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

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## 14

**Full name:** Richard John Eley

**Proposal:** 14. Open Space and Sports and Recreation

**1. To which part of the Open Space and Sports and Recreation chapter does your representation relate?:** Paragraph

**1(a). Please write down the paragraph, policy or figure number that your representation relates to.:** 14

**2. Do you consider that this part of the Open Space and Sports and Recreation chapter is legally compliant?:** Yes

**3. Do you consider that this part of the Open Space and Sports and Recreation chapter is sound?:** 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)

## 14.1

**Full name:** Jill Harmer

**Organisation (where relevant):** Devon & Somerset Gliding Club

**Proposal:** 14. Open Space and Sports and Recreation

**1. To which part of the Open Space and Sports and Recreation chapter does your representation relate?:** Paragraph

**1(a). Please write down the paragraph, policy or figure number that your representation relates to.:** 14.1

**3. Do you consider that this part of the Open Space and Sports and Recreation chapter is sound?:** No

**3(b). If no, please give details of why you consider this part of the Open Space and Sports and Recreation chapter is not sound. Please be as precise as possible.:** The Devon and Somerset Gliding Club Ltd (DSGC) is a registered society under the Co-operative and Community Benefit Societies Act 2014, and is wholly owned by its members.

<https://www.dsgc.co.uk/> The Club is managed on a volunteer basis under the direction of an annually-elected management committee. It has a lengthy history starting life as Taunton Vale Gliding Club at Dunkeswell Aerodrome, before changing name and then buying some farmland one mile to the west on the edge of the Blackdown Hills, and developing a glider site at North Hill airfield.

In 2019, our site, North Hill airfield, was designated by Sport England as a gliding National Significant Area for Sport (SASP). In fact, we are currently making plans to hold a National Gliding Competition at North Hill in July 2023. - this will be the 50th Anniversary of the Competition Enterprise having been inaugurated at North Hill in 1973.

<https://www.sportengland.org/how-we-can-help/facilities-and-planning/planning-for-sport/significant-areas-for-sport>

<https://www.compenterprise.uk/2023.html>

The DSGC is the largest Gliding club in the south-west peninsula with good facilities for a non-commercial club run by volunteers.

**3(c). Please set out the modification(s) you consider necessary to make this part of the Open Space and Sports and Recreation 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 Open Space and Sports and Recreation 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 DSGC Club Management find it very disappointing that no mention is made of the Club, its sporting activities, or site as a National SASP for Gliding in the new Draft East Devon Local Plan, and hope that this omission can be rectified.

Happy to be contacted for further discussion / visit if you wish.

**Full name:** Nick Guildford

**Organisation (where relevant):** C G Fry & Son

**Other party name (if relevant):** Mr & Mrs Cowling

**Proposal:** 14. Open Space and Sports and Recreation

**1. To which part of the Open Space and Sports and Recreation chapter does your representation relate?:** Paragraph

**1(a). Please write down the paragraph, policy or figure number that your representation relates to.:** 14.1

**3. Do you consider that this part of the Open Space and Sports and Recreation chapter is sound?:** No

**3(b). If no, please give details of why you consider this part of the Open Space and Sports and Recreation chapter is not sound. Please be as precise as possible.:** The open space and recreation policies are overly prescriptive and contain a bewildering array of requirements. The sensible approach would be to refer to Fields in Trust standards, but there is no justification for setting the Natural England standards. These standards have not been subject to public consultation, nor has the impact of them on housing delivery been tested. Moreover, they may be challenging to meet in many cases.

**3(c). Please set out the modification(s) you consider necessary to make this part of the Open Space and Sports and Recreation 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 Open Space and Sports and Recreation 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.:** It is considered that at most, planning policies should require schemes to have regard to the Natural England standards, taking into account existing local provision (to be identified by councils as part of their evidence base) and local context.

**Full name:** Simon Coles

**Organisation (where relevant):** CarneySweeney

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

**Proposal:** 14. Open Space and Sports and Recreation

**1. To which part of the Open Space and Sports and Recreation chapter does your representation relate?:** Paragraph

**1(a). Please write down the paragraph, policy or figure number that your representation relates to.:** 14.1

**3(b). If no, please give details of why you consider this part of the Open Space and Sports and Recreation chapter is not sound. Please be as precise as possible.:** The open space and recreation policies are overly prescriptive and contain a bewildering array of requirements. The sensible approach would be to refer to Fields in Trust standards, but there is no justification for setting the Natural England standards. These standards have not been subject to public consultation, nor has the impact of them on housing delivery been tested. Moreover, they may be challenging to meet in many cases, especially for residential development in excess of 200 – 300 dwellings. It is considered that at most, planning policies should require schemes to have regard to the Natural England standards, taking into account existing local provision (to be identified by councils as part of their evidence base) and local context.

**Full name:** Simon Coles

**Organisation (where relevant):** CarneySweeney

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

**Proposal:** 14. Open Space and Sports and Recreation

**1. To which part of the Open Space and Sports and Recreation chapter does your representation relate?:** Paragraph

**1(a). Please write down the paragraph, policy or figure number that your representation relates to.:** 14.1

**3(b). If no, please give details of why you consider this part of the Open Space and Sports and Recreation chapter is not sound. Please be as precise as possible.:** The open space and recreation policies are overly prescriptive and contain a bewildering array of requirements. The sensible approach would be to refer to Fields in Trust standards, but there is no justification for setting the Natural England standards. These standards have not been subject to public consultation, nor has the impact of them on housing delivery been tested. Moreover, they may be challenging to meet in many cases, especially for residential development in excess of 200 – 300 dwellings. It is considered that at most, planning policies should require schemes to have regard to the Natural England standards, taking into account existing local provision (to be identified by councils as part of their evidence base) and local context.

**Full name:** Jess Perminter

**Organisation (where relevant):** CarneySweeney

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

**Proposal:** 14. Open Space and Sports and Recreation

**1. To which part of the Open Space and Sports and Recreation chapter does your representation relate?:** Paragraph

**1(a). Please write down the paragraph, policy or figure number that your representation relates to.:** 14.1

**3. Do you consider that this part of the Open Space and Sports and Recreation chapter is sound?:** No

**3(b). If no, please give details of why you consider this part of the Open Space and Sports and Recreation chapter is not sound. Please be as precise as possible.:** The open space and recreation policies are overly prescriptive and contain a bewildering array of requirements. The sensible approach would be to refer to Fields in Trust standards, but there is no justification for setting the Natural England standards. These standards have not been subject to public consultation, nor has the impact of them on housing delivery been tested. Moreover, they may be challenging to meet in many cases, especially for residential development in excess of 200 – 300 dwellings.

**3(c). Please set out the modification(s) you consider necessary to make this part of the Open Space and Sports and Recreation 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 Open Space and Sports and Recreation 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.:** It is considered that at most, planning policies should require schemes to have regard to the Natural England standards, taking into account existing local provision (to be identified by councils as part of their evidence base) and local context.

**Full name:** Samantha Thomas

**Organisation (where relevant):** CarneySweeney

**Other party name (if relevant):** Taylor Wimpey Exeter

**Proposal:** 14. Open Space and Sports and Recreation

**1. To which part of the Open Space and Sports and Recreation chapter does your representation relate?:** Paragraph

**1(a). Please write down the paragraph, policy or figure number that your representation relates to.:** 14.1

**3(b). If no, please give details of why you consider this part of the Open Space and Sports and Recreation chapter is not sound. Please be as precise as possible.:** The open space and recreation policies are overly prescriptive and contain a bewildering array of requirements. The sensible approach would be to refer to Fields in Trust standards, but there is no justification for setting the Natural England standards. These standards have not been subject to public consultation, nor has the impact of them on housing delivery been tested. Moreover, they may be challenging to meet in many cases, especially for residential development in excess of 200 – 300 dwellings. It is considered that at most, planning policies should require schemes to have regard to the Natural England standards, taking into account existing local provision (to be identified by councils as part of their evidence base) and local context.

**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)

## 14.4

**Full name:** David Morgan

**Proposal:** 14. Open Space and Sports and Recreation

**1. To which part of the Open Space and Sports and Recreation chapter does your representation relate?:** Paragraph

**1(a). Please write down the paragraph, policy or figure number that your representation relates to.:** 14.4

**3(b). If no, please give details of why you consider this part of the Open Space and Sports and Recreation chapter is not sound. Please be as precise as possible.:**

Paragraph 14.4 (page 242). Quote: “New developments, especially housing, must have access to appropriate levels of open space or contribute to new provision to avoid shortfalls. This policy sets quantified open space standards based on Fields in Trust guidelines.”

Comment: Where ever possible, this policy must place the provision and access of open space as a priority rather than actively considering an alternative financial contribution towards the provision of off-site new open space.

## OS01

**Full name:** Bethan Haigh

**Organisation (where relevant):** Boyer Planning

**Other party name (if relevant):** Vistry Group

**Proposal:** 14. Open Space and Sports and Recreation

**1. To which part of the Open Space and Sports and Recreation chapter does your representation relate?:** Policy

**1(a). Please write down the paragraph, policy or figure number that your representation relates to.:** OS01

**3(a). If yes, and you wish to support the soundness of this part of the Open Space and Sports and Recreation chapter, please use this box to set out your comments.:**

We support the principle of this policy and the need for new development to deliver new and enhanced high quality open space.

The proposed development at Addlepool Farm shall deliver a variety of informal and formal public open space, which could include allotments, community orchard and formal play pitches, therefore making a positive contribution towards this policy.

**Full name:** Bethan Haigh

**Organisation (where relevant):** Boyer Planning

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

**Proposal:** 14. Open Space and Sports and Recreation

**1. To which part of the Open Space and Sports and Recreation chapter does your representation relate?:** Policy

**1(a). Please write down the paragraph, policy or figure number that your representation relates to.:** OS01

**3. Do you consider that this part of the Open Space and Sports and Recreation chapter is sound?:** No

**3(b). If no, please give details of why you consider this part of the Open Space and Sports and Recreation chapter is not sound. Please be as precise as possible.:**

2.119 We support the principle of this policy and the need for new development to deliver new and enhanced high quality open space.

2.120 We object to the policy's suggestion that all development must consider the provision of formal sports provision including changing provision, pavilions and other supporting facilities it will generate. It should be recognised that the provision of formal sports facilities should be driven by the site's location and context and not all sites are suitable for formal sports provision.

