## **Section 5.4: Community Facilities.**

### Protecting and Enhancing Community Facilities

1. Community facilities include important land and buildings that meet the health, welfare and social needs of the local population. These include a wide range of facilities, such as shops, schools, community centres, places of worship, public houses and medical facilities that are important for good health and well-being and sustainable development.
2. For a parish of its size and rural location, it has a good range of community facilities. This is not only reflected in the findings of the community consultation but studies such as the ‘Harrogate District Local Plan: Settlement Hierarchy (2018)’[[1]](#footnote-1). This study identified Kirkby Malzeard as a Primary Service Village in part reflecting its role in providing ‘*residents and people in surrounding villages with a basic range of services and facilities*’.
3. These community facilities are predominantly in Kirkby Malzeard. They include a primary school and pre-school, doctor’s surgery, Mechanics Institute village hall, Highside playing fields (with cricket/football fields, tennis courts, bowling green and multi-use games area), children’s play area, general village stores, butcher’s shop, fish and chip shop, a hairdresser, a public house, two vehicle repair garages (one with fuel pumps), a café, caravan park, St Andrew’s church and a separate parish cemetery.
4. Elsewhere in the parish, facilities are more limited comprising Greygarth Chapel and Schoolroom (which now serves as a meeting venue), Dallowgill outdoor centre, a glamping site at Dallow and the Chapel of the Resurrection with cemetery.
5. These facilities are much prized by the local community. They, and the activities and services they support, play a vital role in meeting the health, welfare and social needs of the residents of the parish and supporting the diverse range of local activities and social interaction that take place. Their retention, and wherever possible improvement, is a top priority of the community.
6. However, some residents lack accessible community facilities to meet their day-to-day needs. This means that many must travel, overwhelmingly by car, to the nearby centres such as Masham, Pateley Bridge, Ripon and Harrogate to meet their basic shopping and community facility needs. The need to travel outside the parish to access basic services is one of the main reasons for the high levels of car ownership. It also creates challenges for those residents that do not have access to a car or live in the more remote parts of the parish. This is compounded by the (at best) limited bus service coverage.
7. Furthermore, the parish has already lost some important community facilities, such as St Peters Church in Dallowgill, the Ebeneezer Methodist Chapel in Kirkby Malzeard and The Drovers Pub in Dallow. Others such as the Henry Jenkins pub in Kirkby Malzeard have been vacant for over twelve years. Their loss has had an adverse impact on the parish, and there is concern that this trend in the gradual loss of community facilities may continue unless action is taken.
8. Through the preparation of the Plan, several key community facilities have been identified as being especially important to the community due to their location, accessibility to all sections of the community and generally the valuable role they play. The community wishes their special role to be acknowledged and recognised.
9. Policy HP8: Protection and Enhancement of Community Facilities in the Local Plan seeks to protect important community facilities and only allows their loss in special circumstances.
10. The Plan does not wish to duplicate and replicate this policy. It does, however, support and add value to it by identifying the specific important community facilities that it wishes to see specifically protected. Policy HP8 in the Local Plan should be specifically applied to the following community facilities:
11. Kirkby Stores village shop, Main Street, Kirkby Malzeard.
12. The Queens Head Public House, Main Street, Kirkby Malzeard.
13. Mechanics Institute village hall, Main Street, Kirkby Malzeard.
14. The GP Surgery, Main Street, Kirkby Malzeard
15. School and Pre-School, Church Street, Kirkby Malzeard
16. Dallowgill Chapel and Meeting Room, Greygarth, Dallowgill.

*Note: The Neighbourhood Plan is a document for the next decade, so there is no explicit reference to the future of the Henry Jenkins public house, as this is in flux at the moment.  However, the plan is supportive of the protection, maintenance and development of community facilities, including public houses.*

1. In addition to their protection, the community also wishes to see wherever possible the enhancement of suitable local community facilities that meet the needs of the parish. The need for enhanced health care was especially cited by many residents. Large scale retail or community development, however, would not be appropriate as it would harm the distinctive nature and character of the parish and promote unsustainable forms of development.

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| **POLICY KMLD11: ENHANCING THE PROVISION OF IMPORTANT COMMUNITY FACILITIES.****The improvement of existing and the creation of new community facilities (including shops) will be supported, subject to development proposals demonstrating that they respect local character and residential amenity and do not result in harm to highway safety.** |

### Assets of Community Value

1. The designation of a community facility as an Asset of Community Value (‘ACV’) provides the opportunity to give it added protection from inappropriate development.
2. The Localism Act 2011[[2]](#footnote-2) defines an ACV as ‘*a building or other land is an asset of community value if its main use has recently been or is presently used to further the social wellbeing or social interests of the local community and could do so in the future’*. The Localism Act states that ‘*social interests*’ include cultural, recreational and sporting interests.
3. Where an asset is ‘Listed’ as an ACV the Parish Council or other community organisations will be given the opportunity to bid to purchase the asset on behalf of the local community if it comes up for sale on the open market.
4. Through the consultation, a few buildings have been identified as important to the social well-being of the community. The Parish Council, therefore, may consider the mechanism of designating them as ACVs, to further ensure that their social value is protected.

The inclusion of a specific policy in a neighbourhood plan with respect to ACVs provides the opportunity to give it formal recognition in the planning system. It ensures that the Listing of an ACV is a material consideration (i.e., it must be taken into account) when determining a planning application.

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| **POLICY KMLD12: ASSETS OF COMMUNITY VALUE** **Development proposals that assist the longevity, appreciation and community value of an Asset of Community Value will be supported and encouraged. Development proposals for a change of use that would result in the loss of an Asset of Community Value will only be supported where it is demonstrated the asset is no longer viable or no longer required by the community; or the asset is replaced by an equivalent or better facility in terms of quantity and quality in an equally suitable location.** |

1. [Settlement Hierarchy Background Paper Submission update 2018 (harrogate.gov.uk)](https://www.harrogate.gov.uk/downloads/file/2855/settlement-hierarchy-background-paper-submission-update-august-2018) [↑](#footnote-ref-1)
2. https://www.legislation.gov.uk/ukpga/2011/20/contents/enacted [↑](#footnote-ref-2)