

THE CRANBROOK PLAN

Examination
Matter 6: Cobdens Expansion Area
Persimmon Homes South West

January 2020

JBB8750
The Cranbrook Plan

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Matter 6 – Cobden’s Expansion Area

Issue 9 - Is the Cobden’s Allocation (Policy CB4) positively prepared, justified and effective?

1.1 Summary of Persimmon Homes South West (PHSW) Position.

- 1.1.1 At the Regulation 19 submission consultation stage, representations were made by PHSW and on their behalf by David Lock Associates (DLA) and also by DLA on PHSW behalf as part of The East Devon New Community Partners. PHSW position in respect of Policy CB4 which follows further consideration by PHSW of its position and in particular further dialogue with the Council on the Cobden’s Expansion Area.
- 1.1.2 The allocation of the Cobdens Expansion Area is supported by PHSW. Whilst some outstanding concerns remain from the Reg 19 representations (see below) over specific detailed aspects of Policy CB4 wording, in principle PHSW is committed to delivering Policy CB4 on the Cobdens Expansion Area.
- 1.1.3 Due to the DPD providing a proportionately small area of Cobdens’ approx. 110 hectares for residential development which equates to 33% of the area based on the percentage of residential (36.4ha) at Cobden taken from the Cranbrook 2019 Masterplan (Table on page 36) versus the 110 ha total in Policy CB4, PHSW principal concern relates to the significant infrastructure burdens which fall within the site area, in comparison for example to the Grange. Cobdens’ Expansion area is proposed in the DPD as providing a three-form entry primary school and SANGS provision, which mitigates not just its own impact but the potential safeguarding of SANGS land to mitigate the impact of development from the wider Cranbrook development. It is essential therefore that whatever final infrastructure burden is arrived at, the infrastructure costs (including the value for the loss of developable land) is recognised in policy and this equalised across all expansion areas on a proportionate basis within the DPD, in order to provide an effective tool for subsequent s106 processes associated with the wider site.
- 1.1.4 Subject to the infrastructure equalisation mechanism remaining in the DPD, based on PHSW Regulation 19 representations, PHSW no longer maintain an objection to the following aspects of Policy CB4:
- Criterion 2 - A mixed Use Area – broadly supportive – except for residential adaptability and meanwhile uses indicated below;
 - Criterion 3 & 4 - Requirement for Primary and Early years primary school and a SEN school – note concerns raised separately to Policy CB7 over the 30-dwelling trigger for Primary School provision;
 - Criterion 9 - Requirement for Allotments to exclude parking and peripheral paths;
 - Criterion 12 - Requirement for Serviced Land to Accommodate Place of Worship; and
 - Requirement for SANGS plus Financial Contribution.

PHSW Outstanding Objections to Policy CB4 (Summary Position)

1.1.5 Objections remain in relation to the following issues, which as are addressed in more detail through this Matter 6 Statement and summarised below.

- The need for a Comprehensive Development Scheme. PHSW control some 90% of CB4 area. Given the extent of this land control at Cobdens, provided its scheme does not impact on the ability of the remaining land outside its control to come forward, should mean a further, non-statutory stage is not required. Given this and the presence of East Devon District Council Cranbrook Masterplan Feb 2019 (**Cran052**) which effectively provides a general illustrative blue print for the site, it is unclear what form a Comprehensive Scheme would take and an additional time-consuming process and document which is considered unnecessary. Specifically requiring detail within such a scheme (such as biodiversity or green infrastructure or other masterplanning issues) is provided and agreed with an application is likely to add significant delays to the delivery of the proposals.
- Land Allocated for Specific Uses on the Policies Map. Clarification is required over the wording of this aspect of the policy which appears to rigidly fix the specific areas for uses on the site without any flexibility and through a colon at the end of the second paragraph appears to fix the issues within bullet points 1-12. The notation of policy areas on the Policies Map should not be prescriptive nor precise. Precise locations aren't capable of being justified and are likely to be ineffective in terms of delivering the most effective masterplan for each expansion area. The location for the education facility, and its shape, for instance should not and cannot be prescribed in the detail that might be implied on the Policies Map and associated policy text.
- Criterion 1. The requirement for Around 1,495 dwellings. PHSW believes replacing the 'Around' with a 'Minimum' policy is reflective of the NPPFs emphasis on boosting supply, making the best use of land and the Cranbrook Plan Strategy Policy 1 which requires a minimum housing requirement. Whilst evidence has been assembled by the Council in relation to master planning and indeed landscape issues within the eastern expansion area, such evidence does not provide the level of detailed assessment and placemaking work that will be provided through the planning application process. It is therefore important to ensure a minimum policy is introduced.
- Criterion 2 Mixed Use Area. PHSW remains concerned in relation to two specific components:
 - Requirement for Adaptability of Residential Premises in Mixed Use area - it is not clear that the evidence base is available to demonstrate that such adaptability can be effectively delivered or indeed would deliver benefits to Cranbrook. The conversion of homes to offices or retail units does not appear to have particular provenance or justification as a policy or sustainability objective.
 - Requirement for Meanwhile Uses. The expectation that parcels of land within the mixed-use area must be "made available" for meanwhile uses prior to permanent uses coming forward does not appear to relate to land use principles or policy. It raises a management matter not a land use matter.
- Criterion 10 Serviced permanent pitches for gypsies and travellers on an area of land of at least 1 hectare. PHSW maintains its view that Cranbrook and specifically CB4 area does not need to accommodate Gypsy and Traveller provision since Policy H7 of the East

Devon Local Plan presents a positive-criteria based policy for addressing need in the District as a whole. A conflict also exists through the aspiration in para 3.34 of the Cranbrook DPD that “*there is an attractive and welcoming entrance to the town at its eastern edge and “The London Road is therefore its shopfront”*”. Instead policy should allow the provision to be made off-site through appropriate financial contributions, for sites which accord with the criteria in Policy H7 to come forward.

Housing numbers

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

- a) confirmed by the landowner involved as being available for the use proposed?**
- b) supported by evidence to demonstrate that safe and appropriate access for vehicles and pedestrians can be provided?**
- c) deliverable, having regard to the provision of the necessary infrastructure and services, and any environmental or other constraints?**

- 1.2.1 In relation to Policy CB4 (Cobdens Expansion Area) it is important to acknowledge that the site is already allocated through the East Devon Local Plan (EDLP) as Cranbrook Expansion Area Strategy 9 and 12 and identified on the accompanying Proposals Map West End Inset Map as site parcel W114C. The principle of this development is therefore established and the evidence base and conclusions which led to this allocation remain valid for the purposes of its assessment through this Cranbrook DPD.
- 1.2.2 In relation to point a (**land control**) Persimmon Homes South West (PHSW) can confirm that it has a controlling interest, or option agreements in place, on all land within its control as in relation to the Cobdens Expansion Area. PHSW control approximately 93ha of the 110ha allocation and can confirm that the land proposed for allocation is in its control is available now. A PHSW Land Control plan is attached at **Appendix 1** which identifies the land under PHSW control in relation to the Cobdens Expansion Area.
- 1.2.3 On point b (**access**) the evidence published by EDDC (CRAN052) has considered transport movements along London Road and access issues affecting the junction with Cobden Lane, which has been further considered in the recent addendum report (CRAN065). The addendum report identifies a number of measures to address the issues that might impact on the layout and design of the development (see figure 5.2, CRA065 in respect to Cobden). In particular CRA065 pages 18, 21, 22 address the site access arrangements and in particular the proposals for access integration with the Grange off London Road. In PHSW’s view, this is a useful input to the preparation of the detailed layout as part of the planning application process as well as forming part of the evidence base.
- 1.2.4 PHSW notes the evidence in the Council’s Movement Strategy for Cranbrook (CRAN026) which has considered access and highways matters arising from development across the Cranbrook area as a whole, including at Cobdens, and this has informed the evolution of the masterplan. Figure 8 of CRAN026 illustrates the key points of the vehicular access strategy for development at Cobdens, and the access strategy for delivering them