**3(c). Please set out the modification(s) you consider necessary to make this part of the Open Space and Sports and Recreation 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 Open Space and Sports and Recreation 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 Plan must acknowledge that certain sites (due to their context and topography) are not suitable locations for accommodating formal sports provision. Sporting facilities can be delivered in other, informal ways, including the provision of outside trim trail equipment, circular walking routes, which can deliver similar benefits and provide opportunities for health and well-being to all. The policy must be reworded accordingly to recognise the need to consider formal sports provision on a case-by-case basis.

**Full name:** Nick Guildford

**Organisation (where relevant):** C G Fry & Son

**Other party name (if relevant):** Mr & Mrs Cowling

**Proposal:** 14. Open Space and Sports and Recreation

**1. To which part of the Open Space and Sports and Recreation chapter does your representation relate?:** Policy

**1(a). Please write down the paragraph, policy or figure number that your representation relates to.:** OS01

**3. Do you consider that this part of the Open Space and Sports and Recreation chapter is sound?:** No

**3(b). If no, please give details of why you consider this part of the Open Space and Sports and Recreation chapter is not sound. Please be as precise as possible.:** It is unclear from the policy which party – the Council or the applicant – will be required to undertake a quantitative and qualitative assessment of open space provision and its accessibility in terms of what exists now and what is planned.

It is considered that it is incumbent upon the Council to maintain its own objective evidence base for such purposes. This will enable all applicants in a single area to apply the same evidence in a consistent way to their schemes, rather than each applicant having to undertake its own assessment for each application. This is especially key where many large sites are allocated for development in a settlement.

**3(c). Please set out the modification(s) you consider necessary to make this part of the Open Space and Sports and Recreation 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 Open Space and Sports and Recreation 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.:** Amend policy to confirm that the Council will be responsible for providing the evidence base.

**Full name:** Simon Coles

**Organisation (where relevant):** CarneySweeney

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

**Proposal:** 14. Open Space and Sports and Recreation

**1. To which part of the Open Space and Sports and Recreation chapter does your representation relate?:** Policy

**1(a). Please write down the paragraph, policy or figure number that your representation relates to.:** OS01

**3(b). If no, please give details of why you consider this part of the Open Space and Sports and Recreation chapter is not sound. Please be as precise as possible.:** It is unclear from the policy which party – the Council or the applicant – will be required to undertake a quantitative and qualitative assessment of open space provision and its accessibility in terms of what exists now and what is planned.

It is considered that it is incumbent upon the Council to maintain its own objective evidence base for such purposes. This will enable all applicants in a single area to apply the same evidence in a consistent way to their schemes, rather than each applicant having to undertake its own assessment for each application. This is especially key where many large sites are allocated for development in a settlement.

**3(c). Please set out the modification(s) you consider necessary to make this part of the Open Space and Sports and Recreation 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 Open Space and Sports and Recreation 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.:** Amend policy to confirm that the Council will be responsible for providing the evidence base.

**Full name:** Simon Coles

**Organisation (where relevant):** CarneySweeney

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

**Proposal:** 14. Open Space and Sports and Recreation

**1. To which part of the Open Space and Sports and Recreation chapter does your representation relate?:** Policy

**1(a). Please write down the paragraph, policy or figure number that your representation relates to.:** OS01

**3(b). If no, please give details of why you consider this part of the Open Space and Sports and Recreation chapter is not sound. Please be as precise as possible.:** It is unclear from the policy which party – the Council or the applicant – will be required to undertake a quantitative and qualitative assessment of open space provision and its accessibility in terms of what exists now and what is planned.

It is considered that it is incumbent upon the Council to maintain its own objective evidence base for such purposes. This will enable all applicants in a single area to apply the same evidence in a consistent way to their schemes, rather than each applicant having to undertake its own assessment for each application. This is especially key where many large sites are allocated for development in a settlement.

**3(c). Please set out the modification(s) you consider necessary to make this part of the Open Space and Sports and Recreation 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 Open Space and Sports and Recreation 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.:** Amend policy to confirm that the Council will be responsible for providing the evidence base.

**Full name:** Jess Perminter

**Organisation (where relevant):** CarneySweeney

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

**Proposal:** 14. Open Space and Sports and Recreation

**1. To which part of the Open Space and Sports and Recreation chapter does your representation relate?:** Policy

**1(a). Please write down the paragraph, policy or figure number that your representation relates to.:** OS01

**3. Do you consider that this part of the Open Space and Sports and Recreation chapter is sound?:** No

**3(b). If no, please give details of why you consider this part of the Open Space and Sports and Recreation chapter is not sound. Please be as precise as possible.:** It is unclear from the policy which party – the Council or the applicant – will be required to undertake a quantitative and qualitative assessment of open space provision and its accessibility in terms of what exists now and what is planned. It is considered that it is incumbent upon the Council to maintain its own objective evidence base for such purposes. This will enable all applicants in a single area to apply the same evidence in a consistent way to their schemes, rather than each applicant having to undertake its own assessment for each application. This is especially key where many large sites are allocated for development in a settlement.

**3(c). Please set out the modification(s) you consider necessary to make this part of the Open Space and Sports and Recreation 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 Open Space and Sports and Recreation 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.:** Amend policy to confirm that the Council will be responsible for providing the evidence base.

**Full name:** James McMurdo

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

**Other party name (if relevant):** Stuart Partners Ltd

**Proposal:** 14. Open Space and Sports and Recreation

**1. To which part of the Open Space and Sports and Recreation chapter does your representation relate?:** Policy

**1(a). Please write down the paragraph, policy or figure number that your representation relates to.:** OS01

**3. Do you consider that this part of the Open Space and Sports and Recreation chapter is sound?:** No

**3(b). If no, please give details of why you consider this part of the Open Space and Sports and Recreation chapter is not sound. Please be as precise as possible.:**

[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 singularly and cumulatively to policies:

- OS01: Access to open space and recreation facilities,
- OS02: Sport, recreation, open space provision in association with development

Reasons:

Housing Development: It is for the Council (not each and every applicant for planning permission) to evidence open space requirements based on existing supply and future demand considering its existing and emerging policy. That is fair and reasonable for all involved in development proposals, including the Council and its residents.

There is no evidence for analysis to justify the onerous provision that all schemes for more than 200 dwellings should provide an open space audit upon submission or that

schemes for over 300 houses should provide all of the open space as tabulated (including formal playing pitches in proximity to the proposed scheme).

Such policy wording has no evidence basis, is not justified, can affect development viability, lead to open space in the wrong places (including duplication), potentially at the expense of much needed housing delivery, and could stop the Council from collecting planning obligations monies to deliver open space in the right places at the right times.

Other Development Types: There is no evidence for analysis to justify these requirements.

**3(c). Please set out the modification(s) you consider necessary to make this part of the Open Space and Sports and Recreation 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 Open Space and Sports and Recreation 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.:** Either:

1. delete the policies and rely on Chapters 2, 6 and 8 of the NPPF;
2. delete the following aspects from the policies:
  - the onerous, unjustified, and unclear, requirements for schemes of over 200 houses and over 300 houses;
  - the onerous, unjustified, and unclear, requirements for schemes for non-residential uses.
3. provide detailed, reasoned justification for analysis for the policies as written and reconsult.

**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:** 14. Open Space and Sports and Recreation

**1. To which part of the Open Space and Sports and Recreation chapter does your representation relate?:** Policy

**1(a). Please write down the paragraph, policy or figure number that your representation relates to.:** OS01

**3. Do you consider that this part of the Open Space and Sports and Recreation chapter is sound?:** No

**3(b). If no, please give details of why you consider this part of the Open Space and Sports and Recreation 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]

It is for the Council (not each and every applicant for planning permission) to evidence open space requirements based on existing supply and future demand considering its existing and emerging policy. That is fair and reasonable for all involved in development proposals, including the Council and its residents.

There is no evidence for analysis to justify the onerous provision that all schemes for more than 200 dwellings should provide an open space audit upon submission or that schemes for over 300 houses should provide all of the open space as tabulated (including formal playing pitches in proximity to the proposed scheme).

Such policy wording has no evidence basis, is not justified, can affect development viability, lead to open space in the wrong places (including duplication), potentially at the expense of much needed housing delivery, and could stop the Council from collecting planning obligations monies to deliver open space in the right places at the right times.

**3(c). Please set out the modification(s) you consider necessary to make this part of the Open Space and Sports and Recreation 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 Open Space and Sports and Recreation 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.:** Either:

1. delete the policies and rely on Chapters 2, 6 and 8 of the NPPF;

2. delete the following aspects from the policies:

the onerous, unjustified, and unclear, requirements for schemes of over 200 houses and over 300 houses; the onerous, unjustified, and unclear, requirements for schemes for non- residential uses.

3. provide detailed, reasoned justification for analysis for the policies as written and reconsult.

**Full name:** Oliver Keates

**Organisation (where relevant):** OBK Land and Planning Ltd

**Proposal:** 14. Open Space and Sports and Recreation

**1. To which part of the Open Space and Sports and Recreation chapter does your representation relate?:** Policy

**1(a). Please write down the paragraph, policy or figure number that your representation relates to.:** OS01

**2. Do you consider that this part of the Open Space and Sports and Recreation chapter is legally compliant?:** Yes

**2(a). If yes, and you wish to support the legal compliance of this part of the Open Space and Sports and Recreation chapter, please use this box to set out your comments.:** I support this policy. Access to open space and sports facilities is important and a key consideration in accommodating new development.

**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)

**Full name:** David Morgan

**Proposal:** 14. Open Space and Sports and Recreation

**1. To which part of the Open Space and Sports and Recreation chapter does your representation relate?:** Policy

**1(a). Please write down the paragraph, policy or figure number that your representation relates to.:** OS01

**3(b). If no, please give details of why you consider this part of the Open Space and Sports and Recreation chapter is not sound. Please be as precise as possible.:**

Strategic Policy OS01: Access to open space and recreation facilities (page 241). Quote: “Support will be given for the provision of new and enhanced high quality open spaces and access to existing spaces and to sports and recreation facilities.”

**3(c). Please set out the modification(s) you consider necessary to make this part of the Open Space and Sports and Recreation 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 Open Space and Sports and Recreation 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.:** Strategic Policy OS01: Access to open space and recreation facilities (page 241). Quote: “Support will be given for the provision of new and enhanced high quality open spaces and access to existing spaces and to sports and recreation facilities.”

