

1534/2080/S1

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From: Hilary Winter
Sent: 27 April 2015 11:54
To: DPD
Subject: Local Plan Review and CIL
Attachments: DCAF MDDC Local Plan response 27.04.15.pdf; DCAF Position Statement 2015.pdf

Dear Sir/Madam

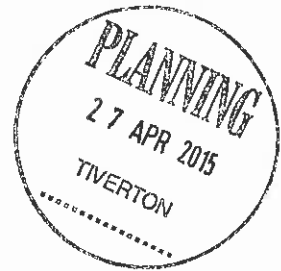
Local Plan Review and CIL consultations

I have pleasure in attaching the DCAF's response to the above.

I should be grateful if you could acknowledge receipt.

Yours faithfully

Hilary Winter





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Topsham Road
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Local Plan Review Consultation
Forward Planning
Mid Devon District Council
Phoenix House
Tiverton
EX16 6PP

27 April 2015

Dear Sir/Madam

Local Plan Review and Community Infrastructure Levy consultations

The Devon Countryside Access Forum is a local access forum under the Countryside and Rights of Way Act 2000 (CRoW Act). Its remit is to advise "as to the improvement of public access to land in the area for the purposes of open-air recreation and the enjoyment of the area..." It has a statutory function to give independent advice to named bodies, including district councils, under section 94 of the CRoW Act and they are required to "have regard" to "any relevant advice given to them."

The DCAF currently has sixteen members who represent the interests of landowners/managers, access users and other relevant areas of expertise such as conservation and tourism. The Forum discussed the Mid Devon Local Plan at its meeting on 21 April.

Local Plan Review 2013 – 2033

Policy S1

The DCAF supports the inclusion of sustainable development policies. Point i) refers to "*Promoting healthy communities through the delivery of social, educational, recreational and cultural facilities and services, access to high quality open space, public rights of way and accessible land, and opportunities for sport and recreation and the designation of Local Green Space;*"

The DCAF advises that the term 'recreational trails' should be included after public rights of way. This would include unsurfaced, Unclassified County

The Devon Countryside Access Forum is required, in accordance with Sections 94 and 95 of the Countryside and Rights of Way (CRoW) Act 2000, to provide advice as to the improvement of public access to land for the purposes of open-air recreation and enjoyment.

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roads, cycle and multi-use trails and permissive routes – all important for informal recreational access but not included as legally defined public rights of way. This would be particularly useful as the draft Local Plan now excludes COR 10 which referred to the National Cycle Network and a number of named recreational paths, such as the Two Moors Way and Devonshire Heartland Way.

The DCAF advises that, where possible, improvements to public rights of way and recreational trails arising from development proposals should be multi-use. This would accord with Devon's Rights of Way Improvement Plan 2005, updated 2012, and maximise use for all users – walkers, cyclists, horse riders and those using wheelchairs, mobility scooters or child pushchairs/buggies.

Public rights of way and recreational trails should be included in the glossary.

The DCAF has recently revised its position statement on planning and Local Development Framework documents and this is attached for interest and to inform the Local Plan.

Comments on the Draft Infrastructure Plan, Regulation 123 and Section 106 policy

The DCAF advises that the strategic provision of public open space/green infrastructure should include improvements and/or extensions to public rights of way and recreational trails (see above), where these provide important linkages to new developments and other areas of public open space/green infrastructure. Such improvements would meet tests for the Community Infrastructure Levy and might also be met through the use of section 106 planning obligations.

Leisure and the Environment consultants responded to earlier DCAF advice on the Mid Devon Open Spaces and Play Area Study Survey to say that the DCAF's response reinforces the point that maintaining and improving rights of way should be considered in the allocation of s106 and CIL funds in the same way as provision of, say, sports pitches and play areas.

The DCAF would be grateful if you could take its advice into account and looks forward to feedback in due course.

Yours faithfully

Hilary Winter
Forum Officer

Letter sent on behalf of Devon Countryside Access Forum

*Chair: Laura Leigh
Vice Chair: Chris Britton*



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POSITION STATEMENT ON LOCAL DEVELOPMENT FRAMEWORKS AND MAJOR DEVELOPMENTS

2015

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

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

Reducing car use and improving health through the provision of access

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

The DCAF advises that the council should:

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

The DCAF advises that the council should;

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

Existing Rights of Way and other access opportunities

The DCAF advises that the council should;

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

Other recreational space

The DCAF advises that the council should;

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

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