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The Cranbrook Plan - The Proposed Main Modifications

Prepared by LRM Planning Limited on behalf of Redrow Homes and the Carden Group

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Executive Summary

This representation to the Cranbrook Plan Proposed Main Modifications (January 2022), is submitted on behalf of Redrow Homes and the Carden Group. It should be read alongside the three documents appended to this representation and two further appendices which were appended to document PSD44E and concern viability.

Since the last Hearing Sessions, where Harrow Estates (who are part of the Redrow Group) represented themselves and Mr and Mrs Pyle, the Treasbeare Farm Expansion Area has been sold to the Carden Group. Whilst the Carden Group are the landowner, Redrow Homes, who are promoting the site on their behalf, will be submitting a planning application for development of the site and will be its lead developer.

Whilst Redrow Homes and the Carden Group are pleased to see the Cranbrook Plan progress to the Proposed Main Modifications stage, a number of the concerns that they raised in previous representations, as well as at the Examination Hearing Sessions, have not been addressed. In addition, they are concerned with some of the proposed modifications to the Plan, which in some cases are considered to be unjustified, ineffective and therefore, without change, could render the Plan unsound.

Their principal areas of concern are:

PM8

- 1) There are two portions of land in the western area of the Expansion Area that are excluded from the proposed built-up area boundary, but either have been, or could be, identified for, development. As development is proposed on one of the parcels of land, this is an **unjustified** proposition. Both parcels of land should be safeguarded to accommodate an extension to the district heating energy centre. Any residual land should be released for suitable green infrastructure. The currently identified southern safeguarded land should be redesignated for employment uses.
- 2) The Policies Map proposes an extension to the built-up area boundary in the south eastern area of the site. The revised boundary has been drawn to follow the 40m AOD contour and not an existing landscape feature. The rationale for proposing the built-up area boundary in the location shown on the Policies Map is **unjustified**. A more **justifiable** approach would be to extend the built-up area boundary to the east, to the existing significant and mature hedgerow (H27). Landscape work has demonstrated that development in the proposed extended area would have no material effect in visual or character terms. If necessary, the scale of the development could be limited in this area to no more than 1.5 storeys, through the development management process.
- 3) The Council's evidence base suggests that the parcel of land to the north of Parsons Lane is two separate field parcels, when it is in fact one field parcel, with no subdividing features. The orientation of the slope within this parcel contains the proposed development in this field from the wider landscape to the east. This containment is accentuated by a hedgerow (H12). Work on behalf of Redrow Homes and the Carden Group would suggest that development in the eastern portion of this field would not have a demonstrably harmful impact on landscape or visual receptors and will not lead to the perception of coalescence with Rockbeare. Accordingly, there is **no justification** as to why the built-up area boundary should not extend to H12, which itself would provide a clear, legible, robust and vertical landscape feature that would contain much of the development in this area.
- 4) The proposed built-up area boundary should extend to Parsons Lane; currently it is slightly inset from it.
- 5) The proposed built-up area boundary should extend into the area of land to the north west of Treasbeare Farm House, to the west of Treasbeare Lane and to the north of the Airport. This land could accommodate additional employment development, in an acceptable manner.
- 6) The distribution of employment uses should be amended to that shown in Appendix 1 of these representations.



- 7) The sports pitches should be enlarged on the Policies Map to the area shown in Appendix 1 of these representations.
- 8) Reference to “*mixed-use frontage*” should be removed from the Policies Map in reference to the Neighbourhood Centre.
- 9) Redrow Homes and the Carden Group note that there are other plans contained within the Cranbrook Plan that show previous versions of the built-up area boundary (i.e. Figure 2 and 8). These plans will need to be updated to reflect the final built-up area boundary.

MM5

- 10) Policy CB3 should be amended to recognise the proposed amendments to the built-up area boundary shown on Appendix 1 of this representation. This would result in the Treasbeare Expansion Area being 69.12ha in size.
- 11) Reference to the approved parameter plans being fixed for the lifetime of the development, unless exceptional circumstances can be demonstrated, should be removed from Policy CB3. Any subsequent applications should be determined on their own merits, against the policy framework provided by the Development Plan, unless material considerations indicate otherwise. In any event, the emerging Development Plan Document supports and, in some cases, expects parameter plans to alter during the course of the development.
- 12) As written, test 2 of Policy CB3 is not clearly written and is unambiguous. It therefore **does not accord with national planning policy**. Amendments have been suggested to ensure that the proposed policy is sound.
- 13) Contrary to national planning policy, MM13 requires an impact assessment for all Class E uses above 280sq.m. It is also not clear as to when the policy should be applied.
- 14) MM13 was based on the definitions provided in the Sunday Trading Act, which are expressed in net terms, not gross as is indicated in the Policy. Should the Local Planning Authority which to express a threshold in ‘gross’ terms, the threshold should be increased to 500sq.m.
- 15) The evidence base underpinning the proposed sports pitch provision at Cranbrook is out-of-date and **does not accord with national planning policy**. This has resulted in an **unjustified** quantum of playing pitches being proposed. The focus should be on the delivery of the AGP, which if used effectively, will, alongside a reduced number of grass pitches and other ancillary facilities, meet the demands for sports provision at Cranbrook. This has been demonstrated in updated evidence work prepared on behalf of Redrow Homes and the Carden Group.
- 16) The Rugby Football Union (“**RFU**”) have indicated that one grass pitch should be flood lit, regardless of the mix of pitches proposed.
- 17) Redrow Homes and the Carden Group have committed to the delivery of the Gypsy and Traveller provision required at the Treasbeare Expansion Area. However, the minimum size of the Gypsy and Traveller site (0.5ha) has not been **justified** and could result in a scheme that did not make efficient use of land, which would **not be consistent with national planning policy**. The requirement should therefore be expressed as an ‘up to’ figure.
- 18) The costs of delivering the Gypsy and Traveller provision would result in a net loss to the developers of each of the Expansion Areas that they are proposed within. The net loss should be subject of equalisation across all four Expansion Areas.
- 19) The quantum of safeguarded land for the energy centre has not been adequately **justified** by the Local Planning Authority. Justification only exists to safeguard 1.9ha of land. However, to provide the Local Planning Authority with necessary ‘head-room’, Redrow Homes and the Carden Group suggest that the requirement is reduced to 2.5ha and that it is expressed as an ‘up to’ figure.
- 20) Redrow Homes and the Carden Group are aware that one of the options for the use of the safeguarded land is to accommodate the bulk supply point/primary substation referred to in PSD45. However, in policy terms, there would be a conflict with the use of the land for a facility that connected to the national electricity network, as its use, as stated in policy, is to be as an extension to the district heat energy centre/to facilitate the district heat network.
- 21) As currently written, the Plan does not define the length of time that the land to facilitate an extension to the energy centre will be safeguarded for. PSD45 indicates that the land will be required until the end of the Plan period, although it recognises that clarity will be achieved early



within the Plan period. Given these statements, it would not be a **justified** proposition to safeguard the land for an indefinite period. A more **justifiable** proposition would be to, as the Local Planning Authority have indicated themselves, limit the safeguarding period to the end of the plan period (i.e. 31st March 2031), unless it has been demonstrated/agreed beforehand that the residual land is not required.

- 22) The employment land provision should be increased to up to 9ha in size.

MM9

- 23) As set out in Appendix 1 of PSD44E, Redrow Homes and the Carden Group believe that the infrastructure requirements identified under Policy CB6 for the Treasbeare Expansion Area, together with other obligations sought through the Plan, including affordable housing, would render the development unviable and undeliverable. The Policy is therefore **ineffective** and unsound. Alterations are proposed by Redrow Homes and the Carden Group to remedy this situation.
- 24) A revised Infrastructure Delivery Plan was not published alongside the current consultation. A number of alterations have been made to how necessary infrastructure will be funded since the last version of the Infrastructure Delivery Plan was published. The lack of an updated Infrastructure Delivery Plan is a significant deficiency of the current consultation.
- 25) As currently written, Policy CB6 could result in funding only being achieved for the items of infrastructure listed within the Policy, including from excess housing on allocated sites and on development on unallocated sites within the Cranbrook Plan. We are aware that this is not the intention of the Policy but as currently drafted it is neither **clear** or **unambiguous** and is therefore **inconsistent with national planning policy**.
- 26) As a result of the updated playing pitch strategy, alterations are required to the Category 3 items of infrastructure identified for the Treasbeare Expansion Area, as set out in Policy CB6.
- 27) Redrow Homes and the Carden Group are pleased that the safeguarded energy centre land will be subject to equalisation.
- 28) Notwithstanding the above, its use as part of the district heating network will serve a greater number of developments than just the Expansion Areas. As such, it would be an **unjustifiable** proposition for this cost to be absorbed by just the Expansion Areas. A more justifiable approach would be for the land cost to be equalised across all the developments that will benefit from it.
- 29) If the bulk supply point/primary substation is required and will serve a greater number of developments than just the Expansion Areas, its capital cost of construction should be equalised across all the developments that will benefit from it. The capital costs of its construction should also be listed as an item of infrastructure within the Policy.
- 30) There are no details provided in Policy CB6 as to what some of the specifications of Category 4 infrastructure items will be. This could lead to higher Section 106 costs post adoption of the Plan, potentially rendering development in Expansion Areas unviable.

MM10

- 31) The net loss resulting from the Gypsy and Traveller provision should be included within Policy CB6 and subject to equalisation. Para. 3.46 of the Plan should be redrafted accordingly.

MM11

- 32) There is a significant disparity between the trigger points and payment structures for the direct delivery of education provision, in comparison with delivery by the Local Education Authority/School Provider. Without alteration to the trigger points for the direct delivery of education provision, it would make it less attractive for the developers to directly deliver education provision.

MM19

- 33) Whilst it is Redrow Homes and the Carden Group's position that the quantum of land required to be safeguarded for uses associated with the energy centre has not been **justified**, they note that test 8 of Policy CB3 seeks to safeguard up to 3.5ha, whilst CB13 is expressed as an absolute figure.



To ensure consistency, Policy CB13 should be amended and the quantum of land to be safeguarded should be expressed as an 'up to' figure.

- 34) There are a number of other inconsistencies in language between test 8 of Policy CB3 and CB13, which whilst being minor in their nature, should be altered to ensure a consistent approach.



1 Background and Introduction

Background

- 1.1 This response to the Cranbrook Plan Proposed Main Modifications Consultation (January 2022) is submitted on behalf of our clients, Redrow Homes (“RH”) and the Carden Group (“CG”).
- 1.2 As outlined in our August 2021 response¹, the Treasbeare Farm Expansion Area has been sold to the CG. The CG is co-owned by three partners, including the founder and a former senior director of RH. Whilst the CG are the sole landowner, RH, who are promoting the site on their behalf, will be submitting a planning application for the development of the site and will be the lead developer of the Treasbeare Expansion Area.

Introduction

- 1.3 Treasbeare Farm is allocated for development within the emerging Cranbrook Plan at Policy CB3. As is known, the Policy allocates the site for a mix of uses, including residential; employment land; a neighbourhood centre; a primary school; a sports hub; open space; and Suitable Alternative Natural Greenspace (“SANGs”) land.
- 1.4 Initially Harrow Estates, and more recently RH and the CG, have participated fully in the preparation of the Cranbrook Plan. They are pleased to see the Cranbrook Plan progress to the Proposed Main Modifications stage. On adoption, the Plan will provide much needed surety to the major development envisaged at Cranbrook and will provide a suitable framework to ensure its timely delivery, including any necessary infrastructure.
- 1.5 Whilst our Clients are supportive of some of the modifications proposed in the latest consultation version of the Plan, some of their concerns raised during the Examination process have not been addressed. In addition, they are concerned with some of the new changes proposed in the latest consultation document, which are **unjustified, conflict with national planning policy** and are **ineffective**. Consequently, without further change, they could render the Plan **unsound**.
- 1.6 Given the above, this representation comprises:
 - Objections to the revised Policies Map; and
 - Objections to the modifications proposed to policies within the Cranbrook Plan.
- 1.7 This representation is supported by:
 - **Appendix 1:** Suggested revised Built-Up Area Boundary for the Treasbeare Expansion Area;
 - **Appendix 2:** Extracts of the Arboricultural Constraints and Opportunities Plan; and
 - **Appendix 3:** Updated evidence in respect of sports provision.
- 1.8 This work should also be read alongside the viability work provided at Appendix 1 and 2 of PSD44E, which for brevity, are not provided again within this response but are referred to.

¹ PSD44E.



2 The Revised Policies Map

- 2.1 Our Clients' have a number of concerns with the revised Policies Map as it relates to the Treasbeare Expansion Area. The concerns relate to the delineation of the built-up area boundary in the western, southern, south eastern and north eastern areas of the Treasbeare Expansion Area, as well as inconsistencies between the wording on the Policies Map and Policy CB3. Our concerns are outlined in turn below. Our suggested changes to the Policies Map are illustrated on the plan provided at Appendix 1.
- 2.2 It should be noted that it remains RH and the CG's view that the proposed built-up area boundary is an unnecessary policy constraint that could prejudice the ability for a developer to form a technically sound development proposal². However, given the stage of the preparation of the emerging Plan and the scope of the present consultation, these concerns are not repeated within this response.

Western Edge of the Treasbeare Built-Up Area Boundary – PM8

- 2.3 Whilst RH and the CG are pleased to note that the southern area of land safeguarded for an extension to the district heating energy centre has been included within the built-up area boundary, there is additional land in the western area of the Treasbeare Expansion Area that is proposed to fall outside the built-up area boundary and is therefore located within the open countryside. These areas include land immediately to the east of the E.on facility and the triangular parcel of land between both areas of land safeguarded for an extension to the district heating energy centre as shown on the Policies Map.
- 2.4 The Local Planning Authority's justification for not including these land parcels within the proposed built-up area boundary is that they are located within a "high risk flood"³ area. However, this constraint has not prevented the Local Planning Authority from safeguarding land for development within this high risk flood area; land immediately adjacent to the existing energy centre is safeguarded to facilitate an extension to the existing energy centre, despite being located within the area of flood risk.
- 2.5 Accordingly, it cannot be considered to be a *justified* proposition to exclude land from the built-up area boundary for Cranbrook because of the flood risk constraint, only for it to be safeguarded for development in any event.
- 2.6 Moreover, despite its location beyond the proposed Cranbrook built-up area boundary, the parcel of land immediately adjacent to the existing energy centre could, as a result of its safeguarded status, accommodate significant built-form and mark an important entrance into Cranbrook⁴. Given the scale of development that could come forward on the site, it is considered more appropriate for it to be located within the proposed built-up area boundary. The triangular portion of land could also, given its proximity to the E.on facility and the northern area of safeguarded land, serve a useful purpose in forming part of the extension to the energy centre. Such an approach would fully accord with the three primary functions of the proposed built-up area

² Paras. 2.72 to 2.76 of PSD44E.

³PM8.

⁴ Para. 3.34 of the Cranbrook Plan.



boundary⁵.

- 2.7 Whilst RH and the CG recognise the Local Planning Authority's concerns with expanding the built-up area boundary in this location, the flood risk constraint, will, in itself, limit the forms of acceptable development that could come forward in these locations; whilst the flood risk constraint is not an absolute constraint to prevent all forms of development coming forward in this area, it would prevent certain forms of development coming forward in this location (e.g. more vulnerable uses). The essential infrastructure being proposed by RH and the CG would be one of the forms of development that, as demonstrated through the emerging Cranbrook Plan, would be an acceptable form of development.
- 2.8 Should the Local Planning Authority need further surety over the suitable uses that could come forward within these locations, a similar approach could be utilised to that employed at limb 7 of Policy CB3 (i.e. to prescribe the use to a particular location). Any residual land within these locations could be released for suitable green infrastructure, rather than the employment uses currently proposed. The southern area of safeguarded land should be allocated for employment purposes.

Suggested Changes:

- Include the land parcel to the east of the existing energy centre and the triangular parcel of land within the built-up area boundary for Cranbrook;
- Safeguard both land parcels to accommodate an extension to the district heating energy centre;
- Any residual land that is not required to accommodate an extension to the district heating energy centre should be released for suitable forms of green infrastructure; and
- Re-designate the southern parcel of land for employment purposes.

South Eastern Edge of the Treasbeare Built-Up Area Boundary – PM8

- 2.9 Again, RH and the CG are pleased to note that the Local Planning Authority have extended the proposed built-up area boundary in the south eastern portion of the site, between Treasbeare Farm and Parsons Lane (the area referred to previously as the 'saw tooth boundary'⁶).
- 2.10 Notwithstanding the above, RH and the CG are concerned that the built-up area boundary has been redrawn to follow the 40m AOD contour. As currently illustrated, the built-up area boundary partly follows an existing hedgerow⁷, before breaking away and following the 40m AOD contour. The boundary then adjoins a second hedgerow⁸ to the north of the 40m AOD contour.
- 2.11 Consequently, the proposed built-up area boundary does not, in this location, follow any existing identifiable features 'on the ground'. The rationale for the alteration is not fully explained, with PM8 referring only to this amendment better reflecting landscape evidence. No evidence has been provided to **justify** this conclusion.
- 2.12 Instead, RH and the CG believe that a far more **justifiable** approach would be to extend the built-

⁵ Para. 3.62 of the Cranbrook Plan.

⁶ PM8.

⁷ H88 as defined in Appendix 2.

⁸ H27 as defined in Appendix 2.



up area boundary to the east, to the existing significant and mature field hedgerow⁹.