Comment: There is a need for this policy to include “protection of existing open spaces and sports and recreation facilities”.

**Full name:** Adrian Toole

**Proposal:** 14. Open Space and Sports and Recreation

**1. To which part of the Open Space and Sports and Recreation chapter does your representation relate?:** Policy

**1(a). Please write down the paragraph, policy or figure number that your representation relates to.:** OS01

**2. Do you consider that this part of the Open Space and Sports and Recreation chapter is legally compliant?:** Yes

**2(a). If yes, and you wish to support the legal compliance of this part of the Open Space and Sports and Recreation chapter, please use this box to set out your comments.:** All OK

**3. Do you consider that this part of the Open Space and Sports and Recreation chapter is sound?:** Yes

**3(a). If yes, and you wish to support the soundness of this part of the Open Space and Sports and Recreation chapter, please use this box to set out your comments.:**  
All OK

**4. Do you consider that this part of the Open Space and Sports and Recreation chapter complies with the duty to cooperate?:** Yes

**4(a). If yes, and you wish to support this part of the Open Space and Sports and Recreation chapter's compliance with the duty to co-operate, please use this box to set out your comments.:** All OK

**Full name:** Devon Wildlife Trust (planning)

**Organisation (where relevant):** Devon Wildlife Trust

**Proposal:** 14. Open Space and Sports and Recreation

**1. To which part of the Open Space and Sports and Recreation chapter does your representation relate?:** Policy

**1(a). Please write down the paragraph, policy or figure number that your representation relates to.:** OS01

**3(b). If no, please give details of why you consider this part of the Open Space and Sports and Recreation chapter is not sound. Please be as precise as possible.:** We would welcome the inclusion of reference to the requirement for enhancement of our natural environment within these policies.

**3(c). Please set out the modification(s) you consider necessary to make this part of the Open Space and Sports and Recreation 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 Open Space and Sports and Recreation 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.:** We would welcome the inclusion of reference to the requirement for enhancement of our natural environment within these policies.

**Full name:** Kris Calderhead

**Organisation (where relevant):** Devon & Cornwall Police

**Proposal:** 14. Open Space and Sports and Recreation

**1. To which part of the Open Space and Sports and Recreation chapter does your representation relate?:** Policy

**1(a). Please write down the paragraph, policy or figure number that your representation relates to.:** OS01

**3(b). If no, please give details of why you consider this part of the Open Space and Sports and Recreation chapter is not sound. Please be as precise as possible.:**

Reducing incidents of violence against women and girls (VAWG) is both a local and national priority of policing. Creating safe places, particularly parks and open space, is one area where research has been carried out to devise principles that help women, girls and indeed all users feel safe. These align with the designing out crime principles and I was wondering if you feel it would be appropriate to reference them within Chapter 14 Open space and sports and recreation facilities?

**3(c). Please set out the modification(s) you consider necessary to make this part of the Open Space and Sports and Recreation 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 Open Space and Sports and Recreation 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.:** Essentially, they refer to parks being designed with the following in mind:

- Eyes on the Park – a constant mix of activity and natural proprietors watching over the area. Facilities that attract a broad demographic with good lines of site, surveillance opportunities and effective management and maintenance.
- Awareness – enhancing the ability to see and be seen, ensuring clear wayfinding and easy navigation of the site, including a clear hierarchy of paths with wide and visible entrances. Facilities located close to main routes and busy areas of the park.
- Inclusion – access via safe, well used routes and designing facilities with inclusion of all demographics in mind. Entrances close to public transport links prioritised with signposting to nearby facilities, safe zones etc. Engagement with local community and relevant groups to inform design.

## OS02

**Full name:** Bethan Haigh

**Organisation (where relevant):** Boyer Planning

**Other party name (if relevant):** Vistry Group

**Proposal:** 14. Open Space and Sports and Recreation

**1. To which part of the Open Space and Sports and Recreation chapter does your representation relate?:** Policy

**1(a). Please write down the paragraph, policy or figure number that your representation relates to.:** OS02

**3(b). If no, please give details of why you consider this part of the Open Space and Sports and Recreation chapter is not sound. Please be as precise as possible.:**

Vistry acknowledge the need for the draft LP to include a policy stipulating open space provision on new developments, however consider, at present that the policy wording does not provide sufficient flexibility and will be ineffective, hindering housing delivery.

Whilst the policy suggests that the provision and typology of public open space on sites could depart from the policy's typology breakdown, the scenarios upon which this may be acceptable is not considered to go far enough. The Council have failed to acknowledge that site topography and context should influence the open space typology that should form part of a future scheme.

Addlepool Village is centred on promoting healthy communities and is proposed to deliver significant quantum of public open space, village green, allotments, new woodland, potential for sports pitches, community orchard, and children's play areas.

**Full name:** Bethan Haigh

**Organisation (where relevant):** Boyer Planning

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

**Proposal:** 14. Open Space and Sports and Recreation

**1. To which part of the Open Space and Sports and Recreation chapter does your representation relate?:** Policy

**1(a). Please write down the paragraph, policy or figure number that your representation relates to.:** OS02

**3. Do you consider that this part of the Open Space and Sports and Recreation chapter is sound?:** No

**3(b). If no, please give details of why you consider this part of the Open Space and Sports and Recreation chapter is not sound. Please be as precise as possible.:**

3.55 This policy sets out the requirements for the provision of open space for new developments, with the level of required open space required varying by site size. The requirements are set out below:

- Up to 20 homes – Amenity green space for informal play
  
- 21-100 homes – LAPs and amenity green space
  
- 100-300 homes – LAPs, LEAPs and amenity green space
- 300-500 homes - LAPs, LEAPs, amenity green space and other types
  
- Over 500 homes – LAP, LEAP, NEAP, informal play, amenity green space, and additional green space types.

3.56 Additional requirements for developments over 200 homes include:

- Doorstep accessible Greenspace (0.5ha within 200m) or;

- Local accessible Greenspace (2ha within 300m). For sites over 300 homes, Neighbourhood Accessible Greenspace (10ha within 1km) is required.
- Open space will be calculated based on an average of 2.26 residents per household, with some exceptions or contributions to off-site spaces allowed.

3.57 The draft LP policy provides some flexibility for diverting from the open space requirements, in instances where: the resident population may give rise to particular types of public open space; other substantive types of open space types are present; the site is constrained by size, the most meaningful contribution is generated by providing only certain types of public open space provision.

3.58 We support the Council's recognition that a flexible approach is required, however, at present, consider that the draft LP policy does not go far enough to recognise that there are other matters that influence the open space typologies that could be delivered on a site. This includes physical constraints such as topography and site context. Officers must acknowledge that certain sites are not suitable locations for accommodating certain types of public open space, especially formal sports provision, which requires specific topography and gradients. Sporting facilities can, however, be delivered in other, informal ways, including the provision of outside trim trail equipment, circular walking routes, which can deliver similar benefits and provide opportunities for health and well-being to all.

**3(c). Please set out the modification(s) you consider necessary to make this part of the Open Space and Sports and Recreation 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 Open Space and Sports and Recreation 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 must be reworded accordingly to recognise open space standards should be considered on a case-by-case basis taking account of site constraints.

3.59 It should be acknowledged that, where on-site provision is not possible, financial contributions can be made to off-set pressures on existing sports and recreational facilities.

3.60 It is also considered that additional open space requirements for developments over 200 homes are not required, given that the policy already requires provision for LAPs, LEAPs and amenity green space. The provision of additional open space, above the Fields in Trust derived standard, would not only add cost to the development but also reduce the developable area of the site to overcome deficiencies of the wider area, which aren't specific to the proposed development.

3.61 If additional open space features are required, these requirements should be brought forward in the Local Plan through specific allocations.

**Full name:** Nick Guildford

**Organisation (where relevant):** C G Fry & Son

**Other party name (if relevant):** Mr & Mrs Cowling

**Proposal:** 14. Open Space and Sports and Recreation

**1. To which part of the Open Space and Sports and Recreation chapter does your representation relate?:** Policy

**1(a). Please write down the paragraph, policy or figure number that your representation relates to.:** OS02

**3. Do you consider that this part of the Open Space and Sports and Recreation chapter is sound?:** No

**3(b). If no, please give details of why you consider this part of the Open Space and Sports and Recreation chapter is not sound. Please be as precise as possible.:** The open space typology requirements with reference to Fields in Trust is supported.

The additional reference to Natural England's Green Infrastructure and Accessible Greenspace Standards is not considered necessary.

The elements of this policy that have not been justified are unsound and should be deleted.

**3(c). Please set out the modification(s) you consider necessary to make this part of the Open Space and Sports and Recreation 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 Open Space and Sports and Recreation 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.:** Delete the following parts of the policy:

- Natural England's Green Infrastructure and Accessible Greenspace Standards

**Full name:** Simon Coles

**Organisation (where relevant):** CarneySweeney

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

**Proposal:** 14. Open Space and Sports and Recreation

**1. To which part of the Open Space and Sports and Recreation chapter does your representation relate?:** Policy

**1(a). Please write down the paragraph, policy or figure number that your representation relates to.:** OS02

**3(b). If no, please give details of why you consider this part of the Open Space and Sports and Recreation chapter is not sound. Please be as precise as possible.:** The open space typology requirements with reference to Fields in Trust is supported.

The additional reference to Natural England's Green Infrastructure and Accessible Greenspace Standards is not considered necessary.

The requirement for applicants on schemes over 200 dwellings to undertake their own audit of existing open space and its capacity is unreasonable. As above, it is for the Council to maintain its evidence base, against which applicants can design their individual schemes.

It will be challenging for all schemes of more than 300 homes to incorporate all the open space typologies listed in the table, especially formal playing pitches. No evidence has been presented by the Council to justify the effect of this blanket requirement on the delivery of new homes and other scheme elements and ultimately, the effect on viability and the ability to deliver a policy compliant level of affordable housing. Coupled with this is the requirement for playing pitches to be within 1,200m of all dwellings within a scheme. Again, this is where the Council's quantitative and qualitative evidence should identify opportunities for improvements to existing facilities through commuted sum payments, where on-site formal sports provision is not appropriate.

