



**South Hams
District Council**

Statement of Consultation

SUPPLEMENTARY PLANNING DOCUMENT

OPEN SPACE, SPORT & RECREATION

June 2006

This Statement of Consultation sets out information required under Regulation 17, of the Town and Country Planning (Local Development) (England) Regulations 2004. It states that the Local Planning Authority should prepare a consultation statement when preparing Supplementary Planning Documents (SPD).

The SPD sets out the Council's requirements for Open Space, Sport and Recreation provision in relation to new development. The SPD and Sustainability Appraisal were subject to a formal six-week public consultation process that enabled all interested parties including statutory organisations to comment on the documents. The six week formal public consultation process commenced on **22 December 2005** and ran to **5.00pm on 2 February 2006**.

The purpose of this statement is to clearly set out details of the consultation that took place. The statement sets out:

- Who was consulted;
- How they were consulted;
- Summary of the main issues raised; and
- How these issues have been addressed in the SPD.

Who was consulted?

The Council aimed to give all who wish to comment on the SPD the opportunity to do so. The Council specifically consulted:

- Parish and Town Councils within the South Hams
- Statutory consultees
- Developers and interest groups
- Local Councillors
- Other non-statutory groups

A full list of consultees is provided in Appendix 1.

How they were consulted?

Stakeholders and the general public were invited to comment on the draft SPD and accompanying Sustainability Appraisal Report by submitting written representations to the Council. The Council notified people of the consultation by a range of means, including:

- Advertisement in local press
- The Council's website at www.southhams.gov.uk
- Direct mail/email

Copies of the draft SPD were available to view at:

- **South Hams District Council, Follaton House, Plymouth Rd, Totnes, TQ9 5NE**
- **Libraries across the district**

Summary of the main issues raised and how these issues have been addressed in the SPD.

The table in Appendix 2 summarises the main issues raised from the Consultation and changes agreed in response to these comments. A report was produced for South Hams District Council Community Policy Development Group containing this table and the amended SPD. The Council then formally adopted the SPD subject to agreed amendments.

The document represents a material consideration in the determination of planning applications for the whole district.

Appendix 1: List of Consultees

Town & Parish Councils

Ashprington	Ermington	Salcombe
Aveton Gifford	Frogmore & Sherford	Shaugh Prior
Berry Pomeroy	Halwell & Moreleigh	Slapton
Bickleigh	Harberton	South Brent
Bigbury	Harford	South Huish
Blackawton	Holbeton	South Milton
Brixton	Holne	South Pool
Buckfastleigh West	Ivybridge	Sparkwell
Buckland-Tout-Saints	Kingsbridge	Staverton
Charleton	Kingston	Stoke Fleming
Chivelstone	Kingswear	Stoke Gabriel
Churchstow	Littlehempston	Stokenham
Cornwood	Loddiswell	Strete
Cornworthy	Malborough	Thurlestone
Dartington	Marldon	Totnes
Dartmouth	Modbury	Ugborough
Dean Prior	Newton & Noss	Wembury
Diptford	North Huish	West Alvington
Dittisham	Rattery	Woodleigh
East Allington	Ringmore	Yealmpton
East Portlemouth		

Statutory Consultees

BT Group – c/o RPS	Government Office for the South West	South West of England Regional Assembly	The Highways Agency
Caradon District Council	Jobcentre Plus	South West of England Regional Development Agency	The National Grid Company
Cornwall County Council	Lattice Property Holdings	South West Peninsula Strategic Health Authority	Torbay Council
Dartmoor National Park	Learning and Skills Council Devon & Cornwall	South West Water	Tor Homes
Devon County Council	Mobile Operators Association	British Gas Connections	Wales and West Utilities
Department of Environment, Food and Rural Affairs	Network Rail	Teignbridge District Council	West Devon Borough Council
English Heritage	Planning Inspectorate	The Countryside Agency	Western Power Distribution
English Nature	Plymouth City Council	The Devon Partnership NHS Trust	South Hams CVS
Enterprise South Devon	South Hams and West Devon Primary Care Trust	The Environment Agency	Devon Social Services
National Grid Properties			

