

Independent Examination of the Cranbrook Local Plan

Stage 2 Questions

Janet Wilson BA BTP MRTPI DMS

Inspector appointed by the Secretary of State

Date: 7 August 2020

Cranbrook Local Plan Examination – Additional questions

The list of questions in this paper are an initial list in response to the additional viability information provided by the Council – Examination documents PSD 20 to 27 which comprise the following.

- Covering letter from the Council (27/7/20) [PSD20]
- Cranbrook Updated Viability Report [PSD21A]
- East Devon Cranbrook Updated Viability Appendices [PSD21B]
- Land budget Technical Notes [PSD22]
- DAT Cranbrook 4000 dwellings (Excel appraisal tool) [PSD23A]
- DAT Cranbrook 170 dwellings (Excel appraisal tool) [PSD23B]
- Infrastructure Delivery Plan July 2020 [PSD24]
- Response to matters raised by the Inspector [PSD25]
- Devon County Council revised public transport request [PSD26]
- Gypsy and Traveller Cranbrook Paper including SA [PSD27]

This information is available on the Examination pages

At this point **I am inviting further hearing statements only on matters connected with this additional information. These questions are directed at participants unless specified direct to the Council.**

Examination sessions will be held to cover viability, issues arising from the County Council statement on transport, and the gypsy and traveller allocations. There may also be sessions relating to main modifications with the Council towards the end of the examination programme if this is considered necessary. A timetable for the sessions will be issued in due course.

All participants are reminded that the **purpose of the examination is to test the overall soundness of the plan** with regard to paragraph 35 of the National Planning Policy Framework. I will be looking to establish where participants have fundamental issues with the Councils approach rather than a forensic scrutiny of the precise figures used.

The Council has helpfully set out their responses to the questions which I tabled on 25 February to clarify the figures used in the viability appraisal and the basis for those figures. This detail can be found in [PSD25](#). The figures should enable the parties to be clear about the manner in which the calculations have been arrived at, a point on which earlier responses in the examination were critical of. To that extent the Council highlight they have used industry standard model in this updated information.

It is not necessary to respond to each and every question unless there are specific points you wish to make. As there has been a substantial amount of additional information regarding viability please update and reissue your earlier viability hearings statement rather than rely solely on previous statements as this will assist me in understanding your current position. This will help with the smooth running of examination sessions.

As this is new information it will be made available for comment to participants involved in the examination in January/February 2020. Whilst comments are

requested it must not be used as an attempt to revisit or alter comments made at earlier stages of the examination on matters upon which I have already heard evidence unless those comments are specifically impacted by the additional information. **Additional hearing statements should be focused and have regard to the limitations on length set out in the attached explanatory note.**

Please be cognisant that:

- Participants' contributions should focus on the questions set out in this paper.
- The examination will concern itself with the soundness and legal compliance of the submitted plan and not with matters which are the domain of subsequent planning applications for which the Council is responsible.
- Anything that does not relate to these subjects, for example local political matters, will not be discussed at the examination.
- The tests of soundness are set out in paragraph 35 of the National Planning Policy Framework.
- Participants should avoid speculating about the impact of Covid-19. The effects beyond the present day are not known. The plan takes a long-term view which will span beyond short term trends and economic cycles.
- Participants should have regard to the policies in the submitted plan and the suggested modifications which are set out in the Council's draft schedule on the examination website [Document PSD7](#) – this is a living document. Please be aware that further iterations of the schedule are likely – it does not represent an agreed form of wording at this point.
- Participants proposing changes or deletions to policies should provide evidence-based justification and where appropriate, suggest appropriate wording.

