

Theatres Trust's response to National Planning Policy Framework: proposed reforms and other changes to the planning system

Here is a copy of Theatres Trust's answers to the questions that are relevant for theatres to guide your response to the consultation.

[The consultation is on the government website](#) – **deadline is 10 March.**

HC6 - Retention of key community facilities and public service infrastructure

Question 162) Do you agree with the proposed approach to retaining key community facilities and public service infrastructure in policy HC6?

Suggested response: Strongly disagree

a) Please provide your reasons, particularly if you disagree.

Theatres Trust's response:

We consider this policy in its current state to be unacceptable.

The explanation of this policy within the consultation document is incorrect; it does not “reflect(s) common practice in local plans” because in fact almost all Local Plans seek to protect all facilities where there remains need and demand. That mirrors the existing NPPF position which seeks to “guard against unnecessary loss”.

In contrast, this proposed policy applies only where “the facility would be the last of its type in the area concerned” meaning significant numbers of facilities would be vulnerable to loss.

We find it challenging to comprehend how enabling the loss of valued facilities, which might strongly contribute towards the social and cultural well-being, the vitality of communities and their town centres as well as local economies, is consistent with the ‘Pride in Place’ agenda.

Just because they are not the only or last facility of their type does not mean that they provide no merit. Facilities of the same type might provide very different functions and cater to very different communities or users.

They might also be of very different typology; in the case of theatres this policy would mean that one or the other of a large-scale venue hosting recognised national touring artists or a small community theatre hosting local amateur groups would have loss seen as acceptable.

We would suggest that proceeding with the proposed approach would leave the government, along with councillors at local authority level, open to significant political challenge and risk arising from inevitable local campaigns against closures and losses.

We urge that “last of its type” is deleted.

Secondly, cultural facilities are excluded from the range of facilities to which the policy applies as cited within part 2. This sits in contrast with the uses noted within paragraph 98 of the existing NPPF and also conflicts with the definition of ‘community facilities’ within the glossary as that does include cultural venues.

A consistent approach is required and this policy should be brought back into line with existing policy and the glossary definition to ensure valued facilities such as theatres, music venues, cinemas, concert halls, museums and galleries are suitably protected and supported.

There is an argument that theatres (and other cultural facilities) are "key community facilities" and "established services that are used on a frequent basis in a local area" (as stated in 2) and therefore would be covered by this policy. However, without that clarity there is unnecessary ambiguity and a significant risk that applicants could argue otherwise. Where there is ambiguity there is also risk of the planning process being slowed, contrary to Government objectives.

On the basis of cultural venues being defined as a community facility within the glossary, this policy in its current state would also undermine Policy HC1 because part 1.a seeks Local Plans to identify deficits and additional requirements, and to allocate such land (part c) with part 2 seeking opportunities to foster cultural well-being. It is the latter point which Policy HC6 would particularly affect.

We suggest amendment as follows:

1. Development proposals should not result in the loss of key community facilities and public service infrastructure serving a local area unless:
 - a. It can be demonstrated that there is no reasonable prospect of the facility being retained, due to there being insufficient community support for the service it provides, or it no longer being viable (in the case of shops and public houses where viability is an issue, evidence should be provided that reasonable steps have been taken to market the property for its existing use without success, for a period of at least twelve months); or
 - b. The loss resulting from the proposed development would be replaced by equivalent or better provision, in a location which offers comparable or improved accessibility for the community it serves.

2. For the purpose of this policy, key community facilities and public service infrastructure means established services that are used on a frequent basis in a local area such as local shops, public houses, cultural facilities, places of worship, local health facilities and community halls. The policy applies only where the facility would be the last of its type in the area concerned.

Pollution, public protection and security

P4: Impact of Development on Existing Activities

Question 168) Do you agree policy P4 makes sufficiently clear how decision-makers should apply the agent of change principle?

Suggested Response: Strongly agree.

We welcome this policy, which strengthens and expands on existing NPPF paragraph 200 covering the 'agent of change' principle. This is positive both for ensuring valued existing venues are protected, but also to provide a clearer expectation as to requirements for applicants. For greater clarity as to applicability for theatres, which continue to see challenges arising from inappropriately considered nearby developments, we urge that theatres are added to the list within the policy as follows:

1. Existing businesses, community facilities, public services and defence and security activities should not have unreasonable restrictions placed on their current or permitted operation as a result of development being approved after they were established. This means that development proposals should be capable of being integrated effectively with existing business, community and public service activities and infrastructure in their vicinity (including, but not limited to, uses such as pubs, music venues, theatres, places of worship, sports clubs, blue light services, defence, electricity network infrastructure and industrial and waste sites).