- 2.13 The Tree Survey undertaken on behalf of RH and the CG identifies this existing hedgerow feature as being a 'Devon Hedgebank'. The survey work identifies it as being 1.8m in height. It therefore forms a robust and legible vertical landscape feature that provides a strong structural containment at the western edge of the existing plateau in the eastern part of the Treasbeare Expansion Area. Where the 40m AOD contour extends to the west of Hedgerow 27 ("H27"), the hedgerow lies at an elevation of 41-42m AOD. The revised Policies Map illustrates that the proposed Sports Hub, together with its associated infrastructure, will be located to the east of this hedgerow and outside the proposed built-up area boundary.
- 2.14 Landscape work undertaken by Barton Willmore on behalf of RH and the CG has confirmed that a settlement boundary that followed H27 and allowed for residential development to extend into this area, would result in no material effect in visual or character terms when compared against the proposed Policies Map. This is due to the context provided by the proposed development to the north and the east and that H27 is located a maximum of 2m above the 40m AOD contour (i.e. the existing built-up area boundary in this location would only achieve a maximum of a 2m reduction in the elevation of built form in comparison to the suggested amendment proposed by RH and the CG).
- 2.15 The suggested alteration would also provide the opportunity for a coherent development frontage to the hedgerow to be employed. It is considered that this would lead to a logical and legible development limit for the Treasbeare Expansion Area.
- 2.16 We understand that the Local Planning Authority is particularly concerned about the visual and character effects of built development on the eastern edge of the Expansion Area¹⁰. However, through the development management process, the scale of built development could, if required, be controlled in this area to ensure that it is not more than 1.5 storeys in height, with the exception of gateway built forms. Such a scale parameter would accommodate the modestly reduced height that would result from the Local Planning Authority's suggested built-up area boundary, whilst not losing the potential for a rational and coherent development edge to be formed.
- 2.17 In light of the evidence presented above, it is considered that the use of the 40m AOD contour to define the built-up area boundary is **unjustifiable**, unnecessary and undermines the potential for a good design to be formed at the settlement edge.

Suggested Change:

- Redrawing the proposed built-up area boundary between Treasbeare Farm and Parsons Lane so that it follows H27.

North Eastern Edge of the Treasbeare Built-Up Area Boundary – PM8

- 2.18 RH and the CG have significant concerns with the proposed location of the built-up area boundary on the north-eastern edge of the Treasbeare Expansion Area (i.e. to the north of Parsons Lane and

⁹ H27 as defined in Appendix 2.

¹⁰ Para. 3.18 of the Cranbrook Plan Submission Draft with Proposed Main Modifications.



to the south east of London Road), which they consider has not been **justified** by the Local Planning Authority.

2.19 The Local Planning Authority's Statement to Matter 5 states at para. 1.19 that:

"The two fields [sic] identified one for housing and one for a gypsy and traveller site are on largely north and north east facing slopes that contain much of the development within the associated valley. Development of this area would therefore be read in the context of Cranbrook rather than the surrounding countryside. In addition the topography, layout and separation distance ensure that development of these two fields do not result in settlement coalescence or harm the identity of Rockbeare."

2.20 This description seems to imply that there are two separate field parcels in this location, but there is only one field parcel, with no subdividing features. Instead, the boundary features are located on the periphery of the land parcel, including one which is to the east of the allocated Gypsy and Traveller site ("H12¹¹").

2.21 As indicated in para. 1.19 of the Local Planning Authority's Matter 5 statement (copied above), the orientation of the slope contains the proposed development in this field from the wider landscape to the east. This containment is accentuated by H12. Consequently, the Local Planning Authority's justification provided within their Matter 5 statement would support the principle of development in the eastern portion of this field, as well as the west. Indeed, work on behalf of RH and the CG has demonstrated that development of the eastern area of this single field parcel would not have a demonstrably harmful impact on the landscape or visual receptors and will not lead to the perception of coalescence with Rockbeare.

2.22 Accordingly, there is **no justification** as to why the built-up area boundary should not extend to H12; in fact, the evidence provided by the Local Planning Authority in their Matter 5 statement would fully support the use of the eastern hedgerow as the built-up area boundary to the north of Parsons Lane. It would provide a clear legible, robust and vertical landscape feature that would, as suggested by the Local Planning Authority, together with the slope orientation, contain much of the development in this area.

2.23 Whilst not strictly a matter associated with the Policies Map, we note that as currently drafted, the Cranbrook Plan reiterates the misconception that the land parcel in question is two separate fields, when in fact they are one. If the position above, which appears to be supported by the Local Planning Authority's own assessment, is accepted (that the eastern area of the field to the north of Parsons Lane is capable of accommodating development and should be included within the proposed built-up area boundary), then para. 3.18 of the Cranbrook Plan should be redrafted. Our suggested changes are provided below.

2.24 In addition, we note that the built-up area boundary is inset from the Parsons Lane 'dog-leg.' We understand from the Local Planning Authority that this is an illustrative error and that the final version of the built-up area boundary will follow Parsons Lane and Hedgerow 24 ("H24¹²"), rather than being inset from it.

¹¹ Please refer to Appendix 2.

¹² Please refer to Appendix 2.



Suggested Changes:

- The built-up area boundary to the north of Parsons Lane should be redrawn to follow H12¹³; and
- The built-up area boundary should be redrawn to follow Parsons Lane and H24, rather than being inset from it.

2.25 In addition, RH and CG suggest that para. 3.18 of the Cranbrook Plan is redrafted as follows:

"Land north of Parson's Lane and south of London Road is presently identified as green wedge by Strategy 8 of the East Devon Local Plan 2013-2031. Much work has been undertaken to look at the landscape and visual impacts of the development of Cranbrook to the south of London Road, both east and west of Rockbeare. In respect of development parcels shown as part of the Treasbeare expansion area, development in the westernmost field identified as green wedge in Strategy 8 is not considered to have a demonstrably harmful impact upon the landscape or visual receptors and will not lead to a perception of settlement coalescence."

"The field adjoining London Road to the north-west and Parson' Lane to the south is identified for development, including for housing and Gypsy and Traveller provision. This parcel is on largely north and north-east facing slopes that would contain development within the associated valley. Much work has been undertaken to look at the landscape and visual impacts of the development of Cranbrook to the south of London Road. This has demonstrated that, due to topography, vegetation and the existing influence of development to the north of London Road, development of this parcel would be read in the context of Cranbrook rather than the surrounding countryside to the east. There is potential for significant additional planting on the ridgeline spur east of the parcel to further contain development in views. In addition, the topography, layout and separation distance ensures that development of this field does not result in settlement coalescence or harm to the identity of Rockbeare."

2.26 We also note that there are other plans contained within the Cranbrook Plan that show previous versions of the built-up area boundary (i.e. Figure 2 and 8). These plans will need to be updated to reflect the final built-up area boundary.

Southern Edge of the Built-Up Area Boundary – PM8

2.27 The masterplan being prepared by RH and the CG proposes to include employment development in an area of land that is located to the north-west of the Treasbeare Farmhouse. To facilitate this expansion, RH and the CG suggest that the area is included within an enlarged built-up area boundary.

2.28 From a landscape perspective, the south western area of the site is influenced by strategic transport infrastructure and built form associated with aviation related industry at Exeter Airport. This influence diminishes the rural character of the place.

2.29 The concept masterplan being prepared by RH and the CG proposes employment uses within this area. The proposed use would be in keeping with the existing use and the character in the vicinity. The proposed employment land is located at the north-western facing slope, away from Treasbeare Farm. A small grove or 'beare' is proposed on the high ground as part of the overall Green Infrastructure Strategy. This will relate to the surrounding wider vegetation pattern in the

¹³ Please refer to Appendix 2.



area. The wooded 'beare' will front onto Treasbeare Farm and will further soften the edge of the employment land.

- 2.30 The proposed employment use within this area of the site has also been assessed by a historic environment specialist. The work has concluded that the proposed development would not result in a significant adverse effect on designated historic assets in the surrounding environs, or undesignated heritage assets, including the pill box and fire shelter which are located in the south west and western areas of the site and are proposed to be retained.
- 2.31 The expansion of employment land within this area will facilitate a greater quantum of employment provision from the Treasbeare Expansion Area than currently set out in Policy CB3 of the Cranbrook Plan. This would respond to the Local Planning Authority's position set out at MM20 of PSD43; that the requirement for 18.4ha of employment land at Cranbrook is a minimum and that further provision would be appropriate.
- 2.32 Whilst the proposed residential uses to the north are not dependent upon it, modelling work has indicated that the siting of employment provision in this location would also yield acoustic benefits for the residential development to the north.
- 2.33 This additional provision, which would provide social and economic benefits, could be accommodated with minimal environmental harm.

Suggested Change:

- The built-up area boundary is extended into the parcel of land to the west of Treasbeare Lane and to the north of the Airport.

Employment Land – PM8

- 2.34 The practical effect of the change suggested above is that the extent and the distribution of employment land as shown on the Policies Map will alter. It will also alter as a result of the relocation of the land currently identified for uses associated with the extension of the energy centre.
- 2.35 The changes will not have an impact on the quantum of residential development to be delivered from the Treasbeare Expansion Area but will have an impact on the quantum of employment land stated under test 6 of Policy CB3. This suggested amendment is covered in the section of these representations concerning Main Modification 5.

Suggested Change:

- The distribution of employment uses should be amended to that shown in Appendix 1 of these representations.

Sports Hub – PM7

- 2.36 The Local Planning Authority has made it known that the location and size of the sports pitches to be provided as part of the Treasbeare Sports Hub has not considered the levelling works that will be required.
- 2.37 Since the previous viability consultation, RH and the CG's sport pitch planning consultant and their agronomist have undertaken a detailed technical assessment of how, having regard to existing topographical levels in the eastern part of the Treasbeare Expansion Area, the sports



pitch requirements could be delivered. That work has indicated that there is a need for the area for the sports pitches to be enlarged to account for the necessary pitch plateaus.

- 2.38 The alterations will ensure that the Policies Map, as it relates to sports provision is **justified** and **effective**.

Suggested Change:

- The sports pitches should be enlarged on the Policies Map to the area shown in Appendix 1 of these representations.

Inconsistencies in Wording – PM7

- 2.39 RH and the CG note that the Policies Map describes each neighbourhood centre as being ‘the neighbourhood centre and mixed-use frontage.’ In contrast, test 2 of Policy CB3 requires a mixed-use area which will include a neighbourhood centre. It does not make any reference to a ‘mixed-use frontage.’

- 2.40 Given the indicative location of the mixed-use area within the Treasbeare Expansion Area (unlike the Gypsy and Traveller provision, its location is not fixed), it is inappropriate for the Policies Map to make reference to ‘mixed-use frontage’. The change would remove any **ambiguity** between Policy CB3 and the Policies Map.

Suggested Change:

- 2.41 The Policies Map key should be amended as follows:

“CB2 CB3 CB4 CB5 Neighbourhood centre ~~and mixed-use frontage.~~”



3 Objections to the Cranbrook Plan Proposed Main Modifications

3.1 The following Section of this consultation response sets out RH and the CG's concerns with the main modifications proposed to various policies contained within the emerging Plan and their supporting text and figures. Their concerns relate to:

- Main Modification 5;
- Main Modification 9;
- Main Modification 10;
- Main Modification 11; and
- Main Modification 19.

3.2 Each is addressed in turn below.

Policy CB3 (The Treasbeare Expansion Area) – Main Modification 5

3.3 A number of alterations have been proposed to Policy CB3 under Main Modification 5. RH and the CG's concerns are set out below in turn.

The Size of the Treasbeare Expansion Area

3.4 Main Modification (“MM”) 5 amends the quantum of land allocated for a mixed use development at the Treasbeare Expansion Area. Should the amendments proposed to the built-up area boundary set out in Section 2 of these representations be agreed, this figure would need to be altered. The total area of land suggested by RH and the CG for inclusion within the built-up area boundary is 69.12ha.

Suggested Change:

3.5 The first sentence of Policy CB3 should be reworded as follows:

“64-69.12 hectares of land at the Treasbeare Expansion Area is allocated for a mixed use development on the Cranbrook Policies Map.”

Parameter Plans

3.6 RH and the CG agree that the requirement for detailed parameter plans to be prepared in support of the first approval of any planning application for development in the Expansion Area to be a sound and sensible request. However, they are concerned with the suggested alteration that would, in effect, fix the approved parameter plans unless ***“exceptional circumstances”*** could be demonstrated. This is considered to be an excessive, unnecessary and inflexible policy barrier.

3.7 The Expansion Areas constitute largescale development that will take place over a number of years. The Local Planning Authority's latest housing monitoring work¹⁴ anticipates that the residential development alone will take a decade to complete at the Treasbeare Expansion Area. This is a significant period of time and it is quite feasible that the parameter plans will need to be altered in that timeframe.

¹⁴ Housing Monitoring Update Appendix, September 2020.



- 3.8 In such a circumstance, any application to alter the approved parameter plans should be determined on its own merits, against the policy framework provided by the Development Plan, unless material considerations indicate otherwise. It should not be necessary for an applicant to demonstrate to the Local Planning Authority that the circumstances are such that the parameter plans should be exceptionally altered. Indeed, the Local Planning Authority have already acknowledged that there is more than one way to deliver the requirements for each Expansion Area¹⁵.
- 3.9 In any event, as currently drafted, the emerging Development Plan Document supports and, in some cases, expects parameter plans to alter during the course of the development. Such instances include:
- The primary school, which is identified in both Policies CB2 and CB3, but is only required in one parameter plan area. The Cranbrook Plan¹⁶ identifies that if the school was provided within the Bluehayes Expansion Area, the school land within the Treasbeare Expansion Area could be released for other identified requirements. These would not be shown on the approved parameter plan; and
 - Up to 3.5ha of land is safeguarded by limb 8 of Policy CB3 for an extension to the District Heating Energy Centre. The policy test confirms that only up to 2ha of land will be required, after which the land would be released for other employment generating uses, subject to the appropriate planning permission. Again, this new planning permission would not align with the approved parameter plans.
- 3.10 In addition, no definition is provided as to what would constitute the exceptional circumstances that would justify an alteration to the parameter plans.
- 3.11 Consequently, for the reasons set out above, the last sentence of the third paragraph of Policy CB3 cannot be considered as being *justified* or *effective*.

Suggested Change:

- 3.12 The third paragraph of Policy CB3 should be reworded as follows:

" The parameter plans shall be agreed in writing by the Local Planning Authority as part of the first approval of any planning application for development in the parameter plan area. Subsequent applications within that area must comply with the approved parameter plans. ~~It is not envisaged that parameter plans would change during the life of the development except under exceptional circumstances where clear justification for any change would need to be evidenced.~~"

Mixed Use Area

- 3.13 Test 2 of Policy CB3 concerns the mixed-use area within the Treasbeare Expansion Area. Through the pre-application process, the Local Planning Authority has indicated to RH and the CG that the policy seeks to ensure that planning applications for the mixed-use area provide a neighbourhood centre and one or more of the following uses: Class F1, F2, Class C1 and Class C3¹⁷. The neighbourhood centre should provide at least 1,500 sq.m gross of non-residential ground floor floor space, which should include: (1) a proportion of floor space for Use Class E(a) shops; and (2) a

¹⁵ Para. 4.6 of the Cranbrook Plan.

¹⁶ Para. 3.21 and Policy CB7.

¹⁷ Compatible sui generis uses may also be considered appropriate.



range of business space (Use Class E).

- 3.14 Whilst supportive of the above, RH and the CG are concerned that these outcomes are not clearly written in the emerging policy, which is considered to be ambiguous. Therefore it is not evident how a decision maker should react to a proposal. Consequently, the policy test **does not accord with national planning policy**¹⁸. A modest alteration to the policy is suggested below.

Suggested Change:

- 3.15 It is suggested that test 2 of Policy CB3 be reworded as follows:

“A mixed use area which provides for a sufficient range of uses and services to support the proper functioning of the local area. This must incorporate:

(a) a neighbourhood centre to provide a mix of compatible uses extending to provide at least 1500 square metres gross of non-residential ground floor floor space. The neighbourhood centre must include:

- (i) A proportion of floor space for Use Class E(a) shops; and***
- (ii) A range of business space for other commercial, business and service uses (Class E).***

(b) One or more of the following uses, which are compatible with and will support the mixed use area: Class F1 (Learning and Non Residential), Class F2 (Local Community Uses), Class C1 (Hotels) and Class C3 (Dwelling Houses).

Other compatible sui generis uses may also be considered appropriate within the mixed-use area”.

- 3.16 In addition to the above, RH and the CG also have significant concerns with the policy framework provided by test 2 of Policy CB3, as it relates to the proposed retail provision.
- 3.17 As currently drafted, the proposed amendment to the Policy test requires an impact assessment to be prepared for **“any proposed individual retail business that has a gross floor area exceeding 280sq.m”**, even if it is delivered within the planned neighbourhood centre. Such an impact assessment would need to demonstrate that the retail business would not undermine the delivery and the future vitality and viability of the town centre. For the reasons set out below, RH and the CG believe that this requirement is **not clearly written or unambiguous**, is **inconsistent with national planning policy** and has not been **justified** by appropriate evidence.
- 3.18 Dealing first with the imprecision of this policy requirement, the wording of the modification is unclear as to what the impact assessment should test and whether the assessment would solely consider the impact of the proposed unit that exceeds the threshold, or whether it would need to consider the development as a whole. For example, if an application were to be submitted for the whole neighbourhood centre but with one unit exceeding the threshold, would the impact assessment have to consider the whole development, or just the unit that exceeded the threshold?
- 3.19 Secondly, the **justification** for the suggested threshold is not sufficient and, in particular, fails to consider the matters required in the Planning Practice Guidance (**“PPG”**)¹⁹. The PPG provides guidance on what should be considered in determining an appropriately set threshold. Such

¹⁹Town Centres and Retail, Paragraph: 015 Reference ID: 2b-015-20190722.



considerations include:

- The scale of proposals relative to town centres;
- The existing viability and vitality of town centres;
- The cumulative effects of recent developments;
- Whether local town centres are vulnerable;
- Likely effects of development on any town centre strategy; and
- The impact on any other planned investment.

3.20 From a review of the commentary provided in relation to MM5 and within PSD45²⁰, it is clear that there has not been a full consideration of these matters. In the first instance, the justification provided within the Schedule of Modifications states that:

“The use of Impact Assessments are introduced as a means of delivering a hierarchy to retail provision between the town centre and the neighbourhood centre and uses the existing definition of small shops from both Sunday trading and the Use Class Order (as amended) (Class F2).”

3.21 This commentary incorrectly states that the existing definition has been taken from the Sunday trading hours restrictions. The Sunday Trading Act 1994 confirms that the reference to 280sq.m is net sales area floorspace and not gross floorspace as currently stated within the Policy. Schedule 1 of the Sunday Trading Act confirms that large shops are ***“a shop which has a relevant floor area exceeding 280sq.m”***, with the relevant floor area being defined as:

“the internal floor area of so much of the shop as consists of or is comprised in a building, but excluding any part of the shop which, throughout the week ending with the Sunday in question, is used neither for the serving of customers in connection with the sale of goods nor for the display of goods.”

