

THE CRANBROOK PLAN

Examination
Matter 3: Housing Strategy

Persimmon Homes South West

January 2020

JBB8750
The Cranbrook Plan

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Issue 6 - Is the Local Plan positively prepared, justified and effective in respect of housing?

This Matter Statement is provided on behalf of Persimmon Homes South West (PHSW) who has a controlling land interest at the Cobdens Expansion Area.

1.1 Q37. Will the Plan provide for a choice and mix of housing to meet the needs of different groups in the community?

- 1.1.1 Currently this matter is governed by H2 of the East Devon Local Plan and as Appendix I identifies this policy will be replaced in full so far as it relates to Cranbrook and replaced with CB12, 16 & 17. So, yes, the submitted Plan provides the necessary policy basis for the delivery of a range of housing to meet different needs in the area across each expansion area as appropriate.
- 1.1.2 Also, of relevance is Plan Objective 27 (A wide range of well-designed homes are available to rent and buy) (CRAN001, p2) which sets the overarching framework for the specific policies and proposals relating to housing provision required to meet the wide range of needs of new residents and households in Cranbrook.
- 1.1.3 Policy CB1 (Health and Wellbeing in Cranbrook) of the Plan (CRAN001, p17), at criterion 8, requires that, '*...housing typologies and resulting densities are appropriate to their locations...*' which would clearly involve the provision of different dwellings types in order to secure different densities appropriate to local conditions, as necessary, to deliver the policy. This approach would support and facilitate the delivery of homes of different types in response to the differing needs of future residents.
- 1.1.4 Policy CB16 (Design Codes and Place Making), at criterion 4, goes on to seek the provision of a mix of housing types (and also tenures) '*...to suit local requirements, recognising the need for variation in size and tenure in order to deliver a balanced community,*' (CRAN001, p66). Consequently, in order to deliver a balance community, this would clearly require the provision of homes in response to the differing local needs of the area.
- 1.1.5 Policy CB23 (Residential Development in the Town Centre and Neighbourhood Centres) also requires residential in these locations, within the related expansion areas, to deliver development that achieves the '*...highest appropriate density...*' in recognition of the fact that dwelling types within or in close proximity to more central locations could support the provision housing at higher density, of example flatted development.
- 1.1.6 Policy CB12 (Cranbrook Custom and Self-build housing) also specifically seeks provision of homes to encourage households to build their own homes, clearly one of the household types supported by national policy (NPPF 2019, para 61).
- 1.1.7 Whilst PHSW raises concerns to some of the above policies, as addressed on other Matter Statements, when taken together, the submitted Plan clearly is seeking to implement a 'design-

led’ approach to addressing the different needs of households based on responding to local circumstances, rather than prescribing a certain mix of housing on sites within a policy. Persimmon Homes South West (PHSW) broadly welcomes this approach because it offers appropriate flexibility in order to allow for proposals to respond to changing circumstances as they occur, in line with national policy (NPPF 2019, para 11a).

1.2 Q38. Do the expansion area policies provide sufficient clarity and guidance for Plan users and are any main modifications necessary for soundness?

- 1.2.1 PHSW broadly supports the inclusion of separate policies in the Plan to guide the scale, mix and uses to be delivered at the expansion areas over the Plan period (up to 2031). However, with regards to Cobden Expansion Area (Policy CB4), PHSW maintains its objection to certain elements of Policy CB4, which are addressed within its Matter 6 Statement, as summarised below.
- 1.2.2 To reiterate, PHSW maintains its position that the requirement for a ‘*Comprehensive Development Scheme*’ (‘CDS’) (under the second paragraph of Policy CB4) to be submitted and agreed with EDDC prior the determination of any planning application is wholly unclear and thus contrary to NPPF 16 d); and would introduce a separate layer of bureaucracy that is wholly unnecessary and unjustified, contrary to NPPF 16 a) and f). Its relationship to the masterplan is unexplained. PHSW believe the CDS requirements as introduced in the second paragraph of all expansion area policies should be deleted and replaced by a requirement that individual development proposals should be broadly in accordance with the Cranbrook Masterplan and should not prejudice delivery of proposals for other areas of the Masterplan.
- 1.2.3 Furthermore, the proposal to require compliance of all ‘subsequent’ applications with the approved CDS prevents any reasonable adjustment or alterations to the application at a later date goes beyond the proper application of policy, given the clear potential for material considerations to emerge during the application process, including amended plans required to address issues raised by consultees prior to determination. However, there is no clarity as to how such issues could be resolved based on the proposed approach, and it would seem that the only resolution would be to seek agreement on amendments to the CDS.
- 1.2.4 Taken together, it is clear that there are major risks that planning applications could be delayed unnecessarily due to the imposition of this ‘extra stage’ in the planning application process. On this basis, the policy is not effective or justified and, thus, is not soundly-based.
- 1.2.5 In addition, it is unclear how the dwelling figure (1,495) would be applied at the planning application stage. For example, criterion 1 refers to ‘*Around 1,495 new houses*’ whilst the reasoned justification (CRAN001, para 3.25) refers to ‘*around 1,490 new homes*’. To reiterate PHSW position set out in the SOCG , in light of the fact that borough-wide housing requirement of 17,100 dwellings, set out in Strategy 1 of the adopted East Devon Local Plan 2013-31, is expressed as a ‘minima’ so it is entirely appropriate for the housing figure attached to the Cobden Expansion Area (under criterion 1 of Policy CB4) to be qualified in the same way. This will ensure appropriate consistency and clarity between the various adopted Plans.
- 1.2.6 Furthermore, and related to the concern raised above, PHSW consider that the Plan seeks to impose a fixed dwelling capacity at Cobden that is not based on any findings within the SA or

