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## **POSITION STATEMENT ON LOCAL DEVELOPMENT FRAMEWORKS AND MAJOR DEVELOPMENTS**

**2015**

The Devon Countryside Access Forum (DCAF) is a local access forum under the Countryside and Rights of Way Act 2000. Its remit is to give independent advice “as to the improvement of public access to land in the area for the purposes of open-air recreation and the enjoyment of the area...” The Forum has sixteen members, appointed by Devon County Council, who represent the interests of land managers, access users and other interests such as tourism and conservation.

The Devon Countryside Access Forum recognises that not all these points will necessarily fall within the remit of the authority in all instances. However, where the authority is exercising its function as a planning authority, or is developing strategic principles and policies, the DCAF advises that these considerations are taken into account.

### **Reducing car use and improving health through the provision of access**

Thinking about the creation or improvement of access routes in conjunction with a major planning application, or as part of strategic policy, provides an ideal opportunity to re-assess current provision. The DCAF advises that there are a number of essential stages in the process which will assist in maximising potential outcomes.

The DCAF advises that the council should:

- encourage developers to create plans incorporating best practise and innovation in the provision of access routes;
- ensure liaison and consultation takes place with any affected landowners and land managers at the earliest opportunity when new routes are being explored, and prior to any routes being included in policy documents;
- consult with any affected landowners and land managers where there are proposals to promote existing routes or designate them for particular purposes;
- consult the local community;
- seek opportunities to expand provision through relevant grants and other funding mechanisms;

The DCAF advises that the council should;

- maximise opportunities for walking and cycling within villages and towns. This would accord with the Government health agenda and sustainability proposals embedded in the National Planning Policy Framework;
- identify strategic walking and cycling routes within settlements and ensure these link to surrounding rural areas and the rights of way network. Wherever possible routes should be multi-use, allowing access for all users, in accordance with Devon County Council's Rights of Way Improvement Plan. (Multi-use means use by all users: walkers, cyclists, horse-riders and those using wheelchairs, mobility scooters or buggies);
- ensure new development proposals include safe and high quality provision for cycling and walking routes linking housing to schools, shops, employment areas and recreational and sports facilities;
- seek to develop circular multi-use routes within settlements to encourage healthier lifestyles and minimise car use;
- encourage opportunities to develop, facilitate and promote the National Cycle Network and its integration with other forms of transport;
- give adequate consideration to the requirements of those with mobility needs in the design of new walking, cycling and multi-use routes, and in the improvement of existing routes.
- explore opportunities for locally important or strategic routes along former railway lines and canals.

### **Existing Rights of Way and other access opportunities**

The DCAF advises that the council should;

- recognise the rights of way network and its contribution to health, tourism and sustainability;
- protect the rights of way network from development proposals;
- ensure new housing developments link to the rights of way network, where possible;
- seek to improve the safety for rights of way users where routes meet or run along roads;
- explore integration of transport links with rights of way, particularly strategic long distance routes;
- recognise other routes, such as unsurfaced Unclassified County Roads, and their contribution to recreational opportunities.

### **Other recreational space**

The DCAF advises that the council should;

- identify access land (open country and registered Common Land) and highlight the opportunities this affords for recreation;
- draw attention to permissive access opportunities, for example on farmland, in Forestry Commission woodlands and elsewhere;
- recognise the importance of green space, green linkages, playing fields and other similar areas and protect these from development;
- map and indicate legal uses of green space areas within the plan area;
- seek to develop green recreational areas within new housing and employment sites.

Up-to-date statistical information on a range of issues to support these statements is available.



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## **Devon Countryside Access Forum**

### **Greenspace Position Statement**

#### **Introduction**

The Devon Countryside Access Forum has developed this position statement to inform planning applications and planning policy.

A number of defined green spaces are recognised by Government. In the context of the Devon Countryside Access Forum's remit the main areas are:

- parks and gardens – including urban parks, country parks and formal gardens;
- natural and semi-natural urban green spaces – including woodlands, urban forestry, grasslands, common land, wetlands, areas of open and running water, wastelands, derelict open land and rock areas;
- green corridors – including canal and river banks, cycle ways and rights of way;
- amenity green space – including informal recreation spaces, green space in and around housing and town or village greens;
- provision for children and teenagers – including play areas, adventure playgrounds and other informal areas; and
- accessible countryside in urban fringe areas

The National Planning Policy Framework identifies that planning policies and decisions should aim to achieve healthy, inclusive and safe places.