3.22 The weblink to the trading hours for retailer’s website provided at footnote 7 of the Schedule of Modifications confirms this, stating:

“A small shop is one that measures up to and including 280 square meters. This area includes all parts of the shop you use to display goods and service customers. You can’t get around the restrictions by closing parts of your shop on certain days.”

3.23 In comparison, gross retail floorspace is defined within the footnotes to the Town Centres and Retail Chapter of the PPG as being:

“the total built floor area measured externally which is occupied exclusively by a retailer or retailers, excluding open areas used for the storage, display or the sale of goods.”

3.24 As such, it is clear that back of house areas, including storage areas and staff facilities, which form part of the gross floorspace of most retail units are not considered when defining small or large shops for the purposes of Sunday trading restrictions.

3.25 In the absence of any definition in the emerging Plan, it must be assumed that the use of the term ‘gross floorspace’ is the same as that employed within the PPG. As such, the contradiction in the floorspace definition introduced by MM5 is clear and the suggestion that this should be restricted to 280sq.m of floorspace with reference to Sunday trading restrictions is made in error. Given that those areas which do not form part of the sales areas (i.e. the net area) can amount to 20-30% of a units floorspace (or more in larger units), then, if the Local Planning Authority wishes to rely on

²⁰ Paras. 65-68.



this definition, the threshold should be increased to c.400sq.m, rather than the 280sq.m suggested.

- 3.26 The second reference to established definitions in the Schedule of Modifications is made in relation to the new Use Class F2. However, this is also not justification for the suggested approach, given that Use Class F2 relates to local shops which would be principally found outside defined centres, noting the requirement for such uses to be more than 1,000m from any other commercial retail facility to fall within this class. Indeed, the explanatory memorandum to the Town and Country Planning (Use Classes) (Amendment) (England) Regulations 2020²¹ recognises that these uses are likely to relate to facilities outside of centres:

“...The class also recognises the importance of small, local shops in meeting the day to day shopping needs of local communities, particularly in rural communities, large residential estates and outside main shopping areas generally. Therefore, alongside community social facilities, the F2 class includes what would be considered shops servicing the essential needs of local communities. This is defined as a shop mostly for the sale of a range of essential dry goods and food to visiting member of the public where there is no commercial class retail unit within 1000 metres and the shop area is no larger than 280m². This provides some protection for such shops while placing those shops found on high streets and town centres in the new ‘commercial’ class” (our emphasis).

- 3.27 Given this, and the proposed delivery of a neighbourhood centre within the Treasbeare Expansion Area, it is clear that the use of a definition based on a shop within Use Class F2 is not an appropriate justification for the approach.
- 3.28 As such, it is necessary to consider the additional commentary provided by the Local Planning Authority in PSD45, wherein the misrepresentation of 280sq.m being a gross figure, rather than a net floor space figure being a **“well understood and well referenced threshold”²²**.
- 3.29 PSD45 also refers to an adopted Policy within the East Cambridgeshire Local Plan and a draft policy approach being proposed in the same Local Planning Authority. Reference to other adopted or draft policies is not a sufficient level of evidence to **justify** the suggested approach in the emerging Cranbrook Plan, particularly, as set out above, as national planning policy makes it clear that a threshold should be locally set and based upon local evidence. In any case, the approach used within the East Cambridgeshire example relates to 280sq.m of net floor space and not the 280sq.m of gross floorspace being advocated by the Local Planning Authority. This is confirmed in both Policy COM 1 of the East Cambridgeshire Local Plan and the evidence base document referred to in para. 68 of PSD45.
- 3.30 As such, the only apparent justification is provided at para. 67 of PSD45, which suggests that the Council believes that such a restriction is necessary, recognising the **“sensitivity of the new embryonic town centre”** and highlighting that **“time is needed to ensure that an appropriate hierarchy of centres develop within the New Town.”**
- 3.31 Whilst this may well be the case, it only forms one of the six considerations required by national planning policy and guidance. Consequently, this justification falls well below the required level to support the suggested threshold. There appears to be no consideration or assessment as to how the suggested 280sq.m gross threshold compares with the floorspace and unit sizes proposed for

²¹ Para. 7.6.

²² Para. 66.



the town centre and what will be the main attractors/footfall generators within the town centre.

- 3.32 In this regard, it is noted that the recent reserved matters submissions relating to part of the town centre primarily propose retail/commercial units, ranging in size from 48sq.m to 90sq.m (gross), which is well below the proposed threshold²³.
- 3.33 As such, it is clear that the vast majority of units that will be delivered within the town centre will be well below the 280sq.m gross threshold currently proposed for the impact assessment. However, whilst the small units will clearly form an important part of the town centre offer, they are not the uses or units that will set the town centre apart from the neighbourhood centre(s) or be the main driver for visitors to the town centre. Instead, the key attractor for the town centre will be the larger units which will help generate footfall and will ensure that the town centre acts as a destination that is able to serve a wider catchment. In retail terms, this will include the proposed 2,300sq.m Morrisons store, which will help generate regular visits to the town centre and linked trips between other uses. As such, any locally established threshold should be focused on ensuring the protection of the larger units which will act as key attractors to the town centre. The proposed 280sq.m gross threshold will not achieve this outcome.
- 3.34 Finally, the suggested threshold is also undermined by the Exeter and West End of East Devon Retail and Leisure Study 2016. Whilst it is understood that this does not form part of the evidence base for the Cranbrook Plan, it was prepared on behalf of the Local Planning Authority and includes detailed analysis and an assessment of what thresholds could be applied locally, following the guidance provided within the PPG. The work concludes that a threshold of 500sq.m gross should be applied for the purposes of requiring impact assessments for out-of-centre proposals.
- 3.35 In the absence of any appropriate justification, it is important to highlight the potential issues that the currently proposed threshold would have on the successful delivery of the neighbourhood centres being proposed within the Plan. Such centres generally require an anchor unit or use in order to attract both customers and other operators, in order to deliver new facilities. Whilst the proposed policy wording does not place a complete restriction on units or uses larger than 280sq.m, it will place an onerous restriction and requirement on future plans to deliver the planned neighbourhood centre. In this regard it is important to note the commentary provided within the Exeter and West End of East Devon Retail and Leisure Study 2016²⁴, which states that:
- “Indeed many convenience stores in local centres do not extend beyond 400-500sq m gross. In many cases, particularly in district and local centres, small foodstores provide an important contribution to the health of centres and in some cases provide an anchor role. In many cases they are also the largest units in district and local centres.”***
- 3.36 This clearly highlights the importance that convenience stores (of up to 400-500sq.m) can have in anchoring and creating successful smaller centres that serve the needs of the local community that they are located within. The analysis undertaken on behalf of the Local Planning Authority suggests that a store of less than 280sq.m would fall significantly below what is typically seen for a convenience store in smaller, local centres.
- 3.37 It is clear that there is no real **justification** for the threshold as currently drafted, which appears to be predicated on a misunderstanding of Sunday trading hours restrictions. The justification that has been put forward to date would not actually achieve the objectives of the proposed threshold,

²³ Application refs: 21/2020/MRES and 21/2033/MRES.

²⁴ Para. 6.72.



whilst also hampering the ability to deliver successful neighbourhood centres. As such and having regard to the conclusions of the Exeter and West End of East Devon Retail and Leisure Study 2016, RH and the CG suggest that a threshold of 500sq.m of gross floorspace should be included within the draft policy wording, rather than the 280sq.m currently proposed. This approach can be appropriately evidenced and would have the effect of ensuring that any proposals that may compete with the uses that will generate the greatest number of visits to the town centre are properly assessed through an impact assessment.

Suggested Changes:

3.38 In light of the above, the following changes are proposed to test 2 of Policy CB3:

“Any proposed individual retail business that has a gross floor area exceeding ~~280~~ 500 square metres will need to demonstrate through an impact assessment that it, as an individual retail unit, would not undermine the delivery and future vitality and viability of the town centre.”

3.39 In addition, to ensure language is used consistently within the Policy, RH and the Carden Group also suggest that the final paragraph of test 2 of Policy CB3 is amended as follows:

“Before an individual parcel of land within the mixed-use area is brought forward for permanent development it should be made available for ‘meanwhile uses’ for temporary community or commercial development that are compatible with the character, appearance and location of the ~~parcel in question site~~.”

3.40 The site, in the context of Policy CB3, relates to a much larger geography; the Treasbeare Expansion Area.

The Sports Hub

3.41 As indicated in the Local Planning Authority’s letter to the Inspector dated 20th October 2021, RH and the CG have, over the past six months, held a series of constructive discussions with the Local Planning Authority, Sports England (“SE”) and the National Sports Governing Bodies (“NGBs”) regarding the sports provision proposed at the Treasbeare Sports Hub.

3.42 Whilst these meetings have resulted in a modified list of requirements for the Sports Hub²⁵, they do not address in full RH and the CG’s concerns, which primarily relate to the out-of-date evidence base upon which the proposals are based.

3.43 As set out in Appendix 3 of these representations, Nortoft Partnerships Ltd (“Nortoft”) (RH and the CG’s sports provision planning consultants), identifies that the Local Planning Authority’s evidence base for the proposed sports provision at Cranbrook comprises:

- The Exeter and East Devon Playing Pitch Strategy Needs Assessment (2014)²⁶;
- The Playing Pitch Strategy (2015)²⁷; and
- The Sports and Leisure at Cranbrook Addendum (2017)²⁸.

3.44 The most recent evidence base document is the Sports and Leisure at Cranbrook Addendum, but

²⁵ Test 5 of Policy CB3 as set out in the Proposed Main Modifications to the Cranbrook Plan.

²⁶ <https://eastdevon.gov.uk/media/1182370/adopted-pps-appendix-1.pdf>

²⁷ <https://eastdevon.gov.uk/media/1182367/adopted-east-devon-pps-2015.pdf>

²⁸ CRAN009.



that document relied on the assessment work undertaken in 2014 and 2015. Consequently, the evidence base on which the sports facility proposals are founded upon is some seven to eight years old.

- 3.45 As set out at paras. 18 to 26 of Appendix 3 of these representations, SE's Playing Pitch Strategy Guidance (2013) states that a playing pitch strategy should be considered as being out-of-date if it is over three years old. This is the case for all the evidence base documents listed above, which have been used by the Local Planning Authority to justify the sports provision at Cranbrook, including the Treasbeare Sports Hub. Therefore, the Local Planning Authority's reliance on these out-of-date evidence base documents to justify the sports provision proposed within the Plan does not accord with para. 98 of the NPPF. Consequently, the Plan, as it relates to sports provision, **does not accord with national planning policy**.
- 3.46 It is acknowledged that the Local Planning Authority is preparing an updated playing pitch strategy, but at the time of writing, it has not progressed to a sufficient stage to inform the Cranbrook Plan.
- 3.47 Whilst the outdated nature of the evidence base work does not automatically result in the sports proposals at Cranbrook being unjustified, it does necessitate an update of the evidence base to understand whether the proposals are still valid. So as to assist the preparation of the Cranbrook Plan, this work was undertaken by Nortoft, having been commissioned by RH and the CG. Importantly, the Local Planning Authority, SE and the NGBs have been involved in forming the methodology used within the work.
- 3.48 The updated assessment identifies a number of changes in circumstance since the Council's 2015 Playing Pitch Strategy was adopted. Such changes include:
- Both the football and rugby NGBs sanctioning the use of artificial grass pitches ("AGP"), with appropriate surfaces and dimensions for all levels of the game and for both match play and training. NGBs are now encouraging the provision of AGPs where there is evidence of strong local demand and it can be provided within a sports hub, as it results in the most financially sustainable model of provision. However, under this scenario, the AGP would need to be used intensively in order to generate the funds necessary to replace the carpet in due course; and
 - A change in the pattern of the demand in football and rugby, with a much stronger girls' and women's participation (albeit from a low base) and more participation in youth football and mini rugby. Conversely, participation in men's rugby and football has declined.
- 3.49 Alongside these changing patterns at a macro level, the NGBs also indicated at meetings held on 1st November 2021 and 1st February 2022, which were also attended by SE, the Local Planning Authority, Nortoft, RH and LRM that:
- Their preference for an AGP to be provided as part of the provision proposed at the Treasbeare Sports Hub. It was noted that despite an AGP being secured through the Section 106 Legal Agreement for Phase 1, it had not been delivered in Phase 1 and was therefore a residual requirement²⁹; and
 - The need for one of the proposed grass rugby pitches to be floodlit, regardless of the final mix of pitches.

²⁹ See para. 3.16 of the Proposed Main Modifications to the Cranbrook Plan.



- 3.50 Nortoft also undertook a new needs assessment for Cranbrook, which adopted SE's Playing Pitch Guidance methodology, together with other inputs provided by or agreed with the NGBs, including making an allowance for Cranbrook's younger age profile in comparison with other areas of East Devon.
- 3.51 The conclusions of the work demonstrate that, accounting for the existing provision and the proposed sports provision to be provided at Cobdens, the provision proposed within MM4 for the Treasbeare Sports Hub would not meet the needs of the community, in particular that an AGP may not be delivered and that there would also be potentially too much grass pitch space.
- 3.52 Consequently, the work undertaken by Nortoft demonstrated that the existing evidence base underpinning the sports provision at the Treasbeare Sports Hub was out-of-date and therefore **did not accord with the requirements of para. 98 of the NPPF** and because of this deficiency, had resulted in a policy requirement for pitches that was **unjustified**.
- 3.53 Instead, Nortoft's updated needs assessment, which is provided at Appendix 3 of these representations, concludes that a **justifiable** mix of pitches at the Treasbeare Sports Hub would be:
- 1 x floodlit senior football size community all weather pitch (artificial grass pitch) designed to meet the Football Association 3G Register standards (FIFA Quality standard), with a shock pad meeting the specifications of World Rugby Regulation 22;
 - 3 x senior grass football pitches; and
 - 2 x senior rugby pitches, of which 1 should have match floodlights to RFU standard for Levels 6-12 (100 lux maintained illuminance).
- 3.54 The benefits and disbenefits of the level of sports provision proposed in both the Main Modifications and by Nortoft is presented in Table 1 of Appendix 3 of these representations.
- 3.55 This provision at the Treasbeare Sports Hub, would still, with the existing and planned sports provision elsewhere in Cranbrook, provide an adequate level of sports provision at the New Town to satisfy the community's needs, thereby delivering Objective 6 of the Cranbrook Plan as it relates to sports facilities.
- 3.56 If anything, the modelling work undertaken by Nortoft demonstrates that with the adoption of flexible kick-off times, there would be no evidential basis for a third senior football pitch. Even without flexible kick-off times, it would only be used once a fortnight and therefore its cost of maintenance may well be greater than the income generated from it.
- 3.57 Given the uncertainties concerning whether the third senior football pitch, RH and the CG propose to provide a level site for the third playing field, but that the capital costs of its construction should be a Category 4 or 5 costs. Further explanation of the proposed Category 5 infrastructure is set out below in response to MM9 below.

Suggested Changes:

- 3.58 RH and the CG consider that the following further modifications are required to ensure that test 5 of Policy CB3 is **justified** and **consistent with national planning policy**:



"A sports hub which delivers

- a) 2x senior grass rugby pitches of which 1 should have match floodlights to RFU standard for Levels 6-12 (100 lux maintained illuminance)*
- ~~*b) 2x Junior (midi) rugby pitches (Under 11/12)*~~
- b) 2 x Senior grass football pitches*
- c) Land and levelling works for 1 x Senior football pitch*
- ~~*d) 31 x Junior football pitches (Under 15/16)*~~
- d) 1 x floodlit Senior football size community all weather pitch (artificial grass pitch) – sized for rugby) accompanied by a financial contribution towards its delivery designed to meet the Football Association 3G Register standards (FIFA Quality standard) with a shock pad meeting the specifications of World Rugby Regulation 22.*
- ~~*f) 4x floodlit tennis courts*~~
- e) Associated car and cycle parking spaces*
- f) Serviced land for both a sports pavilion to include changing facilities and a club room for use for social and community uses and land for 4 flood lit tennis courts*
- g) Peripheral multi use path."*

Gypsy and Traveller Provision

- 3.59 As has been outlined to the Local Planning Authority in pre-application discussions, RH and the CG are committed to delivering the five Gypsy and Traveller pitches required by test 7 of Policy CB3.
- 3.60 Whilst therefore they are supportive of the principle of Gypsy and Traveller provision within the Treasbeare Expansion area, they have concerns relating to:
- The minimum site area required by Policy CB3 (0.5ha); and
 - The viability implications of the proposals.
- 3.61 Each concern is addressed in turn below.

The Minimum Site Area

- 3.62 As currently drafted, Policy CB3 requires the provision of five serviced permanent pitches for Gypsy and Travellers on an area of at least 0.5ha.
- 3.63 The Local Planning Authority's 'Gypsy and Traveller Site Design and Layout Guidance SPD' sets out that **"most permanent pitches in East Devon are at least 500m², or 20 dwellings to the hectare, as this is considered an appropriate minimum size."**
- 3.64 On the basis of the requirements established in the SPD, the five Gypsy and Traveller pitches required by Policy CB3 would generate a land requirement of 0.25ha, rather than the 0.5ha proposed within the emerging Cranbrook Plan.
- 3.65 The justification for the increase in the site area for the Gypsy and Traveller provision is set out in PSD27³⁰, wherein it is indicated that for the Treasbeare Expansion Area, it is due to the topography of the site.
- 3.66 Through the on-going pre-application discussion, the Local Planning Authority is aware that RH

³⁰ Page 35, point E.



and the CG are able to accommodate the five serviced Gypsy and Traveller pitches in a broadly similar location to that shown on the Policies Map, on a 0.4ha sized site.

- 3.67 Therefore, the requirement to accommodate the provision on a larger site cannot be considered to be a **justified** proposition and would not make efficient use of land³¹. Consequently, the policy test as written would be **inconsistent with national planning policy**.
- 3.68 However, recognising the Local Planning Authority's likely concerns associated with fixing a reduced quantum of land for the Gypsy and Traveller site at this stage of the planning process, it is suggested that the requirement is expressed as an 'up to' figure. Such an approach would be consistent with the position adopted at test 8 of Policy CB3, which similarly uses an 'up to' figure.

