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| <b>Consultation Response from: Planning Policy Group</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |                                           |                        |
| <b>Address:</b> Former Harrisons Electrical Warehouse, Huddersfield Road, Dewsbury, WF13 2RU                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                                           |                        |
| <b>Proposal:</b> Change of Use and alterations to convert Trade Counter Retail Unit to Function Room                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |                                           |                        |
| <b>Date Responded:</b><br>23/05/2019                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | <b>Responding Officer:</b><br>Sarah Smith | <b>Responding Ref:</b> |
| <p>Comments on Sequential Test and Impact Assessment only</p> <p>The proposed development is for a leisure use (826 sq m) and B1a office (23 sq m) totalling 849 sq m of gross internal floorspace. It is located on the edge of Dewsbury Town Centre, approx. 80 m from the town centre boundary therefore a sequential test is required. As the proposal is greater than 300 sq m gross an impact assessment is also required as set out in Local Plan policy LP13 Town centre uses.</p> <p>Applicants should agree the scope and content of the sequential test and impact assessment with the council and it should be reflective of the scale, role and function of the proposal.</p> <p>The applicant has provided a sequential test and impact assessment in supporting information to the application. The scope and content has not been agreed with council. In section 4, methodology and approach the applicant states that the study area is restricted to Dewsbury as the proposal is 0.1km from the town centre. Whilst Dewsbury Town Centre is a Principal Town Centre, Batley, Cleckheaton and Heckmondwike town centres are also the local focus for entertainment and leisure facilities. The applicant does not provide any information with regards to the catchment of the proposal i.e. what area does the proposal serve? If Batley and/or Cleckheaton and/or Heckmondwike are within the catchment of the proposal it may be that there are suitable premises within those defined town centres that would need to be considered in the sequential test.</p> <p>In terms of the site search parameters, it is not clear what is meant by 'a requirement to fit the business and logistical requirements of the applicant having regard this being a proposed change of use to serve the local community (para 4.3). Reference is made to the floor area of 826 sq m and that it is the comparison point in terms of looking at alternative locations. The applicant also states (para 4.4) in considering format and scale a reduced size of proposal would inevitably impact upon the aspirations of the business and the required turnover and viability, however, no reference is made to larger sites.</p> <p><b>Sequential Test</b></p> <p>The applicant has considered 9 sites within Dewsbury Town Centre and I agree that those set out in paragraph's 5.6 to 5.11 and 5.13 are either unavailable or are not suitable for the proposal.</p> <p>Paragraph 5.12 refers to 25-27 Westgate as being below the requirements and not meeting the configuration of the business model. Whilst the floorspace available is 178 sq m less than the proposed development further justification is required in relation to the business model and turnover and viability.</p> <p>In terms of The Principal, Northgate (para 5.14), the applicant discounts the premises on the basis that it is a 'vacant pub with three floors of accommodation. Size in excess of the business requirements'. However, it is unclear as to why the size is in excess of the business requirements as no upper threshold has been given for site search parameters and applicants should demonstrate flexibility in terms of format and scale. The Principal has the potential for function rooms.</p> |                                           |                        |

## **Impact Assessment**

It should be noted that there is planned investment in Dewsbury Town Centre through the Dewsbury Strategic Development Framework which aims to increase activity, make the town centre more attractive and improve accessibility. This includes introducing new residential and educational uses into the centre, consolidating and improving the existing Market and improving public realm. However, it is considered that the proposed development does not conflict with the aims of Dewsbury Strategic Development Framework.

We are not aware of any additional planned or committed investment which could be untenably affected by the proposed development.

The applicant states that 'the proposed development can be expected to compete with existing facilities in the town centre although any impact on trade will be distributed and it is considered unlikely that the proposals would impact on any existing facilities to the extent that it would threaten viability.' Further information is required as to the business model for the proposal, and what is the likely trade draw from these 'existing facilities' to the new proposal and make reference to the current state, 'health' of Dewsbury Town Centre.

## **Conclusion**

The applicant needs to provide further information with regards to the business model, the catchment of the proposal and subsequently the sequential test and impact assessment.

If the catchment of the proposal includes other town centres they need to be considered for the sequential test. Further information is also required as to why 25-27 Westgate and The Principal, Northgate in Dewsbury Town Centre are unsuitable for the proposal.

Information on the current health of Dewsbury Town Centre and the likely trade draw and impact on existing facilities is also required.

## **Response to further information 12 July 2019**

I have read through the update to the sequential test. Whilst there appears to be no further information with regard to the business model, the following is provided in the design and access statement:

'The applicant is proposing a function room for the local community and will be used for birthday parties, weddings, parties generally and other celebratory events.

Food will be prepared off site by local restaurants and catering companies and will be served at the venue, no food will be prepared on site. Please note the applicant has a No Alcohol policy'.