- 1.2.5 The A30/B3174 is recognised to provide a route for traffic rather than a sense of place. Whilst the introduction of additional junctions and pedestrian crossing facilities will impact the existing ‘feel’ for drivers, the Cranbrook development will seek to change the use of the road through the introduction of active development frontage, attractive building design, landscaping, reduced speed limits and alignment. The development seeks the downgrading of the length of Cobden Lane to the immediate north of the B3174 to a ‘quiet lane’ with alternative access provided through the proposed development road network. Cobden Lane, a narrow lane with intermittent passing bays is not suitable for two-way traffic and Church Road provides suitable everyday access to the village of Whimble.
- 1.2.6 On point c (**deliverable**), PHSW maintains its view there are no environmental factors that prevent the allocation and delivery of the Cobdens Expansion Area. In support of this view, the evidence base work which underpins the Plan and specifically Policy CB4 proposals, demonstrate that Cobdens Expansion Area is deliverable and can address the issues relevant to the site. PHSW control approximately 93ha of the 110ha allocation and can confirm that the land proposed for allocation is in its control is available now, with there being no legal or ransom constraints which would prevent delivery of the policy on land in its control. In addition, PHSW considers the Plan to have had regard to the ecology and has accounted for it within the masterplan. For ease of reference attached at **Appendix 2** is an annotated copy of the Cranbrook Masterplan relating to the Cobdens Expansion Area.
- 1.3 Q75. Has full consideration been given to the impact of this allocation on:**
- a) Access arrangements**
 - b) Landscape impact**
 - c) Flood risk and drainage?**
- 1.3.1 On point a – see **access** response above at question 74. Access issues in relation to the station are addressed below at questions 80-83.
- 1.3.2 On point b (**landscape impact**), PHSW notes the Landscape and Visual Appraisal (LVA) prepared by HDA (CRAN032-CRAN051) that EDDC relies upon to inform the evolution of the masterplan, including recognition of the need to maintain the individual identity of local villages and avoid coalescence between settlement (in the case of Cobden, between here and Whimble) (CRAN032, para 10.2.1). Nonetheless, PHSW notes the purpose of the LVA was to assess ‘...*the likely effects of development within different land parcels surrounding the existing settlement in order to provide a commentary and evidence base to support the evolving masterplan...*’ (CRAN032, para 1.1.1). Consequently, whilst the evidence is considered proportionate to the preparation of the masterplan, this does not equate to a Landscape and Visual Impact Assessment (LVIA) required to inform a planning application, which can provide the necessary information to support a detailed design response in relation to landscape issues at Cobden.
- 1.3.3 PHSW notes the commentary in Cran050, paragraph 3.15 that the ‘*remaining broad principles of mitigation for Cranbrook East are sound.*’ Cran050, paragraph 3.12 states ‘*the proposals respect the visual sensitivity of the North Eastern Parcel*’ but raises some concern regarding the loss of Medieval field pattern. However, this is not a constraint which is highlighted within Cran052, page 26 and 27. Hedgerows of value are shown as retained within the scheme, in whole or part where possible. However; in order to create a modern connected development with

- strong urban design and clear legibility this may inevitably lead to some loss of hedgerows. Further review of key hedgerows, development of green corridors and their implementation and management can be undertaken throughout the design process and as part of the development of the Landscape, Biodiversity and Drainage Strategy Document noted within Cran001 Policy CB27.
- 1.3.4 On point c (**flood risk and drainage**), PHSW notes the evidence on Flood Risk and sustainable drainage strategy for Cranbrook that EDDC has prepared in support of the Plan (CRAN016 and CRAN017), and considered flooding issues related to each proposed expansion area. PHSW consider this to be suitably proportionate to the level of detail of the Plan and allows for more detailed Flood Risk Assessment and associated flood modelling work to be produced at the application stage in line with national policy (NPPF 2019, para 162-163) and which can consider the findings of the Flood Risk Review for the wider Cranbrook area. This has led to the preparation of an informed Cranbrook Masterplan and addresses they key questions raised by the Planning Inspectorate.
- 1.3.5 According to Cran017 the Flood Risk Review and Surface Water Drainage Strategy (February 2019), the majority of the Cobden’s Expansion Area is located within Flood Zone 1, an area with low probability of fluvial flooding. However, some areas are located within Flood Zones 2 and 3. As outlined in Section 5.1 of the 2019 report, this will be validated as part of a detailed hydraulic modelling exercise to support the Flood Risk Assessment at the planning application stage. It also states that:
- The majority of built development and all Sustainable Drainage System (SUDS) will be sited in Flood Zone 1. In areas where the proposed masterplan is shown to encroach into the floodplain, it indicates that flood compensation will be required, which is to be informed by the detailed hydraulic modelling to ensure that flood risk is not exacerbated offsite.*
- 1.3.6 This work will consider the latest available flooding data and be informed through discussions with the Environment Agency (EA). Some alterations to the Cranbrook Masterplan are inevitable as part of this process.
- 1.3.7 Section 5.2 of the 2019 report indicates that the EA’s RoFSW mapping shows that the majority of the Cobden’s Expansion Area, is within areas defined as having a very low risk of surface water flooding. Whilst there are some areas considered at high, medium and low risk of surface water flooding (mainly associated with existing watercourses, ditches and field boundaries), the subsequent application masterplan will be developed to ensure green corridors are incorporated to allow for the conveyance of surface water runoff without any impedance.
- 1.3.8 The Flood Risk Review and Surface Water Drainage Strategy (February 2019) and the Water Resources Chapter prepared to support the planning application (Ref:15/0047/MOUT) and readily available desktop information does not identify any other significant sources of flood risk in the proximity of the Cobden’s Expansion Area.
- 1.3.9 Surface water drainage will be managed using source control SuDS and regional scale techniques. Infiltration is not anticipated to be appropriate, but numerous streams and ditches are present, which allows the opportunity for the disposal of surface water runoff to mimic existing conditions.
- 1.3.10 Space has been made available for these surface water drainage requirements in the Cranbrook Masterplan and the techniques proposed will offer wider environmental benefits. Cran017 - The

Flood Risk Review and Surface Water Drainage Strategy (February 2019) provides an indicative location of the attenuation basins (Drawing Strategy 2 - Sheet 2 of 2) and states that:

