

Report to: Cabinet

Date of Meeting 6 October 2021

Document classification: Part A Public Document

Exemption applied: None

Review date for release N/A



Colyton Neighbourhood Plan Examiner's Report

Report summary:

The purpose of the report is to provide feedback and set out proposed changes following the examination of the Colyton Neighbourhood Plan. The independent examination of the Plan has now concluded and the final Examiner's report received. In accordance with the relevant legislation, the District Council must now consider its response to the Examiner's recommendations and also satisfy itself that the Plan meets the necessary 'basic conditions'. If the recommendation to accept the Examiner's recommendations in full is accepted, a decision notice will be published accordingly. This will confirm that the Plan can go forward for public vote in a local referendum as the penultimate stage in the plan-making process. An updated (Referendum Version) of the Neighbourhood Plan will also be published. The publishing of the decision notice itself will give the Plan significant weight in the determination of planning applications in the Colyton parish area.

Is the proposed decision in accordance with:

Budget Yes No

Policy Framework Yes No

Recommendation:

- 1. That Members recommend that the Examiner's recommendations on the Colyton Neighbourhood Plan (the Plan) are endorsed.**
- 2. That Members recommend approval of a 'referendum version' of the Plan (incorporating the Examiner's modifications) to proceed to referendum and that a decision notice to this effect be published.**
- 3. That Members congratulate the Neighbourhood Plan Steering Group on their hard work.**

Reason for recommendation:

The legislation requires a decision notice to be produced at this stage in the process. The Plan is the product of significant local consultation and has been recommended to proceed to referendum by the Examiner subject to modifications which are accepted by the Parish Council.

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Portfolio(s) (check which apply):

- Climate Action and Emergency Response
- Coast, Country and Environment
- Council and Corporate Co-ordination
- Democracy, Transparency and Communications
- Economy and Assets
- Finance
- Strategic Planning
- Sustainable Homes and Communities
- Tourism, Sports, Leisure and Culture

Equalities impact Low Impact

Neighbourhood Planning is designed to be inclusive and extensive consultation is a fundamental requirement. The Neighbourhood Plan has gone through wide consultation with the community and has been advertised in a variety of formats to increase accessibility. All electors are invited to vote in the referendum.

Climate change Low Impact

Risk: Medium Risk; There is a risk that the Neighbourhood Plan could fail the referendum if a majority of the community vote against it.

Links to background information [The Localism Act](#); [Plain English Guide to the Localism Act](#); [National Planning Policy Framework \(2021\)](#); [Neighbourhood Planning Regulations](#); [Neighbourhood Planning Roadmap Guide](#); [East Devon Neighbourhood Planning webpages](#); [Colyton Parish Neighbourhood Development Plan \(Submission Version\)](#); [Examiner's Final Report](#).

Link to [Statement of Intent](#)

Priorities (check which apply)

- Better Homes and Communities for all
- Greener East Devon
- A resilient Economy
- Services that matter

Report in full

The Examination

- 1.1 The Colyton Neighbourhood Plan has now been examined and, subject to modifications, it has been recommended that it proceed to referendum. The Examiner, Deborah McCann, was appointed by East Devon District Council, following consultation with Colyton Parish Council.
- 1.2 The examination was undertaken on the basis of considering the written material which forms the Plan, its appendices and accompanying statements as well as any representations received in response to the formal consultations. The Examiner did not consider it necessary to hold a public meeting. The [Plan \(as submitted for examination\)](#) and the [Examiner's report](#) are available to view on our website.
- 1.3 The legislation, reflected in the Council's [Neighbourhood Planning Protocol](#), requires the Policy Team to notify Members of the findings and recommendations of the Examiner and

how the Council proposes to respond to the recommendations. The agreed response will then be published as a decision notice.

- 1.4 The Examiner has recommended textual modifications to 6 of the 18 policies within the Plan for reasons of clarity and to meet the 'Basic Conditions'. These amendments are set out in Annex 1, with the wording of all policies in the Plan incorporating these changes in full shown in Annex 2. In addition, the Examiner requested that the paragraph references throughout the Plan to the National Planning Policy Framework be updated to reflect the latest 2021 version issued by Government during the examination. The Examiner's reasons for all of the amendments are explained in more detail in the Examiner's report.
- 1.5 Overall, the examiner concluded that, "the Colyton Neighbourhood Development Plan and the policies within it, subject to the recommended modifications does meet the Basic Conditions" and recommends that, "the Colyton Neighbourhood Development Plan subject to the recommended modifications can proceed to Referendum".

