



Cranbook Plan
Examination in Public
Matter 3
Hearing Position Statement

Boyer

CRANBROOK PLAN

EXAMINATION IN PUBLIC

MATTER 3: HOUSING STRATEGY

BOYER ON BEHALF OF MR & MRS PYLE / HARROW ESTATES PLC

REP ID: 144

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1. INTRODUCTION

- 1.1 On behalf of our clients, Mr & Mrs Pyle/Harrow Estates Plc, Boyer has prepared this Statement in relation to Treasbeare Farm, which comprises approximately 65 ha of land and is proposed to be allocated for development through Policy CB3.
- 1.2 Both parties fully support this allocation (save for the comments made in the representations made to the Submission Draft and those contained in the Hearing Statement to the Examination) and are working with the Council to prepare a Statement of Common Ground.
- 1.3 For clarity, and as explained in Examination Document PSD2 (Planning Application Summary 2019) the site is subject to two separate planning applications currently held in abeyance (LPA Ref: 15/0045/MOUT and 17/1482/MOUT). These applications were made by Hallam Land and Taylor Wimpey UK Ltd. The Option Agreements prevailing at the time of these applications have now expired and Mr and Mrs Pyle (Landowners) have now agreed terms Harrow Estates plc.

2. QUESTION 37

Will the plan provide for a choice and mix of housing to meet the needs of different groups in the community?

- 2.1 This question is for the Local Planning Authority to answer. However, in terms of the Treasbeare Expansion Area (Policy CB3), we are of the view that the residential-led mixed-use allocation at will provide for a choice and mix of housing to meet the different groups in the community.

3. QUESTION 38

Do the expansion area policies provide sufficient clarity and guidance for plan users and are any main modifications necessary for soundness?

- 3.1 Our response to the specific policy requirements for the Treasbeare Expansion Area are set within our Matter 5 Statement. However, in general terms, we consider that the policies provide for sufficient clarity and guidance. That said, they would benefit from revisions for the reason set out in our associated Statement.

4. QUESTION 39

Does the amount of housing proposed for Cranbrook accord with the EDDP taking into account the following: built homes, those with planning permission, previous allocations which have been subsumed into the new expansion areas and those now proposed in the plan which have not been previously allocated?

- 4.1 The East Devon Local Plan (2016) identifies Cranbrook as providing around 6,300 new homes up to 2031. Beyond this, the Local Plan requires Cranbrook to supply a further 1,550 homes in accordance with the Cranbrook Plan. Strategy 12 sets out the Cranbrook will deliver in the order of 7,850 dwellings
- 4.2 Examination Document **PSD4 (Table 3)** provides a breakdown of the housing figures for Cranbrook, identifying a total housing figure of 'around 7,850'. This is satisfied through existing permissions and allocations brought forward from Local Plan Strategy 12 and allocations amounting to around 4,170, resulting in a provision of 7,670 homes, with an additional windfall allowance.
- 4.3 The alignment of the plan period for the Cranbrook Plan and the adopted Local Plan, provide the strategic framework to 2031 and, consequently, there are no inconsistencies between the Cranbrook Plan and the Local Plan.
- 4.4 The Expansion Areas identified provide for the housing numbers envisaged and neither the Cranbrook Plan nor Local Plan suggest that there is a specific cap on development.

5. QUESTION 40

Is the housing figure given in the EDLP still relevant and are the expansion areas as a whole (CB2 to CB5) consistent with the EDLP?

- 5.1 The EDLP sets the strategic framework to 2031. Local Plan Strategy 12 sets the scale of development to be provided at Cranbrook, which the current Cranbrook Plan now aims to fulfil. This is confirmed in the Local Plan Proposals Map, which identifies that the expansion areas as a whole are consistent with the EDLP.
- 5.2 Whilst the Local Plan remains part of the Development Plan for East Devon and has yet to be replaced, East Devon District Council is a partner authority in the preparation of the Greater Exeter Strategic Plan (GESP). This will provide the overall spatial strategy and level of housing and employment land to be provided up to 2040 for Exeter and surrounding areas. The current projected adoption date of the GESP is April 2023.
- 5.3 The GESP is at an early stage of preparation but it is already clear that there will be a significant requirement for new housing and employment land allocations to meet the growth predications for Exeter and its surrounds. Therefore, we consider that it does not dilute or remove the justification for advancing the Cranbrook Plan pursuant to Strategy 12 of the adopted Local Plan.

6. QUESTION 41

What is the justification for additional greenfield sites at Cranbrook in preference to utilising the existing supply of brownfield sites within the district which could reasonably meet a proportion of the need?

