ITEM 06 **09/00441/COU** **Costa Coffee**

Introduction:-

Following an explanation of the Council's survey of current uses with the Primary Shopping area, additional information has been supplied by the applicant's agent to support the proposal.

Consultations:-

A letter of objection has been received from an existing business. This states that they are not happy that Costa is being considered in this location, when they were advised to search for premises outside of the Primary Shopping area. They believe the Council are acting unfairly, due to the size of the organisation in question. A list of the existing cafes in Hinckley is provided, and they request that the Council considers the impact of Costa on these.

Appraisal:-

The additional information supplied by the applicant's agent in respect of the survey of uses in the Primary Shopping area suggests that the Council has incorrectly surveyed and classified the use of certain premises. The applicant's agent claims that this results in an incorrect percentage of non-retail uses within the area which is having a detrimental effect on the policy position of the current proposal. The classification of uses at any premises is a matter of fact and degree and without specific details of the exact operation of the use, the primary use of the site must be recorded. The Council's assessment of uses has been made on this basis.

The impact the proposal will have on other businesses within the town centre is not a material consideration in the determination of any planning application, therefore the additional comment received in respect of commercial competition is not planning matter.

Recommendation:-

No change to recommendation.