

## East Devon Local Plan – Topic Paper

### Chapter 16. Ensuring we have community buildings and facilities

Audit trail local plan evolution document and consultation statement

February 2025 – Version 02 – Ref: OTE-017 and CSD-007



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## **1 Introduction**

- 1.1 This is one of a series of topic papers that will sit behind and help explain the content of and evolution of the Publication draft of the East Devon Local Plan.
- 1.2 There may be new versions of this topic paper as plan making progresses to Publication and thereafter into and through plan Examination.
- 1.3 This topic paper specifically addresses Chapter 16 of the plan – ensuring we have community buildings and facilities.

## **2 The Publication draft of the Local Plan**

- 2.1 This report is a redraft of an earlier report and in revised form it is specifically concerned with supporting the local plan at the Regulation 19 stage of plan making work. There are specific Government regulations that apply to local plan making and these set out actions that need to be undertaken at different regulatory stages (this report specifically relates to Regulations 18, 19 and 20).
- 2.2 The proposed Publication draft text of the local plan is an edited and amended draft of the consultation draft plan published in November 2022. The draft plan was consulted on under plan making Regulation 18 with further limited additional consultation under this regulation in the Spring of 2024.

## **3 Summary of proposed redrafting of Chapter 16 of the consultation plan**

- 3.1 Chapter 16 of the consultation draft local plan (November 2022) formed a starting point for consultation on policy for community facilities and buildings in the local plan. Moving forward towards the Publication Plan the expectation is that there should not be any significant changes to the plan chapter, though there is scope for simplification.
  - 3.2 In redraft limited policy changes are made.
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## 4 Issues and Options consultation

- 4.1 Prior to production and consultation on the draft local plan the Council consulted on a local plan Issues and Options<sup>1</sup> report. This included a series of questions that responses and comments were invited on. A feedback report was published<sup>2</sup>.
- 4.2 Feedback received showed high levels of importance attached to community buildings and facilities, though noting that open space provision and access ranked higher in importance than any actual built community facilities.

## 5 Draft plan consultation

- 5.1 In the draft plan consultation Chapter 16 formed one of the plan chapters that was consulted on. A full feedback on the consultation can be viewed at - [accessible-reg-18-consultation-feedback-report-spring-2023.pdf \(eastdevon.gov.uk\)](https://www.eastdevon.gov.uk/accessible-reg-18-consultation-feedback-report-spring-2023.pdf)
- 5.2 Comments on matters raised and officer responses are set out in the table below. In general, however, there was support expressed for draft plan policy provision for new/extended facility provision and retention of those facilities that we do have.

## 6 Further Regulation 18 consultation Spring 2024

- 6.1 In the late Spring of 2024 there was further Regulation 18 consultation on selected topic matters. Community buildings and facilities were not matters that were explicitly consulted on. No specific relevant feedback is noted.

## 7 Sustainability Appraisal feedback

- 7.1 The draft local plan was supported by a Sustainability Appraisal<sup>3</sup> (SA). This SA will be updated and refined as plan making progresses and it will be one of the documents that is submitted as part of the submission for Examination.
- 7.2 The SA report of the draft plan was supportive of the policy approach being taken forward.

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<sup>1</sup> [issuesandoptionsreport-jan2021.pdf \(eastdevon.gov.uk\)](https://www.eastdevon.gov.uk/issuesandoptionsreport-jan2021.pdf)

<sup>2</sup> [2a. Consultation feedback report Ver 03.pdf \(eastdevon.gov.uk\)](https://www.eastdevon.gov.uk/2a.Consultation%20feedback%20report%20Ver%2003.pdf)

<sup>3</sup> [sa-of-pos-consultation-draft-lp-2022.pdf \(eastdevon.gov.uk\)](https://www.eastdevon.gov.uk/sa-of-pos-consultation-draft-lp-2022.pdf)

## **8 Habitats Regulations Assessment**

- 8.1 The local plan will need to be assessed under the Habitat Regulations. An preliminary assessment of policies in the draft plan has been produced – [east-devon-local-plan-hra-110723-2013-doc-from-footprint.pdf \(eastdevon.gov.uk\)](#)
- 8.2 The assessment work did not identify any concerns in respect to the policies in the draft plan.

