

Report to: **Strategic Planning Committee**

Date of Meeting: Tuesday 27 November 2018

Public Document: Yes

Exemption: None

Review date for release None



Agenda item: 15

Subject: **Cranbrook Plan Development Plan Document**

Purpose of report: The report provides an update on the production of the Cranbrook Plan Development Plan Document and associated timescales and also provides an update on current planning applications and development in the town.

Recommendation: **That Members note the content of the report**

Reason for recommendation: To allow the continued production of a Development Plan Document to guide the expansion of Cranbrook to around 8,000 homes to be progressed.

Officer: Ed Freeman, Strategic Lead Planning Strategy and Development Management, 01395 517519

Financial implications: No specific financial implications at this stage

Legal implications: At this update stage there are no legal implications other than those as set out within this report

Equalities impact: High Impact

The Development Plan document will need to ensure that the needs of all groups and sections of society are considered and catered for, including Gypsies and Travellers.

Risk: Medium Risk

The expansion of Cranbrook to circa 7850 homes represents the single largest contribution to meeting the strategic housing requirement in the District. It is vital that this comes forward on a comprehensive basis. The Cranbrook Development Plan document is identified in the Local Plan as being critical to securing the long term success of Cranbrook.

Links to background information:

- Cranbrook Plan Preferred Approach documentation
<http://eastdevon.gov.uk/planning/planning-policy/cranbrook-plan/cranbrook-plan-preferred-approach-consultation-201718/#article-content>
- Issues and Options report
<http://eastdevon.gov.uk/planning/planning-policy/cranbrook-plan/issues-and-options-consultation/#article-content>
- Cranbrook Plan evidence base
<http://eastdevon.gov.uk/planning/planning-policy/cranbrook-plan/cranbrook-plan-preferred-approach-evidence-base/#article-content>

- Rockbeare Neighbourhood Plan
- <http://eastdevon.gov.uk/media/2653631/Rockbeare-Neighbourhood-Plan-Referendum-Version-July18.pdf>

Link to Council Plan: Encouraging communities to be outstanding, developing an outstanding local economy, delivering and promoting our outstanding environment.

1 Background

Outline planning permission for the first 2,900 homes at Cranbrook was issued in October 2010 followed shortly by the reserved matters for the first 1100 homes in April 2011. Development commenced in June 2011 and progress since then has been rapid. Particular milestones have included:

- The first households moving in during July 2012
- The opening of the first primary school (St Martin's) in September 2012
- The start of the bus service in May 2013
- Elections to the newly formed Cranbrook Town Council in May 2015
- The opening of the new education campus (including the second primary school and first secondary school) and the first shop in September 2015
- The commencement of rail services from Cranbrook station in December 2015
- The opening of the Cranberry Farm pub in the town centre in May 2017

Today there are approximately 1,850 households living at Cranbrook, equivalent to a population of around 4,300 people. The town has been given Healthy New Town status (one of only ten such developments in England) as part of an NHS England programme and alongside Exeter has been selected as one of 12 demonstrator sites for a Sport England Local Delivery Pilot aimed at tackling inactivity. These demonstrate that Cranbrook has a national profile.

2 Local Plan

The Local Plan anticipates Cranbrook comprising approximately 7,850 new homes by 2031. This equates to a population of around 18,500 people meaning that Cranbrook will have quickly expanded to become the second largest town in the District. Accommodating a further 4,270 homes at Cranbrook over and above what currently has the benefit of planning permission represents the single largest contribution to meeting the strategic housing requirement in the District.

3 Cranbrook Plan to date

In November 2014 the Council committed to a masterplanning exercise, known as the Cranbrook Plan, to review progress with the new town, refresh the vision and guide the expansion to 7,850 homes. Specifically this would address the 1,550 homes that are not currently allocated through Strategy 12.

In June and July 2016 an issues and options public consultation was held in relation to the Cranbrook Plan. The consultation responses highlighted that minimising impact upon surrounding communities, noise on proposed residents and returning London Road to being a focus for commercial development are all important factors to the public. The two favoured development scenarios both involved some development south of the London Road (B3174), including development to the north east of Rockbeare.

In November 2017, Strategic Planning Committee approved an 8 week period of consultation on a preferred approach document for the Cranbrook Plan, which took forward the favoured development scenarios and produced a draft masterplan for development to show these. This consultation ran from 10 November 2017 to 8 January 2018 and although was not a statutory requirement, consultation at such a stage is considered good practice.

The preferred approach consultation documentation comprised the masterplan for Cranbrook, which set out the evidence behind the preferred approach as well as plans identifying land for differing types of development, and a separate list of policy requirements. In addition, the Sustainability Appraisal and Strategic Environmental Assessment reports to accompany the plan were also consulted upon. The evidence base behind the plan was available for public viewing during the consultation period.

