

Land at Huddersfield Road, Mirfield

Planning and Retail Statement Addendum

on behalf of Morbaine Limited

July 2020



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Executive Summary

1. The purpose of this Addendum is to provide an update to the retail impact assessment to firstly reflect the latest data available, but also to respond to queries raised by both committee members and the Co-op at the Planning Committee meeting held in June 2020.
2. This Addendum is supported by a set of updated quantitative impact tables at Appendix A, which not only utilise the latest population and expenditure data available but also includes the diversion associated with the extant permission for a small scale commercial development at the former Swan Inn site on Huddersfield Road.
3. Furthermore, as part of the Addendum, we have sought to update the sequential test through a review of the sites previously assessed, along with a search for any other potentially suitable sites which may have become available subsequent to the submission of the original application. The scope of both the sequential and impact assessments have been agreed with the Council prior to submission.
4. To summarise the findings of this Addendum:
 - There are no sites within or on the edge of Mirfield, or any other defined centre within the catchment area which would be both available and suitable to accommodate the proposed development;
 - The 2013 household survey continues to underpin Kirklees' current retail evidence base. Its relevance in this instance is confirmed both by the Town Centres and Retail Planning Practice Guidance and, importantly, by having regard to local circumstances;
 - There has been very limited change in local grocery retail provision in the Mirfield area since the undertaking of the household survey (principally relating to Lidl's move to extended premises). Furthermore, the application proposal supports a discount foodstore operation which would directly compete against the existing Lidl store at Station Road in practice. The concept of 'like competes with like' is well established and clearly applies in the context of Mirfield;

- Our observations on site (based on numerous site visits conducted at various times) suggest that the Co-op store trades well. Furthermore, our impact assessment demonstrates that any diversion from this store would be relatively limited in any event; and
 - We also note that the Council's own retail evidence base has identified that this part of the Borough should be the subject of additional grocery provision.
5. Given all of the above, we believe that the Council can be extremely confident that the considerable benefits associated with this planning application can be delivered without any significant adverse impacts arising. In particular, we believe that the available evidence indicates that the Co-op would continue to trade alongside the existing Lidl and the proposed additional discount foodstore should planning permission be granted.
 6. Based on the detailed analysis contained within the June 2019 Planning and Retail Statement, the additional information within our correspondence dated 6th December 2019 and this Addendum, it is concluded that the proposal accords with the up to date policy provisions of the statutory development plan and national planning policy, including the requirements of the sequential and impact tests as articulated by the NPPF.
 7. Importantly, the proposal would also help improve consumer choice in the area, sustain the active use this brownfield site, and support job creation within Mirfield.
 8. Paragraph 38 of the NPPF commends to decision-makers that they should '**...seek to approve applications for sustainable development wherever possible.**' Given the findings of this Statement and the clear benefits associated with the proposal, we commend to the Council that it grants planning permission for this important development.

1.0 Introduction

- 1.1 We write on behalf of our client Morbaine, the applicant for the proposed development of a foodstore at the land at Huddersfield Road, Mirfield (application reference 2019/60/92221/E).
- 1.2 The application was heard at Planning Committee on 3rd June 2020, backed with an Officer's report recommending that it be delegated for approval in order to agree conditions and secure a S.106 Agreement. However, at the Committee, the Members voted to defer the application and requested that further information be provided to address matters raised by both Members and the Co-op during the discussions in respect of both highways and the retail policy tests.
- 1.3 As such, the purpose of this Addendum is to provide a written response to respond to the matters raised at the Committee, covering the following key points:
- An update to the sequential approach, including details of a recent site visit to Mirfield district centre;
 - An update to the assessment of the 'health' of Mirfield district centre, particularly to provide commentary on the impacts of the recent COVID-19 pandemic;
 - An update to the quantitative impact assessment to include:
 - The latest population and expenditure data to reflect the latest Experience MMG3 2020 data report;
 - The latest convenience goods expenditure growth assumptions and changes in retail sales densities, both taken from the Experian Retail Planner Briefing Note 17, published in February 2020; and
 - The implications of the recent committed retail floorspace at the former Swan Inn site on Huddersfield Road, Mirfield; and
 - Qualitative commentary on the impact of the proposal on existing stores within Mirfield district centre.
- 1.4 A separate Addendum on highway matters has been prepared by Turner Lowe.

