

## East Devon Local Plan – Topic Paper

### Chapter 14. Open Space and sports and recreation facilities

Audit trail local plan evolution document and consultation statement

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## **1 Introduction**

- 1.1 This is one of a series of topic papers that will sit behind and help explain the content of and evolution of the Publication draft of the East Devon Local Plan.
- 1.2 There may be new versions of this topic paper as plan making progresses to Publication and thereafter into and through plan Examination.
- 1.3 This topic paper specifically addresses Chapter 14 of the plan - Open space and sports and recreation facilities.

## **2 The Publication draft of the Local Plan**

- 2.1 This report is a redraft of an earlier report and in revised form it is specifically concerned with supporting the local plan at the Regulation 19 stage of plan making work. There are specific Government regulations that apply to local plan making and these set out actions that need to be undertaken at different regulatory stages (this report specifically relates to Regulations 18, 19 and 20).
- 2.2 The proposed Publication draft text of the local plan is an edited and amended draft of the consultation draft plan published in November 2022. The draft plan was consulted on under plan making Regulation 18 with further limited additional consultation under this regulation in the Spring of 2024.

## **3 Summary of proposed redrafting of Chapters 14 of the consultation plan**

- 3.1 Chapter 14 of the consultation draft local plan (November 2022) formed a starting point for consultation on policy for sports and recreation in the local plan. Significant changes have not been made to the plan chapter other than applying Fields in Trust standards for open space provision and otherwise refining policy shape and approach.
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## 4 Issues and options consultation

- 4.1 Prior to production and consultation on the draft local plan the Council consulted on a local plan Issues and Options<sup>1</sup> report. This included a series of questions that responses and comments were invited on. A feedback report was published<sup>2</sup>.
- 4.2 In the issues and options report there were not direct questions about open space and recreation matters though there were limited comments in feedback received that were of relevance. General in-principal support was given to the importance of provision.

## 5 Draft plan consultation

- 5.1 In the draft plan consultation Chapter 14 formed one of the plan chapters that was consulted on. A full feedback on the consultation can be viewed at - [accessible-reg-18-consultation-feedback-report-spring-2023.pdf \(eastdevon.gov.uk\)](https://www.eastdevon.gov.uk/accessible-reg-18-consultation-feedback-report-spring-2023.pdf)
- 5.2 One general comments raised in feedback, of relevance to the recreation chapter overall, was received from Sport England, this was summarised as:
- In representation Sport England set out details of their role and responsibilities and amongst other matters advise that in order to meet the requirements of the NPPF there should be a strategy (supply and demand analysis with qualitative issues included) covering the need for indoor and outdoor sports facilities, including playing pitches. They note the Council's local plan comment para 14.6 to complete a new Playing Pitch Strategy. They also note the Council has a Leisure Strategy but question whether it meets the requirements of the Assessing Needs and Opportunities Guidance in respect of being sufficient to be a Built Facilities Strategy.
- 5.3 It is advised that the Council, through consultants, are preparing a Playing Pitch Strategy and this, along with other ongoing Leisure Strategy work, will refine the Councils understand of supply and demand considerations. The council has developed and is further developing a robust approach in respect of promoting sports and formal recreation provision.

## 6 Further Regulation 18 consultation Spring 2024

- 6.1 In the late Spring of 2024 there was further Regulation 18 consultation on selected topic matters. Open space and recreation policy were not matters that were explicitly consulted on. However, in comments on such matters as Green Wedges, that were consulted on, there was feedback

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<sup>1</sup> [issuesandoptionsreport-jan2021.pdf \(eastdevon.gov.uk\)](https://www.eastdevon.gov.uk/issuesandoptionsreport-jan2021.pdf)

<sup>2</sup> [2a. Consultation feedback report Ver 03.pdf \(eastdevon.gov.uk\)](https://www.eastdevon.gov.uk/2a.Consultation%20feedback%20report%20Ver%2003.pdf)

highlighting relevance and importance, and potential role, of such open spaces to provide particularly open space provision.

## **7 Sustainability Appraisal feedback**

- 7.1 The draft local plan was supported by a Sustainability Appraisal<sup>3</sup> (SA). This SA will be updated and refined as plan making progresses and it will be one of the documents that is submitted as part of the submission for Examination.
- 7.2 The SA report of the draft plan was largely supportive of the policy approach being taken forward for open space and recreation provision. Noting a number of health and well-being benefits, in particular, of draft plan policy.

## **8 Habitat Regulation Assessment**

- 8.1 The local plan will need to be assessed under the Habitat Regulations. A preliminary assessment of policies in the draft plan has been produced – [east-devon-local-plan-hra-110723-2013-doc-from-footprint.pdf \(eastdevon.gov.uk\)](https://www.eastdevon.gov.uk/media/110723-2013-doc-from-footprint.pdf)
- 8.2 In respect of Habitat Regulation Assessment negative matters were not identified as arising from draft plan policy on open space and recreation that generated concerns..