Notified Organisations/Individuals

Age Concern (National & Local)	British Geological Survey	CABE	CPRE (South Hams & Devon)
Duke of Somerset Estates	Modbury Chamber of Trade	Totnes and District Chamber of Commerce	Ivybridge Business Forum
Kingsbridge and District Chamber of Trade	Dartmouth Chamber of Trade and Business	Church Commissioners and Diocesan Board of Finance	Civil Aviation Authority
Commission for New Towns and English Partnerships	Commission for Racial Equality	Crown Estate Office	Dart Harbour Navigation Authority
Devon Association of Parish Councils	Devon Conservation Forum	Devon Fire and Rescue Service	Devon Wildlife Trust
Disability Rights Commission	Equal Opportunities Commission	English Partnerships	Forestry Commission
Friends of the Earth (Torquay, South Hams & Bristol)	The Gypsy Council	Help the Aged	HM Prison Service
Home Office	Home Builders Federation	Anthony Steen MP	Housing Corporation
Local Agenda 21	Ministry of Defence	NFU South West Region	National Playing Fields Association
Office of Government Commerce	Office of the Deputy Prime Minister	Plymouth Airport Operators	Post Office Property Holdings
Royal Society for the Protection of Birds	Sport England	Yealm Harbour Authority	Women's National Commission
Salcombe Harbour	South Hams Agricultural Forum	Anchor Trust	AONB Partnership Committee
Barn Owl Trust	Care And Repair	Churches Together in Devon	Community Council of Devon
Community Mental Health	Culture South West	Dartington Hall Trust	Dartington Housing Association
Dartmouth and Kingswear Society	Devon and Cornwall Constabulary	Devon and Cornwall Housing Association	Devon Learning Disability Health and Social Care Partnership
Devon Local Access Forum	Devon Racial Equality Council	Devon Rural Transport Partnership	Devon Youth Network
Eddystone Trust	Enterprise South Devon	Hastoe Housing Association Ltd	Intercom Trust
Ivybridge and District Community Transport Association	Ivybridge and South Dartmoor Tourist Information Centre	Job Centre Plus (DWP)	Kingsbridge District Transport Partnership
Kingsbridge Tourist Information Centre	Learning Disability Group	Local Business Partnership	Dartmouth and District Area Committee
Ivybridge Regeneration Group	Kingsbridge and Salcombe Area Partnership	Totnes and District Community Strategy Group	Mencap Society
Sparkwell Parish Community Council	Modbury Tourist Information Centre	Regeneration South West	RSL Partnership
Safer South Hams and Disorder reduction Partnership	Salcombe Tourist Information Centre	Sanctuary Housing Association	Signpost Housing Association
Social Services Directorate	South Hams Access Group	South Hams Amenity Federation	South Hams Arts Forum
South Hams and West Devon Primary Care Trust	South Hams Citizen Advice Bureau	South Hams Council for Voluntary Services	South Hams and Teignbridge Priority Action Team

South Hams Food and Drink	South Hams Marine Industries	South Hams Society	South Hams Strategic Partnership
South West Tourism Board	South Western Co-op	Sovereign Housing Association	Tamar Housing Association
The Guinness Trust	The National Trust	Tor Homes	Totnes and Dartmouth Ring and Ride
Totnes Rail Transport Group	Westcountry Ambulance Service	Westcountry Housing Association	Totnes and District Society
RedTree	Local Dialogue	Neptune Land	The Planning Bureau
Sandover Associates Ltd	South West RSL Planning Consortium c/o Tetlow King Planning	Richard Hosking	Wm Morrison Supermarkets plc c/o Rapleys LLP
Halwell & Moreleigh Community Action Group	Barton Willmore Planning	SHARD	The British Wind Energy Association
The Bell Cornwall Partnership	Gary Streeter MP	Vodafone	Hutchison 3G UK Ltd
Orange Personal Communications Ltd	Ramblers Association	Devon Archaeological Society	Devon Sports Partnership
Devon Playing Fields Association	Sports South Hams	Strategic Land Partnership	DPDs Consulting
Mr A J Watling	RPS Planning	Nathaniel Lichfield & Partners	Tetlow King Planning
Mr R Simmonds	Oliver McGuiness	Gordan Carling Foundation	South Hams Sustainability Group
Savills	Devon Stone Federation	Devon Rural Housing Enabler	Cluttons
GL Hearn	Level	Inland Waterways Association	O2 UK
Strutt & Parker	Bovis Homes	Malcolm Judd & Partners	Totnes Tourist Information Centre
Dartmouth Tourist Information Centre	DevPlan UK	Totnes & District Sustainability Group	Campaign for Real Ale
South Hams Tourism Forum	Wild Woolwell	Penrilla Consultants	Mr R Jackman
Bramble Close Residents Association	Diocese of Exeter	South West Regional Committee of Jehovah's Witnesses	Ms P Wilcox
Paul & Company	Bakers Associates	Hopwood & Swallow	

