

Comment

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Company / Organisation	Theatres Trust
Address	[REDACTED] [REDACTED] [REDACTED]
Event Name	Proposed Submission (Reg 19) West Berkshire Local Plan Review 2022-2039
Comment by	Theatres Trust ([REDACTED] - 1159025)
Comment ID	PS72
Response Date	17/02/23 10:33
Consultation Point	Policy DM 39 Local Community Facilities (View)
Status	Processed
Submission Type	Web
Version	0.1
Bookmark	Theatres Trust

1. Do you consider the Local Plan Review is legally compliant?

Please see the guidance note for an explanation of what 'legally compliant' means

Yes

2. Do you consider the Local Plan Review is sound?

Please see the guidance notes for an explanation of what 'soundness' means.

The soundness of the LPR should be assessed against the following criteria from the National Planning Policy Framework (NPPF).

Please tick all that apply:

Positively Prepared: The plan provides a strategy which, as a minimum, seeks to meet the area's objectively assessed need and is informed by agreements with other authorities, so that unmet need from neighbouring areas is accommodated where practical to do so and is consistent with achieving sustainable development. . Yes

Justified: the plan is an appropriate strategy, taking into account the reasonable alternatives, and based on proportionate evidence. . Yes

Effective: the plan is deliverable over the plan period and based on effective joint working on cross-boundary strategic matters that have been dealt with rather than deferred, as evidenced by the statement of common ground. . Yes

Consistent with national policy: the plan should enable the delivery of sustainable development in accordance with the policies of the NPPF. . Yes

Please give reasons for your answer

Although this policy is sound in basic terms in relation to loss, we consider that the policy wording has been weakened compared to the previous version which we had supported.

We broadly consider utilising 'viable' as a sole measure in justifying loss of facilities to be problematic and advise against it, although in this instance it could be appropriate due to the relatively good detail set out in supporting paragraphs 12.67 - 12.72 which guide applicants as to the evidence that would be expected. We recommend minor amendment to this to add a criteria seeking evidence that alternative methods of ownership or operation had been explored, such as community or voluntary ownership. This would ensure that viability is tested in a broader sense rather than on purely commercial terms; there have been several examples of supposedly redundant facilities flourishing under alternative management.

We also recommend that the supporting text makes clear that sale or rental prices should be based on existing use and condition without development potential to avoid manipulation of lack of demand due to unrealistic values being set.

3. Do you consider the Local Plan Review complies with the Duty to Co-operate?

Please see the guidance note for an explanation of what 'Duty to Cooperate' means.

Yes

4. Proposed Changes

Please set out what change(s) you consider necessary to make the Local Plan Review legally compliant or sound, having regard to the tests you have identified above (Please note that non-compliance with the duty to co-operate is incapable of modification at examination).

You will need to say why this change will make the Local Plan Review legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

To either strengthen the policy text more in line with the previous version, or to amend supporting text outlining evidence requirements in line with our comments above.

5. Independent Examination

If your representation is seeking a change, do you consider it necessary to participate at the examination hearing session(s)? No

6. Notification of Progress of the Local Plan Review

Do you wish to be notified of any of the following?

Please tick all that apply

- | | | |
|--|---|-----|
| The submission of the Local Plan Review for Independent Examination | . | Yes |
| The publication of the report of the Inspector appointed to carry out the examination | . | Yes |
| The adoption of the Local Plan Review | . | Yes |