- 1.5 This Addendum should be read alongside the original Planning and Retail Statement submitted in June 2019 (the 2019 P&RS) and correspondence issued to the Council on 6th December 2019, which responds to earlier representations made by the Co-op.
- 1.6 The 2019 P&RS was based on the findings from the household survey data from the 2016 Kirklees Retail Study. The quantitative assessment submitted in 2019 sourced the latest Experian MMG3 population and expenditure data for the zones within the Study Area that surround or are proximate to Mirfield (Zones 2, 4 and 8), which reflected the approach adopted within the 2016 Retail Study.
- 1.7 In this regard, and as we have set out in our previous submissions, relying on the existing household survey does not provide the applicant with any advantage in demonstrating compliance with the impact test. Furthermore, its use is entirely consistent with paragraph 017 of the Town Centres and Retail Planning Practice Guidance which indicates that the NPPF impact test should be applied in a **'...proportionate and locally appropriate way, drawing on existing information where possible.'** We comment in detail in Section 3.0 of this Addendum in respect of the appropriateness of using the Council's current evidence base to assess the impact of the proposal.
- 1.8 The scope of this Addendum has been agreed with the Council prior to submission to ensure that the Members are in receipt of the information necessary to make a robust decision in respect of the application, which is also supported by the latest evidence available.
- 1.9 The remainder of this report is set out as follows:
- Section 2.0 provides an update to the sequential assessment;
 - Section 3.0 sets out the updated methodology and findings of the impact assessment, along with additional commentary in respect of the matters raised by the Co-op; and
 - Section 4.0 provides the overarching summary and conclusions in respect of the proposal.

2.0 Sequential Assessment Update

Background to the Sequential Approach Adopted

- 2.1 Nexus Planning revisited Mirfield district centre in June 2020 in order to provide an update to the sequential approach provided in the 2019 P&RS. As part of our visit to the centre, we visited the sites previously assessed as part of the original submission in terms of their availability and suitability, and also undertook a search for any other potentially suitable sites whilst in Mirfield in person.
- 2.2 We have also agreed the scope of the sequential approach provided below with the Council prior to submission, and understand that there are no other sites which require consideration as part of the assessment.
- 2.3 It is not the purpose of this Addendum to set out details in respect of the methodology adopted for the sequential approach, these details can be found in the 2019 P&RS. However, for ease of reference we provide the broad search parameters adopted in respect of the sequential approach below. This can be summarised as follows:
- Sequential alternatives must be viewed in the context of whether they meet the specific 'real world' requirements of a development of this nature.
 - The broad type of development proposed provides for the occupation of the unit by a foodstore operator. The business model of such operators is widely known and generally requires a minimum site size of 0.6 hectares. However, in order to consider all sites with any potential whatsoever to accommodate the proposal, we have adopted the very cautious position that any available site comprising more than 0.5 hectares should be given consideration.
 - The area of search for a foodstore of the same scale, meeting the same needs as this application proposal, is Mirfield itself. We believe this position remains appropriate and are unaware of any other centre which offers genuine potential to accommodate the application proposal.
 - Alternative sites must be located in a visible location which benefits from good access to the transport network to meet the needs of the prospective operator.

Assessment of Sequential Alternatives

2.4 Our original 2019 search for sequential alternatives identified two sites within Old Bank Road local centre and one site located in Mirfield district centre, none of which were available and suitable to accommodate the proposal. We have not identified any new sites or units which would be available or suitable to accommodate the proposed development subsequent to the preparation of our original June P&RS.

