



The Planning Inspectorate

Examination of the Cranbrook Local Plan

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James Brown
New Community Officer Cranbrook
East Devon District Council
Via email

2 July 2021

Dear Mr Brown

Thank you for your letter of 5 June and the updated Cranbrook Infrastructure Delivery Plan (CIDP) received on 21 June. I am obliged that the Council has revisited viability matters in order to revise, where appropriate, the requirements for infrastructure and services. It was agreed that these documents would be subject to consultation with participants and may, if necessary, lead to further hearing sessions.

I note the progress which has been made on viability and infrastructure costs however, your letter makes clear that there remain matters on which there is disagreement and where discussion is ongoing. I am mindful that these matters also impact on viability such that consultation before the Council has fully decided its revised approach could be counterproductive.

My task is to assess if the allocations are sound, that is, they are positively prepared, justified, effective and consistent with national policy. Key to this analysis is whether the expansion areas are deliverable over the plan period.

To that end it would be helpful to have greater clarity on the following points: -

1. Paragraph 34 of the National Planning Policy Framework (the Framework) states that plans should set out the contributions expected including the levels and types of affordable housing. You say that the Council do not consider that an affordable housing concession from the 15% specified in the plan is necessary to make it sound so I am unclear as to why a reduction is the subject of

continued dialogue. I am also mindful that the Planning Practice Guidance (PPG) makes clear that viability assessments should be primarily at the plan making stage with these matters taken fully into account and avoiding the need for further viability assessment at the decision-making stage¹. I therefore need to know what the justification is for any change from the 15% affordable housing requirement. It will be important for participants to be clear on this matter prior to further consultation.

2. Please clarify what the 'further £4million of IDP savings' refers to (in your Paragraph 3) and what concession would be made to achieve it. It will be important for the examination to understand the nature and rationale for any compromise.
3. Please explain which evidence you refer to in support of the statement made at paragraph 2 of your letter that the equalisation approach has been generally supported by participants?
4. You say that progress has been made on statements of common ground. However, I note that your letter also suggests a number of areas where agreement has not been reached and no further Statement of Common Ground has been provided. Appendix 1² indicates developers preferences though does not appear to indicate agreement on any of the points contained therein. Please can you be clear on the points of common ground that have been reached/agreed?
5. Reference is made in paragraphs 6 & 7 to the independent report from Vickery Holman and additional addendum report from Three Dragons/Ward Williams. I am unclear whether the parties representing the four expansion areas support the revised approach. You also appear to say that one landowner did not participate. I would therefore be grateful if the Council could clarify the position?
6. You say in paragraph 12 that the sensitivity results have been shared with participants and refer to responses. I have been provided with a table relating to responses to the sensitivity testing³ which appears to indicate that all the developers take a different view to the Council across most issues. Is this correct?
7. The CIDP contains a revised draft of Policy CB6 relating to the different types of funding and appendix 1 to that document sets out an equalisation assessment for required infrastructure dividing it into four categories: -

¹ Paragraph: 002 Reference ID: 10-002-20190509

² (to your letter of 13 April to participants)

³ (labelled appendix 1)

Category 1 – Infrastructure required from all areas i.e. elements to be provided by development within a specific expansion area and for that specific area) (i.e. funded by that expansion area)

Category 2 – Financial contributions per unit for all allocation areas towards ongoing maintenance e.g. SANGS and travel planning within each respective expansion area

Category 3 – Allocation specific infrastructure costs i.e. Infrastructure which is site specific but for the benefit of the wider settlement expansion (and for which costs will be equalised across all four expansion areas via adjustments to contributions under category 4 below)

Category 4 – Contributions to policy requirements on a per unit basis for each of the four expansion areas. These contributions will be for the provision of community facilities across the Cranbrook area and will be adjusted to ensure that the costs are equalised so that the financial burden on those areas contributing to larger proportions of direct delivery (as described within category 3 above).

Please clarify that I have understood the application of these categories correctly.

Whilst the broad categories are understood I do not see the benefit of repeating the detailed provisions in this policy and reiterate that the site-specific requirements should be in policies CB2 to CB5.

I am seeking to establish whether the revised approach gives sufficient confidence that the expansion areas are, in broad terms, viable and deliverable. I recognise that much of the fine detail will remain to be resolved at the planning application stage and this will no doubt be guided by the separate CIDP and through negotiations on legal agreements, neither of which are the remit of the examination.

In respect of the drafted modifications I note that you have already shared a version with the developers and it is recognised that the requirements of each allocation policy will have an effect on viability. To this end the revised wording of policies CB2 to CB7 should also be made available alongside the viability information. Formal publication of the full schedule of modifications will be at a later date once viability issues have been fully considered and any adjustments incorporated.

At this stage the **focus the examination** should remain on the issue of viability in order to establish whether sufficient adjustment has been made to enable the expansion areas to be considered deliverable.

I would ask for clarity on the above points by **12 July** in order that consultation can take place on the revised information along with this letter and your reply to it.

Following receipt of your reply on the above points I intend to ask the Programme Officer to notify the participants and invite comments on viability together with a number of focused questions.

If you have any queries, please do not hesitate to contact me through the Programme Officer.

I look forward to hearing from you.

Janet Wilson

Examination Inspector