ADDITIONAL REQUIREMENTS FOR RESIDENTIAL DEVELOPMENTS OVER 200 DWELLINGS

These additional requirements for development over 200 (and 300) dwellings are unduly onerous and will be very challenging to achieve. Moreover, they have not been justified and tested against housing delivery and viability criteria, especially in lower value areas such as Axminster.

The requirement for schemes of over 300 dwellings to provide 10 ha of Neighbourhood Accessible Greenspace within 1km of each home may well be a laudable objective but it is simply unrealistic and unachievable. The implication is that applicants will have to purchase an additional 10 ha of land adjoining or near to the site in order to meet the requirement. Policy OS02 has the clear potential to create a ransom in circumstances where an applicant is forced to acquire additional 3rd party land in order to satisfy open space requirements. Planning policies should act in the public interest and should not serve private interests. As above, no assessment has been undertaken of the effect of this requirement on scheme viability.

#### OPEN SPACE REQUIREMENTS FOR NON-RESIDENTIAL USE

The requirements are far too vague and incapable of objective assessment, leading to confusion for applicants.

The elements of this policy that have not been justified are unsound and should be deleted.

**3(c). Please set out the modification(s) you consider necessary to make this part of the Open Space and Sports and Recreation 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 Open Space and Sports and Recreation 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.:** Delete the following parts of the policy:

- Natural England's Green Infrastructure and Accessible Greenspace Standards

- The requirement for schemes over 200 to undertake an open space audit
  
- Additional requirements for schemes over 200
  
- Open space requirements for non-residential use

**Full name:** Simon Coles

**Organisation (where relevant):** CarneySweeney

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

**Proposal:** 14. Open Space and Sports and Recreation

**1. To which part of the Open Space and Sports and Recreation chapter does your representation relate?:** Policy

**1(a). Please write down the paragraph, policy or figure number that your representation relates to.:** OS02

**3(a). If yes, and you wish to support the soundness of this part of the Open Space and Sports and Recreation chapter, please use this box to set out your comments.:**

The open space typology requirements with reference to Fields in Trust is supported.

**3(b). If no, please give details of why you consider this part of the Open Space and Sports and Recreation chapter is not sound. Please be as precise as possible.:**

The additional reference to Natural England's Green Infrastructure and Accessible Greenspace Standards is not considered necessary.

The requirement for applicants on schemes over 200 dwellings to undertake their own audit of existing open space and its capacity is unreasonable. As above, it is for the Council to maintain its evidence base, against which applicants can design their individual schemes.

It will be challenging for all schemes of more than 300 homes to incorporate all the open space typologies listed in the table, especially formal playing pitches. No evidence has been presented by the Council to justify the effect of this blanket requirement on the delivery of new homes and other scheme elements and ultimately, the effect on viability and the ability to deliver a policy compliant level of affordable housing. Coupled with this is the requirement for playing pitches to be within 1,200m of all dwellings within a scheme. Again, this is where the Council's quantitative and qualitative evidence should identify opportunities for improvements to existing facilities through commuted sum payments, where on-site formal sports provision is not appropriate.

ADDITIONAL REQUIREMENTS FOR RESIDENTIAL DEVELOPMENTS OVER 200 DWELLINGS

These additional requirements for development over 200 (and 300) dwellings are unduly onerous and will be very challenging to achieve. Moreover, they have not been justified and tested against housing delivery and viability criteria, especially in lower value areas such as Axminster.

The requirement for schemes of over 300 dwellings to provide 10 ha of Neighbourhood Accessible Greenspace within 1km of each home may well be a laudable objective but it is simply unrealistic and unachievable. The implication is that applicants will have to purchase an additional 10 ha of land adjoining or near to the site in order to meet the requirement. Policy OS02 has the clear potential to create a ransom in circumstances where an applicant is forced to acquire additional 3rd party land in order to satisfy open space requirements. Planning policies should act in the public interest and should not serve private interests. As above, no assessment has been undertaken of the effect of this requirement on scheme viability.

#### OPEN SPACE REQUIREMENTS FOR NON-TECHNICAL USE

The requirements are far too vague and incapable of objective assessment, leading to confusion for applicants.

The elements of this policy that have not been justified are unsound and should be deleted.

**3(c). Please set out the modification(s) you consider necessary to make this part of the Open Space and Sports and Recreation 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 Open Space and Sports and Recreation 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.:** Delete the following parts of the policy:

- Natural England's Green Infrastructure and Accessible Greenspace Standards

- The requirement for schemes over 200 to undertake an open space audit
  
- Additional requirements for schemes over 200
  
- Open space requirements for non-residential use

**Full name:** Jess Perminter

**Organisation (where relevant):** CarneySweeney

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

**Proposal:** 14. Open Space and Sports and Recreation

**1. To which part of the Open Space and Sports and Recreation chapter does your representation relate?:** Policy

**1(a). Please write down the paragraph, policy or figure number that your representation relates to.:** OS02

**3. Do you consider that this part of the Open Space and Sports and Recreation chapter is sound?:** No

**3(b). If no, please give details of why you consider this part of the Open Space and Sports and Recreation chapter is not sound. Please be as precise as possible.:** The open space typology requirements with reference to Fields in Trust is supported. The additional reference to Natural England's Green Infrastructure and Accessible Greenspace Standards is not considered necessary. The requirement for applicants on schemes over 200 dwellings to undertake their own audit of existing open space and its capacity is unreasonable. As above, it is for the Council to maintain its evidence base, against which applicants can design their individual schemes. It will be challenging for all schemes of more than 300 homes to incorporate all the open space typologies listed in the table, especially formal playing pitches. No evidence has been presented by the Council to justify the effect of this blanket requirement on the delivery of new homes and other scheme elements and ultimately, the effect on viability and the ability to deliver a policy compliant level of affordable housing. Coupled with this is the requirement for playing pitches to be within 1,200m of all dwellings within a scheme. Again, this is where the Council's quantitative and qualitative evidence should identify opportunities for improvements to existing facilities through commuted sum payments, where on-site formal sports provision is not appropriate. Additional requirements for residential developments over 200 dwellings These additional requirements for development over 200 (and 300) dwellings are unduly onerous and will be very challenging to achieve. Moreover, they have not been justified and tested against housing delivery and viability criteria, especially in lower value areas such as Axminster. The requirement for schemes of over 300 dwellings to provide 10 ha of Neighbourhood Accessible Greenspace within 1km of each home may well be a laudable objective but it is simply unrealistic and unachievable. The implication is that applicants will have to purchase an additional 10 ha of land adjoining or near to the site in order to meet the requirement. Policy OS02 has the clear potential on create a ransom in circumstances where an applicant is forced to acquire additional 3rd party land in order to satisfy open

space requirements. Planning policies should act in the public and should not serve private interests. As above, no assessment has been undertaken of the effect of this requirement on scheme viability. Open space requirements for non-residential use

The requirements are far too vague and incapable of objective assessment, leading to confusion for applicants. The elements of this policy that have not been justified are unsound and should be deleted.

**3(c). Please set out the modification(s) you consider necessary to make this part of the Open Space and Sports and Recreation 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 Open Space and Sports and Recreation 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.:** Delete the following parts of the policy:

- Natural England’s Green Infrastructure and Accessible Greenspace Standards
- The requirement for schemes over 200 to undertake an open space audit
- Additional requirements for schemes over 200
- Open space requirements for non-residential use

**Full name:** Samantha Thomas

**Organisation (where relevant):** CarneySweeney

**Other party name (if relevant):** Cavanna Homes (Cavanna)

**Proposal:** 14. Open Space and Sports and Recreation

**1. To which part of the Open Space and Sports and Recreation chapter does your representation relate?:** Policy

**1(a). Please write down the paragraph, policy or figure number that your representation relates to.:** OS02

**3. Do you consider that this part of the Open Space and Sports and Recreation chapter is sound?:** No

**3(b). If no, please give details of why you consider this part of the Open Space and Sports and Recreation chapter is not sound. Please be as precise as possible.:** The open space typology requirements with reference to Fields in Trust is supported. The additional reference to Natural England's Green Infrastructure and Accessible Greenspace Standards is not considered necessary. The requirement for applicants on schemes over 200 dwellings to undertake their own audit of existing open space and its capacity is unreasonable. As above, it is for the Council to maintain its evidence base, against which applicants can design their individual schemes. It will be challenging for all schemes of more than 300 homes to incorporate all the open space typologies listed in the table, especially formal playing pitches. No evidence has been presented by the Council to justify the effect of this blanket requirement on the delivery of new homes and other scheme elements and ultimately, the effect on viability and the ability to deliver a policy compliant level of affordable housing. Coupled with this is the requirement for playing pitches to be within 1,200m of all dwellings within a scheme. Again, this is where the Council's quantitative and qualitative evidence should identify [www.carneysweeney.co.uk](http://www.carneysweeney.co.uk) opportunities for improvements to existing facilities through commuted sum payments, where on-site formal sports provision is not appropriate. Additional requirements for residential developments over 200 dwellings These additional requirements for development over 200 (and 300) dwellings are unduly onerous and will be very challenging to achieve. Moreover, they have not been justified and tested against housing delivery and viability criteria. The requirement for schemes of over 300 dwellings to provide 10 ha of Neighbourhood Accessible Greenspace within 1km of each home may well be a laudable objective but it is simply unrealistic and unachievable. The implication is that applicants will have to purchase an additional 10 ha of land adjoining or near to the site in order to meet the requirement. Policy OS02 has the clear potential on create a ransom in circumstances where an applicant is forced to acquire additional 3rd party land in order to satisfy open space requirements. Planning

policies should act in the public and should not serve private interests. As above, no assessment has been undertaken of the effect of this requirement on scheme viability. Open space requirements for non-residential use The requirements are far too vague and incapable of objective assessment, leading to confusion for applicants. The elements of this policy that have not been justified are unsound and should be deleted.