Suggested Change:

- 3.69 RH and the CG propose the following change to test 7 of Policy CB3:

"5 serviced permanent pitches for gypsies and travellers on an area of ~~at least~~ up to 0.5 hectares as shown on the policies map".

The Viability of the Gypsy and Traveller Provision

- 3.70 Para. 3.46 of the emerging Cranbrook Plan confirms that the Gypsy and Traveller provision required at both the Treasbeare and Cobdens Expansion Areas are not considered appropriate or suitable for equalisation.
- 3.71 We understand that unlike other elements of Category 3 and 4 infrastructure plans/projects, the Gypsy and Traveller provision will command a land receipt. This was recognised in para. 40 of PSD33.
- 3.72 However, it is noted that within PSD36³², the Local Planning Authority's viability consultants conclude that ***"the total direct cost allowance for construction of the two sites, the specific road access to Treasbeare site and the professional fees is £1,808,000"***.
- 3.73 In comparison, PSD21a³³ outlines a value of £55,000 per plot. For the fifteen Gypsy and Traveller pitches being proposed within the Cranbrook Plan, this equates to a land receipt of £825,000. As indicated in PSD44E³⁴, this would result in a net loss of £983,000 to the developers of the two Expansion Areas within which the Gypsy and Traveller provision is to be located.
- 3.74 For the reasons set out in Appendix 2 of PSD44E³⁵, the net loss may increase further.
- 3.75 Given that the proposed Gypsy and Traveller provision will result in a net loss of revenue for the developers of two of the four Expansion Areas, it is considered appropriate for these costs to be equalised across all four Expansion Areas. Further justification for the costs to be equalised across all four Expansion Areas is set out in Appendix 2 of PSD44E³⁶.
- 3.76 RH and the CG support the equalisation approach proposed by the Local Planning Authority in

³¹ Para. 124 of NPPF.

³² Para. 3.4.9.

³³ Para. 3.5.12.

³⁴ Para. 4.2 of Appendix 2 of PSD44E.

³⁵ Para. 4.3.

³⁶ Para. 4.4.



PSD45³⁷; that the net predicted loss be subject to equalisation.

3.77 In arriving at the net loss figure to be used within the equalisation process, the representations provided in Appendix 2 of PSD44E should be considered³⁸.

Suggested Changes:

3.78 It is suggested that the following changes are made:

- The Gypsy and Traveller provision at both the Treasbeare and Cobdens Expansion Areas are included as a Category 3 item of infrastructure in Policy CB6;
- The net loss resulting from the provision of the Gypsy and Traveller provision is identified as a Category 4 item of infrastructure in Policy CB6; and
- Reference to the Gypsy and Traveller provision at para. 3.46 of the emerging Plan being not suitable for equalisation being deleted.

Safeguarded Land for an Extension to the District Heating Energy Centre

3.79 RH and the CG have four primary concerns regarding test 8 of Policy CB3. These concerns are:

- The justification for the quantum of land to be safeguarded;
- The policy framework's compatibility with one of the proposed uses for the safeguarded land;
- The length of time that the land will be safeguarded for; and
- The inconsistencies in language between test 8 of CB3 and CB13.

3.80 Each is addressed in turn below.

The Justification for the Quantum of Safeguarded Land

3.81 Throughout the Examination process, RH and the CG have consistently raised concerns with the quantum of land that is to be safeguarded for an extension to the District Heating Energy Centre (up to 3.5ha), which they consider to be *unjustified*.

3.82 The Local Planning Authority's latest justification, which is provided in PSD45³⁹, confirms that the safeguarded land is required for two eventualities, as follows:

1. 1.1ha of land is required immediately adjacent to the existing energy centre within Skypark; and
2. A 2ha site that does not require the same degree of co-location as the land immediately adjacent to the existing energy centre.

3.83 Reference is also made to a 'balance' of land to be provided elsewhere in relation to the land immediately adjacent to the existing energy centre, but no clarity is provided as to what this land will be used for, or a justification for why it is required. As such, the requirements above amount to

³⁷ Para. 28.

³⁸ Paras. 4.5 and 4.6.

³⁹ Para. 74.



- 3.1ha and not the 3.5ha referred to in the Plan⁴⁰ or the 3.63ha referred to in PSD22⁴¹.
- 3.84 Of the two areas of land referred to above, RH and the CG understand the rationale and the justification for the requirement for 1.1ha of land immediately adjacent to the existing energy centre; it is a broadly similar sized site to the existing energy centre⁴².
- 3.85 However, the rationale and the justification for the second 2ha parcel of safeguarded land is not understood and is **unjustified**. Discussions with the Local Planning Authority have indicated that the purpose of the southern safeguarded land parcel is to ensure that land is available if it is demonstrated that the bulk supply point (“BSP”) or the primary substation referred to in PSD45⁴³ is required to be located at Cranbrook. We understand that this is an unlikely outcome and there are more preferential sites for the BSP/primary substation to be located within the West End. However, the pre-application discussions have also indicated that the land required for a BSP/primary substation within the West End will be 0.8ha, rather than the 2ha being sought.
- 3.86 Given the above, there is only a **justifiable** need for the Local Planning Authority to safeguard up to 1.9ha of land.
- 3.87 RH and the CG appreciate that the Local Planning Authority is awaiting more detailed information from Western Power Distribution (“WSP”) and therefore there remains some degree of uncertainty as to the quantum of land that will be required to be safeguarded. We understand that this information will be available in the Spring/Summer. However, there can be **no justification** for the quantum of land proposed to be safeguarded, which is nearly double the amount that, at the time of writing, has been **justified** as being required.
- 3.88 In the absence of a definitive position, but to also provide the Local Planning Authority with some ‘head-room’, it is suggested that the requirement for the safeguarded land be reduced to up to 2.5ha. This is over 30% larger than the quantum of land that has been justified as being required in PSD45 and should provide the necessary flexibility. This requirement should, given the uncertainty, be expressed as an ‘up to’ figure.

Suggested Change:

- 3.89 Test 8 of Policy CB3 should be reworded as follows:

“Land for an extension to the District Heating Energy Centre comprising up to 2.5ha as identified on the policies plan. This land shall be safeguarded until such time as up to 2 hectares of the site has been identified as necessary for use in connection with District Heating. At that time all residual land and any that is evidenced as not being required for District Heating or other energy purposes may be released for other employment generating development – subject to the appropriate planning permission suitable green infrastructure provision.”

- 3.90 Similar alterations would need to be made to Policy CB13.

The Compatibility of the Policy Framework with the Proposed Uses

⁴⁰ Test 8 of CB3 and CB13.

⁴¹ Appendix 2.

⁴² The application form for the original energy centre identifies that it was located on a 1.2ha site. The energy centre itself is 3,122sq.m (see page 12 of the Officer’s Report for application 09/2460/MFUL).

⁴³ Para. 41 and 42.



- 3.91 As set out above, discussions with the Local Planning Authority have indicated that the southern safeguarded land parcel, as defined on the Policies Map, could be used to house the BSP/primary substation referred to in PSD45.
- 3.92 If this is the case, there is a clear conflict with test 8 of Policy CB3, which safeguards land for “**an extension to the District Heating Energy Centre**” until such time as up to 2ha of land has been identified as being “**necessary for use in connection with District Heating.**”
- 3.93 Similarly, Policy CB13 which concerns the same safeguarded land, confirms that it is required for “**decentralised low carbon and renewable energy uses**”. The Policy provides examples of the uses that could be accommodated on the safeguarded land but concludes by stating that they must be able to usefully contribute heat towards the existing and expanded network and/or power to nearby users through private wire arrangements or similar.
- 3.94 A BSP or a primary substation, which provides a connection to the national electricity network, would therefore be incompatible with both policies.
- 3.95 Consequently, without amending test 8 of Policy CB3 and Policy CB13 to allow for a BSP or a primary substation to be located on the safeguarded land, it is not a **justifiable** proposition that the southern area be safeguarded for such uses.
- 3.96 This would result in the requirement to reduce the quantum of safeguarded land again to the quantum of land referred to under the ‘first eventuality’ in PSD45⁴⁴ (i.e. 1.1ha of land). This would need to be reflected in Policy CB13 as well.
- 3.97 We discuss our concerns relating to the equalisation of the safeguarded land in our response to Policy CB6 below.

The Period of Time that the Site is Safeguarded

- 3.98 Throughout the Examination process, RH and the CG have raised concerns with the undefined period of time that the land identified on the Policies Map as being safeguarded for use associated with the District Heat Network is to be safeguarded for.
- 3.99 We note that within PSD45 the Local Planning Authority indicate that that they would expect the safeguarding period “**to last for the duration of the plan period or until additional clarity is received on the future land requirements for the energy centre**”⁴⁵. It is also confirmed that the clarity should be “**achieved early within the plan period.**”
- 3.100 Given these timeframes, it is **not a justifiable** proposition to have an undefined safeguarding period. A more justifiable proposition would be to, as the Local Planning Authority have indicated themselves, limit the safeguarding period to the end of the plan period (i.e. 31st March 2031), unless it has been demonstrated/agreed beforehand that the residual land is not required.

Suggested Change:

- 3.101 Test 8 of Policy CB3 should be reworded as follows:

“Land for an extension to the District Heating Energy Centre comprising up to 2.5ha as identified on

⁴⁴ Para. 74.

⁴⁵ Para. 75.



the policies plan. This land shall be safeguarded until such time as up to 2 hectares of the site has been identified as necessary for use in connection with District Heating, or 31st March 2031, whichever is the sooner. At that time all residual land and any that is evidenced as not being required for District Heating or other energy purposes may be released for other employment generating development – subject to the appropriate planning permission suitable green infrastructure provision.”

Inconsistencies in Language Between Test 8 of Policy CB3 and Policy CB13

- 3.102 Despite relating to the same element of infrastructure provision, there are inconsistencies in the language used in test 8 of Policy CB3 and Policy CB13. These are discussed in greater detail in response to Policy CB13.

Employment Land

- 3.103 As set out above in response to PM8, it is proposed that a larger quantum of employment land could be accommodated within the Treasbeare Expansion Area. Accordingly, test 6 of Policy CB3 needs to be updated.

Suggested Change:

“Employment land comprising an area of 4.9ha up to 9ha.”

Policy CB6 – Main Modification 9

- 3.104 Policy CB6 is central to ensuring that the Plan's aims and objectives are deliverable propositions. It has a crucial role in ensuring that new development at Cranbrook is brought forward in a commercially viable manner, whilst also facilitating the delivery of infrastructure to ensure that the town is an attractive, healthy and sustainable place to live, work and visit. It is therefore essential that the modifications proposed to the Policy are sound propositions.
- 3.105 Whilst it is acknowledged that changes have been made to Policy CB6 under MM9, RH and the CG still have a number of concerns with the emerging policy framework. These concerns include:
- Viability concerns resulting, in part, from the infrastructure requirements outlined within the Policy;
 - The lack of an updated Infrastructure Delivery Plan;
 - Currently unfunded or partially funded items of infrastructure;
 - Alterations required to Category 3 items of infrastructure relating from the revised assessment work provided at Appendix 3 of this representation;
 - The proposition for the safeguarded land for the energy centre to be equalised across the Expansion Areas; and
 - The lack of surety around elements of Category 4 infrastructure.

- 3.106 Each concern is outlined in more detail below.

Viability

- 3.107 As set out in Appendix 1 of PSD44E, RH and the CG believe that the infrastructure requirements identified under Policy CB6 for the Treasbeare Expansion Area, together with other obligations sought through the Plan, including affordable housing, would render the development unviable. For brevity, the concerns outlined in Appendix 1 of PSD44E are not repeated within this representation, although RH and the CG do not consider that the modifications proposed to Policy CB6 and other policies within the Plan, address these concerns.



- 3.108 Consequently, the unviable nature of the development proposals resulting from the infrastructure requirements and obligations set out in the Plan will stifle development, leading to it becoming undeliverable over the plan period. Consequently, the Plan, as currently drafted, cannot be considered as being **effective** or **justified**.
- 3.109 A solution was presented by RH and the CG in PSD44E⁴⁶. Whilst these representations will change that solution at it relates to sports provision, the general thrust of the solution remains. It is considered that the **“additional £4m potential savings identified by the Council in PSD42, along with a reduction in the affordable housing contribution of £14.7m and the Council’s assumed saving made by the revolving infrastructure fund of £8.9m would total £27.6m going a substantial way to addressing the evidenced shortfall⁴⁷.”**
- 3.110 In addition, in order to ensure growth at Cranbrook is a viable proposition, it was considered that a further £4m worth of savings were required. Suggested savings were set out in Appendix 1 of PSD44E⁴⁸.
- 3.111 Together, this package of savings, which sum to £31.6m, would result in development at Cranbrook being a viable proposition and therefore being both **effective** and **justified**.

The Infrastructure Delivery Plan

- 3.112 RH and the CG are surprised, particularly given the concerns regarding the viability of development proposed within the Cranbrook Plan, that an updated version of the Infrastructure Delivery Plan has not been provided through this Proposed Main Modifications process.
- 3.113 Since the consultation held on viability matters in August 2021, the Local Planning Authority have proposed changes to the way in which infrastructure listed in Policy CB6 is to be funded. For instance, the Local Planning Authority has proposed changes to the funding arrangements for the AGP required at the Treasbeare Sports Hub. These changes have not been reflected in an updated Infrastructure Delivery Plan.
- 3.114 The danger of not updating such a critical element of evidence is that the revised funding arrangements for elements of infrastructure provision are not taken forward within policy. Taking the AGP proposed at the Treasbeare Sports Hub as an example, Policy CB3 requires the developers of the Treasbeare Expansion Area to provide a financial contribution towards its delivery, yet this has not been reflected in Policy CB6. Instead, at Policy CB6, the developers of the Treasbeare Expansion Area are only required to provide serviced land for the AGP. The AGP is not listed as a Category 4 item of infrastructure either.
- 3.115 Consequently, to ensure that the Plan **effectively** facilitates the delivery of infrastructure, an updated version of the Infrastructure Delivery Plan is required at the earliest opportunity and the arrangements for the delivery of all elements of infrastructure be clearly set out in Policy CB6.

Currently Unfunded or Partially Funded Items of Infrastructure

- 3.116 We note that as currently drafted, the Infrastructure Delivery Plan includes elements of infrastructure that have not been reflected within Policy CB6 and therefore the delivery of these items of infrastructure remains uncertain. The capital costs of the construction of the AGP are one

⁴⁶ Page ii.

⁴⁷ The £14.7m saving referred to in relation to affordable housing results from a further reduction in the affordable housing provision to 10% - see para. 2.16 of Appendix 1 of PSD44E.

⁴⁸ Page ii.



such example.

- 3.117 Discussions with the Local Planning Authority have indicated that the items of infrastructure identified under Policy CB6 are applicable only to the development allocated within the Cranbrook Plan and at the quantum of development set out in Policies CB2-CB5 inclusive. In effect, Policy CB6 therefore identifies the necessary infrastructure that, alongside other planning obligations, would, in the Local Planning Authority's view, result in the development proposals set out in Policies CB2-CB5 being viable propositions.
- 3.118 However, the opening paragraph of Policy CB6 makes it clear that the Policy, and therefore the infrastructure listed within it, is applicable to all development within the Cranbrook Plan Area, be it allocated development, 'excess' housing on allocated sites, or development on unallocated sites within the Cranbrook Plan Area.
- 3.119 Consequently, the emerging policy framework would limit the Local Planning Authority's ability to seek the direct delivery, the partial delivery or financial contributions to only the items of infrastructure listed within the four categories identified within the Policy, including from 'excess' housing and from sites not allocated within the Plan.
- 3.120 We know from pre-application discussions with the Local Planning Authority that this is not the intention of the Policy. Instead, the Local Planning Authority intends to use the Policy as a tool to ensure that 'excess' housing and housing that is not allocated within the Plan could provide financial contributions towards the provision of infrastructure that is currently unfunded, such as the majority of the AGP at the Treasbeare Sports Hub.
- 3.121 This, however, as currently drafted, is neither *clear* nor *unambiguous*. It is therefore *inconsistent with national planning policy*.

Suggested Change:

- 3.122 RH and the CG suggest that whilst it is appropriate for Policy CB6 to cover the entire Cranbrook Plan Area, the Policy should be divided into two sections. The first section should relate to the allocated development identified at Policies CB2-CB5 inclusive. The Policy should make it clear that the development proposals outlined in Policies CB2-CB5 of the Plan will only be expected to deliver (in full or partially) or to provide a financial contribution towards, the infrastructure currently listed within it.
- 3.123 The second section of the Policy should then provide a detailed understanding of the requirements for 'excess' housing from allocated development and unallocated development. It should make it clear that there would be an expectation that residential development from these sources of housing should provide the infrastructure listed in Categories 1 and 2, as well as financial contributions that could be used to assist the delivery of the infrastructure listed in Category 4, as well as other items of infrastructure that are presently unfunded, including the AGP. Consideration should be given to listing these other items of infrastructure that are currently unfunded as Category 5 infrastructure, together with a statement confirming that funding towards Category 5 infrastructure will only be sought from excess housing or housing that has not been allocated within the Plan, but that falls within the Cranbrook Plan area.

The Treasbeare Sports Hub

- 3.124 As outlined above in relation to MM5, the Local Planning Authority's evidence base as it relates to sports provision is out-of-date. Accordingly, RH and the CG have commissioned a necessary



update of the evidence base to ensure that the proposals within the sports hub are *justified*.

3.125 This updated evidence base suggests that there is a need to afford a priority to the provision of an AGP at the Treasbeare Expansion Area. The delivery of the AGP would reduce the requirements for additional grass pitches.

3.126 The revised pitch mix would have an impact on Category 3 and 4 infrastructure as currently set out in Policy CB6, which would require alteration. These alterations are set out below.

