

East Devon Local Plan 2020-2042

Regulation 19 Publication Draft (February 2025)

Representations on behalf of: Hallam Land and Taylor Wimpey.

In respect of: Cranbrook.

REPRESENTATIONS

Introduction

- 1 Hallam Land and Taylor Wimpey have worked in partnership, and with others, to promote and secure the delivery of Cranbrook, with the first phase of some 3500 new homes (and which includes two new primary schools, secondary school, new railway station, ecology park, country park, district centre and most recently town centre), nearing completion. The outline planning permission was issued in October 2010.
- 2 Hallam and Taylor Wimpey remain committed to the ongoing implementation of the next phases of Cranbrook specifically:
 - the western expansion of Cranbrook (known as Bluehayes), East Devon District Council having resolved to grant consent for up to 870 new homes within the Bluehayes expansion area in June 2023 (application reference – 19/0620/MOUT); and
 - the final parcels within the town centre in their control – for a limited number of additional dwellings with planning applications due to be considered shortly by the Council.
- 3 Hallam and Taylor Wimpey had not anticipated the new East Devon Local Plan (2042) would impinge upon the continued progress of the proposals set out above – primarily because of the time invested in the Cranbrook Plan – adopted only in 2022. This remains their understanding but Hallam and Taylor Wimpey consider that there is a need for the emerging East Devon Local Plan to be completely clear in this respect. Hallam and Taylor Wimpey have made the following representations on the basis that there is a degree of ambiguity in the Local Plan’s treatment of Cranbrook and its relationship with The Cranbrook Plan.
- 4 The nature of the comments is such that representations could be duplicated in respect of many of the policies of the Local Plan. For simplicity, but also the avoidance of doubt, Hallam and Taylor Wimpey’s comments are in respect of Cranbrook and tied for convenience to para 1.4 of the new Local Plan which describes the relationship between Local Plan and Cranbrook Plan policies. The consequence of the representations that the tailpiece sentence in relation to many of the Local Plan policies (describing if or how the policy should apply to the Cranbrook Plan Area) should be reviewed on a case by case basis through the plan.

Ambiguity

- 5 Whilst recognising the complexity which results from the preparation of the Local Plan whilst the Cranbrook Plan remains extant, Hallam and Taylor Wimpey consider that the approach set out in the Draft East Devon Local Plan to 2042 generates uncertainty and is overly complex.
- 6 On the one hand, para 1.4 of the Local Plan 2042 is clear that once the new Local Plan is adopted, the Development Plan will continue to include Cranbrook Plan (which was adopted only in 2022 and provided a comprehensive development framework for the growth of Cranbrook and for development in general in the Cranbrook Plan Area). Indeed Para 1.4 of the draft Local Plan affirms that it is the “Cranbrook Plan”, not the new Local Plan, that is “*the primary plan for determining planning applications at Cranbrook*”.

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- 7 However, the introduction to the draft Local Plan equally states that *“many policies in this new local plan will also apply within the Cranbrook Plan area and should be applied alongside Cranbrook Plan Policies”*.
- 8 This has necessitated the Local Plan having to spell out in each draft Local Plan policy the application or otherwise of the Local Plans’ policies to Cranbrook. Even then a range of policy relationships have had to be identified. The following policy wordings are suggested in the various wordings of the Draft Local Plan policies:
- a) *“This policy applies across the whole local plan area including the Cranbrook Plan Area”* (most commonly used);
 - b) *“This policy does not apply in the Cranbrook Plan area”* – relatively rarely used outside site specific Local Plan policies;
 - c) *“This policy applies across the whole local plan area including the Cranbrook Plan area noting that the Cranbrook Plan also sets out Cranbrook bespoke requirements”* (Policy SP07)
 - d) *“This policy applies across the whole of the local plan area including the Cranbrook Plan Area, except areas that fall within the Built up areas boundaries defined in the Cranbrook Plan”* (e.g. Policy HN02 in relation to affordable housing)
 - e) *“This policy applies across the whole of the local plan area but in the Cranbrook Plan Area noting that there may be viability impacts at Cranbrook that will need to be taken into account at planning application stage”* (used only once – as the tailpiece to Policy HN03 in relation to Housing the Needs of older people)
 - f) *“This policy applies across the whole Plan Area including the Cranbrook Plan area but does not supersede any Cranbrook Plan policies”* (DS01 – Design and Local Distinctiveness)
 - g) *“The first part of TR04 (Residential car parking standards) applies to the Local Plan area excluding Cranbrook; the second part (Employment and other development parking standards) applies to the whole Local Plan area including Cranbrook”* (Policy TR04).
- 9 The Sustainability Appraisal, February 2025, prepared to support the draft Local Plan to 2042 appears to address Cranbrook only in terms of one element of context for the Local Plan policy development (e.g. the ability of a location to demonstrate access to Cranbrook station).
- 10 Moreover, sites within or adjoining the Cranbrook Plan area “are not being considered for allocation” in the Local Plan. They are “outside the scope of the East Devon Local Plan 2020-2042 as it is addressed in The Cranbrook Plan (adopted October 2022)”.
- 11 The Sustainability Appraisal therefore gives no consideration of the alternative policy options in the draft Local Plan: applying, not applying, partially applying, only applying subject to viability - as a general approach. Nor to any specific policy treatments insofar as they seek to address, or not address, Cranbrook issues.

