



**MID DEVON LOCAL PLAN REVIEW 2013 – 2033**

Proposed Submission (incorporating proposed modifications) Examination

Inspector: Paul Griffiths BSc (Hons) BArch IHBC

**Main Hearings - Hearing 4: Tuesday 19<sup>th</sup> February 2019**

**Matters and Issues**

**Development Management Policies**

**Statement of Mid Devon District Council**

**ISSUE 21 Does draft Policy DM23 (Community facilities) offer sufficient protection?**

- 21.1 Policy DM23 is the same as Policy DM25 in the Development Management Policies DPD (adopted November 2013 LDO03), and was previously found sound under the (2012) NPPF.
- 21.2 The policy is consistent with the recommendations of Paragraph 70 of the NPPF which requires planning policies to plan positively for the provision of community facilities and guard against their unnecessary loss, particularly where this would affect a community's ability to meet its day to day needs.
- 21.3 At the 2017 Proposed Modifications consultation, the only representation was from the NHS, who noted that some healthcare facilities may be surplus to requirements and that the Policy should not seek to safeguard redundant facilities. Policy DM23 does not conflict with this principle, but strikes an appropriate balance between safeguarding valuable community facilities and allowing their loss when community uses are shown to be no longer viable.
- 21.4 Conversely strengthening the Policy to resist the loss of facilities even where a community use is not viable would go beyond the scope of the NPPF (particularly the Presumption at Paragraph 14), and could result in such buildings remaining empty rather than finding a profitable use.
- 21.5 There were seven representations on Policy DM23 at the 2015 consultation. Six of these expressed support for the Policy (Diocese of Exeter (6081), Pegasus (3678), Willand Parish

Council (44), Theatres Trust (1628), Uffculme Parish Council (54) and St Andrews Church, Cullompton (1179)).

- 21.6 WYG for Devon and Cornwall Police (5762) supported the policy in principle but requested reference be made to Police, security and safety infrastructure in paragraph 4.70 of the explanation to Policy DM23. In response to this representation, a modification was made to Paragraph 4.70 to refer to the importance of creating safe, healthy, crime free neighbourhoods.