

Examination of the Exeter Local Plan

Matter 14, Issue 4: (Policy IF4- Open Space, Play Areas, Allotments and Sport – including PMM3).



contour
planning

Written Statement

On Behalf of Tesco Stores Ltd

23rd April 2026

1.0 Introduction

- 1.1 Contour Planning are appointed by Tesco Stores Limited to attend the Examination of the Exeter Local Plan in relation to Matter 14 Issue 4.
- 1.2 Tesco's comments relate to one specific parcel of land which has been designated as 'Open Space' on the Policies Map (via PMM3) and is therefore affected by Policy IF4. Tesco does not raise detailed comments on other aspects of Policy IF4 or on other open-space designations. However, the issues raised in this Written Statement may be relevant to other parcels of land affected by the policy and open space designation.

Part 1: Tesco Response to Inspectors Questions on Matter 14, Issue 4:

2.0 Tesco Answers

Q1. How is open space defined for the purposes of Policy IF4?

Answer: The Local Plan lacks a clear definition of open space. For example, Para 15.29 suggests that open space includes "parks and gardens; Informal green space; and Natural and semi natural space", whereas Policy IF4 suggests the 'open space' is different to "local green spaces, allotments, playing pitches and sports facilities". Furthermore, unlike some of the evidence base, there is no clarification as to whether open space includes private land with limited or no public access.

We therefore conclude that the plan lacks a transparent, current definition of "Open Space" as applied under IF4.

Q2. Is Policy IF4 consistent with paragraph 103 of the Framework (protection of existing open space)?

Answer: Not demonstrably. Paragraph 103 (NPPF) requires that existing open space should not be built on unless one of the specified tests is met and that plan policies are founded on robust, up-to-date assessments.

In the case of the Tesco site (introduced as open space via PMM3) the Council's stated reasons (compliance with the HELAA and "previous application conditions") do not amount to the proportionate, site-specific open-space assessment the NPPF requires.

As illustrated in Part 2 of this Written Statement, we have found no site-specific evidence applying the NPPF tests to the Tesco site. Therefore, Policy IF4 as applied to this site, is not currently consistent with paragraph 103.

Q3. The Exeter Playing Pitch Strategy (Oct 2022) is draft. Has it been updated for the Plan; is it now out of date?

Answer: Whilst this is a matter for the Council, our research has not found a final version of this document.

Q4. How were the requirements in Policy IF4 established? Are they based on robust, up-to-date evidence and tested for viability/deliverability?

Answer: As illustrated in Part 2 of this Written Statement, our research suggests the Council has relied on a mix of documents (HELAA, 2005 Audit, SPD 2005, GI Study 2009, and later strategies for sports facilities).

There does not appear to be an up to date published site-specific appraisal demonstrating recreational/ecological/amenity function of open space.

Consequently, the requirements in IF4 (as applied to the Tesco site) are not currently founded on robust, up-to-date evidence and have not been adequately tested for deliverability.

Q5. Is Policy IF4 consistent with paragraph 106 of the Framework (Local Green Space designations)?

Answer: We have not found evidence that the Council applied LGS criteria to the Tesco site. Therefore, IF4 is not demonstrably consistent with paragraph 106 in respect of this site because there is no published evidence showing the parcel meets the LGS tests.

Q6. Is Policy IF4 effective and justified by including a requirement for developments to accord with an SPD?

Answer: Requiring development to accord with an SPD can be effective if the SPD is current, clear and has been subject to consultation and testing. In this case the SPD relied on in the drafting of the Local Plan (Public Open Space SPD 2005) is outdated and does not define or appraise private parcels.

The SPD must be updated, aligned with up-to-date evidence, and the implications for viability and delivery tested before the SPD can legitimately be used to implement IF4.

Q7. Is it clear to decision-makers, developers and local communities how the policy will be implemented effectively?

