that it is available, suitable and deliverable.
8. The site should be allocated as Preferred Options in the draft LP.

These points are considered in more detail below.

Draft LP

As drafted, Strategic Policy 19 – Axminster and its future development includes the following:

- *Land east of Musbury Road (Axmi_02 and Axmi_08) – this land is proposed for 168 dwellings and 0.6 hectares of employment land. This is a preferred allocation.*
- *Great Jackleigh Farm (Axmi_09) – this land is allocated for 270 dwellings and 1 hectare of employment land. This is a "second choice" site.*



Housing Land supply

The Council cannot currently demonstrate a five year supply of deliverable housing land. The shortfall is 328 dwellings equating to a 4.68 year supply (Housing Monitoring Update to 31 March 2022, EDDC August 2022). Accordingly, the policies most relevant to determining planning applications for new homes are out of date until a five year supply can be established.

Axminster: Role and Function

Axminster is acknowledged in the draft LP to be:

- A Tier 2 settlement and an appropriate location for growth.
- Relatively self contained with a good balance of jobs and workers.
- One of only three East Devon settlements to have the full range of services and facilities despite being the fifth largest settlement in the District. These include shops, sports facilities, primary and secondary schools, a hospital, GP's, a railway station (on the Exeter to London line) and local and strategic bus connections.

Axminster town centre has suffered recently with the loss of its department store, River Cottage Canteen and a number of smaller independent stores. It is considered to suffer from a lack of critical mass (being the 5th largest settlement in the District) to support its services (being one of only three settlements to have the full range).

The population level clearly needs to “catch up” with the level of services and facilities so the town can thrive and achieve its potential. Allocating land for new homes in sustainable locations in and around the town is the logical response.

Distribution of Development

In each of the last three years, the West End has delivered more housing than the Rest of East Devon, with (Source: Housing Monitoring Update up to 31 March 2022 - EDDC, August 2022). Between April 2021 and March 2022, 54% of all completed homes were in the West End compared to 46% in the Rest of East Devon. This disparity is expected by the Council to grow in the future as a result of proposed allocations in the West End and a further new community.

This demonstrates that housing delivery is skewed towards the West End at the expense of high order, sustainable settlements in the Rest of East Devon such as Axminster.

The need to allocate significant land for new homes at Axminster to support its role and function is compounded by the failure to deliver the strategic allocation to the east of the town (850 houses and associated uses) because of viability issues relating to the relief road. The new LP must not only account for this delivery failure in the current LP period, but also plan for new homes to meet needs in the next one.

Dorset Council has also submitted a representation supporting the allocation of new homes in East Devon to meet needs at Lyme Regis in Dorset. However, the Council's site assessments reject all sites put forward to the west of Lyme Regis. It could be argued that Axminster is well placed in spatial, connectivity and functional terms to meet some of this need.



The Council estimates that the Axminster Preferred Allocations in the draft LP will deliver around 745 new homes, but this is still over 100 fewer than the strategic site allocation in the adopted LP.

It is considered therefore that the draft LP should allocate land for well in excess of 1,000 new homes at Axminster to address:

- The imbalance in the population level and service provision in the town
- Support the town centre
- The imbalance in housing distribution
- The shortfall at the strategic site
- Future needs, potentially including those at Lyme Regis.

The logical response to all this would be to upgrade LP_Axmi_09 (Greater Jackleigh Farm) to a Preferred Allocation and achieve a comprehensive approach to land south of Axminster.

Are Sites Axmi_02, 08 and 09 Deliverable?

The three sites form a comprehensive opportunity to deliver beautiful new homes in a very high quality environment. They function as a single entity and are available, suitable and deliverable. There is no reason to distinguish them in the draft LP. They are therefore considered by C G Fry to be a single site and have been assessed as such.

C G Fry has commissioned the following technical reports to assess whether the site is deliverable:

- Phase 1: Preliminary Geotechnical and Contamination Assessment Report (Ruddlesden geotechnical, August 2021)
- Engineering & Infrastructure Review Technical Note (AWP, 17th September 2021)
- Landscape and Visual Technical Note (Tyler Grange, 1st October 2021)
- Ecology Technical Note (AM Ecology, 22nd September 2021)
- Historic Environment Desk-Based Assessment (Landgage Heritage, 14th October 2021).

The conclusions of these documents provide significant re-assurance that the site is deliverable and help justify upgrading LP_Axmi_09 to a Preferred Allocation. They can be made available to officers as required.

Current Use

The site is in agricultural use.

Topography

LiDAR data demonstrates that the site is suitable for residential development.

Land Quality

Most of the site has remained as agricultural land and apart from minor and small scale exceptions, is unlikely to have elevated levels of contamination.