## **9 Assessment of policies in chapter 14**

- 9.1 Chapter 14 of the draft plan set out a series of policies that are reviewed below.

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<sup>3</sup> [sa-of-pos-consultation-draft-lp\\_2022.pdf \(eastdevon.gov.uk\)](https://www.eastdevon.gov.uk/media/110723-2013-doc-from-footprint.pdf)

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**General issues raised on Chapter 14 - Open space and sports and recreation facilities**

- Through consultation and evidence gathering work policies in the draft local plan on sport and recreation provision were generally supported and seen as appropriate. The sports and recreation chapter seeks provision of new and enhanced facilities highlighting that these are crucial to human health and well being.

Issues and options consultation

We asked about the importance of promoting health and wellbeing throughout the local plan.

The majority of the respondents (82%) felt it is important to promote health and wellbeing throughout the Local Plan. The written comments mostly related to the Covid-19 impact, both physically and mentally. General comments supported preserving and maintaining open space and access to the natural environment. Numbers of comment suggested a safe and well-linked cycle and walk path should be part of local planning, this would encourage more non-vehicle travel within the local area.

Only a small number of respondents - 3% felt not important to promote health and wellbeing throughout the local plan, as they believed this should be a topic lead by NHS and Public Health England, not the key task for East Devon District Council and it is the responsibility for each individual.

Officer commentary in response:

- It is noted and welcomed that significant support through this early engagement was attached to preserving open space and its role in respect of health and well being promotion.

Draft Plan consultation	
<p>Key issues raised in consultation:</p> <ul style="list-style-type: none"> <li>In representation Sport England set out details of their role and responsibilities and amongst other matters advise that in order to meet the requirements of the NPPF there should be a strategy (supply and demand analysis with qualitative issues included) covering the need for indoor and outdoor sports facilities, including playing pitches. They note the Council’s local plan comment para 14.6 to complete a new Playing Pitch Strategy. They also note the Council has a Leisure Strategy but question whether it meets the requirements of the Assessing Needs and Opportunities Guidance in respect of being sufficient to be a Built Facilities Strategy.</li> </ul>	<p>Officer commentary in response:</p> <ul style="list-style-type: none"> <li>The evidence needs highlighted by Sport England have been produced or are in production.</li> </ul>
Supplementary Regulation 18 consultation Spring 2024	
<p>Key issues raised in consultation:</p> <ul style="list-style-type: none"> <li>No specific issue are identified in feedback received.</li> </ul>	<p>Officer commentary in response:</p> <ul style="list-style-type: none"> <li>No comments are raised.</li> </ul>
Sustainability Appraisal	
See Sustainability Appraisal table below.	No specific matters raised.
Habitat Regulations Assessment	
Key issues raised in consultation:	Officer commentary in response:

• No general concerns raised.	• No comments.
Commentary on policy redrafting for the Publication Plan	
No significant changes are made to overarching introductory references to the chapter.	

<b>Strategic Policy 96 – Access to open space and recreation facilities</b>	
<ul style="list-style-type: none"> <li>This policy seeks to set out an overarching position on securing new and enhanced open space and recreation facilities. Based on securing high quality facilities that meet people’s needs.</li> </ul>	
Issues and options consultation	
<ul style="list-style-type: none"> <li>The Issues and options consultation Question 25 asked about the comparative importance of various facilities. The comments show that people attached most importance (out of a choice of 20 options) to open spaces, with just over 60% of responses stating this as being essential when thinking about where they would like to live.</li> </ul>	<ul style="list-style-type: none"> <li>The importance of open space to people and where they live and quality of places was clearly reflected in feedback and forms an important policy consideration for the local plan (applicable to this plan chapter and others).</li> </ul>
Draft Plan consultation	
<p>Key issues raised in consultation on this draft chapter, taken from the feedback report were:</p> <ul style="list-style-type: none"> <li>Whilst there was general support in feedback for access to open space and recreation facilities, with respondents noting physical and mental health benefits, climate resilience and biodiversity.</li> <li>Sport England advise that all new dwellings (19000 approx.) in East Devon in the plan period should provide for new or enhance existing sport and recreation facilities to help create opportunities for physical activity whilst having a major positive impact on health and mental wellbeing. They support use of planning obligations to</li> </ul>	<p>Officer commentary in response:</p> <ul style="list-style-type: none"> <li>The general support for the approach of policy is to be welcomed and it is recognised that it is importance for the local plan to set out achievable but still aspirational objectives.</li> <li>Effective means for ensuring delivery of facilities will need to be established and whilst policy can set standards implementation will fall beyond the plan.</li> <li>The overall standards for open space provision plan policy will need some further assessment and potential refinement – and</li> </ul>

