

Cranbrook Plan –

Proposed Main Modifications Consultation



17 January 2022 to 28 February 2022 closing at 5pm

For Office Ref:

Representation Form - to be used as an additional part B form

Please email the completed forms to: plancranbrook@eastdevon.gov.uk

Alternatively, you can post your completed form to: The Cranbrook Plan, Planning Policy, East Devon District Council, Blackdown House, Border Road, Heathpark Industrial Estate, Honiton, EX14 1EJ

Part B – Your representations continued

Please use this 'Part B only' form for the **second and subsequent** proposed Main modifications **or** documents that you wish to comment on. It must only be used in conjunction with an **accompanying combined Part A and B** form.

Name or Organisation	Hallam Land Management and Taylor Wimpey Developments(Hallam Land/TW)
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1. To which part of the Cranbrook Plan does this representation relate?
(Please identify only one reference per Part B form)

Proposed Main Modification (PMM)	MM 11	Policies Map Schedule (PMS)	Please select from the dropdown list.	Sustainability Appraisal (SA)	Select if commenting on the SA. Ref: Click to enter text.
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2. If commenting on the PMMs, do you consider that with their incorporation, the Cranbrook Plan is:

(a) Legally compliant	Yes
If answering 'No' please provide reasons	Click to enter text.
(b) Sound	No
If answering 'No' please provide reasons	Click to enter text.

3. Please provide full details of your comments in respect of the Modification that you have identified and be as precise and succinct as possible.

A Deleted Text

HLM and TW support those modifications within MM11 that result in the deletion of original text from the submission version Policy CB7 – in particular the deletion of the requirement for each phasing strategy to ensure that an overall co-ordinated approach to delivery is achieved across the Plan area”. Such co-ordination – insofar as it can be achieved is provided for within the Plan itself. It is not required, nor possible, as part of the individual phasing strategies in each expansion area.

B Prioritisation of Development Parcels

Hallam/TW welcome the deletion of “central” parcels from para 2 of Policy CB7. The development of central parcels may well not be justified or effective where this would necessitate the delivery of infrastructure that would not normally be delivered until later in the phasing of development. It is inappropriate to significantly increase the up front infrastructure costs by seeking an inefficient phasing programme. Accordingly Policy CB7 should not predetermine the phasing principles but set out the framework of factors to be taken into account. A suggested modification of the wording is proposed in section 4 below.

C Delivery of School Land and Facilities

The third paragraph of Policy CB7, as proposed to be modified, refers to the need to “identify” school land before permission is first granted. HLM/TW understand this to mean that school land will be included in and secured through the grant of planning permissions for the expansion areas.

The 6th paragraph of Policy CB7 – as proposed to be modified seeks delivery of the first school prior to the first occupation of the 30th dwelling across all of the expansion areas. The 30 dwelling trigger has been objected to by all of the prospective developers in that it is onerous but more to the point that it introduces an onerous expectation without a high degree of confidence at this stage that 30 dwellings is the correct trigger. There is no precise calculation to demonstrate it is so. Indeed it is perfectly possible that the circumstances at the time the decision is made on future planning applications may in any event be different. Capacity may be available in existing schools such that the first school may not be required at 30 occupations. As such the policy is not sufficiently justified or effective as it includes no flexibility for the respective partners – developers/applicants, District Council, Education Authority – to agree a different phasing obligation that reflects circumstances at the time.

Equally flexibility would allow the parties to address any unforeseen hypothetical consequences where one expansion area was able to secure the majority of the 30 completions where it was a different expansion area delivering the school.

The same arguments relate to the 1650 and 2500 triggers also.

The policy should be amended accordingly (see below), if the Inspector concludes that the triggers should be retained at all.

D Release of School Sites for Alternative Uses

As set out in representations on Policy CB2, HLM/TW consider that it is unnecessary to “safeguard school sites” in alternative expansion areas until School delivery has occurred (if by direct delivery). This unnecessarily slows the delivery of additional alternative uses and defers the effective planning of sites that may be released for other uses. It is entirely sufficient for the delivery of the school to have been secured – e.g through the letting of contracts – without the construction of the school in its entirety. A suggested change is proposed.