## **9 Assessment of policies in chapter 16**

- 9.1 Chapter 16 of the draft plan set out a series of policies that are reviewed below.

**General issues raised on Chapter 16**

In feedback received, through evidence work and associated assessment work there were general support for policies in this chapter.

**Issues and options consultation**

We asked respondents to score listed services and facilities in accordance with their importance to where they live or would want to live.

The comments show that people attached most importance to open spaces, with just over 60% of responses stating this as being essential when thinking about where they would like to live. Other services and facilities identified as being essential by over 50% of respondents are access to full fibre broadband; paths for walking and cycling; health care facilities; and post office/convenience store. A place of worship is seen as least important.

Paragraph 12.9 of the Issues and Options report identifies five other infrastructure and service policy objectives. We sought views on whether these were appropriate. Although most respondents ticked the yes box, 66%, a number did suggest other objectives as well as did people ticking the no box.

Officer commentary in response:

- It is noted that there was general support for community facilities in feedback received.
- It was noted, however that there were also some challenges around securing monies for infrastructure with comment that higher house building levels will secure more contributions to provide facilities.
- It is also recognised, noting feedback, that securing funding and implementing projects, and there subsequent management and operation, will frequently require actions that fall outside of the planning system and its role and remit.

**Draft Plan consultation**

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We would not highlight any general issues being raised.	Officer commentary in response: <ul style="list-style-type: none"> <li>No specific feedback commentary is provided.</li> </ul>
<b>Supplementary Regulation 18 consultation Spring 2024</b>	
Key issues raised in consultation: <ul style="list-style-type: none"> <li>No specific issue are identified in feedback received.</li> </ul>	Officer commentary in response: <ul style="list-style-type: none"> <li>No comments are raised.</li> </ul>
<b>Sustainability Appraisal</b>	
See Sustainability Appraisal table below.	No specific matters raised.
<b>Habitat Regulations Assessment</b>	
Key issues raised in consultation: <ul style="list-style-type: none"> <li>No general concerns raised.</li> </ul>	Officer commentary in response: <ul style="list-style-type: none"> <li>No comments.</li> </ul>
<b>Commentary on policy redrafting for the Publication Plan</b>	
Limited changes of as general nature are made to this plan chapter.	

<b>Policy 107 – New or extended community facilities</b>	
This policy seeks to secure the provision of new facilities or extension of existing facilities if and where the serve a community need.	
<b>Issues and options consultation</b>	
See General Issues above.	See comments earlier in this paper.
<b>Draft Plan consultation</b>	