<p>ensure delivery and advise that where appropriate new sporting provision should form part of on-site provision.</p> <ul style="list-style-type: none"><li>• Good accessibility to open space was highlighted in representation as being very important.</li><li>• Devon Wildlife Trust advise - we would welcome the inclusion of reference to the requirement for enhancement of our natural environment within this section.</li><li>• There was a concern that in the past standards have not been met and there is now frequently under-provision.</li><li>• Though a respondent cited the quality of open space provision achieved in the 1950s and 60s.</li><li>• There were challenges around standards – with a response highlighting both qualitative and quantitative considerations and questioning whether standards in Policy 97 are the ones sought.</li><li>• World Health Organization standards were highlighted in representation with access for people to at least 0.5-1ha of public green space within 300m of their home.</li><li>• A respondent advised that wherever possible EDDC should endeavour to exceed minimum standards.</li><li>• A respondent also advocated the UN target of 3 trees visible from every home, with a green space within 30 metres and that green space should be a minimum of 300 square metres.</li><li>• A respondent advocated that 25% to 30% of all developments should be a set aside as open space.</li><li>• There was concern that open spaces can be, but should not be “multiple of tiny 'offcuts' of land that are basically unusable”.</li><li>• Challenges around ability to successfully implement policy.</li></ul>	<p>once established in policy the expectation is that they should be implemented. Whilst exceeding them would often be desirable this would need to be seen in the planning balance, if for example it compromised other objectives sought through the planning process.</p> <ul style="list-style-type: none"><li>• Open space provision, noting concerns raised, should not be off-cuts of remnant land after development. This is an important consideration that should be reflected in plan policy.</li><li>• It is noted in a number of representations there were calls for specific facilities in specified localities. Whilst there will be some opportunities through plan policy and planning more generally to target new and improved facilities in certain localities much of the delivery of facilities to address any existing shortfalls will need to fall outside of the role of planning policy and sit within a potential separate project implementation remit.</li><li>• There were calls for protection of existing open spaces and facilities and avoidance of selling them off. Protection of existing facilities, unless in rare cases there is a surplus supply, or development will help to generate net overall improvements, should be an important consideration of planning policy.</li><li>• High quality design standards, as referenced in comment. Are recognised as important and should be reflected in policy wording.</li></ul>
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<ul style="list-style-type: none"><li>• There were calls for additional facilities in certain locations including football and rugby provision in the Exmouth and more open space and connectivity in and through the town, an indoor sports hall in the Sid valley, West Hill needs open space, Cricket pitch needed in Lympstone.</li><li>• A respondent advised that open space needs to be available in all weathers with too much land being used falling in flood plains.</li><li>• A response considered that we should protect existing open spaces for future generations and spaces should not be sold off as assets that can be materialised in the short term.</li><li>• There was a call for open spaces to be imaginatively designed and reference was made to need for a design code.</li><li>• But a respondent also highlighted how open access and dogs can adversely impact on wildlife.</li><li>• Exmouth Town Council Members are broadly supportive of this policy in so far as it aims to support new open and recreation space; however, experience in Exmouth has shown us that “access” is key and that it is challenging to provide accessible new recreation space of a decent size and quality within our built up area boundary due to: • landscape impact including AONB and Coastal Preservation Area, • sustainable travel and accessibility, • protection of Green Wedge, • agricultural land quality, • impact on wildlife/biodiversity and trees/hedgerows, • sports pitch site sustainability and viability.</li><li>• Are the envisaged accessibility (time) standards based on walking or driving?</li><li>• In theory this is good, but why continue to develop in the Maer Valley Park and potentially in the AONB that Littleham backs onto.</li></ul>	
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<p>Exmouth like many places needs its greenspaces for the community to access.</p> <ul style="list-style-type: none"> <li>• The cycle path in the AONB on the former railway line is enjoyed by the community. Even during lockdown people still drove to come and access this vital greenspace. Overtime parkland has been reduced and we must protect what we already have.</li> <li>• Also with new large scale developments very little is put towards greenspaces. Even plumb park only has a small area and Pankhurst has nothing. It appears that if on plans a greenspace is allocated or an area for sports activities, then as the development progresses, developers put in further planning to alter the agreed plans and more housing is built instead. This must be not allowed to happen.</li> <li>• The provision of more open space and public access is clearly desirable. But unrestricted public access, especially with dogs, can impact badly upon local wildlife. So a more thoughtful and nuanced approach is needed.</li> <li>• Barratt Homes support policy.</li> <li>• The impact on viability of developments also needs to be considered here, and priorities for contributions where they can render developments unviable also needs consideration</li> </ul>	
Supplementary Regulation 18 consultation Spring 2024	
No specific additional matters were identified in feedback that relate directly to this policy.	No specific feedback is provided.