Answer: No. Tesco's research (in Part 2 of this Written Statement) identifies two key gaps that undermine clarity and implementation: (a) no up-to-date site-specific assessments showing why particular parcels are protected/designated; (b) no clear definition of 'Open Space' as used in the Plan. Without these, decision-makers and applicants lack the evidence and guidance needed to apply IF4 consistently.

Q8. What is the justification for the suggested modifications to Policy IF4? Why are they necessary for soundness?

Answer: In the case of the Tesco site (introduced as PMM3), the Council's stated justification is to be "consistent with the HELAA and previous application conditions."

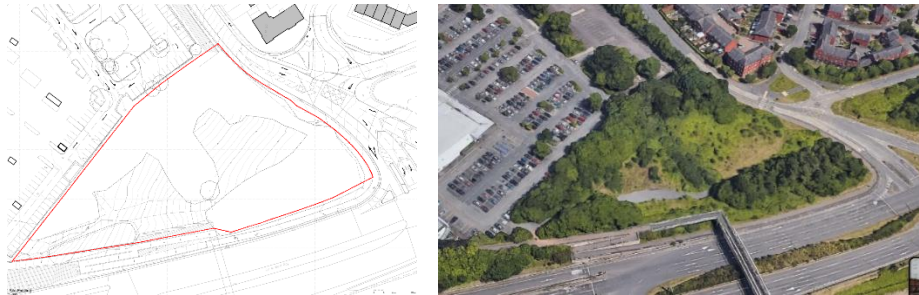
As illustrated in Part 2 of this Written Statement, such justification is insufficient for plan-making soundness because: (a) the HELAA does not apply the NPPF open-space tests; and (b) a planning refusal is a single-application decision and cannot substitute for a plan-level evidence base.

Part 2: Site Specific Comments in Relation to Tesco Site (Introduced via PMM3):

3.0 Background to the Site (Introduced into Local Plan as PMM3)

- 3.1 Tesco owns a small triangular parcel of land located to the south-east of its existing store at the junction of Russell Way, adjacent to the Tesco store car park in Rydon Lane, Exeter.

FIGURE 1 – SITE LOCATION PLAN



- 3.2 The site has been vacant and unused for several years and is effectively a left-over piece of undeveloped land. Historically, it was used as the contractor's compound during the construction of the store, evidenced by areas of hardstanding still present within the plot. Over time, the land has become overgrown with scrub and young tree cover, with vegetation largely confined to the boundaries. The site has been unmanaged for many years.
- 3.3 A footpath connection from the A379 (via a bridge and ramp) crosses only the very western corner of the land. Beyond this, there is no public access into the site.
- 3.4 The land is not within a conservation area, but part of it is covered by Tree Preservation Order No. 374 (Retail Park, Digby), 2004 – W3.
- 3.5 In its current state, the site offers little by way of amenity and is effectively landlocked by surrounding development.

4.0 Local Plan History of the Site

- 4.1 The Exeter Local Plan First Review 1996–2011 (adopted 2005) designated the site as 'Open Space', with the south-east corner also identified as a 'Site of Local Importance for Nature Conservation'. This is illustrated in the extract from the Proposals Map.