Greenspace is important for health and wellbeing, providing physical, psychological and social benefits. These benefits are increasingly researched and demonstrated, alongside economic benefits and savings to the NHS. Figures suggest that investing in accessible green space yields health and wellbeing benefits to residents and visitors that exceeds the cost of provision. For example, the former Fields in Trust commissioned research to value the benefits - see [Revaluing-Parks-and-Green-Spaces-Summary.pdf](#) Public Health England advises that interventions that improve access to green spaces are likely to help local areas reduce health inequalities – see [Improving access to greenspace: A new review for 2020](#)

## Greenspace provision

- a) Developers should seek to include a variety of greenspace that caters for different types of users.
- b) High quality walking and cycling routes should link housing to schools, shops, employment areas, recreational and sports facilities and rights of way.
- c) Circular routes within settlements should be developed to encourage healthier lifestyles and minimise car use.
- d) There should be a high degree of connectivity between greenspace areas.
- e) Where possible, the character and amenity of existing greenspace of good quality should be incorporated into the development.
- f) Maintaining and seeking improvements to biodiversity, alongside provision of greenspace, should be a key target.
- g) Heritage assets within greenspace areas should be protected and enhanced.
- h) Surfaces and use of materials should be appropriate for the intended use and respect the character of the surrounding environment. For example, it may be appropriate to have a hard tarmac surface for key routes for all users, including cyclists and disability users. Elsewhere, softer surfaces more in keeping with the environment could be adopted and allow use by other recreational access users such as horse riders.
- i) Greenspace should be perceived as safe with good lines of visibility. Lighting may be appropriate along certain paths. Areas should not encourage crime, fly-tipping or anti-social behaviour.
- j) Places for children, areas for quiet enjoyment and a variety of spaces such as woodland and water bodies should be incorporated.
- k) Dog walkers are the major access group. Consideration should be given to planning for dogs in new developments to reduce fouling issues. A useful reference for planning for dogs is [Planning for Dog Ownership in New Developments](#)
- l) Any path furniture, such as gates, should be suitable for disability users. See the DCAF's position statement on disability access.
- m) Resting places, such as benches, are an important part of 'furniture' and help to make green space more accessible and enjoyable to those with health/mobility challenges.
- n) Greenspace does not have to be fully accessible to provide health and well-being benefits as landscape views still have value.
- o) Provision of greenspace should consider the impact on adjoining areas not designated as amenity areas. For example, implications for farmed land which may experience trespass or dog incidents.
- p) The Management Plan for any development should recognise the intrinsic importance of the existing highway network (including public rights of way), verges and heritage features as assets for the public to appreciate the landscape and access other recreational opportunities. These assets are part of a Natural Capital approach, for example Devon is appreciated for its sunken lanes, hedgerows and verges rich in flora.

## Amount of greenspace

Developers should aspire to meet the Natural England standards for accessible natural greenspace. The ANGSt criteria specify that everyone should have access to one accessible natural greenspace:

- of at least 2 ha in size, not more than 300m from home;
- at least one accessible 20 ha site within two kilometres of home;
- one accessible 100 ha site within five kilometres of home; and
- one accessible 500 ha site within ten kilometres of home; plus
- a minimum of one hectare of statutory Local Nature Reserves per thousand population.

ANGSt takes a broad view of what constitutes natural greenspace. The requirements can be met through a wide range of different types of space, from local parks, greenways and footpaths, areas set aside for sustainable urban drainage systems, woodland and heathland. The ANGSt guidance is on [Accessible Natural Greenspace - NE265](#)

The ANGSt criteria and Green Infrastructure standards are currently being updated by Natural England. The DCAF advises that up-to-date information is sought prior to using standards as a benchmark in any development design.

Linear routes connecting areas of greenspace, or crossing greenspace that might not be accessible, are also important.