Neighbouring Parishes

Landulph Parish Council	Bere Ferrers Parish Council	Buckland Monachorum Parish Council
Saltash Town Council	Dartmoor Forest Parish Council	Ashburton Town Council
Buckfastleigh Town Council	Ipplepen Parish Council	Kingskerswell Parish Council
Burrator Grouped Parish Council	Broadhempston Parish Council	Woodland Parish Council

Appendix 2: SUMMARY OF RESPONSES TO CONSULTATION DEC 2005

Para	Name / Organisation	Resp No	Rep No	Support	Object	Comment	Summary of Rep	SHDC Comment
1. INTRODUCTION								
1	South Devon AONB Unit	1014	1	1			Overall support to production of document noted.	Noted
1	South Devon AONB Unit	1014	5			1	The use of abbreviations is unnecessary and distracting. It should be dispensed with entirely	Noted. The extent of abbreviations does detract from the flow of the document and will be dispensed with as suggested
1	South Hams Sustainability Forum	1221		1			The production of SPD is welcomed.	Noted.
1	Ivybridge Town Council	1103	1	1			Principle of Developers contributing towards open space is welcomed	Noted.
1	Brixton Parish Council	11	1	1			Adoption will provide a clear definition of requirements to developers and ensure provision for the future which had not always been provided in past developments.	Noted
1	Totnes & District Society	8	1	1			Draft is welcomed particularly the ring fencing of funds and the analysis of current provision.	Noted.
1	Holne Parish Council	1259	1			1	High business rates make viability of private sporting facilities difficult. Action should be taken to address this.	Noted, however this issue is not relevant to the SPD and cannot be addressed within the SPD.
1	South West Regional Assembly	1251	1			1	No Comment	Noted
2. POLICY BACKGROUND								
2.6	Totnes & District Society	8	2			1	Children's play areas should be specifically located so that they are overlooked and subject to scrutiny for security reasons.	Noted. Comment will be made in appendix 2 in relation to construction and design standards relating to play areas.
2.4	Mr John Hemmingway	1210	1		1		The production of SPD is premature and relates only to the 1996 local plan, 2004 structure plan and other planning guidance. Reference to the 2002 draft local plan policies is considered to be inappropriate.	It is not considered that the SPD is premature. It relates clearly to adopted local plan and structure plan policies, constituting the development plan, and is consistent with emerging Regional Spatial Strategy (RSS), LDF core strategy and other national planning guidance. Concern over the relevance of the deposit South Hams local plan policies related at para 2.6 is noted and reference to these policies will be removed from the text and appendix.
2.4	Sharpham Trust	1207	1		1		Same objection as John Hemmingway 1210 / 1/1 (as above)	Same response as to John Hemmingway objection 1210/1/1 (as above)

