

Filtered Data Export

Full name:

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Organisation (where relevant): Carden Group

Other party name (if relevant):

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Proposal:

1. Introduction

1. To which part of the Introduction chapter does your representation relate?:

Figure/Image

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: Policies Map

3. Do you consider that this part of the Introduction chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Introduction chapter is not sound. Please be as precise as possible.:

3.1 Carden Group recognises the importance of defining settlement boundaries to ensure that development is directed to appropriate locations in alignment with the Local Plan's objectives and spatial strategy. Clearly defined boundaries provide certainty for stakeholders and help manage sustainable growth in line with strategic policies.

3.2 However, the Interactive Policy Map, which serves as a key tool for interpreting the Local Plan, does not currently include crucial spatial designations from the adopted Cranbrook Plan. Most notably, it omits the Built-Up Area Boundaries for Cranbrook and its designated expansion areas including Treasbeare. These boundaries are fundamental for guiding development, ensuring policy clarity, and preventing inconsistent decision-making.

3.3 Given that Policies SP05 and SP06 explicitly reference the Cranbrook Plan—along with numerous other policies throughout the Local Plan—it is essential to integrate these designations into the Interactive Policy Map. Their omission risks creating confusion among developers, stakeholders, and decision-makers, which could lead to inconsistent policy application and unintended consequences for future development.

3.4 Furthermore, Carden believe that the clarity of policy maps is a fundamental requirement for the Local Plan to be found sound. Paragraph 16(d) of the NPPF explicitly states that plans should contain policies which are 'unambiguous, so it is evident how a decision-maker should react to development proposals.'

3(c). Please set out the modification(s) you consider necessary to make this part of the Introduction chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Introduction chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.:

3.5 To ensure clarity and consistency, we therefore strongly recommend that all Cranbrook Plan policy designations be made available as interactive layers on the Local Plan's Interactive Policy Map. These layers should most notably include, but not be limited to:

- The Built-Up Area Boundary for Cranbrook
- The designated expansion areas
- Gypsy and Traveller allocations 7
- Employment land allocations
- Sports Pitches
- The Cranbrook Plan area boundary

3.6 Incorporating these elements into the Interactive Policy Map will enhance usability and ensure that all relevant policy layers are easily accessible, facilitating informed decision-making.

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Proposal: 13. Our Outstanding Biodiversity and Geodiversity

1. To which part of the Our Outstanding Biodiversity and Geodiversity chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: PB05

3. Do you consider that this part of the Our Outstanding Biodiversity and Geodiversity chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Our Outstanding Biodiversity and Geodiversity chapter is not sound. Please be as precise as possible.:

5.1 Strategic Policy PB05 mandates that major development proposals achieve at least 20% Biodiversity Net Gain (BNG). The Carden Group strongly opposes this requirement on the grounds that it deviates from national policy, raises viability concerns, and lacks a robust evidence base to justify such an increase. National Policy Consistency and Justification

5.2 Local planning policies should align with national planning frameworks to ensure consistency and fairness in development standards. The Environment Act 2021 sets a national BNG requirement of 10%, which has been carefully assessed and legislated at a national level. Introducing a 20% threshold at the local level contradicts this policy and imposes an arbitrary uplift without clear justification.

5.3 Furthermore, there is no equivalent quantifiable evidence supporting a 20% BNG requirement. The justification, including the Lawton Report (2010) and the Nature Recovery Declaration (2023) do not specifically establish why this particular figure, and such a significant increase is necessary or appropriate in East Devon. Viability, Land Availability, and Economic Impact

5.4 While environmental responsibility is crucial, housing developments are not the primary cause of biodiversity decline. Doubling the national Biodiversity Net Gain (BNG) requirement unfairly places an excessive burden on developers, treating them as the main contributors to biodiversity loss. This goes beyond reasonable mitigation and

imposes unjustified obligations that could jeopardise the viability of essential housing and infrastructure projects.

5.5 As of March 31st, 2024, the Council's latest Housing Monitoring Update indicates that at least 2,720 homes are expected to be delivered through extant planning permissions, in addition to the 3,514 homes already completed since 2020. This brings the total to at least 6,234 homes or 28% of the Council's total anticipated 22,614-home supply over the plan period. These developments have either been exempt from Biodiversity Net Gain (BNG) requirements or were only expected to deliver the 10% threshold introduced by the Environment Act. Therefore, now imposing a significantly higher BNG obligation on future developments under the new Local Plan would create an unfair disparity.

5.6 Moreover, increasing the BNG requirement to 20% would necessitate additional land, leading to further delays in the planning and delivery process. Developers may need to acquire more land or secure off-site BNG solutions, which involve complex legal agreements, negotiations, and long-term management commitments. These delays are particularly concerning given rising housing targets under the Standard Method, as they risk slowing delivery at a time when meeting these targets is more critical than ever.

5.7 A higher BNG threshold could therefore lead to:

- Reduced housing supply due to viability and less land being available for development.
- Extended project timelines, further delaying much-needed development.
- Increased housing costs, exacerbating affordability challenges.
- A competitive disadvantage for the East Devon area, as investors and developers prioritise other council areas with policies that are aligned with national standards.

