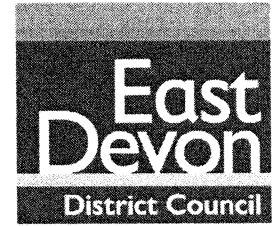


For Council Use Only	For Council Use Only

Sid Valley Neighbourhood Plan – Submission Version Representation Form



The Sid Valley Neighbourhood Plan has been prepared by Sidmouth Town Council. It has now been formally submitted to East Devon District Council who are legally required to undertake public consultation.

Please return this form to East Devon District Council by Friday 8 March, 2019. Representations received after this time will not be accepted.

Part A – Personal Details Please note we cannot accept anonymous responses.

Personal Details	
Title	c/o Agent
First Name	
Last Name	
Job Title (where relevant)	
Organisation (where relevant)	LVA (c/o agent)
Address	
Postcode	
Tel. No.	
Email Address	

Agent's Details (if applicable)*	
Title	Mr
First Name	Dan
Last Name	Yeates
Job Title (where relevant)	Associate Director
Organisation (where relevant)	Savills
Address	Embassy House Queens Avenue Bristol
Postcode	BS8 1SB
Tel. No.	██████████
Email Address	██████████

*If an agent is appointed, please fill in your title, name and organisation and the full contact details of the agent. Where an agent is used the agent will be the point of contact for correspondence.

Name/Organisation Please complete for each sheet	LVA (c/o agent)
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Please indicate whether you wish to be notified of any of the following (delete as appropriate):

The publication of the recommendations of any person appointed to carry out an independent examination of the Sid Valley Neighbourhood Plan. Yes

The adoption of the Sid Valley Neighbourhood Plan. Yes

Representation details

Please use a separate form for each representation

1. To which section of the Neighbourhood Plan does this representation relate?

(Please note that a separate form must be completed for each representation)

Policy Number (Include policy, paragraph or other reference no. if appropriate)	Policies 1, 2, 3, 4, 5, 6, 10A, 10B and 16.
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2. Please use the box below to set out why you are supporting or objecting to this part of the plan. If your comment relates to a specific area of land or site if possible please identify it on a map. Continue on a separate sheet if necessary

See enclosed representations

Name/Organisation Please complete for each sheet	LVA (c/o agent)
--	-----------------

3. What changes would you suggest should be made to the plan?

It will be helpful if you are able to put forward your suggested revised wording of any policy or text or suggested alternative policy boundary. Please be as precise as possible.

See enclosed representations

Continue on a separate sheet if necessary

4. If your representation is seeking a change, do you consider it necessary to speak at the examination?

Please note this will not be regarded as a binding decision but will help us in our planning.

If you select No your representation(s) will still be fully considered by the independent examiner by way of written representations.

I wish to speak at the examination: Yes


Name/Organisation Please complete for each sheet	LVA (c/o agent)
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5. If you wish to speak at the examination, please outline why you consider this to be necessary:

<p>To assist with providing evidence and supporting information relating to Sidbury and the Land South of Furzehill.</p>
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Please note the examiner will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in the examination. If the examiner does not consider it necessary to hold a public examination, consideration will be given by way of written representations.

Data Protection- Any personal information which you provide will be held and used by East Devon District Council for the purpose of producing the neighbourhood plan and may inform other Planning Policy work. Your information may also be shared within East Devon District Council for the purposes of carrying out our lawful functions. Otherwise your personal information will not be disclosed to anybody outside East Devon District Council without your permission, unless there is a lawful reason to do so, for example disclosure is necessary for crime prevention or detection purposes. Your information will be held securely and will not be retained for any longer than is necessary. There are a number of rights available to you in relation to our use of your personal information, depending on the reason for processing. Further detail about our use of your personal information can be found in the relevant Privacy Notice which can be accessed at <http://eastdevon.gov.uk/privacy>.

Signed	
Date	15 February 2019

A signature is required by the Planning Inspectorate. If filling in the form electronically it can be an 'electronic signature' by typing in your name in the box. If you provide a handwritten signature we will ensure that it is not published on-line but it will be visible on the paper copies available at our offices and sent to the examiner.