2.5 Having revisited the sites in June 2020, we can confirm that:

- In terms of the **Thirsty Man Pub** site, this has now been occupied by a brand new Indian restaurant and associated car park and access. The site is no longer available and therefore not sequentially preferable;
- In terms of **land to the north of 47 to 69 Old Bank Road**, the situation has not altered since the submission of the original application. The most recent outline planning application (reference 2019/91105, validated on 15 April 2019) provides for the development of 63 dwellings across a site of 1.73 hectares. Access to the site would be secured through the demolition of residential dwellings at 45, 51, 53 and 55 Old Bank Road as the site is effectively 'hemmed in' by existing development on all sides. As such, an alternative form of development is currently being actively pursued and the site is not available;
- Finally, in terms of **Foldheld Mills off Newgate**, again we are not aware of any change in the position since the preparation of the original P&RS. The part of the site that was available in 2014 is extremely narrow and offers no realistic potential to accommodate the application proposal. Given the configuration of the site, it clearly affords no realistic potential to accommodate a foodstore development.

Summary and Conclusion

2.6 The application proposal would meet main food shopping needs which principally arise in Mirfield and, as such, the sequential test is necessarily focused around sites located in this area.

2.7 Our assessment has considered three sites (two at Old Bank Road local centre and one to the south of Mirfield district centre), none of which have any realistic potential whatsoever to accommodate the

application proposal.

- 2.8 Furthermore, we are unaware of any other site which offers the potential to accommodate the proposed development in a sequentially superior location and following discussions with the local authority prior to the submission of this Addendum, understand there are no further sites which the Council consider should be assessed as part of the assessment.
- 2.9 As such, we find that the proposal clearly accords with the requirements of the NPPF sequential test as set out at paragraph 86.

3.0 Assessment of Impact

- 3.1 We do not provide below a detailed re-run of the impact assessment, and refer back to our June 2019 P&RS for the detailed step-by-step methodology adopted.
- 3.2 Instead, the purpose of this section of the Addendum is to provide a brief overview of the updated impact figures from the quantitative impact assessment to reflect the latest available data, and to address the extant permission at the former Swan Inn to the east of Mirfield district centre.
- 3.3 In addition to the update to the quantitative impact assessment to include latest available data, we respond to the matters raised by the Co-op via their retail planning consultant Pegasus within its speech to Committee Members on 3rd June. In particular, we address the comments made by the Co-op in respect of the performance of its Mirfield store and trade diversion assumptions, the robustness of the evidence base used, and provide further justification to support our approach. We have previously responded in full to comments raised by the Co-op in our letter dated 6th December 2019 which is appended at Appendix B for completeness.

The Health of Mirfield District Centre

- 3.4 The healthcheck presented in the 2019 P&RS was based on a site visit undertaken in June 2019. Given the time which has passed since the previous healthcheck was undertaken, and the potential implications on the high street following the COVID-19 pandemic, Nexus has revisited Mirfield on more than one occasion to understand the latest position in respect of its overall vitality and viability.
- 3.5 In terms of the number of vacant units within the centre, we did not record any notable change in vacancy rate since the previous healthcheck was undertaken in June 2019, despite the recent pandemic. Indeed, it was clear from the day of our visit that the centre was very much 'open for business' with a number of both essential and non-essential operators open and trading.
- 3.6 Footfall was busy throughout the centre, with the highest proportion being around the Co-op foodstore, travelling from the car park into the store and from the car park into the district centre, along with footfall around the Lidl store.

