

RESPONDENT – CRANBROOK LVA LLP – No. 145

MATTER 8 PHASING

ISSUE 11: IS THE PHASING PROGRAMME WITHIN POLICY CB7 POSITIVELY PREPARED JUSTIFIED AND EFFECTIVE?

Q118. Is the proposed phasing justified and effective? How will the Council ensure that strategies from each expansion area achieve a co-ordinated approach to delivery and a measured release of sites over the plan period?

The phased approach set out is not justified or effective. The policy could be made more flexible by amending it so that on a site by site basis appropriate consideration of the phasing required can be applied during the determination of individual applications for development within the expansion areas. This approach will work better in practice and mean that phasing can be considered in the context of what is happening at that time in that particular expansion area.

That said, part of the policy is sensibly worded. Particularly the second sentence of the second paragraph where it states, "...The approach to phasing will also require that central parcels of land, close to or adjoining, community and education facilities are developed first with subsequent parcels which are further away from such facilities coming forward as later stages of development..."

Such a position is eminently sensible for a site like Farlands which is available for delivery now, immediately abuts existing playing pitches and is the most centrally located and accessible parcel of land within the Cobdens expansion area.

Q119. Does the policy rely on multiple landowners reaching agreement? How might uncertainty for owners particularly for smaller land holdings be avoided?

Yes it does, and this is where modifications are needed to the plan. A site like Farlands, is capable of coming forward to provide much needed early housing delivery (where it can show DPD and masterplan compliance). This approach has been accepted previously on early phases of development (such as the Wainhomes application along London Road) and for sites like this uncertainty can be removed by allowing a phasing strategy on a site by site basis as part of any S106 associated or a phasing condition associated with a planning permission. This will prevent smaller land holdings from being put into a ransom position. We would therefore suggest that phasing strategies do not have to be expansion area wide and a more bespoke arrangement can be provided.

Q121. How have the occupation restrictions been validated and how might interim solutions enable the release of funds to deliver the infrastructure?

As previously set out the requirement for the school to be delivered before the 30th dwelling in the four expansion areas is occupied is inappropriate and will have implications for housing delivery. This is an issue that has been raised by many respondents and the LPA and Devon County Council need to provide flexibility on this issue.

This approach is too rigid. Consideration could be given to interim solutions which could include (inter alia) the use of bussing to surrounding schools and short term expansion of existing schools through temporary portacabins/accommodation within the grounds of the existing education campus and primary schools in Cranbrook. This in turn could enable the delivery of the new school to be brought forward when the funds are available.

Q123. How will SANGS be delivered ahead of new housing?

Firstly we would question whether SANGS needs to be delivered ahead of housing in the early years of delivery of the expansion areas – please see our response in full to question 198 - The HRA test requires development to have “no significant effect”, rather than “no effect”. This wording allows for flexibility and we would suggest the initial phases of early housing delivery will not have a “significant effect”. Availability of SANG land before a single dwelling is occupied is not necessary.

However, we have always advocated that the Council need to take control of this situation and need to invest money already collected from developer contributions in acquiring and delivering SANGS provision (through the land identified in the SANGS Delivery Strategy in the evidence base) in advance of the housing coming forward. The Council will then then receive this money back from the contributions that can be sought from developments against the delivery of SANGS. The Council has been receiving money for SANGS provision over a number of years therefore money is available to spend on delivery of SANGS.

We therefore welcome allowing smaller sites too small for the provision of SANGS on site to make a contribution to provision in more suitable locations (e.g. parts of the larger land holdings seem to have land which is suitable for SANGS as identified in the SANGS delivery document).

Q124. If the location of one of the primary schools is to be a choice between one of two expansion areas how does it achieve clarity for landowners and certainty regarding infrastructure costs and timings?

It does not offer certainty. Certainty needs to be provided now, particularly in respect of costs, with a site selected. Thresholds/triggers for the delivery of this school then need to be made more flexible to allow for delivery of housing, within the use of interim solutions as set out in our response to question 121.

Additional Question:

AQ11. Are any Main Modifications proposed in relation to Issue 11?

Yes – allowance needs to be made for site specific phasing to allow early delivery of sites like Farlands. We would suggest that policy CB7 is not essential as the mechanisms which exist through DPD and any subsequent S106 agreements can ensure appropriate phasing. If retained, further changes could include:

- Removal of reference to the undergrounding of the power lines if this is not pursued as a result of the plan examination;
- Variation to the specific primary school triggers to allow the delivery of additional housing.

- Ensuring there are no ransom positions granted to the larger land holdings preventing early delivery of smaller sites.