Suggested Changes:

3.127 The amended pitch mix would require the following alterations to Category 3 infrastructure as it relates to the Treasbeare Expansion Area:

“Treasbeare (in accordance with Policy CB3)

- 1) ***2 Form Entry Primary school and associated land*****
- 2) ***~~Sports pitches and associated land~~ The following sports pitch provision:***
 - ***2x senior grass rugby pitches of which 1 should have match floodlights to RFU standard for Levels 6-12 (100 lux maintained illuminance).***
 - ***2 x Senior grass football pitches.***
 - ***Land and levelling for 1 x senior football pitch.***
 - ***1 x floodlit Senior football size community all weather pitch (artificial grass pitch) - sized for rugby)- accompanied by a financial contribution towards its delivery designed to meet the Football Association 3G Register standards (FIFA Quality standard) with a shock pad meeting the specifications of World Rugby Regulation 22.***
 - ***Associated car and cycle parking facilities.***
 - ***Serviced land for both a sports pavilion to include changing facilities and a club room for use for social and community uses and land for 4 flood lit tennis courts.***
 - ***Peripheral multi use path.***
- 3) ***Serviced land for tennis courts with flood lighting, pavilion and changing rooms, and AGP.***
- 3) ***Energy Centre land (in accordance with Policy CB13)***

***** This facility is only required in one of the expansion areas where it is identified and will factor as a category 3 cost for that area when its final location is established.”***

3.128 The following alterations would be required for Category 4B infrastructure:

“Category 4B.

In addition the following are also recognised as being necessary to make the expansion area development acceptable and also form category 4 infrastructure projects.

- 1) ***Offsite walking and cycling enhancements (CB18)***
- 2) ***Pavilion and 8 team changing rooms for the Treasbeare Sports hub (of a minimum 490 square metres gross internal floor area) (CB3)***
- 3) ***4 no. Tennis Courts with Flood lighting***
- 4) ***1 x Senior grass football pitch (CB3)***
- 5) ***Secondary school education contributions (Devon County Council)***
- 6) ***SEND school provision contributions (Devon County Council)***



- 7) *Shared cars and e bikes (CB18)*
- 8) *Sustainable transport enhancements (CB9).*"

3.129 Should the concept of Category 5 infrastructure be progressed, then the 1xSenior Football Pitch set out above should fall within that Category and not Category 4.

The Equalisation of the land Safeguarded for an Extension to the District Heating Energy Centre

3.130 We note that the land safeguarded for an extension to the District Heating Energy Centre is identified as a Category 3 item of infrastructure. As currently drafted, it is considered by the Local Planning Authority to be a necessary element of infrastructure required to support planned development at Cranbrook. Consequently, the cost of the land is considered to be suitable for equalisation across the planned development identified in Policies CB2 to CB5 of the Cranbrook Plan, on a proportionate basis.

3.131 However, as set out above, the safeguarded energy land covers two eventualities, as follows: (1) an expansion to the existing energy centre; and (2) an additional area of land that could be used as a BSP or a primary substation.

3.132 Within PSD45⁴⁹, the Local Planning Authority confirm that the BSP or the primary substation is required to serve a wider area than just Cranbrook and highlights a number of other developments within the West End, including SkyPark, the Science Park, Air Park, Tithebarn and Westclyst. On this basis the Local Planning Authority conclude that the full cost of the construction of the BSP or the primary substation would not just be a cost associated with the Cranbrook Expansion.

3.133 As the Local Planning Authority acknowledge that the capital costs of the construction of a BSP/primary substation would be divided over a greater number of developments than just the Expansion Areas, it would not be a **justified** proposition to expect the Expansion Areas alone to absorb the equalised costs of acquiring the land on which the BSP/primary substation is to be located.

3.134 Should the BSP/primary substation be identified as being necessary to support the Expansion Areas, it should be included as a Category 4 element of infrastructure. If other developments outside of the Expansion Areas also require the provision of the BSP/primary substation, they should also contribute to its capital costs of construction.

3.135 We understand that the existing and potentially expanded existing energy centre, utilising the land safeguarded in Policy CB3 and CB13, would also serve a greater number of developments than just the Expansion Areas. As such, it would also be an **unjustifiable** proposition for this cost to be absorbed by just the Expansion Areas.

Suggested Change:

3.136 The land safeguarded for the expansion of the Energy Centre should be a cost borne to a greater number of developments than just the Expansion Areas. This should be recognised in Policy CB6 and the updated version of the IDP.

3.137 The capital costs of construction of the BSP/primary substation should be identified as a Category

⁴⁹ Para. 42.



4 items of infrastructure, although the Expansion Areas should only be required to contribute proportionally to the cost of its delivery. Other schemes outside of the Expansion Areas that require the provision of the BSP/primary substation should also contribute to its construction.

Category 4 Infrastructure

- 3.138 RH and the CG are concerned that as drafted, financial contributions for Category 4 elements of infrastructure will be derived on an equalised basis, when considered against Category 3 infrastructure. However, in some cases the size of the infrastructure to be provided and therefore its cost, is not defined in Policy. Instead, these elements are contained within the supporting Infrastructure Delivery Plan, which as referred to above, has not been updated through this consultation and is itself, not a Development Plan Document.

Main Modification 10

- 3.139 MM10 identifies the infrastructure/projects that the Local Planning Authority considers are not suitable for equalisation. This includes the Gypsy and Traveller provision proposed within the Treasbeare and Cobdens Expansion Areas.
- 3.140 As set out in paras. 3.70 to 3.78 of this representation, the provision of the Gypsy and Traveller provision would result in a net loss for the developers of both Expansion Areas. As such it is considered appropriate that the net loss of revenue resulting from the Gypsy and Traveller provision is subject to equalisation across all four Expansion Areas.

Suggested Change:

- 3.141 The net loss resulting from the Gypsy and Traveller provision should be included within Policy CB6 and subject to equalisation. Para. 3.46 of the Plan should be redrafted accordingly.

Policy CB7 – Main Modification 11

Primary School Delivery

- 3.142 Policy CB7 (in operation with Policies CB2, CB3 and CB4) outlines that a new three-form entry primary school is required on the Cobdens Expansion Area, whilst a two-form entry primary school is required to be delivered on either the Bluehayes or the Treasbeare Expansion Areas. The trigger points for the delivery of both schools is set out within the Policy, which relates to housing delivery across all four Expansion Areas.
- 3.143 In the circumstance where the delivery of a primary school should stall, it could, given that the trigger points for the school are determined across all four Expansion Areas, hinder other Expansion Areas coming forward. This could have a number of unintended consequences, which could include actual delivery rates from the Expansion Areas not keeping pace with the Council's assumptions as set out within their trajectory.
- 3.144 In this regard, the Local Planning Authority is aware that RH and the CG have identified a suitable location for a two-form entry primary school that would allow it to come forward at the earliest opportunity. This would allow for a significant quantum of the envisaged growth at Cranbrook to come forward at pace.
- 3.145 In addition, RH and the CG note that at para. 3.45 of the Plan, the Local Planning Authority states that the expectation is for the developers to deliver the two primary schools. This has also been



relied by the Local Planning Authority and the County Council in pre-application discussions.

- 3.146 As the lead developer in the Treasbeare Expansion Area, RH have a significant track record of delivering education provision and therefore, as a matter of principle, are not averse to the direct delivery of the primary school. However, they note that the trigger point associated with the direct delivery of the primary school is that the first primary school must be delivered by the occupation of the 30th dwelling assessed across all four Expansion Areas. In comparison, if they provide a cash contribution and allow the Local Education Authority or the School Provider to deliver the school, then the only requirement for the developers is for the land to be transferred with a construction access prior to the commencement of any dwelling. They would also benefit from the payment structure set out at para. 3.45 of the Plan. Consequently, the significant disparity between both options is likely to render the direct delivery of the primary schools an undesirable solution for the developers.
- 3.147 These representations are not a request to alter the trigger points and payment structures for the delivery of education provision by the Local Education Authority or the School Provider, rather they are a request for the Local Planning Authority, given the significant disparity between both options as set out above, to reconsider whether there is any opportunity for a delay in the trigger point associated with the direct delivery of the first primary school, until later in the build programme.

Policy CB13 – Main Modification 19

- 3.148 RH and the CG's principal concerns relating to the land safeguarded for uses associated with decentralised and renewable energy uses are set out above, in relation to MM5. Summarily, these concerns include:
- The quantum of land proposed to be safeguarded, which appears to be **unjustified**;
 - The incompatibility of the proposed policy framework with one of the possible uses of the land – the BSP/primary substation; and
 - The unspecified length of time that the land will be safeguarded for.
- 3.149 For brevity, these concerns are not repeated here, but are equally applicable.
- 3.150 However, in addition, RH and the CG have a number of other concerns relating to the revised wording proposed in MM19, which appears to be inconsistent with test 8 of Policy CB3.
- 3.151 Notwithstanding their position that the safeguarded land should be reduced to up to 2.5ha in size, RH and the CG note that the requirement as set out in Main Modification 19 is set as an absolute figure of 3.5ha and not, as stated in test 8 of Policy CB3, an 'up to' figure. For the reasons set out above in relation to MM5, the requirement should be expressed as an 'up to' figure.
- 3.152 Similarly, whilst test 8 of Policy CB3 seeks to safeguard up to 3.5ha of land for an extension to the District Heating Network, the Policy is clear that only up to 2ha will be required ultimately. This level of detail is missing from Policy CB13 and needs to be included.
- 3.153 There are a number of other inconsistencies in language between both Policies, which whilst being minor in their nature, should be altered to ensure a consistent approach. These include:
- Reference is made in test 8 of Policy CB3 to the residual safeguarded land being released for employment generating development. Policy CB13 expands on this point and prevents



- retail uses being located on the residual land;
- Test 8 of Policy CB3 allows for the release of any residual land for employment generating uses, subject to the 'appropriate planning permissions'. Rather than referring to 'appropriate planning permissions', Policy CB13 refers to 'environmental constraints'; and
 - Whilst not subject of MM19, it is noted that Policy CB13 refers to the land being safeguarded for 'decentralised low carbon and renewable energy uses', whilst test 8 of Policy CB3 relates solely to the land being used for 'an extension to the District Heating Network.'

Suggested Changes:

3.154 Whilst RH and the CG have concerns relating to the first paragraph of Policy CB13, they acknowledge that the current consultation relates only to the Modifications proposed to the Policy. As such, MM19 should be reworded as follows:

"The up to 2.5ha ~~3.5ha~~ of land safeguarded by this Policy will continue to remain safeguarded until such time as either it is evidenced that it is no longer needed for the purposes of energy use which would serve the needs of Cranbrook or 31st March 2031, whichever is the earlier. After this time any remaining areas of the land will be released for suitable green infrastructure and subject to environmental constraints can be used for other employment (excluding retail) uses."



4 Conclusion

- 4.1 As stated within these representations, RH and the CG are pleased to see the Cranbrook Plan progress to the Proposed Main Modifications stage. On adoption, the Plan will provide much needed surety to the developers of each Expansion Area over the form and quantum of development, as well as the necessary supporting infrastructure.
- 4.2 However, consistent with their previous consultation responses, RH and the CG believe that the Plan still requires amendment to ensure that it is a sound proposition. These changes are set out within this representation and are summarised before the first section.

*LRM Planning
February 2022*



Appendix 1



Appendix 2

Arboricultural Constraints and Opportunities Plan (ACOP)

Treasbeare Farm, Cranbrook, Devon

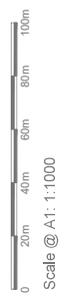
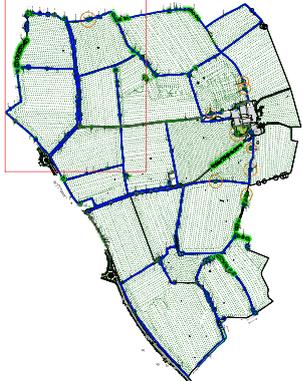
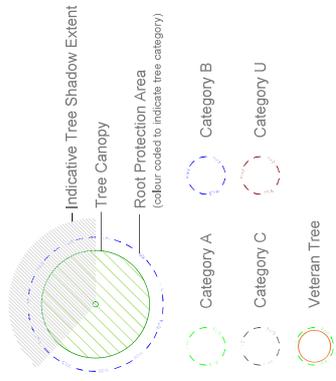
(central OS grid reference: SY 006 945)

A report on behalf of Redrow Homes Limited

Ref: 1237-ACOP-MU



Key:



Scale @ A1: 1:1000

Drawing should be viewed in colour.

Location of trees suffixed with PA (position approximate) have been estimated on site.

Drawing Title:
Tree Constraints Plan (3 of 5)

Project:
Treasbears Farm, Cranbrook

Client:
Redrow Homes

Date: 17/03/2021
Drawn: MU
Drawing Number: 1236-TCP-MU
Revision: -



Tree Survey Schedule

Feature Number	Species	Height (m)	Stem Ø (mm)	Crown Spread (m)			Height above ground (m)		Life Stage	Physiological Condition	Structural Condition	Root Protection Area (m ²)	Root Protection Radius (m)	Category	Suitable Useful Life Expectancy	
				N	E	S	W	Crown								1st Sig. Branch
T11	Ash	8	400	6	6	6	6	3 Av	A Av	Early mature	Good	Fair	72.3	4.8	B1,2	20+
Comments	Multi-stemmed tree.															
H12	Ash, Field maple and Goat willow	2	75	-	1.5	-	1.5	-	-	Mature	Good	Good	2.5	0.9	B2, 3	20+
Comments	Devon hedgebank. Compact form due to mechanical management.															
G13	Ash, Oak and Alder.	up to 17	1400	11	11	11	11	4 S	5 Av	Mature	Good	Good	706.5	15.0	A2,3	40+
Comments	Lineal woody feature containing two late mature oak trees. Significant landscape feature retain with buffer strip of public open space.															
G14	Alder and Crack willow	Up to 12	500	6	6	6	6	3 Av	3 Av	Early mature	Fair	Fair	113.0	6.0	B2	20+
Comments	Multi-stemmed trees adjacent to brook. Longitudinal split in stem.															
T15	Oak	12	900	7	10	9	8	4 Av	5 W	Mature	Good	Fair	366.2	10.8	A1,2	40+
Comments	Leaning stem to the east. Poaching of ground around the base of the tree.															
T16	Field maple	5	200	4	2	1	2	-	-	Early mature	Fair	Fair	18.1	2.4	C1	10+
Comments	Bias to the north.															
T17	Oak	12	900	9	9	9	9	4 Av	4 Av	Late mature	Fair	Fair	366.2	10.8	A2,3	40+
Comments	Vertical decay column with exposed heartwood exhibiting brown cubical type decay.															
T18	Oak	12	700	6	4	4	6	5 W	5 Av	Mature	Fair	Good	221.6	8.4	B1, 2	20+
Comments	Thin crown, Ivy growth up into structural branches.															
H19	Blackthorn, Field maple, Elm, Hawthorn and Hazel	1.2	75	-	1.5	-	1.5	-	-	Mature	Good	Good	2.5	0.9	B2,3	20+
Comments	Devon hedgebank. Compact form due to mechanical management.															
T20	Oak	11	600	6	7	7	7	4 Av	5 Av	Mature	Good	Good	162.8	7.2	B1,2	20+
Comments	Good field oak															
T21	Oak	8	650	5	5	5	5	3 E	5 S	Early mature	Fair	Fair	191.0	7.8	C1	20+

Feature Number	Species	Height (m)	Stem Ø (mm)	Crown Spread (m)				Height above ground (m)		Life Stage	Physiological Condition	Structural Condition	Root Protection Area (m ²)	Root Protection Radius (m)	Category	Suitable Useful Life Expectancy
				N	E	S	W	Crown	1st Sig. Branch							
Comments																
Retrenching crown, epicormic growth and Ivy growth into crown.																
T22	Oak	11	950	5	5	5	5	4 Av	4 Av	Early mature	Good	408.1	11.4	A2	40+	
Comments																
Third part owned tree. Well formed specimen.																
G23	Oak, Ash and Hawthorn.	Up to 8	460	4	4	4	4	3 Av	3 Av	Early mature	Good	95.7	5.5	B2	20+	
Comments																
Mixed species trees growing from hedgebank either side of Parsons Lane.																
H24	Blackthorn, Elm, Hawthorn, Hazel and Holly	1.5	75	-	2	-	2	-	-	Mature	Good	2.5	0.9	B2,3	20+	
Comments																
Devon hedgebank. Compact form due to mechanical management.																
H25	Blackthorn, Elm, Field maple, Hawthorn, Goat willow, Ash, Hazel and Holly	1.5	75	-	2	-	2	-	-	Mature	Good	2.5	0.9	B2,3	20+	
Comments																
Devon hedgebank. Compact form due to mechanical management.																
T26	Oak	7	450	7	7	7	7	3 Av	3 Av	Early mature	Good	91.6	5.4	B1,2	20+	
Comments																
Reasonable maturing tree.																
H27	Blackthorn, Hawthorn, Elm and Hornbeam	1.8	200	-	1	-	1	-	-	Mature	Good	18.1	2.4	C2,3	10+	
Comments																
Devon hedgebank. Compact form due to mechanical management.																
T28	Oak	5	450	5	5	5	5	3 Av	3 Av	Early mature	Good	91.6	5.4	B1,2	20+	
Comments																
Multi-stemmed growth from coppice.																
H29	Blackthorn, Elm, Oak, Field maple and Hawthorn	1.2	75	2	-	2	-	-	-	Mature	Good	2.5	0.9	B2,3	20+	
Comments																
Devon hedgebank. Compact form due to mechanical management.																
T30	Oak	5	400	5	5	5	5	3 Av	3 Av	Early mature	Good	72.3	4.8	B1,2	20+	
Comments																
Twin stemmed. Eastern stem sub-dominant.																

