

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	RPS Group on behalf of Persimmon Homes South West
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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)	Please select from the dropdown list	Policies Map Schedule (PMS)	Please select from the dropdown list.	Sustainability Appraisal (SA)	SA Ref. Page 222
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2. If commenting on the PMMs, do you consider that with their incorporation, the Cranbrook Plan is:

(a) Legally compliant	No
If answering 'No' please provide reasons	Failure to comply with Regulation 12 (2) (a) of The Environmental Assessment of Plans and Programmes Regulations 2004
(b) Sound	No

If answering 'No' please provide reasons	Unjustified
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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.

As illustrated by the map shown on page 222 of the Sustainability Appraisal of the Cranbrook Plan – Publication Draft with proposed Main Modifications (the SA), an assessment has not been undertaken of land within the Cobdens allocation to the west of Southbrook Lane. This is a fundamental error that requires rectifying to ensure that the SA complies with Regulation 12 (2) (a) of The Environmental Assessment of Plans and Programmes Regulations 2004 which states:

“The report shall identify, describe and evaluate the likely significant effects on the environment of –

(a) Implementing the plan or programme;”

Failing to do this would mean that the plan is **not legally compliant** and would also mean that the Plan would be **unjustified** as the SA has not considered all of the land proposed to be allocated by the plan. The map on page 222 is incorrect in stating that this area of land benefits from extant planning permission.

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.

The SA needs revising to **assess all land for proposed for development by the Plan** including the land within the proposed Cobdens allocation to the west of Southbrook Lane. Chapter 10 of the SA also needs updating accordingly to set out the outcome of this assessment.

It should be noted that there may be other areas of land included within the proposed allocations that have not been adequately assessed and we encourage the Council to carefully review the proposed allocations to ensure that all land identified for

development has been correctly considered by the SA. Failure to do so risks legal challenge to the Plan.

***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).