

Cranbrook Plan 2013-2031 Examination

Matter 6: Cobden's Expansion Area
29th January 2020

Devon County Council Position Statement

Statement Prepared 8th January 2020

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1. Introduction

1.1. Purpose of this statement

- 1.1.1. This statement has been prepared to answer questions and address the associated issues as posed by the Planning Inspector in relation to matter 6 (Cobden's Expansion Area) for the Independent Examination of the Cranbrook Plan 2013-2031.
- 1.1.2. The comments set out in this further statement focus upon those issues in which Devon County Council (DCC) has a specific interest in order to fulfil its statutory responsibilities in terms of planning and infrastructure (in particular as the Local Highway Authority, Local Education Authority and Lead Local Flood Authority).

1.2. Summary of DCC approach and position

- 1.2.1. The County Council has worked closely with East Devon District Council throughout the preparation of the Cranbrook Plan including providing advice to inform the development of policies and proposals. This has included the attendance of numerous meetings, the preparation of evidence reports and the submission of representations at formal stages in the plan making process. This approach has drawn on the expertise of a number of county officers from various service areas including education, transportation, flood risk, waste management, adult, children's youth and library services.

2. **Q74: Is the proposed housing allocation deliverable and/or developable in accordance with the housing trajectory? In particular, is it:**

b) supported by evidence to demonstrate that safe and appropriate access for vehicles and pedestrians can be provided?

- 2.1.1. Yes, this can be achieved when a planning application comes forward. The Cranbrook Masterplan Movement Strategy shows the principle of the movements expected. Historic applications have proposed roundabout operated junctions. The principle of such arrangements can be agreed however these will need to be confirmed during detailed design in liaison with the Highways Authority.

c) deliverable, having regard to the provision of the necessary infrastructure and services, and any environmental or other constraints?

- 2.1.2. Devon County Council has worked closely with East Devon District Council to ensure that necessary infrastructure is incorporated to Policy CB4. The education strategy for the provision of a 630-place primary school and a 50 place SEN school on this site is deliverable through the Category 2 direct

provision approach proposed in the Cranbrook Plan. Should the new schools not be provided directly by the developer as Category 2 infrastructure, DCC requires proportionate financial contributions to be paid as S106 contributions, calculated in line with the county council's Education Infrastructure Plan.¹ DCC has a proven track record of ensuring the timely delivery of infrastructure and as the Education Authority there are a number of mechanisms available to ensure this is achieved.

3. Q75: Has full consideration been given to the impact of this allocation on:

a) Access arrangements

- 3.1.1. Initial access arrangements have been put forward as part of the Masterplan (Feb 2019). The Movement Strategy (Oct 2016 - Part 6) indicates that Cobdens is to be served off London Road. In addition to the access arrangements onto London Road, the applicant will need to provide evidence that access within the site will meet criteria to promote sustainable transport aspirations, especially providing links through the country park/designated green lanes and to the second railway station. DCC believes that new junctions could be delivered off London Road to serve the expansion area as discussions with developers have been held previously – the most probable access arrangement will be via a roundabout. However, the exact nature of the detailed design has yet to be finalised and will be delivered via Highways Act 1980 S278.

c) Flood risk and drainage

- 3.1.2. DCC considers that flood risk has been appropriately considered with remaining details to be considered at planning application stage. Surface water runoff will be managed via the provision of above ground sustainable drainage systems such as swales and detention basins in line with NPPF and best practice. Infiltration testing will be undertaken to determine the suitability of the underlying ground conditions for infiltration-based devices which adheres to the principles of the surface water management hierarchy.
- 3.1.3. The surface water will be attenuated in these features prior to being released at restricted rates to the Cranny Brook or one of its tributaries as stated in the Flood Risk Review and Surface Water Drainage Strategy (February 2019). These features will be included in the Landscape Biodiversity & Drainage Strategy and there will be a planning condition for the detailed design of the proposed surface water management system including incorporating an allowance for climate change. There will also be a planning condition to indicate how exceedance flows will be safely managed. We will require a planning condition to assess the condition/capacity of the existing ditch and request improvement works if required. Any SUDS systems should be built and operational prior to construction work commencing on residential or commercial units.