‘The proposals present an opportunity to enhance the aesthetic and ecological value of the area through habitat creation. In addition, the potential for large areas of public open space to be introduced as a result of the surface water attenuation requirements identified above offer an opportunity for maximising the amenity value offered by the development ‘

- 1.3.11 Cran017 indicates that source control measures at the site level will include permeable paving and interconnecting swales, which will capture rainfall close to where it falls and transfer the remaining runoff to regional controls. Detention basins will be located at the lowest points of the development parcels, which will be designed to attenuate flow prior to controlled discharge at greenfield rates. As can be seen in the Cranbrook Masterplan, space has been set aside for these SuDS. The surface water drainage strategy is centred heavily on SuDS (in line with Lead Local Flood Authority SuDS Guidance for Devon) with no dependence on unfavourable engineered solutions such as underground tanks.
- 1.3.12 The proposal is to split the site into sub catchments, with each sub catchment served by its own independent controls, meaning each sub catchment could be built independently and is not reliant wider infrastructure.
- 1.3.13 Given the above, there is no reliance on strategic flood management and surface water drainage infrastructure or services to support the scheme and the Cobden’s Expansion Area is considered to result in no adverse impact in terms of flood risk or surface water drainage. Consideration of foul water drainage infrastructure needs is outlined under Q.160.

1.4 Q76. How has the figure of around 1495 dwellings for this allocation been arrived at?

- 1.4.1 PHSW sets out its general concerns regarding the justification and application of the dwelling figure of ‘around’ 1,495 dwellings at Cobden.
- 1.4.2 PHSW cannot find any clear evidence in either the Plan, or associated evidence base work that provides a clear basis for the dwelling figure set out in Policy CB4. PHSW assume that the figure is the result a calculation based on density and land area assumptions. However, PHSW does not agree with the basis for the approach taken by EDDC in this regard.
- 1.4.3 Although not set out, PHSW assumes that the figure of 1,495 is based on multiplying the assumed land area for residential (36.4ha) in the masterplan budget plan (CRAN052, section 5/page 36) by the average density assumption (40dph) broadly related to the Cobden expansion areas (CRAN052, figure 6.1). This generates figure of 1,456 dwellings on the residential parcels assigned within the Cobden expansion area. To this is added an allowance for additional capacity at the mixed-use neighbourhood centre, which PHSW assumes is 39 dwellings (equating to the difference between 1,495 and 1,456) but which again this is not clear from the Council’s evidence as to whether this is the case or not.
- 1.4.4 However, by applying an average density to a ‘fixed’ amount of land in PHSW’s view unduly restricts consideration of the potential to deliver higher densities or development across a larger area of land, where justified. For example, the masterplan seeks to apply lower densities in locations ‘...of greater landscape sensitivity...’ however these areas, in relation to Cobden, are

comparatively small and are contiguous to or, in some circumstances, are surrounded by development blocks of relatively higher density (CRAN052, figure 6.1).

1.4.5 Therefore, PHSW questions the justification for seeking to rigidly fix the density and area of land assigned to individual development blocks, as is set out in the masterplan, as a basis for the total dwellings capacity and appears to be an attempt to reduce the overall scale of development at Cobden to below the figures indicated in the adopted Local Plan.

1.4.6 On this basis, PHSW recommends in line with our submissions under Matter 3 clarifying the dwelling figure as a 'minima' in order to provide greater certainty on delivery.

1.5 Q77. What is the purpose of a Comprehensive Development Scheme in relation to this allocation?

1.5.1 As set out elsewhere in our submissions (under Matter 3) PHSW does not see any justification or necessity for the requirement to submit additional information given that the majority of the allocation at Cobden is under the control of a single developer and any planning applications are adequately covered by existing and proposed policy criteria, as well as the masterplan.

Mixed Use

1.6 Q78. Is the allocation of mixed-use areas justified and effective?

1.6.1 PHSW is broadly supportive of a mixed-use allocation at Cobdens. Whilst it is noted that Cran052 Feb 2019 Masterplan (section 4.3) provides some further clarification on the mixed use / neighbourhood centre area, and the Cranbrook Economic Development Strategy references at (section 7.3, page 28) 18.4ha across the whole area, the evidence to support both the scale and location of the neighbourhood centre between Cobdens and the Grange is not clear.

1.6.2 Additionally, the Plan as submitted appears to be relying on a proportion of residential development within what will effectively be a brand-new local centre as part of the overall housing numbers at Cobden. In this context, PSHW suggests that placing such reliance on additional housing as part of an emerging centre (and given the delays in delivery of the Younghayes Neighbourhood Centre on Cranbrook Phase 1) might result in delivery not coming forward as anticipated.

1.6.3 Consequently, the Plan should include greater flexibility to allow for such circumstances were they to occur, consistent with national policy (NPPF, para 11a). This could easily be done by reducing the rigid application of land areas and densities as is currently being proposed in the masterplan, or by identifying additional areas of land as part of modifications to the Plan.

New station

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

1.7.1 Yes, the continued allocation of land already allocated is not dependent upon a second station. PHSW understand the proposals are for the safeguarding of land only for a second station in

- close proximity to Cobdens Expansion Area (under Policy CB10). The precise evidence base for this and its location is not clear though.
- 1.7.2 Nonetheless, the safeguarding of land for a potential station must not be viewed in isolation but as part of a package of public transport measures, including enhancements to existing rail and bus facilities and provision of other interchange services to serve the area (under Policy CB9), which ultimately seek to address objectives for improving accessibility to public transport as a means to encourage modal shift. The provision of new housing is expected to support the delivery of the new and enhanced provision of public bus services across Cranbrook as identified in Figure 4.4. of Cran065.
- 1.7.3 A single bus service currently runs through the town, providing half-hourly buses between Cranbrook and Exeter City Centre to the west and Axminster or Honiton to the east. As the town grows with the expansion areas a more extensive bus service will be provided to link to other strategic infrastructure local to the area including Exeter Airport, Sky Park and Science Park in order to provide links between residential and commercial opportunities in the wider locality. This is provided for through Policy CB9.
- 1.8 Q81. What is the delivery mechanism for the second station?**
- Q82. Would the creation of a new station affect the timings of services at Whimple station due to capacity on the line; what consideration has been given to this issue in the planning of the second Cranbrook station?**
- 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?**
- 1.8.1 Uncertainties exist regarding funding for the provision of the new station as referred to the Sustainability Appraisal of Policy CB10 (CRAN057, Table 9.1/p120) and discussions are ongoing as acknowledged by the County Council (paragraph 2.2.4 of Cran065 the Transport and Movement Addendum.
- 1.8.2 Whilst Cran027 provides some commentary from the County Council regarding the need for and potential location of a second station, there appears to be limited evidence regarding the actual delivery and funding mechanisms for a second station or the implications of other stations due to available capacity on the line.
- 1.8.3 PHSW understands the land take is potentially relatively minimal, consisting of access, a platform and disabled parking, although this doesn't appear to have been quantified beyond the general information contained within Cran027. The general location based on this document as subsequently identified on the Policies Map would appear in the intervening period to be on land that is subject to Flood Zone 3 and used in the intervening period as general open space.
- 1.8.4 Overall, although the proposals are for safeguarding of land only for a second station (Policy CB10), there still needs to be certainty over the potential for the proposals to be realised through the review of the Plan. At present too many uncertainties exist regarding the case for a second station, its implications for existing stations, the funding and delivery mechanisms and its connectivity with the wider Cranbrook development and in particular the Cobdens Area. Whilst certainty exists over the improvement to additional bus services, as identified in response to

question 80 above, PHSW does not believe justification exists for safeguarding a site for a second railway station.

