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First Regulation 19 Consultation – East Devon Local Plan – Responses by Chapter

Filtered Data Export

16.1

Full name: Martin Thurgood

Proposal: 16. Community Facilities

1. To which part of the Community Facilities chapter does your representation relate?: Paragraph

1(a). Please write down the paragraph or policy number that your representation relates to.: 16.1

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

3(b). If no, please give details of why you consider this part of the Community Facilities chapter is not sound. Please be as precise as possible.: There is the need for a Policy that requires those proposing major developments to provide for and construct community facilities as a part of their proposed developments. Failure to address the point is a major omission from your proposals.

16.2

Full name: Chris Aston

Proposal: 16. Community Facilities

1. To which part of the Community Facilities chapter does your representation relate?: Paragraph

1(a). Please write down the paragraph or policy number that your representation relates to.: 16.2

2. Do you consider that this part of the Community Facilities chapter is legally compliant?: No

2(b). If no, please give details of why you consider this part of the Community Facilities chapter is not legally compliant. Please be as precise as possible.: Each of the proposed new homes in this development alone will have approximately 2 children as an average of the UK population. You state that council supports expanding or developing new facilities particularly in substantial development propositions. yet there is no mention of a new secondary school (to support one of the largest secondary schools in Europe). We know historically that developers in the SW are keen to build due to the 150% mark up on homes in the SW (and SE) and the lack of community facilities that require to be built due to age demographics that do not seem to support a requirement for such facilities. Apart from the fact that family size homes can only justifiably be aimed at 'Families' ergo having children who have a right to a good education. Please direct me to where this is covered in the proposal.

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

3(b). If no, please give details of why you consider this part of the Community Facilities chapter is not sound. Please be as precise as possible.: No recommendations for additional secondary schooling for circa 1400 children.

4. Do you consider that this part of the Community Facilities chapter complies with the duty to cooperate?: No

4(b). If no, please give details of why you consider this part of the Community Facilities chapter fails to comply with the duty to co-operate. Please be as precise as possible.: The NPPF actually states that in the case of rural communities (Para 82) that it should be proportionate to the needs of the local communities. The local community needs more educational facilities, healthcare facilities and improved sewerage infrastructure NOT people. So Duty to Co-operate here only applies where application take into account local community 'needs' in this case this application does not.

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: Yes, I wish to participate in hearing session(s)

6. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary.: I wish to ensure that actual local considerations are being truly reflective in the proposals.

CF01

Full name: Robert Jones

Organisation (where relevant): River Otter Fisheries Association

Proposal: 16. Community Facilities

1. To which part of the Community Facilities chapter does your representation relate?: Policy

1(a). Please write down the paragraph or policy number that your representation relates to.: CF01

2. Do you consider that this part of the Community Facilities chapter is legally compliant?: Yes

5: To understand what constitutes 'legal compliance' is beyond my capabilities with time and opportunity lacking however it is my view that the policy is lacking reference to provision of primary care facilities.

2(c). Please set out the modification(s) you consider necessary to make this part of the Community Facilities chapter legally compliant, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Community Facilities chapter legally compliant. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: The policy requires an additional provision to state specifically that major development in the West End of the plan area has to identify and make provision for new sites of @ 1.5 acres suitable to the CCG / NHS for the development of new primary care centres.

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

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

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

Full name: Bethan Haigh

Organisation (where relevant): Boyer Planning

Other party name (if relevant): Vistry Group

Proposal: 16. Community Facilities

1. To which part of the Community Facilities chapter does your representation relate?: Policy

1(a). Please write down the paragraph or policy number that your representation relates to.: CF01

3(b). If no, please give details of why you consider this part of the Community Facilities chapter is not sound. Please be as precise as possible.: Whilst Vistry support Draft Policy CF01 in principle and the proposed tests, Vistry believe that this policy must consider new or extended community facilities on a case-by-case basis. This is particularly with regards to new development and the additional community facilities that may be proposed as the facilities be in close proximity to build-up areas.

Full name: Bethan Haigh

Organisation (where relevant): Boyer Planning

Other party name (if relevant): Taylor Wimpey UK Ltd. C/O Boyer

Proposal: 16. Community Facilities

1. To which part of the Community Facilities chapter does your representation relate?: Policy

1(a). Please write down the paragraph or policy number that your representation relates to.: CF01

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

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

3.72 This policy states that new community facilities or extensions to existing ones will be supported, provided that they meet the following requirements:

- The facility must be within, adjacent to, or close to built up areas such as towns, villages or settlements, including new land allocations in the Local Plan.
- The facility must be accessible to local residents and within reasonable walking distance for most users. Its size and scale should align with the needs of the community it serves.
- Development should promote shared spaces and facilities that cater to a variety of activities.

3.73 This policy is supported in principle but once again must be considered on a case-by-case basis. If additional community facilities are proposed as part of a new development, this should be considered and does not necessarily require such facilities to be in close proximity to existing built-up areas, noting that the additional footfall from new development could support a new community facility.