¹ Devon County Council's Education Infrastructure Plan (revised) 2016 – 2033 is available at <https://www.devon.gov.uk/planning/planning-policies/pupil-place-planning>

3.1.4. According to our records there is a known flood risk to the highway, the source of which is from the two minor ordinary watercourses which are culverted under the road. Additional capacity may be required to remove the flood risk in this area.

4. Q79: Does reference to A5 Use Class premises accord with national policy in para 91c of the Framework? [applies also to CB3 and CB5]

4.1.1. Yes, it does accord with paragraph 91c of the National Planning Policy Framework. Rates of childhood and adult obesity are high and the restriction of A5 Use class premises within neighbourhood centres enables the planning policy to support and enable healthy lifestyles through access to healthier food by impacting on the food environment.

4.1.2. Public Health England's (PHE) 2014 'Healthy people, healthy places briefing: Obesity and the environment: regulating the growth of fast food outlets'² summarises the importance of action on obesity, with a specific focus on hot food takeaways, outlining the regulatory and other approaches that can be taken at local level to manage its growth. Following on from this publication, PHE in association with the Town and Country Planning Association (TCPA) has also published the 'Planning Healthy Weight Environments document'³, which was designed to prompt local action on tackling obesity, and in 2016 with the TCPA and the Local Government Association (LGA), the 'Building the Foundations: Tackling Obesity Through Planning and Development document'⁴. The South West Draft Model Healthy Weight Supplementary Planning Document identifies the benefits of restricting access to hot foot takeaways and is to be published and used as the national public health guidance in February 2020.

4.1.3. DCC reiterates comment number 5 of our Submission Draft consultation response, requesting wording change to be consistent with the South West Draft Model Healthy Weight Supplementary Planning Document. The same wording change has been requested for Policies CB3, CB4 and CB5, and is provided in our statement for Matter 5.

5. Q80: Would the allocation of housing in Cobden's be justified if a second station were not to be delivered?

5.1.1. DCC believes that public transport enhancements are required to support sustainable housing at Cobden's. Cranbrook has a high proportion of travel to services and amenities in Exeter, and without attractive sustainable transport choices these will be made by car.

² **Obesity and the environment: regulating the growth of fast food outlets.** Available at https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/296248/Obesity_and_environment_March2014.pdf

³ **Planning Healthy Weight Environments.** Available at <https://www.tcpa.org.uk/Handlers/Download.ashx?IDMF=d0ccedd8-7f0c-4f03-b09d-5c54cfac132e>

⁴ **Building the Foundations: Tackling Obesity Through Planning and Development.** Available at <https://www.local.gov.uk/building-foundations-tackling-obesity-through-planning-and-development>

- 5.1.2. The best opportunity for providing attractive public transport is a second station. The recommended walking distance to a rail station is typically 800 metres (IHT) which is comparable with the 950-metre national average walk to a station. However, residents in the Cobden's expansion area will be over 2 kilometres from the existing station, resulting in higher private car use and less sustainable development.
- 5.1.3. If a second station is not delivered, DCC would instead pursue alternative road-based public transport solutions to provide a sustainable travel choice and reduce car dependency. This may include additional buses to serve the Cobden's site and provide better connections to the existing rail station or more innovative modes that could come forward over the timeframe of the plan.
- 5.1.4. The county council's S106 request gives some flexibility such that a variety of public transport improvements required to support a sustainable development can be provided.

6. Q81: What is the delivery mechanism for the second station?

- 6.1.1. DCC requests the land to be safeguarded in the Cranbrook Plan. Additional line capacity is required to enable a second station. The station could be delivered either as part of the additional line capacity, or as a standalone scheme at a later date.
- 6.1.2. The first preference is that the second station forms part of a package of combined frequency and station improvements on the line that would be delivered by Network Rail. The council's S106 request is such that it could be used as a contribution to the second station portion of a wider rail loop works package. A Waterloo to Exeter study is currently being undertaken (expected completion summer 2020), to consider the potential for three objectives:
- Additional line capacity to enable 2 trains per hour between Axminster and Exeter
 - Additional line capacity between Salisbury and Yeovil Junction to enable faster long-distance journey times
 - Additional line capacity between Exeter and Yeovil Junction to enable diversion of Paddington – Exeter GWR services to be operated between Exeter and Castle Cary without negatively impacting on South Western Railway services.
- 6.1.3. The findings of that report will identify a series of infrastructure improvements, including the location for a long passing loop through Cranbrook or Whimple, and inform how a second station could be accommodated.