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- 12 The Viability report prepared by Three Dragons and published in January 2025 is completely unequivocal in confirming that it has had no regard to the effect of any policies in the draft Local Plan on Cranbrook:
- a) *"This report does not reconsider viability in Cranbrook as that has already been subject to a detailed review through its own area specific Cranbrook Development Plan Document..."* (Executive Summary para 2)
- b) *"This report does not reconsider viability in respect of Cranbrook as that has already been subject to a detailed review through its own area specific Cranbrook Development Plan Document" (1.4)*

Policy Objections

- 13 Within this context Hallam and Taylor Wimpey is concerned that the Local Plan may be intended, or read, to place additional policy expectations on development at Cranbrook even though it looks to make no additional allocations at Cranbrook and a comprehensive policy framework is in place (i.e. the Cranbrook Plan). This may be a hypothetical concern in that this is not the policy intent. Or hypothetical as remaining consents for the Bluehayes allocation in the Cranbrook Plan, and for the realisation of the remaining capacity in the Town Centre, will have been secured through the issue of outline planning permissions well in advance of the adoption of the East Devon Local Plan, yet there is some potential for the application of additional expectations at reserved matters stage.
- 14 Testing this concern, Hallam and Taylor Wimpey perceive that in a number of areas potential additional policy expectations are being placed on development at Cranbrook by the Local Plan over and above that set out in The Cranbrook Plan. By way of example such additional requirements potentially include:
- New expectations and or contributions of development in the Cranbrook Plan area in relation to Clyst Valley Regional Park (WS09);
 - Carbon reduction and movement towards net zero development (CC01)
 - Specific elements of the requirement for net zero carbon development (CC02)
 - Requirement to address and minimise embodied energy usage (CC06)
 - Expectations in relation to the delivery of specialist housing within both the C2 and C3 use classed
 - Additional stipulations in relation to accessible and adaptable housing (HN04)
 - Additional stipulations relating to ecological enhancements (PB07)
 - Application of a 110 litres per day water standard (AR02)
- 15 Only in relation to Policy HN04 is there an explicit recognition that such an additional Local Plan policy expectation – when applied to Cranbrook – may cause *"viability impacts at Cranbrook that will need to be taken into account at planning application stage"*.

- 16 Other matters are duplicated for instance in relation to:
- Heat networks (CC05)
 - Provision for a mix of housing (HN001)
 - Access to open space and recreation (OS01)
- 17 Other matters appear to contradict and or confuse Cranbrook Plan policies including:
- in relation to affordable housing where no mention is made in the Local Plan to the expectation that 15% of new homes within the Cranbrook Plan area should be affordable.
 - In relation to Policy HN10 which looks to apply a rural exception policy to the Cranbrook Plan areas.
 - In relation to the tailpiece to be applied to Policy SE07 (relating to town centre development)
 - The application of Coastal Protection Area policies to Cranbrook (OL03)
 - The tailpiece in relation to sports and open space provision (Os02) which lacks clarity
 - Car parking standards (which are set out in CB20 of the Cranbrook Plan)
- 18 Hallam and Taylor Wimpey are mindful of the difficulties presented by having a comprehensive DPD – The Cranbrook Plan – and a separate Local Plan.
- 19 That said the ambiguity in the introduction of the Plan where the Cranbrook Plan is accepted as the primary plan for proposals within the Cranbrook area yet many new policies in the local plan will also apply is at best confusing and ineffective and, worse, in many instances not justified – where additional obligations are being spelt out without any supporting evidence through a new Viability Appraisal that considers additional impacts, or though the Sustainability Appraisal.
- 20 Hallam and Taylor Wimpey urge that a further and fundamental review of the relationship between the new Local Plan policies and those of the Cranbrook Plan (the primary plan) should be undertaken prior to the publication of the second regulation 19 version of the Plan.
- 21 To address the potential issues of soundness Hallam and Taylor Wimpey suggest that:
- the introductory section of the Local Plan (para 1.4) is updated to provide unambiguous guidance to the effect that where there is a policy in the Cranbrook Plan then this will not be superseded by any new policy set out in the Local Plan;
 - any new Local Plan policy should not place any additional financial or cost burden on development in the Cranbrook Plan area – such cost effects not having been assessed through the Local Plan and to avoid the Cranbrook Plan being undermined;
 - the need to apply new policy to the Cranbrook area through the Local Plan is carefully reviewed and avoided wherever possible (including for instance in relation to an alternative or additional approach to net zero carbon and embodied carbon).

- 22 In the light of the above the tailpiece elements of each Local Plan policy relating to the relationship of the Local Plan Policy and The Cranbrook Plan may need to be reviewed on a case by case basis.