



The Plan for Stafford Borough Part 2

Examination Statement – Issue 5 – Protection of Social and Community Facilities

June 2016

Issue 5: Protection of Social and Community Facilities

5. Does policy SB2 strike the right balance between focus and flexibility?

- 5.1 The Plan for Stafford Borough Part 2 Publication (P2-A1) includes Policy SB2: Protected Social and Community Facilities (together with supporting text paragraphs 2.27 to 2.31). A definition of community facilities is set out in paragraph 2.29. The Borough Council recognises the value of community facilities in contributing towards the on-going sustainability of settlements across the Borough. In a dispersed rural area, such as Stafford Borough, the availability of community services and facilities are important socially and economically whilst helping to reduce the need to travel longer distances. The Plan seeks to protect these community facilities through preventing their change of use into non-community uses which are defined by Policy SB2 in the Plan for Stafford Borough Part 2 (P2-A1) as: 'Class B1 (a) (b), (c), B2, B8, C2 or C3 and Sui Generis uses'. Although, policies in local plans cannot ultimately protect against the loss or closure of community services and facilities, the change of use can be managed where permitted development rights do not apply.
- 5.2 Policy SB2 is consistent with existing policies in the adopted Plan for Stafford Borough (P2-C1), particularly Spatial Principle 6 (SP6) – Achieving Rural Sustainability, Spatial Principle 7 (SP7) – Supporting the Location of New Development, Policy E2 – Sustainable Rural Development and Policy E8 – Town, Local and Other Centres.
- 5.3 Policy SB2 reflects the national policy context in the National Planning Policy Framework (NPPF) (P2-F1), set out in paragraph 28, which seeks to build sustainable and well serviced communities by promoting the retention and development of local services and community facilities in villages. More specifically, it is entirely consistent with paragraph 70 which states that "[...] *planning policies and decisions should*
- *plan positively for the provision and use of shared space, community facilities (such as local shops, meeting places, sports venues, cultural buildings, public houses and places of worship) and other local services to enhance the sustainability of communities and residential environments;*
 - *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;*
 - *ensure that established shops, facilities and services are able to develop and modernise in a way that is sustainable, and retained for the benefit of the community; and*
 - *ensure an integrated approach to considering the location of housing, economic uses and community facilities and services."*
- 5.4 At the Proposals document (P2-G1) stage, Policy SB2 proposed of a list of protected community facilities for Stafford, Stone and the Key Service Villages

including identifying these facilities on relevant Inset Maps. A number of responses were received to the draft Policy seeking additional facilities to be added onto the list namely in Woodseaves and Barlaston and there was also some confusion about Assets of Community Value which is entirely different to identifying social and community facilities (see *Representations Received Proposals document (P2-G23)* and *Summary of Representations for Part 2-Proposals (P2-G22)*). In addition to those facilities requested through representations, and taking into account the need to protect social and community in other villages in the Borough that are not identified as Key Service Villages (such as the village hall at Fulford and the two public houses at Oulton), the Borough Council amended the wording of Policy SB2 to provide a definition of community facilities and removed the approach of providing a definitive list of facilities. This overcomes the issue of community facilities not being identified or future facilities not being included to the list for protection through Policy SB2.

- 5.5 The Plan for Stafford Borough Part 2 Publication includes an amended Policy SB2 and removes the community facilities lists. It contains the following definition of social and community uses in paragraph 229: *'community/meeting halls and rooms, doctors, dentists, hospitals and other health facilities; libraries; police and other emergency facilities; places of worship; schools and other educational establishments; and sport facilities'*.
- 5.6 Representations referring to policy SB2 at the publication stage are shown in the following documents: representations received (P2-A24) and Schedule of Representations - Summary (P2-A22). These representations include comments from the Ministry of Defence (MOD) who raised concerns over the flexibility of MOD land which have integrated community facilities as a secondary function. The Council's response to this representation is that NPPF paragraph 164 (P2-F1) regarding MOD land sets the appropriate national policy context, which where there is any potential conflict will inevitably override local policy. Therefore no change to Policy SB2 to address this specific situation is required. One representation suggested that the wording of SB2 was not clearly defined with regards to the replacement of community facilities, proving the same level of accessibility as the existing community facility. Another representation stated that Policy SB2 should have a greater focus on viability and that a 12 month marketing period was not necessary being an 'unjustified burden' on the development process. A separate representation commented that Policy SB2 did not provide enough protection for community facilities and asks for stronger wording in the policy to protect community facilities.
- 5.7 By way of response the Borough Council recognises that Policy SB2 now includes a more encompassing definition rather than lists of protected community facilities. As already stated, the listing process did not protect all community facilities through the Borough and would be out-dated each time a new facility was identified and/or established. A policy based approach defining community facilities has also been progressed by other Local Planning Authorities through the Local Plan process, in particular Herefordshire's adopted Local Plan 2015 (P2-L17) and the adopted Exmoor Local Plan 2001-2011 (P2-L16). This policy approach has also been continued into the new Exmoor Local Plan 2011-2031 which was submitted to the Secretary of State in May 2016 (P2-L28).

- 5.8 The Council considers the 12 month marketing period is sound in order to protect social and community facilities which may have a higher market value if changed into a non-community use, for example residential. Once a social or community facility has changed use, the facility is unlikely to change back to a social or community use in the future. Therefore, it is important to give facilities every chance to retain their existing use (in compliance with the NPPF Paragraph 28), before alternative uses are considered. A 12 month marketing period is recommended by the Campaign For Real Ale – Public House Viability Test (P2-L27) and has been used in Herefordshire’s adopted Local Plan 2015 (P2-L17). A 12 month period also allows time for communities to develop proposals to retain a social or community facility in their area.
- 5.9 Policy SB2 seeks to protect public houses which are outside the settlement boundaries of Stafford and Stone. This is due to public houses in rural areas and villages often being vital assets for local communities and is consistent with paragraph 28 of the NPPF (P2-F1). Other local planning authorities have also adopted this approach such as Herefordshire (P2-L17) and Exmoor National Park who have a policy in both their adopted and proposed Local Plan (P2-L16, P2-L28). The Campaign for Real Ale (CAMRA) Public House Viability Test (P2-L27) referenced in Exmoor’s plans also recommends an advertising period of at least 12 months before a change of use should be allowed for public houses.
- 5.10 Therefore the Borough Council considers that Policy SB2 strikes the right balance between being focused on protecting social and community facilities whilst being flexible to take account of changing circumstances in the future. No modifications are proposed to the section of the Plan for Stafford Borough Part 2.