Para	Name / Organisation	Resp No	Rep No	Support	Object	Comment	Summary of Rep	SHDC Comment
2.4	Dartington Hall Trust	1206	1		1		Same objection as John Hemmingway 1210 / 1/1 (as above)	Same response as to John Hemmingway objection 1210/1/1 (as above)
2.4	Victoria & Albert Inn, Stoke Gabriel	1211	1		1		Same objection as John Hemmingway 1210 / 1/1 (as above)	Same response as to John Hemmingway objection 1210/1/1 (as above)
2.4	C M Seager-Berry	1205	1		1		Same objection as John Hemmingway 1210 / 1/1 (as above)	Same response as to John Hemmingway objection 1210/1/1 (as above)
2.4	Carlton Power Ltd	1204	1		1		Same objection as John Hemmingway 1210 / 1/1 (as above)	Same response as to John Hemmingway objection 1210/1/1 (as above)
2.4	Hopwood & Swallow	1205	1		1		Same objection as John Hemmingway 1210 / 1/1 (as above)	Same response as to John Hemmingway objection 1210/1/1 (as above)
3. LOCAL NEEDS AND OPPORTUNITIES								
No Specific Comments								
4. OPEN SPACE STANDARDS								
4.1	South Devon AONB Unit	1014	2			1	Concern expressed that no standards are set for provision of informal open space and parks and gardens and that this leaves ambiguity. It is recommended that a framework be explored.	The deficiency in mechanism is noted. It would be appropriate to include accessibility standards, based on distance as set out within PPG 17 guidance for accessibility of open space. This to be included as a basis for site based negotiation. Actual level of provision should concentrate on quality of access and available space rather than an arbitrary quantity threshold
4.2	House Builders Federation	1218	5		1		Requirement for provision of "casual space" within 1 minute walking time results in provision of numerous small unusable spaces no better than gardens. Realistic to expect people to walk more than 1 minute to reach a play space.	Noted. The emphasis should be on provision of quality play space rather than sheer quantity. Appendix 2, linked to para 4.2, will be amended to moderate the absolute 1 minute requirement and to set a context for quality provision.
5. TYPES OF PROVISION								
5.2	Dartmouth Town Council	1084	1	1			Specification for grassed areas is supported	Noted
5.4	Environment Agency	1202	1			1	Suggestion that there be a further sub-division of public open space related to water related sports and recreation. These cater for a wide range of users and have landscape and bio-diversity value in their own right.	The existing four types of open space are comprehensive and based on national standards. Nevertheless the additional value of water related amenity areas is noted and comment will be incorporated into paragraph 5.4 to indicate that informal open space can include water areas.
5.4	Environment Agency	1202	2			1	Bio-diversity is implied in para 5.4 but poorly followed through, in particular in relation to appendix 3 on bio-diversity. Additional text is suggested.	Accepted. Additional text as outlined by Environment Agency will be included in para 5.4.

Para	Name / Organisation	Resp No	Rep No	Support	Object	Comment	Summary of Rep	SHDC Comment
5.4	Environment Agency	1202	3			1	Informal open space can be multi-functional and allow for flooding and temporary water storage as part of a sustainable drainage scheme.	Accepted. Additional text will be included at para 5.4 to reflect multi-use function of informal open space.
5.4	Environment Agency	1202	4			1	Green corridors, can make space for water both for flood storage and conveyance of water.	Accepted. Additional comment will be made in para 5.4 to reflect use of green corridors for more water retention or movement.

6. APPLYING THE POLICIES

No Specific Comments

7. ELIGIBILITY OF DWELLINGS AND OPEN SPACE REQUIREMENTS

7.2	Ivybridge Town Council	1103	2			1	Concern is raised that taking funding from all small scale developments, including those for affordable homes, could make schemes unviable, particularly where there are other requirements for highway, school and other infrastructure. Local communities should be involved in the decision making process.	Noted. The potential impact on affordable housing is recognised, however, the Council wish to bring forward new development for balanced communities with a full range of facilities. If a Developer claims that a requirement for Open Space Sport and Recreation makes a specific development unviable, then the Council will, in exceptional circumstances, consider a reduction of Open Space Sport and Recreation requirements where this delivers an overall greater public benefit. Paras 5.10-5.13 of the adopted SPG on "Affordable Housing" refers to negotiation of obligations. No text changes proposed in relation to this comment. Impact on small developments is noted and SPD will introduce a threshold based on development size at which contributions are triggered.
7.2	The Planning Bureau Limited (on behalf of McCarthy & Stone)	1265	1		1		Objection to the range of open spaces, sport and recreation required in relation to elderly or sheltered accommodation. Request that a less onerous range of provisions be sought from sheltered accommodation for elderly.	Objection, and reference to PPG 17, noted. Text will be amended to add a note making it clear that range of facilities in relation to sheltered elderly accommodation will be considered on a site by site basis in relation to proposed specialised homes for the elderly.