**3(c). Please set out the modification(s) you consider necessary to make this part of the Open Space and Sports and Recreation 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 Open Space and Sports and Recreation 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.:** Delete the following parts of the policy:

- Natural England’s Green Infrastructure and Accessible Greenspace Standards
- The requirement for schemes over 200 to undertake an open space audit
- Additional requirements for schemes over 200
- Open space requirements for non-residential use

**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)

**Full name:** Samantha Thomas

**Organisation (where relevant):** CarneySweeney

**Other party name (if relevant):** Taylor Wimpey Exeter

**Proposal:** 14. Open Space and Sports and Recreation

**1. To which part of the Open Space and Sports and Recreation chapter does your representation relate?:** Policy

**1(a). Please write down the paragraph, policy or figure number that your representation relates to.:** OS02

**3. Do you consider that this part of the Open Space and Sports and Recreation chapter is sound?:** No

**3(a). If yes, and you wish to support the soundness of this part of the Open Space and Sports and Recreation chapter, please use this box to set out your comments.:**

The open space typology requirements with reference to Fields in Trust is supported. The additional reference to Natural England's Green Infrastructure and Accessible Greenspace Standards is not considered necessary. These appear to be meant to be applied at a strategic/district wide level and not individual sites so are not appropriate standards to apply for all applications. The requirement for applicants on schemes over 200 dwellings to undertake their own audit of existing open space and its capacity is unreasonable. It is for the Council to maintain its evidence base, [www.carneysweeney.co.uk](http://www.carneysweeney.co.uk) against which applicants can design their individual schemes. Developments schemes should only have to meet the needs of their residents, which the typology requirements set out in the policy addresses. It will be challenging for all schemes of more than 300 homes to incorporate all the open space typologies listed in the table, especially formal playing pitches. No evidence has been presented by the Council to justify the effect of this blanket requirement on the delivery of new homes and other scheme elements and ultimately, the effect on viability and the ability to deliver a policy compliant level of affordable housing. Coupled with this is the requirement for playing pitches to be within 1,200m of all dwellings within a scheme. Again, this is where the Council's quantitative and qualitative evidence should identify opportunities for improvements to existing facilities through commuted sum payments, where on-site formal sports provision is not appropriate. Additional requirements for residential developments over 200 dwellings These additional requirements for development over 200 (and 300) dwellings are unduly onerous and will be very challenging to achieve. Moreover, they have not been justified and tested against housing delivery and viability criteria. Introducing open space features, above Fields in Trust guidance, would add cost and reduce developable area to overcome deficiencies of the wider area which isn't specific to the proposed development. The requirement for

schemes of over 300 dwellings to provide 10 ha of Neighbourhood Accessible Greenspace within 1km of each home may well be a laudable objective but it is simply unrealistic and unachievable. The implication is that applicants will have to purchase an additional 10 ha of land adjoining or near to the site in order to meet the requirement. Policy OS02 has the clear potential to create a ransom in circumstances where an applicant is forced to acquire additional 3rd party land in order to satisfy open space requirements. Planning policies should act in the public and should not serve private interests. As above, no assessment has been undertaken of the effect of this requirement on scheme viability. Open space requirements for non-residential use The requirements are far too vague and incapable of objective assessment, leading to confusion for applicants. The elements of this policy that have not been justified are unsound and should be deleted.

**3(b). If no, please give details of why you consider this part of the Open Space and Sports and Recreation chapter is not sound. Please be as precise as possible.:**

Delete the following parts of the policy:

- Natural England’s Green Infrastructure and Accessible Greenspace Standards.
- The requirement for schemes over 200 to undertake an open space audit.
- Additional requirements for schemes over 200. [www.carneysweeney.co.uk](http://www.carneysweeney.co.uk)
- Open space requirements for non-residential use. Viability

**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)

**Full name:** Jozie Bannister

**Organisation (where relevant):** Devonshire Homes

**Proposal:** 14. Open Space and Sports and Recreation

**1. To which part of the Open Space and Sports and Recreation chapter does your representation relate?:** Policy

**1(a). Please write down the paragraph, policy or figure number that your representation relates to.:** OS02

**3. Do you consider that this part of the Open Space and Sports and Recreation chapter is sound?:** No

**3(a). If yes, and you wish to support the soundness of this part of the Open Space and Sports and Recreation chapter, please use this box to set out your comments.:**

Expecting the developer to conduct an open space audit seems unnecessarily onerous and like something the Council should be conducting, not housebuilders.

Unnecessarily high open space requirements mean land cannot be used efficiently, as required by the NPPF, and the viability of developments will therefore be impacted.

**Full name:** Owen Jones

**Organisation (where relevant):** LRM Planning

**Other party name (if relevant):** David Wilson Homes

**Proposal:** 14. Open Space and Sports and Recreation

**1. To which part of the Open Space and Sports and Recreation chapter does your representation relate?:** Policy

**1(a). Please write down the paragraph, policy or figure number that your representation relates to.:** OS02

**2. Do you consider that this part of the Open Space and Sports and Recreation chapter is legally compliant?:** Yes

**3. Do you consider that this part of the Open Space and Sports and Recreation chapter is sound?:** No

**3(b). If no, please give details of why you consider this part of the Open Space and Sports and Recreation chapter is not sound. Please be as precise as possible.:** POLICY OS02 – SPORT, RECREATION AND OPEN SPACE PROVISION IN ASSOCIATION WITH DEVELOPMENT

9.93 DWH acknowledge that the emerging standards are based upon the Fields in Trust guidance and Natural England’s Green Infrastructure and Accessible Greenspace Standards. However, DWH is aware that the Local Planning Authority is currently preparing both an open space strategy and a playing pitch strategy. It is these documents that, as required by para. 102 of the 2023 version of the NPPF, will be used to provide the locally specific, robust and up-to-date assessment of the need for open space, sport and recreation facilities and to identify opportunities for new provision. Accordingly, it is possible that, once the evidence base underpinning Policy OS02 is complete, there may be the need to revisit the standards established within the Policy. Occupancy rate

9.94 DWH is concerned about how emerging Policies OS02 and PB04 could interact with each other. For instance, and using the Cranbrook Plan Area as an example, Policy OS02 outlines that the open space requirements should be calculated on the basis of an occupancy rate of 2.26 residents per home. However, at Cranbrook, the Cranbrook Plan establishes an occupancy rate of 2.35 persons, per home.

9.95 Accordingly, in the case of a non-allocated site within the Cranbrook Plan Area, the application of differing occupancy rates in the Cranbrook Plan and the emerging Local Plan, could, in the terms of para. 16 of the NPPF, create ambiguity about how a decision maker should react to development proposals. It therefore conflicts with national planning policy and is unsound.

9.96 More worryingly, in the event of such a conflict, planning law suggests that the conflict should be resolved in favour of the policy which is contained within the last document to be adopted, approved or published, which in this case would be the emerging Local Plan. However, the EAST DEVON LOCAL PLAN PUBLICATION DRAFT CONSULTATION 60 occupancy rate within the emerging Local Plan is significantly lower than the Cranbrook Plan, which amongst other things, was set at a rate to ensure that suitable mitigation was provided to mitigate the impact of development on internationally designated sites. The application of a lower occupancy rate might therefore accord with Development Plan policy, but not provide sufficient mitigation to enable the Local Planning Authority to conclude within an Appropriate Assessment that there will not be a likely significant effect as a result of the development alone or in combination with other plans and projects on internationally designated sites.

9.97 It is therefore suggested that the occupancy rates for public open space provision set out within emerging Policy OS02 and within Policy PB04 are reviewed. It may be the case that the Local Plan needs to be more specific about the occupancy rates to be employed for public open space provision and SANGS, or adopt differing occupancy rates in different parts of the Local Authority.

**3(c). Please set out the modification(s) you consider necessary to make this part of the Open Space and Sports and Recreation 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 Open Space and Sports and Recreation 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.:**

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DEV EL O PMENT

9.93 DWH acknowledge that the emerging standards are based upon the Fields in Trust guidance and Natural England’s Green Infrastructure and Accessible Greenspace Standards. However, DWH is aware that the Local Planning Authority is currently preparing both an open space strategy and a playing pitch strategy. It is these documents that, as required by para. 102 of the 2023 version of the NPPF, will be used to provide the locally specific, robust and up-to-date assessment of the need for open space, sport and recreation facilities and to identify opportunities for new provision. Accordingly, it is possible that, once the evidence base underpinning Policy OS02 is complete, there may be the need to revisit the standards established within the Policy.  
Occupancy rate

9.94 DWH is concerned about how emerging Policies OS02 and PB04 could interact with each other. For instance, and using the Cranbrook Plan Area as an example, Policy OS02 outlines that the open space requirements should be calculated on the basis of

an occupancy rate of 2.26 residents per home. However, at Cranbrook, the Cranbrook Plan establishes an occupancy rate of 2.35 persons, per home.

9.95 Accordingly, in the case of a non-allocated site within the Cranbrook Plan Area, the application of differing occupancy rates in the Cranbrook Plan and the emerging Local Plan, could, in the terms of para. 16 of the NPPF, create ambiguity about how a decision maker should react to development proposals. It therefore conflicts with national planning policy and is unsound.

9.96 More worryingly, in the event of such a conflict, planning law suggests that the conflict should be resolved in favour of the policy which is contained within the last document to be adopted, approved or published, which in this case would be the emerging Local Plan. However, the EAST DEVON LOCAL PLAN PUBLICATION DRAFT CONSULTATION 60 occupancy rate within the emerging Local Plan is significantly lower than the Cranbrook Plan, which amongst other things, was set at a rate to ensure that suitable mitigation was provided to mitigate the impact of development on internationally designated sites. The application of a lower occupancy rate might therefore accord with Development Plan policy, but not provide sufficient mitigation to enable the Local Planning Authority to conclude within an Appropriate Assessment that there will not be a likely significant effect as a result of the development alone or in combination with other plans and projects on internationally designated sites.

9.97 It is therefore suggested that the occupancy rates for public open space provision set out within emerging Policy OS02 and within Policy PB04 are reviewed. It may be the case that the Local Plan needs to be more specific about the occupancy rates to be employed for public open space provision and SANGS, or adopt differing occupancy rates in different parts of the Local Authority.

**4. Do you consider that this part of the Open Space and Sports and Recreation 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)?:** 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.:** Due to the significant policy issues concerned.