4. Please set out what modification(s) you consider necessary to make the “Cranbrook Plan Modifications” legally compliant or sound, having regard to the reference you have identified at Q1 above where this relates to soundness. You will need to say why this modification will make the Cranbrook Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

For the reasons set out in section 3 above the following suggested amendments to the Proposed Modifications are proposed.

A For clarity the modified wording of para 1 of CB7 should refer not to “as part of an outline or detailed planning application” but an outline or detailed planning PERMISSION.

B The second sentence of Para 2 of CB7 should be modified as follows: “The approach to phasing should have regard the efficient delivery of infrastructure and the benefits, where achievable, of delivering housing close to any community or education facilities”.

C For clarity the third para of CB7 as proposed to be modified should be amended to clarify that the need to “identify” school land before permission is first granted means that school land will be included in and secured through the grant of planning permissions for the expansion areas.

D Paragraph 6 should be amended as follows: “Where delivery is by the developer then the first primary school must be delivered before the first occupation of the 30th dwelling* OR IN ACCORDANCE WITH AN ALTERNATIVE SCHOOL PHASING PROGRAMME THAT IS AGREED BY THE RELEVANT DEVELOPER, THE COUNCIL AND THE LOCAL EDUCATION AUTHORITY. The second primary school must be delivered before the first occupation of the 1650th dwelling...first, OR IN ACCORDANCE WITH AN ALTERNATIVE SCHOOL PHASING PROGRAMME THAT IS AGREED BY THE RELEVANT DEVELOPER, THE COUNCIL AND THE LOCAL EDUCATION AUTHORITY”

E For the reasons set out above, both sentences of the fifth para of the policy (commencing “Where the delivery is by the LPA/SP...”) should have the added caveat also : “or in accordance with an agreed alternative programme agreed with the Local Planning and Education Authorities”

F For the reasons set out above the final para of CB7 as proposed to be modified should be amended as follows: Once school land has been transferred or School delivery (if by direct delivery) has occurred been secured in either Bluehayes or Treasbeare expansion area, the residual site within the other of these two areas can be released for alternative uses.

Please note your representation should cover succinctly all the information, evidence and supporting information necessary to support/justify the representation and the suggested modification.

Representations by both post and email must be received by 5pm Monday 28 February 2022

Notes to accompany Representation Form

General notes

The representation form and this accompanying guidance note is designed to help you comment on the Cranbrook Plan – Proposed main modifications.

Please return this representation form to East Devon District Council by 5pm Monday 28th February 2022. Representations received after this time will not be accepted. We cannot accept anonymous responses. If you wish to submit documentation in support of your representation it should be submitted in electronic format and be no larger than 5 MB in size to allow it to be uploaded to the Council's web site. Representations will be published on the council's website, including your name but contact details and signatures will be redacted.

Procedural guidance

A supporting procedural guide has been produced by the Planning Inspectorate to provide practical advice on aspects of the examination of local plans. This can be found on their website at: [Procedure Guide for Local Plan Examinations - GOV.UK \(www.gov.uk\)](http://www.gov.uk). It explains the different stages of examination, the roles of the various parties and specifically for this part of the process, the purpose of proposed main modifications (section 6).

Data protection

Any personal information which you provide will be held and used by East Devon District Council in its continued progress of the Cranbrook Plan and may inform other planning policy work. All duly made representations will be forwarded to the Planning Inspectorate and specifically the appointed Inspector who is conducting the independent examination of the Cranbrook Plan. Your information may also be shared within East Devon District Council for the purpose of carrying out our lawful functions. Otherwise your personal information will not be disclosed to anybody outside East Devon District Council without your permission, unless there is a lawful reason to do so, for example disclosure is necessary for crime prevention or detection purposes. Your information will be held securely and will not be retained for any longer than is necessary. There are a number of rights available to you in relation to our use of your personal information, depending on the reason for processing. Further detail about our use of your personal information can be found in the relevant Privacy Notice which can be accessed at: [eddc-privacy-notice.pdf \(eastdevon.gov.uk\)](http://eastdevon.gov.uk) Further detail about data protection more generally can be seen on our website: <http://eastdevon.gov.uk/privacy/>. The Planning Inspectorate with whom data is shared with for the purpose of this examination have issued their own Customer Privacy Notice which can be access at: [Customer Privacy Notice - GOV.UK \(www.gov.uk\)](http://www.gov.uk).