The updated sequential test now also refers to the proposal 'intending to serve the local community within the Dewsbury area'. As such I consider that other town centres do not need to be considered for the sequential test. In addition, I am also unaware of any suitable units within the other town centres in North Kirklees.

The applicant states that as 826 sq m is sufficient for the aspirations of the business, it is also the maximum upper threshold that can be considered. There is no flexibility here. However, consideration is given to the description in the design and access statement and the floorplans of the proposal where the function room is all on one ground floor with a smaller seating area upstairs, a changing room and toilet facilities.

The vacant unit at 25 – 27 Westgate is over two storeys with the The Principal, Northgate being over three floors and as such the floorspace does not lend itself to one big function room. It is assumed that the need of the business due to the nature of the proposal and the description of events in the D&A is one big function room rather than function rooms over different floor levels although there is no information explicitly stating this or as to the numbers of people that the proposal will cater for. Following further consideration, I accept that 25 – 27 Westgate and The Principal are unsuitable for the proposal.

Turning to impact, the applicant has not provided any additional information on the health of Dewsbury Town Centre and what existing facilities that the proposal will draw trade from. Dewsbury town centre is in decline, the latest Council annual monitoring report shows that 94 units were vacant (31.0%) equating to 9,142 sq m of vacant floorspace (23.1%). Therefore, can the applicant/ agent please provide clarification and further information on this statement as requested previously ' 6.6 The proposed development can be expected to compete with existing facilities in the town centre although any impact on trade will be distributed and it is considered unlikely that the proposals would impact on any existing facilities to the extent that it would threaten viability. What existing facilities are they referring to?

#### **Response to further information 15<sup>th</sup> October 2019**

In regard to the Impact Assessment the applicant states that 'there are two existing businesses within the town centre which currently provide the same type of use that the application proposal intends to provide', The Courts Banqueting and conference suite, which is in the Local Plan defined town centre boundary and Kabana Banqueting Suite which is edge of centre as it is approx. 55 m outside the town centre boundary. As the Kabana Banqueting suite is outside the town centre boundary is not afforded any protection in policy terms.

The applicant refers to the fact both of the businesses are significantly larger than the application so there is no impact on these venues. National Planning Practice Guidance on Town centres and retail sets out how the impact test should be used in decision-taking and provides a checklist. (paragraph's 017 & 018). Whilst practice guidance focuses on convenience and comparison goods, the principles apply to leisure proposals. It also states that the impact test will need to be undertaken in a proportionate and locally appropriate way. However, the applicant makes no reference to the existing health of Dewsbury Town Centre, examine the no development scenario, assess the proposal's turnover and trade draw, consider arrange of scenario's in assessing the impact on Dewsbury Town Centre and its facilities and set out the likely impact of the proposal including quantitative and qualitative issues as per the checklist in practice guidance.

Without the information set out above, I am concerned with regards to the potential impact on The Courts Banqueting and Conference Suite in Dewsbury Town Centre.

#### **Response to Sequential Test and Impact Assessment (Revision B)**

In response to my comments dated 15<sup>th</sup> October with regards to the impact assessment and subsequent deferral at planning committee, the applicant has provided some further information. The applicant agrees that the proposal would compete with the Courts Banqueting and Conference Suite located within Dewsbury Town Centre. The applicant also states that the proposal has been amended to reduce the capacity to 200 significantly below the capacity of the Courts Banqueting and Conference Suite. The reduced scale of the proposal would not have any impact on the Courts and will not have any adverse impact on the vitality and viability of the centre. However, whilst the Courts has a higher capacity than the proposal it can also cater for functions below 200. Therefore it is considered that the new proposal would draw trade from Courts and subsequently potentially have an

impact on linked trips to other services and facilities within Dewsbury Town Centre and therefore on vitality and viability.

It is acknowledged that it is difficult due to the nature of the leisure proposal to obtain detailed and reliable information to address quantitative issues such as turnover and trade draw. However, the applicant has not provided any further detail in terms of their business model and research for the proposal such as how many functions/weddings have been held in the catchment area over the last three years, what is the demand? Is this demand predicted to grow? How many functions and what type is the proposal intending attract/hold over the next three years (broken down on a yearly basis) and how this relates to the Courts Banqueting and Conference Suite i.e. how many would be expected to be diverted away from the Courts?

Without this information, I still have concerns with regards to the level of impact on the Courts Banqueting and Conference Suite and the impact on the vitality and viability of Dewsbury Town Centre as a whole in particular due to the high level of vacant units and declining footfall.

In addition, whilst reference is made to the location being highly accessible to the town centre, it is separated from the Town Centre by a railway line and Dewsbury ring road. You would need to walk under and then cross Dewsbury ring road to access the centre. As such, it is considered that the number of linked trips would be limited.

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