



# Duty to Co-operate and Statement of Common Ground

The Cranbrook Plan DPD

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### **Contact details**

Cranbrook Team  
East Devon District Council  
Blackdown House, Border Road, Heathpark Industrial Estate,  
Honiton, EX14 1EJ  
DX 48808 Honiton

Phone: 01395 516551  
Email: [plancranbrook@eastdevon.gov.uk](mailto:plancranbrook@eastdevon.gov.uk)

[eastdevon.gov.uk](http://eastdevon.gov.uk)  
[@eastdevon](mailto:@eastdevon)

To request this information in an alternative format or language please phone 01395 516551 or email [csc@eastdevon.gov.uk](mailto:csc@eastdevon.gov.uk)

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## Introduction

The Duty to Co-operate is set out in Section 110 of the Localism Act 2011 and amends the Planning and Compulsory Purchase Act 2004. It places a duty on the local planning authority to engage 'constructively, actively and on an ongoing basis' during the preparation of local plans when they relate to 'strategic matters'. Strategic matters for the purpose of the Duty to Co-operate are defined as development, including infrastructure, with a significant impact on at least two planning areas and further guidance on this is given at paragraph 20 of the National Planning Policy Framework.

Although The Cranbrook Plan contains strategic policies there is limited opportunity to co-operate with neighbouring authorities as in setting its own strategic policies, it seeks to implement the strategic policies of the East Devon Local Plan and does not deal with meeting cross-boundary strategic needs. Nevertheless, there are a small number of strategic cross-boundary matters which are of relevance and addressed in The Cranbrook Plan.

This document sets out the strategic issues that have arisen during the preparation of the plan and the co-operative working that has resulted and identifies areas of common ground as well as any matters which are as yet unresolved. It shows that there is broad agreement on the strategic matters between the various parties and that the duty to co-operate has been satisfactorily met in relation to The Cranbrook Plan.

## Context

Cranbrook is a new town in the western end of East Devon; development at the town began in 2012 with the implementation of an outline planning permission for the first 2900 homes and associated infrastructure. There are now planning permissions for circa 3500 homes, of which approximately 1900 are occupied. East Devon itself is located in a two-tier area, with Devon County Council responsible for many public services including education, local highways, social services and minerals and waste planning services. East Devon District Council provides planning, environmental health, waste collection, council housing and other services. East Devon borders Exeter City Council's administrative area, approximately 2.3km to the west of the proposed expansion of Cranbrook and on the opposite side of the M5 motorway.

The East Devon Local Plan 2013-2031 allocated land to the East and West of the new town of Cranbrook to accommodate additional growth as shown on the West End Inset Map (Appendix 1). In addition, Strategy 12 'Development at Cranbrook' set the requirement for an additional 1550 houses to be accommodated within the Cranbrook Plan Area (as shown West End Inset Map) over and above those allocated in the East Devon Local Plan 2013-2031. East Devon District Council has chosen to address the location of these additional housing requirements and to provide additional detail on how the town should expand in a sustainable way through the production of The Cranbrook Plan.

The Cranbrook Plan will sit alongside the East Devon Local Plan 2013-2031, made Neighbourhood Plans and the Devon County Council produced Devon Minerals Plan and Devon Waste Plan, together forming the Development Plan for East Devon. Appendix 1 of The Cranbrook Plan sets out a schedule of policies of the East Devon Local Plan 2013-2031 and where they are superseded in full or in part by The Cranbrook Plan.

## **Evidence of the duty to co-operate**

The duty to co-operate applies to all local planning authorities and county councils in England together with other ‘prescribed’ bodies. This document comprising the Statement of Common Ground sets out which of the prescribed bodies is considered to be relevant to the production of The Cranbrook Plan.

The input of the prescribed bodies to the Plan varies according to their relevance to the key strategic cross boundary issues. This report focuses on the most critical areas of co-operation but does not provide exhaustive lists of meetings at which such matters were discussed.

In addition to the prescribed bodies, the main point of co-operation in the preparation of The Cranbrook Plan has been with the Exeter and East Devon Growth Point. The Growth Point is a partnership between East Devon District Council, Exeter City Council, Teignbridge District Council and Devon County Council and acts as a delivery vehicle to co-ordinate and work on initiatives that will secure accelerated high quality growth and development. Of particular relevance to Cranbrook is the work that the Growth Point carries out in relation to European Sites Habitat Mitigation, Green Infrastructure and the Clyst Valley Regional Park and the Enterprise Zones, of which one is designated at Cranbrook Town Centre.

