

POLICY LP32: COMMUNITY, CULTURAL AND BUILT LEISURE FACILITIES

- 1. The Borough Council will support the development of new community, cultural and built leisure facilities²⁰¹ including those proposed within the Regeneration Areas (LP4-LP7) and other proposed sites (LP9).**
- 2. Proposals for community, cultural and built leisure facilities not allocated in this Local Plan which are considered to be a main town centre use will need to accord with the latest Government guidance.**
- 3. Planning permission will be granted for community, cultural and built leisure facilities provided that:**
 - a) they have good pedestrian and cycle access;**
 - b) there is good access to public transport services, particularly for facilities serving the whole Borough;**
 - c) they are well-designed; and**
 - d) they have the potential to be used as a multi-use facility.**
- 4. New residential development proposals will need to contribute towards providing high quality and accessible community, cultural and built leisure facilities including:**
 - a) the provision of appropriate on-site facilities in relation to the scale and type of development for which a need has been identified; and/or**
 - b) the use of Developer Contributions in accordance with the latest Borough Council standards.**
- 5. Planning permission will not be granted for development which would result in the loss of existing community, cultural, sports²⁰², recreation and built leisure facilities unless it can be demonstrated that:**
 - a) an assessment has been undertaken which has clearly shown the buildings to be surplus to requirements for that particular purpose; or**
 - b) the loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location; and**
 - c) it can be demonstrated that there are no other viable community, cultural, sports, recreation or built leisure uses for the premises or site and that there have been reasonable attempts to sell/let them for these purposes.**

²⁰¹ For the purposes of this policy community, cultural and built leisure facilities relates to those types of facilities or similar listed in Paragraph 11.81 rather than facilities such as local shops or public houses. Cemeteries are dealt with separately in Policy LP33.

²⁰² This policy relates to buildings used for sport rather than sports pitches and other open spaces which are dealt with by Policy LP35.

EXPLANATION OF POLICY LP32

New community and cultural facilities (Points 1 and 2 of policy LP32)

- 11.84 Proposals for new facilities are set out in Policies LP4 – LP7 which include land specifically allocated for a community, cultural or leisure facility or as part of a mixed use site. These sites are identified on the Policies Map.
- 11.85 Proposals for community facilities that are not allocated in the Local Plan which are defined by Government guidance as a main town centre use such as major leisure and cultural facilities will need to accord with the specific tests included in the latest national guidance i.e. the sequential text and impact test.
- 11.86 Where possible, community facilities should be located within or close to an existing centre. However the Borough Council recognises that some community facilities will have particular spatial requirements and will need different locations.

Development criteria (Point 3 of policy LP32)

- 11.87 It is important that new modern community, cultural and built leisure facilities are located in locations which can be reached by pedestrians and cyclists and that Borough-wide facilities are well served by public transport. Buildings should be well-designed, accessible for all, and incorporate flexibility for multiple uses where appropriate.

Provision of community facilities in connection with new residential development (Point 4 of policy LP32)

- 11.88 It is important that new residential development contributes towards improving the quality of and accessibility of community facilities including education and health to meet the needs of its occupants. In most cases contributions towards such facilities will be through the Community Infrastructure Levy. However there may be instances, normally major developments (over 100 dwellings) where it may be necessary to provide community buildings or land on the site or close-by to serve the new community. Such measures will be secured by a Section 106 Agreement in accordance with the latest Government guidance. The Borough Council will consider other site requirements and constraints when negotiating such provision.

Protecting existing community, cultural, sport and built leisure facilities (Point 5 of policy LP32)

- 11.89 The larger community, cultural and built leisure facilities protected by this policy are shown on the Policies Map. However it is important to note that this policy also applies to smaller sites not shown on the Policies Map as well as those that have been developed since the Local Plan has been adopted.
- 11.90 The Council will normally resist any proposal that would involve the loss of existing community, cultural, sport²⁰³ and built leisure facilities. Proposals for a change of use or redevelopment of existing facilities will only be considered where the Council is satisfied that the tests outlined in Point 5 are met. Firstly it will be necessary for the developer to demonstrate that the building is no longer required for its existing or recent function. Reasons could include that

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there is no longer a local demand or that satisfactory provision exist elsewhere in the locality.

- 11.91 Alternatively it may be possible for the developer to re-provide the community, cultural, sport and built leisure facilities. This provision must be easily accessible to the residents it is intended to serve. The alternative facilities should be of an equal or greater standard than those proposed to be lost to development in terms of quality or quantity and should be provided in a suitable location.
- 11.92 In addition to meeting either of the above two tests (Point 5a and 5b) it will be necessary to demonstrate that there are no other viable community, cultural, sports, recreation or built leisure uses for the buildings or the site for which there is a local need. Consequently it will be necessary to investigate the possibility of using the building for these other uses. In the case of a building used for sports it will be necessary to investigate alternative sports uses prior to community, cultural and built leisure uses.
- 11.93 If the developer is proposing an alternative change of use or redevelopment, the applicant must demonstrate that an appropriate marketing exercise of at least 6 months has been undertaken to try to secure a community, cultural, sport or built leisure use. It is acknowledged that in some cases it may be more appropriate to consider a longer marketing period for example if the site is of particular community importance or is a complex site. There may also be circumstances where a shorter marketing period may be acceptable if sufficient justification can be provided. Information required includes: the details of the marketing including advertising methods which are proportionate to the nature of the premises; details of the prices that the properties have marketed at, and whether this represents a competitive local market rate; and details of any interest received.
- 11.94 It will also be appropriate in many cases to engage with the local community to ascertain whether there is any local demand for a community organisation use of the building. Consideration will be given to the location and type of facility and the community it serves and whether there are other such facilities in the vicinity. It will also be necessary to consider the provisions of the Localism Act which makes provisions for assets of community value whereby local community groups are given time to develop a bid and raise the money to buy an asset when it comes on the open market.