- 1.8.5 Should ultimately the Inspector consider the safeguarding proposals are sound, PHSW consider a strict time limit to demonstrate the station will be taken forward needs to be imposed of 3 years from the adoption of the plan, to ensure the implications of a second station can be factored into the wider masterplanning and detailed proposals for the Cobdens area.

Settlement coalescence

1.9 Q84. How will development east of Cobden’s Lane ensure that there would be no risk of settlement coalescence with Whimple (including encroachment into Whimple Parish)?

- 1.9.1 In PHSW’s view, the existing masterplan included in the submitted Plan (CRAN001, figure 8) indicates minimal incursion into the area east of Cobdens Lane based on the submitted development boundary (involving a small triangular area of land at the junction of Cobdens Lane and London Road). This part of the allocation in fact comprises approximately 4.6 hectares (or 4%) of the total of 110 hectares currently allocated and would provide a separation distance at over one kilometre between Cobden and Whimple settlement.
- 1.9.2 The adopted East Devon Local Plan at Strategy 8 and 6.24 (f) effectively controls development in this area and ensure that development should not take place in the Green Wedge between Cobdens and Whimple. The area is identified on the EDLP Policies Map West End Inset Map, the purpose of which is to avoid the risk of coalescence. No development is proposed within the Green Wedge.
- 1.9.3 The intervening rise in the land directly to the east of the site at New Crockernhayes effectively contains the site from Whimple resulting in no clear views of the site from residential receptors in the village of Whimple (or indeed Broadclyst and Rockbeare) as a result of natural containment that is created by topography and vegetation. There are very few highly sensitive visual receptors (i.e. residents and public rights of way users) that have clear views of this landform. In fact, there is a general absence in PROW within the local landscape. As result, the availability of views of the site is significantly limited.
- 1.9.4 The nearest PROW are in the vicinity of Whimple. Walkers that are moving through the landscape have no obvious opportunities in which to view of the site on account of rising land in the vicinity of New Crockernhayes that provides a strong sense of natural containment. And additionally, by intervening woodland, mature trees and hedgerows which filters and obscure views.

1.10 Q85. Would the allocation of a site at Cobden’s reflect the provisions of Strategy 7 in the EDLP, with particular regard to criteria 1 to 3?

- 1.10.1 Yes. In PHSW’s view, the allocation at Cobden adequately reflects the evidence on landscape matters at Cranbrook, in terms of the consideration of settlement pattern, natural and manmade features and important views, as summarised in the Landscape Strategy for Cranbrook (CRAN045) that informs and justifies the overall approach as indicated in the masterplan (CRAN 052), which illustrates the broad extent of the eastward expansion at Cobden.

1.10.2 Nonetheless, as highlighted in earlier responses the landscape evidence submitted by the Council is proportionate to plan-making, and therefore it is for the planning application pross to consider landscape and visual impact in relation to specific proposals, which would be informed by the available evidence, including the Landscape Strategy, but this should not dictate what the appropriate design response should be in light of the more detailed assessment carried out at the planning application stage.

1.11 Q86. Were any undertakings given in the EDLP that the area between Cranbrook and Whimble was to remain separate to provide a green buffer space between the settlements?

1.11.1 The undertakings are provided through Strategy 8 and 6.24 (f) which effectively controls development in this area and ensures that development should not take place in the Green Wedge between Cobdens and Whimble. The area is identified on the EDLP Policies Map West End Inset Map, the purpose of which is to avoid the risk of coalescence. No development is proposed within the Green Wedge.

1.11.2 Consequently, the masterplan takes appropriate account of the need to respect the separation of the new community at Cobden and existing settlement of Whimble based on the current adopted EDLP policy framework.

1.12 Q87. What is the justification for development on land identified as green wedge within Strategy 8 of the adopted Local Plan?

1.12.1 PHSW wishes to clarify that, in relation to the land in PHSW's control, it does not propose any built development within the green wedge as defined under Strategy 8 of the EDLP. The extent of the allocation illustrates that the two areas will remain separate. PHSW consider that for ease of reference and to make matters clear the Green Wedge annotation should be included on the Cranbrook DPD Policies Map.

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

1.13.1 A range of investigation work has taken place relating to the likely impact of development on both archaeology and heritage assets which has included desk-based research, site walkovers and archaeological evaluation (see Q103 response). No designated assets or significant archaeological remains were identified within the site, although locally important elements such as hedge banks and a single farmhouse have been considered and appropriate mitigation proposed. The potential for an adverse effect on the setting of designated heritage assets has been considered through recent assessment work on behalf of PHSW by BSA Heritage for a range of designated structures and landscapes. The assessment has been informed by past consultation with the Devon Historic Environment Record and History Centre, as well as Historic England's Archive and online sources.

1.13.2 Limited extant features of interest lie within the site. Middle Cobden Farm farmhouse may be of some age in origin and it is recommended that it is retained within any future development

scheme. No other site structures would warrant retention, being limited to a ruined stone building and modern farm structures.

- 1.13.3 The historic landscape of the site is typical of that in the surrounding area and its loss to development represents an adverse effect, albeit the landscape is not formally designated. However, several of the site's fields reflect modern amalgamation and orchards have been lost. Any greenfield development in East Devon is likely to affect similar landscape. Retention of hedge banks and green lanes would ameliorate harm in part and address the Cranbrook Plan policy requirement that the allocation respect landscape features.
- 1.13.4 Attached at **Appendix 3** is a plan which identifies the heritage assets on the site.

Pylons

1.14 Q89. What are the objective criteria behind the recommendation to underground only 1 of the two overhead lines?

- 1.14.1 PHSW has provided specific comments in relation to the powerlines through its response to Matter 2 on the SA. The undergrounding of the 132kV line (western line) releases additional land for development, will have a positive visual impact and while costly, can be accommodated in terms of the overall viability of the development of Cobdens provided the costs are shared across the Cranbrook development which does not yet have the benefit of permission and the principle of equalisation is enshrined in the development plan policy as well as the IDP. However, the undergrounding of the 33kV line (eastern line) due to the presence of other constraints (principally being located in FZ2/3) does not provide sufficient additional net developable area to justify the costs of doing so. This is illustrated in Figure 2 of Cran031 the BTS Overhead Lines Strategy Report (October 2018).