Sustainability Appraisal	
<p>The draft local plan SA report advised policy is preferred over alternatives identified because of major positive effects on supporting healthy and active communities. The option of not having a policy that promotes access to open space and recreation facilities was rejected due to less significant positive effects relating to the built environment (objective 3) and health and well-being (9).</p>	<ul style="list-style-type: none"> <li>• Endorsement through the SA work of the broad policy approach is noted and welcomed.</li> </ul>
Habitat Regulations Assessment	
<p>The Habitat Regulations Assessment work identifies no (negative) likely significant effects.</p>	<ul style="list-style-type: none"> <li>• Lack of impacts is noted.</li> </ul>
Commentary on policy redrafting for the Publication Plan	
<p>Redrafted policy title:</p> <ul style="list-style-type: none"> <li>• Strategic Policy OS 01 – Access to open space and recreation facilities</li> </ul>	
<p>Significant changes to this policy from the draft plan to the Publication plan are not seen as appropriate.</p>	

## Strategic Policy 97 – Land and buildings for sport, recreation, and open space areas in association with development

This policy is specifically concerned with provision of new open space in association with and to serve new development, especially residential development.

### Issues and options consultation

Key issues raised in consultation:

- No policy specific issues are highlighted.

- No specific feedback comments are highlighted.

### Draft Plan consultation

Key issues raised in consultation:

- Concerned that policy seeks large amounts of open space to be delivered on-site, with little room for variation and no option for off-site delivery embedded within the policy text. The policy wording implies that variation to standards can only be negotiated providing that an overall increase to standards is achieved. This offers no flexibility for scenarios where minimum standards cannot be achieved. As worded there is also no mechanism for off-site contribution.
- Queried why is Sidmouth the only town to which urban open space standards do not apply? ( table p280)
- View expressed that provision for all elements itemised are important and especially Natural and Semi Natural space should be at the forefront of the applicants minds

Officer commentary in response:

- In policy redrafting the policy we have sought to provide more flexibility in respect of on and off-site provision options and also provide some flexibility on the form that space can take. But whilst still seeking rigorous demands based around importance of provision.
- It is noted some respondents highlight particular locations for or types of space provision. In policy we have sought to provide a reasoned balance of provision (noting there will always be cases where respondents might lobby for particular types of outcomes).
- With district wide application of Field in Trust standards local area policy variations are removed. Use of these standards also overcomes the dated nature of past evidence.

- Noted that evidence is out of date and respondents reserves rights to make further comments.
- Respondents advises that older persons needs are lower than general provision needs and suggests Older person's housing schemes are exempt from the above requirement so long as high quality amenity space suitable for older people is provided on site.
- Considered that policy is too vague and subjective and in respect of off-site contributions it should be explicitly spent on sport and recreation provision.
- Policy should reference avoidance of outdoor light pollution.
- Policy should also refer to unstructured areas like woodland and heathland.
- Policy should refer to indoor facilities as well.
- Support principle but concerned that the wording is not sound as first paragraph contradicts second paragraph and should be deleted.
- Unreasonable to require all sites of over 200 dwellings to provide all the open space typologies identified on-site. The fourth paragraph does not acknowledge either economies of scale, or that the site may not be suitable, for all typologies, for example playing pitches require level, well drained land. If a typology cannot reasonably be provided on-site, the policy should acknowledge that a financial contribution in lieu may be appropriate.
- Barratt Homes and Vistry agree with policy.

- Flexibility is built in to redrafted policy to note that some resident groups may not have standardised needs (e.g. potentially the elderly).
- We have sought to avoid excessive detail in policy noting that the plan should be read as a whole and other plan policies will cover such matters as light pollution.
- We would not see the need to address indoor sports facilities specifically in policy given the specific costs and challenges associated with delivery. However, on the largest development schemes, specifically the new community, bespoke policy requirements may be specified for development.

<ul style="list-style-type: none"> <li>Barratt David Wilson Homes have concerns about the policy seeking large amounts of open space to be delivered on-site, with little room for variation and no option for off-site delivery embedded within the policy text. No flexibility for scenarios where minimum standards cannot be achieved. No consideration of site constraints or viability. As worded there is also no mechanism for off-site contribution. So is an extra burden on developer.</li> </ul>	
<b>Supplementary Regulation 18 consultation Spring 2024</b>	
<ul style="list-style-type: none"> <li>No specific matters are highlighted.</li> </ul>	Officer commentary in response: <ul style="list-style-type: none"> <li>No specific comments are made.</li> </ul>
<b>Sustainability Appraisal</b>	
The policy approach was supported through SA work.	Support noted.
<b>Habitat Regulations Assessment</b>	
<ul style="list-style-type: none"> <li>No specific concerns in respect of this policy were noted.</li> </ul>	Noted that no matters raised.
<b>Commentary on policy redrafting for the Publication Plan</b>	
Redrafted Policy title:	
<ul style="list-style-type: none"> <li>Policy OS 02 – Land and buildings for sport, recreation and open space areas in association with development</li> </ul>	
Redrafted policy reflects comments raised above.	

## Strategic Policy 98 – Location of facilities for sport and recreation, open spaces and allotments

This policy seeks to establish appropriate locations for new facilities.

