



Dear Councillor

DEVELOPMENT MANAGEMENT COMMITTEE - MONDAY, 20 MAY 2024

I am now able to enclose for consideration at the above meeting the following reports that were unavailable when the agenda was printed.

**Agenda Item
No.**

LATE REPRESENTATIONS(Pages 3 - 4)

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Agenda Item 4a

Case No: 23/02498/FUL
Change of use from Shop to Dwelling (Class C3)
43 High Street, Brampton, PE28 4TG

Written Representation

LP22

This report leads you to believe that in order to comply with LP22 that a robust marketing strategy is necessary. **This is not the case.**

Section 6.48 of the local plan states: *“The policy allows for loss of an existing service or facility where this is to be provided in an alternative location giving equal or better accessibility to the community than the existing facility. Alternative provision may not be in the same format. In such instances there is **no requirement for marketing the property for its current use.**”*

In a letter to me dated the 6th November 2023 the case officer stated:

“In my informal officer opinion, the proposal may comply with Policy LP22 part d)”

LP22 part d states: *“an equivalent service or community facility will be provided in a location with an equal or better level of accessibility for the community it is intended to serve.”*

Section 7.15 of the report states: *“Officers have to consider the current (most recent) use that is being lost, which is **use class E.**”*

HU11 of the local plan references the increase of **use class E** retail provision on Brampton Park, this consists of 3 units as follows:

Unit 1 – Retail 371.10 sq m - **use class E.**

Unit 2 – Retail - 46.70 sq m – **use class E**

Unit 3 – Retail – 75.90 sq m - **use class E**

Increase of use class E since 2019	493.7sq m
Decrease of use class E due to 23/02498/FUL	20.55 sq m
Total use class E increase	473.15sq m

Between 2019, when the local plan was produced, to present day **use class E retail has increased in Brampton** therefore this application will not undermine the settlement's role in provision of services as **there has been no loss of local service.**

Unit 1, unit 2 and unit 3 have a larger retail area, disabled access and are located on Central Avenue. This complies with ‘LP22 part d’ in that they are an *“**equivalent service or community facility**”* and have a *“**better level of accessibility for the community it is intended to serve**”*.

Not assessed on its own merits

Section 7.11 of the report states “**Each case/use should be assessed on its own merits**”.

I do not believe that the application has been given a fair assessment in its own right. This is contrary to common planning practice.

In another email dated 27 March 2024, the officer stated

“This follows a recent, nearly identical application in Warboys and therefore we need to follow a consistent approach and decision making process. In the previous application, the Committee supported the refusal decision of the LPA.”

Although I appreciate the need to follow a consistent approach and decision-making process the case referenced in the email was in a Key Service Centre. LP22 within the local plan quite clearly states that "the local authority will not support a case in a key service centre".

This case, as stated in the report, falls within the Huntingdon Spatial Planning Area under Policy LP7 of the Local Plan. Therefore, is a very different application and should not be tarred with the same brush. It should be assessed on its **own merits** not that of a similar application located in a different planning area where different rules apply.

Summary

- There is **no loss of local service, therefore this application complies with LP22.**
- The recommendation to reject this application is based on providing a “consistent approach” and has **not been judged on its own merits**, as is standard planning practice.
- Officers consider the proposal will preserve or **enhance the character and appearance of the Brampton Conservation Area.**
- The application **has the support of the Parish Council**
- There have been **no objections to the proposal** from the community

Therefore, the panel should reject the officers recommendation and grant approval for this application.