- 3.7 The largest vacant unit is still the former Council office located to the west of the centre, fronting Huddersfield Road, which is still being marketed. We understand there are ongoing aspirations to bring the unit back into use, introducing new community and leisure uses into the centre.
- 3.8 In terms of convenience provision, the Co-op foodstore is accessed on foot via a ramp and steps from Huddersfield Road, with adjacent car parking provided both next to the Co-op but also within a separate free (for three hours) town centre car park to the south east of the unit. Despite social distancing being enforced, the Co-op store appeared busy around midday with a high proportion of the car park spaces being used. Indeed, all of our visits have confirmed that the Co-op store appears to trade well with a good amount of shoppers and staff noted (who have a dedicated staff car park to the rear), and multiple tills open despite the off-peak hours of our visit. The vast majority of visitors to the Co-op were undertaking 'basket shops', which correlates with the findings of the household survey.
- 3.9 In addition to the Co-op, a Tesco Express is located to the north of Huddersfield Road and east of Queen Street, occupying a former public house unit. Again, footfall from Huddersfield Road and the adjacent car park was recorded on the day of our visit, and there were a number of people outside the Tesco Express despite the social distancing provisions being in place.
- 3.10 The Lidl, located to the south of Mirfield district centre along Station Road, opened in 2017 following a relocation from its original site to the south of the Co-op. The Lidl is the largest grocery operator in Mirfield, and is still the sole destination able to appropriately meet main food shopping needs arising in the local area.
- 3.11 The centre has a variety of retail, leisure, service and community uses, including restaurants, cafes, a community hall and dance centres, health club, Library and florists, alongside a range of comparison operators. As such, the centre provides a range of facilities and amenities which meet residents' needs. These are still vital parts of the centre, particularly following the pandemic. The integral nature of these uses to the performance and overall vitality and viability was clear on the days of our visits, with 'hubs' of activity outside key operators in the centre.
- 3.12 The environmental quality of the centre is good, with no obvious signs of littering or graffiti and areas of soft landscaping. The footfall on the day of the visit was generally dispersed around the centre, with clear signs of shoppers walking from the town centre and Co-op car park in the district centre. In addition, the public realm along the canal provides for a pleasant environment adjacent to the centre.

- 3.13 The centre is served by a series of bus stops located along Huddersfield Road and Newgate, which serve regular bus services, linking the centre with Leeds and Dewsbury centres. In addition, Mirfield railway station is located to the south of the Lidl on Station Road, connecting the centre to Leeds, Huddersfield and further afield to Southport and London.
- 3.14 Overall, Mirfield district centre is considered to be a vital and viable centre, with a below average vacancy rate and good mix of retail, service and leisure facilities. This remains the case and there are clear signs that the centre is 'opening up' again after the COVID-19 pandemic. The level of footfall observed throughout our June 2020 visit indicates that local residents are still using the centre to meet their day-to-day retail, leisure and service needs.

Update to the Impact Assessment

- 3.15 We have undertaken an update to the retail impact assessment to reflect the latest available population and expenditure data. The quantitative assessment submitted in 2019 sourced the latest Experian MMG3 population and expenditure data for the zones within the Study Area that surround or are proximate to Mirfield (Zones 2, 4 and 8), which reflected the approach adopted within the 2016 Retail Study.
- 3.16 The additional turnover and trade diversion assumptions associated with the proposed redevelopment of the former Swan Inn site (planning permission reference 2019/94003) on Huddersfield Road has also been accounted for in the updated impact assessment.
- 3.17 The Swan Inn application was submitted on the basis that only the largest unit would accommodate convenience goods retailing. In order to adopt a robust position, we have assumed that both the largest unit and one other proposed could accommodate convenience goods retail. This is considered unlikely in practice given that the Huddersfield Road location is less well located than either Mirfield or Ravensthorpe centres in terms of their ability to serve a walk-in convenience market.
- 3.18 The assumed turnover of the larger convenience goods unit is estimated at paragraph 5.48 of the Swan Inn Retail Statement to be £1.3m. This appears to have been accepted by the Council in granting planning permission for the development and we account for it on the same basis.
- 3.19 For the second potential convenience goods unit, we assume that 70% of a gross floorspace of 100 sq.m (i.e. one of the individual Units A1-A3 shown on drawing reference 190766_003_d) will be

dedicated to convenience goods sales. We assume that such a small unit would be occupied by a specialist food retailer¹, which tend to have modest sales densities. We assume that the second convenience goods units would have a sales density of around £3,500 per sq.m. This provides an estimated turnover of £0.25m, which we believe is representative of a viable business. As with the RIA as a whole, our focus is on the convenience goods impacts arising from the commitment. We comment on the diversion assumptions in more detail below.

3.20 As such, the updated quantitative assessment included at Appendix A includes:

- An update to the population and expenditure for each of the three zones taken from the latest Experian MMG3 2019 reports;
- An update to the convenience goods expenditure growth assumptions taken from the latest Experian Retail Planner Briefing Note 17 (February 2020);
- An update to the projected convenience turnovers of existing and proposed stores using the Experian forecast sales densities from Figures 4a and 4b of Experian Retail Planner Briefing Note 17 (February 2020); and
- An update to the pre-development turnovers of existing convenience goods operators to take account of the limited trade diversion associated with the Swan Inn commitment.