Response to the Examiner's Recommendations

- 1.6 Under paragraph 12 of the Town and Country Planning Act it is for the Local Planning Authority (EDDC) to consider the recommendations made in the Examiner's report and the reasons for them and decide what action to take in response to each recommendation.
- 1.7 The District Council must also be satisfied that the Neighbourhood Plan:
- i. meets the necessary 'Basic Conditions' by;
 - having regard to national policies and advice contained in guidance issued by the Secretary of State;
 - contributing to the achievement of sustainable development;
 - being in general conformity with the strategic policies of the Development Plan for the area;
 - not breaching, and being compatible with European Union obligations (as retained and/or incorporated into UK law)
 - ii. is compatible with the European Convention of Human Rights (within the meaning of the Human Rights Act 1998), and;
 - iii. complies with the provisions under section 38A and 38B of the Planning And Compulsory Purchase Act,

(or that the draft Neighbourhood Plan would do so if modifications were made to it, whether or not recommended by the Examiner, before a referendum is held.)

- 1.8 The Neighbourhood Plan regulations go on to state that if
- a) the Local Planning Authority propose to make a decision which differs from that recommended by the Examiner, and
 - b) the reason for the difference is (wholly or partly) as a result of new evidence or a new fact or a different view taken by the authority as to a particular fact, then,
- the authority must notify prescribed persons of their proposed decision (and reason for it) and invite representations.
- 1.9 The legislation, which is reflected in our protocol, requires the Council to consider and respond to the Examiner's report. Officer assessment is that with the incorporation of the amendments suggested by the Examiner, the Council can be satisfied that the Plan meets

the legal requirements. There are not considered to be any grounds to reject the findings of the report. It should be noted that not all comments submitted to the Examiner by EDDC on the Submission Version of the Plan resulted in modifications by the examiner. However, officers are satisfied that the Examiner has given all comments due consideration and that none outstanding are material to compliance of the Plan with the Basic Conditions.

- 1.10 Members are therefore asked to agree to accept the recommendations of the Examiner's report and agree that a notice to this effect be published.

Next Steps

- 1.11 A revised version of the Plan (known as the 'Referendum Version'), incorporating the recommended changes, will be made available to view on the [Colyton page](#) of the East Devon District Council website, together with the Decision Notice.
- 1.12 The District Council will be responsible for arranging a referendum where all electors within the Parish of Colyton will be invited to vote on whether the Neighbourhood Plan should be used to make planning decisions in the Parish. If more than 50% of those who vote say 'yes', the Neighbourhood Plan will be made and will form part of the Development Plan for East Devon, where it will carry full weight in the planning decision making process.

Financial implications:

There are no direct financial implication from the recommendation in this report.

Legal implications:

On 26th July 2021, Council agreed that all decision making bodies (Council, Cabinet and main committees) together with Panels, Forums etc, will be held virtually with decisions delegated to senior officers until 23.59hrs on 17th January 2022 (or earlier if there is a subsequent decision to this effect). As the report identifies, it is a formal requirement for the Council to consider the Examiner's recommendations and satisfy itself that the proposed plan, as modified, meets the prescribed 'Basic Conditions'. The purpose of the report is to satisfy this formal requirement. Assuming Members endorse and the Senior Officer agrees the proposed recommendations then the Council is obliged to publish a notice to this effect, pursuant to the applicable Regulations, and Recommendation 2 covers this aspect. The report also identifies that the District Council is responsible for organising the referendum and requires a resolution to progress this, at such time the Council will arrange such referendum under relevant Government Covid 19 guidance. At this stage there are no other legal observations arising.

Annex 1: Examiner's Proposed Modifications and Officer Responses

1. References to the National Planning Policy Framework (NPPF)

The plan as a whole should reflect the new paragraph numbering of the updated NPPF July 2021 which was issued during the course of the examination.

EDDC Officer Comment: Agree. This will help ensure the plan remains up to date.

2. Policy No. Coly2 Trees, Woodlands and Hedgerows

- The definition of trees sizes referred to in the policy should be added to the glossary.
- The wording at paragraph D of this policy should be modified from “Where it is unavoidable, development proposals must provide for appropriate replacement planting” to, “Where development results in the unavoidable loss of trees or hedgerows, proposals must provide for appropriate replacement planting...”

EDDC Officer Comment: Agree. This improves clarity of the wording.