Feature Number	Species	Height (m)	Stem Ø (mm)	Crown Spread (m)			Height above ground (m)		Life Stage	Physiological Condition	Structural Condition	Root Protection Area (m ²)	Root Protection Radius (m)	Category	Suitable Useful Life Expectancy
				N	E	S	W	Crown							
Comments	Classic Avenue feature either side of the farm access. Mixed age class. The most southern decayed and following at the stem base.														
H88	Blackthorn, Hawthorn, Elm and Holly	1.8	100	1.5	-	1.5	-	-	Mature	Fair	4.5	1.2	B2,3	20+	
Comments	Devon hedgebank. Compact form due to mechanical management. Ditch to the north.														
T89	Oak	7	600	5	6	7	6	3 N	2.5 S	Good	162.8	7.2	B1,2	20+	
Comments	Establishing hedgerow tree.														
G90	Hawthorn and Elm	6	200	3	3	3	3	3 Av	3 Av	Fair	18.1	2.4	C2	10+	
Comments	Grown out from hedgerow within residential garden.														
H91	Elder, Elm, Hawthorn, and Hornbeam.	1.8	200	0.5	-	0.5	-	-	Early mature	Fair	18.1	2.4	C3	10+	
Comments	Hedgerow without bank, forming residential curtilage.														
T92	Oak	10	500	8	8	8	8	4 N	3 N	Good	113.0	6.0	B1	20+	
Comments	Well formed individual tree growing within residential garden.														
G93	Apple, Ash, Hawthorn and Pear	6	100	2	2	2	2	-	Young	Fair	4.5	1.2	C2	10+	
Comments	Small trees growing within residential garden.														
T94	Ash	7	300	5	3	3	2	1.5 N	3 N	Fair	40.7	3.6	C1	10+	
Comments	Poor quality tree with dead Elm hung up in crown.														
H95	Blackthorn, Elder, Elm, Field maple, Hawthorn and Holly	1.5	75	-	1	-	1	-	Mature	Good	2.5	0.9	B2,3	20+	
Comments	Devon hedgebank. Compact form due to mechanical management. Ditch to the east.														
T96	Oak	7	450	5	4	5	2	3 E	2 S	Good	91.6	5.4	B1,2	20+	
Comments	Telephone cables through crown to the west.														
T97	Oak	10	1500	9	12	10	12	5 Av	2 E	Good	706.5	15.0	A1	40+	
Comments	Low leaning stem.														



Appendix 3



**NORTOFT
PLANNING**



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Redrow Homes and the Carden Group

Treasbeare Garden Village

**Response to the
Cranbrook Plan Proposed Main Modifications Consultation
(January 2022)**

in relation to

Treasbeare Sports Hub

February 2022

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Summary

1. Nortoft is a specialist sports planning consultancy which has been appointed by Redrow Homes and the Carden Group to advise on the sports hub proposals for Treasbeare.
2. There is an agreed desire by all the parties involved with sports provision, including Redrow Homes and the Carden Group, to ensure that the provision should meet the needs of the planned Cranbrook community. The Treasbeare sports hub will be the primary site, but this is set within the wider context of sports provision including at Ingrams, Cobden and The Cranbrook Education Campus.
3. There are two key issues which require addressing.
 - Firstly, there has been a long standing issue in relation to securing S106 funds from Phase 1 for pitch provision. The AGP was expected to be funded by this route but is now unfunded because the Phase 1 anticipated S106 was directed towards other investment priorities.
 - Secondly, the policy proposals set out in the Plan Main Modifications (PMM) are not sound policy as they are not compliant with the requirements of para 98 of the NPPF. The PMMs arose in part, from a recognition by EDDC that there was a problem of funding for the AGP and therefore potentially for the delivery of the sports hub. However, the PMM proposals do not effectively deliver the forecast requirements of football or rugby up to 2036, and may also lead to the development of a facility which is not financially sustainable.
4. In consultation and agreement with Sport England, EDDC, Football Association (FA), Football Foundation (FF) and the Rugby Football Union (RFU), Nortoft undertook updated modelling of the forecast sports needs for Cranbrook up to 2036, based on the currently planned population and information provided by the national governing bodies of sport. This modelling followed the standardised methodology required by Sport England in the production of playing pitch strategies, and the NGBs agreed at a meeting on 1 February 2022 that the outcomes should now be accepted as the new policy evidence base.
5. This 1 February meeting confirmed that the NGB's preferred sports pitch mix for Treasbeare is:
 - 1 x floodlit senior football size community all weather pitch (artificial grass pitch) designed to meet the Football Association 3G Register standards (FIFA Quality standard) with a shock pad meeting the specifications of World Rugby Regulation 22.
 - 3 x senior grass football pitches.
 - 1 x senior grass rugby pitch with match floodlights at 100 lux.
 - 1 x senior grass rugby pitch.

6. The agreed modelling also identified that the desired third adult football pitch would not be required until around 2036 when Cranbrook is fully built out, and even then the use would only be once a fortnight for a football match on a Saturday.
7. In order to assure the delivery of the sports hub proposals desired by the NGBs, there is a need to review both CB3(5) and the CB6 (Category 3 and Category 4) policies as set out in the Plan Main Modifications.
8. The construction and land costs of the AGP, the grass rugby pitches (including match floodlighting on one) and two of the three proposed senior grass football pitches is broadly comparable with the PMM policy proposals. However, provision of the third senior football pitch incurs additional cost, both land and construction.
9. Given the nature of the site, the specialist pitch agronomist has advised that if a third senior football pitch is to be provided long term, then the pitch with its platform needs to be constructed at the same time as the rest of the sports hub. It is therefore proposed that Redrow Homes and the Carden Group provide the appropriate graded land area for the third football pitch, but that its construction costs are met by shared infrastructure costs under Category 4 or potentially a new Category 5.
10. It is requested that the draft policy CB3(5) Main Modification should therefore be amended to:

5. A sports hub which delivers

- a) 2x senior grass rugby pitches of which 1 should have match floodlights to RFU standard for Levels 6-12 (100 lux maintained illuminance).
- ~~b) 2 x Junior (midi) rugby pitches (Under 11/12)~~
- c) 2 x Senior grass football pitches
- d) Land for 1 x senior football pitch
- ~~d) 31 x Junior football pitches (Under 15/16)~~
- e) 1 x floodlit Senior football size community all weather pitch (artificial grass pitch) - sized for rugby) accompanied by a financial contribution towards its delivery designed to meet the Football Association 3G Register standards (FIFA Quality standard) with a shock pad meeting the specifications of World Rugby Regulation 22.
- ~~f) 4x floodlit tennis courts~~
- f) Associated car and cycle parking spaces
- g) Serviced land for both a sports pavilion to include changing facilities and a club room for use for social and community uses and land for 4 flood lit tennis courts.
- h) Peripheral multi use path

11. It is requested that the sport related elements of CB6 are amended:

Category 3: Treasbeare

- 2 Sport pitches and associated land
 - 2x senior grass rugby pitches of which 1 should have match floodlights to RFU standard for Levels 6-12 (100 lux maintained illuminance).
 - 2 x Senior grass football pitches
 - Land for 1 x senior football pitch
 - 1 x floodlit Senior football size community all weather pitch (artificial grass pitch designed to meet the Football Association 3G Register standards (FIFA Quality standard) with a shock pad meeting the specifications of World Rugby Regulation 22.

- 3 Serviced land for tennis courts with flood lighting, pavilion and changing rooms, ~~and AGP.~~

Category 4: B

- 2 Pavilion and 8 team changing rooms for the Treasbeare Sports hub (of a minimum 490 square metres gross internal floor area) (CB3)

- 3 4 no. Tennis Courts with Flood lighting and 1 no. adult grass football pitch.

12. The policies relating other elements which are required to deliver the sport hub under CB3(5) are accepted as being the funded by the developer, these being:

- f) Associated car and cycle parking spaces
- h) Peripheral multi use path

The objective for sport in Cranbrook

13. Redrow and the Carden Group who are working in partnership to deliver the Treasbeare Garden Village, including the sports hub, are concerned that the Treasbeare sports hub should: effectively meet the needs of the Cranbrook community; be fully deliverable; be financially sustainable long term; and be an attractive facility which supports and encourages a healthy, active lifestyle.
14. Although the Treasbeare sports hub should be the primary pitch sports hub for Cranbrook it should also be complementary to the other outdoor sports provision in Cranbrook to ensure that all of the provision together meets the needs of Cranbrook in the long term, with its around 7,750 dwellings and 18,000 or more residents. In planning for sport, it is important that all the Cranbrook facilities should be financially sustainable by ensuring that the proposals meet the forecast needs of the community once built out, but do not provide unjustified facilities which would be expensive to construct and unsustainably expensive to manage and maintain. The wider sports network includes the developing sports hub at Ingrams, with its planned extension via a youth football pitch at Cobdens, and The Cranbrook Education Campus. The Campus already makes its sports facilities available for community use, including a 3G artificial grass pitch (with non-standard dimensions), which is intensively booked for football training on weekday evenings.

Policy compliance

15. Policy CB3 of The Cranbrook Plan 2013-2031 Submission Draft (February 2019) included proposals for a sports hub at the Treasbeare Expansion Area. The sports hub was expected to include a full size artificial grass pitch (3G AGP), grass football pitches, grass rugby pitches, and tennis courts together with a pavilion/clubhouse, parking and a peripheral path.
16. Although the Treasbeare sport hub has always been seen as the primary focus of pitch sports in Cranbrook, the full funding and delivery of the provision is now uncertain. The Cranbrook Plan Main Modifications November 2021 para 3.16 acknowledges that:

the AGP and 2.14ha of grass pitches, are residual requirements from Cranbrook Phase 1 and the associated Section 106 agreement.

17. This issue and the consequential impact on the sports hub infrastructure expectations was raised earlier in the Cranbrook Plan process by Boyer in paras 2.7-2.8 in the Cranbrook Plan EIP (REP ID: 144 – Boyer on behalf of Mr & Mrs Pyle/Harrow Estates Plc), but a solution has still to be found.

NPPF

Evidence base must be robust and up-to-date

18. The Cranbrook Plan proposals must be compliant with relevant planning policy. NPPF para 93(a) requires positive planning policies for the provision and use of community spaces including sports venues. Determining the most appropriate mix of facilities which both meet the needs of the community and best able to be financially sustainable long term, is therefore essential.

19. NPPF para 98 requires that the evidence base for decisions should be robust and up-to-date:

Planning policies should be based on robust and up-to-date assessments of the need for open space, sport and recreation facilities (including quantitative or qualitative deficits or surpluses) and opportunities for new provision. Information gained from the assessments should be used to determine what open space, sport and recreational provision is needed, which plans should then seek to accommodate.

20. The evidence base on which The Cranbrook Plan Main Modifications (November 2021) relies fails this NPPF policy test in relation to the sports hub policy set out in CB3(5). The genesis of the sports hub policy proposals in the 2019 policy CB3(10) was the Playing Pitch Strategy of 2015, with its baseline data provided by the Exeter and East Devon Playing Pitch Strategy Needs Assessment – BeLAP, of 2014. The Sport Recreation and Leisure at Cranbrook Addendum 2017 did not update the 2014 baseline (teams) evidence and also limited the modelled football use of the AGP to minis and youth football. The 2017 Addendum also gave no consideration to the potential use of the AGP for rugby:

“the [pitch] requirements ... do not fully consider the matchplay that can be accommodated on the 3G AGP. In reality, it would be possible (with the 3G meeting the required specification) to accommodate some youth and mini football demand that would otherwise require separate grass pitch provision. Taking this into account it is reasonable to assume that the 3G AGP could accommodate the demands of the remaining 2 x Mini 5v5, 1 x Mini 7v7 and one of the remaining Youth 9v9 pitches.”...
(SLRC Addendum, para 4.8)

21. Since the adoption of the Playing Pitch Strategy of 2015, football and rugby national governing bodies (NGBs) have both sanctioned the use of artificial grass pitches with appropriate surfaces and dimensions, for all levels of the game, and for both matches and training. Indeed, the NGBs now actively encourage and support the provision of artificial pitches where there is (or will be) strong local demand, particularly where an AGP can be provided as part of a sports hub alongside grass pitches, as this results in one of the best and most financially sustainable models of provision. However, the AGP must be used as intensively as possible to generate the funds required for revenue support to a sports hub, and in order to generate sufficient sinking funds (approx £25,000 per annum) for the replacement of the carpet every 10 years.

22. The pattern of demand in football and rugby has also changed since 2015, with increases in girls' and women's participation although from a low base, and more youth football and mini rugby. However, the period since 2015 has conversely seen a decline in participation in the traditional men's games for both football and rugby. (Sport England Active Lives Survey, May 2021).

23. It is further pertinent to note Sport England's Playing Pitch Strategy Guidance (2013) states that Playing Pitch Strategies are out of date after 3 years:

As a guide if no review and update has been carried out within three years of the PPS being signed off by the steering group then Sport England and the NGB's would consider the PPS and the information on which it is based to be out of date.(page 57, E18)

24. Given the changes in the sports since the Playing Pitch Strategy 2015 and the subsequent SLRC Addendum 2017 which informed The Cranbrook Plan, the policy justification for the pitches proposed in the PMM CB3(5)(a) to (e) is unsound and is not compliant with NPPF para 98.

25. The out-of-date East Devon Playing Pitch Strategy is currently being updated by East Devon District Council, but has not progressed sufficiently to inform this last stage of The Cranbrook Plan.

26. The Sports, Leisure and Recreation at Cranbrook Addendum Report of 2017 also referred the East Devon Local Plan 2013-2031 (adopted 2016) Strategy 43 Open Space Standard policy, to assess the sports pitch needs for the whole of Cranbrook. However, Strategy 43 policy as it applies to pitch sports is not consistent with the NPPF para 98, as pitch sports should be assessed by up to date playing pitch strategies (or equivalent) .

Playing field protection

27. NPPF 99(a) protects playing fields, with exceptions:

99. Existing open space, sports and recreational buildings and land, including playing fields, should not be built on unless:

a) an assessment has been undertaken which has clearly shown the open space, buildings or land to be surplus to requirements;

...

28. As the sports hub site is identified as a site "allocated for use as a playing field in a development plan or in proposals for such a plan or its alteration or replacement" as defined in the Town and Country Planning (Development Management Procedure) (England) Order 2015, the interpretation of NPPF para 99(a) will be guided by Sport England policy as the statutory consultee. Fundamentally however, NPPF 99(a) relies on the "assessment" being robust and up-to-date, a test which the Cranbrook Plan evidence base fails against NPPF para 98.

NPPF and updated modelling

29. The updated modelling undertaken by Nortoft was accepted by the NGBs at a meeting on 1 February 2022 with EDDC, Sport England, Nortoft, Redrow Homes and LRM. It was agreed by the NGBs that the findings should now be considered as the new evidence base for the Cranbrook Plan, consistent with NPPF para 98. The outcomes of the Nortoft modelling therefore provide a sound policy basis for the sports hub provision, enabling the change in pitches mix to be compliant with NPPF 99(a), and also allow Sport England to accept that the change is compliant with their Exception 1 policy, see below.

Sport England – Statutory Consultee

30. Sport England is a statutory consultee because the sports hub’s playing field area is specifically identified in the emerging Cranbrook Plan according to the Town and Country Planning (Development Management Procedure) (England) Order 2015. Their policy is set out in Playing Fields Policy and Guidance (March 2018).

31. Sport England’s Exception 1 is the relevant test:

A robust and up-to-date assessment has demonstrated, to the satisfaction of Sport England, that there is an excess of playing field provision in the catchment, which will remain the case should the development be permitted, and the site has no special significance to the interests of sport.

32. The Sport England supporting text suggests that reference should be made, in the first instance to the latest Playing Pitch Strategy. However, as noted above, the East Devon Playing Pitch Strategy is out of date and the evidence base behind the Cranbrook Plan is therefore unsound.

33. However, Sport England suggests in their Playing Fields Policy and Guidance 2018 that an alternative methodology may be acceptable to Sport England to provide:-

a robust and carefully documented assessment of the supply of, and current and future demand for, playing pitches in the catchment area taking into account the quantity, quality, accessibility and availability of provision. The geographical extent of an assessment should reflect the catchment of the site (see paragraphs 47 and 48) and the scale and coverage of the supply of, and demand for, playing pitches in the area. (para 44)

34. The definition of “catchment” is given in para 47 of the Guidance as:

47. “Catchment” is not defined in statute or policy but Sport England consider the term to mean the population of individuals and/or teams for which a particular playing field would be considered convenient. This should include taking into account the nature and quality of the playing pitches which are, or might be, provided on the playing field.

35. The 2017 SLRC Addendum which informed the Cranbrook Plan used the Cranbrook development as a whole as the catchment for the sports hub at Treasbeare. The Nortoft assessment has therefore similarly considered Cranbrook's long term planned population's needs in the updated modelling. The modelling methodology is consistent with Sport England's Playing Field Strategy Guidance (2013), and the demographics used reflect the relatively young age profile expected for Cranbrook.
36. Given that the NGBs agreed at the meeting on 1 February 2022 that updated modelling undertaken by Nortoft should now be considered as the new evidence base for the Cranbrook Plan, consistent with NPPF para 98, this allows Sport England to accept that the proposed change in pitch provision at the sports hub is compliant with their Exception 1 policy.

The PMMs as interim policy position of EDDC

37. The need for a community 3G AGP has always been identified for Cranbrook, and was originally envisaged to be delivered as part of Cranbrook Phase 1 (Main Modifications, para 3.16), but no S106 funding has been secured towards its construction. Whilst Redrow Homes and the Carden Group were consulted by EDDC on alternative proposals for the sports hub on 18-19 October 2021 they did not agree to the EDDC letter sent to the Inspector on 20 October 2021, the contents of which are now reflected in the PMMs.
38. EDDC proposed in the letter of 20 October 2021 that Redrow Homes and the Carden Group should provide a contribution of £419,380 towards a rugby size and specification AGP. However, even with a smaller a football AGP with shock pad, then there would still be a likely shortfall of around £775,000. A rugby AGP would be more expensive to deliver and take a greater land area. EDDC have proposed that any funding shortfall would need to be met from 'excess' housing on allocated sites, or sites that are not allocated for development within the emerging plan. Given the scale of the funding shortfall, this route seems unlikely to be able to deliver the AGP.
39. The matter of the sports hub was raised and discussed at the EDDC Strategic Planning Board on 8 November 2021, at which Redrow Homes and Nortoft made a presentation about the issues. It was agreed by the Board that they would be open to change in the facility mix and delivery for the sports hub, if justified.

The updated evidence base

40. A meeting with the NGBs, Sport England, EDDC, Redrow Homes, LRM and Nortoft on 1 November 2021 discussed the implications of the out of date sports evidence on which The Cranbrook Plan policy for the sports hub was based. The NGBs were concerned that the sports hub should deliver what the Cranbrook community is forecast to need, taking into account the changes in the sports since 2014/2015. It was therefore agreed that Nortoft should update the modelling to help inform the policy formulation, with the input of the FA, Football Foundation and the RFU.