A total of 138 consultation responses were received during the consultation period. Of these, 6 were from Town and Parish Councils, 2 from County Councils (Devon and Somerset), 2 from District Councillors, 16 from other groups and consultation bodies, 12 from developers or agents and the remaining 100 from members of the public. The majority of the representations from members of the public were from residents of Cranbrook and the surrounding settlements of Broadclyst Station, Rockbeare and Whimble.

4 Progress since Preferred Approach consultation

Since the closing of the Preferred Approach consultation there have been two relevant changes to planning policy considerations in respect of the Cranbrook Plan DPD. The first is that in July 2018 the Government published the updated National Planning Policy Framework. The Cranbrook Plan DPD will need to ensure that it is in compliance with that document; Officers are confident of this being the case.

The second change arises from the making of the Rockbeare Neighbourhood Plan in October 2018. The Rockbeare Neighbourhood Plan now forms part of the East Devon Development Plan and includes policy Rock06 Green Wedge which builds upon Strategy 8 in the East Devon Local Plan 2013-2031 and states that development in the Green Wedge in the Rockbeare Neighbourhood Plan area will not be supported other than in limited cases (for agriculture, horticulture or forestry, to support the Clyst Valley Regional Park or where within existing curtilage and proportionate in scale and type).

At Preferred Approach stage, it was proposed to include a limited amount of built development in the identified Green Wedge in Rockbeare parish, which would be in conflict with Rock06. This particular matter was the subject of specific feedback to Members as part of the SPC report on 20 March 2018. Since then Officers have reviewed the inclusion of this land in the Cranbrook Plan and continue to be of the opinion that the evidence to justify inclusion of this land in the Cranbrook Plan is robust and backed up by landscape and visual impact evidence which demonstrates that there would be no visual coalescence between the two settlements due to land form. The inclusion of the land would allow for a more coherent pattern of development when assessing Cranbrook and its relationship with London Road whilst still retaining the character of Rockbeare and preserving views out of the village.

Legislation allows for there to be discrepancies between two plans, with section 38 of the Planning and Compulsory Purchase Act 2004 stating that where there is conflict between two plans, it must be resolved in favour of the policy which was last adopted, approved or published. On this basis, were the land allocations identified in the preferred approach document adopted, they would

supersede the part of Strategy 8 in reference to development in the Green Wedge near Cranbrook and Rock06 of the Rockbeare Neighbourhood Plan.

Viability testing of the Cranbrook Plan is being undertaken by external consultants, however at the time of writing this has not yet been completed and so the Plan cannot yet be finalised as this piece of work needs to be completed so as to find the plan viable and a final prioritisation exercise undertaken to firm up infrastructure funding.

In July 2018 Officers attended Cranbrook Day, a community event held at the Cranberry Farm pub. The event was very well attended and a community exercise of infrastructure prioritisation was undertaken and well received with positive feedback. The exercise gave the community the opportunity to identify what infrastructure they would fund if they only had a limited financial budget. When weighted by fully funding each item of infrastructure (the more expensive items were given the option of part funding), the fitting out of the permanent library was given the highest priority followed by the delivery of community buildings, temporary shops in the town centre and a leisure centre with swimming pool.

Since the report to SPC in March 2018 presenting feedback from the Preferred Approach consultation, additional work has been undertaken by external consultants in relation to landscape and visual impacts of specific areas for development in the Treasbeare and Cobdens areas following comments received during the consultation by the New Community Partners (current development consortium). This has helped to inform the extent of development in the eastern area of each parcel. A further piece of work to confirm the costs of undergrounding the overhead power lines in the Cobdens area has also been commissioned and these more accurate costs are informing the current viability testing exercise.

The Cranbrook Plan has been refined and development parcels amended in some areas since the Preferred Approach consultation and this is necessitating an updating of the drainage strategy for the expansion of the town to ensure that adequate Sustainable Urban Drainage solutions are available to support the development proposed.

Alongside production of the publication version of the Cranbrook Plan, work is being progressed on accompanying statutory documentation such as Sustainability Appraisal and Strategic Environmental Assessment as well as non-statutory supporting documentation and evidence to include a Health Impact Assessment.

The masterplan which was used as the main consultation document for the Preferred Approach consultation is required to be comprehensively updated to reflect changes made since the last consultation. The revised document will then form part of the evidence base to the Cranbrook Plan DPD.

5 Next steps

The proposed publication draft of the Cranbrook Plan will be reported to Strategic Planning Committee and Full Council for endorsement to submit to the Planning Inspectorate for examination in public. Due to the large amount of background work required to produce the final publication version of the plan it is now anticipated that the plan will be presented to Strategic Planning Committee at the meeting of 29 January 2019 and will then go to Full Council on 27 February. This is a delay of two months from that which Officers had been most recently anticipating.

