

**EAST DEVON LOCAL PLAN:
ADDITIONAL WORK FOLLOWING HEARING SESSIONS**

Statement of Common Ground
EDDC and East Devon New Community partners:
Delivery of Cranbrook and Habitats Regulations Assessment

27 August 2015

Common Ground agreed between:

East Devon District Council

**East Devon New Community
partners**

Signed by:



*STRATEGIC LEAD
(Licence, Licensing + Democratic Services)*

Signed by:



**N Freer – Partner (on behalf of
David Lock Associates Ltd)**

Dated: 27th August 2015

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1 INTRODUCTION

- 1.1 East Devon District Council (EDDC) and East Devon New Community partners (EDNCp) have jointly prepared and submitted a Statement of Common Ground to the Local Plan Examination into the East Devon New Local Plan. The Statement of Common Ground, dated 17 June 2015, addressed the development of Cranbrook, its expansion and the delivery of the new town. It remains a key document for the Local Plan Examination.
- 1.2 Following the hearing sessions held in July 2015, the Council has set out a programme of additional work in response to the tasks identified by the Local Plan Inspector. One of the identified areas of additional work relates to housing delivery having regard to the requirement for, and delivery of, mitigation associated with any impacts on the Exe Estuary and Pebblebed Heath SPAs and the relevant Habitats Regulations Assessments (HRA). The task is set out in correspondence from the Council to the Inspector dated 16 July 2015, and from the Inspector to the Council dated 17 July 2015.
- 1.3 East Devon District Council is preparing a comprehensive response on the issues raised in relation to Habitats Regulation Assessment and the Local Plan in general. The purpose of this second Statement of Common ground between EDDC and EDNCp is to provide further information specifically in relation to the delivery of Cranbrook, having regard to the Council's Habitats Regulation Assessment.
- 1.4 The Statement of Common Ground demonstrates that both parties are working together and progressing a range of options which, individually or in combination, will ensure that the impacts of the expansion of Cranbrook on Special Protection Areas are assessed and mitigated in full.

2 MITIGATING THE IMPACT OF CRANBROOK

Introduction

2.1 In relation to Cranbrook the Revised Draft New East Devon Local Plan (Strategy 12) provides for:

- 6,300 new homes at Cranbrook within the existing consented scheme (approximately 3,500 new homes) plus defined expansions to the west and east of the town;
- a further 1,550 new homes to be accommodated at Cranbrook through further expansion within the wider Cranbrook Plan Area but outside those areas designated as Neighbourhood Plan areas; and
- any intensification of the existing development which would also contribute towards the additional 1,550 dwellings to be provided at Cranbrook.

2.2 In total, therefore, 4,370 new homes are allocated at Cranbrook in Strategy 12 and in Strategy 2 (Setting and Distribution of Residential Development) - to be completed within the plan period.

2.3 Strategy 12 re-states the longstanding commitment to deliver Cranbrook in a phased and co-ordinated manner – not least in the delivery of new and necessary infrastructure. The existing Statement of Common Ground on Cranbrook highlights the demonstrable co-operation and commitment of the many bodies, public and private sector in the delivery of Cranbrook to date and in particular the implementation of a co-ordinated package of infrastructure whether transport and highway infrastructure, community and social infrastructure, combined heat and power or green infrastructure – with delivery often preceding, or progressing ahead of, the delivery of the new homes within the town. The success of the model is evidenced not only by the infrastructure being there and the high levels of resident satisfaction in Cranbrook, but the high profile of Cranbrook on the national political and planning stage (evidenced not least by repeated ministerial visits).

Mitigating the Impacts of Cranbrook on Special Protection Areas to Date

2.4 In the implementation of Cranbrook to date, full account has been taken of the potential impacts of the development on the Special Protection Areas.

2.5 Outline Planning permission was granted in October 2010 for the initial 2,900 dwellings plus town centre and employment and related infrastructure and including country park. Prior to consent being granted, an Appropriate Assessment was

- completed by the Competent Authority – East Devon District Council – advised by Natural England. The Appropriate Assessment considered the nature of the potential impacts of the development and the measures available to mitigate such impacts.
- 2.6 Mitigation was agreed at that time and built into the planning permission – sufficient to conclude that there would be no significant effects on any European site based on the standards applicable at that time.
- 2.7 Detailed planning permission was subsequently granted for an additional 587 dwellings within the area covered by the outline planning permission, in November 2014 (13/1752/MFUL). A further Appropriate Assessment was undertaken with mitigation in this instance agreed to comprise financial contributions in accordance with the South East Devon European Sites Mitigation Strategy, 2014 [SEDESM].
- 2.8 It may be concluded that a proactive and co-operative approach has been consistently adopted by EDDC, EDNCp and other statutory parties in ensuring that the impacts of development at Cranbrook on Special Protection Areas are fully assessed and appropriately mitigated.