41. The modelling of demand for Cranbrook has therefore been updated by Nortoft on behalf of Redrow Homes and the Carden Group using Sport England Playing Pitch Guidance methodology and:

- football teams information for 2021/22 provided in November 2021 by Devon FA, with the final list of teams agreed by Devon FA and Football Foundation;
- kick-off times for each sport, age group and format based on the FA provided information and RFU advice;
- the planned population of Cranbrook up to 2036, using a young demographic profile which was based on a model agreed for the purpose of Playing Pitch Strategies elsewhere in England by Sport England;
- pitch usage and programming guidance from the Football Foundation and Rugby Football Union;
- rugby future demand as originally proposed in the 2017 Addendum;
- consideration of the role of the sports hub within wider network of pitch supply in Cranbrook; Ingrams, Cobdens and the Cranbrook Education Campus.

42. The detailed outcomes of the updated modelling (Appendix 1 provides a summary) have been shared with and agreed by the football and rugby national governing bodies (NGBs) at a meeting on 1 February 2022, which also involved EDDC, Sport England, Nortoft, LRM and Redrow Homes. Key points of agreement included:

Treasbeare Sport Hub

- Given the importance of the sports hub AGP, the NGBs want to be assured that an appropriate artificial pitch will be delivered at Cranbrook, rather than hoping that it may be delivered at some stage in the future, should sufficient funds become available.
- An AGP with senior football pitch dimensions and a rugby shockpad would be the most appropriate facility.
- An AGP with shockpad would enable all rugby training to be away from the grass pitches, negating the need for separate junior (midi) grass rugby pitches.
- Use of the AGP for football matches by all age groups.
- Football pitches can be used for two senior match equivalent sessions per week, with overmarking if required for younger age groups/other formats.
- A third senior grass football pitch is only required once Cranbrook is fully built out (estimated to be 2036) and if there is insufficient flexibility in kick off times for men on Saturday afternoons. Otherwise, this need could be met on the AGP. If these adult football matches are played on the third grass pitch, the use would only be once a fortnight. The low level of use would be unlikely to generate sufficient income for its maintenance, with viability implications for the sports hub.
- The RFU requires one of the senior grass rugby pitches to be provided with match level sports lighting. This requirement had not been identified in The Cranbrook Plan submission draft 2019.

- The indicative pitch programming as at 2036 for the sports hub for weekend use met the needs of both rugby and football (Appendix 2).
- There is spare capacity for other uses of the AGP at weekends such as walking football and rugby, girls' and women's football matches, or other sports development initiatives.
- The Cranbrook Education Campus AGP is excluded from supply equation for weekend football matches because it is not on the FA 3G Register. It cannot be used for rugby training because it does not have a rugby shockpad.

Ingrams and Cobdens

- The planned additional youth pitch at Cobdens should be provided along with the planned changing provision at Ingrams.
- Football pitches can be used for two senior match equivalent sessions per week, with overmarking for other formats (younger age groups) if required.

Weekday balance in AGP supply and demand in Cranbrook

43. The proposed Treasbeare full-size floodlit 3G AGP which meets both the Football Association specifications and that of the RFU for training, would support both sports. The new opportunities for football training at the sports hub would be in addition to the existing 3G AGP at the Cranbrook Education Campus (101 x 62m) which is made available for community use every weekday from 16:30 to 21:00 and at weekends. The Cranbrook Education Campus AGP is regularly booked during weekday evenings for training, but is rarely used at weekends because it does not meet the FA 3G Register requirements. The combination of the availability of the two AGPs provides sufficient weekday training slots for both community football and rugby, with likely spare capacity for other activities such as walking football and walking rugby.
44. The proposed location of the Treasbeare sports hub, directly across Parsons Lane from the proposed primary school location, means that the sports hub can potentially provide significant school curriculum and extra curriculum opportunities at times when there is little or no community use. These opportunities will be explored with the school as the proposals for both are further developed.

Proposed pitch mix for Treasbeare Sports Hub

45. The Main Modifications as drafted for CB3(5) (a)-(f) do not deliver the NGBs', or Redrow Homes and the Carden Group's aspirations for the sports hub. The pitches proposed in the PMMs would also be difficult to design effectively and would be unlikely to lead to a financially secure future for the facility.

46. The following mix of pitches was agreed by the NGBs at the meeting on 1 February 2022 as being their preferred option:

- 1 x floodlit senior football size community all weather pitch (artificial grass pitch) designed to meet the Football Association 3G Register standards (FIFA Quality standard) with a shock pad meeting the specifications of World Rugby Regulation 22.
- 3 x senior grass football pitches.
- 1 x senior grass rugby pitch with match floodlights at 100 lux.
- 1 x senior grass rugby pitch.

47. The draft policy CB3(5) Main Modification should therefore be amended to:

5. A sports hub which delivers

a) 2x senior grass rugby pitches of which 1 should have match floodlights to RFU standard for Levels 6-12 (100 lux maintained illuminance).

~~b) 2 x Junior (midi) rugby pitches (Under 11/12)~~

c) 2 x Senior grass football pitches

d) Land for 1 x senior football pitch

~~d) 31 x Junior football pitches (Under 15/16)~~

e) 1 x floodlit Senior **football size community** all weather pitch (artificial grass pitch) - ~~sized for rugby) accompanied by a financial contribution towards its delivery~~ **designed to meet the Football Association 3G Register standards (FIFA Quality standard) with a shock pad meeting the specifications of World Rugby Regulation 22.**

~~f) 4x floodlit tennis courts~~

f) Associated car and cycle parking spaces

g) Serviced land for both a sSports pavilion to include changing facilities and a club room for use for social and community uses and land for 4 flood lit tennis courts.

h) Peripheral multi use path

48. The technical feasibility of delivering these pitch proposals is well underway and looks very promising. The draft layout of the pitches, as at 22 February 2022, is provided in Appendix 4.

49. The quality of the sports provision as set down in CB27 Design and Construction of Sports Pitches, is agreed.

50. The advantages and disadvantages of the two options proposed for the delivery of the Treasbeare sports pitches, being those of the Main Modifications and those of the Redrow Homes and the Carden Group are set out below in Table 1.

Table 1: Comparison between Main Modifications and Redrow Homes/ the Carden Group proposals

Proposals	Proposed provision	Pros	Cons
Main Modifications	<p>Land and construction of grass pitches:</p> <ul style="list-style-type: none"> • 2 x senior grass football • 1 x junior grass football (U15/U16) • 2 x senior grass rugby • 2 x midi grass rugby (U11/U12) • Associated car and cycle parking spaces. • Peripheral multi-use path. <p>Serviced land for:</p> <ul style="list-style-type: none"> • 1 x floodlit Senior all weather pitch (artificial grass pitch - sized for rugby) accompanied by a financial contribution towards its delivery • Pavilion/clubhouse • 4 tennis courts (NB funding for construction of the tennis and the pavilion is identified from other expansions areas). <p>Total pitch area approx 5.9 ha</p>	<p>Extensive grass pitch provision.</p> <p>Land identified for AGP for future provision.</p> <p>Contribution of approx 30% of costs from development towards AGP.</p> <p>Potentially provides AGP for rugby match and training use.</p>	<p>Pitch proposals not supported by national governing bodies.</p> <p>Site has number of terraces between pitches, limiting flexibility of use and higher maintenance costs.</p> <p>No certain delivery of AGP potentially resulting in:</p> <ul style="list-style-type: none"> • No marked out pitches for 5v5 or 7v7. • Insufficient space for youth football. • No floodlights for evening training or rugby matches. • Overuse of pitches if Cranbrook expands further. <p>Difficult to locate clubhouse in position suitable to meet the needs of all of the users.</p> <p>No evidenced need for match size rugby AGP.</p> <p>Match size rugby AGP cost is approx £340,000 more than football turf AGP.</p> <p>Shortfall of c£900,000 towards construction of the proposed Rugby size AGP. This may increase due to general viability concerns, if the Examination Inspector advises.</p> <p>Land take for rugby size AGP is greater than justified.</p> <p>The land take for one of the youth football pitch and two mini rugby pitches is not justified.</p> <p>Difficult site management including maintenance of pitches and their surrounds.</p>

Proposals	Proposed provision	Pros	Cons
Redrow Homes/ Carden Group proposal	<p>Land and construction of grass pitches</p> <ul style="list-style-type: none"> • 2 x senior grass football • 1 x land for senior grass football • 2 x senior grass rugby, one with match floodlights • 1 x full size floodlit football 3G AGP with rugby shock pad (site area footprint at 112m x 76m) • Associated car and cycle parking spaces. • Peripheral multi-use path. <p>Serviced land for:</p> <ul style="list-style-type: none"> • Tennis courts • Pavilion/clubhouse (NB funding for construction for the tennis and the pavilion is identified from other expansions areas). <p>Total pitch area approx 5.01 ha</p>	<p>Facility mix supported by Football Association, Football Foundation and Rugby Football Union.</p> <p>Fully meets the needs of the planned community.</p> <p>Pitch combination has spare capacity to help meet demands beyond the currently planned population size of Cranbrook.</p> <p>Better long term financial sustainability of sports hub.</p> <p>Rugby senior and youth matches held on grass pitches, with match floodlights on one.</p> <p>All training on AGPs, ensuring high grass pitch quality is maintained.</p> <p>Ability to flexibly arrange pitches and site to meet club and community needs.</p> <p>Smaller land take enables greater flexibility in design.</p> <p>Fewer grass pitches so fewer terraces and easier site management.</p>	<p>Smaller overall grass area for pitches.</p> <p>Football size 3G AGP with shock pad also enables rugby training but not rugby matches.</p> <p>Cost of shock pad approx £200,000 more than cost of football turf AGP.</p> <p>Third senior football pitch is not justified by the modelling, which shows it could be used once a fortnight for football from 2036 onwards, so would be unviable.</p>

Funding delivery of the sports hub

51. It is clear that a senior football size 3G AGP with a rugby shock pad, meeting the specifications of both the FA 3G Register and Regulation 22 for rugby training would be of significant benefit to the community of Cranbrook, so a way of ensuring its delivery should be of the highest priority. Redrow Homes and the Carden Group are therefore offering to both provide the land and construct the football size AGP with rugby shockpad, subject to the detailed feasibility assessment for the site, and overall development viability.

52. The estimated costs of the Redrow Homes and the Carden Group’s proposals for the sports hub’s pitches are compared to those of the PMM’s in Appendix 3, with the summary in Table 2. This demonstrates that Option 4 with two senior grass football pitches is broadly similar in cost to the costs of the PMMs proposals. However with Option 3 and a fully funded third football pitch, the additional cost would be around £465,910 more than the PMM proposal.

Table 2: Sports hub costs compared

Proposal	Pitch area	Pitch construction cost excl abnormals	Land cost @ £300,000 for pitch area excluding batters	S106 for AGP	Total cost to Redrow Homes and the Carden Group
1. Main Modifications costs	5.90ha	£2,009,140	£1,769,430	£419,000	£2,862,570
2. Redrow Homes and the Carden Group proposal with 2 senior grass football pitches plus land area for third football pitch	5.01ha	£1,725,000	£1,503,480	£0	£3,228,480
3. Redrow Homes and the Carden Group proposal with 3 senior grass football pitches	5.01ha	£1,825,000	£1,503,480	£0	£3,328,480
4. Redrow Homes and the Carden Group proposal with 2 senior grass football pitches	4.27ha	£1,725,000	£1,280,880	£0	£3,005,880

Note: The proposal from Redrow Homes and the Carden Group would deliver:

- 1 x floodlit senior football size community all weather pitch (artificial grass pitch) designed to meet the Football Association 3G Register standards (FIFA Quality standard) with a shock pad meeting the specifications of World Rugby Regulation 22.
- 3 x senior grass football pitches.
- 1 x senior grass rugby pitch with match floodlights at 100 lux.
- 1 x senior grass rugby pitch.

53. The Redrow Homes and Carden Group proposal therefore requires change to the PMM’s in relation to both the CB3(5) policy and CB6 Category 3 and 4 policies. The proposals are set out in Table 3, but in summary the infrastructure funding proposals are:

- Redrow Homes and the Carden Group to fund under Category 3:
 - 1 x floodlit senior football size community all weather pitch (artificial grass pitch) designed to meet the Football Association 3G Register standards (FIFA Quality standard) with a shock pad meeting the specifications of World Rugby Regulation 22.
 - 2 x senior rugby pitches, one with match floodlights
 - 2 x senior football grass pitches
 - land for 1 senior grass football pitch
 - car and cycle parking
 - peripheral multi use path
 - serviced land for pavilion and tennis courts

- Category 4 – shared infrastructure:
 - 1 senior grass football pitch
 - pavilion
 - tennis courts

Table 3: Plan Main Modifications funding proposals

PMM Proposals			PMM amendments proposed by Nortoft on behalf of Redrow Homes and the Carden Group		
Policy CB3(5)	Policy CB6	Outcome	Policy CB3(5)	Policy CB6	Outcome
Grass pitches					
<ul style="list-style-type: none"> • 2x senior grass rugby pitches • 2 x Junior grass (midi) rugby pitches (Under 11/12) 	CB6 Category 3 Treasbeare (2)	Certain	2x senior grass rugby pitches of which 1 should have match floodlights to RFU standard for Levels 6-12 (100 lux maintained illuminance).	CB6 Category 3 Treasbeare (2)	Certain
<ul style="list-style-type: none"> • 2 x Senior grass football pitches • 1 x grass Junior football pitch (Under 15/16) 	CB6 Category 3 Treasbeare (2)	Certain	2 x Senior grass football pitches 1 x land for a Senior grass football pitch	<ul style="list-style-type: none"> • 2 x Senior grass pitched to be included as CB6 Category 3 Treasbeare (2); • 1 x Senior football pitch to be included as Category 4(b) or as the new Category 5 	2 x Senior grass football pitched are certain 1 x Senior grass unfunded
<ul style="list-style-type: none"> • Rugby grass pitch match floodlights 	Not identified	Unfunded	See above		

Policy CB3(5)	Policy CB6	Outcome	Policy CB3(5)	Policy CB6	Outcome
Artificial Grass Pitch					
<ul style="list-style-type: none"> Serviced land for 1 x floodlit Senior AGP sized for rugby 	CB6 Category 3 Treasbeare (3)	Certain	1 x floodlit Senior football size community all weather pitch (artificial grass pitch) designed to meet the Football Association 3G Register standards (FIFA Quality standard) with a shock pad meeting the specifications of World Rugby Regulation 22.	CB6 Category 3 Treasbeare (2)	Certain
<ul style="list-style-type: none"> Construction 	Not listed in CB6	Partially Funded – refer to CB3(5)(e)			
Pavilion/Clubhouse					
<ul style="list-style-type: none"> Serviced land 	CB6 Category 3 Treasbeare (3)	Certain	No change	CB6 Category 3 Treasbeare (3)	Certain
<ul style="list-style-type: none"> Construction 	CB6 Category 4 (B)2	Certain	No change	CB6 Category 4 (B)2	Certain
Tennis Courts with Floodlighting					
<ul style="list-style-type: none"> Serviced land 	CB6 Category 3 Treasbeare (3)	Certain	No change	CB6 Category 3 Treasbeare (3)	Certain
<ul style="list-style-type: none"> Construction 	CB6 Category 4 (B)3	Certain	No change	CB6 Category 4 (B)3	Certain
Car and Cycle Parking					
Delivery	CB6 Category 3 Treasbeare (2)	Certain	No change	CB6 Category 3 Treasbeare (2)	Certain
Peripheral Multi Use Path					
Delivery	CB6 Category 3 Treasbeare (2)	Certain	No change	CB6 Category 3 Treasbeare (2)	Certain

Conclusion

54. There is an agreed desire by all the parties involved with sports provision and by Redrow and the Carden Group, to ensure that the provision should meet the needs of the planned Cranbrook community. The Treasbeare sports hub will be the primary site, but this is set within the wider context of sports provision including at Ingrams, Cobden and The Cranbrook Education Campus.
55. There are two key issues which require addressing.
56. Firstly, there has been a long standing issue in relation to securing S106 funds from Phase 1 for pitch provision, crucially in relation to the AGP which was expected to be funded by this route and which is currently unfunded.
57. Secondly, the proposals set out in the Main Modifications are not sound. They arose from a recognition by EDDC that there was a problem of funding and therefore delivery, but the starting point for the proposals is out-of-date policy due to the out-of-date evidence base.
58. Nortoft has undertaken a new modelling exercise with the direct input and support of the Football Association, Football Foundation and the Rugby Football Union (the NGBs). The outcomes of this modelling were discussed by the NGBs at a meeting on 1 February 2022, where they agreed that the findings should now be accepted as the new robust evidence base. It was also agreed that the NGBs' preferred sports pitch mix for Treasbeare is:
- 1 x floodlit senior football size community all weather pitch (artificial grass pitch) designed to meet the Football Association 3G Register standards (FIFA Quality standard) with a shock pad meeting the specifications of World Rugby Regulation 22.
 - 3 x senior grass football pitches.
 - 1 x senior grass rugby pitch with match floodlights at 100 lux.
 - 1 x senior grass rugby pitch.
59. The modelling has identified that the desired third adult football pitch would not be required until around 2036 when Cranbrook is fully built out, and even then the use would only be once a fortnight for a match on a Saturday.
60. In order to assure the delivery of the AGP, there is a need to review both CB3(5) and the CB6 Category 3 and Category 4. There would also be a requirement for further equalisation across Cranbrook of the infrastructure costs. With the AGP, 2 senior grass rugby pitches (one floodlit) and 2 senior grass football pitches, the costs to the developer is about £143,000 more than the PMMs proposals, including land area value. However, the third football pitch results in greater cost, for both land and construction.
61. It is therefore proposed that Redrow Homes and the Carden Group provide land for the third football pitch, but its construction is met by shared infrastructure costs under Category 4 or potentially a new Category 5.

Appendix 1: Pitch calculations

1. The following calculations are based on methodology which mirrors that used by Sport England in their online Playing Pitch Calculator using the currently planned population of 18,000 for Cranbrook as a whole, and team numbers and kick off times for football provided by Devon FA for the season 2021/22. It should be noted that the rugby pitch requirements have not been updated, but have been confirmed as remaining valid by the RFU.