### Issues and options consultation

- |  |   |
|--|---|
| <ul style="list-style-type: none"> <li>No specific feedback is highlighted.</li> </ul> | <ul style="list-style-type: none"> <li>No officer comment.</li> </ul> |
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### Draft Plan consultation

<p>Key issues raised in consultation:</p> <ul style="list-style-type: none"> <li>Emphasis should be attached to upgrading existing facilities.</li> <li>The policy should be redrafted to state clearly the intention to discourage the loss of existing open spaces and allotments and the encourage the creation of new ones in urban areas.</li> <li>The policy should also consider where the value of one larger open space may be greater than a series of small ones. Cycle and footpaths along riversides could be developed through developer contributions for smaller developments.</li> <li>The policy should recognise the value trees and hedgerows in defining soft boundaries to open spaces and encouraging wildlife is to form part of new proposals wherever possible.</li> <li>There should be seating and play areas, e.g. every 1,000 metres on walkways.</li> <li>Seaton football club should not be relocated.</li> </ul>	<p>Officer commentary in response:</p> <ul style="list-style-type: none"> <li>Policy redrafting includes reference to upgrading of existing facilities.</li> <li>The loss of facilities in policy wording is not seen as relevant to this policy as matters are covered by the NPPF (also see Policy 99 commentary).</li> <li>It is considered to be a matter of detail. that goes beyond policy, in respect of whether fewer larger or greater smaller facilities may be appropriate in specific circumstances.</li> <li>Specific references in policy in respect of types of spaces that could be provided, e.g. ‘cycle routes alongside riversides’ are considered matters of detail that go beyond policy.</li> <li>Design matters, such as tree planting, are also seen beyond bounds of policy reference, specifically noting other policies in the plan also apply.</li> <li>Redrafted policy refers to accessibility/distance standards.</li> </ul>
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<ul style="list-style-type: none"> <li>• Policy should define accessibility distances and how do you define “unacceptable adverse amenity or environmental impacts”?</li> <li>• Sites need safe car access.</li> <li>• Lockable cycle storage should be required, though importance of cycle access questioned.</li> <li>• Devon Wildlife Trust state - ‘provided that unacceptable adverse amenity or environmental impacts do not arise from development’. We would like to see this sentence reworded to include reference to the requirement for enhancement of our natural environment.</li> <li>• The Devon and Somerset Gliding Club (DSGC) is a non-profit organization that runs a gliding site at North Hill airfield. The club is disappointed that it was not mentioned in the new Draft East Devon Local Plan. The club is the largest gliding club in the south-west peninsula and hosts a national gliding competition every year. The club hopes that the omission will be rectified in the final plan.</li> </ul>	
<p>Supplementary Regulation 18 consultation Spring 2024</p>	
<ul style="list-style-type: none"> <li>• No specific matters are identified.</li> </ul>	<ul style="list-style-type: none"> <li>• No response is needed.</li> </ul>
<p>Sustainability Appraisal</p>	
<p>The policy approach was supported through SA work.</p>	<p>Support noted.</p>
<p>Habitat Regulations Assessment</p>	
<ul style="list-style-type: none"> <li>• No specific concerns in respect of this policy were noted.</li> </ul>	<ul style="list-style-type: none"> <li>• Noted that no matters raised.</li> </ul>

Commentary on policy redrafting for the Publication Plan

Redrafted policy title:

- Policy OS 03 – Location of facilities for sport and recreation, open spaces and allotments.

Policy has been subject to minor amendments in line with comments noted above.

<b>Strategic Policy 99 – Retention of land and buildings for sport and recreation use</b>	
This policy seeks (sought) to resist loss of sports and recreation spaces.	
Key technical evidence sources	
This policy is (was) not specifically supported by evidence. But it is noted that the NPPF makes specific reference to resisting loss.	
Issues and options consultation	
<ul style="list-style-type: none"> <li>No specific matters are highlighted.</li> </ul>	<ul style="list-style-type: none"> <li>No officer comment/feedback is provided.</li> </ul>
Draft Plan consultation	
<p>Key issues raised in consultation:</p> <ul style="list-style-type: none"> <li>Sport England advise that they would be very concerned if any existing sport &amp; recreation land &amp; buildings including playing pitches would be affected by these proposals without adequate replacement in terms of quality, quantity, accessibility, management &amp; maintenance and prior to the loss of the existing facility. This includes playing fields used by schools (public and private) in East Devon. They consider Policy 99 in the emerging Plan conflicts with para 99 of the NPPF and their national Playing Fields Policy in particular the proposed criteria 2 and 3.</li> <li>Sport England would question the need for policy 99 to protect sport buildings and land including playing fields – this is already covered by the NPPF in para 99. A similar “local policy” with its own local exceptions may create misinterpretation and problems that we would expect the Inspector to not support.</li> </ul>	<p>Officer commentary in response:</p> <ul style="list-style-type: none"> <li>In response to Sport England comment it is recommended that the policy is deleted and that duplication (and potential contradiction) of the NPPF is avoided.</li> <li>On the basis of policy deletion other comments are not seen as relevant for specific officer commentary feedback – specifically noting strong steer from Sport England on avoidance of facility loss.</li> </ul>