## List of Parties involved

The organisations named below are those who have been engaged in discussions regarding strategic cross-boundary matters in the preparation of The Cranbrook Plan and who are, or are intended to be, signatories to this Statement of Common Ground. At the time of writing, no signatures from NEW Devon CCG or Natural England have been received. This document will be updated once they are received and may be amended to reflect any comments made by those organisations in signing the document.

East Devon District Council

Devon County Council

Exeter and East Devon Growth Point

Devon Clinical Commissioning Group (Devon CCG)

Natural England

Highways England

South East Devon Habitat Regulations Executive Committee

## Signatories

<p>East Devon District Council</p>  <p>Ian Thomas Leader of the Council</p> <p>Relevant to all matters</p>	<p>Devon County Council</p>  <p>Mike Deaton Chief Planner</p> <p>Relevant to education, transport and health and primary care</p>	<p>Devon CCG</p>  <p>Jo Turl Director of Commissioning - Western</p> <p>Relevant to health and primary care</p>
<p>Exeter and East Devon Growth Point</p>  <p>Andy Wood Director</p> <p>Relevant to European Protected Site Mitigation</p>	<p>Natural England</p> <p>See separate Statement of Common Ground</p> <p>Relevant to European Protected Site Mitigation</p>	<p>Highways England</p>  <p>Rachel Sandy Highways Development Management Team Leader- South West</p> <p>Relevant to transport</p>

