

27 APR 2015

**Objection to planning application for the 'House of Spice' site (Planning application 15/00980/APP – 19-20 Fort End)**

This is an objection on behalf of Haddenham Village Society to two aspects of the above planning application: change of use; and the provision of parking space.

While the design principles of the application are in general to be applauded in conserving the character of the building and harmonising with its surroundings, our principal concern is the loss of yet another amenity within the village, as well as the argument of the developers that the current status of the Neighbourhood Plan means it can have little weight in deciding on the application for change of use. Further, given the location on a dangerous S-bend, with no spare on-road parking space, the provision for parking on the site appears clearly inadequate.

**1. Objections regarding change of use:**

In their Design and Access statement, in support of their application the proposers explicitly cite the policies of AVDCLP 2004: *'the Council will resist proposals for the change of use of community buildings and facilities for which there is a demonstrable local need. Regard will be had to those considerations set out above in relation to Policy GP32.'* (p.10, para 5.9) In para 6.4 (p.15) they state: *'insofar as it relates to the principal A3 (Restaurants and Cafe) use on the site, there are no policies within the adopted AVDLP that seek to protect such uses. Indeed, these fall outside the definition of community facilities in the pre-amble to policy GP93, and are not referred to in Policy GP32. Furthermore, although the restaurant currently generates some employment, the use (A3) falls outside the definition of an established employment use (B1-B8) which are covered by Policy GP17. As such, there is no objection, in principle, to the loss of the existing A3 use.'* (our emphasis)

We believe there is an objection in principle. According to government guidelines, changes in use from A3 class to residential use requires approval, and although local district councils are empowered to waive the requirement to obtain agreement to change of use, AVDC website provides no specific waiver of that requirement that we can find. Furthermore, it is not self-evident that there is no 'demonstrable local need' for a restaurant on the site. Thus there seems to be a prima facie right to councils, residents and to the wider local community to object to such an application for change of use. HVS believes the Councils which hold the relevant responsibilities should exercise that right.

**2. Objection to justification on basis of precedent.** Despite their argument that there is no objection in principle, the proposers nonetheless offer a justification in principle on the following grounds:

- For the House of Spice site, by citing as precedents the agreements to similar changes of use of Peking Rendezvous (High Street) (p.15 para 6.5).
- For the bookmakers' property, by citing precedents for similar changes of use of A2 class businesses in Haddenham (the banks, the Paper shop on Station Road, and the Beehive (subsequently off-licence) on Churchway (para 6.7).

The proposers conclude that *'for the reasons outlined, it is considered that the principle of the proposed development is acceptable'*.