



**Devon Countryside Access Forum
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Planning, Transportation & Environment
Devon County Council
County Hall
Topsham Road
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28 April 2023

Dear ██████████

**Planning Application - DCC/4336/2023
Shared-use trail – Shercroft Close, Broadclyst to Mosshayne Lane, Exeter**

The Devon Countryside Access Forum (DCAF) is a local access forum under the Countryside and Rights of Way Act 2000 (CRoW Act). Its statutory 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...” Section 94(4) of the Act specifies bodies to whom the Forum has a statutory function to give advice, and this includes county councils.

The DCAF currently has eighteen members, appointed by Devon County Council, who represent the interests of landowners/managers, access users and other relevant areas of expertise such as conservation and tourism.

The Devon Countryside Access Forum welcomes initiatives to improve recreational access in the area east of Exeter where there are significant housing developments and very few public rights of way. The planning application for the trail from Shercroft Close, Broadclyst to Mosshayne Lane was considered at the meeting of the Forum held on 24 April. The Forum advises that the following specific points should be considered in determining the application and in any future detailed design.

The Devon Countryside Access Forum is a local access forum. It 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.

Multi-use

The Devon Countryside Access Forum welcomes aspirations for the trail to be suitable for cyclists, pedestrians and people with impaired mobility. However, it is unclear whether horse use has been considered. By inference, horses appear to have been excluded. The Devon Countryside Access Forum advises that this is a missed opportunity, setting a poor precedent, in a geographical area where other recreational access projects are being considered. This application, although short in length, would ultimately link to the proposed Clyst Valley Trail, Ashclyst Forest and the wider Killerton estate. If horse use is not considered at this point, it is difficult to redesign at a later stage. Given the vulnerability of horse riders on the increasingly busy roads, this trail would provide a safe-off route with the potential to reach additional horse-riding areas. There are no bridleways in this area so it would provide an opportunity to improve access for this group, particularly as the route is anticipated to be “mainly used for leisure purposes.” The Devon Countryside Access Forum notes that the trail runs partially alongside the railway but do not consider this should exclude horse use. The Regional Access Officer for the British Horse Society has drawn the attention of the Forum to a new multi-use trail in the Lake District which runs alongside a railway. [West Windermere Way : Lake District National Park](#) This also includes sections of boardwalk for horse use.

Multi-use, particularly on new routes, has been the aspirational policy of the Devon Countryside Access Forum and multi-use is embedded in policies in Devon County Council’s Rights of Way Improvement Plan, revised in 2012: Policies CY3A, CY3B, CY3C/2 and HC3, as below.

D. Cyclists (page 34)

MULTI-USE

CY3A Provision for multi-use will be preferred where new routes are developed and the use of restrictive covenants will only be agreed in exceptional circumstances.

CY3B A review of existing cycle routes will be undertaken to see if multi-use is appropriate.

CY3C/2 Appropriate surfacing and design of multi-use routes will be undertaken following local consultation with the public and user-groups and taking into account environmental considerations, user needs, costs (including future maintenance) and guidance from the relevant sources, such as the good practice guide *Surface Requirements for Shared Use Routes* published by the former Countryside Agency (now Natural England).

C. Horse-riders and carriage drivers (page 32)

MULTI-USE

HC3 Multi-use will be encouraged in accordance with policy and action CY3A, B and C/2.

Whilst the Rights of Way Improvement Plan is currently being reviewed, there is no expectation of a change to these policies.

Surfacing

To ensure a surface suitable for multi-use and to minimise impact on the landscape the Devon Countryside Access Forum advises that a stone surface or self-binding gravel surface would be preferable to a “non-permeable bound surface.” Depending on the surface it might be possible to include a grass verge for horses.

Disability access

The Forum notes and appreciates the intention to restrict vehicular access. It is important that in so doing mobility scooters, cargo bikes and similar are not impeded. A lockable, moveable bollard might be one option which would still permit maintenance or emergency vehicles. A clear width of 1.5 metres is required for mobility scooters.

Outdoor accessibility

A guide to inclusive outdoor design and management was published earlier in April 2023 by Paths for All and the Sensory Trust. The comprehensive guidance on path design and routes covers all access user groups, including cyclists and horse-riders, and the Devon Countryside Access Forum advises that the trail proposals should be cross-referenced against this guide. Funding sources for the guidance included Forestry England, Natural England and Paths for All and a wide range of organisations provided advice and technical expertise. [Outdoor Accessibility Guidance Download – Paths for All | Paths for All](#)

East end – Station Road

The Shercroft Close junction drawing shows the trail very close to housing. The Forum advises that consideration should be given to reducing the proximity to these properties. The Devon Countryside Access Forum is aware of the proposals for a Suitable Alternative Natural Green Space (SANGS) at Station Road, recently consulted on by East Devon District Council. It is regrettable that this is not referred to in the planning application as the positioning of the car park in particular may influence where the trail can go, and the design needs to include associated safety features to separate trail users from vehicles. It is important that consideration is given to safe routes progressing from the trail eastwards to new developments at Blue Hayes and Cranbrook to encourage use of the trail.

West End – Mosshayne Lane

Through its response to the Clyst Valley Trail consultation, the Forum is aware that Mosshayne Lane is not a highway maintainable at public expense but has a footpath running along it (Broadclyst footpaths 29 and 65). As part of the trail development, the Devon Countryside Access Forum advises that thought needs to be given to the legal status of the trail itself which could be designated as bridleway. Where the trail emerges onto Mosshayne Lane, early discussions with the landowner need to take place to ensure that all users can legally proceed from that point.

Biodiversity

The Devon Countryside Access Forum appreciates design elements associated with green space and biodiversity. However, it is important that the maintenance cost of such areas, for example wildflower strips or hedgerows, is fully costed to ensure these do not just scrub or grow over. This could be a high cost to the local authority. Where trees are proposed consideration should be given to safety and visibility to

ensure that these do not deter use, particularly as the route will not be lit. Use of native species such as blackthorn or hawthorn can pose issues for users when overgrown or can cause punctures if recently cut. The Forum advises that such species should not be planted too close to the trail.

Agriculture

It is not clear how much agricultural land is involved in trail construction and what agricultural use will be on completion.

The Devon Countryside Access Forum would appreciate detailed feedback on its comments.

Yours sincerely

A black rectangular box redacting the signature of Hilary Winter.

Hilary Winter
Forum Officer

Letter sent on behalf of the Devon Countryside Access Forum

Chair: Sarah Slade

Vice Chair: Chris Cole