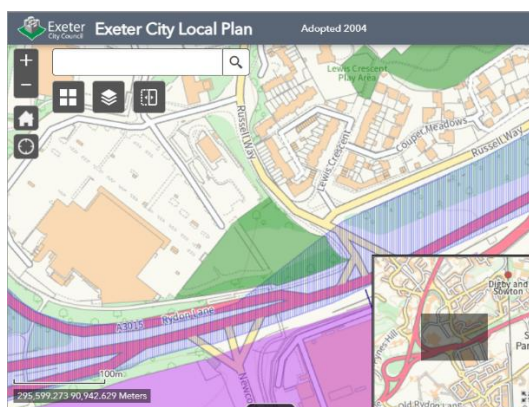


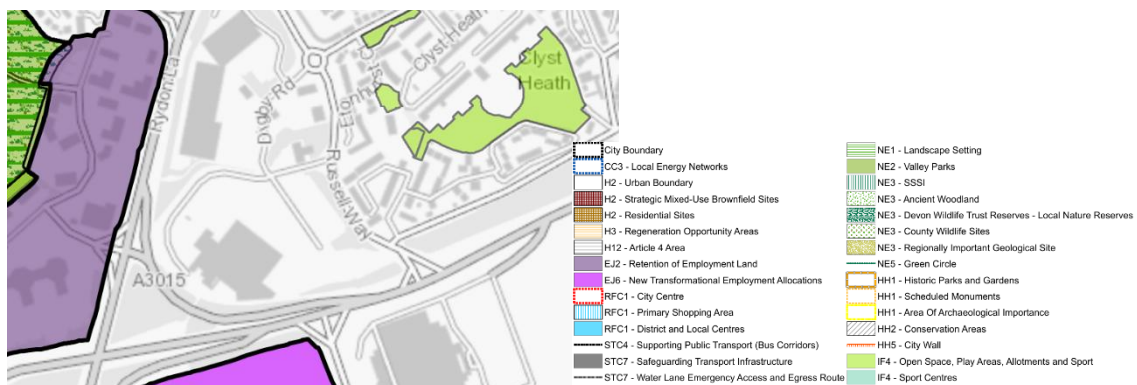
FIGURE 2 – 2005 PROPOSALS MAP EXTRACT

- 4.2 The adopted Local Plan also identifies part of the southern boundary as forming part of a wider 'Site of Local Interest for Nature Conservation', contributing to a wildlife corridor along the A379 that connects rural East Devon with Ludwell Valley Park.

5.0 Background to Tesco's Representations

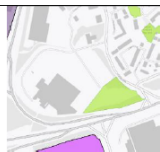
- 5.1 In 2022, Tesco submitted representations to the emerging Exeter Local Plan promoting four Tesco-owned sites in the vicinity of the Russell Way store as potential housing allocations. At that time, the site subject to this Written Statement was identified as 'white land' within the settlement boundary, with the earlier open-space and wildlife-corridor designations removed.

FIGURE 3 – SUBMISSION POLICIES MAP SHOWING WHITE LAND



- 5.2 It was therefore unexpected that, when the Proposed Modifications were published in September 2025, the Tesco site was re-designated as Open Space under PMM3 (as illustrated below).

FIGURE 4 – EXTRACT FORM SEPTEMBER 2025 PROPOSED MODIFICATIONS

Modification reference (PMM)	Policy map feature	Issue with Regulation 19 Publication Policies Map feature: Explanation	Regulation 19 Publication Policies Map screenshot	Suggested modification explanation	Suggested modification screenshot	Justification (brief, including signposting to relevant supporting documentation)
PMM3	Open space	The Policies Map does not show the area southeast of the Tesco store, Russell Way within the IF4 – Open Space, Play Areas, Allotments and Sport designation.		Include the Land adjacent to Tesco Store, Russell Way, within the IF4 – Open Space, Play Areas, Allotments and Sport designation.		To be consistent with HELAA and previous application conditions.

6.0 Tesco's Concerns with the Justification for PMM3

- 6.1 Tesco is concerned that the Proposed Modifications process has been used to reintroduce the former Open Space designation on its land without a proportionate or transparent evidence base. The designation effectively sterilises the land from development unless the requirements of Policy IF4 are met.
- 6.2 The Council's stated justification for PMM3 is "To be consistent with the HELAA and previous application conditions."

6.3 Tesco considers neither justification to be sound, as explained below.

Reliance on the HELAA

6.4 The 2024 Exeter HELAA (and earlier iterations of this document) assesses the Tesco site as Reference 81. While the site passed Stage A (initial screening), it failed Stage B due to “*TPO trees and steep topography*”, leading to the conclusion: “*The site is not considered to have housing development potential as it has failed the Stage B suitability assessment.*”

6.4 The HELAA does not suggest that the reason behind the decision not to allocate the site for housing was due to the open space designation - although the HELAA erroneously states “*The site comprises an area of public open space*”.