<p>Key issues raised in consultation:</p> <ul style="list-style-type: none"> <li>• A number of responses to this question highlighted the need for community and other facilities being provided alongside other, notably housing development and suggest that often this does not happen.</li> <li>• This policy does not specifically protect places of worship that are not Listed. Places of worship are valuable places of social interaction across all groups irrespective of age, sex, gender, race and abilities. They provide the one quiet (indoor) space for reflection away from the busy-ness of life.</li> <li>• There is no evidence on the space needs for places of worship or associated facilities and the inter-faith needs that might be met to serve a diverse population in certain parts of ED. There is no analysis from the churches or church schools on their needs and this policy should be developed from such dialogue.</li> <li>• There is a serious lack of sporting facilities that are open and free/ cheap access to the local area. Many sport / football clubs do not have there own grounds or suitable grounds to play in all year round.</li> <li>• There is no point in increasing the size of villages and all towns if there are no facilities available.</li> <li>• Dual or multi-use of facilities is often appropriate, within reason, but a spread of locations is also important (for reasons of accessibility amongst others) and there is a risk in, for example, assuming that a school will necessarily be able to double-up as a community facility available for a wider</li> </ul>	<p>Officer commentary in response:</p> <ul style="list-style-type: none"> <li>• Need and wants for community facilities are noted. It is clearly desirable to secure facility provision alongside development. Though it would typically only be the largest scale of developments where this is reasonable and possible. Elsewhere in the local plan specific policy reference may be included where sites are of a scale to generate need and therefore policy provision could be appropriate.</li> <li>• Policy on facility protection would cover the issue of loss of places of worship.</li> <li>• It is not seen as necessary to undertake needs assessment of place of worship to justify or support this policy. As policy is drafted places of worship could come forward under it, but the role of the plan is not seen as one of direct intervention actions to secure such provision.</li> <li>• It is noted that there are facilities lacking in some parts of East Devon. Though the role of the local plan is not to set out programmes of delivery for existing shortfalls.</li> <li>• Dual or shared facilities are encouraged under plan policy.</li> <li>• Elsewhere in the plan policy encourages renewable energy use/generation in development.</li> <li>• Plan policy allows for facility improvement, though it is not the role of the local plan to set out an agenda for intervention to undertake such improvements.</li> </ul>
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<p>range of uses. Reference made to places of worship sharing with other uses often being inappropriate.</p> <ul style="list-style-type: none"> <li>• Concern that new community buildings rarely have solar panels fitted - either to existing buildings or new builds. Why not? Surely this should be a priority to help overcome climate change?</li> <li>• Facilities may be lost under questionable viability grounds.</li> <li>• Exeter Cycling Campaign would like to see that existing facilities are also improved as part of this plan in ensuring accessibility by sustainable modes of transport</li> </ul>	
<p><b>Supplementary Regulation 18 consultation Spring 2024</b></p>	
<p>Key issues raised in consultation:</p> <ul style="list-style-type: none"> <li>• No specific matters of relevance to this policy were identified as being raised in the consultation feedback.</li> </ul>	<p>Officer commentary in response:</p> <ul style="list-style-type: none"> <li>• No comments.</li> </ul>
<p><b>Sustainability Appraisal</b></p>	
<p>See Sustainability Appraisal table below. No concerns raised.</p>	<p>Assessment support for policy noted.</p>
<p><b>Habitat Regulations Assessment</b></p>	
<p>Key issues raised in consultation:</p> <ul style="list-style-type: none"> <li>• No concerns were raised.</li> </ul>	<p>Officer commentary in response:</p> <ul style="list-style-type: none"> <li>• No response/actions identified as needed.</li> </ul>
<p><b>Commentary on policy redrafting for the Publication Plan</b></p>	
<p>Redrafted policy title: Policy CF 01 – New or extended community facilities.</p>	
<p>Minor changes have been incorporated into policy. Specifically around the issue of serving local needs and being accessible to residents they are to serve.</p>	

<b>Policy 108 – Loss of community facilities</b>	
This policy seeks to resist the loss of community facilities noting that facilities can often come under pressure for redevelopment/replacement with other developments – notably housing.	
<b>Issues and options consultation</b>	
See General Issues above.	No specific comment is made other than reiterating importance that has been expressed for community facilities and therefore the importance of their retention.
<b>Draft Plan consultation</b>	
<p>Key issues raised in consultation:</p> <ul style="list-style-type: none"> <li>• How is "community" defined? How is "viability" to be measured? This could change from year to year. Add "community" between "higher" and "value" in last bullet.</li> <li>• So much happens in these community assets, it is absolutely right that they are protected under this policy. Long live village halls!</li> <li>• Health hubs, specifically Sea Change, was highlighted as an important facility.</li> <li>• The Theatres Trust welcome the policy's premise of guarding against the loss of facilities in line with paragraph 93 of the NPPF (2021). There are several valued community facilities across East Devon including at least six theatres. However we consider there is some scope for further refinement to</li> </ul>	<p>Officer commentary in response:</p> <ul style="list-style-type: none"> <li>• It is not seen as necessary to explicitly define what a "community" facility is in plan policy noting that reasoned justification provides some examples. To explicitly state what such facilities are runs the danger of missing out on something and then that something (because it is nit listed) becoming vulnerable to loss.</li> <li>• It is not seen as appropriate to provide explicit details of how viability testing should be conducted under plan policy wording, though in a general level wording in policy is 'tightened -up', including in respect of differing types of community use and differing models of ownership.</li> <li>• Health hubs are an example of a facility that could be expected to come under policy should they be vulnerable to possible loss.</li> <li>• Policy has been amended to refer to "cannot be made to be viable" – this makes it stronger in resisting loss.</li> </ul>