8. OUTLINE APPLICATIONS

Para	Name / Organisation	Resp No	Rep No	Support	Object	Comment	Summary of Rep	SHDC Comment
8.1	House builders Federation	1218	1		1		Considered unreasonable to ask for open space if a modest amendment to an existing residential consent is made. Similar objection where an extension of time is sought as it could affect the whole economics of the development and lead to major changes to a proposal.	Paragraph 8.1 seeks contributions where a application is made to amend a previously permitted scheme but costs would only be applied to additional qualifying residential units in a revised application. Where an extension to time is sought it is considered appropriate to assess the current open space sport and recreation requirements pertinent to any site at the time of that review. No changes to text are proposed.
9. CALCULATING OPEN SPACE SPORT & RECREATION REQUIREMENTS								
9.3	Strete Parish Council	1267	1			1	Query raised that Strete does not have Cricket Pitch but does have children's play area and public open space	Appendix 4 (now 3) linked to paragraph 9.3 is actually indicating <u>deficiencies</u> not existing. There is considered to be deficiency of a Cricket Pitch within Strete. No change to text proposed
9.1	South Devon AONB Unit	1014	6			1	Confusion over text between Table 4 and Appendix 4. Need for simpler explanation with reference to main urban areas/catchments/urban wards	Noted and accepted. Text will be amended to identify the main towns and catchments.
9.3	South Hams Sustainability Forum	1221	2		1		That the SPG should not deal with Community Halls because this relates to economic facilities rather than Open Space Sport and Recreation	Noted. In light of this comment, reference to community buildings, other than where they are primarily for sporting purposes, will be removed from the linked Appendix 4 and paragraph 5.1
9.3	South Hams Sustainability Forum	1221	3	1			Specific support to the provision of the Littlehempston to Totnes Cycle Route	Noted.
9.3	South Hams Sustainability Forum	1221	4			1	Viability of the Kingsbridge to Marlborough Cycle Route is questioned unless route alongside the Estuary can be provided	The provision and line of the route is a Devon County Council decision based on detailed analysis. If funds are available through Section 106 agreements, they will be allocated to the preferred Devon County Council route.
9.3	Modbury Parish Council	1263	1			1	Landscaping at Palm Cross Green and Poundwell car parks would be beneficial but note that Modbury Parish Council own Palm Cross Green.	Noted.
9.3	Ermington Parish Council	1260	1			1	Comment relates to statements that there is a new village hall in Ermington, and no football, no cricket, no rugby, no play area and no	Appendix 4 (now 3) actually relates to <u>deficiencies</u> rather than provisions. The deficiencies are still felt to be appropriate and would be

Para	Name / Organisation	Resp No	Rep No	Support	Object	Comment	Summary of Rep	SHDC Comment
							informal spaces. This is incorrect.	applicable for being addressed through S106 funding.
9.4	John Hemmingway	1210	2		1		Objection is made to the catch all nature of the SPD. It is considered that the requirements of a broad range of facilities from all development is inappropriate and should only be required where it is directly related in scale to the impact that any proposed development will make. Similarly a planning obligation should not be used to solve any existing deficiencies.	<p>The SPD sets a comprehensive framework for the range of open space sport and recreation that might be required. However, each individual proposal will be assessed on its merits, in particular in relation to existing deficiencies identified in appendix 4 (now 3). Where there is an existing adequate provision of any type of provision (as stated in chapter 5) the development will not be required to make a contribution. Where there is an existing deficiency, or the new development creates a deficiency, there will be a presumption that the proposal will make adequate provision, through section 106, for open space sport and recreation. It is accepted that such provision should be directly related in scale to the impact of the proposed development and it is considered appropriate that this could include, at a local level a local facility such as a play area, but that within a wider catchment, such as a town, it might include the provision of higher level facilities such as leisure centre or recreation fields somewhat distant - but related to - the proposal site.</p> <p>Appendix 4 (now 3) is based on detailed assessment of needs in a locality and in each case would be considered in relation to the development proposed. SHDC propose to amend introductory text within the SPD to make the above point clear but do not propose to alter the underpinning principle throughout the document that development should make proper contributions.</p>