5.8 A 2020 viability report by Swale Council for example found that doubling biodiversity net gain requirements (to 20%) increased total developer costs by 19%. As a result, it is essential that BNG policies strike a balance between ecological objectives and economic realities.

3(c). Please set out the modification(s) you consider necessary to make this part of the Our Outstanding Biodiversity and Geodiversity chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Our Outstanding Biodiversity and Geodiversity chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.:

5.9 We therefore recommend that the requirement for BNG remains at 10% instead of increasing to 20%, as the higher threshold lacks clear policy justification, economic assessment, or alignment with national planning policy guidance. Moreover, given that at least 28% of housing sites since 2020 have not been required by policy to deliver 20% BNG, the increased requirement would unfairly concentrate the burden on the remaining developments in the district. This creates a disproportionate obligation for future schemes, exacerbating viability challenges and distorting the level playing field for developers. Instead of supporting sustainable growth, the higher requirement introduces unnecessary complexity, financial risk, and significant project delays, potentially jeopardising the timely delivery of much-needed housing.

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Proposal:

4. Development at the West End

1. To which part of the Development at the West End chapter does your representation relate?: Paragraph

1(a). Please write down the paragraph, policy or figure number that your representation relates to.:

4.4

3. Do you consider that this part of the Development at the West End chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development at the West End chapter is not sound. Please be as precise as possible.: The Site

6.1 As previously mentioned, we believe the Local Plan does not provide a sufficiently flexible supply of housing land. To meet identified housing needs in a sustainable location, we propose that our site that is situated south of the approved Treasbeare Farm development and covers approximately 60 acres (see outline below) to the south of Cranbrook should be allocated for housing.

6.2 The site consists of arable land and grassland pasture, enclosed by a network of hedgerows and trees. At its centre lies the Treasbeare Farmstead, which includes several deteriorating buildings covering approximately 4 acres of the site.

Housing and Economic Land Availability Assessment (HELAA) (2022) – Site Reference GH/ED/02

6.3 In the latest HELAA, the Council rightly concluded that the site, along with the area which is now approved for housing, is suitable for both housing and employment uses.

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Proposal:

4. Development at the West End

1. To which part of the Development at the West End chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: WS09

3. Do you consider that this part of the Development at the West End chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development at the West End chapter is not sound. Please be as precise as possible.:

4.1 We generally support the aims of Policy WS09, in respect of the Clyst Valley Regional Park (CVRP) in ensuring that development proposals within and adjacent to the CVRP will integrate Green Infrastructure and support the achievement of the objectives in the CVRP Management Plan. Location

4.2 The boundaries of the Clyst Valley Regional Park have changed between the 2021 25-Year Masterplan and the version shown in the draft emerging Local Plan policy map.

4.3 Most notably, the updated boundaries now include additional areas to the south of Cranbrook, such as the land surrounding Treasbeare Farm. However, this area does not contain any tributaries that feed into the River Clyst, which is located over a mile to the west of the farm.

4.4 As a result, many of the newly proposed boundaries appear arbitrary and misaligned with the natural geography of the Clyst Valley, where the River Clyst and its main tributaries are situated. The policy justification provides no clear evidence to explain the rationale behind these significant boundary alterations. Without such supporting evidence, the plan fails to meet the justification requirement outlined in Paragraph 36(b) of the NPPF, which states that policies must be 'justified – an appropriate strategy, taking into account the reasonable alternatives, and based on proportionate evidence'.

4.5 Without clear evidence or rationale for these boundary changes, the policy does not meet this test and lacks the necessary justification to support its implementation. Viability and Practical Implications on Developments

4.6 We also have serious concerns regarding the fairness and practicality of how ecological enhancements are to be delivered within this area, particularly the disproportionate burden placed on new development proposals.

4.7 The proposal requires new developments within the CVRP to implement ecological enhancements, yet much of this land remains under private ownership, primarily used for agriculture. It therefore would not be fair to impose these requirements solely on new developments whilst allowing 9 existing landowners to continue to operate their land without any obligation to fulfil the objectives of the CVRP.

4.8 So, again although we support ecological enhancement, placing excessive ecological obligations on new development proposals within the CRVP could risk making these projects unviable, leading to delays or cancellations.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development at the West End chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development at the West End chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.:

4.9 Carden recommends that the boundaries of the Clyst Valley Regional Park (CVRP) be revised to accurately reflect the actual geographical extent of the valley. The boundaries should be more closely aligned with the evidence base, principally in this instance the 25-Year Masterplan for the Regional Park, which was formally approved by the Council in February 2021.

4.10 Additionally, we recommend removing the terms "close" and 'adjacent' when referring to development proposals near the park, as it is overly ambiguous and lacks clear definition. The CVRP's targets should remain achievable and focused within the 2,338 hectares covered by the extent of the park at the time the 25-Year Masterplan was written.

4.11 Regarding development proposals inside the park and their ecological contributions to the park's objectives, we recommend modifying the policy wording to: "where viable" major development proposals will contribute to as many of the CVRP objectives and targets as possible. This ensures a more flexible and pragmatic approach, acknowledging site-specific viability constraints while still supporting the overall goals of the park.