- 6.1 Local Plan Strategy 12 foresees Cranbrook developing as a modern market town, providing for mixed-use development, social and community facilities, recreation, education and new jobs. The development of a new town at Cranbrook has been a long term policy objective of the Council.
- 6.2 To promote housing delivery to other parts of the district would now not be consistent with the Local Plan. The Cranbrook Plan is implementing the objectives of Strategy 12, which necessitates the identification of new development opportunities in the expansion areas proposed.
- 6.3 The EDLP Proposals Map specifically identifies the extent of the Cranbrook Area, which includes those greenfield locations now proposed to be allocated.
- 6.4 As noted at NPPF Paragraph 72, the supply of a large number of new homes can often be based achieved through planning for larger scale development, such as new settlements or significant extensions to existing villages and towns.
- 6.5 New development at Cranbrook is consistent with the Framework and, critically, provides for large scale development that is well located and is supported by the necessary infrastructure and facilities.

7. QUESTION 43

Through what mechanism will the comprehensive development schemes referred to in CB2 to CB5 be delivered?

- 7.1 The requirement for Expansions Areas to have a comprehensive development scheme agreed in writing by the planning authority before any planning application is determined is not considered to be justified.
- 7.2 The rationale behind this policy requirement has not been explained in either the supporting policy text or the evidence base. It is therefore difficult to consider how this would be implemented in practice.
- 7.3 The Cranbrook Plan - once adopted - will provide the strategic framework for housing delivery, with the Expansion Areas delivering in a manner consistent with the objectives and policy requirements of the Plan. We would therefore question why a comprehensive development scheme is necessary and what value it would serve, particularly when it would be informed by, and be responsive to, the provisions of the Cranbrook Plan when read as a whole.
- 7.4 There is also a lack of clarity in how the comprehensive development scheme would relate to other policy requirements (e.g. CB7 and CB16). As such, can it be justified, given its lack of regard to other relevant policy requirements. Moreover, would the comprehensive development scheme be effective. It seems to add an additional layer of guidance (or policy requirement) when such matters would be addressed in any case through the implementation of the adopted Cranbrook Plan policies. This creates potential for unnecessary delay to housing delivery prior to planning applications being determined
- 7.5 The delivery mechanism in this regard should be one which provides a positive framework that is intended to facilitate development, rather than result in obstacles and delays to housing delivery
- 7.6 Should it be the case that the requirement for comprehensive development schemes are retained in the adopted plan, their relationship with other policy requirements must be made clear. Critically, it will be incumbent upon the Council to identify procedures / processes to administer this policy requirement.

8. QUESTION 44

How do the comprehensive development schemes required in each of the expansion area policies (CB2 to CB5) relate to the requirements for comprehensive phasing strategies (Policy CB7) and the masterplan (CB16)?

- 8.1 The relationship between the comprehensive development schemes and policies CB7 and CB16 is not adequately explained nor demonstrated as to whether the requirement is either justified or will be effective.
- 8.2 The requirement for comprehensive development schemes within the Expansion Area policies make no reference to the phasing (Policy CB7). There is no reference within the justification for the comprehensive development scheme that this is required for any other purpose than to facilitate the delivery of the Expansion Area to which the policy relates. However, CB7 is specific in its obligation on phasing strategies in that each strategy must ensure that an overall co-ordinated approach to delivery is achieved across the whole Cranbrook Area.
- 8.3 Accordingly, there is a dis-connect between these two policy requirements and the lack of regard to overall phasing and overall coordination of development within Cranbrook reduces the value of the comprehensive development scheme. It thus raises questions about its rationale and purpose.
- 8.4 Turning to Policy CB16, we deal specifically with the status of the Cranbrook Masterplan in response to Question 45, but, in terms of its relationship with the comprehensive development scheme, it is considered that such requirements are not considered to be necessary as each planning application for an Expansion Area can address such matters through the necessary S106 process.
- 8.5 This is because the S106 process will be specific to the Expansion Area and policy requirements and provides an appropriate mechanism to facilitate the timely delivery of development at each Expansion Area, in a manner which is consistent with the objectives of the Cranbrook Plan as a whole

9. QUESTION 45

What is the status of the Masterplan in relation to Policies CB2 to CB5; CB16 and to the Plan in general?