3. Policy No. Coly4 Green Wedge

- Second part of the introductory sentence to be modified from “The Green Wedge areas (shown on Map 6) are fundamental to retaining and protecting the special character of the neighbourhood area.” to, “....protecting the special character and setting of Colyford and Colyton within the neighbourhood plan area.”
- Second sentence to be modified from “Development proposals in the designated Green Wedge areas will not be supported unless it can be demonstrated that no harm to the character or purpose of this area will occur and development is:....” to, “.....can be demonstrated that it will not add to existing sporadic or isolated development in the open countryside or harm the character of these areas and development is:”
- Criteria ii to be modified from, “within the curtilage of a site that is already in residential, employment use” to, “within the curtilage of a site that is already in residential or employment use”
- Criteria iii to be modified from “small in scale and proportionate to its location in scale and type” to, “small in scale, proportionate to its location and appropriate in type”

EDDC Officer Comment: Agree. This improves clarity of the policy and aligns it more closely with the intention of the adopted Local Plan Green Wedge policy (Strategy 8).

4. Policy No. Coly5 Local Green Spaces

- First sentence to be modified and reduced from “Proposals for new development on designated Local Green Spaces, listed below, will not be supported unless ancillary to their existing recreation or amenity use, or exceptional circumstances can be demonstrated.” to “The areas listed below are designated as Local Green Spaces:”
- Last paragraph of the policy, “Any designated area of local green space lost due to exceptional circumstances must be replaced by equivalent or better provision, in terms of quantity and quality in a suitable location.”, to be removed and replaced with, “Inappropriate development on any of the Local Green Spaces designated in this policy will only be supported in very special circumstances.”

EDDC Officer Comment: Whilst it is considered disappointing to see the requirements/criteria in this policy altered in this way, officers reluctantly accept the Examiner's findings on this point. The matter was discussed with the Examiner for clarification and the Examiner's final report provides detailed reasons for the amendment, explaining that the changes are necessary to ensure the policy aligns with NPPF wording on the use and application of Local Green Space designations, and reflects recent case

law. Officers will draw on this in supporting other neighbourhood plan groups in developing appropriate policies for Local Green Spaces going forward.

5. Policy No. Coly6 Sustainable Development

- Criteria iv to be modified from, “there is no harmful impact on the Conservation Area and/or **listed buildings**”, to, “there is no harmful impact on the Conservation Area and/or **Heritage Assets**”.
- Criteria vii to be modified from, “opportunities should be encouraged to integrate bee bricks, bat and swift boxes in a suitable position within the development”, to, “**measures to improve biodiversity should be incorporated into new development including, but not limited to, bee bricks, bat and bird boxes and hedgehog highways**”.

EDDC Officer Comment: Agree. This improves clarity of the policy, using the correct terminology in respect of heritage and strengthening the requirement regarding measures to enhance biodiversity in line with the comments made at Regulation 16 by the RSPB.

6. Policy No. Coly8 Exception Site Housing Development

This policy, including the revision to it between Regulation 14 (pre-Submission) and Regulation 16 (Submission), was the subject of a number of representations at Regulation 16. The examiner proposed a range of modifications throughout the policy wording, from:

“Policy No. Coly8 Exception Site Housing

Development proposals for housing development outside the built-up area boundary will only be supported if it is demonstrated that:

- i. it is a small development of up to 15 dwellings, to provide affordable housing for local need, that is evidenced in accordance with Local Plan Strategy 35; and
- ii. it will not have a harmful visual impact on its setting or the landscape;
- iii. it conserves or enhances the character and appearance of the area; and
- iv. where relevant, it brings redundant or vacant historic buildings back into beneficial re-use.

A small number of market homes may be permitted where this is essential to enable the delivery of affordable units.”

To,

“Policy No. Coly8 Rural Exception Site

Proposals for a Rural Exception Site in accordance with East Devon Local Plan Strategy 35 will only be supported where it:

- i. Is a small development which reflects the character, appearance and scale of the adjacent settlement; and
- ii. Is in conformity with other policies in the development plan; and
- iii. Provides affordable housing to meet identified local need; and
- iv. It will not have a harmful visual impact on its setting or the landscape;
- v. where relevant, it brings redundant or vacant historic buildings back into beneficial re-use.

Affordable housing should make up a minimum of 66% of the site and market units will only be considered where they are essential to enable the delivery of affordable units.”

