

# Matter 1 - Legal Compliance, including the Duty to Co-operate

Issue 1: Overall, has the Plan been prepared in accordance with the relevant legal requirements?

## **Q4. Is the plan compliant in relation to the East Devon Local Plan 2016 (EDLP)?**

Following our initial representation stating how the plan fails to comply with a number of strategies within the EDLP, further reasoning has been identified to support this argument. The following arguments focus on issues highlighted in the various Sustainability Appraisal (SA) documents compiled by the Land Use Consultants (LUC) in the preparation of both the EDLP and Cranbrook Plan.

Within their various SA documents, LUC have consistently highlighted the **significant negative impact** of Southern expansion in relation to built and historic assets, at variance with SA objectives, and failing to comply with Strategy 6 of the EDLP. See commentary in Figure 1 of the Appendix, taken from Page 27 of the [Sustainability Appraisal Report West End Addendum Report](#) (October 2012).

Furthermore, LUC have also persistently highlighted a **significant negative effect** when it comes to SA objectives promoting the conservation and wise use of land and protection and enhancement of the landscape character of East Devon. This is in direct opposition to Strategy 3 of the EDLP, which stresses that development is to be undertaken “in a way that minimises harm and enhances biodiversity and the quality and character of the landscape”, and Strategy 7, which rules against development which would cause “adverse disruption of a view from a public place which forms part of the distinctive character of the area or otherwise causes significant intrusion”.

See commentary in Figure 2 of the Appendix, taken from Page 27 of the [Sustainability Appraisal Report West End Addendum Report](#) (October 2012).

# Appendix

## Figure 1

### Cranbrook – Site W123 – Southerly Expansion Option: SA Objective 8.

Taken from Page 27 of the [Sustainability Appraisal Report West End Addendum Report](#) (October 2012).

8: To maintain and enhance built and historic assets	--?	<p>There are very few historic features at/within the Cranbrook however the old A30 on the northern boundary of the site forms part of the Fosse Way roman road. Rockbeare village lies close to this site option and the village has number historic buildings that are close to the site and whose setting could be <b>adversely affected</b>. There will be potential for impacts on the wider landscape for this option and it would sit on land that is designated as a Green Wedge under existing and emerging plan policy. Consultation feedback stressed importance attached to this Green Wedge and avoidance of coalescence between Cranbrook and Rockbeare. <b>Development of the site would significantly impact on the Green Wedge/settlement separation consideration.</b></p>
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## Figure 2

### Cranbrook – Site W123 – Southerly Expansion Option: SA Objective 9.

Taken from Page 27 of the [Sustainability Appraisal Report West End Addendum Report](#) (October 2012).

9: To promote the conservation and wise use of land and protect and enhance the landscape character of	-	<p>The site is away from protected landscapes (notably AONBs and the coast) but visible form a number of vantage points. The site is very large and on greenfield land which means that there will be <b>negative effect in relation to the wise use of land</b>. The landscape character would be <b>adversely affected</b> because it would <b>impinge significantly on the Green Wedge and the separation of Cranbrook and Rockbeare.</b></p>
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SA Objective	SA Score	Justification and Commentary - Cranbrook – Site W123 – Southerly Expansion Option
East Devon		