

# **Additional Statement 8**

Prepared for the examination of the  
Cranbrook DPD

Statement on changes to Use Classes and the  
impact on the Plan

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# Changes to Use Classes and the impact on the Plan

Full statement	Question No. and Summary
<p>1.1 As announced on the 21 July 2020 and effective from 1 September 2020, significant changes have been introduced to the Town and Country Planning (Use Classes) Order 1987 (as amended) and this is recognised by the Council.</p>	N/A
<p>1.2 In its simplest form, the changes have resulted in the scrapping of the A1, A2, A3, B1 and D1 use classes with their amalgamation into a new enlarged E class. Together with retail and financial services, this class which is entitled “Commercial, business and service” also includes activities such as business (which is suitable for a residential environment), indoor sport and crèches.</p>	
<p>1.3 Use classes A4, A5 and D2 have also been lost, and in the main, their uses have now been effectively listed under those which are considered sui generis – i.e. uses not falling within a prescribed use class.</p>	
<p>1.4 The Cranbrook Plan has been reviewed in light of these changes and it is noted that within Policies CB2 – CB5 inclusive (the allocation policies) reference is made to minimum requirements for floor space within the mixed use areas with a requirement that a proportion of this is for class A1 use. Recognising the move away from the fragmented nature of the use class system to a broader more inclusive approach, it is considered appropriate that through future main modifications reference to the need for a “proportion of A1” should be omitted and instead the minimum floor</p>	

space requirements should in their entirety be met by and protected for uses falling within the new E class. This allows for flexibility in delivery of the mixed use areas and helps to ensure that they are viable environments with a range of suitable activities taking place – including retail and business.

- 1.5 Within the same allocation policies and as has already been discussed as a main modification, is the restriction for A5 uses. Currently the proposed modified wording states:

“Floor space for A use classes will only be permitted where no more than 1 unit of A5 (Hot food takeaway) use class is proposed for every 3 units of other A use classes within the neighbourhood centre **with no more than 2 hot food takeaways being located adjacent to each other and at least 2 non-hot food takeaway units between groups of hot food takeaways. Hot food takeaways will not be permitted within 400 metres of a school.**”

- 1.6 The need/justification for the restriction of hot food takeaways is considered to remain. However with the removal of its own use class, there is now no need to reference A5 within the policy. Instead simply tackling the proportion and distribution of this use, and its distance from schools will be sufficient. By maintaining a clear policy approach to the distribution of hot food takeaways will also give future applicants a clear understanding of what is and is not acceptable.
- 1.7 A similar approach to that set out for the four expansion areas is also envisaged for the Town Centre under Policy CB22, as well as the London Road commercial area Policy CB24. However it was not previously envisaged that the restriction on the distance from a school

should be employed in the town centre area and this continues to remain the case.

- 1.8 As set out in the explanatory memorandum to the [Town and Country Planning \(Use Classes\) \(Amendment\) \(England\) Regulations 2020](#)<sup>1</sup>, the aim of the changes to the regulations is to “better reflect the diversity of uses found on high streets and in town centres and to provide the flexibility for businesses to adapt and diversify to meet changing demands”. In addition it recognises that “modern high streets and town centres have changed so that they now seek to provide a wider range of facilities and services, including new emerging uses, that will attract people and make these areas viable now and in the future”. The memo continues, explaining that by “bringing these [E class] uses together and allowing movement between them will give businesses greater freedom to adapt to changing circumstances and to respond more quickly to the needs of their communities”. This flexibility is important in a changing market and it is appropriate that it is embraced in Cranbrook. Such an approach however is also important for viability, and due to the increased range of uses available under this new class and the ease of movement between uses, there is considered to be no loss of value to the revenue that is built into the plan viability.

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<sup>1</sup> [https://www.legislation.gov.uk/uksi/2020/757/pdfs/uksiem\\_20200757\\_en.pdf](https://www.legislation.gov.uk/uksi/2020/757/pdfs/uksiem_20200757_en.pdf)

# Appendices

**There are no appendices to this statement**