Consultation would take place for a period of not less than 6 weeks following endorsement by Full Council. Following this final period of consultation the DPD and associated documents and supporting evidence, including comments received during the consultation, will be submitted for

examination. A government appointed planning inspector will assess the plan and come to final conclusions on whether it can be formally approved and adopted under plan making processes and regulations. The inspector may recommend a number of changes to the plan and it may also be that further consultation, on these, is required. On final adoption by the Council the plan will, however, carry its full statutory weight in decision making processes. It will be the primary document that is turned to and used in determining future planning applications at Cranbrook.

6 Update on current planning applications and projects

Of the 2900 homes granted outline planning permission in 2010, reserved matters approval has now been given for just over 1900 homes, leaving around 1000 homes left to be given such approval. Just under 4 years remains for these approvals to be sought under the terms of the outline consent.

The 587 homes granted under a separate full planning permission for phase 2 of the development are now complete and work on the delivery of homes in phase 3, to the east of the future town centre has begun with Persimmon and Taylor Wimpey both having occupations and a partnership between Galliford Try Partnerships and Live West (branded as Linden Homes for sales purposes) having commenced on site for 180 homes.

The final stretches of the main local route (MLR) through phase 4 of the town have been consented and work on their delivery has begun, which will result in a fourth roundabout onto London Road being provided at the junction to Rockbeare. Taylor Wimpey submitted a reserved matters approval for 256 homes in phase 4, at the eastern extremities of the town earlier in 2018. This application has not yet been determined as following a European Court of Justice decision in relation to the Habitat Regulations, we are now required to carry out an assessment of the impact of development upon the European protected sites of the Exe Estuary and Pebblebed Heaths. This has resulted in there being a requirement for the securing of mitigation in the form of a financial contribution for all housing yet to receive reserved matters approval at Cranbrook; the legal agreement for this is in the process of being drafted. The Taylor Wimpey application will be capable of determination once this has been resolved. Other sites with outline planning permission in the District are not anticipated to be affected by this Court decision as they will already have secured appropriate mitigation.

In 2014 an outline planning application was made by Cranbrook LVA Llp for up to 250 homes on land known as Farlands, north of London Road, but outside the allocated land for the expansion of the town. Discussions continue with the applicant in respect of this application and in particular regarding infrastructure requests to support the delivery of housing on this land, which the Preferred Approach consultation documentation identified for development.

In 2015 outline planning applications were submitted for the three expansion areas (Bluehayes, Cobdens and Treasbeare) in the control of members of the New Community Partners. Two of the three areas (bar Treasbeare) is allocated for development in the East Devon Local Plan 2013-2031. Each of the applications contained insufficient information in support of the submitted Environmental Statements and were subject of Regulation 22 (now Regulation 25) notices under the Environmental Impact Assessment Regulations, seeking additional information. The information requested has never been submitted in respect of any of the three applications and they continue to be held in abeyance.

In 2017 a revised outline planning application was submitted by Hallam Land Management and Taylor Wimpey for the Treasbeare expansion land. The application sought to address a number of concerns previously raised in relation to the earlier 2015 application and to more closely align with the anticipated masterplan. Discussions on this specific application have not progressed in recent months although discussions more generally on masterplan issues have been the subject of regular meetings in order to resolve conflict and share knowledge and expertise in order to reach a positive outcome for all.

Officers continue to work proactively with the New Community Partners, Cranbrook Town Council and Devon County Council in order to try to secure delivery of key items of infrastructure, particularly in the Town Centre. Discussions are underway with regard to finding a location for the proposed skateboard park and updated business planning for the Town Council Offices (with co-located library) has been jointly commissioned by Cranbrook Town Council and the Exeter and East Devon Growth Point team. This piece of work also looks at the financial implications of including a floor of lettable office space and 500 square metres of retail floor space in order to provide necessary facilities for residents and to provide the Town Council with a revenue stream. It is now accepted that a dedicated Country Park Resource Centre will not be delivered in the town but rather the Town Council Offices will be used for Country Park education purposes. Part of the previously identified S106 funding for this facility will be re-directed to providing an enhanced sports pavilion at the Ingrams sports pitches, which will fulfil the community function space that the Resource Centre would have delivered. A planning application for this building, alongside the second MUGA is anticipated shortly.

To date 10% of all homes at Cranbrook have been 'affordable by design' properties, whose maximum floor spaces have been limited by the terms of the existing S106 agreement. These are properties whose floor spaces have been below that which would normally be seen for two or three bedroom properties and which therefore have a lower open market value; they do not fall under the definition of affordable housing. With a drive to improve people's health and wellbeing at the town and lenders being increasingly reluctant to lend on the current terms of the S106 agreement, Officers consider it appropriate to cease the requirement for these houses to be delivered. A deed of variation to the S106 agreement is being progressed to deal with this matter.

Alongside the work detailed above, East Devon District Council Officers also sit on the Healthy New Towns Executive board and are actively involved in the Sport England Local Delivery pilot project, which is being hosted by Exeter City Council. Engagement in these two pilot projects is resulting in better co-ordination between stakeholders to the benefit of the residents of the town.