EDDC Officer comment: Officers accept removal of the reference to '15 dwellings' which was previously added to the policy in response to EDDC comments seeking to bring a definition to the phrase 'small scale'. Agree to all modifications proposed which as a whole appear to address the various comments made regarding this policy at Regulation 16, as well as increasing clarity and alignment to the NPPF and adopted Local Plan Strategy 35.

7. Policy No. Coly15 Walking and Cycling Routes

- No comment on the wording of this policy. However, the Examiner suggested that the 'safeguarded routes' referred to in this policy be added to Map 5 in the Plan, with an addition to the key to reflect.

EDDC Officer comment: Officers have investigated this suggestion with the Parish Council and Neighbourhood Plan Steering Group. It appears that whilst there is strong support for implementation of the proposed Stop Line Way, as part of national cycle route 33, there are no "Routes earmarked by the Parish Council for the provision of safe walking and cycling will be safeguarded" that can be added with definitive lines on a map at this time. Routes are either not yet known or not confirmed. Therefore, whilst officers accept and agree with this suggestion, it is not possible to implement it at the current time. This could however be accommodated in the future via a modification to the plan.

8. Policy No. Coly18 Sports and Recreational Areas

Additional provision made to the second part of the policy from:

"Proposals which result in a loss of these recreation and sports facilities and pitches and/or their capacity and/or community accessibility (availability for community use) **will not be supported.**"

to,

"Proposals which result in a loss of these recreation and sports facilities and pitches and/or their capacity and/or community accessibility (availability for community use) will not be supported **unless;**

- a) an assessment has been undertaken which has clearly shown the open space, buildings or land to be surplus to requirements; or**
- b) the loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location; or**
- c) the development is for alternative sports and recreational provision, the benefits of which clearly outweigh the loss of the current or former use."**

EDDC Officer comment: Accept. This provides greater clarity against which to judge any development proposals and suitable protection for maintaining/supporting appropriate sports and recreation provision in the neighbourhood plan area.

Annex 2 Colyton Parish Neighbourhood Development Plan Policies incorporating Examiner's Proposed Modifications

1. Policy Coly1 Protecting the Natural Environment

Development proposals should:

- i. Avoid adversely affecting local wildlife sites and habitats/species of principal importance, unless exceptional circumstances can be demonstrated, and appropriate mitigation measures provided; and
- ii. protect and enhance the network of habitats, species and sites of importance including trees and woodlands, hedgerows and roadside verges; and
- iii. minimise impacts on biodiversity; and
- iv. where possible seek to deliver a net gain in biodiversity.

Development proposals that would result in the loss of, or which would create unacceptable harm to, wildlife sites and other areas of ecological or geological importance, and which cannot be suitably mitigated, will not be supported.

2. Policy Coly2 Trees Woodlands and Hedgerows

- A. Areas of natural woodland (including, but not limited to, the woodlands shown on map 4 are regarded as important natural features. Any development proposals that would result in the loss, damage or deterioration of these woodlands will be resisted, unless there are wholly exceptional reasons, and a suitable compensation strategy exists.
- B. Development proposals that will cause the loss of or damage to trees, woodland or hedgerows (including hedgerows of importance) that contribute positively to the character and amenity of the area must provide for appropriate replacement planting together with a method statement for the ongoing care and maintenance of that planting where deemed necessary by the Local Planning Authority.
- C. New development within the proximity of existing mature trees will be expected to have a tree protection plan in place before any development commences, prepared in accordance with British Standard 5837:2012. This will detail tree protection strategies to be employed during construction. An arboricultural method statement will also be required to cover any proposed works to trees or other works within their root protection areas.
- D. Where development results in the unavoidable loss of trees or hedgerows, proposals must provide for appropriate replacement planting on the site, or as close as possible to it, together with a management plan for the ongoing care and maintenance of that planting. Such replacement planting should use appropriate native species with an expected mature size similar to those removed and be in the ratio of three trees for the loss of a large tree, two for a medium sized tree and one for a small tree. (See the Glossary for a definition of tree sizes.)

3. Policy Coly3 Public Rights of Way

Public rights of way in the Parish are to be protected from development.

Measures to improve and extend the existing network of public rights of way, shown on Map 5, are supported so long as their value as wildlife corridors is recognised and protected, and efforts are made to enhance biodiversity as part of the 'development' work wherever appropriate.