<p>ensure the policy is robust and effective. We suggest the first criteria is amended to read, "the community facility is no longer needed and cannot be made to be viable". Viability if given as an option in isolation can be problematic and is vulnerable to being undermined, for example it could be viewed on a narrow commercial basis whereas the same facility could be successful under different ownership or model of operation such as community or voluntary led. It would also be possible to make a facility unviable through neglect. There should be text around viability evidence and relevance of marketing tests.</p> <ul style="list-style-type: none"> <li>• Suggested need for additional supplementary text setting out the sort of evidence that may be required to demonstrate redundancy, which should include a minimum marketing period at a value appropriate to existing use and condition without development potential, advertised with local or national agents appropriate to the facility.</li> <li>• It's not just the value of the facility, but also how accessible it is for those who currently use it. If you could walk to the old facility but now have to drive to the new one because it's too far and there's no bus, then that may not be a suitable replacement.</li> </ul>	<ul style="list-style-type: none"> <li>• Policy modified to make reference importance of pedestrian accessibility of any replacement facility.</li> </ul>
Supplementary Regulation 18 consultation Spring 2024	
<p>Key issues raised in consultation:</p> <ul style="list-style-type: none"> <li>• No specific matters of relevance to this policy were identified as being raised in the consultation feedback.</li> </ul>	<p>Officer commentary in response:</p> <ul style="list-style-type: none"> <li>• No comments.</li> </ul>
Sustainability Appraisal	

See Sustainability Appraisal table below. No concerns raised.	Assessment support for policy noted.
Habitat Regulations Assessment	
Key issues raised in consultation: <ul style="list-style-type: none"><li>• No concerns were raised.</li></ul>	Officer commentary in response: <ul style="list-style-type: none"><li>• No response/actions identified as needed.</li></ul>
Commentary on policy redrafting for the Publication Plan	
Redrafted policy title: Policy CF 02 – Loss of community facilities.	
The policy has been refined and tightened up to seek to retain community facilities to a greater extent with a higher burden of evidence needed to demonstrate lack of need and lack of viability on respect of retention.	

<b>Policy omissions from Chapter 16</b>	
There were no matters identified in respect to Chapter 16 that warrant or raise concerns around insertion of additional policies..	
<b>Key technical evidence sources</b>	
Not applicable.	
<b>Issues and options consultation</b>	
Feedback received does not indicate need for additional policy coverage..	<ul style="list-style-type: none"> <li>No changes made in respect of adding extra policy/policies to the chapter.</li> </ul>
<b>Draft Plan consultation</b>	
Key issues raised in consultation: <ul style="list-style-type: none"> <li>None recorded.</li> </ul>	Officer commentary in response: <ul style="list-style-type: none"> <li>No changes made in respect of adding extra policy/policies to the chapter.</li> </ul>
<b>Supplementary Regulation 18 consultation Spring 2024</b>	
No matters raised	Officer commentary in response: <ul style="list-style-type: none"> <li>No comments.</li> </ul>
<b>Sustainability Appraisal</b>	
No matters raised	Officer commentary in response: <ul style="list-style-type: none"> <li>No comments.</li> </ul>
<b>Habitat Regulations Assessment</b>	
Key issues raised in consultation: <ul style="list-style-type: none"> <li>No matters raised.</li> </ul>	Officer commentary in response: <ul style="list-style-type: none"> <li>No comments.</li> </ul>

Commentary on policy redrafting for the Publication Plan

No additional policies are recommended for inclusion in this chapter of the plan.

**Sustainability Appraisal**

Policy number/title:

107. Policy – New or extended community facilities

108. Policy – Loss of community facilities

Outcome of sustainability appraisal:

**Preferred alternative:** Policies 107 and 108

**Reasons for alternatives being preferred or rejected:**

Policies 107 and 108 are preferred due to major positive effects on providing accessible and attractive community facilities, with consequent positive effects on health, design and minimising carbon emissions.

107A. Less restrictive approach to the provision of community facilities in terms of location and meeting a local need – this would likely result in community facilities in more remote locations which increases the need to travel (and associated carbon emissions) and the potential for adverse environmental impacts. Therefore, this alternative is rejected.

108A. Less restrictive approach to the loss of community facilities – although this alternative may have minor benefits in housing and employment delivery, it would lead to negative effects on supporting health and active communities and access to services and is therefore rejected.

Officer commentary in response:

Positive feedback on policies, through sustainability appraisal, are welcomed.

## 10 Conclusions

10.1 Policy redrafting has been made in the Publication, Regulation 19, Local plan.