Cranbrook's young population

2. In recognition that Cranbrook will have a notably different demographic than the average for across East Devon, Nortoft has applied a demographic model for the pitch calculations which has been agreed elsewhere in England for the production of playing field strategies and similar. The modelling uses 2036 as the estimated date for when all of the current allocations are built out and occupied, assuming some slippage from the housing trajectory, i.e. the full planned population of 18,000 will be in residence. The graph below illustrates the difference between the modelled demographics for Cranbrook and that for East Devon from the ONS at 2036.

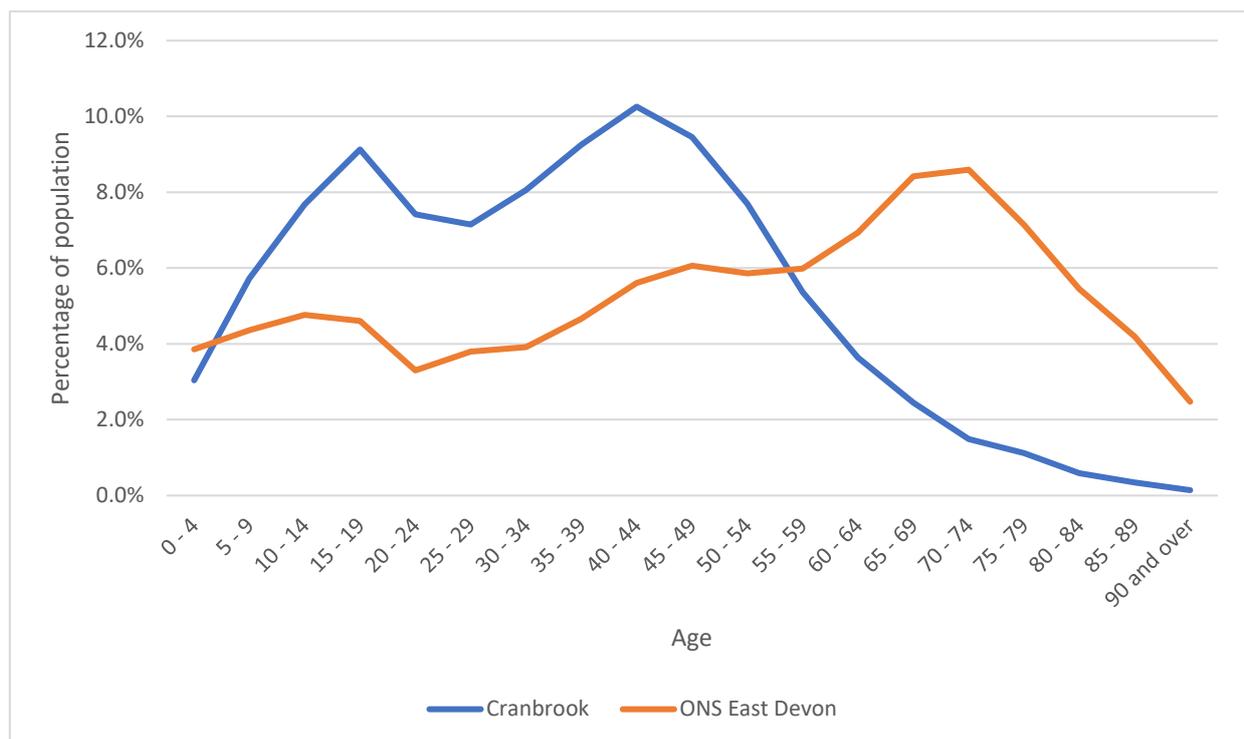


Figure 1: Cranbrook and East Devon forecast demographics at 2036

Football demand and pitch supply

3. The football team numbers for season 2021/22 were supplied by Devon FA, and the final team numbers were agreed with the Football Foundation to take into account the import and export of teams across the East Devon border. The information about kick-off days and times for matches and whether teams are mixed or single sex was also supplied by Devon FA.

4. Using Sport England standard methodology for Playing Pitch Strategies, the demand for football by 2036 was forecast for Cranbrook's 18,000 population, generating the number of teams at each age group. Taking into account the existing two senior pitches and one 7v7 pitch at Ingrams plus the planned 9v9 pitch at Cobdens, the required supply of football pitches at Treasbeare was generated. How this weekend pitch match demand could then be met at Treasbeare on a combination of a full size 3G AGP plus grass pitches was then considered. The capacity of both the AGP and grass pitches has been taken into consideration, as whilst the AGP is capable of withstanding a high level of use, grass pitches should be assumed to be capable of only withstanding the equivalent of 2 adult games per week.
5. The outcome of the modelling and programming shows that although the 3G AGP will be busy on Saturday mornings and afternoons and on Sunday mornings, there is spare capacity on Sunday afternoons and Saturdays after 16:30. These times can be expected to be either taken up by recreational football and rugby e.g. 5-a-side or walking, or by other clubs' bookings.
6. Of the grass football pitches at Treasbeare, 2 of the senior size pitches would be used twice on a weekend, reaching their natural capacity limit and are therefore justified. However, even by 2036, the proposed third grass pitch would only be used for one match every fortnight. This leaves potential space for 6 additional senior or youth teams to have this pitch as their home site in the future. However, if the local football leagues are able to offer greater flexibility in kick off times, or if the rate of senior football participation continues to fall as it has done nationally over recent years, there is no justification for a third senior football pitch. Indeed, the cost of maintaining it is likely to be greater than the income earned from its use.
7. However, the NGBs and EDDC have indicated that a third adult football pitch is desired, so this has been taken into account in the Redrow Homes and Carden Group proposals.

Rugby demand and pitch supply

8. The pitch requirements for rugby have been confirmed by the RFU as being the original envisaged pitch mix in CB3 i.e. 2 x senior grass pitches, 2 x midi grass pitches. The 3G AGP is proposed to be provided with a shock pad meeting the requirements of rugby for training (Reg 22 specification) which enables all of the rugby training to be away from the match pitches. Consequently, the grass rugby pitches can be used for both senior and youth games at a maximum of 2 matches per week, which is within the natural capacity of the grass surface.
9. Mini rugby needs can be met on the 3G AGP as they do not require rugby goals. All mini and youth rugby is played on Sunday mornings, so this fits well with the football demands.
10. The RFU require one of the proposed senior pitches to have match floodlights at 100 lux level. The costs at around £50,000 of this provision need to be included in the financial equalisation across the Cranbrook development.

Football modelling – supply and demand for matches

Cranbrook with 18,000 population at 2036 (7,750 homes)

	Team age group	Number of teams generated by development	Peak period		% play in peak period on relevant pitch size	Number of home matches generated by demand in peak period	Number of pitches required at peak time	Pitches at Ingrams (provided) / proposed at Cobdens	Matches that Ingrams /Cobdens can provide for including by overmarking/ consecutive matches	Shortfall to be met at Treasbeare	Treasbeare sports hub pitch provision
Mini-soccer 6-7 yrs - mixed	u7 & u8	4.6	Saturday	am	0.9	2.3	2.19	0	0	2.19	AGP with consecutive matches
Mini-soccer 8-9 yrs - mixed	u9 & u10	5.3	Saturday	am	0.9	2.7	2.44	1 (I)	3		Not required
Youth football 9 v 9 - boys	u11 & u12	4.9	Saturday	am	1.0	2.5	2.40	1 (C)	2	0.40	AGP alternate weeks
Youth football 9 v 9 - girls	u11 & u12	0.7	Sunday	am	1.0	0.3	0.35	1 (C)	1		Not required
Youth football 11 v 11 boys	u13 & u16	8.3	Saturday	am	1.0	4.1	4.14		2	2.14	AGP + grass
Youth football 11 v 11 girls	u13 & u16	1.3	Sunday	am	1.0	0.6	0.64	0	0	0.64	
Men's football	u17 +	14.2	Saturday	pm	1.0	7.1	6.82	2 (I)	2	4.82	AGP (2 games consecutive) + 2.5 grass
Women's football	u17 +	1.2	Sunday	pm	1.0	0.6	0.61	0	0	0.61	AGP alternate weeks

Appendix 2: Treasbeare pitch programming for winter weekends

AGP

Week 1		Saturday	09.00	09.15	09.30	09.45	10.00	10.15	10.30	10.45	11.00	11.15	11.30	11.45	12.00	12.15	12.30	12.45	13.00	13.15	13.30	13.45	14.00	14.15	14.30	14.45	15.00	15.15	15.30	15.45	16.00	16.15	16.30	16.45	17.00	17.15	17.30	17.45	18.00	18.15	18.30	18.45	19.00	19.15
		Q1	5v5			Youth 11v11									Adult 11v11						Adult 11v11						Recreation football or rugby																	
Q2	5v5			Youth 11v11									Adult 11v11						Adult 11v11						Recreation football or rugby																			
Q3	5v5			Youth 11v11									Adult 11v11						Adult 11v11						Recreation football or rugby																			
Q4				Youth 11v11									Adult 11v11						Adult 11v11						Recreation football or rugby																			
Week 1		Sunday	09.00	09.15	09.30	09.45	10.00	10.15	10.30	10.45	11.00	11.15	11.30	11.45	12.00	12.15	12.30	12.45	13.00	13.15	13.30	13.45	14.00	14.15	14.30	14.45	15.00	15.15	15.30	15.45	16.00	16.15	16.30	16.45	17.00	17.15	17.30	17.45	18.00	18.15	18.30	18.45	19.00	19.15
		Q1	Rugby mini use training												Adult women 11v11						Recreation football or rugby																							
		Q2	Rugby mini use training												Adult women 11v11						Recreation football or rugby																							
		Q3	Rugby mini use training												Adult women 11v11						Recreation football or rugby																							
		Q4	Rugby mini use training												Adult women 11v11						Recreation football or rugby																							
Week 2		Saturday	09.00	09.15	09.30	09.45	10.00	10.15	10.30	10.45	11.00	11.15	11.30	11.45	12.00	12.15	12.30	12.45	13.00	13.15	13.30	13.45	14.00	14.15	14.30	14.45	15.00	15.15	15.30	15.45	16.00	16.15	16.30	16.45	17.00	17.15	17.30	17.45	18.00	18.15	18.30	18.45	19.00	19.15
		Q1	5v5			Youth 11v11									Adult 11v11						Adult 11v11						Recreation football or rugby																	
Q2	5v5			Youth 11v11									Adult 11v11						Adult 11v11						Recreation football or rugby																			
Q3	9v9			Youth 11v11									Adult 11v11						Adult 11v11						Recreation football or rugby																			
Q4				Youth 11v11									Adult 11v11						Adult 11v11						Recreation football or rugby																			
Week 2		Sunday	09.00	09.15	09.30	09.45	10.00	10.15	10.30	10.45	11.00	11.15	11.30	11.45	12.00	12.15	12.30	12.45	13.00	13.15	13.30	13.45	14.00	14.15	14.30	14.45	15.00	15.15	15.30	15.45	16.00	16.15	16.30	16.45	17.00	17.15	17.30	17.45	18.00	18.15	18.30	18.45	19.00	19.15
		Q1	Rugby mini use training												Recreation football or rugby																													
		Q2	Rugby mini use training												Recreation football or rugby																													
		Q3	Rugby mini use training												Recreation football or rugby																													
		Q4	Rugby mini use training												Recreation football or rugby																													

Grass pitches

Pitch 1: Senior/Youth 11v11 grass football

Week 1	Saturday	am	pm
		Youth 11v11	Adult 11v11
	Sunday	am	pm

Week 2	Saturday	am	pm
		Youth 11v11	Adult 11v11
	Sunday	am	pm

Pitch 2: Senior/Youth 11v11 grass football

Week 1	Saturday	am	pm
		Youth 11v11	Adult 11v11
	Sunday	am	pm

Week 2	Saturday	am	pm
			Adult 11v11
	Sunday	am	pm
		Youth girls 11v11	

Pitch 3: Senior grass football

Week 1	Saturday	am	pm
			Adult 11v11
	Sunday	am	pm

Week 2	Saturday	am	pm
	Sunday	am	pm

Pitch 4: Senior rugby grass with match floodlights

Week 1/2	Saturday	am	pm
			Senior rugby
	Sunday	am	pm
		Midi rugby	

Pitch 5: Senior rugby grass

Week 1/2	Saturday	am	pm
			Senior rugby
	Sunday	am	pm
		Midi rugby	

Appendix 3: Costed options

The costed options for the alternative pitch mixes are given below.

Main Modifications proposal November 2021

	Area of a single pitch including run off/perimeter (ha)	Main Modifications proposal 2021	Treasbeare - total area of pitches (ha) required	Construction cost per pitch (SE Q2/2021 or market) excl abnormalities	Total construction cost	Land cost @ £300,000/ha	Total costs	S106 proposal towards 3G	Cost to Redrow/the Carden Group
Senior football	0.7420	2	1.48	£ 100,000	£ 200,000	£ 445,200	£ 645,200		
Youth football 11v11	0.5917	1	0.59	£ 80,000	£ 80,000	£ 177,510	£ 257,510		
Youth football 9v9	0.4108		0.00	£ -	£ -	£ -	£ -		
Mini football 7v7	0.2623		0.00	£ -	£ -	£ -	£ -		
Mini football 5v5	0.1419		0.00	£ -	£ -	£ -	£ -		
Senior rugby (incl r/o 124 x 78m)	0.9672	2	1.93	£ 140,000	£ 280,000	£ 580,320	£ 860,320		
Mini/midi rugby (80x53m)	0.4240	2	0.85	£ 57,070	£ 114,140	£ 254,400	£ 368,540		
3G AGP Rugby	1.0400	1	1.04	£ 1,335,000	£ 1,335,000	£ 312,000	£ 1,647,000	£ 419,000	
Sub total			5.90		£ 2,009,140	£ 1,769,430	£ 3,778,570		£ 419,000
Rugby floodlights				£ 50,000	£ 50,000	£ -	£ 50,000		
TOTALS			9.72		£ 2,059,140	£ 1,769,430	£ 3,828,570	£ 419,000	£ 2,912,570

Redrow/Carden Group proposal with 3 adult football pitches

	Area of a single pitch including run off/perimeter (ha)	Redrow/Carden Group proposal	Treasbeare - total area of pitches (ha) required	Construction cost per pitch (SE Q2/2021 or market) excl abnormalities	Total construction cost	Land cost @ £300,000/ha	Total costs	Cost to Redrow/the Carden Group
Senior football	0.7420	3	2.23	£ 100,000	£ 300,000	£ 667,800	£ 967,800	
Youth football 11v11	0.5917	0	0.00	£ -	£ -	£ -	£ -	
Youth football 9v9	0.4108		0.00	£ -	£ -	£ -	£ -	
Mini football 7v7	0.2623		0.00	£ -	£ -	£ -	£ -	
Mini football 5v5	0.1419		0.00	£ -	£ -	£ -	£ -	
Senior rugby (incl r/o 124 x 78m)	0.9672	2	1.93	£ 140,000	£ 280,000	£ 580,320	£ 860,320	
Mini/midi rugby (80x53m)	0.4240		0.00	£ 57,070	£ -	£ -	£ -	
Rugby match floodlights				£ 50,000	£ 50,000	£ -	£ 50,000	
3G AGP Football with shock pad	0.8512	1	0.85	£ 1,195,000	£ 1,195,000	£ 255,360	£ 1,450,360	
TOTALS			5.01		£ 1,825,000	£ 1,503,480	£ 3,328,480	£ 3,328,480

Redrow/Carden Group proposal with 2 adult football pitches

	Area of a single pitch including run off/perimeter (ha)	Redrow/Carden Group proposal	Treasbeare - total area of pitches (ha) required	Construction cost per pitch (SE Q2/2021 or market) excl abnormalities	Total construction cost	Land cost @ £300,000/ha	Total costs	Cost to Redrow/Carden Group
Senior football	0.7420	2	1.48	£ 100,000	£ 200,000	£ 445,200	£ 645,200	
Youth football 11v11	0.5917	0	0.00	£ -	£ -	£ -	£ -	
Youth football 9v9	0.4108		0.00	£ -	£ -	£ -	£ -	
Mini football 7v7	0.2623		0.00	£ -	£ -	£ -	£ -	
Mini football 5v5	0.1419		0.00	£ -	£ -	£ -	£ -	
Senior rugby (incl r/o 124 x 78m)	0.9672	2	1.93	£ 140,000	£ 280,000	£ 580,320	£ 860,320	
Mini/midi rugby (80x53m)	0.4240		0.00	£ 57,070	£ -	£ -	£ -	
Rugby match floodlights				£ 50,000	£ 50,000	£ -	£ 50,000	
3G AGP Football with shock pad	0.8512	1	0.85	£ 1,195,000	£ 1,195,000	£ 255,360	£ 1,450,360	
TOTALS			4.27		£ 1,725,000	£ 1,280,880	£ 3,005,880	£ 3,005,880

Redrow/Carden Group proposal with 2 adult football pitches plus land for 1 adult football pitch

	Area of a single pitch including run off/perimeter (ha)	Redrow/Carden Group proposal	Treasbeare - total area of pitches (ha) required	Construction cost per pitch (SE Q2/2021 or market) excl abnormalities	Total construction cost	Land cost @ £300,000/ha	Total costs	Cost to Redrow/the Carden Group
Senior football	0.7420	3	2.23	£ 100,000	£ 200,000	£ 667,800	£ 867,800	
Youth football 11v11	0.5917	0	0.00	£ -	£ -	£ -	£ -	
Youth football 9v9	0.4108		0.00	£ -	£ -	£ -	£ -	
Mini football 7v7	0.2623		0.00	£ -	£ -	£ -	£ -	
Mini football 5v5	0.1419		0.00	£ -	£ -	£ -	£ -	
Senior rugby (incl r/o 124 x 78m)	0.9672	2	1.93	£ 140,000	£ 280,000	£ 580,320	£ 860,320	
Mini/midi rugby (80x53m)	0.4240		0.00	£ 57,070	£ -	£ -	£ -	
Rugby match floodlights				£ 50,000	£ 50,000	£ -	£ 50,000	
3G AGP Football with shock pad	0.8512	1	0.85	£ 1,195,000	£ 1,195,000	£ 255,360	£ 1,450,360	
TOTALS			5.01		£ 1,725,000	£ 1,503,480	£ 3,228,480	£ 3,228,480

Appendix 4: Indicative sports hub pitches layout