## Future maintenance and use of greenspace

Developers and local authorities should seek to ensure that areas of greenspace can be maintained in good condition for the future. Initial funding through section 106 or the Community Infrastructure Levy may not include maintenance. Ongoing financial contributions or a ring-fenced fund will be required.

Residents, particularly in new developments, may be unfamiliar with accessing greenspace. Financial provision for mentors and rangers to initiate events and encourage responsible use of greenspace may be required and this should be included in funding proposals. Groups who do not traditionally access greenspace could be a focus, for example teenagers.

The Devon Countryside Access Forum is a statutory local access forum under the Countryside and Rights of Way Act 2000. Its members are volunteers, appointed by Devon County Council, to provide independent advice on “the improvement of public access to land for the purposes of open-air recreation and enjoyment.”

There are currently fifteen members who represent the interests of landowners/land managers, access users and other interests such as conservation and tourism.



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## **Devon Countryside Access Forum**

### **Physical Disability Access Position Statement**

The Devon Countryside Access Forum recognises that everyone, whether residents or visitors, should be able to enjoy recreation in Devon's natural environment.

#### **The issue**

This Position Statement sets out recommendations for improving access to the countryside for people with limited mobility, including on Public Rights of Way and cycle/multi-use trails, and points readers to more detailed information.

Although this Statement focuses particularly on physical disabilities, it is worth noting that limited mobility affects a range of people, including parents with children in buggies; elderly or frail people, who might use an electric mobility scooter or wheelchair; and people with walking aids. Improving access for wheelchairs and large off-road electric mobility scooters can improve access for all.

Research shows that people with limited mobility are less likely to say they can access 'green spaces' and are less likely to visit the countryside. This is because they experience barriers that can be impossible to navigate. Barriers can include:

- stiles;
- steps;
- narrow gates, entrances, paths and exits;
- difficult or high handles and latches on gates;
- logs or earth mounds;
- steep gradients and cross-gradients; and
- overgrown vegetation.

The DCAF recognises that there are some routes that cannot be made accessible because of flights of steps or unavoidably narrow sections. However, many barriers can be removed at relatively low cost, opening up significant areas of countryside to more disabled people. The aim should be to achieve the least restrictive option.

Disabled people are now benefiting from ongoing technological improvements in mobility aids. Now, electric and all terrain scooters/buggies, such as the off-road Tramper, can

cope with more challenging gradients (25%) and cross gradients as well as having good ground clearance. All-terrain type scooters are quite capable of going across grass fields and open moorland. Such off-road scooters can even manage distances of 20 to 40 miles. A modest improvement to a gate may open up more extensive areas for access.

Access managers often under-estimate the capability of this new generation of off-road mobility scooters and may think access cannot be improved if routes are not suitable for wheelchairs, whereas it is highly likely that a Trampler off road scooter could cope adequately.

## **Making improvements**

Major modifications to routes using very specific criteria are often inappropriate, especially in rural areas, or very expensive but relatively minor changes can often result in a much more accessible and enjoyable route, particularly for people with all-terrain scooters.

Improvements must be agreed with landowners and should consider how disabled people might be able to access the route while maintaining necessary measures to control farm animals and any vehicles. In some instances, changes will not be possible. Historic or locally important structures should be respected.

Some possible improvements include:

- Replacing stiles and kissing gates with 1.5 m wide gates with good latches and trombone handles. Where self-closing gates are required a two-way gate is preferable. Kissing gates that can be operated by radar keys may be an option in some locations. (e.g. National Trust Parke estate and Fremington Quay nature reserve). Latches are often over-looked but can ensure gates can be easily opened and closed. They should be positioned where they can be reached and in good condition. Long handles which can be reached at different heights are useful to open gates.
- Ensuring the path width and surface are suitable for wheelchairs, buggies and trampers helps many people. This does not mean that a route requires a road surface – minimising puddles, roots and ruts may be all that is needed. Many disabled people still want a countryside experience.
- Ramps rather than steps on approaches to bridges would greatly assist those with disabilities. Where steps are unavoidable, rest or landing areas should be included or there should be signposting to an alternative reasonable route.
- DCAF advises site managers to explore options for facilitating access for Trampler all terrain mobility scooters or making these available for hire, as has been successfully developed by Countryside Mobility South West.
- Routes for cyclists should take into account reclining bikes, trikes and modified bikes as well as Trampler type mobility scooters. These can be longer, lower or wider than a standard bike when navigating a gate or turning space.

