

**Tonbridge
Medway**

TM/21/02064/FL

Section 73 Application: Variation of condition 1 of planning permission TM/16/00818/FL to allow the sale of convenience goods from Unit 1C at Unit 1C Cannon Lane Retail Park Cannon Lane Tonbridge Kent

Paragraph 1.1: Members should note that there is a typographical error in referencing planning permission TM/98/01517/FL. This should reference planning permission TM/16/00818/FL.

DPHEH:

Given the previous ground of refusal here earlier in the year, officers have taken the opportunity to further review the transport evidence provided by the applicant alongside the formal representations submitted by KCC (H+T) in order to assist Members in their decision making. As such, the following additional advice is provided:

Use of TRICS database

TRICS is the system that enables assumptions to be made about the transport impacts of new developments. It is the national system (and the nationally recognised method) of trip generation analysis, a large database of inbound and outbound transport surveys covering a wide variety of development types. Because you cannot measure trips from a development that has not yet occurred, the TRICS database enables you to predict future trips by looking at existing comparable development types.

In this case the comparison is being made between a non-food retail store of equivalent size to unit 1C's current floorspace; which is 1,301sqm at ground floor level plus a mezzanine of 1,208sqm. There is a total sales floorspace in the existing unit of 2,509sqm which is subject to controls on the types of goods that can be sold; it must be a non-food use. This is the basis of the TRICS database figures for existing use, which is then compared with the proposed food store use of a reduced footprint.

It is important to note that the assessment of trips is not being compared between the current commercial occupant of the store, which may or may not be undertrading, but the typical level of trip generation from a non-food store of this size. This is because an alternative, more popular non-food operator could move into the store at any time, without needing planning permission.

The types of visitors making trips to a new retail store is also different in nature to a brand-new trip generating use. For example, a house built on land that previously had no use will generate brand new trips on the local road network, as occupants and visitors come and go.

However, trips to and from a retail use tend to be movements that were already on the road network, rather than additional traffic. For example, this might include people who planned to visit another nearby store, but instead divert to this one. This is not additional traffic, but simply existing traffic driving to an alternative location.

This can also include “drive-bys”, when a person will be driving past the site on their way home, or to another local shop, and will stop off at the store on the way. This car was always travelling on the network, it just makes an additional stop at the store.

Furthermore, visitors who were only interested in visiting the existing use at the site will not make dedicated trips for this purpose once the use changed; perhaps they will go to another branch elsewhere. These trips are then removed from the network.

These are all factors considered via the TRICS system.

Junction improvements:

Members should note that there was a previous standalone planning permission granted for junction improvements at the retail park. This has now lapsed and was only permissive meaning the applicant was not compelled to implement it at any time. However, the applicant proposes to deliver this as part of this scheme and the recommendation contained within the main papers includes a condition requiring the improvements to take place before the proposed use commences. This new junction will ease the flow of traffic to and from the car park.

Cumulative impacts on the local highway network:

Officers are aware that Members were previously concerned about the veracity of the evidence before it in respect of cumulative highway impacts. This latest submission insofar as it relates to the current scheme before Members for determination includes updated evidence on traffic counts coming into and exiting the park, based on live, in person assessments carried out as recently as July 2021. This captures any cumulative additional trips into the park from recently completed developments in the local area. This is also an improvement over the data provided in the last application, which was from 2013 and therefore considerably out of date. The updated 2021 traffic counts have been reviewed and agreed by KCC.

KCC (H+T) have confirmed they have no objections on this basis.

Specifically, the change in vehicle movements to and from the park in respect of this current scheme, is negligible (in consideration of the criteria of non-food store of larger floorspace vs. food store of reduced floorspace). Other committed schemes elsewhere

would not change the negligible difference in vehicle movements caused solely by this use.

Conditions:

Since publication of the main agenda papers, officers have taken the opportunity to further consider whether any additional conditions could reasonably be imposed to restrict the development if planning permission is granted. Given the highways considerations above and as set out in the main report, it is considered that there should be conditions restricting the internal layout and floorspace of the approved unit and these are reflected below.

AMENDED RECOMMENDATION

Additional conditions:

8.The existing unit 1C shall not be subdivided into two or more units nor amalgamated with another unit without the prior consent in writing from the Local Planning Authority.

Reason: In the interests of retail impact and highways safety.

9.Before the use hereby approved commences the floorspace will be reduced to 1,396 sqm GIA in accordance with the submitted details. Thereafter no additional floorspace shall be created through the insertion of another mezzanine floor or by any other method without the prior consent in writing from the Local Planning Authority.

Reason: In the interests of retail impact and highways safety.