associated Plan evidence base. PHSW therefore does not consider the Plan to be soundly-based as it does not present sufficient evidence to justify the 1,495-dwelling figure.

1.3 Q39. 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?

1.3.1 PHSW notes the Council’s response (PSD4) to the Inspectors’ initial clarification questions on housing numbers (PSD3) set out in the Plan. PHSW share the Inspectors’ position with regards how the various housing figures have been presented in the Plan, given that the Council is seeking to supersede the distribution strategy for Cranbrook in the adopted EDLP (Strategy 12).

1.3.2 As highlighted by the Inspectors questions (PSD3, points 3 and 4) the Council had an adopted Plan strategy for Cranbrook (under EDLP, Strategy 12) which sought to deliver 7,850 dwellings (see PSD4, table 3 which confirms this remains the Council’s position) up to 2031. This comprised 6,300 dwellings on allocated land, plus an ‘additional further 1,550 dwellings’ to be identified through ‘further expansion and intensification of Cranbrook’. This strategy was broadly consistent with (though slightly less than) the wider aspiration expressed in the adopted EDLP for delivery of ‘around 8,000 dwellings’ up-to 2031 (see EDLP, para 7.26; EDDC Local Development Scheme, July 2018, para 4.1b).

1.3.3 However, despite the adopted position in the EDLP and the latest local development scheme which post-dates the EDLP, the Council is now seeking to row back on this strategy by proposing to deliver ‘around 7,750 dwellings’ (CRAN001, para 1.2) representing a reduction of 250 dwellings against the overall growth aspiration for Cranbrook of 8,000 dwellings. Significantly, the Council does not provide any credible evidence and no basis within the SA as to why the overall growth aspiration for Cranbrook taken forward through the Plan, which constitutes a formal revision to the adopted Plan strategy (under Strategy 12), should aspire to deliver around 250 fewer dwellings at Cranbrook and there exists no justification for doing so based on the requirements of paragraph 60 of the NPPF.

1.3.4 On this basis, PHSW submits that at the area-wide level the amount of housing proposed for Cranbrook does not accord with the EDLP and NPPF 60 when all sources of land are considered, and the approach proposed to support this is not justified, and so is not soundly-based. PHSW suggest that the Plan be modified to reflect the overall growth aspiration (8,000 dwellings) previously adopted and ensure that sufficient land is identified in the Plan to meet that target.

1.4 Q40. Is the housing figure given in the EDDP still relevant and are the expansion areas as a whole (CB2 to CB5) consistent with the EDLP?

1.4.1 PHSW consider that the housing figures set out in the adopted EDLP (specifically the 6,300-dwelling figure in Strategy 12) remains relevant, given Plan being less than five years old and the acknowledgement in paragraph 1.7 of the Plan that it ‘integrates & expands on the EDLP’. However, in line with our response to questions 38 and 39 above, PHSW recommend that the figure should be expressed as a ‘minima’ in order to provide sufficient clarity to plan users and applicants that a certain level of growth is deliverable in order to provide the basis for detailed

proposals, but that this should not prevent a greater number of dwellings from being brought forward where it can be demonstrated as being suitable and deliverable in that location.