1.15 Q90. Is the undergrounding of pylons practical and viable for developers?

- 1.15.1 As per the response to Q89. PHSW consider the undergrounding of the 132kV line to be potentially practical and but there are plainly phasing and viability issues which the Council's evidence base has not adequately assessed. The implications of additional undergrounding under the Grange Expansion area has not been adequately assessed. Removing existing Pylons will also potentially benefit some land owners. However, it should be noted that PHSW has established this position based on the key principle of equalisation as set out in paragraph 2.29 of Cran030.
- 1.15.2 PHSW has commissioned further UP-dated costings work (from BTS – attached at **Appendix 4**) in relation to the undergrounding of the overhead lines that builds upon the findings of Cran031. This has included a more detailed assessment of the costs of undergrounding the 132kv line and indicates a budgetary cost of £7.56m, albeit it is noted that no contingency costs are included.

1.16 Q91. In the event that pylons are not undergrounded how would this affect the robustness of this land as a housing allocation?

- 1.16.1 If the 132kV pylon was not undergrounded this would reduce the overall net developable area of the site. The site would still be developable for housing; however, the quantum of housing would reduce and the ability of the site to provide other forms of infrastructure for the wider Cranbrook

area would be similarly reduced. As noted in response to Q89 and Q90, PHSW do not consider the undergrounding of the 33kV pylon to be of overall benefit to the delivery of the site.

1.17 Q92. How is the proposal to underground the overhead lines consistent with the Plans overall objectives 1- 3 (pg. 3)?

1.17.1 The undergrounding of the 132kV overhead line will contribute to the following of the Plan's overall objectives:

- Objective 3 – 'The best outdoor environment for everyone, including the young and vulnerable.'
- Objective 21 – Protection must be afforded to the designated habitats and sites which are within access of the development through robust mitigation and enhancement' i.e. SANGS
- Objective 23 – Green spaces and landscape features within and around Cranbrook are linked and have a variety of functions, making sure that they are as valuable and accessible as possible to the community and wildlife'

1.17.2 While the undergrounding of the 33kV line would also contribute to the Plans objectives, it is not viable to do so and has lesser benefits when other constraints are taken into account.

Cobden's Lane Closure

1.18 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?

1.18.1 PHSW wishes to confirm it does not intend to progress highway proposals that would close Cobdens Lane as part of its wider plans for the Cobdens Expansion Area. The Masterplan Cran052 illustrates the potential for a realignment of Cobdens Lane and a new access onto the London Road, due to potential road safety issues. This would be assessed at the application stage.

Sports pitches

1.19 Q94. Would the siting of a Junior Sports Pitch (JSP) away from the main sports hub be justified and effective?

1.19.1 Yes. PHSW consider that the provision as proposed, of an additional junior pitch to meet the needs of Cranbrook at Cobden can be justified in the context of an expansion of existing facilities at Ingram's Fields rather than involving the creation of new provision in its own right. On this basis, PHSW supports provision broadly as suggested on the submitted masterplan provided it is located adjacent to the Ingram's Fields site.

Gypsy and traveller provision

1.20 Q95. What is the rationale for the siting of the 10 pitches at the Cobden’s Lane site to accommodate the gypsy and traveller community in respect of the sites’ location and accessibility to facilities and services?

- 1.20.1 PHSW cannot find any clear basis for why 10 pitches should be assigned specifically to Cobden Expansion Area. PHSW assumes that the site was originally identified as part of the masterplanning work as part of the Cranbrook Plan: Preferred Approach policy requirement document issued alongside the 2017 draft masterplan, as one of two sites required for the town (Table 2.2 refers), with the expectation that they would be delivered on Bluehayes and Cobden Expansion Areas.
- 1.20.2 However, in terms of their initial selection PHSW cannot find any supporting evidence to substantiate the choices made at the preferred options stage, and therefore PHSW suggest the choice of site location is not soundly-based. It is important to note that the Sustainability Appraisal (Sustainability Appraisal of the Cranbrook Masterplan, para 5.87) did consider options for meeting the need for additional pitches, but this was based on site ‘typologies’ i.e. single large; small number of (say two) medium sized sites; and large number of very small sites. However, the SA did not include any appraisal of individual sites as ‘reasonable alternatives’ for gypsy and traveller use to the two ‘preferred’ sites identified at this point. This is an error in the SA process that is supposed to inform the selection of preferred options which undermines the selection process in relation to the approach to selecting the gypsy and traveller allocations.
- 1.20.3 Furthermore, following the preferred approach consultation undertaken between November 2017 and January 2018, the two parcels of land originally identified in the 2017 masterplan were amended and so do not now correspond with the land parcels proposed in the Plan and which are now shown on the 2019 masterplan. It is not clear from the supporting evidence documents, including the Sustainability Appraisal, the reasoning behind the changes now proposed. A significant change has been the increase in area (and pitch numbers) on both parcels, but also includes the relocation of the Bluehayes allocation, the reasons being based on officers’ concerns with the deliverability of the site refers to the land being in ‘*private ownership*’ and the ‘*owners intentions are unclear*’ (EDDC Strategic Planning Committee report on Cranbrook Plan Development Plan Document, dated 20th March 2018, page 25). Similar conclusions could equally apply to the preferred site at Cobden, but this is not referred to in the Council’s summary responses and therefore PHSW questions the credibility of the Council’s position.
- 1.20.4 It is also noted that SA has not appraised any alternative pitch provision in terms of numbers of pitches on the preferred sites, or on any alternative sites, as a basis for preferring the proposed allocation of 10 pitches at Cobden. There also appears to be no supporting site selection evidence sitting outside the SA and so it is unclear how the SA, or site selection process, has informed the final choice of pitches assigned to Cobden.
- 1.20.5 Consequently, it is unclear as to the evidential basis for why the Bluehayes site should be relocated whilst the Cobden site should remain broadly ‘in-situ’, nor why 10 pitches are appropriate in Cobden and not elsewhere in the Cranbrook area in other potential locations that are or will be accessible to local facilities and services.

1.21 Q96. How does the location of the provision accord with government guidance on the provision of sites?

- 1.21.1 PHSW consider that the proposed location of provision ignores the Government’s overall aims of national policy in respect of travellers sites, set out in the *Planning policy for traveller sites* (August 2015), which seeks to ‘...reduce tensions between settled and traveller communities in plan-making and planning decisions...’ (para 4.i), and ‘...for local planning authorities to have due regard to the protection of local amenity and local environment...’ (para 4.k).
- 1.21.2 PHSW considers the tightly drawn juxtaposition of the new provision to the wider housing allocation, as currently proposed, and in circumstances in which the new residents (both settled and traveller-based) have yet to move to, raises concerns regarding whether a suitable relationship with neighbouring uses can be demonstrated given national policy requires Local Plans ‘...protect local amenity...’ (para 10). Consequently, PHSW maintains its position that the location of provision is not consistent with national policy and so is not soundly-based.

1.22 Q97. How has the landscape impact of the expansion areas been fully considered by the Council?

- 1.22.1 The Plan’s proposed location of the eastern most gypsy and traveller provision places the site at a very prominent position on the London Road eastern entrance of the New Community. Although proposals indicate the site would be broken up by tree planting and surrounded by grazing an urban frontage would be more successful in this location to provide a clear arrival point from London Road.
- 1.22.2 Cran001, Policy CB25, paragraph 4.71 states the design quality along the London Road frontage ‘*must be at its highest along the road frontage which will present the “shop window” of the town to passing motorists*’.
- 1.22.3 Cran052, page 18 states the Grange Development ‘*has a strong relationship with the London Road and the proposed settlement pattern of the Cobden’s expansion area*’.
- 1.22.4 Area 5 on the Cobden scheme should mirror the use of the opposite land parcel within the Grange proposals to provide a strong and distinctive entrance to the New Community.

