

Representor ID: RCRP-053

UI Representor ID: 843

UI Representation ID: 899

Representor Name: stacey rawlings

Representor Organisation: The Lamb SG Community Pub Ltd

Policy: Policy PFHP2		
Legal Compliant:	Soundness Compliant:	Duty to Cooperate Compliant:
Yes	No	Yes
Paragraph		
Compliance Comment		
<p>The National Planning Policy Framework 2024 clearly states that to provide the social, recreational and cultural facilities and services the community needs, planning policies need to plan positively for the provision and use of shared spaces, community facilities (such as local shops, meeting places, sports venues, open space, cultural buildings, public houses and places of worship) and other local services to enhance the sustainability of communities and residential environments (paragraph 98). It also requires plans to take into account local strategies such health, social and cultural wellbeing for all sections of the community and to guard against the unnecessary loss of valued facilities and services, particularly where this would reduce the community’s ability to meet its day-to-day needs.</p> <p>The Lamb SG Community Pub Ltd supports the definition of ‘Community facilities’ in the draft plan to include public houses in the glossary/definition of terms. However, we request that draft Policy PFHP2 ‘Provision and Protection of Community Facilities’ is strengthened to ensure that any proposals to change the use of a community facility or develop an existing community facility site (whether in part or in whole) that would result in the total loss of a key facility or loss of part of a site/building that may affect the continued viability and quality of the facility is robustly evidenced.</p> <p>The supporting text to PFPH2 – (para 205) currently states “Development proposals that result in the loss of community facilities that are commercially run will not be permitted unless we are satisfied that every effort has been made to retain them. Where the lack of commercial viability is a reason to justify the loss of a community facility, this will need to be robustly evidenced with regards to financial and marketing evidence relating to the existing or last use of the facility. It must be demonstrated that the business has been appropriately marketed for at least six months”.</p> <p>The draft Policy currently states:</p> <p>PFPH2 - Loss of community facilities</p> <p>B. Development proposals that involve the loss of an existing community facility will only be supported where: 1. It can be demonstrated that there is no longer a need for the existing use or any type of community use; 2. Satisfactory alternative provision has been, or has been agreed to be, made elsewhere that is equally or more suitable in terms of its overall quality, function, and accessibility by walking, wheeling,</p>		

scooting, cycling and public transport; 3. The proposal is for an alternative community facility for which it has been demonstrated that there is a greater local need; or 4. The existing use is no longer commercially viable and has been appropriately marketed for at least six months.

As the Local Plan is being progressed alongside the Devolution and Community empowerment bill, it is important to recognise the changes to the Community Right to Bid process where a facility such as a public house is an Asset of Community Value. The bill seeks to extend the marketing period to 12 months. The draft policy should articulate more clearly what is meant by 'appropriately marketed' and also, include reference to ACV as a material planning consideration and seek 12 months minimum marketing in the supporting text and in the Policy.

Modification Comment

The Lamb SG Community Pub Ltd seeks a revision to PFHP2 to amend Bullet Point B4) as follows:

B4. An assessment has been undertaken which clearly shows that the facility is surplus to requirements and is no longer viable. This should be demonstrated with clear evidence that:

i) the existing use is no longer commercially or economically viable or could not be made commercially or economically viable,

ii) the premises are no longer required to meet the needs of the local community. and

iii) the existing use has been appropriately marketed for a continuous period of at least 12 months

The supporting text should also be updated to explain that 'appropriate marketing' is expected to reflect the existing use value. We would request additional text is included in the local plan to set out that:

"Generally, or as a minimum where an ACV is in place, appropriate marketing is set out and expected to be for a minimum period of 12 months and based on a sale price that reflects the existing use value based on an independent RICS valuation. Robust evidence will be required to demonstrate that no suitable interest has been expressed for the existing use or any alternative community uses".

The Lamb SG Community Pub Ltd also request that the explanatory text acknowledges that the subdivision of a property or site in public house use will not be supported where it would otherwise prejudice the existing use continuing and/or reduce the quality and enjoyment of an existing community facility (– i.e. the subdivision or sale of a beer garden and car park separate to a public house)

Recommended additon:

"the subdivision of any community facility (land and/or buildings) will also not be supported where it is likely to harm the continued operation or enjoyment of such a facility".

Appear at examination?

No

Appear at examination reason?