Mitigating the Impacts of Cranbrook's Expansion

- 2.9 The existing Statement of Common Ground sets out the various applications for the expansion of Cranbrook. Primarily, but not exclusively, these comprise applications by the East Devon New Community partners as follows:

Cranbrook West

15/0045/MOUT: The expansion of Cranbrook comprising up to additional 820 residential dwellings, one 1-form entry primary school, a cemetery and associated building, sports and recreation facilities including children's play, an extension to the country park, green infrastructure (including open space), community uses (including non-residential institutions) and cemetery. Access from former A30, landscaping, engineering (including modelling and drainage) works, demolition, associated infrastructure and car parking for all uses. All matters reserved except access.

Cranbrook East

15/0047/MOUT: Up to 1,750 residential dwellings, one 2-form entry primary school, local centre comprising up to 1,000sq m of A1 uses plus A2, A3, A4, A5 uses and up to 1,250sq m B1 Business use. Sports and recreation facilities including children's play, green infrastructure (including open space), community uses (including non-residential institutions), assembly and leisure, landscaping and allotments. Access from former A30, engineering (including ground modelling and drainage) works, demolition, associated infrastructure and car parking for all uses. All matters reserved except access.

Cranbrook South

15/0046/MOUT: The expansion of Cranbrook comprising up to an additional 1,550 residential dwellings, 40,000 sq m of employment (B1, B2, B8), one 2-form entry primary school, a local centre comprising of up to 1,000sq m of A1 uses plus A2, A3,

A4, A5 uses and up to 1,250sq m B1 business use. Sports and recreation facilities including children's play, green infrastructure (including open space), community uses (including non-residential institutions), assembly and leisure. Access from former A30, landscaping, allotments, engineering (including ground modelling and drainage) works, demolition, associated infrastructure and car parking for all uses. All matters reserved except access.

- 2.10 Responses have been received from the statutory and other relevant consultees, in respect of the relationship of Cranbrook with the designated European sites within the area.
- 2.11 Addressing the three expansion applications collectively, Natural England is concerned in particular with the need for mitigation to be set out: *"Prior to granting permission your authority must be satisfied that adequate mitigation can and will be provided for a development of this scale in this location"*.
- 2.12 In particular, Natural England recommends that prior to any permission being granted, clarity is provided on the mitigation offered by the applicant and indeed agreed with the Local Planning Authority. Specifically clarity is sought as to whether mitigation should comprise *"financial contributions and/or provision of Suitable Alternative Natural Greenspace (SANGS) in line with the SEDESMS and the Joint Approach of your authority, Teignbridge and Exeter to implementing that strategy"*. Options for mitigation therefore exist.
- 2.13 Similarly the National Trust has responded to the three applications collectively. The National Trust states that it owns the 2,585 hectares of the Killerton Estate which borders the site of Cranbrook new community and provides one of the most popular green space destinations for residents of Exeter and East Devon. The NT draws attention to the Killerton Estate and Ashclyst Strategic Project, and the plans to make full use of the leisure and recreational facilities at the Forest, as an important element of the Exeter and East Devon Green Infrastructure Strategy. It further:
- notes the potential of access to the Killerton Estate to contribute as part of the Clyst Valley Regional Park and as SANGS;
 - identifies the opportunity for Cranbrook expansion to contribute towards wider green infrastructure; and
 - expresses the Trust's willingness to engage as a stakeholder in the progression of the wider Cranbrook expansion proposals.

3 MATTERS OF AGREEMENT ON FUTURE MITIGATION

Overall Conclusion

- 3.1 EDDC and EDNCp agree that a suitable mitigation strategy for the expansion of Cranbrook is realistic and deliverable.

Broad and Specific Options for Mitigation

- 3.2 There is a broad range of options for mitigation of the impact of development at Cranbrook.

- 3.3 At the general level this continues to include the provision of financial contributions towards the implementation of measures within the South East Devon European Sites Mitigation Strategy as set out in 2014, or as may be modified in terms of the mitigation schemes that are proposed within that Strategy. Such financial contributions could in themselves be sufficient to adequately mitigate the impact of Cranbrook's expansion.

- 3.4 At the specific level, the parties are making substantive progress in the identification of suitable and deliverable SANGS proposals in the event that this comprises the finalised mitigation strategy (or a significant part of it). These are set out below.