Please e-mail the completed form(s) and any additional information to planningpolicy@eastdevon.gov.uk or send to Phil Twamley, Planning Policy Section, East Devon District Council, The Knowle, Sidmouth, EX10 8HL

Representations to the The Sid Valley Neighbourhood Plan – Submission Version

Land South of Furzehill, Sidbury

1. Introduction

These representations have been prepared by Savills on behalf of LVA, to respond to the Submission Version of the Sid Valley Neighbourhood Plan.

LVA have interest in the Land South of Furzehill, Sidbury, outlined on the plan attached at **Appendix 1**.

The site has been promoted throughout the emerging Neighbourhood Plan, with representations submitted to the Business Survey in October 2016, and Pre-Submission Draft in April 2018. There are a number of comments we wish to make to the Submission Plan and therefore whilst our position remains the same on the scope of the Neighbourhood Plan as set out in our previous representations, we have made additional comments within these representations specific to the policies and evidence available.

The promotion of the site through the emerging Neighbourhood Plan has been supported by background information demonstrating the suitability of the Land South of Furzehill, Sidbury, and particularly the lack of suitable alternatives for development in the village. Whilst we do not propose to reiterate the information relating to the suitability of the Land South of Furzehill, we have provided commentary on the suitability of the site against some of the policy requirements within the Submission Plan. In addition, the representations provide an up to date position on the lack of alternative opportunities for future development at Sidbury.

2. Neighbourhood Plan Scope and Housing Need

Neighbourhood Plan Scope

Despite our previous representations, we remain concerned that the draft Plan continues to be primarily Sidmouth focussed, with little mention of the objectives and visions for Sidbury. None of the draft policies within the Plan are specific to meeting the future needs of this key village.

The adopted Planning Policy position for East Devon is very clear, principally through Strategy 27 of the adopted East Devon Local Plan, that the only mechanism for delivering growth to meet the needs of the District's villages, including Sidbury, is through Neighbourhood Plans, stating:

If communities wish to promote development other than that which is supported through this strategy and other strategies in the Plan (at the settlements listed above or any other settlement) they will need to produce a Neighbourhood Plan or promote community led development (for example Community Land Trusts) justifying how and why, in a local context, the development will promote the objectives of sustainable development". (underlining our emphasis).

Equally, the adopted East Devon Villages Plan states that "*where a local community prepare a Neighbourhood Plan they may specifically allocate sites and/or include criteria based on other policies for promoting development/land uses beyond the boundary*".

Given neither the adopted Local Plan or Villages Plan assign specific housing requirements to villages or define specific site allocations, and require this to be planned through Neighbourhood Plans, the Sid Valley Neighbourhood Plan is the only mechanism for delivering growth to meet the current and future needs of Sidbury. Given the absence of site allocations at Sidbury, we consider that this is will be a significant opportunity missed if the Plan continues to progress as drafted.

The reliance on development within the BUAB of Sidbury is concerning given the lack of opportunities for development in the village. When reviewing East Devon District Council's brownfield register (March 2018), it is clear that no sites are identified at Sidbury to meet future need. In addition, as set out in Section 4 of these representations, there are no opportunities for development of the edge of the village besides the Land South of Furzehill.

It is therefore unclear how the Neighbourhood Plan will deliver development to meet local housing need without allocating sites.

On page 36 of the draft Plan it is stated that "*If because of the revision of the Local Plan, a new housing target is identified for Sidmouth and the surrounding villages, then the Town Council will review the neighbourhood plan in the light of the requirement and if necessary will allocate additional development*".

Our view is that the draft Plan fails to plan for the housing needs of Sidbury and instead pushes this decision down the line to be addressed at a later review stage. Indeed, it is unclear why the allocation of the Land South of Furzehill is being so easily dismissed. Allocating the Land South of Furzehill, for example, would still require the necessary supporting technical evidence to be submitted as part of a planning application and therefore the development of the site against adopted policies and material considerations would still need to be tested through the application process. However, by allocating the site this increases flexibility for the Plan to facilitate development to respond to local housing need, rather than leave this decision to be taken at a later date.