Flood Risk and Drainage

The majority of the site is in Flood Zone 1. Any new development would be restricted to Flood Zone 1. The developable areas of the site are at 'very low risk' of flooding from surface water. New development can be designed to safely



convey any upstream flows through the site. In geological terms, soakaway drainage may be viable, to be confirmed by further assessment.

Access and Connections to Services and Facilities

Vehicular access to the wider site can be provided from a number of locations. The site is accessible by foot and cycle to a range of shops, services and facilities in Axminster.

There are a range of transport options to access Exeter, Taunton, Yeovil and Dorchester including train and local/strategic bus connections.

It is considered that even if the entire site came forward for development, traffic conditions in Axminster would not be adversely affected.

Landscape

Built development within the valleys and along the River Axe tributaries is an established pattern in Axminster and development on this site could follow this pattern.

Development on the higher slopes in the east will need to be carefully designed and planned. Measures will be required to soften the built edge and integrate development within the wider landscape and AONB setting. Field boundaries, hedgerows and hedgerow trees can be incorporated into the scheme to achieve this and help create stronger habitat links.

There is also an opportunity to improve the Public Right of Way (PRoW) network to create circular trails and connect to existing routes.

Ecology

A full Phase 1 Habitat Assessment of the site has been undertaken. It is considered that there are not likely to be any insurmountable ecological challenges to a residential development of the scale and at the location proposed. Grassland habitats in particular are of local interest only.

There is potential for significant biodiversity enhancement in retained habitats to achieve required net gain and dovetail with the landscape mitigation.

Heritage

A programme of archaeological works will be required to understand the extent, nature and significance of below ground archaeology. Once the results are available, appropriate mitigation can be designed.

Utilities

The site can achieve connections to existing utility networks, all of which have sufficient capacity to accommodate comprehensive development.

Nutrient Neutrality

The Council is confident that it can deliver a mitigation strategy for the River Axe catchment prior to the adoption of the current draft LP and officers advised that the Council should continue to plan for growth at Axminster (Source: Report to strategic Planning Committee, 09.08.22 – Site Selection, interim findings at Tier One and Tier Two settlements).



The effect of surface water on the River Axe SAC can be mitigated through drainage design, using SuDS and other established techniques.

Employment Use

The site is potentially large enough to accommodate small scale employment-generating uses suitable for residential areas, subject to the outcomes of further technical assessment relating in particular to landscape and archaeology. Homes can also be designed to be suitable for home working.

Amendments Sought to the draft LP

C G Fry seeks the following amendments to the draft LP:

1. Sites LP_Axmi_02 and 08 are retained as Preferred Allocations
2. Site LP_Axmi_09 is upgraded from a Second Choice site to a Preferred Allocation.

Other Matters

Chapter 7. Tackling the climate emergency and responding to climate change

Policies 27 and 28 requires that all new residential and commercial development delivers net-zero carbon emissions.

C G Fry supports the delivery of sustainable, high quality development and also a fabric-first approach to energy efficiency. However, it objects to these mandatory provisions as drafted because the requirement for all development to be net-zero carbon has not been justified at the local level and the impact on development viability has not been adequately assessed.

C G Fry seeks amendment to the above policies to make the net-zero carbon provisions subject to viability considerations. It also suggests that the Council undertakes a detailed assessment of the impact of these policies on development viability.

Policy 87 – Biodiversity Net Gain

Policy 87 imposes a mandatory requirement for Biodiversity Net Gain (BNG) of at least 20%. C G Fry supports BNG in its developments. However, it is concerned that the requirement for 20% BNG is not supported by technical evidence of actual or forecast biodiversity decline in the District. Furthermore, no assessment has been undertaken by the Council of the implications for the delivery of development for housing or jobs in terms of land take and viability.

C G Fry seeks an amendment to Policy 87 to bring it into line with relevant provisions in the Environment Act.

Policy 83 – Development on High Quality Agricultural Land

C G Fry objects to the blanket prohibition of development on best and most versatile (BMV) land (Grades 1, 2 and 3a). This has not been evidenced. In some cases, the only options to secure sustainable development that supports important planning objectives for a settlement will involve BMV. This prohibition risks the delivery of much needed development that will support important strategic outcomes in the draft Local Plan.



C G Fry suggests that Policy 83 is redrafted so that it reflects NPPF paragraph 174 b) and footnote 58, which states that “Where *significant* development of agricultural land is demonstrated to be necessary, areas of poorer quality land *should be preferred* to those of higher quality” [noting the flexibility built in - our emphasis in italics]. Unless the site is allocated (which implies that this exercise has already been undertaken), the policy for unallocated sites should require a proportionate justification of the need for the proposed development and evidence that alternative sites on poorer quality land have been considered in order to meet the need.

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