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Your ref

Our ref

BP/ar

[Redacted reference numbers]

15 August 2016

Dear Mr Spurway

Written Representations – Bishops Clyst Neighbourhood Plan Consultation

I write on behalf of Friends Life to make Written Representations with regard to the current consultation on the emerging Bishops Clyst Neighbourhood Plan.

Friends Life are stakeholders within the Clyst St. Mary village given they are a major land owner with the freehold interest of Winslade Park. A plan indicating the extent of their ownership is attached for your information.

Friends Life hereby submit Written Representations with regard to the content of the emerging Bishops Clyst Neighbourhood Plan and raise a series of questions regarding the future allocation of housing within the village of Clyst St. Mary, the position of the Built Up Area Boundary (BUAB) and other matters that relate to Winslade Park site.

These Representations will provide a brief site context, a planning policy context summary, provide comments on the Neighbourhood Plan with regard to Winslade Park, and then draw some conclusions and provide requested amendments.

SITE CONTEXT

Winslade Park comprises approx. 35.5 hectares of land located to the East of Exeter and the M5 in the Village of Mary’s St. Clyst. The site comprises a mansion house (Grade II* Listed) and a number of relatively modern office buildings (Winslade House, Brick House, Clyst House, along with leisure uses and associated buildings and structures). The site also comprises extensive areas of hard surface car parking, formal recreation land and open park land to the South beyond the Grindle Brook.





The site is strategically well located in close proximity to the A3052/M5 corridor; it has excellent transport links to Exeter and whole of East Devon. It has its own dedicated access from Exmouth Road and is served by public transport.

The built areas and hard standing associated with Winslade Park are provided in a relatively small cluster, with the remaining land adjoining the entrance and the main driveway used for two football pitches, a cricket pitch, derelict tennis courts and a small timber pavilion building. These private sports facilities are maintained, managed and owned by Friends Life. The facilities were previously used by Winslade Park employees but a number of local sports clubs have also been permitted occasional access and make use of the site under licence. The site currently lays vacant and these recreational facilities have never been used by the general public.

POLICY CONTEXT

The Development Plan for East Devon District Council comprises the Local Plan (January 2016). Additionally, and relevant to these Written Representations, the East Devon village's Development Plan Document (DPD) is currently being prepared which proposes a review of the Built Up Area Boundaries (BUAB) for the villages within the district.

Strategy 26B - Re-development of Redundant Offices Complex at Winslade Park and Land Adjoining Clyst St Mary Land is allocated on the southern side of Clyst St Mary village, as shown on the Proposals Map, for the conversion and redevelopment of redundant office buildings for residential uses with capacity to accommodate around 150 dwellings and to include 0.7 hectares of land (or retained office space equivalent in existing buildings) to provide for B1 office employment uses.

Once formally adopted, the Neighbourhood Plan will form part of the Development Plan and will therefore be a material consideration to any future planning application.

COMMENTS ON THE BISHOPS CLYST NEIGHBOURHOOD PLAN (CONSULTATION VERSION 1 JULY – 15 AUGUST 2015)

Consultation Process

Friends Life would like to express their disappointment that they were not consulted directly as a part of the process in compiling the Neighbourhood Plan to date. This is a significant oversight given they are one of the major landowners within the village. The draft Neighbourhood Plan states in para. 2.1 that "*thorough engagement within those who live and work in the parish has taken place in compiling the plan.*" However it is regrettable that other key stakeholders are yet to be consulted and opportunities to explore options for the village overlooked.

This contravenes the Neighbourhood Planning (General) Regulations 2012, Schedule 1, Paragraph. 1 (p) which states that for the purposes of Regulation 14 a consultation body means *inter alia* "(p) bodies which represent the interest of persons carrying on business in the neighbourhood area".



Built Up Area Boundary

It is noted that Neighbourhood Plan reverts to the BUAB boundary line drawn within the adopted Local Plan, but acknowledges that this is set to change within the emerging East Devon Village's DPD, which currently reviews the BUAB boundaries and in the case of Clyst St. Mary, proposes an extension.

The latest consultation on the East Devon Village's DPD commenced on 3rd August 2016 and overlaps with the consultation period for the Neighbourhood Plan. The proposed BUAB boundary drawn within the East Devon Village's DPD reflects the planning consent granted for 80 dwellings and the Local Plan allocation for 150 dwellings and office at Winslade Park. Friends Life submit that this is entirely appropriate and the Parish Council should consider including this document within the Neighbourhood Plan to avoid a need to amend the plan retrospectively in due course.

Local Green Space and Sports Facilities

Turning now to the protection of the open space at Winslade Park and proposed Neighbourhood Plan policies BiC28 (Local Green Space) and BiC29 (Protecting Existing Sport Facilities). Friends Life would like to make clear that the land proposed for open space protection within the Neighbourhood Plan (BiC28) is within private ownership and used by the pre-selected sports clubs under an agreed licence; the land is not, and has never been, used by the general public. In addition the other sports facilities (tennis courts, former swimming pool etc) were private facilities available for the benefit of staff or subject to a private members agreement.

The Neighbourhood Plan refers to the space having local significant and community value, yet this is private land with access granted by licence only. The land could be sold at any time without restriction and therefore the Parish Council have no control over the land. The freeholder could sell to any party and a sale to an owner occupier for their exclusive use is also a possibility.

Policy BiC28 is therefore unsound on the grounds that it does not fully align with the Policy RC1 (Retention of Land for Sport and Recreation), which sets out the exceptions to this protection within the policy and this should also be reflected in Policy BiC28.

Furthermore, the 'local green space' designation under BiC28 is misdirected on the basis that the land cannot be said to serve the local community (being that its use is limited to specific sports clubs under licence) and given that there is no evidence that the area is "demonstrably special to a local community and holds a particular local significance" as required by paragraph 77 of the NPPF.

CONCLUSION

Friends Life welcome the opportunity now granted to them to engage with and comment on the emerging Neighbourhood Plan for Bishops Clyst.



Friends Life are major landowners within the village and key stakeholders as owners of the now vacant Winslade Park, for which they are seeking alternative uses.

It is submitted that the Neighbourhood Plan does not go far enough to incorporate further development opportunities that can be achieved. At the very least acknowledging the latest BUAB boundary that is proposed by the East Devon Village's DPD, which is currently under consultation, should be referred to by the Neighbourhood Plan.

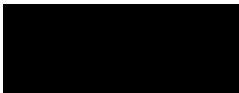
The Neighbourhood Plan places great importance on the open space of Winslade Park identifying it as a local asset and seeking to protect it under policy BiC28 (Local Green Space). This land is not in the public domain and is privately owned. The designation of the land as a Local Green Space fails the NPPF tests (paragraph 77). It is used under the licence through a structured programme by established clubs and is not available to the local community. This land could be sold at any time and has never been used by the general public.

Friends Life propose that the following amendments to the Neighbourhood Plan be considered:

- Extend the BUAB boundary to at least that shown in the emerging DPD as well as consideration to additional options for releasing housing land to support the LPA's strategic housing land proposals.
- Amend Policy BiC28 to make it compliant with Local Plan policy RC1.
- Omit the BiC28 Local Green Space designation for Winslade Park.
- Agree a structured consultation programme going forward to ensure that Regulation 14 is wholly complied with and all stakeholders, including major landowners (such as Friends Life in this case), are engaged with fully.

I trust that these Representations are self-explanatory, however, please let me know if you have any queries.

Yours sincerely



Ben Ponting
Associate Director