**Full name:** Neil Mantell

**Organisation (where relevant):** LRM Planning

**Other party name (if relevant):** The Cherwell Group

**Proposal:** 14. Open Space and Sports and Recreation

**1. To which part of the Open Space and Sports and Recreation chapter does your representation relate?:** Policy

**1(a). Please write down the paragraph, policy or figure number that your representation relates to.:** OS02

**2. Do you consider that this part of the Open Space and Sports and Recreation chapter is legally compliant?:** Yes

**3. Do you consider that this part of the Open Space and Sports and Recreation chapter is sound?:** No

**3(b). If no, please give details of why you consider this part of the Open Space and Sports and Recreation chapter is not sound. Please be as precise as possible.:** The Cherwell Group acknowledge that the emerging standards are based upon the Fields in Trust guidance and Natural England's Green Infrastructure and Accessible Greenspace Standards. However, the Cherwell Group are aware that the Local Planning Authority is currently preparing both an open space strategy and a playing pitch strategy. It is these documents that, as required by para. 102 of the 2023 version of the NPPF, will be used to provide the locally specific, robust and up-to-date assessment of the need for open space, sport and recreation facilities and to identify opportunities for new provision. Accordingly, it is possible that, once the evidence base underpinning Policy OS02 is complete, there may be the need to revisit the standards established within the Policy.

## OCCUPANCY RATE

The Cherwell Group is concerned about how emerging Policies OS02 and PB04 could interact with each other.

Policy OS02 outlines that the open space requirements should be calculated on the basis of an occupancy rate of 2.26 residents per home. However, at Cranbrook, the Cranbrook Plan establishes an occupancy rate of 2.35 persons, per home for SANG and open space.

It is not clear, and it is therefore ambiguous, as to whether the SANG occupancy rate at Cranbrook is to be used in the emerging Local Plan for the whole local authority area, or whether, as it derived from evidence regarding the new community, it will be used in a more geographically focused manner, or not at all.

Should the Cranbrook SANG occupancy rate be used in the emerging Local Plan, then there could be two differing occupancy rates being employed for differing open space typologies, on the same site.

It is therefore suggested that the occupancy rates for public open space provision set out within emerging Policy OS02 and within Policy PB04 are reviewed. It may be the case that the Local Plan needs to be more specific about the occupancy rates to be employed for public open space provision and SANGS, or adopt differing occupancy rates in different parts of the Local Authority.

**3(c). Please set out the modification(s) you consider necessary to make this part of the Open Space and Sports and Recreation 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 Open Space and Sports and Recreation 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 Cherwell Group acknowledge that the emerging standards are based upon the Fields in Trust guidance and Natural England's Green Infrastructure and Accessible Greenspace Standards. However, the Cherwell Group are aware that the Local Planning Authority is currently preparing both an open space strategy and a playing pitch strategy. It is these documents that, as required by para. 102 of the 2023 version of the NPPF, will be used to provide the locally specific, robust and up-to-date assessment of the need for open space, sport and recreation facilities and to identify opportunities for new provision. Accordingly, it is possible that, once the evidence base underpinning Policy OS02 is complete, there may be the need to revisit the standards established within the Policy.

## OCCUPANCY RATE

The Cherwell Group is concerned about how emerging Policies OS02 and PB04 could interact with each other.

Policy OS02 outlines that the open space requirements should be calculated on the basis of an occupancy rate of 2.26 residents per home. However, at Cranbrook, the Cranbrook Plan establishes an occupancy rate of 2.35 persons, per home for SANG and open space.

It is not clear, and it is therefore ambiguous, as to whether the SANG occupancy rate at Cranbrook is to be used in the emerging Local Plan for the whole local authority area, or whether, as it derived from evidence regarding the new community, it will be used in a more geographically focused manner, or not at all.

Should the Cranbrook SANG occupancy rate be used in the emerging Local Plan, then there could be two differing occupancy rates being employed for differing open space typologies, on the same site.

It is therefore suggested that the occupancy rates for public open space provision set out within emerging Policy OS02 and within Policy PB04 are reviewed. It may be the case that the Local Plan needs to be more specific about the occupancy rates to be employed for public open space provision and SANGS, or adopt differing occupancy rates in different parts of the Local Authority.

**4. Do you consider that this part of the Open Space and Sports and Recreation 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)?:** 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.:** Due to the significant policy issues concerned.

**Full name:** James McMurdo

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

**Other party name (if relevant):** Stuart Partners Ltd

**Proposal:** 14. Open Space and Sports and Recreation

**1. To which part of the Open Space and Sports and Recreation chapter does your representation relate?:** Policy

**1(a). Please write down the paragraph, policy or figure number that your representation relates to.:** OS02

**3. Do you consider that this part of the Open Space and Sports and Recreation chapter is sound?:** No

**3(b). If no, please give details of why you consider this part of the Open Space and Sports and Recreation chapter is not sound. Please be as precise as possible.:**

[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 singularly and cumulatively to policies:

- OS01: Access to open space and recreation facilities,
- OS02: Sport, recreation, open space provision in association with development

Reasons:

Housing Development: It is for the Council (not each and every applicant for planning permission) to evidence open space requirements based on existing supply and future demand considering its existing and emerging policy. That is fair and reasonable for all involved in development proposals, including the Council and its residents.

There is no evidence for analysis to justify the onerous provision that all schemes for more than 200 dwellings should provide an open space audit upon submission or that

schemes for over 300 houses should provide all of the open space as tabulated (including formal playing pitches in proximity to the proposed scheme).

Such policy wording has no evidence basis, is not justified, can affect development viability, lead to open space in the wrong places (including duplication), potentially at the expense of much needed housing delivery, and could stop the Council from collecting planning obligations monies to deliver open space in the right places at the right times.

Other Development Types: There is no evidence for analysis to justify these requirements.

**3(c). Please set out the modification(s) you consider necessary to make this part of the Open Space and Sports and Recreation 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 Open Space and Sports and Recreation 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.:** Either:

- 1.delete the policies and rely on Chapters 2, 6 and 8 of the NPPF;
2. delete the following aspects from the policies:
  - the onerous, unjustified, and unclear, requirements for schemes of over 200 houses and over 300 houses;
  - the onerous, unjustified, and unclear, requirements for schemes for non-residential uses.
- 3.provide detailed, reasoned justification for analysis for the policies as written and reconsult.

**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:** 14. Open Space and Sports and Recreation

**1. To which part of the Open Space and Sports and Recreation chapter does your representation relate?:** Policy

**1(a). Please write down the paragraph, policy or figure number that your representation relates to.:** OS02

**3. Do you consider that this part of the Open Space and Sports and Recreation chapter is sound?:** No

**3(b). If no, please give details of why you consider this part of the Open Space and Sports and Recreation 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]

It is for the Council (not each and every applicant for planning permission) to evidence open space requirements based on existing supply and future demand considering its existing and emerging policy. That is fair and reasonable for all involved in development proposals, including the Council and its residents.

There is no evidence for analysis to justify the onerous provision that all schemes for more than 200 dwellings should provide an open space audit upon submission or that schemes for over 300 houses should provide all of the open space as tabulated (including formal playing pitches in proximity to the proposed scheme).

Such policy wording has no evidence basis, is not justified, can affect development viability, lead to open space in the wrong places (including duplication), potentially at the expense of much needed housing delivery, and could stop the Council from collecting planning obligations monies to deliver open space in the right places at the right times.

**3(c). Please set out the modification(s) you consider necessary to make this part of the Open Space and Sports and Recreation 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 Open Space and Sports and Recreation 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.:** Either:

1. delete the policies and rely on Chapters 2, 6 and 8 of the NPPF;

2. delete the following aspects from the policies:

the onerous, unjustified, and unclear, requirements for schemes of over 200 houses and over 300 houses; the onerous, unjustified, and unclear, requirements for schemes for non- residential uses.

3. provide detailed, reasoned justification for analysis for the policies as written and reconsult.

**Full name:** Oliver Keates

**Organisation (where relevant):** OBK Land and Planning Ltd

**Proposal:** 14. Open Space and Sports and Recreation

**1. To which part of the Open Space and Sports and Recreation chapter does your representation relate?:** Policy

**1(a). Please write down the paragraph, policy or figure number that your representation relates to.:** OS02

**2. Do you consider that this part of the Open Space and Sports and Recreation chapter is legally compliant?:** Yes

**2(a). If yes, and you wish to support the legal compliance of this part of the Open Space and Sports and Recreation chapter, please use this box to set out your comments.:** I support this policy and having nothing further to add.

**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)

**Full name:** Jeremy Gardiner

**Organisation (where relevant):** Pegasus Group

**Other party name (if relevant):** Taylor Wimpey Strategic Land

**Proposal:** 14. Open Space and Sports and Recreation

**1. To which part of the Open Space and Sports and Recreation chapter does your representation relate?:** Policy

**1(a). Please write down the paragraph, policy or figure number that your representation relates to.:** OS02

**3(b). If no, please give details of why you consider this part of the Open Space and Sports and Recreation chapter is not sound. Please be as precise as possible.:** It is not clear what the “Fields in Trust derived standards” means. In any event, the policy’s requirements are overly prescriptive. For example, requiring all sites of 300+ dwellings to provide all open space typologies on site including playing pitches will significantly reduce the net development capacity of allocated sites and introduce additional substantial costs, not just for laying out pitches but also for providing parking and changing facilities. It should be clear that financial contributions in lieu of direct provision are equally acceptable and that larger sports provision such as playing pitches should be provided in locations that most meet identified needs for such facilities. The “Additional requirements for residential developments over 200 dwellings” may be difficult to comply with in the circumstances of every development site and may lead to otherwise acceptable planning applications stalling or being refused.

**Full name:** Elliot Jones

**Organisation (where relevant):** Planning Potential

**Other party name (if relevant):** Bloor Homes

**Proposal:** 14. Open Space and Sports and Recreation

**1. To which part of the Open Space and Sports and Recreation chapter does your representation relate?:** Policy

**1(a). Please write down the paragraph, policy or figure number that your representation relates to.:** OS02

**3. Do you consider that this part of the Open Space and Sports and Recreation chapter is sound?:** No

**3(b). If no, please give details of why you consider this part of the Open Space and Sports and Recreation chapter is not sound. Please be as precise as possible.:**

4.133. This policy considers open space provision in new housing developments. It notes that all major development proposals should include a clear open space strategy explaining how the provision for play responds to local need and provision, provides for all ages and is based on accessibility and an audit of current provision.

4.134. For sites such as Land to the South of Littleham, developers will be expected to provide an audit of existing open space provision within 1.5km of the development and the site's capacity to meet site open space requirements as well as provide on-site Local Areas of Play (LAPs), Local Equipped Areas of Play (LEAPs), amenity green space and all other open space typologies.