Additional questions :-

Viability

- AQ1. To what extent is the revised viability assessment policy compliant in respect of the National Planning Policy Framework (The Framework) and Planning Policy Guidance (PPG)?
- AQ2. The viability results are set out at table 4.1 of the updated viability study entitled Cranbrook expansion viability results [Doc ref PSD21A] indicate a gross development value. To what extent are these figures now accepted as a robust assessment of costs?
- AQ3. What proportion of the overall development costs do the section 106 contributions represent? **[Council]**
- AQ4. To what extent does the new viability information provide sufficient confidence that development, of the level set out in the Cranbrook Plan, is deliverable?
- AQ5. Please explain any areas of fundamental concern with the approach to viability set out in the Councils paper of July 2020 and point to the evidence you rely on to support those concerns?
- AQ6. Are the requirements and costs in the revised Infrastructure Delivery Plan (IDP) justified taking into account the evidence available? If not, why not?
- AQ7. Would the cumulative level of contributions to be borne by the expansion areas threaten/compromise the delivery of any of the expansion areas? If so, how would they compromise them?
- AQ8. Please explain why the calculations for the self-build units appear not to include contributions under Section 106? **[Council]**
- AQ9. Is the sensitivity testing undertaken effective? If not, why not?
- AQ10. The Council sets out its position on equalisation at paragraphs 12.1 to 12.5 of their response to my earlier questions. Representors have previously argued that equalisation should not apply to all IDP entries. On what basis, legal or otherwise, should equalisation not apply to the abnormal costs listed?
- AQ11. If items were to be removed from the equalisation equation what are they and what impact would that have on the viability of different expansion areas?
- AQ12. If it is considered that the revised level of per plot contribution to Section 106 costs is unreasonable; At what level of contribution per plot would development in the Cranbrook Expansion areas be viable? What evidence supports your response?

Forward funding

- AQ13. The Council say that no allocation is made in the IDP for gas connection due to the use of the additional CHP plant to serve the wider development. This was the subject of some debate at earlier hearings. Can the Council give an update on the expected timing of the facility and at what point in the updated trajectory it will be effective in serving new units given that at their earliest units come on stream in 2022/23. Is

there sufficient capacity in the existing facility to serve plots in the meantime?

Implications for housing delivery

AQ14. The revised papers adjust the housing trajectory for Cranbrook to beyond the 2031 date specified in the plan. What are the implications of this extended period for the Cranbrook Plan bearing in mind the requirement to review the plan in accordance with (Regulation 10A of the Town and Country Planning (Local Planning) (England) Regulations 2012) every five years?

AQ15. What is the delivery plan/timescale for the extra care provision to which the £3.5 million contribution relates and where in the housing trajectory figures is this provision accounted for? **[Council]**

General questions

AQ16. Are there any other matters which are critical either individually or cumulatively to the issue of viability of the expansion allocations?

Additional Highway detail/ Sustainable Transport

AQ17. Are there any comments or views to take into account from the clarity provided in table 3.10 relating to Section 278 costs relating to highway improvements relating to London Road?

AQ18. Is the revised position of Devon County Council in relation to sustainable transport contributions justified in the light of the available evidence? If it is not, what evidence do you rely on to support your comments?

AQ19. The revised amount requested from DCC is lower than that now included in the revised IDP of £7,363,000. The Council is requested to clarify why there is a variance from the £6,378,000 in the DCC document)?

Queries to the Council for information/clarity

AQ20. In table 3.12 of the Viability Report [[PSD21A](#)] four phases of development are referred to do these phases relate to the four allocations? If they do, which order do they appear or are they sequenced CB2 (Bluehayes), CB3 (Treasbeare), CB4 (Cobdens), and CB5 (Grange).

AQ21. Reference is made at Appendix 3 as to SC policy proposed to be superseded by Cranbrook Policy - please clarify this comment in relation to the content of the table.

Gypsy and traveller provision

AQ22. Does the additional gypsy and traveller evidence paper provide reassurance that the selection of sites at Treasbeare and Cobden's are:-

- appropriate allocations;

- justified by available evidence when considering reasonable alternatives and
- in accordance with national policy?

AQ23. Does the final report [[PSD27](#)] justify the level of provision (15 pitches) across the two sites at Cranbrook?

AQ24. Can EDDC clarify the significance of the agreement with East Devon New Community Partners in respect of Gypsy and Traveller allocations at Treasbeare and Cobden's. **[Council]**

Policies map

AQ25. Fig1 in the Land Budget Technical Note indicates additional SANGS land shown pink but makes other alterations including the omission of the sports pitches it also incorporates white land between the additional SANGS allocation and that formerly indicated for sports pitches and similarly land around the allocation for the Gypsy and Traveller allocation. Please clarify the anomalies. **[Council]**

AQ26. I note that the land assessed in the parcel plan for Bluehayes and Treasbeare do not fully reflect the submitted policies map. Could the Council clarify which is the current position? **[Council]**