

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(HLM/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 33	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.

For Office Ref:	

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.

HLM and TW is concerned that right at the last stage of the examination process a significant change in policy is proposed to be introduced through the medium of MM33 – a requirement for all new development to deliver at least 10% biodiversity net gain.

This has not been discussed or sought through the examination process.

It is not necessary to make the Plan sound.

While it is accepted that the Environment Act 2021 has now passed, secondary legislation is required for it to be implemented. Therefore the 10% expectation is not law and not applicable stage of the DPD process. The extent to which it is will be subject to developments of the legislative position and also the guidance and should not be for the DPD to pre-judge.

At present para 174 of the NPPF seeks only a net gain – unspecified in terms of quantum.

Critically no evidence has been brought to bear in relation to the DPD to demonstrate that it is deliverable and that it does not impinge upon viability and delivery. No possible land take or implementation cost has been identified or factored into the already very sensitive viability assumptions.

Whilst the NPPF and the EDLP provide the basis for seeking a net biodiversity gain – there is no evidenced basis for securing a 10% gain. It should be deleted from the policy.

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 it is proposed that the second numbered para should be amended as follows: “...and delivers biodiversity net gain”.

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).