

**RESPONDENT – CRANBROOK LVA LLP – No. 145**

**MATTER 16 SUBJECT SPECIFIC POLICIES**

**ISSUE 22: IS THE POLICY FOR SELF-BUILD HOMES (CB12) JUSTIFIED AND EFFECTIVE?**

***Q180. What is the justification for the allocation of 4% self-build homes?***

As previously identified, the evidence base report on this matter indicates a very low demand/preference for land to be made available for custom/self-build housing at Cranbrook. Whilst there is demand across the district it is not clear that there will not be demand for plots on large volume housebuilder sites centrally located within the town of Cranbrook. The evidence base report suggests that this should be investigated through a pilot scheme of 10 plots, and the report also acknowledges that at its time of production only 3 of 89 persons on the register want a site in Cranbrook. We do not consider this unsurprising given we would anticipate more rural locations would be sought for self-build.

The evidence base suggests that a commitment to 4% self-build across the allocation is not sound as there simply may be no demand for this level of self-build in Cranbrook.

Given this position, we question whether this policy needs to be in the DPD at all as it is not effective or justified.

***Q181. How would a flexible figure of 4% (reviewed on an annual basis) enable smaller scale developers to commit to land? Should provision be made to enable developers to work with individuals to custom build rather than selling on to a third party?***

Yes – if this policy remains in DPD, provision should be made to enable developers to work with individuals to custom build rather than selling onto a third party. Provision for self-build sites could also be made through specific designations on edge of town sites, where you would expect demand for self-build plots to be higher.

***Q182. How does the volume of provision align with the number of individuals currently on the Councils register?***

The volume of provision (4% at around 167 dwellings) across the expansion areas can be set against the figures set out in the register, which currently are:

<b>Base Period</b>	<b>Number on Part 1</b>	<b>Number on Part 2</b>
30/03/16 - 30/10/16	32	0
31/10/16 - 30/10/17	40	3
31/10/17 - 30/10/19	9	9
31/10/18 - 31/10/19	19	10

***Q183. What is the delivery mechanism for these self-build plots and how will this vary for the delivery of affordable housing self-build development?***

We await confirmation of this point from the LPA – this needs clarification and needs to be delivered with as much flexibility as possible. In the case of Farlands, a proportion of self-build plots could be secured as part of a S106 agreement linked to an outline planning permission.

***Additional Question:***

AQ22. Are any Main Modifications proposed in relation to Issue 22?

Yes - Remove this policy or limit it to the first paragraph only so that it is not prescriptive and instead provides general support for the delivery of custom and self-build housing where demand arises.

## **MATTER 16 SUBJECT SPECIFIC POLICIES**

### **ISSUE 23: IS THE POLICY FOR ZERO CARBON (CB13) JUSTIFIED AND EFFECTIVE?**

#### ***Q184. To what extent is the policy consistent with National Policy?***

It is not consistent. National Planning Policy at paragraph 148 of the NPPF is that "...The planning system should support the transition to a low carbon future in a changing climate, taking full account of flood risk and coastal change..."

National Policy is about securing a transitional change and delivering low carbon – not zero carbon.

#### ***Q185. To what extent would the supply of energy be restricted by the requirement to connect to the local CHP provision?***

There must be a flexible approach on this matter. Connection to local CHP is not within the gift of landowners and the developers of the expansion lands. CHP connection is dependent on the commitment, policies and delivery of the energy suppliers who will be responsible for operating the network.

#### ***Q186. Should the policy relate to carbon neutral rather than zero carbon?***

This would be preferable and more appropriate, but carbon neutral would not be consistent with National Policy objectives which seek 'low carbon' not 'carbon neutral'.

#### ***Q190. Is the conversion of the existing CHP facility to renewable fuels realistic or achievable?***

Having reviewed the representations made during the last round of consultation, we note that respondents have advised that there is no mechanism to convert the existing CHP scheme to renewable fuel sources. This does not appear to be a realistic proposition.

#### **Additional Question:**

#### ***AQ23. Are any Main Modifications proposed in relation to Issue 23?***

Yes – references to 'zero' carbon should be removed and the following modification made:

- Remove 2<sup>nd</sup> paragraph
- Delete 1c) and 2b)
- Amend 3b) to allow for connection to CHP if feasible – this can not be an absolute necessity.

## **MATTER 16 SUBJECT SPECIFIC POLICIES**

### **ISSUE 25: IS THE POLICY FOR SUITABLE ALTERNATIVE NATURAL GREEN SPACE (SANGS) CB15 JUSTIFIED AND EFFECTIVE?**

#### ***Q198. To what extent is there justification for the SANG to be in place prior to first occupation of the dwellings?***

Whilst the need for a phased delivery of SANGS is acknowledged, the need for SANGS to be delivered prior to first occupation is not proportionate and effective. Whilst the evidence indicates that people travel from Cranbrook to protected sites, this is just a small component of occupants and not of a scale that warrants SANGS to be in place before occupation of accommodation.

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.

#### ***Q200. To what extent should the level of SANGS contribution for a site (for example Farlands) be based on existing use value of the alternative land on which it will be provided together with an amount sufficient to accommodate any necessary modification and maintenance thereafter?***

We are conditionally supportive of this approach.

As set out within the evidence base (see Delivery Strategy Habitat Mitigation – SANGS) the Farlands site is one of the proposed development parcels without the ability to deliver its own SANGS provision.

Therefore, the policy clause which allows off-site delivery or an off-site financial contribution to be paid in-lieu of on-site provision is a welcome inclusion, and an essential mechanism to the Farlands site to come forward as a comprehensive mixed-use development within the heart of the Cobden’s Expansion Area.

Our client’s conditional support is therefore offered on this basis that a cash payment can be accepted in-lieu of on-site provision. However greater clarification is required on the costs associated with this. The policy as drafted is non-committal to the amount payable, stating only it will be confirmed at the point of determination of any application.

There is much land within the rest of Cobdens which is not suitable for development but very suitable for use as SANGS. Farlands is too small to accommodate effective SANGS. It can be provided on the adjoining site in more attractive landscape as part of the comprehensive SANGS provision.

#### ***Q202. Should the wider green infrastructure strategy to which EDDC is committed be provided prior to the implementation of the expansion areas in the plan?***

No – this would be overburdensome and disproportionate and would disrupt the delivery of development. Development must come forward in association with the delivery of green infrastructure to fund the delivery of this infrastructure

**Additional Question:**

***AQ25. Are any Main Modifications proposed in relation to Issue 25?***

Yes – paragraph 3 of the policy can be amended to read:

“As part of the required mitigation SANGS at a ratio must be provided on a phased basis.”

With the following section deleted: “...and made available for use prior to the first occupation of the residential dwellings in each respective phase.”