



**Cranbook Plan**  
**Examination in Public**  
Matter 17  
Hearing Position Statement

**Boyer**

**CRANBROOK PLAN**

**EXAMINATION IN PUBLIC**

**MATTER 17: DEVELOPMENT MANAGEMENT POLICIES**

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

**REP ID: 144**

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## 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 203

**How will design codes secure a measure of flexibility to allow for changing conditions?  
To what extent is it intended that the design codes implement the detailed masterplan requirements at Fig 8 and how does the existing wording provide for this?**

- 2.1 Design Codes can provide an effective policy tool to implement sound place-making objectives. However, in the case of Policy CB16, its corresponding reference to the Masterplan, results in a prescriptive approach that extends well beyond the purpose of design codes.
- 2.2 Policy CB16 requires that development at Expansion Areas must be brought forward based on a Design Code, which will be subject to the agreement in writing of the Local Planning Authority. It also requires any design code and subsequent detailed planning application(s) to demonstrate how they have had regard to the Masterplan (Figure 8). The Masterplan is not part of the Local Plan, as confirmed in the Sustainability Appraisal, its function is to guide and inform the delivery of development at Cranbrook and the specific Expansion Areas.
- 2.3 Due to the reference within Policy CB16, this elevates the Cranbrook Masterplan to forming part of the Local Plan. This nullifies the effectiveness of this policy by limiting the opportunity of the Design Codes to respond to changing conditions and site specific circumstances.
- 2.4 It is set out in the National Planning Practice Guidance that on large sites it can be important to allow for the code to be reviewed as development proceeds, so that lessons from its initial implementation can be addressed, provided that any changes do not subvert the overall design vision or weaken the quality of development. (PPG: Paragraph 008 Reference ID: 26-008-20191001)
- 2.5 The NPPF defines Design Codes as:  
*'A set of illustrated design requirements that provide specific, detailed parameters for the physical development of a site or area. The graphic and written components of the code should build upon a design vision, such as a masterplan or other design and development framework for a site or area.'*
- 2.6 It is considered that the imposition of the Cranbrook Masterplan, as the basis for the design code, obstructs the ability of the individual Expansion Areas to prepare development schemes based on a far more detailed understanding of the site, responding to specific investigations and surveys, whilst preventing the ability for such codes to be reviewed through later stages of development.

### **3. QUESTION 204**

**Does the wording of this policy remain robust in light of the recently published Planning Policy Guidance section on planning for well-designed places?**

- 3.1 Updates to the National Planning Policy Guidance states that the National Design Guide sets out the characteristics of well-designed places and demonstrate what good design means in practice. In respect of Design Codes, the Guidance clearly states that their content should also be informed by the 10 characteristics of good places set out in the National Design Guide.
- 3.2 The wording of CB16 requires Design Codes to demonstrate how they comply with the 12 principles adapted from Building for Life 12. Consequently, it is necessary for CB16 to be updated to reflect the updates to national guidance and specifically the National Design Guide.

## 4. QUESTION 205

**Should the policy make clear whether the design codes are required at outline or detailed planning application stage or in advance of either?**

- 4.1 It is essential that there is clarity in this policy regarding the stage at which Design Codes are required. It is noted that each Expansion Area policy includes the requirement for a 'comprehensive development scheme' to be agreed in writing before any planning application is determined. As explained in our separate Hearing Statements, there is a lack of clarity in terms of the purpose of comprehensive development schemes, but in any event, it would appear that there is an element of repetition with CB16.
- 4.2 Any Design Code should be proportionate to the stage in the application process. There are clear distinctions between what is necessary to support an outline planning application and subsequent detailed applications.

## 5. QUESTION 206

### **What is the justification for the reference to the Masterplan in policy CB16?**

- 5.1 It is not considered that there is any justification for the Cranbrook Masterplan to be referenced within any policy of the Cranbrook Plan. In doing so, this elevates the status of the masterplan from an evidence base document to a policy requirement. Our views on this are clearly set out elsewhere.
- 5.2 Furthermore, linking the preparation of design codes to the masterplan, subverts the ability of development areas to be delivered in a manner that responds appropriately to the constraints and opportunities associated with the site.
- 5.3 The reference to the Cranbrook Masterplan should be removed from Policy CB16.

## 6. QUESTION 207

### **Does Policy CB17 adequately address development close to the airport, particularly in respect of noise in respect of expansion areas at Treasbeare CB3 and Bluehayes CB2?**

- 6.1 Policy CB17 seeks to provide a high standard of amenity, satisfactory living and working conditions and adequate protection from pollution and noise. In respect of the Treasbeare Expansion Area, it is important to note that Policy CB17 does not function in isolation of other policies within the plan and this includes Policy CB3.
- 6.2 Policy CB3 specifically acknowledges the sensitivity of areas within the Expansion Area related to noise and in doing so requires appropriate mitigation measures area provided for those sensitive areas to safeguard the health and wellbeing of residents.
- 6.3 It is noted that Figure 2 of the Plan identifies the noise contours in the Treasbeare Expansion Area, it does not extend into the Bluehayes Expansion Area, it is artificially constrained to the boundary of the Treasbeare area. In doing so, it implies that Bluehayes is not affected by noise arising from the Airport. For the sake of consistency, and to demonstrate how noise impact on Expansion Areas in general location, the contour plan should be revised to accurately reflect the sensitivity of area with the Bluehayes Expansion Area.
- 6.4 Noise sensitivity varies across Treasbeare which, in turn, dictates mitigation levels across the site. This provides the opportunity to deliver early phases of development without the need for off-plot mitigation (that may be required to address noise issues in the more sensitive areas). This mitigation can be implemented in support of latter phases of development.
- 6.5 The Engine Testing Bay at Exeter Airport is identified within the Infrastructure Delivery Plan [Cran30] a Category 2 Infrastructure requirement. The Masterplan [Cran052] refers to the 2016 Noise Assessment, and recognises that the noise created by engine testing can be mitigated by a dedicated engine testing pen to a level that would facilitate residential development. This demonstrates that mitigation is capable of providing a suitable environment for new residents in the most sensitive areas of this site. Harrow Estates have had positive discussions with the airport and welcome the delivery of the engine testing pen.
- 6.6 Phased delivery will allow for the necessary mitigation measures to be put in place to ensure this Expansion Area contributes to housing delivery
- 6.7 Policy CB17 provides a general policy requirement related to amenity issues including noise, with CB3 providing the site-specific policy requirements related to the Treasbeare Expansion Area.
- 6.8 Taken together, Policies CB3 and CB17 provide appropriate policy protection to ensure that future residents are not subject to unacceptable levels of noise.