Specific Options for the Provision of SANGS

- 3.5 Should the mitigation strategy comprise the provision of SANGS, a standard of 8 hectares per thousand people generated by the development is understood to be a benchmark level employed subject to provision being of an appropriate quality and character. Consistent with this, the specific requirement of a SANGS based mitigation strategy were set out in the consultation responses of the Exeter and East Devon Green Infrastructure manager on the current expansion applications. The requirements are described as follows:

West expansion area	about 14 hectares
Eastern expansion area	about 31 hectares
Southern expansion area	<u>about 27 hectares</u>
Total	about 72 hectares

Green Infrastructure within the Application Sites

- 3.6 Within the application areas, it is recognised within the various consultation responses that considerable provision is made for green infrastructure. Copies of the application proposals – with high level land use budgets - are provided for ease of reference in Appendix 1 of this SOCG.

- 3.7 Broadly speaking a total of some 95 hectares of Green Infrastructure/Country Park/Parkland is included in the application sites (about 14 hectares in the west and 42 hectares in both the east and south) including areas for water attenuation but excluding sports pitches.
- 3.8 In principle, such provision in the new applications have the capacity and ability to function as SANGS
- 3.9 EDDC and EDNCp, in consultation with other key stakeholders, is working towards agreeing the extent to which the greenspace provision made within the expansion areas application sites could perform the role of SANGS, having regard to the size and particular characteristics of individual parcels/elements of the green infrastructure provided within the applications. A substantial proportion has the potential to function as SANGS.
- 3.10 The existing SOCG notes that the outcomes of the EDDC master planning process and the present application process are likely to result in amendments to the applications and/or the need for new applications. Additional opportunities to provide for SANGS within the existing application sites may arise, or provided for as necessary, as a result.

Killerton Estate and Ashclyst Forest

- 3.11 EDNCp have previously provided to the Examination¹, correspondence from the National Trust to Hallam Land Management (one of the EDNCp). Again, for ease of reference, the letter, dated 3 July 2015, is appended to this SOCG (Appendix 2).
- 3.12 The letter documents:
- the Trust's commitment to the principle of developing the Killerton Estate and Ashclyst Forest as a recreation and leisure asset for existing and future local communities;
 - the shared objective of the Exeter and East Devon Green Infrastructure Strategy in this regard;
 - an ongoing process of, and commitment to, engagement, by all of the relevant stakeholders;

¹ Email to Programme Officer 10 July 2015

- the Trust's preparation of a Prospectus for Action to include the implementation of a plan for green infrastructure; and
- the Trust's current investigation of positive opportunities to meet the Trust's objectives through SANG provision within the Estate and Forest.

3.13 EDDC and EDNCp consider that productive discussions have taken place with the National Trust and that the agreement in principle of the Trust regarding the expansion of recreational uses within the Estate and Forest presents a substantive option for the identification and delivery of SANGS to mitigate, as necessary, the impact of Cranbrook.

Additional Land Controlled by EDNCp

3.14 A further substantial and deliverable option to provide SANGS to mitigate the specific impacts of Cranbrook arises in the form of land controlled by EDNCp outside of, but immediately adjacent to, the present planning application boundaries.

3.15 As is evident from the present application proposals for the "southern expansion area", set out for convenience in Appendix 1 to this SOCG, large areas of green infrastructure are proposed within the eastern part of that application site. In addition, EDNCp controls substantial areas of additional land to the east and south of this southern application site. It is in the same ownership as that which is included in the southern expansion area.

3.16 The area of additional land controlled is shown on plan WCN053 -003 attached in Appendix 1 and comprises in total an additional 36 hectares of land that is potentially available and could fulfil the purposes of SANGS. The land would connect directly with the proposed areas of green infrastructure/SANGs within the southern expansion application.