The Identified Likely Impact

3.21 The assessment of diversion to the relocated Lidl and our client's proposed foodstore has not been altered since the original June 2019 submission. However, as stated above we have now included the additional diversion to the proposed development at the former Swan Inn site on Huddersfield Road located to the east of Mirfield district centre.

3.22 The assessment has been based on the assumption that a high proportion of the trade drawn to the proposal at Swan Inn will be from those who are using the petrol station to purchase fuel. These shoppers will be passing-by the site, often from a considerable distance given the popularity of the route along Huddersfield Road. As such, these shoppers will be purchasing a small range of convenience products as part of their main purpose of buying fuel.

¹ It is highly improbable that two convenience store operators would take space in the same development, particularly as three of the four proposed units are of a very limited scale

3.23 The actual level of trade which will be diverted from town centre stores will be very limited, and instead a high proportion will be diverted from existing similar schemes on key arterial routes, located outside of the defined centres. In this regard, given the limited scale of the convenience floorspace proposed at the site, we do not consider the proposal to draw substantial levels of trade from the surrounding catchment, but instead will perform an ancillary role to the petrol filling station. In any event, given the location of the site, the walk-in catchment potential is very limited.

3.24 Our detailed updated convenience goods trade diversion assessment is set out at Table 8 of Appendix A; we provide a summary table below which includes the key destinations from which we estimate the majority of the trade will be diverted.

Table 3.1: Estimated Convenience Goods Impact Summary Table at 2023

Destination	Estimated Convenience Goods Turnover Pre Development (£m)	Trade Diversion to Swan Inn Commitment (£m)	Trade Diversion to Proposal Foodstore (£m)	Post-Impact Turnover (£m)	Cumulative Impact (%)
Mirfield In Centre					
Co-operative Food, Huddersfield Road, Mirfield	3.20	0.10	0.15	2.95	-7.8%
Tesco Express, Huddersfield Road, Mirfield	1.03	0.04	0.05	0.94	-8.9%
Local Shops, Mirfield District Centre	4.19	0.02	0.10	4.07	-2.8%
Mirfield Edge of Centre					
Lidl, Station Road, Mirfield	13.07	0.24	5.12	7.71	-41.0%
Mirfield Outside Centre					
Co-operative Food, Nab Lane, Mirfield	1.58	0.08	0.05	1.45	-8.2%
Co-operative Food, Old Bank Road, Mirfield	2.15	0.08	0.05	2.02	-6.1%
Heckmondwike In Centre					
Morrisons, Union Street, Heckmondwike	70.24	0.08	2.05	68.11	-3.0%
Local Shops, Heckmondwike Town Centre	1.40	0.00	0.00	1.40	0.0%
Indoor Market - Heckmondwike	1.15	0.00	0.00	1.15	0.0%
Heckmondwike Edge of Centre					
Lidl, Northgate, Heckmondwike	4.58	0.00	0.51	4.07	-11.2%

Note: Extract from Table 8 of Appendix B; 2018 prices

3.25 Table 3.1 above indicates that we estimate that the highest level of trade will be diverted from the existing Lidl store located to the south of Mirfield district centre, due to the comparable nature of the two schemes. The table also indicates that the level of trade diverted from stores as a result of the extant commercial development at the former Swan Inn site will be very low given the limited estimated

turnover of the floorspace once trading. Furthermore, as we set out above, the proposed development at the former Swan Inn will draw trade from a wider catchment given its ancillary function to the petrol filling station development. Therefore, whilst we estimate that there will be some diversion from existing stores in Mirfield and Ravensthorpe, the majority of trade will be diverted from similar types of developments (i.e. other petrol filling station schemes), which are located further afield. In any event, it is important to note that the Council has already accepted that the diversion to both the current proposal and the extant scheme at the former Swan Inn site will not have a significant adverse impact on any defined centre².