4.135. Moreover, all developments of 200 plus dwellings should also seek to ensure that there is, or will be, a Doorstep Accessible Greenspace (defined as any formal/informal publicly accessible open space) of at least 0.5ha within 200 metres (under 5 mins walk), or a Local Accessible Greenspace of at least 2ha within 300 metres (5 mins walk from home). Additionally, developments of over 300 dwellings should provide, or have access to, a medium sized Neighbourhood Accessible Greenspace of at least 10ha) within 1km (15 minutes' walk from home).

4.136. However, the policy notes that the above will be required on site unless, inter alia, other substantive open space types are present, or will be provided, and they will provide an alternative better overall open space provision.

**3(c). Please set out the modification(s) you consider necessary to make this part of the Open Space and Sports and Recreation 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 Open Space and Sports and Recreation 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.:**

4.137. Bloor Homes have concerns about this policy. It is seeking significant amounts of open space to be delivered on-site and, whilst alternative provision can be provided, it will be necessary for the applicant to demonstrate that this can be achieved. There is a requirement for more flexibility in the wording of the policy, as there is limited room for variation.

4.138. More flexibility should be shown in applying the different scenarios and to allow for site-specific matters to form part of the decision-making process. For instance, the Land to the South of Littleham is to provide a significant amount of SANGs on-site. It is unclear in the policy, as to how this will impact on open space and how this will be taken into account in the policy. There also appears to be little consideration of the viability of providing this level of open space, particularly, when considering all of the other different pressures on site infrastructure (and associated potential financial contributions). It is felt that the requirements – as set out in this policy – could be considered to be an extra burden on the developer.

4.139. Bloor Homes supports the direction of this policy and intends to align the development of Land to the South of Littleham in accordance with its requirements but they urge the Council to add more flexibility to the policy and to make allowance for site-specific provision in an alternative form. This will avoid the provision of open space to become an additional burden to home builders as they provide for much needed new housing.

4.140. Bloor Homes support this policy but suggest amendments to its drafting to provide for more clarity and flexibility.

**Full name:** Elliot Jones

**Organisation (where relevant):** Planning Potential

**Other party name (if relevant):** Bloor Homes

**Proposal:** 14. Open Space and Sports and Recreation

**1. To which part of the Open Space and Sports and Recreation chapter does your representation relate?:** Policy

**1(a). Please write down the paragraph, policy or figure number that your representation relates to.:** OS02

**2. Do you consider that this part of the Open Space and Sports and Recreation chapter is legally compliant?:** No

**2(b). If no, please give details of why you consider this part of the Open Space and Sports and Recreation chapter is not legally compliant. Please be as precise as possible.:** A supporting Statement has been submitted on behalf of Bloor Homes in respect of the Land to the South of Littleham, Exmouth. It has been submitted in respect of Policy SP01 but considers Policy OS02 and others.

**2(c). Please set out the modification(s) you consider necessary to make this part of the Open Space and Sports and Recreation 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 Open Space and Sports and Recreation 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 Supporting Statement.

**3. Do you consider that this part of the Open Space and Sports and Recreation chapter is sound?:** No

**3(b). If no, please give details of why you consider this part of the Open Space and Sports and Recreation chapter is not sound. Please be as precise as possible.:**  
Please see Supporting Statement.

**3(c). Please set out the modification(s) you consider necessary to make this part of the Open Space and Sports and Recreation 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 Open Space and Sports and Recreation 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 Supporting Statement.

**4. Do you consider that this part of the Open Space and Sports and Recreation chapter complies with the duty to cooperate?:** No

**4(b). If no, please give details of why you consider this part of the Open Space and Sports and Recreation chapter fails to comply with the duty to co-operate. Please be as precise as possible.:** Please see Supporting Statement.

**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.:** The matters raised in our representations affect matters of strategic importance that run to the heart of the East Devon Local Plan 2020 to 2042. In our capacity as a major housebuilder, we would welcome the opportunity to partake in the hearing session(s).

**Full name:** Nick Matthews

**Organisation (where relevant):** Savills

**Other party name (if relevant):** Mac Mic Strategic Land

**Proposal:** 14. Open Space and Sports and Recreation

**1. To which part of the Open Space and Sports and Recreation chapter does your representation relate?:** Policy

**1(a). Please write down the paragraph, policy or figure number that your representation relates to.:** OS02

**3. Do you consider that this part of the Open Space and Sports and Recreation chapter is sound?:** No

**3(b). If no, please give details of why you consider this part of the Open Space and Sports and Recreation chapter is not sound. Please be as precise as possible.:**

Introduction

1. This representation is submitted by Savills on behalf of Mac Mic Strategic Land (from hereon referred to as ‘Mac Mic’). Mac Mic is a strategic land promoter with a strong reputation for delivering planning permissions that lead to high-quality development.

2. Mac Mic has instructed Savills on their behalf to submit a series of representations to the relevant policies of the Regulation 19 Local Plan, including this policy. Policy OS02

3. The first section of Policy OS02 reiterate the requirements of the Fields in Trust and the Natural England Green Infrastructure and Accessible Greenspace Standards. We have no objection to the provision of open space within Development in accordance with the standards provided this reflects the availability of open space existing in the locality. In other words, if there is existing sufficient open space within the maximum walking distance guidelines, then there should be no need to provide further space on site.

4. We do however fundamentally object to the second part of policy OS02. The unduly prescriptive standards proposed would compromise the effective masterplanning of a development and have potential to lead to inefficient use of land, in conflict with the desire to optimise density expressed in Policy DS02 of the plan. Rather than prescribing specific distances and standards, each site should be considered on its merits and with an understanding of the layout, form, topography etc. Only with this site specific information is it possible to design an effective masterplan which accommodates the necessary open space in a manner which also achieves the other policy aspirations and objectives contained within the Local Plan.

5. The second paragraph in the first part of the policy already requires the submission of a clear ‘Open Space Strategy’ which sets out how the site responds to local needs and provision. It is through this strategy and the masterplanning of the site where the provision of open space can be carefully considered on a site specific basis.

6. For this reason, we recommend that all of the text under the heading "additional requirement for residential developments over 200 dwellings" is deleted.

**3(c). Please set out the modification(s) you consider necessary to make this part of the Open Space and Sports and Recreation 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 Open Space and Sports and Recreation 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 second paragraph in the first part of the policy already requires the submission of a clear ‘Open Space Strategy’ which sets out how the site responds to local needs and provision. It is through this strategy and the masterplanning of the site where the provision of open space can be carefully considered on a site specific basis.

6. For this reason, we recommend that all of the text under the heading "additional requirement for residential developments over 200 dwellings" is deleted.

**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:** Nick Matthews

**Organisation (where relevant):** Savills

**Other party name (if relevant):** Mac Mic Strategic Land

**Proposal:** 14. Open Space and Sports and Recreation

**1. To which part of the Open Space and Sports and Recreation chapter does your representation relate?:** Policy

**1(a). Please write down the paragraph, policy or figure number that your representation relates to.:** OS02

**2. Do you consider that this part of the Open Space and Sports and Recreation chapter is legally compliant?:** Yes

**3. Do you consider that this part of the Open Space and Sports and Recreation chapter is sound?:** No

**3(b). If no, please give details of why you consider this part of the Open Space and Sports and Recreation chapter is not sound. Please be as precise as possible.:** See attached.

**3(c). Please set out the modification(s) you consider necessary to make this part of the Open Space and Sports and Recreation 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 Open Space and Sports and Recreation 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.:** See attached.

**4. Do you consider that this part of the Open Space and Sports and Recreation 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:** David Morgan

**Proposal:** 14. Open Space and Sports and Recreation

**1. To which part of the Open Space and Sports and Recreation chapter does your representation relate?:** Policy

**1(a). Please write down the paragraph, policy or figure number that your representation relates to.:** OS02

**3(b). If no, please give details of why you consider this part of the Open Space and Sports and Recreation chapter is not sound. Please be as precise as possible.:**

Policy OS02: Sport, recreation and open space provision in association with development (pages 243-245). Quote: “Planning permission for new housing development, will be required to provide open space in line with Fields in Trust derived standards and Natural England’s Green Infrastructure and Accessible Greenspace Standards.” “Open space and play provision should accord with the requirements tabled below. Up to 20 homes should provide amenity green space suitable for informal play.”

Comment: Open space provision should not just focus on providing “amenity green space suitable for informal play”, but also for informal recreation purposes, such as walking, exercising a dog etc.

**Full name:** Adrian Toole

**Proposal:** 14. Open Space and Sports and Recreation

**1. To which part of the Open Space and Sports and Recreation chapter does your representation relate?:** Policy

**1(a). Please write down the paragraph, policy or figure number that your representation relates to.:** OS02

**2. Do you consider that this part of the Open Space and Sports and Recreation chapter is legally compliant?:** Yes

**2(a). If yes, and you wish to support the legal compliance of this part of the Open Space and Sports and Recreation chapter, please use this box to set out your comments.:** All OK

**3. Do you consider that this part of the Open Space and Sports and Recreation chapter is sound?:** Yes

**3(a). If yes, and you wish to support the soundness of this part of the Open Space and Sports and Recreation chapter, please use this box to set out your comments.:**  
All OK

**4. Do you consider that this part of the Open Space and Sports and Recreation chapter complies with the duty to cooperate?:** Yes

**4(a). If yes, and you wish to support this part of the Open Space and Sports and Recreation chapter's compliance with the duty to co-operate, please use this box to set out your comments.:** All OK

**Full name:** Devon Wildlife Trust (planning)

**Organisation (where relevant):** Devon Wildlife Trust

**Proposal:** 14. Open Space and Sports and Recreation

**1. To which part of the Open Space and Sports and Recreation chapter does your representation relate?:** Policy

**1(a). Please write down the paragraph, policy or figure number that your representation relates to.:** OS02

**3(b). If no, please give details of why you consider this part of the Open Space and Sports and Recreation chapter is not sound. Please be as precise as possible.:** We would welcome the inclusion of reference to the requirement for enhancement of our natural environment within these policies.

**3(c). Please set out the modification(s) you consider necessary to make this part of the Open Space and Sports and Recreation 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 Open Space and Sports and Recreation 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.:** We would welcome the inclusion of reference to the requirement for enhancement of our natural environment within these policies.