- 6.1.4. Infrastructure improvements are likely to be delivered as a rolling program in the next Control Period (2024-2029). The Cranbrook/Whimble Loop is being prioritised as it would enable early delivery of more frequent local train services between Axminster and Exeter (through extension of the Barnstaple to Exeter Service which as of December 2019 terminates in Exeter).
- 6.1.5. The line improvements are strategic rail enhancements, which are being lobbied for by the Peninsula Rail Task Force, and are an essential element of the rail industry's resilience program. It is therefore possible that the line improvements come forward in advance of the Cobden's development. If that were the case, then the station could be delivered as a standalone scheme at a later date in the same way that the current Cranbrook station was delivered. This would be funded from the S106 contribution. It is worth noting that DCC has successfully delivered two new stations at Newcourt (New Stations Fund and S106) and Cranbrook (S106 and LTP) since 2014.

7. Q82: Would the creation of a new station affect the timings of services at Whimble station due to capacity on the line; what consideration has been given to this issue in the planning of the second Cranbrook station?

- 7.1.1. The timings of services will be dependent on the positioning of the loop. The exact location and timetabling options and implications are being explored as part of ongoing work by Network Rail.
- 7.1.2. With delivery of the loop, the frequency of trains on the Waterloo Line would double. Notwithstanding that final timetabling is unknown, it is envisaged that there would be hourly "local" stopping services to the second station and Whimble, and an hourly fast service stopping at a reduced number of stations.

8. Q83: How will this land be treated (to what use will it be put) during the period which it will be safeguarded from other development?

- 8.1.1. It is proposed that arrangements for delivering Cranbrook Station alongside the first phase of Cranbrook could be replicated. The provisions in the original application were for:
- A safeguarded area of land,
 - Reasonable access to the land for design and construction, and
 - An obligation to transfer the land at either completion of the station or an occupation trigger.

9. Q88: Has full consideration been given to the impact of the development on archaeology and heritage assets?

- 9.1.1. The site has been subject to an archaeological geophysical survey as well as a programme of archaeological field evaluation that has characterised the nature and extent of the archaeology within the development site. In light of the results of this work the County Historic Environment Team has recommended to the Local Planning Authority that a programme of archaeological work be undertaken in advance of any development to ensure any archaeological deposits are investigated and recorded. This work would be facilitated through the application of an appropriately worded planning condition on any consent granted.
- 9.1.2. With regard to any nearby designated heritage assets (listed buildings) the County Historic Environment Team has not made any comments, deferring to any comments made by East Devon's Planning Conservation Team.

10. Q93: Has full consideration been given to the impact of the proposed development upon the highway network, in particular the closure of the southern end of Cobden's lane and the movement of farm vehicles?

- 10.1.1. The nature of Cobden's Lane would change as part of the development being built out and it would be unlikely that farm vehicles would use the lane in the future. This is shown on the Cranbrook Masterplan (Feb 2019). Any change to Cobden's Lane would require an appropriate highways agreement. If necessary, farm vehicles could use roads built by the developer.

11. Q98: Is the extent of the provision of Gypsy and Traveller sites in Cranbrook appropriate?

- 11.1.1. As indicated in the covering letter of our Submission Draft consultation response, DCC considers provision of 15 permanent pitches at Cranbrook to be sufficient, given the probable need in other parts of East Devon.
- 11.1.2. DCC considers the need identified in the Devon Partnership Gypsy and Traveller Accommodation Assessment 2015⁵ was higher than the actual need on the ground; it is thought that other districts involved in this report share this view. The County Council considers that the real need in East Devon is unknown in the absence of records on unauthorised encampments or a Gypsy and Traveller Forum.

