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Planning Development Rights of Way

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## **‘Main Town Centre’ Uses Sequential Assessment - Dobroyd Mills, Hepworth**

The proposed restaurant / café (A3); and office (B1a) uses fall within the definition of ‘main town centre uses’ in connection with the National Planning Policy Framework and town centre planning policy.<sup>1</sup>

As such, Paragraph 24 of the National Planning Policy Framework states that Local Authorities:

*“should require applications for main town centre uses to be located in town centres, then in edge of centre locations and only if suitable sites are not available should out of centre sites be considered. When considering edge of centre and out of centre proposals, preference should be given to accessible sites that are well connected to the town centre. Applicants and local planning authorities should demonstrate flexibility on issues such as format and scale.”*

Paragraph 010 of the Planning Practice Guidance<sup>2</sup> states that “the application of the test should be proportionate and appropriate for the given proposal.”

### Proposals

The proposed development essentially seeks to replace the range of commercial facilities that already exist at Dobroyd Mills. The A3 café (The Carding Shed) has existed for a number of years, however given the building in which this business currently resides is proposed to be demolished, the re-development seeks to move this facility to the four storey former mill building. This replacement facility would be no bigger than the current facility (proposed up to 418 sq.m) and as such, the net impact on the vitality and viability of nearby centres would be nil.

For these reasons, it is not considered reasonable for the applicant to undertake a sequential search for more central sites.

However, without prejudice to this viewpoint it is recognised that the A3 space would, technically, represent new floorspace and as such it is included in the sequential assessment set out below.

For the proposed office (B1a) uses, again there have been (up until relatively recently) some office uses within the Dobroyd Mills complex, towards the western / south-western end of the site. The proposals seek to use two floors of the four storey former mill building for office or light industrial

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<sup>1</sup> NPPF Annex 2: Glossary

<sup>2</sup> Ensuring the viability of town centres

(up to 1,905 sq.m in total). As such, if for argument's sake, there was a 50:50 split, the amount of new office space proposed would be 952 sq.m.



### **The four storey mill proposed to be converted**

#### Catchment Area

As discussed above, the A3 use is intended to replace an existing café facility at Dobroyd Mills. Given this is a day-time café serving a localised need, the catchment area from which the café currently draws the majority of its trade from, is considered to be local to Hepworth, Scholes, Jackson Bridge, and New Mill.

The office facilities would help replace some former office uses within other parts of the mill complex. It is also noted that very few office-based premises exist, either in Hepworth, or surrounding villages in the Holme Valley South area. The nearest significant facilities exist at Bridge Mills, Huddersfield Road, Holmfirth.

However, because there is an expectation that an element of travel would be expected to / from office facilities, it is considered the catchment area should be centred upon the nearest designated centre to the north-west, Holmfirth (and any villages in a circumference of the same distance between Holmfirth and Hepworth (approximately 2.5 km 'as the crow flies').

The relative sustainability and suitability of in-centre, edge-of-centre and out-of-centre sites <sup>3</sup> are assessed below in relation to proximity to this principal centre.

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<sup>3</sup> As defined in the Annex 2 Glossary to the NPPF

### Size of alternative site required

Whilst the issue of considering flexibility in terms of format and scale is acknowledged to be a requirement of NPPF paragraph 24, the Secretary of State decision at Rushden Lakes, Northampton (APP/G2815/V/12/2190175), confirmed that the requirement for applicants to consider 'disaggregation' as part of the sequential test is no longer a retail planning policy requirement.

Paragraph 8.47 of the SoS decision stated:

*"A related submission concerns the differences between national policy as now stated in the NPPF and as previously stated in PPS4. The last sentence of NPPF [24] states that: Applicants and local planning authorities should demonstrate flexibility on issues such as format and scale." This contrasts strikingly with what was said previously in PPS4 in policy EC15.1 at (d) (IV) and 15.2 which contained an explicit requirement for disaggregation. There is no longer any such requirement stated in the NPPF. It is no answer to this to refer to the words "such as" in the last sentence of NPPF [24]. These words cannot be read so as to imply that a major, and extremely controversial, part of previously stated national policy lives on by implication in the NPPF. Had the Government intended to retain disaggregation as a requirement it would and should have explicitly stated this in the NPPF. If it had been intended to carry on with the requirement then all that would have been required is the addition of the word "disaggregation" at the end of NPPF.*

It is noted that nothing in subsequent guidance (i.e. National Planning Practice Guidance) has changed the Rushden Lakes position.