- 3.26 Turning to the current proposal, we estimate that approximately 50% of the turnover of the proposed application store will be diverted from the existing Lidl, resulting in an impact of approximately -41.0% once the diversion to the Swan Inn commitment has been taken account of. In considering this level of diversion, it is important to note that the store is not situated within a defined centre and is therefore not afforded 'policy protection'.
- 3.27 We believe that our estimated turnover for the Lidl store is realistic (and is less than the turnover of some other similar Lidl stores in comparable locations). We also believe it to be very clear that the application proposal would compete principally against this store and other stores used for main food shopping. We believe that this is entirely logical and reflective of the established principle (referred to in paragraph 015 of the Town Centre and Retail PPG) that *like competes with like*.
- 3.28 Whilst some trade will be diverted from smaller stores, the vast majority will be diverted from the Lidl store and other destinations able to support larger food shopping trips. In this regard, our approach is also broadly consistent with that accepted by the Council in considering the likely impacts arising from the replacement Lidl store (planning permission reference 2015/94112).
- 3.29 In any event, it is considered that the diversion would have a limited effect on the trading characteristics or performance of the store, given its nature, location and attraction to local residents. We are of the view that the Lidl will continue to trade successfully and although not located within the defined centre, its ongoing viable operation will not be affected by the proposed development.

² See the Delegated Officer's Report in respect of application reference 2019/62/94003/E which states: '*Officers consider that, whilst there would be an impact on Mirfield District Centre, it is not considered that this would result in a significant adverse impact as set out in Policy LP13 of the Kirklees Local Plan and therefore the applicant has demonstrated enough to satisfy the retail impact assessment requirement.*'

- 3.30 In addition to the Lidl, we also estimate that the proposed store will divert approximately £0.31m from the convenience destinations within Mirfield district centre (£0.15m from the Co-op, £0.05m from the Tesco Express and £0.10m from other local shops). The overall convenience goods diversion on in-centre stores, once the diversion to the Swan Inn commitment is also taken account of is therefore estimated to be -5.4%.
- 3.31 We believe that such an impact would be very limited in practice. Indeed, we believe that the Council can have a high degree of confidence that neither any individual operation, nor the district centre as a whole, would be the subject of a significant adverse impact as a consequence of granting planning permission for this development.
- 3.32 Furthermore, the development will result in a higher proportion of available catchment convenience goods expenditure being retained locally within the Mirfield area. Convenience goods retail provision in Mirfield currently claims a total of £25.2m of catchment expenditure, or 16.3% of the total available expenditure in Zone 4 (which covers Mirfield). Once the two new schemes at Swan Inn and the application site are taken account of (including allowing for the diversion from existing stores), total convenience goods expenditure retained within Mirfield increases to £30.9m, or 20.0% of available expenditure in Zone 4.
- 3.33 The increase in local convenience goods expenditure retention will have associated economic benefits to existing operators within Mirfield, along with increasing consumer choice across the wider catchment, which is consistent with the objectives of paragraph 89 of the NPPF.
- 3.34 We provide further consideration of this matter below.

Implications in Respect of Retail Impact

- 3.35 Our retail impact assessment is informed by the household shopper survey which was undertaken across Kirklees Borough by NEMS in February 2013. The household survey remains the current evidence base identifying shopping habits within the Borough and, as such, directly informed the Kirklees Local Plan, which was adopted just last year.
- 3.36 The 2013 household survey is of relevance to the determination of this planning application and is able to appropriately demonstrate that no significant adverse impact would result from the proposed development for the following four reasons.

Reason 1: The Town Centres and Retail Planning Policy Guidance

3.37 The Town Centres and Retail PPG is unequivocal in respect of its recommended approach to the consideration of retail impact for development management purposes.

3.38 Paragraph 017 of the PPG states that:

'The impact test will need to be undertaken in a proportionate and locally appropriate way, drawing on existing information where possible. Ideally, applicants and local planning authorities should seek to agree the scope, key impacts for assessment, and level of detail required in advance of applications being submitted.' (Our emphasis.)

