

Dear Kerry Trueman,

Re Hearing Statement additional to representation 1189787

My presentation was on Para 99 of the NPPF and I would like to respond to.

Matter 6 Issue 1 Q6

Policy 28.3 is legally compliant, justified, effective and consistent with national policy but has not been positively prepared because being a generalised statement it is open to misinterpretation.

28.3 Proposals that would result in the total or partial loss of sites and premises currently or last used for the provision of community facilities or services will be resisted unless it has been demonstrated that one of the following applies: a) the proposal will secure replacement facilities or services of equivalent or better quality, with appropriate capacity, and in an equally accessible location within the vicinity; or, b) evidence is provided that demonstrates the continued use of the site as a community facility or service is no longer feasible, taking into account factors such as; appropriate active marketing, the demand for a community use within the site or premises, the quality, usability, viability and the identification of a potential future occupier.

To improve matters I suggest changing the first part of a) to say “the proposal will secure replacement facilities or services of the same type” etc,etc.

Example.

For the allocation HA2 to be deliverable Ifield Golf Course would have to be lost and Policy 28.3 a) would have to be followed and a replacement golf course identified which would have to meet the criteria set out in the policy. Policy 28.3. is generally in line with caveat b) of Para 99 of the NPPF but it has been expanded so that there is no doubt what is required of the replacement facility. This is that it must be a replacement facility having appropriate quality, capacity in an equally accessible location within the vicinity. With my addition there would be no doubt that it was a golf course.

General Note

The procedure set out above covers caveats a) loss of a facility and b) replacement facility, of para 99 of the NPPF. Caveat c) of para 99 of the NPPF is not applicable because the development is not for alternative sports or recreational facilities.

Kind regards

Denis Taylor