- 1.4.2 In terms of the expansion areas as a whole, the Plan now proposes to assign 4,170 dwellings specifically to the four expansion areas (PSD4, Table 3 sets these out in summary format). This differs from the 4,370 dwellings assigned to ‘strategic allocations’ in the EDLP (under Strategy 2), representing a reduction of 200 dwellings. The basis for 4,370 figure originally adopted in the EDLP by the Council is explained in the Council’s response (PSD4, Table 2), comprising 2,800 dwellings on the two strategic allocations in the EDLP. Of this around 800 dwellings were assigned to the Western Expansion Area (as now referred to as Bluehayes), and around 2,000 dwellings on the Eastern Expansion Area (now referred to as Cobdens). In addition to which 1,550 dwellings relates to the ‘land for the further expansion/intensification of Cranbrook set out in EDLP Strategy 12 which makes up the total of 4,370 (rounded).
- 1.4.3 The overall difference of 200 dwellings includes a reduction in the allocation specifically relating to Policy CB4 (eastern Cobden Expansion Area) from c.2,000 dwellings based on the Council’s original approach to calculating the allocation figure under Strategy 12, based on the submitted planning applications on the site at the time (15/0047/MOUT and 14/2945/MOUT) (the Council’s approach is clarified in PS4, Table 1, which references a number of ‘live’ planning applications submitted at the time). The Council now proposes to assign 1,495 dwellings to Policy CB4 based on a different approach, though this is not clearly explained in the Plan or the Council’s response to the Inspector’s clarification questions (PS4) how this figure has been arrived at. It is therefore not clear how the 1,495 dwelling figure is arrived at and so the policy as submitted is not adequately justified.
- 1.4.4 The result of this reduction will impact on the ability of the Plan to deliver the 6,300 new homes identified under Strategy 12 of the EDLP, but also masks a greater impact on planned growth at CB4. The 6,300 target for new homes on allocated sites in the EDLP is derived from the existing planning permission (3,500) plus 2,800 dwellings on the two strategic allocations (comprising sites W144B (now called Bluehayes) and W144C (now called Cobdens) and incorporated into CB2 and CB4 respectively). The Cranbrook Plan now effectively proposes just 2,455 dwellings jointly on these two adopted site allocations (960 at CB2 and 1,495 at CB4), a reduction of 345 dwellings against the original total of 2,800 dwellings set out in EDLP. However, the actual reduction in delivery specifically at CB4 is much higher, at 505 dwellings (reduced from 2,000 dwellings down to 1,495 dwellings now proposed).
- 1.4.5 Consequently, the impact on the overall reduction is disproportionately greater at the existing strategic allocations, in particular CB4. The result of the revised approach to the existing allocations now proposed would support the delivery of 5,955 dwellings¹ rather than 6,300 figure set out in the EDLP.
- 1.4.6 On this basis, there is clearly a justification for allowing the ability of the allocation above 1,495 dwellings or treating it as a minimum figure as suggested by PHSW.

¹ Comprising 1,495 dwellings at Cobden (CB4), 960 dwellings at Blue Hayes (CB2) and 3,500 dwellings at Cranbrook (Phase 1) based on EDDC figures

1.5 Q41. 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?

1.5.1 This is a question which PHSW consider is more appropriately answered by the Council, as it is assumed the question relates to the additional site allocations now proposed in the Cranbrook Plan rather than those sites already adopted EDLP through Strategy 9 and 12.

1.5.2 PHSW broadly supports the current approach to the identification of the new allocations in the Plan and this should remain the case. However, should the Inspector ultimately conclude that there does not exist such justification, this will have wider implications for the land uses and overall land budget for the existing allocated sites. Cobdens for example is providing non housing uses including an expanded primary school and SANGS provision in excess of the land take requirements to mitigate the impact of its own needs.

1.6 Q43. Through what mechanisms will the comprehensive development schemes referred to in CB2 to CB5 be delivered?

1.6.1 PHSW sets out its position regarding the appropriateness of requiring additional information to be submitted alongside other material needed at the planning application stage. To this end, PHSW do not find any clear mechanism in the Plan through which the comprehensive development schemes will be secured.