<ul style="list-style-type: none"> <li>• Policy should refer to retention of trees.</li> <li>• Policy should prevent loss of existing facilities to be replaced by worse/less accessible new ones.</li> <li>• Policy needs more explicit definitions for terms “equivalent community benefit” and “small part of an overall site” which are open to abuse.</li> <li>• option 3 should be treated with care - as if new dwellings are built, then there are more who might want to use the open spaces for recreational use, and hence there is no longer an excess of it. To be valid this third point needs more provision over definitions of excess provision.</li> </ul>	
<p>Supplementary Regulation 18 consultation Spring 2024</p>	
<ul style="list-style-type: none"> <li>• No specific matters are noted.</li> </ul>	<ul style="list-style-type: none"> <li>• No response is seen as needed.</li> </ul>
<p>Sustainability Appraisal</p>	
<p>See Sustainability Appraisal table below. Noting that the work found favour with this policy.</p>	<p>SA support is noted.</p>
<p>Habitat Regulations Assessment</p>	
<ul style="list-style-type: none"> <li>• No specific concerns were highlighted.</li> </ul>	<ul style="list-style-type: none"> <li>• Lack of concerns is noted.</li> </ul>
<p>Commentary on policy redrafting for the Publication Plan</p>	
<ul style="list-style-type: none"> <li>• As policy is not proposed for retention it does not have a new policy number.</li> </ul>	

<b>Strategic Policy 100 – New allotments and avoiding the loss of existing ones</b>	
This policy specifically seeks to provide for new allotments and avoiding their loss, noting that there is increasing demand for allotments but that they can also be vulnerable to loss, specifically through development.	
<b>Issues and options consultation</b>	
No specific issues are highlighted.	<ul style="list-style-type: none"> <li>• No response comments are made.</li> </ul>
<b>Draft Plan consultation</b>	
<p>Key issues raised in consultation:</p> <ul style="list-style-type: none"> <li>• Support - This policy meets many societal aims and is fully supported. Activity, health promoting, nutrition, learning and green space.</li> <li>• View expressed that allotments should be managed by the Council.</li> <li>• Allotments should be accessible by public transport and foot/cycle.</li> <li>• Location for new provision should be contiguous with the previous site.</li> <li>• Allotment should not be lost to development – noting food impacts of climate emergency.</li> <li>• Exmouth Town Council advise policy should be clearer on designation of sites and hence protection of sites under the Allotments Act 1925 – noting private allotments are vulnerable to loss. Also bodies responsible for site management should be consulted in respect of management matters arising from or related to 106 agreements.</li> </ul>	<p>Officer commentary in response:</p> <ul style="list-style-type: none"> <li>• The support for policy is to be welcomed.</li> <li>• We would not see it appropriate for management issues to be referenced in policy.</li> <li>• Accessibility of allotments by public transport and foot/cycle is highly desirable, but given challenges over securing delivery this is seen as being too inflexible in terms of provision to make it a requirement as is the requirement for any new provision to be contiguous with any previous (lost) site.</li> <li>• We would not see the need for policy to reference legislation relevant to provision or status. The policy should be written to have universal applicability.</li> <li>• Wording in respect of ‘over-supply’ considerations. It is likely to be in rare cases that there is an oversupply – perhaps only for bigger sites in comparatively remote/low density areas.</li> <li>• Allotments can be valuable for wildlife, but we suggest that this is essentially down to how they are used and as such it is consideration that falls outside of planning.</li> </ul>

<ul style="list-style-type: none"> <li>• Over-supply test needs greater consideration and clarity.</li> <li>• Policy needs to applied and required, esp buy housing developers that agree to provision.</li> <li>• Devon Wildlife Trust state - We would like to see rewording to include reference to the requirement for enhancement of our natural environment.</li> </ul>	
Supplementary Regulation 18 consultation Spring 2024	
<ul style="list-style-type: none"> <li>• No specific matters noted.</li> </ul>	<p>Officer commentary in response:</p> <ul style="list-style-type: none"> <li>• No observations raised.</li> </ul>
Sustainability Appraisal	
<p>Policy approach endorsed also - see Sustainability Appraisal table below.</p>	<ul style="list-style-type: none"> <li>• Positive endorsement noted.</li> </ul>
Habitat Regulations Assessment	
<ul style="list-style-type: none"> <li>• No concerns highlighted.</li> </ul>	<p>Officer commentary in response:</p> <ul style="list-style-type: none"> <li>• Lack of concerns noted.</li> </ul>
Commentary on policy redrafting for the Publication Plan	
<p>Redrafted policy title:</p> <ul style="list-style-type: none"> <li>• Policy OS 05 – New allotments and avoiding the loss of existing ones.</li> </ul>	
<p>Policy has been subject to minor refinement and ‘tightening-up’.</p>	