Para	Name / Organisation	Resp No	Rep No	Support	Object	Comment	Summary of Rep	SHDC Comment
9.4	John Hemmingway	1210	3		1		It is not considered that the document is based on a sufficiently robust assessment of existing and future needs of communities. This is not considered to be a suitable audit as defined under the PPG.	<p>The existing deficiencies for open space sport and recreation are set out within appendix 4 (now 3) on a parish by parish basis. These are based on detailed analysis of local needs and opportunities as outlined in section 3 (para 3.1) of the document. This details 6 separate assessments which have taken place in recent years which underpin the overall table of deficiencies and needs in appendix 4 (now 3). PPG 17, and accompanying companion guide, describe the need for assessments of needs and opportunities and auditing local provision. There is no fixed model and it is considered that the South Hams approach to date, whilst not wholly comprehensive, is robust and provides adequate detail for the key types of provision addressed in the document. The need for on-going review and updating of the audit is clearly acknowledged and a comprehensive review is already underway. The SPD will be amended to indicate the status of the existing audit and the on-going review of the audit.</p> <p>It will make provision for an updated audit to be brought forward and to subsequently supersede and inform the existing appendix 4 within the document. No changes to text proposed.</p>
9.4	Sharpham Trust	1207	2		1		Same as John Hemingway objection 1210/2/1 (as above)	Same as John Hemingway objection 1210/2/1 (as above)
9.4	Sharpham Trust	1207	3		1		Same as John Hemingway objection 1210/3/1 (as above)	Same as John Hemingway objection 1210/3/1 (as above)
9.4	Dartington Hall Trust	1206	2		1		Same as John Hemingway objection 1210/2/1 (as above)	Same as John Hemingway objection 1210/2/1 (as above)
9.4	Dartington Hall Trust	1206	3		1		Same as John Hemingway objection 1210/3/1 (as above)	Same as John Hemingway objection 1210/3/1 (as above)
9.4	Victoria & Albert Inn, Stoke Gabriel	1211	2		1		Same as John Hemingway objection 1210/2/1 (as above)	Same as John Hemingway objection 1210/2/1 (as above)
9.4	Victoria & Albert Inn, Stoke Gabriel	1211	3		1		Same as John Hemingway objection 1210/3/1 (as above)	Same as John Hemingway objection 1210/3/1 (as above)
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9.4	C M Seager-Berry	1205	3		1		Same as John Hemingway objection 1210/3/1 (as above)	Same as John Hemingway objection 1210/3/1 (as above)
9.4	Carlton Power Ltd	1204	2		1		Same as John Hemingway objection 1210/2/1 (as above)	Same as John Hemingway objection 1210/2/1 (as above)
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9.4	Hopwood & Swallow	1205	2		1		Same as John Hemingway objection 1210/2/1 (as above)	Same as John Hemingway objection 1210/2/1 (as above)
9.4	Hopwood & Swallow	1205	3		1		Same as John Hemingway objection 1210/3/1 (as above)	Same as John Hemingway objection 1210/3/1 (as above)
10. ON OR OFF-SITE PROVISION								
10	South Devon AONB Unit	1014	4			1	That the use of the word "Refurbishment" implies that Section 106 funds will be used to address a backlog of existing maintenance problems rather than required additional facilities generated in relation to the development.	This point is noted. Text will be amended to clarify this matter
11	Ivybridge Town Council	1103	3		1		That the needs of the local community, as expressed on their behalf by the Local Council should be one of the criteria in deciding the local allocation for Open Space Sport and Recreation.	Noted. On any specific site, there will be full and open consultation with the Town or Parish Council as to the local requirement and the likely needs generated by any development.
10	Ivybridge Town Council	1103	6			1	Local Town and Parish Council should have the option to be involved in negotiations and provision should be made to allow transfer of funding or land to Local Council rather than District Council if that is a preferred option	Noted and accepted. The use of a planning agreement will be to deliver the best facilities locally through the best mechanism. There is no assumption that the District Council will become owner or manager of any on site or off site facility. The option of ownership and management through Local Council (or any other third party) will be considered at the time of negotiation.
11	Stokenham Parish Council	1201	1			1	Councillors support the document on the whole but seek clarification about the contributions that may be pooled and subsequently allocated to a relevant facility within the immediate area parish cluster. Query how this will be allocated.	The precise location for allocation of pooled contributions will be based on the specific identified village requirements or deficiencies within a town catchment as identified in appendix 4 - and as amended through on-going analysis of provision and deficiencies of open space sport and recreation.