⁵ Devon Partnership Gypsy and Traveller Accommodation Assessment 2015. Available at <https://eastdevon.gov.uk/media/1298707/devon-partnership-2015-gtaa-final-report.pdf>

12. Q100: What is the rationale for the split of 15 pitches over two sites within Cranbrook?

- 12.1.1. Based on the current information available, DCC considers that provision of pitches at 2 sites (providing 5 and 10 pitches) is appropriate. There is a need to provide pitches for those who cannot afford to buy and develop their own land. It is considered that the split of the two sites is sensible; the 5-pitch site could be used for an extended family to occupy, whilst the 10-pitch site can be used for affordable pitches/housing association run on a rental basis. The provision of sites should address a number of considerations including how the sites will be marketed (such as sold on the open market), whether they will be local authority sites, or handed over to a housing association, alongside an understanding of the different needs of the Gypsy and Traveller community.
- 12.1.2. In general, the size, location and layout of sites should meet relevant guidance in particular DCLG Designing Gypsy and Traveller Sites Good Practice Guide⁶ and East Devon Gypsy and Traveller Site Design and Layout Supplementary Planning Document⁷. It is suggested that if the Treasbeare 5 pitch site is considered as a family site, then space could be reduced to accommodate vehicles etc. However, it is advised that restricting the layout of the 10-pitch site may result in families running out of space; some families could potentially have a twin unit chalet style type home, a touring caravan, 1-2 work vehicles; vans, small lorries and machinery.

13. Q102: Is the allocation of the site at Cobden supported by evidence to demonstrate that safe and appropriate access for vehicles and pedestrians can be provided?

- 13.1.1. Details of access to this site have not been discussed with the Highway Authority. In principle, it should be possible to provide safe and appropriate access to this site, preferably from a residential parcel rather than directly from London Road.

14. Q103: Has full consideration been given to the impact of the development on archaeology?

- 14.1.1. The site has been subject to an archaeological geophysical survey as well as a programme of archaeological field evaluation that has characterised the nature and extent of the archaeology within the development site.

⁶ **DCLG Designing Gypsy and Traveller Sites Good Practice Guide.** Available at https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/11439/designinggypsiesites.pdf

⁷ **East Devon Gypsy and Traveller Site Design and Layout Supplementary Planning Document.** Available at <https://eastdevon.gov.uk/planning/planning-policy/other-plans/gypsy-and-traveller-plan/gypsy-and-traveller-site-design-and-layout-guidance-supplementary-planning-document/#article-content>

14.1.2. These investigations have demonstrated the occasional presence of truncated prehistoric features. In the light of the results of this work the County Historic Environment Team has recommended to the Local Planning Authority that a programme of archaeological work be undertaken in advance of any development to ensure any archaeological deposits are investigated and recorded. This work would be facilitated through the application of an appropriately worded planning condition on any consent granted.

15. Q105: Is the siting of the SEN education facility justified and effective?

15.1.1. The siting of the SEN facility is justified and effective. Experience gained through the delivery of the first phase Cranbrook has demonstrated a need to support children and young people with special educational needs. When the town is fully delivered, it will be one of the largest towns in Devon and therefore requires SEN provision to support the town and wider area. The need has been identified in the Education Infrastructure Plan 2016 – 2033.

15.1.2. As an approach, Devon County Council requires SEN provisions to be provided in all developments at the same scale as that proposed at Cranbrook. This supports local provisions for local children and would seek to reduce the need to travel. Locating this provision close to the primary school supports an effective use of land and the potential for shared resources as well as inclusive provision. The colocation of the SEN school on a wider educational campus makes the provision more financially deliverable both in terms of capital funding to build and potentially revenue funding to operate, compared to a standalone school elsewhere.

15.1.3. The facility envisaged at Cranbrook would also meet SEN need from the wider area. Developers at Cranbrook are only expected to pay a proportional cost towards the facility, with the remainder of funding being made up from other developer contributions through CIL or S106 and investment by Devon County Council.