## **Planning for better access**

The Forum advises that improvements to Public Rights of Way should incorporate the highest possible access standards from the outset, and that managers should regularly

consider potential enhancements. For example, Parish Councils may be planning improvements to Public Rights of Way through Neighbourhood Plans and should consult disabled people on changes. This will ensure costly mistakes that inhibit access are avoided and that people are informed where it is not possible to make an adjustment and improvement. In planning or designing *new* routes the above recommendations should be considered from the beginning to achieve the highest standards possible. Several organisations have good practice guides to ensure disability access standards can be implemented.

It is also worth noting that improving access to the countryside isn't necessarily limited to improving paths and gateways. People with limited mobility may have other needs too. There are additional aspects to consider and these include:

- Connectivity (access to the site via accessible public transport, disabled parking bays or safe paths).
- Rest (stopping off points such as picnic tables, pubs, cafes and wheelchair (or mobility scooter) accessible toilets).
- Information (providing clear, easy to read information about the route or site so that people can plan their visit with confidence and consider making information usable by visually sighted and/or deaf persons)
- Sensory enhancements such as scented plants for visually impaired people. Also, suitable lighting and clear edges to paths in urban areas.

## Legislation

Under the Equality Act 2010, Public Authorities (including County, District, Town and Parish Councils) have a pro-active legal duty to advance equality for disabled people. This includes meeting disabled people's needs. The Act also places a requirement on providers of services to the public to ensure people are not unlawfully discriminated against and that reasonable adjustments are anticipated and made for disabled people. Landowners who have public access or public rights of way across their land are not providers of public services, and therefore cannot be obliged under the Act to make reasonable adjustments, for example by changing a stile to a gate. Landowners who provide permissive access must comply with the Equality Act by considering what reasonable adjustments can be made for disabled people. However, this does not oblige them to put in place anything that would be an unreasonable cost, ineffective or impractical. More information:

<https://www.equalityhumanrights.com/en>

<http://www.legislation.gov.uk/ukpga/2010/15/contents>

<https://new.devon.gov.uk/equality/policy-and-legislation/equality-legislation>

The Department of Transport legislation states that Class 3 mobility scooters must have a maximum speed of 4 mph on pavements and 8 mph on roads, a width of 85 cm and an unladen weight of 150 kg. This class includes Tramper mobility scooters and the TGA 3 wheel Supersport.

<https://www.gov.uk/mobility-scooters-and-powered-wheelchairs-rules/rules-for-class-3-invalid-carriages>



## Best Practice

For photos showing good practice and details of wheelchair and mobility scooter specifications see the DCAF website [www.devon.gov.uk/dcaf](http://www.devon.gov.uk/dcaf)

For more comprehensive information on standards, particularly when establishing a new route, see:

- Disabled Ramblers UK  
<http://disabledramblers.co.uk/>  
The Disabled Ramblers helps mobility-challenged people get back out into the countryside. Disabled ramblers have several categories of footpath from level 1 for manual wheelchairs to level 3 for off road scooters. Full details are on the website. One useful guide is their publication on Man-made Barriers and Least Restrictive Access  
<http://disabledramblers.co.uk/access-issues/>
- Natural England's Trial of self-closing bridlegates  
<http://publications.naturalengland.org.uk/publication/4580441024102400>  
The summary and conclusions make recommendations for disability access following a trial involving walkers, horse-riders, cyclists, disabled users and landowners.
- Sensory Trust information fact sheets  
<https://www.sensorytrust.org.uk/information/index.html>  
These include advice on access design, accessible green space, access to the countryside, seating and shelter and access to historic landscapes.

For more general information on current initiatives in Devon which benefit disability access see:

- Countryside Mobility SW (tramper buggy hire project)  
<http://www.countrysidemobility.org/>
- Living Options Devon Heritage Ability project  
[www.heritageability.org](http://www.heritageability.org)

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