South East Devon Habitat  
Regulations Executive  
Committee

*Cllr Humphrey Clemens*

Cllr Humphrey Clemens

Chair of Committee

Relevant to European  
Protected Site Mitigation

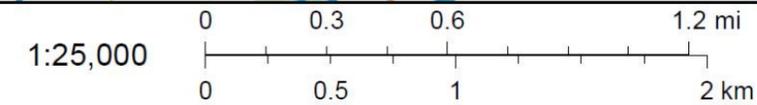
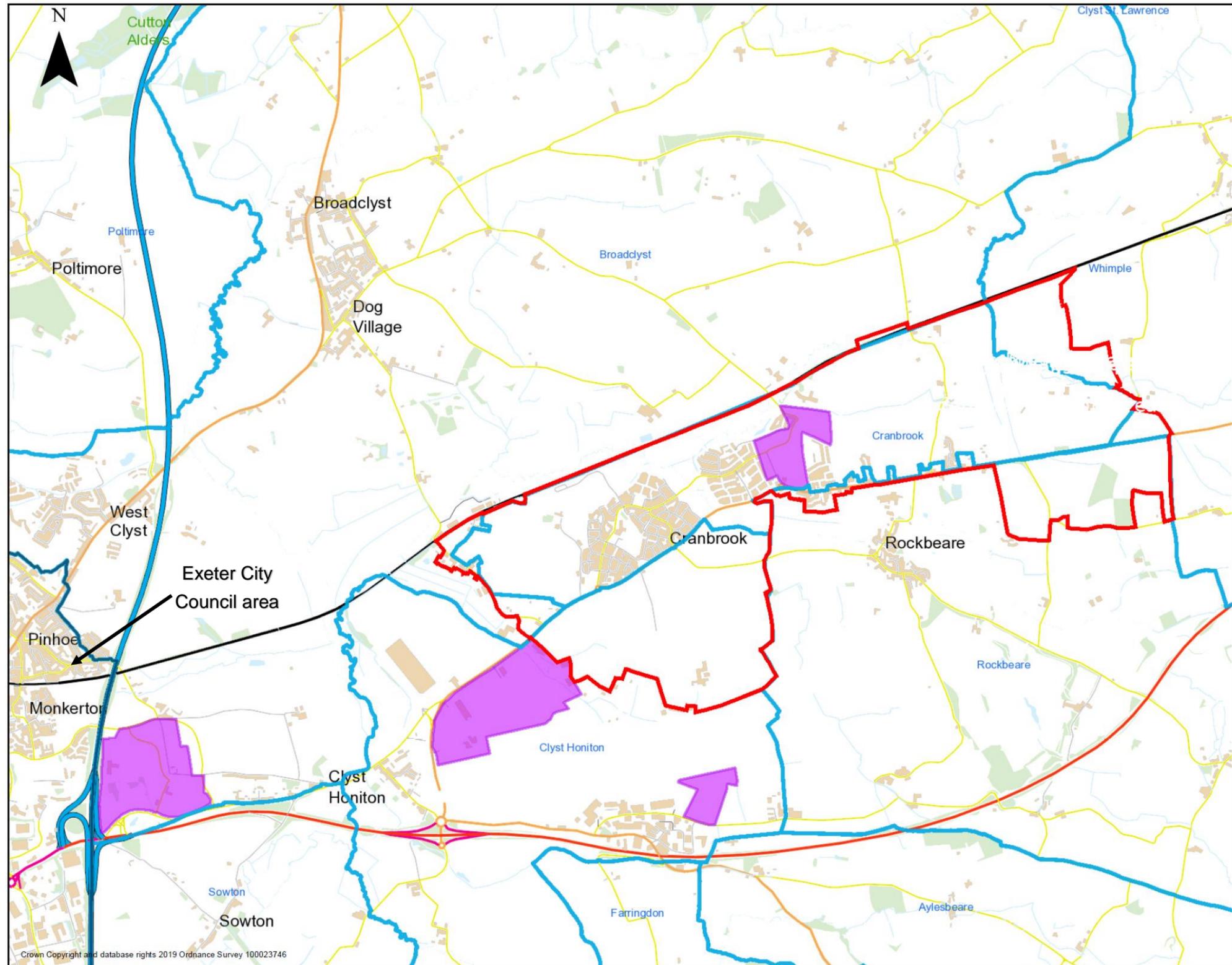
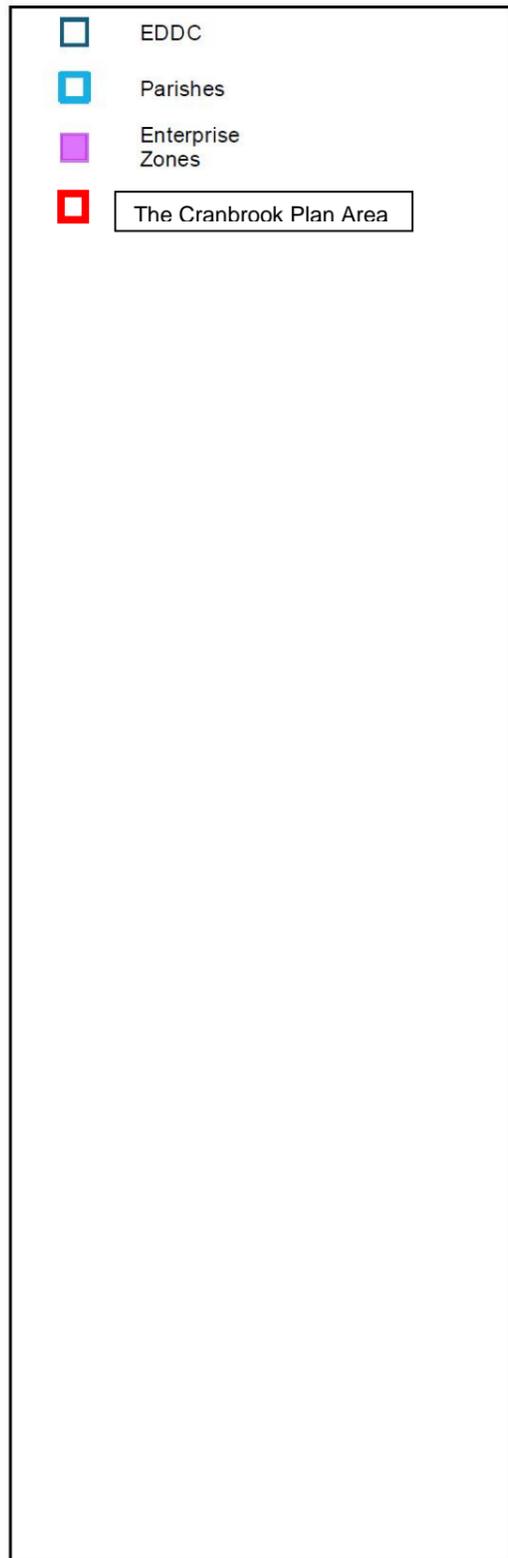
## Strategic Geography

The map on the following page illustrates the location of The Cranbrook Plan Area as shown on The Cranbrook Plan Policies Map in relation to the administrative boundaries of East Devon with Exeter City Council and in relation to the administrative boundaries of the parishes of Cranbrook, Broadclyst, Clyst Honiton, Rockbeare and Whimple.