Therefore, rather than delaying the decision to allocate land, the Plan should be more 'positive' and plan for development now.

Sidmouth Housing Needs Assessment

It appears that the draft Plan is still reliant on the Sidmouth Housing Needs Assessment, published in October 2017. Our previous representations expressed concern that this 2017 Assessment is focussed on Sidmouth and not the wider Neighbourhood Plan Area, and as a result includes no assessment of the current or future needs for Sidbury.

The Consultation Statement, published by the Steering Group in November 2018, states that "*The Housing Needs Assessment was based on the whole of the Parish not just the town of Sidmouth*". However, this statement is not supported by any further clarification and given the 2017 Assessment has not been updated since originally published we do not see how the lack of focus on Sidbury has changed. It would be much clearer and more transparent if the Assessment included a breakdown of the local housing need specific to Sidbury.

Therefore, ahead of the examination of the Neighbourhood Plan there is a fundamental lack of housing need evidence for Sidbury, and it is therefore unclear how the Plan provides a tool to respond to the needs of the village.

Notwithstanding the lack of a specific housing need assessment for Sidbury, if indeed the 2017 Assessment covers the whole Parish it is important to note the following conclusions from the report:

- *The need for additional market and affordable housing is significant as there is a mismatch between characteristics of dwellings in the parish and many current and future households, in terms of size, type tenure and affordability;*
- *planned additional supply is unlikely to meet future local need moving forward;*

The evidence supporting the draft Neighbourhood Plan raises significant concerns over the ability to meet future local need and concludes that additional housing, particularly specific types of affordable housing, must be delivered to 'close the gap'. Importantly, the evidence confirms that further assessment of local need is necessary.

Therefore, despite the lack of housing needs evidence for Sidbury, the evidence clearly confirms that there is a significant need for additional market and affordable housing in the Parish. If, as is suggested by the Steering Group, the 2017 Assessment covers the whole Parish it therefore follows that the Plan should be planning for this housing need and this should include an allocation at Sidbury to ensure the village can accommodate its share of local housing need. As it stands, the draft Plan simply follows the District level policy set out by the Local Plan and Villages Plan, and does not respond to specific evidence supporting the Neighbourhood Plan which strongly recommends additional housing is required. This further demonstrates the lack of a positive approach within the draft Plan.

3. Land South of Furzehill, Sidbury

Our previous representations outlined the sustainability credentials of the Land South of Furzehill, Sidbury. Whilst we do not propose to repeat this content, we have reviewed the Submission Plan and have set out below our assessment of the suitability of the site when reviewed against some of the draft policies.

Firstly, it should be noted that the site falls outside of the following protected areas:

- Policy 2 (protection of key views)
- Policy 3 (coalescence and green wedges)
- Policy 4 (green corridors)
- Policy 5 (local green space designation)
- Policy 6 (protected open space)

In relation to draft Policy 2, the site is not within or visible from any of the key views displayed on maps 8 and 9 on page 14 of the Plan. Our representations to the Pre-Submission Plan submitted in April 2018 included a number of photographs and panoramic views to demonstrate that the site is not visible from the identified key strategic views, but rather is completely hidden from all views. Whilst not one of the identified key views, it is acknowledged that the site is visible from views from the east of Sidbury looking towards the village. However, even from these views, the development of the site would sit against a backdrop of development to the north and south, and would be read as 'infill development' given the existing housing on both sides. This is an important consideration given that Sidbury and the surrounding land is washed over by the AONB and therefore land which is visible from any of the key views set out in Policy 2 of the draft Plan is likely to raise a significant constraint. The Land South of Furzehill would therefore be capable of accommodating small scale development without impacting on this important local policy consideration.

We also understand the inclusion of Policy 3 to ensure that an undeveloped gap is maintained between Sidmouth and Sidbury. We support the aspiration to maintain this important gap, and to ensure that Sidbury in particular maintains its own local distinctiveness. The Land South of Furzehill provides an opportunity to deliver small scale residential development which would avoid the need to encroach into such a protected area. Whilst outside of the settlement boundary, the land falls between the main part of the village and the southern element (Hillside) and therefore provides an 'infill' opportunity within the village itself.

