

Further Representations on East Devon District Council's Cranbrook
Local Plan

Inspector's Draft Matters, Issues and Questions For Examination

On Behalf of Stuart Partners Ltd

Land to the West of Gribble Lane Grange Expansion Area

8 January 2020

McMurdo LPD Ltd
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1. Introduction and Summary of Our Client's Position

Background

- 1.1. McMurdo LPD Ltd ("McMurdo") acts for *Stuart Partners Ltd* ('client'), who controls *Land to the West of Gribble Lane* in (CB5) *the Grange Expansion Area* of the Cranbrook Plan (please see Appendices 1 and 2).
- 1.2. The Council know that our client is a well-known landowner and developer with a proven track record of delivering high quality strategic development projects, including residential and commercial developments with significant elements of green infrastructure and SANGS, ultimately creating homes, jobs, wealth and prosperity for East Devon and its sub region.

Cranbrook Masterplan

1.3. Our client:

- **supports** the proposed allocation of their land comprising residential development and associated open space and green infrastructure, including Suitable Alternative Natural Green Space (SANGS) and is fully committed to making their land available for the proposed uses in short timescales; importantly they can deliver the objectives of The Cranbrook Plan and the land uses identified in the papers without reliance on third parties.
- **supports** the relevant policy wording which states that an equalisation of costs (as far as possible) needs to be achieved across the parcels to make sure that development can proceed at market pace.
- **supports** the overarching framework for the principles of development, which means that applications which comply with it should be approved without delay. (A "roof-tax" approach to planning obligations is appropriate whether there are agreed comprehensive development and phasing plans in place or not).
- **supports** the proposed zero CIL rate and 15% affordable housing requirements.

1.4. However, our client:

- whilst supporting the allocation in principle, **objects** to the proposed built up area boundary of the Grange Expansion Area and does not agree with the Council's conclusion that the natural drop in ground levels to the south of the Grange Expansion Area acts as a natural boundary to development and would restrict the further expansion of Cranbrook in this direction; instead, backed by detailed consultancy input, our client understands that this area of land has some development potential if developed sensitively and respectfully *asks that the Cranbrook Masterplan boundary is altered slightly to accommodate their significantly better option as*

proposed in their submitted application (East Devon District Council Reference 19/1798/MOUT).

- **objects** to strict phasing controls (Policies CB6 and CB7, in particular, refer) and respectfully *asks that words attempting to strictly control phasing be removed from the policies in the Plan and replaced with words encouraging pliable (e.g. “roof-tax”) approaches to planning obligations and the delivery of expansion area and allocation wide infrastructure.*

Submission of Outline Planning Application

- 1.5. Our client has submitted an outline planning application for up to 200 dwellings in the CB5 Grange Expansion Area. For solid technical reasons, it does not fully comply with the proposed built up area boundary.
- 1.6. The main differences between their application layout and the Cranbrook Masterplan layout are:
 - the Cranbrook Masterplan Layout shows C 200 houses obliterating ancient trees in a parkland setting and delivering C 5 Ha of SANGS and no internal open spaces;
 - they show C 200 houses retaining ancient trees in a parkland setting, delivering C 5Ha of SANGS and C 7Ha of quality internal open spaces just outside of the proposed boundary but without any harm whatsoever.

Council Requests Small Changes to Our Layout

- 1.7. Upon submission of the application and following a meeting with Council Officers we were asked to make a small change to the layout to ensure that the proposed SANGS links with and flows into the other SANGS proposed as part of the Cranbrook Masterplan, strongly implying that Officers agree that this approach, which is underpinned by far greater technical detail than that gathered by the Council, is better than the high level approach as outlined in the Masterplan.

Desired Changes to the Plan

- 1.8. Our client respectfully suggests that:
 - the Cranbrook Masterplan built up area boundary is altered slightly to accommodate the significantly better option as proposed in submitted application East Devon District Council Reference 19/1798/MOUT; and,
 - words attempting to strictly control phasing be removed from the policies (e.g. CB6 and CB7) in the Plan and replaced with words encouraging pliable (e.g. “roof-tax”) approaches to planning obligations and the delivery of expansion area and allocation wide infrastructure.