3.39 In this instance, the application proposal seeks planning permission for a food supermarket of a moderate scale, which would meet needs arising in the local area. The quantum of floorspace proposed (1,837 sq.m gross internal area) is substantially below the 2,500 sq.m threshold for impact testing identified by paragraph 89 of the NPPF. Accordingly, in many local authority areas, the magnitude of the impacts arising from the proposal would not even merit consideration in determining the application.

3.40 Whilst we recognise the need to demonstrate compliance with the retail impact test in this particular instance, the use of the 2013 survey is entirely appropriate given the local circumstances, which we address in greater detail below. We note that the use of the survey has already been accepted by Council officers without reservation.

Reason 2: The Lack of Additional Convenience Goods Competition in Mirfield

3.41 A household survey may become less reliable as a consequence of significant changes in grocery provision within a local area. However, this has clearly not occurred in Mirfield.

3.42 The only material change in provision since the household survey was undertaken is that Mirfield's Lidl store has moved to larger premises, approximately 100 metres to the south of the store's previous location. No other substantial changes have occurred and we have made appropriate provision (in accordance with accepted best practice) for the extended Lidl net sales area in estimating its trading performance.

3.43 As a consequence, it is clear that Mirfield has been the subject of relatively stable convenience goods shopping patterns in recent years, which entirely justifies use of the existing evidence base.

Reason 3: The 'Evidence on the Ground'

3.44 We have visited Mirfield and the Co-op store at Huddersfield Road on numerous occasions in advising our client on this planning application³. On each occasion, we found Mirfield to be the subject of a good level of pedestrian footfall, with the Co-op apparently benefitting from a significant amount of trade (with multiple tills in operation at the time of each visit). Only a limited number of trolleys are provided at the store for Co-op customers, which suggests that the principal purpose of the store is to fulfil a 'top up' convenience shopping role (albeit the scale of the store means that it can support larger basket shops, thereby elevating its turnover above that of many Co-op stores).

3.45 Our view in respect of the performance of the Co-op store is also corroborated by observed activity in its car park, which has either been full or substantially occupied on each occasion that we have visited. On visiting around mid-day on 5 April 2019 (which was a dry, if largely unremarkable Friday), the Co-op car park was entirely full, with cars queuing for spaces.

3.46 As such, it would appear that, at busy times, the turnover of the Co-op may be constrained by the capacity of its car park. This type of qualitative issue is often considered indicative of a need for additional provision, and can be given weight in recognising the potential benefits arising from additional retail development.

Reason 4: The Trading Characteristics of the Application Proposal and the Principle of 'Like Competes with Like'

3.47 As our retail impact assessment demonstrates, the principal impacts arising from the application proposal are likely to occur at foodstores which perform a similar role and function. Mirfield residents' choice at present in respect of local grocery shopping provision is essentially between the Co-op (which provides a basic range of grocery goods, with a particular emphasis on branded products, snacks and drink) and Lidl (which provides a format and product range which is more directly comparable to that of the proposed foodstore).

³ Including visits on 5 April 2019, 21 April 2019 and 17 June 2020

3.48 It is therefore important to note that Mirfield's residents already have access to a discount foodstore. If they find such a destination attractive, they will already be visiting the existing Lidl store at Station Road. It is inconceivable that large numbers of shoppers are foregoing the existing Lidl and continuing to shop at the Co-op if their preference is to shop at a discounter. Such a proposition defies logic.

3.49 The purpose of the foodstore proposed by this planning application is clearly to compete in the same market as the existing Lidl.

3.50 This principle is widely accepted in reviewing retail proposals and is enshrined within paragraph 015 of the Town Centres and Retail PPG which states that:

'As a guiding principle impact should be assessed on a like-for-like basis in respect of that particular sector (e.g. it may not be appropriate to compare the impact of an out of centre DIY store with small scale town-centre stores as they would normally not compete directly). Retail uses tend to compete with their most comparable competitive facilities.'

3.51 We have appropriately accounted for this basic principle in undertaking the retail impact assessment, which indicates that the proposal will divert only very limited trade from the existing Co-op foodstore and a far greater level of trade from the existing Lidl foodstore. Importantly, the level of trade diversion from the Co-op will be limited, irrespective of the date of the household survey.