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

- 1.23.1 No. PHSW suggests that there is little evidential basis for the extent of the sites based on the available evidence principally being the two rounds of SA, which PHSW considers to be deficient as outlined in our response to question 95. Consistent with our response to qu.95, PHSW considers that the sites, by virtue of their size and location, has not been properly informed by any credible site selection or appraisal process and it is not clear as to why these sites, in particular the site at Cobden, are any more appropriate than other potential site elsewhere in Cranbrook, or elsewhere in the District.

1.24 Q99. Does the distribution of Gypsy and Traveller pitches reflect the spatial strategy and the identified need within East Devon District?

- 1.24.1 No. The Spatial Strategy for East Devon (Strategy 1) of the EDLP establishes the scale of growth to be accommodated district-wide for housing and employment but, whilst noting that growth would be directed to the West End area of the District, it does not define quanta of development to specifically address gypsy and traveller needs in the plan period. Similarly, the strategy for the distribution of housing between 2013 and 2031 (Strategy 2) also makes no reference to needs of gypsies and travellers.
- 1.24.2 It is noted that Strategy 12 (Development at Cranbrook) of the EDLP identifies that provision will be made for new gypsy and traveller sites to accommodate ‘up to 30 pitches’ (out of a District-wide need for 37 pitches originally identified) on land allocated to the Cranbrook development (criterion 2). However, the Council acknowledges, as stated in the adopted guidance for siting and design of gypsy and traveller sites¹, which postdates the EDLP adoption date, that the EDLP does not allocate specific areas of land for gypsy and traveller use at Cranbrook (para 1.13 refers). The EDLP also points to a separate Gypsy and Travellers DPD which would be the vehicle for identifying site allocations to meet gypsy and traveller need (para 16.34 refers), but PHSW notes that this has since stalled.
- 1.24.3 This being the case, reliance is placed on Policy H7 to determine each planning application for gypsy and traveller development as they arise across the District. This policy sets out a range of criteria that need to be taken into account, but also does not identify any specific land or areas at Cranbrook as being preferable for such uses. The adopted guidance document referred to above also makes clear that Policy H7 will be used, instead of allocating sites, to address gypsy and traveller need and that the policy ‘...would apply to all sites seeking to gain planning permission, whether allocations or windfall...’ (para 1.13 refers). The proposal to allocate specific sites within the expansion areas, including Cobden, therefore would appear to contradict the Council’s general position in 2017, with no clear reasoning to justify why this is appropriate.
- 1.24.4 PHSW considers that there is no clear policy basis in the EDLP for the specific allocation of land parcels for gypsy and traveller pitch provision within Cranbrook, and in particular at Cobden. Furthermore, PHSW suggests that rather than seeking to direct gypsy and travellers’ provision to Cranbrook as a matter of principle, as was the case under Strategy 12 of the EDLP, the Council is now accepting that provision can be made at other locations in order to address future needs up to 2031. This view is further supported given the Council intend to replace Strategy 12 with policies in the Cranbrook Plan (CRAN001, Appendix 1 - Status of Policies), which includes removing the requirement to provide for up to 30 pitches at Cranbrook.
- 1.24.5 Consequently, PHSW does not see any reason why future need cannot be met elsewhere and this should be tested through the SA as a reasonable alternative in the District as part of alternative proposals or through a mechanism that allows for off-site provision to be made. The

¹ Gypsy and Traveller Site Design and Layout Supplementary Planning Guidance- Adopted 22 February 2017

Council has granted consent for a number of schemes elsewhere in the District in recent years² in locations outside Cranbrook for gypsy and traveller development.

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

- 1.25.1 As highlighted in our submission to Matter 3, and in PHSW Regulation 19 representations, and question 95 above, PHSW consider that there is no clear rationale for the split of 15 pitches over two sites as proposed in the Plan, in particular the concentration of ten pitches assigned to Cobden. The EDLP Inspector acknowledged at paragraph 44 of his report that there was nothing in the modified policy to require all the pitches to be in the same place. In relation to the proposal to allocate pitches over two sites, this appears to stem from the final SA 2019 (para 6.88 – 6.97/Table 6.11) which references the emerging masterplan in relation to the ‘two sites’ option (para 6.90).
- 1.25.2 However, whilst four options are appraised, the SA does not make clear which option is ‘preferred’ and which options are ‘reasonable alternatives’. Furthermore, the reasons for selection and rejection of options is also not fully explained in the SA, or elsewhere in the evidence base. This means that the selection of two sites ahead of other alternatives for dealing with gypsy and travellers is not adequately explained. Consequently, there are also no adequate reasons given as to why two sites split across 5 and 10 pitches is better than any other reasonable alternative.
- 1.25.3 This omission goes to the heart of the SA and its credibility as evidence informing the Plan policies, including Policy CB4.

1.26 Q101. Would the location of the Gypsy and Traveller site have an impact on the viability of Cobden’s allocation?

- 1.26.1 PHSW has previously set out its concerns regarding the potential adverse impact of locating the gypsy and travellers provision as proposed in the Plan see PHSW Reg 19 submissions, pages 7 to 10), which included supporting evidence on the potential effect on land values provided to PHSW by a number of land agents and other property professional with experience of the local market (pages 17 to 30). Land is also lost to housing with associated reductions in affordable housing provision.

1.27 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?

- 1.27.1 The Gypsy and Traveller site within the Cobden allocation exists to the east of Cobden Lane with a 200m frontage onto the B3174 London Road. The B3174 in the vicinity of the site has a straight alignment and is currently subject to the National Speed Limit. The Cranbrook development seeks to alter the B3174 from its current form as a traffic route to provide a sense of place; this

² 16/0201/FUL (4 pitches); 15/1031/FUL (1 pitch); 15/0393/FUL (1 pitch)

will be undertaken through the introduction of active development frontage, attractive building design, landscaping, reduced speed limits and alignment.

- 1.27.2 Overall, there appears to be very little highway evidence assessing the access issues associated with the GTS and specifically whether the location as indicated on the Cranbrook Masterplan at Cobdens is appropriate.

Other Queries

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

- 1.28.1 Initial, full desk-based assessment indicated low potential across the site, as did subsequent geophysical survey. These results were then tested through targeted trial trenching (**Appendix 3**) which also confirmed very limited potential. No features of archaeological significance were revealed by trenching and a low level of archaeological material also indicates significant remains are unlikely. The fieldwork and reporting were agreed with and monitored by the DCC archaeologist, who has subsequently confirmed agreement to the assessment undertaken by BSa Heritage. In accordance with current policy, guidance and best practice, limited further fieldwork will be completed during the development process to ensure any archaeology is recorded appropriately.

1.29 Q104. Is the siting of the cemetery provision justified and effective?

- 1.29.1 PHSW is broadly supportive of proposals for the provision of new cemetery facilities in the area however, consistent with our representations on need for flexibility generally across the allocation, PHSW would welcome some flexibility in the where such facilities are eventually provided through appropriate wording in Policy CB4, with potential for this to be provided on alternative sites outside the allocation but within the Cranbrook development area.