Cranbrook sits within the geographical area of the Exeter and East Devon Growth Point, which works across the administrative boundaries and the proposed Cranbrook Town Centre is designated as an Enterprise Zone as also shown on the map overleaf.

This statement covers The Cranbrook Plan Area. It does not go beyond this area as the policies within the Plan are not intended to address or affect needs arising as a result of growth beyond that planned at Cranbrook and all of the strategic policies are self-contained within the Plan area.

### The Cranbrook Plan - Strategic Geography



Map Tile: SY0095SW Full Reference: SY00297 95439



## Strategic matters

The Cranbrook Plan allocates land to deliver around 4170 homes, 4.93 hectares of employment, alongside mixed use areas, community facilities, open space, and other uses, meeting the requirements for the expansion of the town set out in the East Devon Local Plan 2013-2031. This planned housing represents a significant portion of the objectively assessed need for housing delivery in East Devon over the plan period as identified in the Local Plan 2013-2031. Although The Cranbrook Plan contains strategic policies, in doing so it seeks to implement and build upon the strategic policies of the East Devon Local Plan and does not deal with meeting cross-boundary strategic needs.

Accordingly, the strategic matters covered by this Statement of Common Ground are limited to those which are considered to have cross-boundary implications that would not have been addressed in full during the production of the Local Plan and are set out in the table overleaf.

Strategic matter	Relevant parties	Key issues	Links to relevant evidence/documents
<p><b>Education</b></p>	<p>Devon County Council</p> <p>East Devon District Council</p>	<p>Provide timely, fully funded and adequate primary, secondary and Special Educational Needs (SEN) pupil places to ensure development caters for the needs arising. A total of 1050 primary places, extension of the existing secondary provision and a site for a 50 place SEN school are provided in line with DCC's request. Discussions have taken place over the plan preparation period, including on the submission draft prior to publication, regarding location of facilities and phasing and delivery mechanisms as well as quantum of any financial contributions. DCC retain some concerns about the priority 2 category given to the SEN provision in the Cranbrook Infrastructure Delivery Plan, however this Plan requirement is for serviced land and a financial contribution to be provided as opposed to the full costs of delivery. The timing for</p>	<p>Devon Education Infrastructure Plan:  <a href="https://devoncc.sharepoint.com/:b/s/PublicDocs/Planning/EejwgG43sxVJqO0p9dEqkEEBs6HwB5fGPKApC8YGjWnbFQ?e=qkmllov">https://devoncc.sharepoint.com/:b/s/PublicDocs/Planning/EejwgG43sxVJqO0p9dEqkEEBs6HwB5fGPKApC8YGjWnbFQ?e=qkmllov</a></p> <p>Cranbrook Infrastructure Delivery Plan:  <a href="http://eastdevon.gov.uk/media/2761724/Cranbrook-Infrastructure-Delivery-Plan.pdf">http://eastdevon.gov.uk/media/2761724/Cranbrook-Infrastructure-Delivery-Plan.pdf</a></p>

		these will be subject of later negotiations with the applicants, EDDC and DCC.	
<b>Transport</b>	Devon County Council  East Devon District Council	Proposals for a suite of transport measures to encourage modal shift, including safeguarded land for a second railway station, priority given to walking and cycling and creation of new strategic cycling routes are included in the Plan. DCC's requested S106 financial contribution has been incorporated into the viability exercise and Cranbrook IDP.	DCC S106 transport request: <a href="http://eastdevon.gov.uk/media/2760809/DCC-Cranbrook-S106-transport-Request-June-2018.pdf">http://eastdevon.gov.uk/media/2760809/DCC-Cranbrook-S106-transport-Request-June-2018.pdf</a>  DCC justification for second station: <a href="http://eastdevon.gov.uk/media/2760806/DCC-Cranbrook-Justification-for-2nd-Station.pdf">http://eastdevon.gov.uk/media/2760806/DCC-Cranbrook-Justification-for-2nd-Station.pdf</a>  Cranbrook Masterplan Movement Strategy: <a href="http://eastdevon.gov.uk/media/2262530/Cranbrook-Masterplan-Movement-Strategy-rev-D.PDF">http://eastdevon.gov.uk/media/2262530/Cranbrook-Masterplan-Movement-Strategy-rev-D.PDF</a>  Highways England preferred approach comments:

	<p>Highways England</p>	<p>In response to the preferred approach consultation stage which concluded in January 2018, Highways England indicated their support of the Cranbrook Masterplan and that they had no objection to the 7,500 dwellings proposed subject to planning conditions, which restricted the pace of development in line with the delivery of necessary transport infrastructure. Transport modelling at this time concluded that 7,500 dwellings could be accommodated through the delivery of Phase 3 of the Tithebarn Link Road (delivered) and improvements to Moor Lane roundabout (now programmed).</p> <p>The Cranbrook Plan proposed submission document (February 2019) now proposes an increase of 250 dwellings on the previously agreed quantum. This equates to a total of 7750 dwellings across 4 identified expansion areas.</p> <p>Through the individual planning application process, Highways England has previously recommended approval for a total of 7857 dwellings across the Cranbrook Plan area (of which 3487 have been</p>	<p><a href="http://eastdevon.gov.uk/planning-libraries/cranbrook-plan-pa-2017-18/highwaysengland.pdf">http://eastdevon.gov.uk/planning-libraries/cranbrook-plan-pa-2017-18/highwaysengland.pdf</a></p>
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		<p>granted consent) subject to planning conditions restricting development in relation to the delivery of highway interventions (Tithebarn Link Road and Moor Lane roundabout improvements). However, it is understood that these applications propose to bring development forward in a way that is inconsistent with the Cranbrook Plan.</p> <p>Given that the Cranbrook Plan proposes an uplift of the previously tested ‘Masterplan’ development quantum, and that there has been no cumulative assessment of the totality of development now proposed in the Plan, Highways England will need to fully understand the cumulative impact on the SRN of the Plan as now proposed, to ensure that the transport strategy of the plan, including highway schemes already committed, is suitable for the purpose of supporting the sustainable development objectives of the plan.</p> <p>In order to provide highways and transport evidence to a sufficient level of robustness, Highways England will work with East Devon District Council to develop the</p>	
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		evidence base prior to Examination and will provide position statements at the appropriate time.	
<b>Health and Primary Care</b>	Devon County Council  Devon CCG  East Devon District Council	A site for a health and wellbeing hub is secured in the S106 for the first 3487 dwellings at Cranbrook (ref. 03/P1900/MOUT). A new primary care facility is required to ensure there are no cross-boundary pressures on existing primary care services. Significant on-going dialogue has been held, particularly with the Devon CCG but also with DCC around planning for this facility. Research undertaken as part of the Cranbrook Healthy New Towns programme (which has representatives of EDDC, Devon CCG and DCC on the Executive) has informed the Plan proposals in respect of the anticipated spatial distribution of health and wellbeing services. A proportionate S106 contribution for the capital costs of delivery of the main health and wellbeing hub is included in the viability appraisal of the Plan and in the Cranbrook IDP. Concerns exist among all parties regarding the timing of delivery, due in part to the high capital cost, and a group with	Space Syntax HNT report: <a href="http://eastdevon.gov.uk/media/2760824/Space-Syntax-x-ICE-Issues-and-Options-HNT-report.pdf">http://eastdevon.gov.uk/media/2760824/Space-Syntax-x-ICE-Issues-and-Options-HNT-report.pdf</a>  Cranbrook Masterplan: <a href="http://eastdevon.gov.uk/media/2780127/Cranbrook-Masterplan-2019.pdf">http://eastdevon.gov.uk/media/2780127/Cranbrook-Masterplan-2019.pdf</a>  Cranbrook Infrastructure Delivery Plan: <a href="http://eastdevon.gov.uk/media/2761724/Cranbrook-Infrastructure-Delivery-Plan.pdf">http://eastdevon.gov.uk/media/2761724/Cranbrook-Infrastructure-Delivery-Plan.pdf</a>