4. Policy Coly4 Green Wedges

The Green Wedge areas (shown on Map 6) are fundamental to retaining and protecting the special character and setting of Colyford and Colyton within the neighbourhood plan area. Development proposals in the designated Green Wedge areas will not be supported unless it can be demonstrated that it will not add to existing sporadic or isolated development in the open countryside or harm the character of these areas, and development is:

- i. for the purposes of agriculture, horticulture, or forestry; or
- ii. within the curtilage of a site that is already in residential, employment use; and
- iii. small in scale, proportionate to its location and appropriate in type; and
- iv. complies with the requirements of Strategy 8 of the East Devon Local Plan.

5. Policy Coly5 Local Green Spaces

The areas listed below are designated as Local Green Spaces:

- A. Bridge House Garden
- B. Colyford Play Park
- C. Colyton Community Woodland and Picnic Site
- D. Cuthouse Meadow Play Area
- E. Road Green and Play Area
- F. St Andrews Churchyard and St Andrews Garden
- G. The Elms Amenity Area
- H. St Michaels Churchyard, Colyford

Inappropriate development on any of the Local Green Spaces designated in this policy will only be supported in very special circumstances.

6. Policy Coly6 Sustainable Development

Development within the Built-Up Area Boundary will generally be supported provided it:

- i. makes an appropriate use of a brownfield site, or
- ii. is infill and predominantly surrounded by existing development; and
- iii. is of sustainable design and construction to minimise the impact on climate change; and
- iv. there is no harmful impact on the Conservation Area and/or Heritage Assets.

For all developments in the neighbourhood area, including extensions and alterations to existing properties that require planning permission:

- v. buildings should be designed to a high level of energy efficiency aiming towards zero carbon;
- vi. the development proposal should be appropriate to its setting in terms of scale, height and massing and choice of materials;
- vii. measures to improve biodiversity should be incorporated into new development including, but not limited to, bee bricks, bat and bird boxes and hedgehog highways; and
- viii. proposals should consider the need to design out crime, disorder and anti-social behaviour to ensure ongoing community safety and cohesion.

7. Policy Coly7 Housing Development within the Built-up Area Boundary

New housing development within the Colyton Built-up Area Boundary will be supported provided the:

- i. design and layout are generally in keeping with the character of the town and existing development around the site;
- ii. boundary treatments complement the character of the area;

- iii. opportunities to provide safe and secure pedestrian and cycle links throughout the development, and to and from other parts of Colyton are incorporated;
- iv. opportunities to re-use existing buildings on the site are utilised wherever possible; and
- v. the mix of housing sizes and tenures reflects local needs and contributes to the diversity of the area's housing mix.

8. Policy Coly8 Rural Exception Site

Proposals for a Rural Exception Site in accordance with East Devon Local Plan Strategy 35 will only be supported where it:

- i. is a small development which reflects the character, appearance, and scale of the adjacent settlement; and
- ii. is in conformity with other policies in the development plan; and
- iii. provides affordable housing to meet identified local need; and
- iv. will not have a harmful visual impact on its setting or the landscape; and
- v. where relevant, it brings redundant or vacant historic buildings back into beneficial re-use.

Affordable housing should make up a minimum of 66% of the site and market units will only be considered where they are essential to enable the delivery of affordable units.

9. Policy Coly9 Parking Provision for New Housing Development

A. New residential development should provide:

- i) at least one off-road car parking space for one-bedroom homes and two off-road car parking spaces per homes with two or more bedrooms; and
- ii) at least one cycle parking space for one-bedroom homes and two cycle parking spaces per homes with two or more bedrooms.

B. Parking provision for major developments should be contained within the site boundary and include charging points for electric cars.

C. For minor developments, on-site parking provision of fewer car parking spaces per home than required by clause A above will only be permitted:

- i) where the provision of the parking requirements set out above would prejudice the viability and/or deliverability of the site; and
- ii) alternative and reasonably accessible car parking arrangements can be demonstrated and which themselves do not add to on-street parking.

D. The layout of all major developments should incorporate adequate additional off-street visitor car and cycle parking spaces, and accommodate delivery vehicles, or other forms of logistical support, without adversely impacting upon traffic circulation or road safety.

E. Permeable materials for surface parking areas should be used where practicable.

10. Policy Coly10 Employment Uses

Proposals for the change of use of existing business premises away from employment activity will be resisted unless it can be demonstrated that its existing use is no longer economically viable, and all reasonable steps have been taken to let or sell the site or building for employment purposes for a period of at least 12 months.

Development proposals to provide employment opportunities in residential areas, including the creation of live-work units, will be supported provided that the proposals:

- i. do not involve the loss of a dwelling;
- ii. contribute to the character and vitality of the local area;
- iii. do not harm residential amenity;
- iv. do not adversely impact upon road safety; and

- v. do not harm the convenience, vitality, or viability of existing town and village centre commercial uses.