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

Full name: Mrs Margaret Elms

Proposal: 16. Community Facilities

1. To which part of the Community Facilities chapter does your representation relate?: Policy

1(a). Please write down the paragraph or policy number that your representation relates to.: CF01

2. Do you consider that this part of the Community Facilities chapter is legally compliant?: Yes

5: CF02 also necessary though likely to lead to dispute on occasions.

3. Do you consider that this part of the Community Facilities chapter is sound?: Yes

4. Do you consider that this part of the Community Facilities chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Sacha Pemberthy

Proposal: 16. Community Facilities

1. To which part of the Community Facilities chapter does your representation relate?: Policy

1(a). Please write down the paragraph or policy number that your representation relates to.: CF01

2. Do you consider that this part of the Community Facilities chapter is legally compliant?: Yes

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

3(b). If no, please give details of why you consider this part of the Community Facilities chapter is not sound. Please be as precise as possible.: In Policy CF01 it starts with the very weak 'encouragement' being given to creation of facilities. Given in Exmouth sites existing facilities are over capacity causing considerable strain on the community further development, particularly where provision is for elderly people moving into the area, provision MUST be REQUIRED for developers to invest in services. Further in provision you have no statements on utilities which are already overcapacity and under strain.

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

'Require developers to conduct a community need and investment plan as part of their planning submissions. Plans failing to address how community needs will be met will not be approved.'

4. Do you consider that this part of the Community Facilities chapter complies with the duty to cooperate?: No

4(b). If no, please give details of why you consider this part of the Community Facilities chapter fails to comply with the duty to co-operate. Please be as precise as possible.: The need for careful collaboration with NHS trusts on provision is absent from the policy. Similarly collaboration with South West Water

Full name: Helen Mary Roulson

Proposal: 16. Community Facilities

1. To which part of the Community Facilities chapter does your representation relate?: Policy

1(a). Please write down the paragraph or policy number that your representation relates to.: CF01

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

3(b). If no, please give details of why you consider this part of the Community Facilities chapter is not sound. Please be as precise as possible.: Surgeries unable to recruit GP's. Dental practices going private reducing NHS places. Bring back dentists in schools to protect children's oral health. We know that existing communities already struggle to provide ample GP appointments across the area. I know that the Honiton and Ottery surgeries have even struggled to recruit, even in these amazing locations. How does the council propose to meet the growing needs of 1000's of additional people with the new builds. Add NHS dental no go zones.

Full name: Martin Thurgood

Proposal: 16. Community Facilities

1. To which part of the Community Facilities chapter does your representation relate?: Policy

1(a). Please write down the paragraph or policy number that your representation relates to.: CF01

2. Do you consider that this part of the Community Facilities chapter is legally compliant?: No

2(b). If no, please give details of why you consider this part of the Community Facilities chapter is not legally compliant. Please be as precise as possible.: There is the need for a Policy that requires those proposing major developments to provide for and construct community facilities as a part of their proposed developments. Failure to address the point is a major omission from your proposals.

2(c). Please set out the modification(s) you consider necessary to make this part of the Community Facilities chapter legally compliant, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Community Facilities chapter legally compliant. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Please see 2(b) above.

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

3(b). If no, please give details of why you consider this part of the Community Facilities chapter is not sound. Please be as precise as possible.: Please see 2(b) above.

3(c). Please set out the modification(s) you consider necessary to make this part of the Community Facilities chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Community Facilities chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Please see 2(b) above.

4. Do you consider that this part of the Community Facilities chapter complies with the duty to cooperate?: No

4(a). If yes, and you wish to support this part of the Community Facilities chapter's compliance with the duty to co-operate, please use this box to set out your comments.: I have no idea on the point and am therefore neutral: but you do not give me that option.

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

CF02

Full name: Simon Coles

Organisation (where relevant): CarneySweeney

Other party name (if relevant): C R Down Farming Ltd and Stuart Partners Ltd

Proposal: 16. Community Facilities

1. To which part of the Community Facilities chapter does your representation relate?: Policy

1(a). Please write down the paragraph or policy number that your representation relates to.: CF02

3(b). If no, please give details of why you consider this part of the Community Facilities chapter is not sound. Please be as precise as possible.: The use of “...over a shorter and longer term...” in part A 1 and 2 is undefined. A specific time period for marketing should be identified.

“Community value” is a subjective term and is not defined. An alternative wording could be “...and is at least a like for like replacement in terms of size and facilities.”

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

Full name: Simon Coles

Organisation (where relevant): CarneySweeney

Other party name (if relevant): C G Fry & Son Ltd

Proposal: 16. Community Facilities

1. To which part of the Community Facilities chapter does your representation relate?: Policy

1(a). Please write down the paragraph or policy number that your representation relates to.: CF02

3(b). If no, please give details of why you consider this part of the Community Facilities chapter is not sound. Please be as precise as possible.: The use of “...over a shorter and longer term...” in part A 1 and 2 is undefined. A specific time period for marketing should be identified.

“Community value” is a subjective term and is not defined. An alternative wording could be “...and is at least a like for like replacement in terms of size and facilities.”

