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**Representation form for the Bedford Borough Local Plan 2040: Plan for Submission (Regulation 19 publication stage)**

**Please refer to the** [**guidance notes**](https://edrms.bedford.gov.uk/OpenDocument.aspx?id=tqfcv8PIi9gZ9ouyx%2bOWlw%3d%3d&name=Guidance%20notes%204.pdf) **available before completing this form.**

**Please return to Bedford Borough Council by 5pm on 29th July 2022.**

This form has two parts –

Part A – Personal details: need only be completed once.

Part B – Your representation(s). Please fill in a separate sheet for each representation you wish to make.

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| **Part A** |
| 1. Personal details\* |  |  |  |  |  | 2. Agent’s details (if applicable) |
| \**If an agent is appointed, please complete only the Title, Name and Organisation (if applicable) boxes below but complete the full contact details of the agent in 2.*  |
| Title |  |   |  |
|   |  |
| First name |   |   |   |
|   |  |
| Last name |   |   |   |
|   |  |
| Job title  |   |   |  Chairman |
| (where relevant) |  |
| Organisation  | Hallam Land Management Ltd  |   |  David Lock Associates |
| (where relevant) |  |
| Address line 1 |  10 Duncan Close |   |  50 North Thirteenth Street |
|   |  |
| Line 2 |  Red House Square |   |  Central Milton Keynes |
|  |  |
| Line 3 |  Moulton Park |   |  Buckinghamshire |
|   |  |
| Line 4 |  Northampton |   |   |
|   |  |
| Postcode |  NN3 6WL |   |  MK9 3BP |
|   |  |
| Telephone number |   |   |  01908 666276 |
|   |  |
| E-mail address |  tthornewill@hallamland.co.uk |   |  nfreer@davidlock.com |
| (where relevant) |  |

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| **Part B – Please use a separate sheet for each representation** |
| Name or organisation: |
| 3. To which part of the Local Plan does this representation relate? |
|  |
| Paragraph |  | Policy | TC8 | Policies Map |  |
| 4. Do you consider the Local Plan is : |
| 4.(1) Legally compliant4.(2) Sound | YesYes  | 🗸 |  | No No |  |
|  |  |
|  | 🗸 |
| 4 (3) Complies with the Duty to co-operate Yes No 🗸  |
| Please tick as appropriate |
| 5. Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to co-operate. Please be as precise as possible.If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to co-operate, please also use this box to set out your comments.  |
| Hallam Land Management objects to the proposed Policy for Essential local shops and public houses and their change of use. The approach is not consistent with national policy (see paragraph. 93 c)) and no specific justification for it, that is consistent with national policy, is provided. Equally, what constitutes an essential service or facility is also not explained nor easily done – which types of shops – foodstore, nailbar etc. If the policy is to preclude a congregation of hot food or similar retail elements, then it should say that. In the absence of the justifications set out above, Hallam suggest that the policy is deleted and not pursued. Were the policy to be retained, Hallam considers that the requirements of ii) should only apply to be consistent with paragraph 5.27 if there are no alternative facilities, with regard to i), within 1,000 metres or that a broad range of facilities is available. We believe the requirements for ii) should only apply when i) cannot be met. Otherwise, Hallam considers the requirements of ii) would be too onerous if alternative essential services are available within the 1,000 metres distance threshold. That definition should also be widened to address the breath of services in communities rather than simply distance which is arbitrary. Hallam also considers criterion iii) to be vague in terms of ‘similar uses’ and would welcome clarity on this term. Without such clarification the objective of iii), appears to overlap with the objectives of Policy TC9 which seeks to guard against the impacts of concentrating similar, albeit “Town centre uses”. Hallam in this context questions whether iii) is necessary. Should it be so, then Hallam would also request the criterion to clarify that test it to be applied to the proposed use. Equally even if uses are viable, there are planning and other justifications, that would permit alternative uses or purposes and the loss of such a facility as a result of wider benefits achieved. This should be recognised in any policy. (Continue on a separate sheet /expand box if necessary) |
| 6. Please set out the modification(s) you consider necessary to make the Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified at 5 above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible. |
| In context of the above concerns, Hallam therefore, request a change in the wording of the policy, if contrary to Hallam’s view it is to be retained, which, as such, should be read as:**Local Plan 2040 Policy TC8 – Essential local shops and public houses – changes of use** The Council will only grant planning permission for the change of use of essential local shops within Class F2 or public houses to other uses when: i. There is an alternative facility within 1000 metres providing a similar service or a range of facilities available within a relevant definition of community; ~~and~~ **or** ii. The applicant can demonstrate to the satisfaction of the Council that the current (or last) use is no longer economically viable (including in appropriate circumstances financial information); this can best be demonstrated by providing evidence that the property has been actively and appropriately marketed; or iii. **That the change of use of the facility is acceptable in planning terms and/or meets wider community of planning objectives.** ~~iii.~~ **iv.** The **proposed** use **must** ~~would~~ not lead to the concentration of similar uses whose cumulative impact would be to the detriment of environmental quality, amenity or parking, or would increase the risk of anti-social behaviour.(Continue on a separate sheet /expand box if necessary) |
| ***Please note.*** *In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.****After this stage, further submissions may only be made if invited by the Inspector, based on the matters and issues he or she identifies for examination.*** |
| 7. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)? |
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|  |  | **No**, I do not wish to participate in hearing session(s) | 🗸 | **Yes**, I wish to participate in hearing session(s) |
| Please note that while this will provide an initial indication of your wish to participate in hearing session(s), you may be asked at a later point to confirm your request to participate. |
| 8. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary: |
|  |
| Hallam Land Management Limited believes, in promoting land at Clapham, that they have a key role to play in the delivery of housing in the Local Plan.David Lock Associates and Hallam Land Management are able to support the Local Plan examination by providing evidence in relation to the deliverability of the spatial strategy and the provisions in the Local Plan that are necessary to support the delivery of the Plan objectives and hence which would make the Plan sound. |
| ***Please note*** *the Inspector will determine the most appropriate procedure to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.* |