

24/2250/FUL

**Erection of a temporary sales centre with associated car parking (retrospective)
Land To The South Of Tillhouse Road Cranbrook**

Introduction

This application relates to the temporary sales cabin and sounding site that has been erected south of Tillhouse Road, just to the east of the new first phase of retail development around the Town Square. It is on land allocated for the second phase of retail development with apartments above.

The sales office will facilitate sales of Taylor Wimpey homes in respect of which planning applications have been submitted on parcels TC3, TC7 and TC8.

The previous sales office, which was located at Younghayes Road, has been in situ from the outset of the Cranbrook development and has benefitted from renewed temporary consents. Those consents are due to expire and the Younghayes Road sales office has been demolished to make way for new homes - which is the final element of the phase 1 development.

Planning Policy

Policy CB21 of the Cranbrook Plan relates to development in the town centre. The key policy provisions that relate to this application are extracted from Policy CB21 as follows:

To achieve vibrancy, the town centre will be focused around the market square which will be a multi-functional space used for cultural purposes, recreation, and outside/market trading and frontage development which addresses both the square and the roads/access routes leading to it.

Future town centre development will include a Health and Wellbeing hub, Leisure centre, Civic centre (Town Council Offices), Library, Children's centre, Youth centre and Extra Care housing (minimum 55 beds).

In addition to the above facilities, proposals which come forward and are located within the Town Centre, for both retail and non-retail uses (with particular encouragement being given to uses falling within Classes A1, A2 and A3 business use (uses falling within Class E) and those of the Town and Country Planning (Use Classes Order) 1987 (as amended)) as well as restaurants and other food related premises will be permitted provided that:

- a) It can be demonstrated that the proposal delivers variety and encourages people into the area;*
- b) The use would not undermine the visual amenity, vitality or viability of the town centre which should be a place focused on people and their engagement with commercial, social and cultural activities;*
- c) The amenity interest of occupiers of adjoining properties is not adversely affected by reason of noise, smell or litter; or*
- d) It would not cause an unacceptable impact on highway safety, and the residual cumulative impacts on the road network would not be severe.*

The Policy also recognises and makes provision for temporary uses as follows:

It is recognised that the town centre will take time to develop as a result of the need for critical numbers within its catchment and the commercial realities of delivering a brand new 21st Century town centre.

To support the delivery of the town centre and encourage the emergence of a focus for commercial, retail, cultural and social activity taking place, proposals for temporary meanwhile uses will be encouraged.

Such uses would need to demonstrate that they can contribute to the future vitality and viability of the town centre and be laid out so that they do not prejudice the future delivery of permanent development including the delivery of the market square. In addition, the buildings/structures used to accommodate such uses together with their setting, must be of a high quality finish to ensure that a successful attractive and welcoming environment for the emergent town centre is achieved.

Permissions granted under this option will be made temporary and their time period for retention restricted to help facilitate permanent town centre development.

Business Classes

As background information, the new Class E effectively amalgamates the existing Class A1 (retail), Class A2 (financial and professional services), A3 (restaurants/cafes), B1 (offices) along with health/medical uses, creches, nurseries (all formerly D1 uses) and indoor sports/recreation (formerly D2 use). The Town and Country Planning (Use Classes) Order 1987 (as amended) sets out various categories of use referred to as "use classes", which relate to the use of land and buildings and facilities the administrative changes.

What this appears to indicate is that temporary uses permitted in the town centre should be either retail, financial and professional services or restaurants / cafes. (The former A1, A2 and A3 classes).

Dwelling house sales are business class C3 and therefore outside the scope of policy CB21.

Other Considerations

The application is retrospective as the sales centre has already been erected on the site and is subject to enforcement. Planning considerations are no different whether the building has been erected or not and the application should be considered as if it had not been built.

Visual impact - the building does not relate well to the existing town centre development which is based upon substantial three storey frontages. The design is not in keeping with the adjacent development. It is obviously a temporary construction and stands out as such.

Parking - Limited parking is provided at the rear. There is a total of ten spaces which includes provision for sales staff. The location is on Tillhouse Road which is awaiting its final uplift. There are no parking restrictions and visitors are likely to park on Tillhouse Road when visiting the sales office. This is potential for highway obstruction and obstruction of the bus routes that serve that area. Given that the site is concentrated on house sales, the vast majority of visitors will be from afar and use the car.

Encouraging people into the area - the letter from the applicant puts this forward in support of the application. It is the only link to policy CB21. The link is tenuous to say the least and not supported.

Prevention of town centre retail development - the retention of the sales cabin prevents the development of the second phase of town centre retail units. If granted consent the cabin is likely to occupy the site for some time.

Recommendation

Object.

- 1) **The erection of the sales cabin in this part of the town centre is contrary to policy CB21. The cabin is business class C3 and does not fall within the desired temporary business class uses;**
- 2) **The location prevents development of the second phase of retail premises and is likely to do so for some time. It does not contribute to the future vitality and viability of the town centre and does prejudice the future delivery of permanent development;**
- 3) **The structures used to accommodate the sales cabin together with its setting, is not of a high quality finish and does not therefore achieve a successful attractive and welcoming environment for the emergent town centre.**
- 4) **The suggestion that the existence of the cabin will encourage people into the area (and increase use of the neighbouring businesses) is not supported;**
- 5) **The sales cabin does not encourage commercial, social and cultural activities and does not contribute to the development of the town centre area;**
- 6) **There is potential for impacts on highway safety and obstruction by the limited parking available on site;**
- 7) **There is ample space for a temporary sales cabin on one of the other sites owned by the developer and it is a rather selfish act that the developer has elected to occupy other land to keep their three housing parcels free for development;**
- 8) **It is understood that other town centre land was available to the developer which would not have had any impact on town centre progress;**
- 9) **The Town Council is very disappointed that the developer has elected to act as it has in this case and cannot support the retrospective application.**