**Strategic Policy 101 – Leisure and recreation developments**

<p>Policy specifically refers to leisure and recreation developments in the countryside. The onus in policy is on accommodating, in a sensitive manner, uses that are countryside related in the nature of activities undertaken and compatible with rural areas.</p>	
<p>Issues and options consultation</p>	
<p>No matters are highlighted.</p>	<ul style="list-style-type: none"> <li>• Lack of relevant matters noted.</li> </ul>
<p>Draft Plan consultation</p>	
<p>Key issues raised in consultation:</p> <ul style="list-style-type: none"> <li>• The East Devon AONB team supports this policy, particularly point 1</li> <li>• Wording as drafted is unclear and goes further than policy as it refers to planning permission being granted rather than setting out the policy framework in which proposals will be assessed.</li> <li>• Item 1. should also be expressed more positively, i.e. should be required to be consistent with countryside, natural or landscape policies as well as climate change policies.</li> <li>• Item 2. Should promote the use of public transport, foot or cycling. Any car parking should be screened by hedgerows and/or tree planting.</li> <li>• I think that we should not be promoting this kind of thing. Mainly as these kinds of sites are unlikely to be supported by public transport routes and the amount of carbon used for transport is totally not sustainable.</li> <li>• Agricultural land for farming/food should not be given up so easily. the changing nature of agricultural land is to keep our food supply.</li> </ul>	<p>Officer commentary in response:</p> <ul style="list-style-type: none"> <li>• Support for the policy is welcomed.</li> <li>• It is considered reasonable to explicitly to say, in current drafting, that 'planning permission will be granted' - but this wording is to be reviewed to ensure consistency across all plan policies.</li> <li>• The various tests (1 and 2) are regarded as broadly appropriate, especially given that other plan policies will be applied in determination of applications. Though they are tweaked to highlight relevance of pedestrian and cycle access.</li> <li>• Proposals are likely to have minimal impacts on overall farmland lost so, on balance, qualified allowance for development is seen as reasonable. But it is understood why concerns around extra 'creeping' development might arise.</li> <li>• A extra test is added to encourage (not require) natural environmental improvements and no net damage.</li> </ul>

<ul style="list-style-type: none"> <li>Exmouth Town Council Members believe that there is a real risk of creep with this type of development with schemes expanding significantly and inappropriately from smaller scale proposals.</li> <li>A clear and well written policy.</li> <li>Devon Wildlife Trust advise - We would like to see rewording to include reference to the requirement for enhancement of our natural environment.</li> <li>Exeter Cycling Campaign would like to see that for developments falling under this policy provision is made for visitors arriving by bicycle.</li> </ul>	
<p>Supplementary Regulation 18 consultation Spring 2024</p>	
<ul style="list-style-type: none"> <li>No matters are noted.</li> </ul>	<p>Officer commentary in response:</p> <ul style="list-style-type: none"> <li>Noted that no matters were raised.</li> </ul>
<p>Sustainability Appraisal</p>	
<p>No concerns noted. Also see Sustainability Appraisal table below.</p>	<p>Endorsement of policy noted.</p>
<p>Habitat Regulations Assessment</p>	
<p>Key issues raised:</p> <ul style="list-style-type: none"> <li>No concerns highlighted.</li> </ul>	<p>Officer commentary in response:</p> <ul style="list-style-type: none"> <li>Lack of concerns noted.</li> </ul>
<p>Commentary on policy redrafting for the Publication Plan</p>	
<p>Redrafted policy title:</p> <ul style="list-style-type: none"> <li>Policy OS 06 – Leisure and recreation developments in the countryside</li> </ul> <p>Policy has been slightly redrafted to emphasize relevance of pedestrian and cycle accessibility and also to encourage natural environment improvements in any development assessed under policy.</p>	

<b>Policy omissions from Chapter 14</b>	
There have been no identified policy omissions from this chapter and no new policies are proposed for adding in.	
<b>Key technical evidence sources</b>	
No additional technical evidence is referenced..	
<b>Issues and options consultation</b>	
No specific matters are highlighted as arising in feedback.	No action sare proposed.
<b>Draft Plan consultation</b>	
<p>Key issues raised in consultation:</p> <ul style="list-style-type: none"> <li>• Sport England would wish to see inclusion in the plan of a policy for Active Design. They advise that Active Design will help improve health and well-being as well as addressing climate change and promoting active travel – more walking and cycling. They cross reference principles with Objectives 1 and 6 and Policies 16 and 65 of the draft plan and include in representation a suggested model policy that could be included in the plan and a developers checklist that can be used and could be referenced.</li> <li>• Sport England consider that there should be an additional policy in the plan – Community use of education sites. Such a policy would encourage greater use by communities of sports facilities and pitches that are located as schools.</li> </ul>	<p>Officer commentary in response:</p> <ul style="list-style-type: none"> <li>• Whilst Active Design is a useful concept to work with and the matters highlighted are good planning considerations they are largely addressed through policy considerations found elsewhere in the plan under separate plan policies.</li> <li>• With education matters frequently falling to Devon County Council, and new provision being quite rare, it is not seen as especially useful to include specific policy provision seeking community use of educations sites. Whilst this may well be a desirable outcome it is seen as best address in negotiations around development, especially noting that third party funding of schemes may require such provision. Plus it is debatable whether, if or when policy may be applied if dual use is not proposed and as refusal of planning permission is justified.</li> </ul>