6.5 However:

- The HELAA is a land-availability tool, not an open-space needs assessment.
- It does not assess recreational value, accessibility, community use, biodiversity function, or contribution to local open-space provision.
- It does not apply the NPPF tests for loss or protection of open space.

6.6 Consequently, whilst the HELAA's Stage B reasons explain why the site was considered unsuitable for housing, they do not explain why the site should be retained as designated open space.

6.7 Therefore, reliance on the HELAA does not justify a permanent Open Space designation of the Tesco site.

Reliance on “Previous Application Conditions”

6.8 We are not entirely sure what this refers to. It could be a reference to a previous planning application for residential development on the site (which was refused in 2018), or the previous open space designation of the site (as per the Local Plan Review 2005).

6.9 If it is the former interpretation, then a refusal of planning permission is a decision on a specific proposal at a point in time and cannot substitute for a plan-level evidence base.

6.10 If it is the latter interpretation, then for the other reasons outlined in this Written Statement, the Council should have undertaken a robust assessment to demonstrate why the site should be designated as open space.

7.0 Lack of Supporting Evidence Base

7.1 Our review has not identified any up-to-date Open Space Assessment, Topic Paper, or site-specific appraisal that evaluates the Tesco site's recreational, ecological or amenity value.

7.2 The only Open Space Assessment listed in the evidence base is from 2005, which:

- Is now 21 years old.
- Does not assess individual sites.
- Does not include a definition of ‘Open Space’, but rather a definition of ‘Public Open Space’ (which is defined as open space fully accessible to the public).
- Identified a 323.2 ha over-provision of natural and semi-natural green space at that time.

7.3 Whilst the evidence base includes several over documents relevant to Policy IF4 (described below), as illustrated below, these are focussed on more formal recreation and sport provision, and do not deal specifically with open space:

- *Audit of Outdoor Recreation Facilities (2005)*: This audit categorises open space into types such as Informal Recreation Areas, Formal Sports Facilities, Equipped Children's Play Areas and "Natural and Semi-Natural Green Spaces" (a category that includes private land without public access, into which the Tesco site would fall). The audit does not assess the quality or function of individual sites; it only compares the overall quantity of open space against identified need. At the time, it recorded a significant over-provision of natural green space, 662 hectares available against a requirement of 339 hectares, an excess of 323.2 hectares.
- *Green Infrastructure Study (2009)*: This study provides high-level context only and does not evaluate whether specific parcels, such as the Tesco site, function as meaningful components of the city's green infrastructure network.
- *Exeter Playing Pitch Strategy (2022)*
- *Facilities Planning Model Assessment of Swimming Pool Provision for Exeter City Council (Sport England, 2024)*
- *Facilities Planning Model Assessment of Sports Hall Provision for Exeter City Council (Sport England, 2024)*
- *Infrastructure Delivery Plan (2024)*

7.4 None of these documents provide an assessment of the latest needs for open space provision, nor do they include a specific assessment of the suitability of specific parcels of open space (such as the Tesco site).