In relation to draft policies 4, 5 and 6 the Land South of Furzehill does not fall within any of the protected open or green spaces.

Therefore, whilst located within the AONB, development of the site would not conflict with any of the local policies, visions and objectives within the draft Plan, particularly those listed above. Whilst the site falls within the AONB it is clear that the village and surrounding area is covered by this designation, and therefore any development within the village or extension to the village would need to be delivered within this designation. As a result, future development will need to be accommodated on the most suitable site, and as already demonstrated in previous representations and again in the next Section of these representations, the Land South of Furzehill is considered to be the only suitable site capable of accommodating small scale development to meet local housing need.

Finally, it is noted that Policy 16 sets out an aspiration for shared use paths for pedestrians and cyclist, with Community Action AC03 providing support for a shared path between Sidford and Sidbury. Through our engagement throughout the Neighbourhood Plan process we have confirmed our support for this link but have also highlighted that the delivery of such a link is unlikely without development funding. In this respect, the development

of the Land South of Furzehill has the potential not only to contribute towards the funding of this important link but also to deliver a section of this pathway through the site.

Currently, there is a long section of Chapel Street which does not have a footpath, and is very narrow, resulting in local residents experiencing problems when travelling from the southern end of Sidbury, past the site, towards the village centre to the north. There is a significant opportunity to deliver a section of the proposed Sidford to Sidbury 'shared path' through the Land South of Furzehill connecting to the existing footpath at Furzehill, thereby avoiding the need to negotiate a very narrow section of the A375 (Chapel Street).

4. Lack of opportunities for development at Sidbury

In order to demonstrate that the land South of Furzehill is the most suitable site for development at Sidbury, we have provided an assessment of the alternatives within this section.

Overall, development within Sidbury over the past few years has been extremely limited, primarily to householder extensions. No planning permissions have been granted for new dwellings in the village, with the exception of 7 dwellings on land referred to as 'Garages at Burnt Oak' (ref: 17/2904/OUT) for which an application received a resolution to grant approval at planning committee on 4 December 2018. This application comprises the demolition of existing garages and development of 7 no. dwellings and 7 no. garages. This site however will not benefit from planning permission until a S106 is signed, and this in itself has not resulted in new dwellings being delivered in the village, and therefore the situation in terms of housing need has not changed since the Neighbourhood Plan process commenced.

Looking at the opportunities to deliver small scale residential development at Sidbury, there are no available sites within the village to deliver a meaningful contribution to the local housing need. It would therefore require sites outside of the settlement boundary to accommodate future growth.

In total, in addition to the land South of Furzehill, and the Garages at Burnt Oak, only two other sites have previously been assessed as part of East Devon's Strategic Housing Land Availability Assessment (SHLAA). These have both been discounted due to various constraints, as follows.

SHLAA site C326

This site forms an extension of the most northerly point of the settlement boundary. The site is bound by the A375 Cotford Road to the west, the River Sid to the east and existing built environment of Sidbury to the south. Open rural fields form the lie beyond the northern boundary of the site.

The most significant constraint to the development of this site is the location within a flood zone given the low lying nature of the site.

Secondly, access to this site is dependent on link to the A375 Cotford Road. This part of the road is straight and therefore the traffic speeds on this part of the road are likely to be quicker than in other parts of Sidbury, especially when approaching the village from the north. In addition, the cottage to the south of the site is built up to the road line limiting visibility to the south when pulling out of the site. Furthermore, pedestrian access to the services and facilities is poor as a significant section of the highway to the south of the site is without the benefit of a footway. We therefore suggest that this site is unsuitable with regards to vehicular and pedestrian access.

Finally, the site is covered by significant mature trees and vegetation planting. Without the benefit of an ecology survey it is not possible to ascertain whether there are any protected species on the site. However, the site is adjacent to the River Sid which may form a wildlife corridor, with some of the mature trees on site possibly providing suitable opportunities for habitats, especially nesting birds and bats.