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

- 1.30.1 There exists a lack of clarity over the precise location of the SEN, based on both the Policies Map. As per the responses earlier PHSW believe it is important for the Plan to acknowledge that whilst the Policies Map and Cranbrook Masterplan can provide the blueprint for the overall development, thereby circumventing the need for a separate Comprehensive Development Scheme, it is essential that the distribution of uses is not fixed at this initial concept masterplan stage and sufficient flexibility is allowed to ensure location of uses, such as the school and SEN is appropriately addressed through the more detailed planning application stage.

1.31 Are any Main Modifications proposed?

- 1.31.1 Consistent with the observations set out within this Matter Statement, Main Modifications are considered appropriate in relation to the following:
- The need for a Comprehensive Development Scheme;
 - Land Allocated for Specific Uses on the Policies Map;
 - Criterion 1 - The requirement for Around 1,495 dwellings;

MATTER 6

- Criterion 2 Mixed Use Area
 - Requirement for Adaptability of Residential Premises in Mixed Use area
 - Requirement for Meanwhile Uses, and.
- Criterion 10 Serviced permanent pitches for gypsies and travellers on an area of land of at least 1 hectare.

MATTER 6

APPENDIX 1

PHSW LAND CONTROL PLAN AT COBDENS

Figure 4.6: Cobdens



MATTER 6

APPENDIX 2

ANNOTATED COBDENS MASTERPLAN

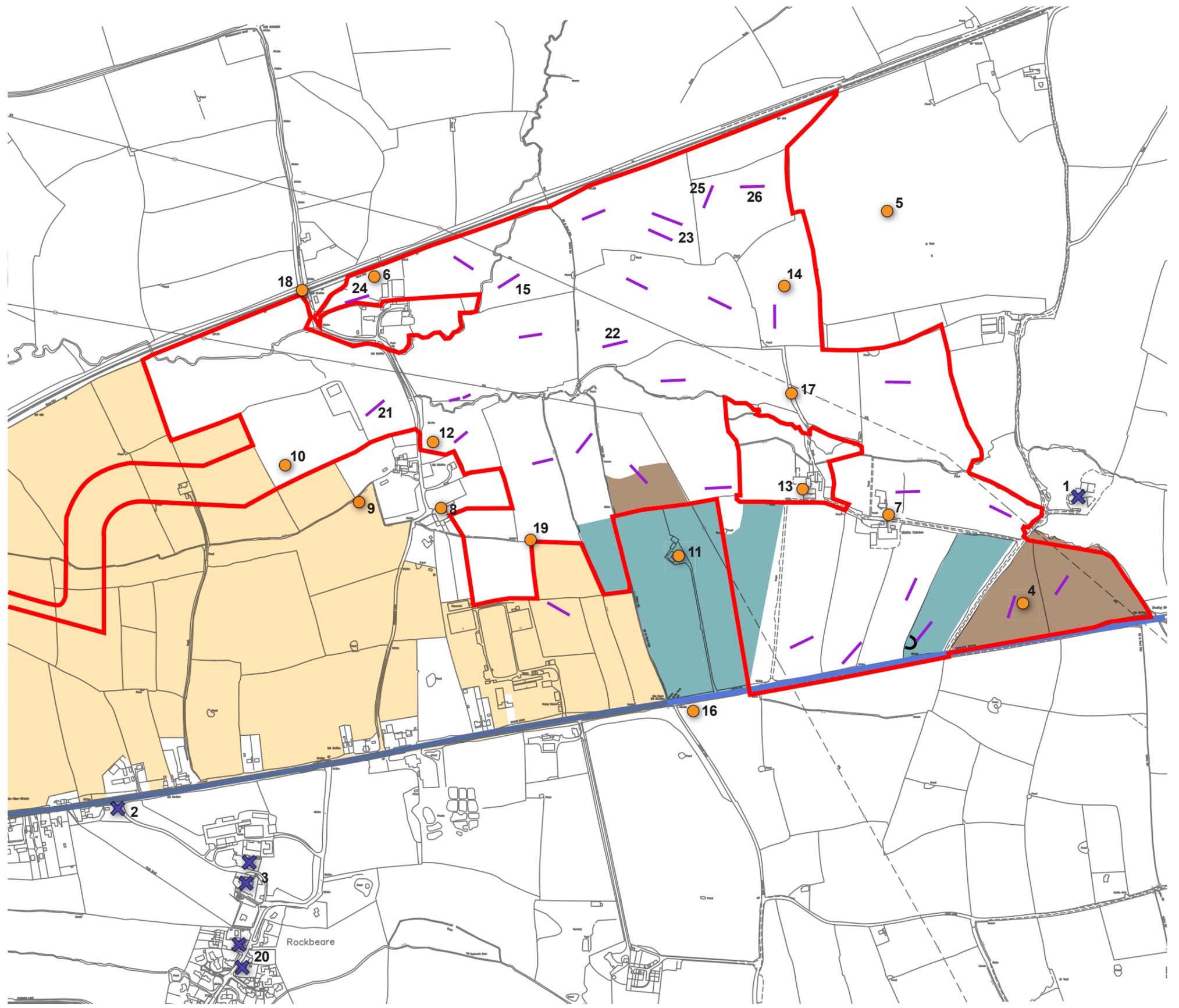
Figure 4.6: Coldeans



MATTER 6

APPENDIX 3

COBDENS HERITAGE ASSETS PLAN



- KEY**
- Site boundary
 - Permitted development area
 - X Listed building
 - Other identified heritage
 - 'Blackland' field names
 - 'Cobden Pits' field names
 - Course of Roman road
 - ⊂ Most likely sub-surface archaeology from geophysics
 - Excavated trench



Project Cranbrook Expansion East
 Drawing Title **Figure 1: Identified Heritage and Archaeology**
 Scale As shown (approximate at A3)
 Drawing No. BSA 1111_f01
 Date January 2020
 Checked BS/KJ

BSA Archaeology & Historic Environment
HERITAGE Consultancy
 7 Spring Gardens, Abingdon, Oxon, OX14 1AZ
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MATTER 6

APPENDIX 4

OVERHEAD CABLES COSTINGS

07 January 2020

Our Ref: LS / CSE0886

Your Ref:



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John Rudge
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Dear John,

Cranbrook Budget Diversion Costs

The additional work has been completed after the Council's initial review and is considered to provide a more informed understanding of the potential costs associated with undergrounding the pylons. In addition to costings an assessment of the possible routes for the undergrounding was undertaken.

Current diversion costs are based from the WPD Budget Estimate letters dated 04 November 2019 ref 3511762 and 3512104.

Four options for diversion of the WPD owned and operated apparatus located on the subject site were discussed with WPD focussing on the most viable routes. However, without site investigation these costs could increase given the uncertainty surrounding the topography, flooding and proximity to Network Rail. Two options for each line were explored for the undergrounding of both the 132kV and 33kV overhead line. The routes can be seen in the images below.