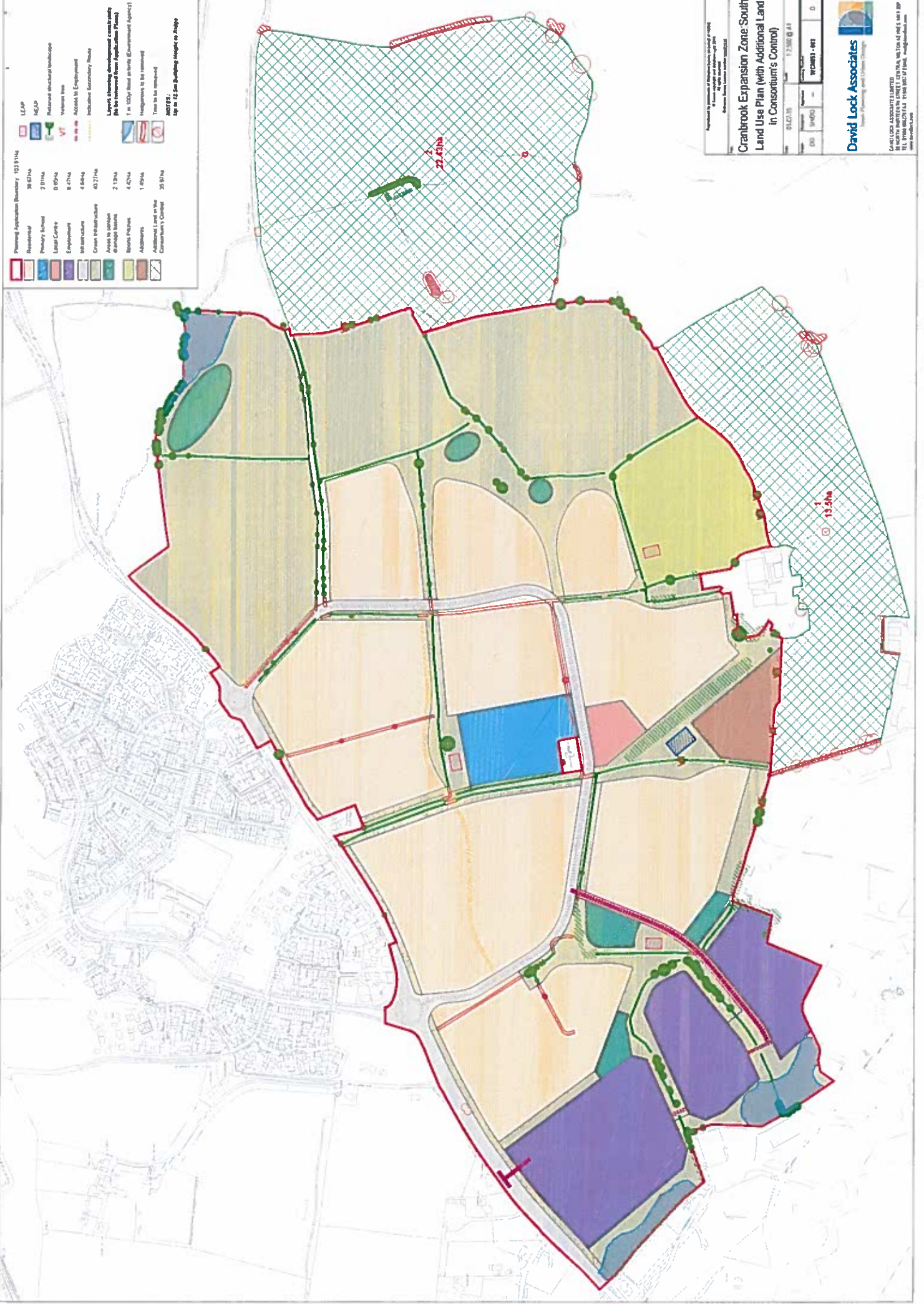
3.17 The easternmost additional land (22 hectares) is already included within the Clyst Valley Regional Park (as set out in Strategy 10 of the Local Plan), having been identified as suitable for this purpose, and its use as SANGS in this location would further contribute to the objectives of the Park.

3.18 It is agreed that subject to its detailed design (and that of the southern expansion area) and further assessment work, that such land could be suitable for the purposes of SANGS and would be deliverable. The delivery of such SANGS in this location is specific to Local Plan proposals for the expansion of Cranbrook as set out in Strategy 12.

Summary and Conclusion

- 3.19 This SOCG demonstrates that there are number of options which are suitable and available to address the need for mitigation, as necessary, of the impact of Cranbrook's expansion on the Special Protection Areas within the area.
- 3.20 Discussion of these options, each capable of making substantial contributions as SANGS, is being progressed in the context of discussions on the present applications.
- 3.21 The final mitigation strategy to be agreed will be able to draw from the suitable options set out above, individually or in combination.
- 3.22 The provision of SANGS within or beyond the application site(s) would be anticipated to take place on a phased or staged basis.