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11	House Builders Federation	1218	2		1		Financial contributions for off-site should only be sought for provision within the locality of the development proposed. Not considered reasonable to say that the provision may be made somewhere else within the District rather than within reasonable distance of the development site.	Noted. The authority accepts that for any open space sport and recreation required alongside a development should relate reasonably to that development. Appendix 4 sets out existing deficiencies by parish and by clusters relating to town. Clearly some facilities can only be provided at one location within a wider catchment (for example a major recreation ground or leisure centre) and it will be appropriate and related to a development within that catchment to seek funding in relation to such a major strategic facility. Conversely a small local play area should be within ready walking distance of a specific site.
11	House Builders Federation	1218	6			1	The worked example at appendix 5, linked to para 10.6, should clarify that where aspects of provision are adequate no contribution for facilities at this level is required. Contribution cannot be sought for facilities where they are adequately provided within an area.	Noted. Text will be amended to make it clear that provision will only be required where there is an inadequate level of provision generated or exacerbated by the development proposal.
11. MAINTENANCE								
11	South Devon AONB Unit	1014	7			1	There is confusing text between Section 11 and the linked Appendix 6. There should be consistency in the figures and clarity over the links between per meterage, annual and worked 20 year figures.	Comments noted. Section 11 will be re-worded, along with Appendix 6, to clarify and simplify the worked costing for maintenance and the extrapolated 20 year commuted sums.
11	Ivybridge Town Council	1103	4		1		That the needs of the local community, as expressed on their behalf by the Local Council should be one of the criteria in deciding the local allocation for Open Space Sport and Recreation.	Noted. On any specific site, there will be full and open consultation with the Local Town or Parish Council as to the local requirement and the likely needs generated by any development.

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11	House Builders Federation	1218	3		1		20 years is considered to be an excessive period for commuted maintenance sums. A reduction by at least two thirds is sought.	It is clear that developers must make provision from maintenance or facilities that are passed over for public benefit. There is no definitive guidance on a reasonable commuted sum for period and there is precedence for a 20 year period being approved, both at enquiry and appeal, with other authorities. SHDC consider that a 20 year commuted maintenance sum is appropriate in the context that in perpetuity, maintenance of the site will fall to local residents. No change to text proposed.
12. RETURN OF UNSPENT CONTRIBUTIONS								
12	South Devon AONB Unit	1014	3			1	Given the pressing need to provide Open Space Sport and Recreation 25 years seems an unduly long time to allow money to be held without being spent. Reducing it to 10 or 15 years would provide a greater incentive to get facilities in place.	Monies may well be pooled from many different developments, particularly within town and parish clusters. It may be many years before a sufficient quantity of funding is available to trigger provision of a certain facility. 25 years is considered to be reasonable in this respect. Comment is noted but no amendments to text are proposed.
12	House Builders Federation	1218	4		1		Retaining unspent contributions for 25 years is considered to be unacceptable and should be reduced to a period of no greater than 5 years.	Section 106 funds from any development may be spent on a range of off-site facilities. Some will be small, local and delivered very quickly on the back of development. Others will be larger facilities (for example recreation grounds or work at leisure centres) which may be longer term and serve broader catchments within which the development falls. These significant facility provisions or improvements may not be planned for some years and may require a significant pooling of section 106 funding (and indeed other funding) before the work is triggered. 25 years would be a reasonable turnaround for improvements to a major facility. No change to text proposed.