The Parish Council also rightfully had reservations about the suitability of this site stating 'Impact on the landscape and flooding was also seen as a major problem for particularly the Cotford site (C326)' (our emphasis). Given these points, we consider that this site is not suitable, available or achievable.

SHLAA Site C119

The site comprises land to the rear of Fore Street in the historic core of the village, and is outside, but adjacent to the conservation area. There is privately owned vehicle access to the site which is bounded by and contains a significant number of mature deciduous trees.

This site was assessed as part of the 2010 SHLAA, but was discounted as a result of “*inadequate highway access*”, and was deemed ‘unachievable’.

In addition, the site falls in close proximity to watercourses and therefore is likely to be at risk of flooding.

Conclusion

In conclusion, there has been an unsurprising lack of residential development at Sidbury in recent years and the opportunities for future development are considered extremely limited. It is acknowledged that 7 dwellings are likely to be delivered at the Garages at Burnt Oak, however in the face of a growing housing need, set out in the supporting 2017 Housing Needs Assessment, this will not make a meaningful and much needed contribution to this outstanding need.

It is clear when reviewing the limited opportunities for future growth at Sidbury that there are no suitable sites within the village to accommodate residential development of an amount required to meet the growing housing need. Indeed, any sites within the village are likely to be limited to single dwelling plots and may well be restricted by various constraints including the Conservation Area, highways, access and flood risk. It would therefore require sites outside of the settlement boundary to accommodate future growth.

The only site outside of the settlement boundary capable of accommodating small scale residential development commensurate with the size and scale of Sidbury is the Land South of Furzehill, Sidbury. Only two other alternative SHLAA sites exist which have already been discounted due to significant technical constraints including lack of access and flood risk.

As a result, we consider that the Land South of Furzehill represents the most suitable and sustainable site for residential development within Sidbury and should be considered for allocation within the emerging Neighbourhood Plan.

5. Response to Draft Policies

Policy 1 (Sid Valley Development Principles)

We continue to highlight that draft Policy 01 should include additional flexibility to facilitate the delivery of development outside of BUAB's where such development would be consistent with all other policies in the Plan and represent sustainable development. Whilst there is reference in the policy to a 'positive approach' to development proposals, it is considered that the policy would benefit from increased flexibility to respond to an identified local housing need.

As a result, we recommend again that new wording is incorporated into Policy 01 to make it clear that should land which is suitable and sustainable be available to deliver housing to meet an identified need, a positive approach will be taken to facilitate the development of such sites.

In the absence of such wording, or any specific site allocations, we are concerned that the Neighbourhood Plan will not be positive and will not provide a mechanism for development to address the housing needs of Sidbury.

Policies 2 – 6 (Built and Natural Environment)

As set out in the previous Section, the inclusion of the environmental policies 2 – 6 is supported. The Land South of Furzehill provides a significant opportunity to deliver small scale residential development without impacting on these locally designated areas.

Policy 10A (Residential Development)

As per comments made in response to draft Policy 1, it is considered that Policy 10A should include flexibility to respond to an identified local housing need, and that wording should be incorporated to make it clear that should land on the edge of settlements, which is suitable and sustainable, be available to deliver housing to meet an identified need, a positive approach will be taken to facilitate the development of such sites.

Currently Policy 10A restricts development to sites within the BUAB and on brownfield sites, however there are currently no sites identified for Sidbury on the District Council's brownfield register, and no sites available within the village to accommodate development. It is therefore unrealistic to expect development within Sidbury itself and alternatives outside of the village must be explored. Should there be a shift in housing land supply, or should a specific housing need be identified for Sidbury, the Plan must be flexible to respond to these changes and to plan positively to avoid speculative planning applications in the future.

Policy 10B (Exception Sites)

It is noted that draft Policy 10B is consistent with adopted District wide policy on exception sites, and does not therefore propose anything different in this regard.

We consider that a caveat should be added to policy 10B to confirm that where viability considerations indicate that the requirement of 66% affordable housing cannot be delivered such proposals will be treated favourably.