<ul style="list-style-type: none"> <li>• Role of Cemeteries and churchyards as valuable open spaces. Private sports clubs. River/city/town and village community hubs. mental health well-being.</li> <li>• These policies are ok in principal but great care needs to be given to ensure that other policies such as wildlife conservation, biodiversity, landscape etc should not be harmed in any way.</li> <li>• There appears to be a lack of consideration for use of open space as a general open space for all. It does not need to be specific to any one sport or activity.</li> </ul>	<ul style="list-style-type: none"> <li>• Example are given of facility types that can have a relevance to quality of life, these are noted but do not warrant policy amendment or new policy.</li> <li>• It is recognised that open space can and should often have multi-use benefits. But dedicated facilities, to work properly – such as formal sport pitches, may need to have use restrictions.</li> </ul>
<b>Supplementary Regulation 18 consultation Spring 2024</b>	
<ul style="list-style-type: none"> <li>• In feedback, although policies in this chapter were not directly consulted on, there was feedback highlighting the importance of open space and amongst other matters its relevance for general recreation and potential sports use. This was highlighted in Green Wedge and Coastal Preservation Area feedback.</li> </ul>	<p>Officer commentary in response:</p> <ul style="list-style-type: none"> <li>• The value of open green space, and the importance attached, is noted.</li> </ul>
<b>Sustainability Appraisal</b>	
<ul style="list-style-type: none"> <li>• There are no specific issues to highlight.</li> </ul>	<ul style="list-style-type: none"> <li>• No observations are raised.</li> </ul>
<b>Habitat Regulations Assessment</b>	
<ul style="list-style-type: none"> <li>• No specific concerns were identified or highlighted.</li> </ul>	<ul style="list-style-type: none"> <li>• No obseravtions are raised.</li> </ul>
<b>Commentary on policy redrafting for the Publication Plan</b>	
<p>No new policies are recommended as additions to this plan chapter.</p>	

## Sustainability Appraisal

### Policy number/title:

- 96. Strategic Policy – Access to open space and recreation facilities
- 97. Policy – Land and buildings for sport, recreation and open space areas in association with development
- 98. Policy – Location of facilities for sport and recreation, open spaces and allotments
- 99. Policy – Retention of land and buildings for sport and recreation use
- 100. Policy – New allotments and avoiding the loss of existing ones
- 101. Policy – Leisure and recreation developments in the countryside

### Outcome of sustainability appraisal:

**Preferred alternative:** Policies 96 – 101

### Reasons for alternatives being preferred or rejected:

- Policies 96 – 101 are preferred because of major positive effects on supporting healthy and active communities, along with a range of other benefits to biodiversity, landscape, design, and climate change mitigation and adaptation.
- 96A. Do not have a policy that promotes access to open space and recreation facilities – this alternative is rejected due to less significant positive effects relating to the built environment (objective 3) and health and well-being (9).
- 97A. Lower level of provision of land and buildings for sport, recreation and open space in new development – whilst this alternative may allow more development to come forward, it will have less positive effects in relation to the built environment

### Officer commentary in response:

- It is noted that the policies in this chapter of the plan gain endorsement through the Sustainability Appraisal work.

<p>(objective 3) and health and well-being (9), and is therefore rejected.</p> <ul style="list-style-type: none"><li>• 98A. Do not set out location criteria and offer more flexibility on the location of facilities – this could allow more facilities to come forward, but potentially in locations that are less accessible for those without a car, with negative effects on creating high quality design (objective 3), minimising carbon emissions (4), supporting healthy and active communities (9).</li><li>• 99A. Less restrictive approach to the loss of land and buildings for sport and recreation use – this is not preferred as it would cause likely negative effects on promoting high quality design (objective 3), and supporting health and active communities (9).</li><li>• 100A. Less restrictive approach to the loss of allotments to other uses – although this could increase housing and employment delivery, the negative effects upon biodiversity (objective 1), landscape (2), high quality design (3) and health and well-being (9) mean this alternative is not preferred.</li><li>• 101A. Less restrictive approach to leisure and recreation development in the countryside – whilst this alternative could open up new opportunities for leisure and recreation provision, it is likely to result in adverse landscape impacts (objective 2), and increase carbon emissions (4) given the likely use of the car to access such development, and is therefore rejected.</li></ul>	
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## **10 Conclusions**

10.1 Policy redrafting has been made in the Publication, Regulation 19, Local plan.