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

Full name: Jess Perminter

Organisation (where relevant): CarneySweeney

Other party name (if relevant): CR Down Farming Ltd and Stuart Partners Ltd

Proposal: 16. Community Facilities

1. To which part of the Community Facilities chapter does your representation relate?: Policy

1(a). Please write down the paragraph or policy number that your representation relates to.: CF02

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

3(b). If no, please give details of why you consider this part of the Community Facilities chapter is not sound. Please be as precise as possible.: The use of “...over a shorter and longer term...” in part A 1 and 2 is undefined. A specific time period for marketing should be identified. “Community value” is a subjective term and is not defined. An alternative wording could be “...and is at least a like for like replacement in terms of size and facilities.”

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

Full name: James McMurdo

Organisation (where relevant): McMurdo Land Planning and Development Ltd

Other party name (if relevant): Stuart Partners Ltd

Proposal: 16. Community Facilities

1. To which part of the Community Facilities chapter does your representation relate?: Policy

1(a). Please write down the paragraph or policy number that your representation relates to.: CF02

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

3(a). If yes, and you wish to support the soundness of this part of the Community Facilities chapter, please use this box to set out your comments.: [McMurdo Land Planning & Development Ltd on Behalf of Stuart Partners Ltd relating to Strategic Land at the “West End” of East Devon District made in the context of significant land holdings in this area. Representation to be read in conjunction with representations made by Turley on behalf of Stuart Partners Ltd and Bloor Homes Exeter on the proposed new and an expanded Hill Barton Business Park, and by Carney Sweeney on behalf of Stuart Partners Ltd and Down, relating to land being promoted for a village for up to 2,000 houses between Clyst St George and Clyst St Mary]

Object

Whilst we support the sentiment of this policy, “community facilities” need to be defined tightly on such a restrictive policy.

Moreover, there needs to be an understanding that on occasion there could be justification for the loss of a community facility because that loss would lead to greater social and/or economic and/or environmental gains that would justify the loss.

Reasons: For such a restrictive policy, “community facilities” need to be defined tightly.

The tests do not include words effecting “unless it is proven that there would be other greater social and/or economic and/or environmental gains to justify the loss.”

3(b). If no, please give details of why you consider this part of the Community Facilities chapter is not sound. Please be as precise as possible.: Define “community facilities” and reconsult; Add another “test” to include such words. (see answer to 3a i.e. to the effect, “unless it is proven that there would be other greater social and/or economic and/or environmental gains to justify the loss.”)

Full name: James McMurdo

Organisation (where relevant): McMurdo Land Planning and Development Ltd

Other party name (if relevant): Stuart Partners Ltd

Proposal: 16. Community Facilities

1. To which part of the Community Facilities chapter does your representation relate?: Policy

1(a). Please write down the paragraph or policy number that your representation relates to.: CF02

3(b). If no, please give details of why you consider this part of the Community Facilities chapter is not sound. Please be as precise as possible.: Object Whilst we support the sentiment of this policy, “community facilities” need to be defined tightly on such a restrictive policy. Moreover, there needs to be an understanding that on occasion there could be justification for the loss of a community facility because that loss would lead to greater social and/or economic and/or environmental gains that would justify the loss. Reasons For such a restrictive policy, “community facilities” need to be defined tightly. The tests do not include words effecting “unless it is proven that there would be other greater social and/or economic and/or environmental gains to justify the loss.”

3(c). Please set out the modification(s) you consider necessary to make this part of the Community Facilities chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Community Facilities chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Suggested Amendments Required. Define “community facilities” and reconsult; Add another “test” to include such words.

Full name: James McMurdo

Organisation (where relevant): McMurdo Land Planning and Development Ltd

Other party name (if relevant): Mr P and Mrs A Broom

Proposal: 16. Community Facilities

1. To which part of the Community Facilities chapter does your representation relate?: Policy

1(a). Please write down the paragraph or policy number that your representation relates to.: CF02

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

3(b). If no, please give details of why you consider this part of the Community Facilities chapter is not sound. Please be as precise as possible.: [McMurdo Land Planning and Development Ltd On Behalf of Mr P and Mrs A Broom]

Whilst we support the sentiment of this policy, “community facilities” need to be defined tightly on such a restrictive policy.

Moreover, there needs to be an understanding that on occasion there could be justification for the loss of a community facility because that loss would lead to greater social and/or economic and/or environmental gains that would justify the loss.

For such a restrictive policy, “community facilities” need to be defined tightly.

The tests do not include words effecting “unless it is proven that there would be other greater social and/or economic and/or environmental gains to justify the loss.”

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

be as precise as possible.: Define “community facilities” and reconsult; Add another “test” to include such words.

Full name: Mrs Margaret Elms

Proposal: 16. Community Facilities

1. To which part of the Community Facilities chapter does your representation relate?: Policy

1(a). Please write down the paragraph or policy number that your representation relates to.: CF02

2. Do you consider that this part of the Community Facilities chapter is legally compliant?: Yes

5: I agree and am glad to see included justification 16.3 - use of private houses.

3. Do you consider that this part of the Community Facilities chapter is sound?: Yes

4. Do you consider that this part of the Community Facilities chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)