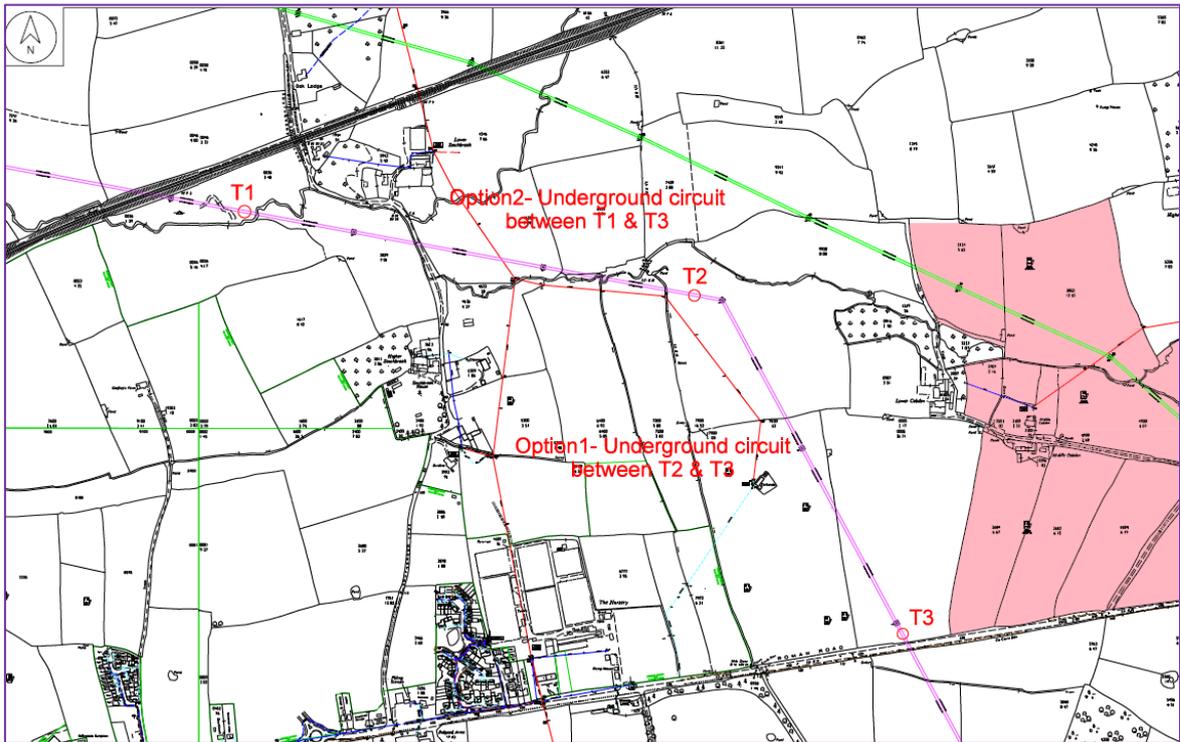


Figure 1: Cranbrook 132kV Diversion Options

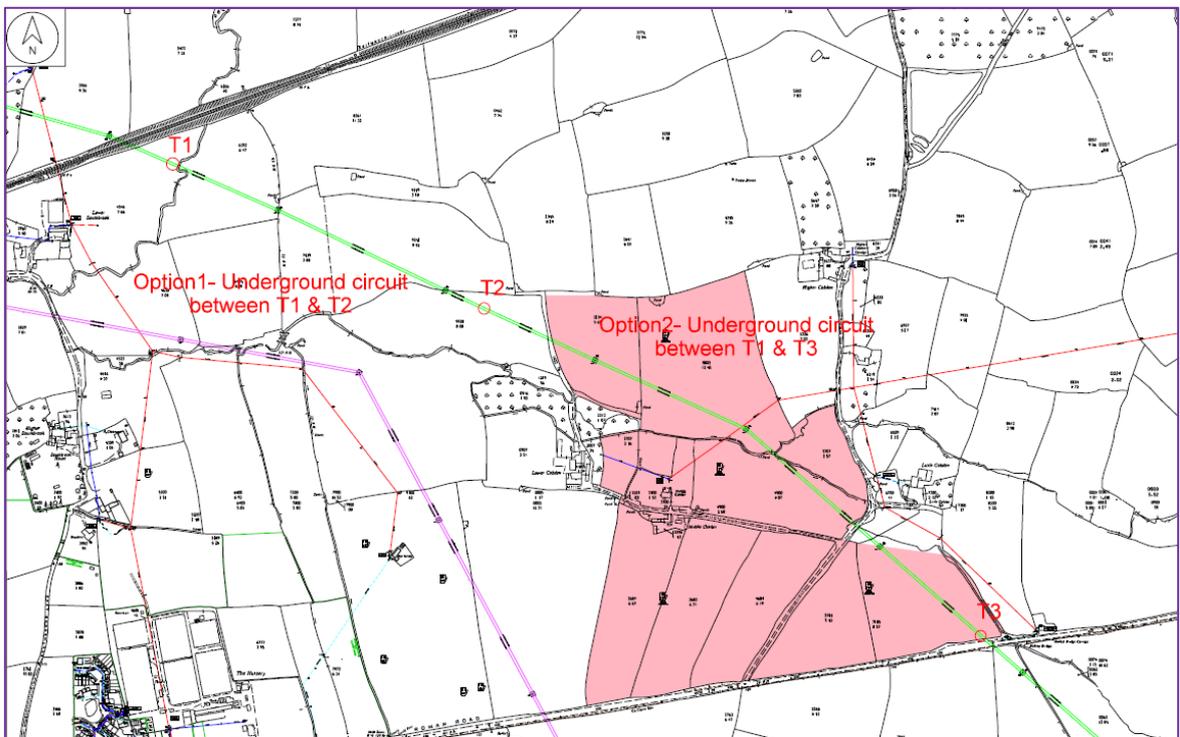


Figure 2: Cranbrook 33kV Diversion Options

The costs do not take into account any ground or unforeseen conditions on the site, nor do they allow for the wider context of manufacturing and cost changes in 132kV and 33kV apparatus. Furthermore, they make no allowance for any issues with third parties. The costs for each route can be seen below.

- 132kV Option 1 - £4,920,000
- 132kV Option 2 - £7,560,000
- 33kV Option 1 – £3,240,000
- 33kV Option 2 - £4,440,000

Please note, the figures above do not constitute a technical breakdown of the cost and are purely for budget purposes. The proposals are based upon a desk top provisional investigation carried out by WPD and no site visit or detailed study has yet been carried out by WPD.

The proposed Diversion Works for the 132kV would include:

- Survey, ground investigation and design works associated with the temporary access, compounds, cable routes, and terminal towers;
- The installation of two new 132kV terminal towers including cable sealing end structures;
- The installation of 2 x 132kV underground cable between new terminal tower position (approximately 1320m of cable) and 132kV terminations.
- Removal of the redundant 132kV towers and conductors.

The proposals are all very similar for each of the four diversion options, with the only changes being the approximate length of new cable required and difference between of the 132kV and 33kV equipment. Despite the second line operating at 33kV it is of 132kV construction and therefore this has been costed to be able to deliver 132kV capability if required.

Yours sincerely



Louise Sutton
BTS – Director