

From: SPDC <>
Sent: 09 November 2021 16:56
To: Totnes Town Clerk
Subject: RE: Totnes Neighbourhood Plan - Consultation on a New Policy: C12 - Former Dairy Crest Site

Dear Sara,

Thank you for giving us an opportunity to comment on the proposed new policy about the Former Dairy Crest Site.

Environment Agency position

We have no in principle concerns with a policy relating to the Former Dairy Crest Site forming part of the Totnes Neighbourhood Plan, provided that environmental benefits previously secured through the Joint Local Plan Policy (TTV22) and the Community Right to Build Order will still be delivered. In particular, this relates to flood risk mitigation measures, remediation of contaminated land and habitat enhancement.

Our detailed comments on the policy and development brief are provided below.

Policy C12

Point 2 – We support the inclusion of bullets relating to flood risk mitigation and management, and the wildlife corridor that follows the River Dart (note – it might be worth stating the Biodiversity Net Gain requirements for this site within the policy). However, we note that there is no mention of contaminated land. We consider that remediation of contaminated land should be listed as a separate improvement to be sought from the development of this site.

Point 4 – The site is within Flood Zone 3, however there appears to be some confusion regarding the application of the flood risk Sequential Test. We understand that this site already satisfied the Sequential Test in order for it to be allocated within the Joint Local Plan. If this is the case, the test does not need to be applied again. However, a 'sequential approach' should be taken to the layout of the development – this means that the masterplan for the site should place the highest risk development (i.e. houses/hotel etc. which are classed as 'more vulnerable' to flooding in table 2 of the National Planning Practice Guidance) at the lowest risk possible. This should ideally be undertaken before mitigation measures (such as site raising) are applied. However, given the wider benefits offered by the previous scheme, the accepted design solution incorporated the creation a raised platform for development, offset by areas of lower land adjacent to the river to compensate for loss of flood storage and provide enhanced habitat.

In order for new development to be permitted it will need to satisfy both parts of the Exception Test. The first part requires consideration of the wider sustainability benefits offered by the development of this site. In order to satisfy the second part, any developer will need to undertake a site-specific Flood Risk Assessment, which demonstrates that the development will be safe from flooding over its lifetime, will not increase flood risk elsewhere and will improve flood risk for the town. To demonstrate this, the flood risk modelling will need to be updated to include the current climate change allowances (which changed in 2019/2021). This modelling

work will provide a better understanding of the flooding constraints and opportunities, and may alter the previous flood outlines and development area within the site.

Point 5 – We recommend that the development brief is supported by flood risk evidence.

Appendix E C12 (Development Brief)

1.2 – We are pleased that the need to complete the Totnes flood prevention scheme is stated.

1.4 – We support objectives g and h, but note a spelling error in h which states ‘food’ defence rather than ‘flood’ defence. We consider that remediation of contaminated land should be listed as an objective for this site.

2.2 –

Point f) – Energy Centre: Note – whilst this is welcome, we are unlikely to be able to support a further HEP (hydroelectric power) scheme in this location, given the built scheme on the weir and impacts on water abstraction, etc.

Point l) – This will require parts of the site to be raised to create a development plateau, and other parts lowered to compensate for loss of flood storage/conveyance. This is in addition to the work to the leat to complete the Totnes flood prevention scheme. The whole site will also need to incorporate safe access and egress routes above the flood risk level to a suitable off site assembly point. The flood modelling will need to be updated using current climate change allowances to inform the Flood Risk Assessment and the final design/layout of the development.

Please contact us again if you require any further advice.

Kind regards

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Environment Agency – Devon, Cornwall and the Isles of Scilly Area