

# **The Cranbrook Plan: Examination**

Matter 8: Phasing

Statement on Behalf of East Devon New Community  
partners

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## 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?

1. The requirement for a phasing strategy for **each** of the expansion areas, prior to permission being granted, is not justified or effective.
2. In the case of Bluehayes, Cobdens and Treasbeare, the vast majority of land is controlled by a single, albeit different, party. In each of those three cases the land that is controlled by those parties is land which will deliver all of the key on site infrastructure elements. Applications have been submitted for each of those three areas - on a comprehensive basis - and await determination by East Devon District Council.
3. In each case, a comprehensive section 106 agreement will be prepared which sets out exactly what the Phasing policy hopes to achieve timing of SANGS delivery, timing of education provisions.
4. Indeed, one of the principal purposes of the DPD is to provide a framework to allow each expansion area to come forward for development.
5. As such the requirement for a phasing strategy - like the requirements for comprehensive development schemes - prior to the grant of planning permission will only serve to delay the early approval and progression of development in the expansion areas at Cranbrook, unnecessarily so since the section 106 obligation, referred to in the last paragraph, will deliver all that is required.
6. The one exception where a phasing strategy and a comprehensive development scheme may have some value or purpose would be in relation to The Grange where the landownership is in multiple hands - all of whom appear to be working independently - and where additional provision for SANG land needs to be secured through other landownerships.
7. Likewise the requirement in CB7 for each phasing plan to ensure an overall co-ordinated approach to delivery across Cranbrook as a whole is unnecessary. The DPD - when adopted in due course - will provide that overall level of co-ordination - along with such supporting documents or evidence as may be relevant.
8. To this end the DPD trajectory envisages the parallel or overlapping delivery of the four expansion areas – obviating any expectation or need for a phased release of the expansion areas or sites. Should particular phasing issues arise then these can be addressed in planning permissions.
9. Finally the second sentence of the second paragraph relating to the early delivery of central parcels of expansion areas is not evidenced or justified or effective. While no doubt a matter for interpretation (which is unhelpful) it appears to imply that there may be a preference for certain parcels to come forward irrespective of the infrastructure or other development costs to support the development of those parcels. If the viability is not to be further negatively

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affected then the phasing of development in the expansion areas should be driven by the delivery of the site specific infrastructure and other development related costs. In any event mixed use areas may well be unable to be established at all or for many years leaving an unwelcome relationship between parcels.

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

10. No – except in relation to the Grange and the Farlands part of The Cobdens development.

Q120. Can improved clarity be given to those instances where delivery means making serviced land available and where it means providing buildings?

11. Clarity should be improved in this regard. Equally clarity will be required in certain instances regarding the basis on which land is made available – e.g on a commercial base rather than free serviced land – because such provision may well not accord with the test of reasonableness of planning obligations.

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

12. EDNCp is not aware of the evidence base to justify the particular triggers set out in Policy CB7 in particular that relating to the first primary school. Such level of prescription in the DPD is unjustified and inappropriate given the need to consider each application on its merits at the time when those applications are approved.

Q122. In respect of Paras 3.6 and 3.14; there is an inconsistency in that the plan refers to both Bluehayes and Treasbeare as the first phase. Please can the Council clarify the rationale for the phasing of the expansion areas CB2 to CB5 and the mechanism for securing that programme?

13. EDNCp are content with the approach set out and have addressed the matter by making provision for both primary school and an alternative use should the primary school be provided on Treasbeare first. This provides the necessary flexibility to ensure that either Treasbeare or Bluehayes could come first without harm to the other.

14. Triggers are set out in the policy regarding the timing of provision of primary schools. It is not a matter of dispute that when approved planning permissions will need to include section 106 obligations regarding the timing or delivery of education infrastructure or payments. The details of those legal agreements will need to be determined at that point in the light of the best information then available. They will also need to be determined having regard to the whole infrastructure package and the triggers relating to other cost elements.

15. In this light it is inappropriate to set out specific triggers for education provision in the plan. While it is appropriate to refer to the need to deliver education facilities having regard to completions on the site - the precise provisions should remain to be finalised.

16. Provision of the first primary school by 30 occupations represents a very challenging target appears not to be evidenced that such a prescriptive approach is justified or reasonable or proportionate.

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

17. The land identified for SANG provision as part of the Bluehayes outline planning application is either included within the outline application area or a separate change of use application, from agricultural land to SANG. Upon the approval of both the applications the SANG land can be delivered under an agreed phasing strategy for use prior to residential occupations if required. This can be negotiated and secured through the outline and change of use planning application process. Maps detailing the open space provision and dog walking routes could then be included in the 'New Residents' induction packs to ensure awareness of it and use as soon as the new housing is occupied.

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

18. Please see response to Q122

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

19. For all the reasons set out above, EDNCp question the need for policy CB7 as the twin mechanisms of DPD and section 106 agreements are sufficient.
20. In the event that a policy is retained then it should:
- refer to The Grange only
  - delete the second sentence of para 2 (The approach to phasing will also require..."
  - delete the very specific triggers in relation to the delivery of primary schools;
  - delete the penultimate paragraph: "Each phasing strategy must ensure that an overall...