		representatives from all parties has been established to work to resolve this matter.	
<b>European protected site mitigation</b>	<p>Natural England</p> <p>Exeter and East Devon Growth Point</p> <p>South East Devon Habitat Regulations Executive Committee</p> <p>East Devon District Council</p>	<p>Must ensure that adequate on and off-site mitigation is delivered to ensure there are no adverse effects upon the nearby European protected sites (Pebblebed Heaths and Exe Estuary) as a result of development. This is achieved through the safeguarding of land for Suitable Alternative Natural Greenspace (SANGS) within the Plan Area to be delivered at a rate of not less than 8ha/1000 population and a requirement for financial contributions towards on-site measures to assist with the implementation of the joint South East Devon European Site Mitigation Strategy and Pebblebed Heaths Visitor Management Plan.</p> <p>Discussions and consultation have taken place with Natural England regarding the suitability of land for SANGS mitigation at Cranbrook. No objection in principle has been raised to the parcels of land identified for potential SANGS at Preferred Approach consultation stage. There will need to be further discussion with the Local Planning Authority and</p>	<p>Habitat Regulations Assessment:  <a href="http://eastdevon.gov.uk/media/2760803/Habitat-Regulations-Assessment.pdf">http://eastdevon.gov.uk/media/2760803/Habitat-Regulations-Assessment.pdf</a></p> <p>South East Devon European Site Mitigation Strategy:  <a href="http://eastdevon.gov.uk/media/2760800/South-East-Devon-European-Site-Mitigation-Strategy.pdf">http://eastdevon.gov.uk/media/2760800/South-East-Devon-European-Site-Mitigation-Strategy.pdf</a></p> <p>Pebblebed Heaths Visitor Management Plan:  <a href="http://www.southeastdevonwildlife.org.uk/wp-content/uploads/2019/02/Pebblebed-Heaths-Visitor-Management-Plan.pdf">http://www.southeastdevonwildlife.org.uk/wp-content/uploads/2019/02/Pebblebed-Heaths-Visitor-Management-Plan.pdf</a></p>

		<p>Natural England to ensure that the identified land provides suitable mitigation.</p> <p>The Exeter and East Devon Growth Point in their capacity as responsible for implementing the joint South East Devon European Site Mitigation Strategy and Pebblebed Heaths Visitor Management Plan have been involved in discussions regarding SANGS in the Treasbeare, Cobdens and Grange expansion areas.</p>	<p>Cranbrook Plan SANGs Strategy: <a href="http://eastdevon.gov.uk/media/2763282/SANGS-Strategy.pdf">http://eastdevon.gov.uk/media/2763282/SANGS-Strategy.pdf</a></p>
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## **Governance arrangements**

This Statement of Common Ground has been prepared by East Devon District Council and sent for comment and signature to the organisations listed as involved parties earlier in this document.

East Devon District Council officers meet at least monthly with officers of Devon County Council, Devon CCG and the Exeter and East Devon Growth Point to discuss the matters identified as relevant to each organisation. These joint working arrangements are proposed to continue in order to facilitate the implementation of the relevant matters.

There are no existing formal or regular arrangements for liaison between East Devon District Council and either Natural England or Highways England. However, Natural England have an advisory (non-voting) seat on the joint South and East Devon Habitat Regulations Executive Committee, organised by the Exeter and East Devon Growth Point and Devon County Council as Local Highway Authority have ongoing dialogue with Highways England. Both Natural England and Highways England have to date raised no objections to the production of The Cranbrook Plan and their interests and comments raised have been addressed through on-going dialogue with other bodies such as Devon County Council as Local Highway Authority and the Exeter and East Devon Growth Point in administering the implementation of mitigation for the European Protected Sites.

This Statement of Common Ground has been prepared as a first version for the submission draft of The Cranbrook Plan. The requirement for a SCG has only been recently introduced and so there is no earlier iteration. Depending upon the nature of comments received from the interested parties as part of the submission stage consultation there may be an update to the SCG before the Plan is submitted for examination to the Secretary of State.

## Timetable

The SCG will be appraised for review following the closure of the submission round of consultation which is scheduled to run 11 March 2019 – 24 April 2019. This will allow for a review of the document prior to submission of the Cranbrook Plan for examination, depending upon comments and issues raised during the consultation. Following this, it is not anticipated that the SCG be updated in advance of the plan examination.

Following examination, The Cranbrook Plan will be reviewed as part of the review of the wider East Devon Local Plan. Continuous engagement regarding the strategic matters raised in this document and other cross-boundary matters such as housing requirements will be addressed through this review, although on a local level there will continue to be Cranbrook specific engagements. The indicative timetable for the Local Plan Review is as follows:

Review commences	June 2019
Issues consultation	April/May 2020
Public engagement to inform Draft Plan	April – August 2021
Draft Plan consultation	February/March 2022
Publication consultation	August/September 2022
Submission of Local Plan for examination	December 2022
Adoption of Local Plan	October 2023

# Appendix 1