Policy 16 (Shared Use Paths)

We support Policy 16 and, as stated in the previous section, there is an opportunity to deliver a section of the Sidford to Sidbury pathway through the Land South of Furzehill, thereby avoiding the need to negotiate a very narrow section of the A375 (Chapel Street). The Steering Group is encouraged to explore this opportunity before the Plan advances through examination.

6. Conclusion

Despite providing comments throughout the Neighbourhood Plan process, it appears that the Submission Version of the Sid Valley Neighbourhood Plan still fails plan for the future needs of Sidbury.

At a national level, the National Planning Practice Guidance states that *“A neighbourhood plan can allocate additional sites to those in a Local Plan where this is supported by evidence to demonstrate need above that identified in the Local Plan”*.

Given the evidence presented in the supporting Sidmouth Housing Needs Assessment confirms that housing supply will not match demand and that additional housing is required, the Neighbourhood Plan must take this opportunity to positively plan for future growth and not simply ‘fall in line’ with the adopted Local Plan. Indeed, given the Local Plan and Villages Plan are both adopted and provide District level policy, the Sid Valley Neighbourhood Plan is the only mechanism for delivering growth to meet the current and future needs of Sidbury, and this is still an opportunity currently missed within the draft Plan.

It is particularly disappointing that no housing need evidence specific to Sidbury has been prepared. Given this lack of focus on Sidbury and the lack of any draft allocations for small scale residential development at the village, we consider that the plan is silent on any proposals or objectives to meet the current and future needs of Sidbury, and the Plan is therefore considered unsound.

It is unclear why the Neighbourhood Plan, which is proposed to cover the period to 2032, is not seeking to plan positively for this period to ensure the vitality and viability of Sidbury is retained. Instead, if the Neighbourhood Plan is adopted in its current form it will not be sufficiently flexible to respond to change, particularly opportunities to deliver small scale residential development, commensurate to the size and scale of the village, to provide a mix of housing, including affordable housing.

Whilst the Plan includes Policy 10B, this only allows for ‘exception sites’ of at least 66% affordable housing, and does not provide flexibility if, for example, viability considerations indicate that such a proportion would render a scheme unviable.