11. Policy Coly11 Tourism Development

Proposals for the development and expansion of tourism-related businesses (see definition in Glossary) will be supported providing that:

- i. the scale of development is proportionate to existing activity in the Parish and the immediate locality;
- ii. the potential impact on neighbouring residential properties is acceptable, having regard to potential noise and disturbance;
- iii. they respect the area's heritage and historic character;
- iv. they do not have a significant adverse impact on the character of the landscape and are mitigated as appropriate by landscaping and visual screening; and
- v. traffic, access and highway matters are satisfactorily addressed.

12. Policy Coly12 Tramway Links

Measures to improve pedestrian links between the tramway stations and the centre of the settlement areas of Colyford and Colyton will be supported.

13. Policy Coly13 Connectivity

Future improvements to mobile phone reception and superfast broadband infrastructure serving the Parish will be supported where it is sensitively sited and sympathetically designed.

Suitable ducting to accommodate FTTP broadband should be provided in all new development.

Where practicable, all new residential, educational and business premises development will be required to make provision for highspeed broadband and other communication networks.

14. Policy Coly14 Public Transport

Development proposals specifically to maintain and enhance existing public transport provision, within the area will be supported provided the proposals would not have significant harmful effects on:

- i. the amenity of residents and other neighbouring uses; and
- ii. the local landscape, including environmental features and assets

15. Policy Coly15 Walking and Cycling Routes

Proposals to:

- i. improve and extend existing walking and cycle routes and link them to the wider network; or
 - ii. provide pedestrian and cycle links between settlement areas; or
 - iii. create wider and safer footpaths in settlement areas;
- will be supported.

Where appropriate, proposals will be required to demonstrate that measures will be put in place to protect wildlife and opportunities to enhance wildlife habitats and corridors will be taken.

Routes earmarked by the Parish Council for the provision of safe walking and cycling will be safeguarded.

16. Policy Coly16 Public Car Parking

Proposals for public car parks, or public parking areas as part of new developments, within the Colyton built-up area boundary, will be supported where:

- i. there is appropriate vehicular and pedestrian accessibility; and
- ii. appropriate hard and soft landscaping is provided to ensure the design and layout are sensitive to the setting of the conservation area and to protect the amenity of neighbours.

The provision of electric vehicle charging outlets at public car parks and at other suitable locations to serve public demand will be supported.

17. Policy Coly17 Community Horticulture

The use of redundant land for community allotments, orchards and community horticulture initiatives in suitable locations will be considered favourably.

Proposals that would result in the loss of all or part of existing allotment spaces will not be supported unless alternative and equivalent allotment space is provided, and it is equally accessible and of a similar quality.

Proposals for built development on allotment sites, beyond what is allowed by way of permitted development rights, will be supported if it is of a limited nature and it can be clearly demonstrated that it is required to enhance the role and function of the site, and it would not have significant harmful effects on nearby uses and the landscape and visual amenity of the area.

Proposals that have an adverse impact on nature conservation and biodiversity will not be supported.

18. Policy Coly18 Sports and Recreational Areas

The following sports and recreation facilities and pitches (shown on map 9) will be safeguarded for their existing use:

- Colyton Leisure Centre
- Peace Memorial Playing Fields

Proposals which result in a loss of these recreation and sports facilities and pitches and/or their capacity and/or community accessibility (availability for community use) will not be supported unless:

- a) an assessment has been undertaken which has clearly shown the open space, buildings or land to be surplus to requirements; or
- b) the loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location; or
- c) the development is for alternative sports and recreational provision, the benefits of which clearly outweigh the loss of the current or former use.

Proposals to enhance and improve existing facilities or to provide additional sports and recreation facilities in or on the edge of settlements will be supported where:

- i. the scale is related to the needs of the area and in keeping with the character of the location;
- ii. they have no detrimental impact upon nature conservation and biodiversity;
- iii. they will not add to flood risk or result in the loss of flood storage capacity;
- iv. they do not create unacceptable disturbance to neighbouring residential properties by way of noise, light spillage, and unsociable hours;

- v. the use of any floodlighting has mitigation measures in place to protect nearby residential property; and
- vi. access and off-street parking can be satisfactorily provided without adversely affecting highway safety, traffic movement and amenity of residential and other surrounding uses.

Permeable materials for surface parking areas should be used where practicable.

ENDS