1.6.2 PHSW would go further and suggest that such a requirement to submit, and agree, such material prior to the determination of a planning application is wholly unnecessary and unjustified and, in its opinion, could risk significant delays to the timely commencement of development on the allocations simply in the procedural process of reaching such agreement. Similarly, PHSW is of the view that there is no need for any other masterplanning or preparatory work in addition to the adopted EDLP policies, the policies of the Cranbrook Plan, and the masterplan for the area, which provide sufficient basis to allow decision-makers to determine specific planning applications.

1.6.3 As stated at 1.7 of the Plan,

‘...This Cranbrook Plan forms part of the overall development plan for East Devon and seeks to integrate with but expand upon the already adopted East Devon Local Plan (2013 2031) that covers the whole of the District. In so doing, the Cranbrook Plan adds considerable extra detail and allocates additional land to accommodate the planned growth which is identified within the Local Plan...’

1.6.4 On this basis, PHSW does not support the inclusion of comprehensive development schemes within the Plan, and references to them should be removed from the Plan prior to adoption. As indicated in response to Q38 above, PHSW believe the CDS requirements as introduced in the second paragraph of all expansion area policies should be deleted and replaced by a requirement that individual development proposals should be broadly in accordance with the Cranbrook Masterplan and should not prejudice delivery of proposals for other areas of the Masterplan.

1.7 Q44. 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)?

- 1.7.1 In line with our submissions to question 43, PHSW sees limited benefit for applicants, decision-makers or the wider public in preparing separate material to be agreed prior to, and separate from, the formal planning application process. In fact, the requirement to prepare such material could lead to extra costs and delays based on a process that is considered unnecessary.
- 1.7.2 It is not made clear how the comprehensive development strategies relate to the phasing strategies (under Policy CB7) or in terms of infrastructure delivery (under Policy CB6). Consequently, they appear to represent an ad-hoc requirement with no obvious links to any other policies of the Plan. Similarly, there is no reference to them in the monitoring of the Plan delivery, which further supports our view that these are an ‘add-on’ with no clear purpose, and so cannot be considered to be effective.
- 1.7.3 Given the presence of Figure 8 in the Plan, which Policy CB16 references, and the existence of the Cranbrook Masterplan (February 2019), which provides a general blueprint for how the expansion areas are to be delivered, provision of a further stage of approval is unnecessary and unwelcome.
- 1.7.4 Furthermore, it is not made clear how the strategies would be prepared in cases where allocations involve multiple landowners who may be submitting separate planning applications on their own land, but which will deliver development in accordance with the policies of the Plan. PHSW consider there is a risk that such schemes could frustrate the delivery of development by preventing separate landowners from bringing forward applications independent from one another, but which would deliver the objectives of the Plan in a timely manner.

1.8 Q45. What is the status of the Masterplan in relation to Policies CB2 to CB5; CB16 and to the Plan in general?

- 1.8.1 PHSW has no objection to the inclusion of a masterplan for the Cranbrook area and believe for the reasons stated above, its presence negates the need for a ‘Comprehensive Scheme’ to be additionally provided. Nonetheless, it should be noted that the masterplan as drafted covers a significant expanse of East Devon, but seeks to prescribe a measure of detail that, in PHSW view, cannot and should not be established at the strategic development plan policy level with the same level of certainty as that only comes through the planning application process. On this basis whilst PHSW is broadly supportive of the masterplan which does appear to have been part of the Sustainability Appraisal process provided that it does not seek to prescribe in detail the precise use of individual plots or defined areas of land for particular uses.

- 1.8.2 As stated in the Plan,

‘The Cranbrook Plan and the policies within it apply in the area defined on the Cranbrook Policies Map as ‘The Cranbrook Plan Area’. This Cranbrook Plan Area supersedes the Cranbrook Plan Area indicated on the West End Inset map which accompanies the Local Plan 2013 2031. Policy boundaries and land allocations are set out on the Policies Map and the policies, text and reasoned justification in this plan should be read in conjunction with this map’ (CRAN001, para 2.1)

1.8.3 On this basis, PHSW is broadly supportive provided that the masterplan is applied with an appropriate measure of flexibility.

1.9 Q46. 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?

1.9.1 PHSW considers that there is no justification at all for specific allocations of pitches to individual expansion area as proposed in the Plan. The provision of 10 pitches, out of a total of 15 pitches across Cranbrook, is disproportionately provided for at Cobden's expansion area (CB4). It is noted that the adopted EDLP identified the need for 30 pitches at Cranbrook up to 2031 (in Strategy 12) but this policy is proposed to be superseded and did not, in any case, specify precise allocations or locations within the Cranbrook development.

