

**Representor ID:** RP-155

**UI Representor ID:** 306

**UI Representation ID:** 872

**Representor Name:** Tom Clarke MRTPI

**Representor Organisation:** Theatres Trust

<b>Policy:</b> Policy PFHP2		
<b>Legal Compliant:</b>	<b>Soundness Compliant:</b>	<b>Duty to Cooperate Compliant:</b>
Yes	No	Yes
<b>Paragraph</b>		
<b>Compliance Comment</b>		
<p>With reference to part B.4 of this policy, supporting paragraph 205 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>This is a strong statement in favour of protecting valued facilities, but that objective is undermined by a limited marketing period of only 6 months. We consider this would fail to guard against unnecessary loss as set out within current NPPF paragraph 98, and in fact the period within the new draft NPPF is 12 months. Six months is insufficient to enable, for example, a community group to form, fundraise and bid for a property. We recommend extension of this period to 12 months, and for it to be specified that marketing is through recognised agents relevant to the existing use, at a rate or value appropriate to that use taking into account condition of the site and without development potential.</p>		
<b>Modification Comment</b>		
Revise to: 4. The existing use is no longer commercially viable and has been appropriately marketed for at least twelve months through recognised local or national agents and at a value appropriate to existing use and condition without development potential.		
<b>Appear at examination?</b>	No	
<b>Appear at examination reason?</b>		