## OS03

**Full name:** Bethan Haigh

**Organisation (where relevant):** Boyer Planning

**Other party name (if relevant):** Vistry Group

**Proposal:** 14. Open Space and Sports and Recreation

**1. To which part of the Open Space and Sports and Recreation chapter does your representation relate?:** Policy

**1(a). Please write down the paragraph, policy or figure number that your representation relates to.:** OS03

**3(a). If yes, and you wish to support the soundness of this part of the Open Space and Sports and Recreation chapter, please use this box to set out your comments.:**

We support draft LP policy OS03, which supports the provision of new open space areas, sports facilities and parks and gardens, or for the upgrading or enhancement of existing facilities provided that unacceptable adverse amenity or environmental impacts do not arise from development.

Addlepool Farm will deliver significant areas of public open space, which will include both informal and formal typologies. The proposals will provide significant public benefits to the existing residents of Clyst St George as well as the future residents of the development and would ensure safe pedestrian and cycle accessibility in accordance with this Draft LP policy.

**Full name:** Bethan Haigh

**Organisation (where relevant):** Boyer Planning

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

**Proposal:** 14. Open Space and Sports and Recreation

**1. To which part of the Open Space and Sports and Recreation chapter does your representation relate?:** Policy

**1(a). Please write down the paragraph, policy or figure number that your representation relates to.:** OS03

**3. Do you consider that this part of the Open Space and Sports and Recreation chapter is sound?:** Yes

**3(a). If yes, and you wish to support the soundness of this part of the Open Space and Sports and Recreation chapter, please use this box to set out your comments.:**

3.62 We support draft LP policy OS03, which supports the provision of new open space areas, sports facilities and parks and gardens or for the upgrading or enhancement of existing facilities provided that unacceptable adverse amenity or environmental impacts do not arise from development.

**Full name:** David Morgan

**Proposal:** 14. Open Space and Sports and Recreation

**1. To which part of the Open Space and Sports and Recreation chapter does your representation relate?:** Policy

**1(a). Please write down the paragraph, policy or figure number that your representation relates to.:** OS03

**3(b). If no, please give details of why you consider this part of the Open Space and Sports and Recreation chapter is not sound. Please be as precise as possible.:**

Policy OS03: Location of facilities for sport and recreation and open (page 246). Quote: “Within or adjoining urban or built-up areas, planning permission will be granted for new open space areas, sports facilities and parks and gardens or for the upgrading or enhancement of existing facilities provided that unacceptable adverse amenity or environmental impacts do not arise from development. Any new or enhanced provision should be readily accessible to all people with a particular emphasis attached to ensuring safe pedestrian and cycle accessibility.”

Comment: Where ever possible, the provision of new open space areas needs to consider making it accessible for users with impaired mobility where they might require the use of mobility support aids such as wheel chairs, mobility scooters and wheeled walker frames.

**Full name:** Adrian Toole

**Proposal:** 14. Open Space and Sports and Recreation

**1. To which part of the Open Space and Sports and Recreation chapter does your representation relate?:** Policy

**1(a). Please write down the paragraph, policy or figure number that your representation relates to.:** OS03

**2. Do you consider that this part of the Open Space and Sports and Recreation chapter is legally compliant?:** Yes

**2(a). If yes, and you wish to support the legal compliance of this part of the Open Space and Sports and Recreation chapter, please use this box to set out your comments.:** All OK

**3. Do you consider that this part of the Open Space and Sports and Recreation chapter is sound?:** Yes

**3(a). If yes, and you wish to support the soundness of this part of the Open Space and Sports and Recreation chapter, please use this box to set out your comments.:**  
All OK

**4. Do you consider that this part of the Open Space and Sports and Recreation chapter complies with the duty to cooperate?:** Yes

**4(a). If yes, and you wish to support this part of the Open Space and Sports and Recreation chapter's compliance with the duty to co-operate, please use this box to set out your comments.:** All OK

**Full name:** Devon Wildlife Trust (planning)

**Organisation (where relevant):** Devon Wildlife Trust

**Proposal:** 14. Open Space and Sports and Recreation

**1. To which part of the Open Space and Sports and Recreation chapter does your representation relate?:** Policy

**1(a). Please write down the paragraph, policy or figure number that your representation relates to.:** OS03

**3(b). If no, please give details of why you consider this part of the Open Space and Sports and Recreation chapter is not sound. Please be as precise as possible.:**

‘...provided that unacceptable adverse amenity or environmental impacts do not arise from development’.

**3(c). Please set out the modification(s) you consider necessary to make this part of the Open Space and Sports and Recreation 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 Open Space and Sports and Recreation 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.:** This should be reworded to state the requirement to protect and enhance the existing biodiversity of the site.

## OS04

**Full name:** Bethan Haigh

**Organisation (where relevant):** Boyer Planning

**Other party name (if relevant):** Vistry Group

**Proposal:** 14. Open Space and Sports and Recreation

**1. To which part of the Open Space and Sports and Recreation chapter does your representation relate?:** Policy

**1(a). Please write down the paragraph, policy or figure number that your representation relates to.:** OS04

**3(a). If yes, and you wish to support the soundness of this part of the Open Space and Sports and Recreation chapter, please use this box to set out your comments.:**

Vistry support the principle of policy OS04, which states that new allotments will be granted planning permission where they are well related to settlements and will avoid adverse environmental or amenity impacts.

The concept masterplan for Addlepool Village demonstrates that the future scheme could deliver allotments, should there be an evidenced demand. The allotments would serve the residents of the new village, therefore avoiding adverse environmental impacts.

**Full name:** Adrian Toole

**Proposal:** 14. Open Space and Sports and Recreation

**1. To which part of the Open Space and Sports and Recreation chapter does your representation relate?:** Policy

**1(a). Please write down the paragraph, policy or figure number that your representation relates to.:** OS04

**2. Do you consider that this part of the Open Space and Sports and Recreation chapter is legally compliant?:** Yes

**2(a). If yes, and you wish to support the legal compliance of this part of the Open Space and Sports and Recreation chapter, please use this box to set out your comments.:** All OK

**3. Do you consider that this part of the Open Space and Sports and Recreation chapter is sound?:** Yes

**3(a). If yes, and you wish to support the soundness of this part of the Open Space and Sports and Recreation chapter, please use this box to set out your comments.:**  
All OK

**4. Do you consider that this part of the Open Space and Sports and Recreation chapter complies with the duty to cooperate?:** Yes

**4(a). If yes, and you wish to support this part of the Open Space and Sports and Recreation chapter's compliance with the duty to co-operate, please use this box to set out your comments.:** All OK

**Full name:** Devon Wildlife Trust (planning)

**Organisation (where relevant):** Devon Wildlife Trust

**Proposal:** 14. Open Space and Sports and Recreation

**1. To which part of the Open Space and Sports and Recreation chapter does your representation relate?:** Policy

**1(a). Please write down the paragraph, policy or figure number that your representation relates to.:** OS04

**3(b). If no, please give details of why you consider this part of the Open Space and Sports and Recreation chapter is not sound. Please be as precise as possible.:**  
'...and will avoid adverse environmental or amenity impacts.'

**3(c). Please set out the modification(s) you consider necessary to make this part of the Open Space and Sports and Recreation 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 Open Space and Sports and Recreation 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.:** This should be reworded to state the requirement to protect and enhance the existing biodiversity of the site.

## OS05

**Full name:** Adrian Toole

**Proposal:** 14. Open Space and Sports and Recreation

**1. To which part of the Open Space and Sports and Recreation chapter does your representation relate?:** Policy

**1(a). Please write down the paragraph, policy or figure number that your representation relates to.:** OS05

**2. Do you consider that this part of the Open Space and Sports and Recreation chapter is legally compliant?:** Yes

**2(a). If yes, and you wish to support the legal compliance of this part of the Open Space and Sports and Recreation chapter, please use this box to set out your comments.:** All OK

**3. Do you consider that this part of the Open Space and Sports and Recreation chapter is sound?:** Yes

**3(a). If yes, and you wish to support the soundness of this part of the Open Space and Sports and Recreation chapter, please use this box to set out your comments.:**  
All OK

**4. Do you consider that this part of the Open Space and Sports and Recreation chapter complies with the duty to cooperate?:** Yes

**4(a). If yes, and you wish to support this part of the Open Space and Sports and Recreation chapter's compliance with the duty to co-operate, please use this box to set out your comments.:** All OK

**Full name:** Devon Wildlife Trust (planning)

**Organisation (where relevant):** Devon Wildlife Trust

**Proposal:** 14. Open Space and Sports and Recreation

**1. To which part of the Open Space and Sports and Recreation chapter does your representation relate?:** Policy

**1(a). Please write down the paragraph, policy or figure number that your representation relates to.:** OS05

**3(b). If no, please give details of why you consider this part of the Open Space and Sports and Recreation chapter is not sound. Please be as precise as possible.:**  
‘Development should not result in net adverse natural environmental impacts and ideally should generate improvements’.

**3(c). Please set out the modification(s) you consider necessary to make this part of the Open Space and Sports and Recreation 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 Open Space and Sports and Recreation 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.:** Should be rephrased to remove ‘ideally’ and rephrased to ‘should deliver biodiversity enhancements’ (in line with Environment Act 2021 requirements).

**Full name:** Kim Miller

**Organisation (where relevant):** Historic England

**Proposal:** 14. Open Space and Sports and Recreation

**1. To which part of the Open Space and Sports and Recreation chapter does your representation relate?:** Policy

**1(a). Please write down the paragraph, policy or figure number that your representation relates to.:** OS05

**3. Do you consider that this part of the Open Space and Sports and Recreation chapter is sound?:** No

**3(b). If no, please give details of why you consider this part of the Open Space and Sports and Recreation chapter is not sound. Please be as precise as possible.:** It would be helpful if part A also referred to heritage impacts as the East Devon Coast and countryside contain designated and non-designated heritage assets including listed buildings, scheduled monuments and registered parks and gardens.

**3(c). Please set out the modification(s) you consider necessary to make this part of the Open Space and Sports and Recreation 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 Open Space and Sports and Recreation 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.:** We suggest that the policy is adjusted as follows: “A. The facilities or development proposals are in scale with the character, environmental characteristics and setting of the area and do not conflict with countryside, nature, heritage or landscape policies, nor detract from the amenities of the area”