



Cranbook Plan
Examination in Public
Matter 10
Hearing Position Statement

Boyer

CRANBROOK PLAN

EXAMINATION IN PUBLIC

MATTER 10: SPECIFIC POLICIES

BOYER ON BEHALF OF MR & MRS PYLE / HARROW ESTATES PLC

REP ID: 144

TABLE OF CONTENTS

1. Introduction	2
2. Question 134	3
3. Question 135	5

1. INTRODUCTION

- 1.1 On behalf of our clients, Mr & Mrs Pyle/Harrow Estates Plc, Boyer has prepared this Statement in relation to Treasbeare Farm, which comprises approximately 65 ha of land, and is allocated for development as part Policy CB3 in the Submission Draft of the Cranbrook Local Plan.
- 1.2 Both parties fully support this allocation (save for the comments made in the representations made to the Submission Draft and those contained in the Hearing Statement to the Examination) and are working with the Council to prepare a Statement of Common Ground.
- 1.3 For clarity, and as explained in Examination Document PSD2 (Planning Application Summary 2019) the site is subject to two separate planning applications currently held in abeyance (LPA Ref: 15/0045/MOUT and 17/1482/MOUT). These applications were made by Hallam Land and Taylor Wimpey UK Ltd. The Option Agreements prevailing at the time of these previous applications have now expired and Mr and Mrs Pyle (Landowners) are currently in negotiations with Harrow Estates. These negotiations are at an advanced stage with Heads of Terms agreed. .

2. QUESTION 134

Are the Built-up Area Boundaries defined in the plan consistent with the assessment undertaken in the Sustainability Appraisal?

- 2.1 The Cranbrook Policies Map contains a number of land use designations and ‘boundary’ areas, including the Cranbrook Plan Area, Allocations Boundary, Expansion Areas (including SANG) and Built-up Area Boundaries.
- 2.2 Paragraph 3.57 of the Submission Plan explains that the Built Up Area Boundaries serve three primary functions:
1. Setting limits of outward expansion to ensure implementation of plans strategy;
 2. Preventing unregulated development across the countryside and open areas; and
 3. Defining locations where development will be acceptable in principle and promote sustainable patterns of development.
- 2.3 Outside of this defined boundary, Strategy 7 (Development in the Countryside) of the Local Plan will apply, which is a restrictive policy.
- 2.4 The SA appraisal of Policy CB6 (Table 9.9) identifies no substantive differences in terms of the impacts against the SA Objectives when considering the option to retain boundaries as proposed in the Submission Plan or removing them completely. It is stated at paragraph 9.68 of the SA that:
- ‘The option of not having Built-up Area Boundaries sees the same conclusions against the SA Objectives as having boundaries, albeit on account of the uncertainties generated questions marks are added.’*
- 2.5 Accordingly, there appears to be no specific justification for the Built Up Area Boundaries, however, it is noted that these boundaries align with those set out in the Cranbrook Masterplan (as shown at Figure 8 of the Plan).
- 2.6 Our position on the role of that the Masterplan should play in relation to the Local Plan are outlined elsewhere but this once again reinforces the conclusion that the Masterplan is pre-determinative in the delivery of growth at Expansion Areas; it restricts development to the disposition of land uses presented within the Masterplan.
- 2.7 To align the Built up Area Boundaries with the masterplan elevates its role further within policy. In doing so it obstructs the ability of developers to bring forward development schemes that are consistent with policy, but which may deviate from the land uses prescribed through the Masterplan, based on a detailed understanding of the constraints and opportunities associated with the site.

- 2.8 This lack of flexibility is reinforced by the fact that the boundary lines are tightly drawn around existing and planned development and exclude some areas of land that are allocated in the plan, that is, those with specific uses for recreation or other open space. This in itself appears to be inconsistent, with the only justification being that the Built up Area Boundary follows the one set out in the Masterplan.
- 2.9 Therefore, the only justification for the boundary is to validate and enforce the Masterplan as the key driver in the disposition of land uses within the Expansion Areas. Such an approach is not supported as it subverts the ability for built up boundaries to be defined by the detailed proposals through the application process.
- 2.10 The SA, however, acknowledges there are no discernible difference in terms of impacts against the SA objective whether the Built up Area Boundary is in place or not. The SA (paragraph 9.68) considers that if the boundaries did not exist *“then these areas could have less clarity in respect of their ‘protection’ from built development.”*
- 2.11 As outlined elsewhere, the imposition of the form and layout of development as prescribed by the Masterplan demonstrates a lack of understanding of the development process. The disposition of uses for each Expansion Area as shown does not take into account any detailed assessment of the opportunities and constraints afforded by each site. The lack of flexibility created by the raising of the Masterplan to form part of the Local Plan means that the scope to produce viable, deliverable and implementable development proposals is reduced.
- 2.12 Finally, Policy CB8 does not make specific reference to the delivery of infrastructure as a driver behind the need for the Built up Area Boundaries. However, it is noted that Policy CB6 states that residential development within the Cranbrook Built up Area Boundary must demonstrate that it will meet the infrastructure requirements of future occupiers. The reference to the Built up Area Boundary in this regard has no specific policy value, given that any development would be expected to meet its infrastructure requirements, irrespective of its location within or outside of a defined boundary.

3. QUESTION 135

Is the policy approach to BUABs robust and consistent with the EDLP and national policy?

- 3.1 Appendix 1 of the Submission Plan explains that Strategy 6 of the Local Plan (Development within Built-up Area boundaries) is superseded by CB8 where new Built-up Area Boundaries for Cranbrook and Broadclyst are defined. Our views on the policy approach prescribed by Policy CB8 are set out elsewhere in our Hearing Statement to the Examination. However, it is clear that the intended purpose for the boundaries at Cranbrook, as currently defined, is to seek to implement the Cranbrook Masterplan and land use designations proposed within it.
- 3.2 This approach to Built up Area Boundaries within the Cranbrook Area is not considered to be consistent with national policy as there is no reasoned justification for the boundaries as currently drawn. Moreover, it will impose unnecessary imposition on capability of developers to bring forward these sites whilst the Council's own Sustainability Appraisal does not identify any discernible difference against the SA objectives by not having such boundaries when compared to retaining the boundaries as currently proposed.
- 3.3 The starting point is therefore that there is no specific justification for the proposed Built-up Area Boundaries, as demonstrated through the SA. Therefore, the policy value does support their inclusion within the Plan. Furthermore, in circumstances where the boundaries are retained there is no justification for these to be tightly drawn, particularly when this is determined by the land use designations set out in the Masterplan.