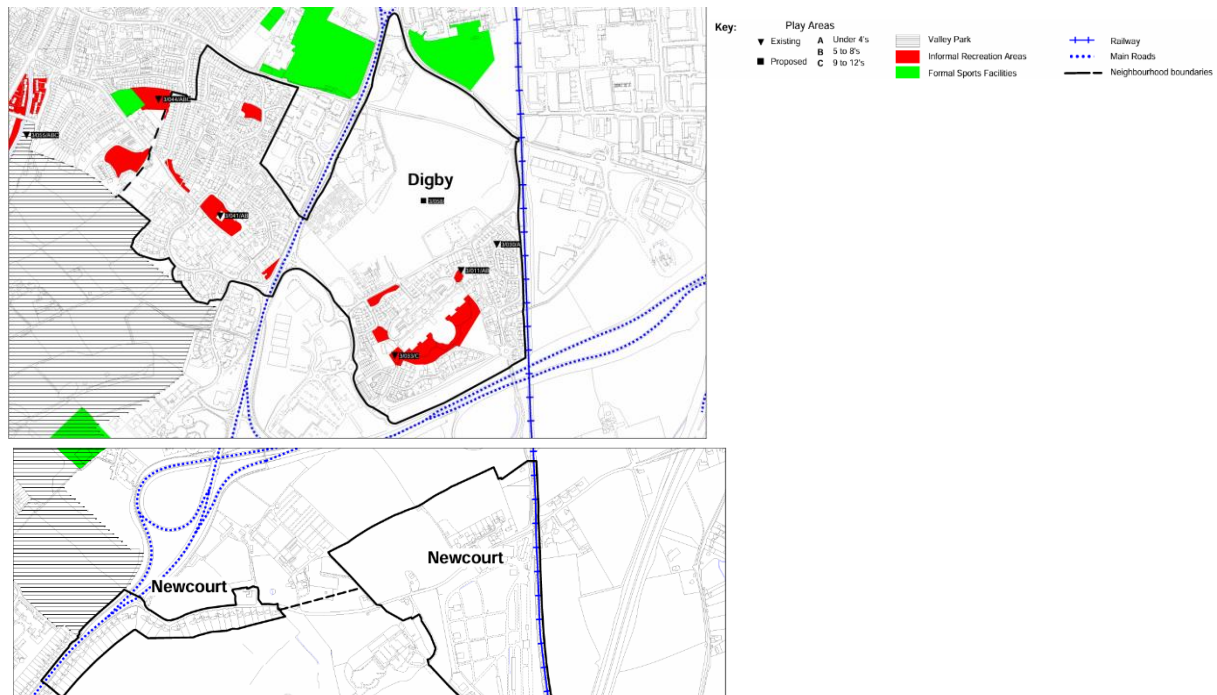
8.0 Existing Open Space Provision in the Vicinity

8.1 As illustrated above, we have been unable to identify any evidence (either in support of the current draft Local Plan or within the 2005 adopted Local Plan) that specifically assesses the suitability or need for including the Tesco site within the Council's overall supply of Open Space.

8.2 However, the most recent study we can find, the 2005 Audit of Outdoor Recreation Facilities, recorded a significant over-provision of 'Natural and Semi-Natural Green Spaces' across the city. At that time, Exeter provided 662 hectares of such space against a requirement of 339 hectares, representing an excess of 323.2 hectares. This level of over-provision strongly suggests that the Tesco site is not required to meet open-space needs in the emerging Local Plan.

8.3 Furthermore, Plans 23 and 24 contained within the Public Open Space SPD (2005) illustrate the extent of existing open-space and recreational provision in the vicinity of the Tesco site. Notably, these plans do not show the Tesco parcel as protected open space, reinforcing the view that it has not historically been considered an essential component of the city's open-space network.

FIGURE 6 – PUBLIC OPEN SPACE SPD PLANS 23 & 24



8.4 Against this context, the Tesco parcel makes only a minimal contribution to local open-space amenity and has no meaningful public access.

9.0 Soundness Considerations

9.1 For an Open Space designation to be sound, the Council must demonstrate, with proportionate and up-to-date evidence, that:

- The site performs an important recreational, ecological or amenity role.
- Alternatives or mitigation have been considered.
- The designation is supported by current open-space audits or site-specific assessments.

9.2 It would appear that none of the procedures have been followed in the case of the Tesco site. As such the soundness test has not been met.

9.3 Furthermore, the Proposed Modifications stage is intended to address Inspector-identified issues, not introduce new permanent allocations without supporting evidence.

10.0 Conclusion

10.1 Given the absence of a robust evidence base, the re-designation of the Tesco land as Open Space through **PMM3 is not justified and renders the Plan unsound** in respect of this site.

10.2 Given the lack of public access to the Tesco site, the scale of local open space and recreation provision in the vicinity of the site, and the wider level of open space provision in the City (which significantly exceeds the identified need), **we request the open space designation is removed from the Tesco site.**