2. Response to Inspector's Draft Matters, Issues and Questions for Examination

Matter 8 Issue 11 Inspector's Questions 118, 119, 123

- 2.1 **Q118. and Q119.** Our client supports the policy wording which states that unless a consortia of developers who are working together can demonstrate both full cooperation and the ability to deliver all infrastructure identified within the plan which has been costed and found to be viable, it is expected that to achieve delivery in a fair and coordinated way, an equalisation of costs (as far as possible) needs to be achieved across the parcels.
- 2.2 However, this approach to sharing and equalising infrastructure contributions across the different parts of the development is too complicated and needs to be simplified.
- 2.3 Attempts to exert very strict controls, with no regard for demand, need and ultimately market forces, over the co-ordinated delivery of housing alongside the social, community, green and commercial infrastructure required, will have a significant impact on development delivery.
- 2.4 Amplifying, Policy CB7 states that the development of the individual expansion areas identified in policies CB2 – CB5 inclusive must be carried out in accordance with an approved comprehensive phasing strategy for each expansion area, and that each phasing strategy must be approved in writing by the Local Planning Authority before planning permission is approved for the development of the relevant expansion area or part thereof.
- 2.5 This approach will cause significant delays to the delivery of housing numbers and as such the policy must make allowances for individual parcels of development land that are policy compliant to come forward in advance of an approved phasing scheme, such as our client's land parcel, provided that land pays a share of Expansion Area and Allocation Wide infrastructure.
- 2.6 Whatever mechanisms are employed to deliver the comprehensive development schemes referred to in CB2 to CB5, especially in the context of GESP, words attempting to strictly control phasing must be removed from the policies (e.g. CB6 and CB7) in the Plan and replaced with words encouraging pliable (e.g. a "roof-tax") approaches to planning obligations and the delivery of expansion area and allocation wide infrastructure. (e.g. Harry Stoke, South Glos).
- 2.7 **Q123.** Our client proposes to deliver SANGS ahead of new housing showing that this is achievable.

James McMurdo MRTPI MRICS

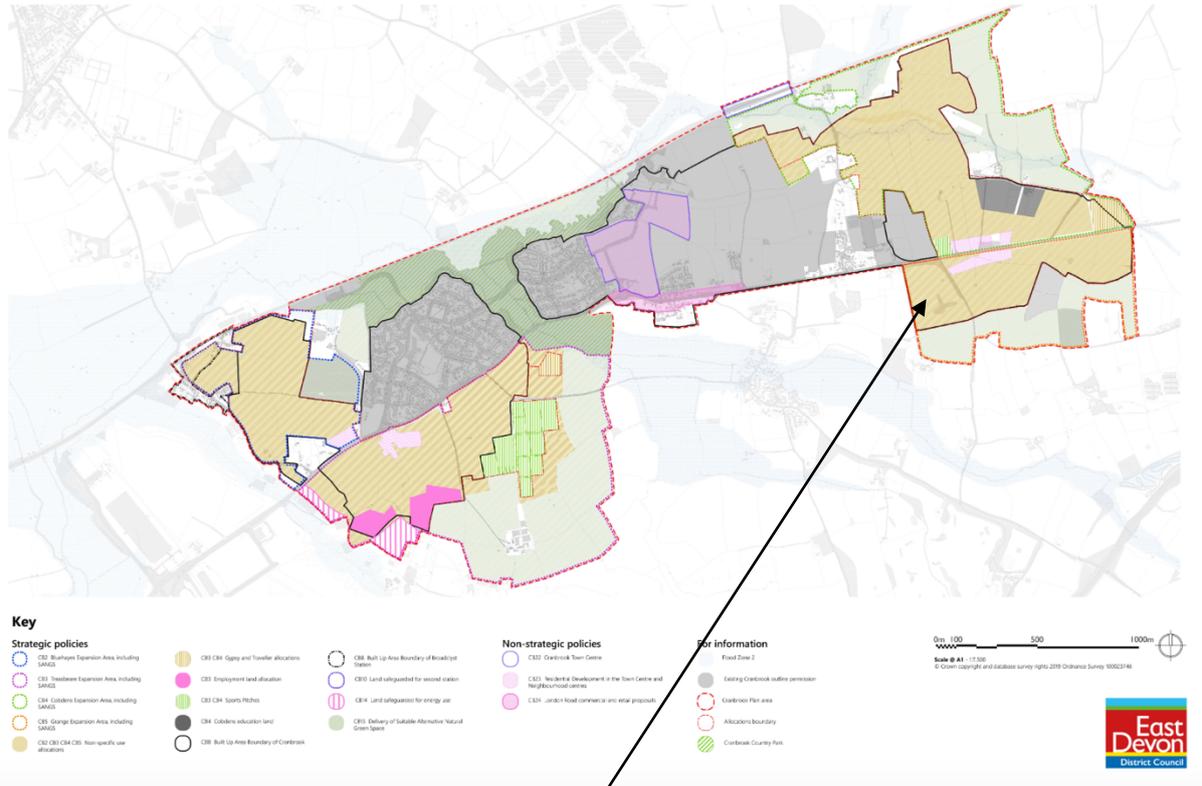
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Appendix 1

Cranbrook Plan - Policies Map



Site
URN 147;
EDDC Application Reference No 19/1798

Appendix 2: Illustrative Masterplan 19/1798/MOUT