As such, the range of uses proposed (which also includes business uses not required to be subject to the Sequential Assessment) should not be the subject of disaggregation and in considering a degree of parking requirement, an alternative site would need to be in the region of 0.3-0.4 hectares to accommodate the proposed development.

### Sequentially preferable site search

#### **In-centre / edge of centre sites**

A walkover survey of the centre of Holmfirth was undertaken in April 2017 to look at any redundant, derelict, or available buildings. The survey identified that all but four premises in and around the centre were fully occupied, and therefore unavailable for the proposed uses.

The premises / sites identified were:

- 1) Units within the Riverside Shopping Centre (adjacent to The Hair Room and Medicare Chemists) – Woodhead Road (A6024)
- 2) The former Tourist Information Centre – Woodhead Road (A6024)
- 3) The former HSBC Bank – Victoria Street

These three properties however, fall short of the floorspace required for the proposed development and as such are unsuitable for the intended uses.

The final premises identified was the former Bamforth's Mill on Station Road. However, this is unavailable as it is owned (and being actively developed) by the same owner as The Picturedrome.

In terms of land, no vacant/developable sites were identified in sequentially preferable locations to the proposal site, particularly because Holmfirth centre is quite densely built up and no land appears to be available.



### Out of centre sites

Out of centre sites and land outside the urban envelopes of Holmfirth were then looked at. These are analysed in the table overleaf. Where one of the three criteria (suitability, availability and viability) are considered and the site is dismissed, the other two are not assessed. The other criteria will be addressed if necessary, in the event of disagreement between the Council and the applicant over the first criteria.




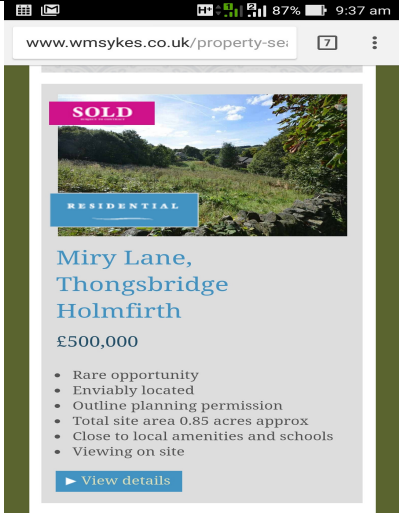
As can be seen from the detailed analysis undertake, there are no suitable, available or viable sites capable of accommodating the proposed development.




Finally, land outside the urban envelopes of Holmfirth and surrounding villages is largely designated as Green Belt where new development would be classed as inappropriate, unless redeveloping a brownfield site where existing buildings are present. However, no such alternative sites have been identified.

It is therefore submitted that the sequential test is passed in this case, in accordance with NPPF paragraph 24, meaning that the principle of the proposed 'main town centre' uses should be considered to be acceptable.

Site address	Availability	Suitability	Viability	Site photo
Land off Woodhead Road (0.5 kms south of Holmfirth)	Unavailable – currently being built-out as residential development as part of a wider residential development	N/A	N/A	
Former Midlothian Garage site, New Mill Road, Wooldale	Unavailable – due to be developed for residential purposes under planning app ref: 2015/93824	N/A	N/A	



Albion Mills, Miry Lane, Thongsbridge	The site appears to be fully occupied.	Any vacant floorspace (if available) would not be of sufficient size. Circulation & parking is also severely constrained and the site is unattractive	N/A	
Land adj. Thongsbridge Mills, Thongsbridge	Unavailable – currently the subject of a planning application for B1 industrial development – ref: 2017/90207	N/A	N/A	
Former Kastix site, Huddersfield Road, Thongsbridge	Unavailable – the subject of a current planning application for a new Aldi foodstore	N/A	N/A	
<b>Site address</b>	<b>Availability</b>	<b>Suitability</b>	<b>Viability</b>	<b>Site photo</b>
Land off Miry Lane, Thongsbridge	Unavailable – confirmed as residential land, (website extract pictured right)	N/A	N/A	

Former Prickledon Mills site, off Hollowgate / Woodhead Rd, Holmfirth	Unavailable – owned by Conroy Brook Developments and permission granted for age restricted residential development – ref: 2012/90738	N/A	N/A	
Bridge Mills, Huddersfield Road, Holmfirth	Some limited availability inside the mill building	Unsuitable – very limited available space, therefore of insufficient size to accommodate the proposed development	N/A	
Former Woodlands Mill, Luke Lane, Thongsbridge	Unavailable – not for sale, and subject to a recently submitted planning application for mixed commercial uses	N/A	N/A	

**Robert Halstead Chartered Surveyors & Town Planners**

**June 2017**