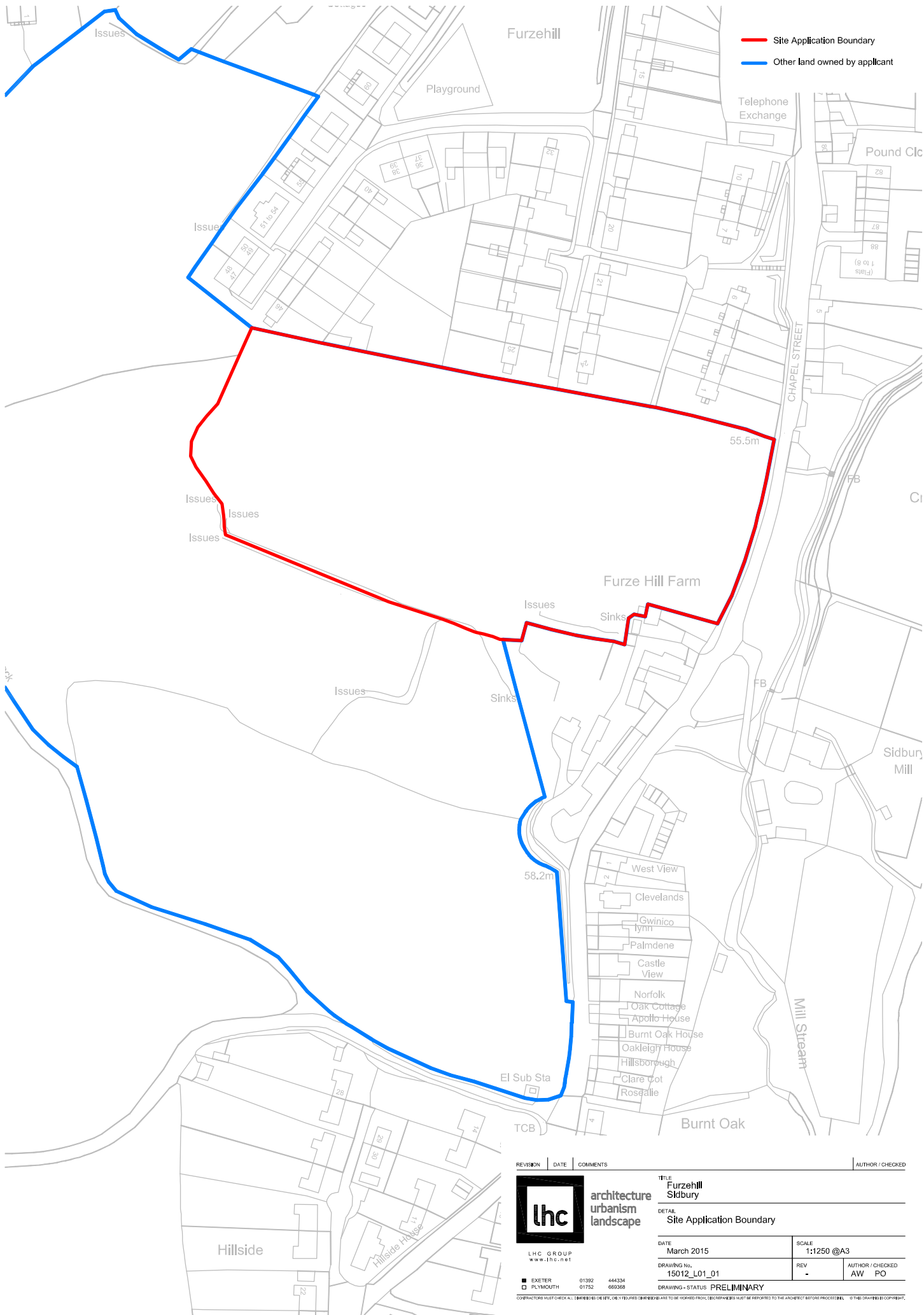
Rather than simply relying on the draft policies within the Neighbourhood Plan, it is considered prudent to allocate land at Sidbury within the Plan now to ensure that the Plan is sufficiently flexible to address the local housing need. By not allocating land at Sidbury, the Neighbourhood Plan is failing to plan properly and is simply delaying the decision to address housing need until a later stage. It is strongly considered that the Plan should be more ‘positive’ and plan for development now in the face of evidence which has been prepared.

As set out in representations throughout the Plan preparation process, there are no sites within the settlement boundary of Sidbury capable of delivering residential development to respond to local housing need. It is therefore unclear how the Neighbourhood Plan will deliver development to meet local housing need without allocating sites outside of the settlement boundary. In this respect, the Land South of Furzehill is the only suitable site capable of accommodating residential development.

Allocating the Land South of Furzehill would not only provide certainty over future delivery but also the development of the site would provide a number of benefits including the delivery of a mix of housing to meet local identified need, and the provision of a section of the Sidford to Sidbury shared path providing a ‘safe’ route away from an otherwise narrow section of the A375 (Chapel Street).

We request that the comments set out in these representations are carefully considered in progressing the Neighbourhood Plan towards examination. We strongly consider that the approach to allocations should be reconsidered and that time should be taken to explore the allocation of the Land South of Furzehill, Sidbury, in order to provide certainty over the delivery. The site is suitably located to accommodate approximately 20 – 25 dwellings, future growth to meet local needs, is available now, and is therefore deliverable as well as developable.

Appendix 1 Site Location Plan



— Site Application Boundary
— Other land owned by applicant

REVISION	DATE	COMMENTS	AUTHOR / CHECKED
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**architecture
urbanism
landscape**

TITLE
 Furze Hill
 Sidbury

DETAIL
 Site Application Boundary

DATE
 March 2015

SCALE
 1:1250 @A3

DRAWING No.
 15012_L01_01

REV
 -

AUTHOR / CHECKED
 AW PO

DRAWING - STATUS
 PRELIMINARY

LHC GROUP
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 PLYMOUTH 01752 666358

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