APPENDIX 1



- | | |
|---|---|
| Planning Application Boundary 103.17ha | LEAP |
| Residential 38.67ha | NGDP |
| Primary School 2.01ha | Retained structural landscape |
| Local Centre 0.82ha | Various uses |
| Employment 8.47ha | Access to Employment |
| Infrastructure 4.84ha | Initiative Secondary Phase |
| Green Infrastructure 45.27ha | Layers showing development consistency to be removed from Application Plans |
| Areas to contain Strategic Assets 2.79ha | 1 in 100yr Flood (Environment Agency) |
| Sports pitches 1.62ha | Heightwork to be removed |
| Advertisements 1.62ha | Trees to be removed |
| Additional Land to the Consortium's Control 35.87ha | 12.5m Building Height no slope |

Approved by members of Cranbrook South Local Council on 16th November 2016
 Cranbrook Expansion Zone South
 Land Use Plan (with Additional Land
 in Consortium's Control)

Date	04.02.16	Scale	1:2,500 @ A1
Drawn	SHD	Checked	WCHS - 093
Disc		Author	D

David Lock Associates
 Town Planning and Urban Design

DAVID LOCK ASSOCIATES LIMITED
 11, PRINCE STREET, LONDON, W1P 2JQ
 TEL: 020 7637 2111 FAX: 020 7637 2112 www.davidlock.com

APPENDIX 2



**National
Trust**

Toby.fox@nationaltrust.org.uk
Direct line: +44 (0) 01392 883113

3 July 2015

Mr N Duckworth
Hallam Land Management Ltd
3 Apex Court
Woodlands
Bradley Stoke
Bristol
BS32 4JT

RECEIVED

Dear Mr Duckworth

National Trust Killerton Estate

Thank you for attending at Killerton House recently with colleagues from the National Trust and local stakeholders to discuss the opportunities for the Trust to be involved in the Growth Point. You asked me to confirm the Trust's 'in principle agreement' to be involved in developing and delivering green infrastructure. I thought it might be helpful to set out the following;

In 2009, the National Trust was involved in discussions to inform the Green Infrastructure Strategy – Phase II for the Exeter Area and East Devon Growth Point. At the time our officers negotiated to ensure that the Killerton Estate was recognised and included as a Strategic Project as part of the Monkerton – Cranbrook Area Framework Plan. This included ambitions to enhance the Killerton Estate and Ashclyst Forest as a key recreation and leisure asset and valuable wildlife habitat. The GI Strategy also proposes delivering the Clyst – Killerton Greenway between Broadclyst and Clyst St Mary.

In 2012 the National Trust hosted a meeting at Killerton House with yourself and other representatives from the development consortium, Devon County Council, East Devon District Council, Broadclyst Parish Council and Natural England. The meeting was organised to bring together the key players locally and explore how the National Trust could play its part in the development of the Growth Point.

In 2013 the National Trust and the Development Consortium held joint discussions on proposals for green infrastructure enhancements at Ashclyst Forest and also for a discounted National Trust bulk membership purchase. Neither of these proposals came to fruition at the time but I would hope you would agree that the principle of both of these proposals could potentially be resurrected if required.

National Trust
Devon Office, Killerton House
Broadclyst, Exeter
Devon EX5 3LE
Tel: +44 (0)1392 881691
Fax: +44 (0)1392 881954
www.nationaltrust.org.uk

President: HRH The Prince of Wales
Regional Chair: Clare Broom
Regional Director: Mark Harold

Registered office:
Heelis, Kemble Drive, Swindon, Wiltshire SN2 2NA
Registered charity number 205846



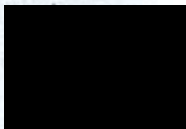
Since then the National Trust has been actively involved in the Growth Point locally, through attendance at Cranbrook Delivery Partners meetings and through our representation on the Green Infrastructure Board. We have commissioned Land Use Consultants to produce our own Prospectus for Action (in response to the Growth Point) which we hope to share publicly in the next few weeks. One of the recommendations from this Prospectus is for the Trust to appoint its own dedicated project officer to liaise proactively with partners to develop and implement a delivery plan for green infrastructure locally.

Hopefully you will agree that the Trust has recognised the need to play its part in the Growth Point and is committed to developing the opportunities provided by the Killerton estate. The Trust would like to see the new settlement at Cranbrook become a genuinely sustainable and exemplary form of development which looks beyond its boundaries by being developed in the context of landscape scale strategic green infrastructure projects, which are not only a resource for the new community but help mitigate the impact of development on other local, protected areas. The Trust is committed to the principle of developing the Killerton estate as a recreational asset for existing and future local communities, and working with all stakeholders in that regard. The Trust is currently investigating the possibilities provided by SANGs provision in working towards this objective, and aims to clarify its position on this further shortly.

I hope that this letter will provide the re-assurance you are seeking at this stage.

Finally, I enclose for your information a copy of the Trust's recently launched strategy Playing Our Part. I look forward to seeing you again at our next meeting on 22 July.

Yours sincerely



Toby Fox
Assistant Director Operations

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Cont/d