1.9.2 Furthermore, the Council intends to continue to rely on Policy H7 (Sites for Gypsies and Travellers), which is a criteria-based policy to be applied to specific proposals for gypsy and traveller proposals within the Cranbrook development, and does not allocate numbers to specific areas in the District. According to the EDLP (paragraph 16.43 refers) this policy would be applied until such time as a separate Gypsy and Traveller DPD is 'finalised', however progress on this DPD has been suspended and so Policy H7 is likely to remain the most up to date local policy on Gypsy and traveller developments brought forward in East Devon for the foreseeable future.

1.9.3 Given that the Council now intends to allocate four separate expansion areas through the Plan, rather than rely solely on the two strategic allocations originally allocated in the adopted EDLP, PHSW cannot see any credible reason as to why Cobden Expansion Area (CB4) should be targeted, disproportionately, by taking two-thirds of the total provision. This issue has also been addressed within PHSW response to Matter 2 on the Sustainability Appraisal and its lack of assessment of reasonable alternatives in relation to the location of sites for Gypsy and Travellers and specifically the concentration at the Cobdens.

1.9.4 In response, PHSW consider the approach proposed in the Plan to be wholly unjustified and suggests that a criteria-based policy akin to EDLP Policy H7 is provided (or relied on) and as addressed in the accompanying paragraph 23.13 existing sites should be expanded or intensified to meet additional need, wherever possible, rather than permitting new sites in the countryside. Should the Inspector consider it essential this is addressed through site specific proposals, then the policy base should be suitably flexible to enable provision on alternatives sites to come forward.

1.10 Q47. Is there robust evidence to demonstrate that expansion areas and infrastructure would be delivered at a sufficient rate and suitable timescale to meet the Plan's housing targets given historic build out rates and the aspirations for 500 completions per year.

1.10.1 PHSW believe the evidence for this is more appropriately addressed through the Matters dealing with the individual expansion areas.

1.10.2 PHSW is broadly supportive of the overall approach to the Cranbrook expansion areas and associated infrastructure needed to support a fully-functioning, sustainable community at Cranbrook. PHSW would though point out that the plan needs to be sufficiently flexible,

particularly in terms of the timing of delivery of infrastructure, in order to allow for delivery of homes to continue were circumstances to change. Ensuring that the Plan policies are sufficiently flexible will help to support continued delivery in overall terms at the expected rates.

- 1.10.3 As highlighted in PHSW Matter 6 Statement, Table 6.5 of the Council Viability Study (CRAN063), envisages a peak in delivery of 175dpa between 2023/24 and 2027/28 at Cobden Expansion Area (CB4). In relation to CB4, PHSW sets out its position on expected build-out rates and timescales for delivery in its Matter 6 Statement where it considers that the Council’s trajectory as proposed is appropriate, but that this should not be applied as maximum or cap on overall delivery at CB4. Similarly, specific issues have been raised in relation to the timing of specific infrastructure requirements for CB4, such as delivery of the school by the 30th occupation on the site.
- 1.10.4 Overall, delivery at Cranbrook is a success and progressing well, with over 2,000 dwellings (out of 3,500 in total) already completed on the Phase 1 element, based on Council’s figures (PSD4, Table 2) which includes existing consents in the area, thus illustrating strong market take up and progress since the original outline was approved in October 2010.

1.11 Q48. How does the plan make specific provision for the housing needs of older and disabled people? How might the approach be adjusted to meet the identified needs for these groups?

- 1.11.1 PHSW would suggest that the current policies of the Plan, those relevant policies of the adopted EDLP, such as Strategy 4 (Balanced Communities) and H2 (Range and Mix in New Housing Development), in conjunction with national policy and guidance, provide sufficient policy support for the provision of housing to meet the needs of specialist households. On this basis, no further changes to the Plan, as submitted, are necessary.

1.12 Are any Main Modifications proposed?

- 1.12.1 Consistent with the observations set out within this Matter Statement, Main Modifications are considered appropriate in relation to the following:
- Removal of the need for Comprehensive Development Schemes;
 - Allocations figures should be referred to as minimum figures and specifically the ‘around’ 1,495 figure in Policy CB4;
 - The Masterplan should be treated with appropriate flexibility; and
 - The GTS allocation at Cobdens should be removed although should the Inspector consider it essential this is addressed through site specific proposals, then the policy base should be suitably flexible to enable provision on alternatives sites to come forward.