- 9.1 The Masterplan appears to predetermine the basis upon which the Expansion Areas are to be developed. Such an approach is not justified as it imposes parameters and land use designations that dictate the detailed and comprehensive masterplanning that will occur as planning applications are prepared. Nor is it effective as it artificially constraints the ability of development areas to respond appropriately to the constraints and opportunities present at sites.
- 9.2 The Masterplan is not part of the Cranbrook Plan, it is an evidence base document that is intended to inform and guide the future development at the Expansion Areas. However, the weight that it is given within policies in the Plan mean that it could play a critical role in the development of each Expansion Area and the integrated and sustainable development strategy for the wider Cranbrook Area.
- 9.3 Moreover, given the prescriptive nature of the Masterplan and the corresponding land use designations on the policies map, there are concerns that the emphasis placed on the Masterplan is in itself contrary to national policy. Specifically, paragraph 11 of the Framework which requires plans to be prepared with sufficient flexibility to adapt to rapid change.
- 9.4 The Expansion Area policies (CB2 to CB5) do not make specific reference to the Masterplan, rather the emphasis is on the policies map and the allocation of land uses and the requirement for development proposals reflect these designations.
- 9.5 However, the policies map and specific land use designations are consistent with the Masterplan shown at Figure 8 of the Plan. As a consequence, this elevates the status of the masterplan to policy through the specific Expansion Area policies.
- 9.6 This is confirmed within Policy CB16, which states:
- 'Both Design Code/s and all subsequent or other detailed proposals which come forward within the wider plan area, must demonstrate how they have regard to the layout of development indicated in the Master plan shown at Figure 8...'*
- 9.7 It is noted that CB16 refers to proposals having 'regard' to the Masterplan, which would suggest that the Masterplan and associated land use designations are not prescriptive. However, this is not explicit and the relationship with the development of each Expansion Area must be made much clearer. For instance, it would be entirely reasonable to construe that the 12 principles set out at CB16 are the basis for place making even though it is likely that their purpose is to inform rather than determined the form of development.

- 9.8 The imposition of a policy requirement for development proposals to reflect the land use designations on the policies map, elevates the status of the Masterplan to such an extent that it becomes determinative and therefore any apparent flexibility suggested in CB16 by reference to proposals having ‘regard’ to the Masterplan, is lost.
- 9.9 We do not support the emphasis placed on the masterplan within the Cranbrook Plan. It is neither justified nor is it effective in terms of facilitating development.
- 9.10 The result is that development within Expansion Areas (and the preparation of Design Codes) become subordinate to the Masterplan and thereby obstructs the ability for the Expansion Areas to be brought forward in a manner that may deviate from the prescriptive and precise land use designations, even in circumstances where the policy requirements are implemented.

10. QUESTION 46

What is the justification for the difference in numbers of pitches incorporated into the expansion areas to meet the needs of gypsy and traveller communities?

- 10.1 The evidence base that supports the Plan, and specifically the allocation of sites does not provide any specific rationale for the number of pitches or their location within Expansion Areas.
- 10.2 The Council has aborted its attempt to address the accommodation needs of the gypsy and traveller community through a specific DPD and now seeks to impose requirements on strategic development locations through the Cranbrook Plan.
- 10.3 The 2017 Masterplan prepared in support of the Preferred Options Consultation, identified two sites for gypsy and traveller pitches which were to be located within the Bluehayes and Cobdens Expansion Areas. Both sites were deliberately located on the edges of the town, which the SA [**Cran057 – 4.55**] explains provides access to services and facilities as well as the wider road network. Yet within the 2019 Masterplan, the Bluehayes site has been relocated to within the Treasbeare Expansion Area in the centre of the Cranbrook Area, however, the justification for this is not explained and is therefore not considered to be sound.
- 10.4 The SA [**Cran057 – 6.92**] explains that a number of possible options were considered but the assessment did not extend to quantifying the actual number of pitches, in total, that should be provided at Cranbrook. Therefore, the SA process has no relationship to the specific requirements in the Plan to provide for 15 pitches. It also fails to assess this number of pitches against the SA objectives including site specific options and reasonable alternatives to those locations identified in the Submission Plan.
- 10.5 It is recognised within the SA [**Cran057 – 6.93**] that the location of sites will influence the effects on many of the SA objectives. Yet the SA appraisal of alternative options is limited to a general assessment of the options in terms of how a single large site compares to a large number of very small sites. It does not consider site specific options for pitches in their own right nor does it consider potential reasonable alternatives for site options within the Cranbrook Plan area.
- 10.6 It is noted that Policy H7 of the East Devon Local Plan has been retained, in the absence of the DPD.
- 10.7 Policy H7 provides a criteria-based assessment against which proposals for sites for gypsy and travellers are considered and where any successful proposal must satisfy all of the 7 requirements listed. Yet the provisions of this policy are not referenced in any part of the Cranbrook Evidence bases and, critically, the specific sites identified in the Cranbrook Plan have not been appraised against these criteria.
- 10.8 If it is the case that a site proposed to be allocated would not be consistent with these criteria then it raises significant questions as to the justification for these areas to be proposed for this use.

10.9 There is a concerning lack of evidence to justify the requirement to provide sites/pitches for the gypsy and traveller communities within Expansion Areas of the Cranbrook. There is no evidence to demonstrate how these site options have been assessed, in terms of their impact on the SA objectives, but also their consistency with Policy H7 of the adopted Local Plan.

10.10 Furthermore, there is no explanation provided as to why it is appropriate for the Cranbrook Plan to allocate sites, when policy H7 remains applicable in the Plan area and where the intention was for this to be addressed through a specific Development Plan Document.

11. ADDITIONAL QUESTION AQ6

Are any Main Modifications proposed in relation to Issue 6?

- 11.1 This question is addressed in more detail in our response to Matter 5, but it is proposed that we would work with the Council on preparing suitable Main Modifications during and following the Examination.