The 'Need' for Additional Grocery Provision in the Mirfield Area

3.52 Whilst we recognise that 'need' is no longer considered as a direct policy test for retail proposals, the identification of significant quantitative need within a given area generally indicates that additional floorspace could be supported without any adverse impact on the ongoing viability of existing retail provision.

3.53 We believe it to be clear that Mirfield is able to accommodate two discount foodstores and a moderately-sized Co-op supermarket.

3.54 In this regard, we note that the Kirklees Retail Study Capacity Study Update of August 2016 found that, even after account is taken of extant retail commitments, there is a very substantial quantitative need for additional convenience goods floorspace within Study Area Zones 4 (within which Mirfield sits).

3.55 Paragraph 5.35 of the 2016 Retail Study Update identifies that, once commitments are accounted for, around:

'...£24.52m residual expenditure will be available at 2016, increasing to £33.59m at 2031. This surplus translates into an immediate requirement for between 1,800 sq.m and 2,900 sq.m net of convenience goods net floorspace at 2016, increasing to between 2,500 sq.m and 3,900 sq.m at 2031.'

3.56 Furthermore, we note that Mirfield is positioned relatively close to the boundary of Zone 8, which accommodates Dewsbury. Paragraph 5.43 of the 2016 Retail Study Update finds that an estimated convenience goods capacity surplus of:

'...£25.29m at 2016, increasing to £33.08m at 2031. This translates to a requirement of between 1,900 sq.m and 3,000 sq.m net at 2016, increasing to between 2,500 sq.m and 3,900 sq.m net at 2031.'

3.57 There has been no subsequent large-scale grocery provision of such a scale that it extinguishes the identified need.

3.58 Our client's proposals have been formulated and progressed in this context. Mirfield is clearly underprovided for in respect of its grocery provision and the application provides a welcome opportunity for more of its needs to be met locally in a highly sustainable manner. Indeed, the proposal itself seeks to respond to local convenience goods shopping needs.

3.59 As a consequence of the long-established requirement for further grocery provision in the area, we believe it to be clear that the benefits associated with the proposal can be delivered without any significant adverse impacts occurring.

Conclusions in Respect of Trade Diversion Impact

3.60 We believe it to be evident in this case that any identified impacts arising within any defined centre as a consequence of the proposal are substantially below the level that could be deemed 'significantly adverse'. This is still the case once the diversion to the extant development at Swan Inn is taken account of.

3.61 The highest identified town centre impact is estimated to be on existing convenience destinations in Mirfield district centre, which when considered together, would equate to a trade diversion impact of approximately -5.4%.

- 3.62 As stated above, we estimate the highest impact to arise at the existing Lidl store located to the south of Mirfield district centre on Station Road. However, based on our own consideration of the trading performance and popularity of the Lidl store, we consider that even with the level of trade diversion predicted the Lidl store would continue to trade very successfully subsequent to the implementation of the proposal. In any event, the store is not located within the defined centre and therefore affords no policy protection.
- 3.63 The level of impact arising at other in-centre destinations is very limited and is not considered to be such that it would materially impact upon any centre's role and general trading performance. In considering impact, we remain of the view that Mirfield is a vital and viable centre, and believe that the Co-op store is well used and able to trade successfully alongside discount food retail provision.
- 3.64 It is important to recognise that the proposal will ensure (in accordance with the aspirations of paragraph 89 of the NPPF) that there is greater consumer choice within the area by providing an alternative destination for residents to meet their main food shopping needs, at a sustainable location which is accessible on foot and by car from Mirfield district centre and the surrounding residential areas.
- 3.65 As a consequence of the above, we believe it to be clear that the impacts arising from the proposal are either very limited or fall at destinations which would continue to trade viably subsequent to the scheme being implemented. There would be no land-use implications arising from the proposal and no material impact on the role and function of any centre. We therefore believe it to be clear that there would be no significant adverse impacts arising from the application.

Summary

- 3.66 The 2013 household survey continues to underpin Kirklees' current retail evidence base. Its relevance in this instance is confirmed both by the Town Centres and Retail PPG and, importantly, by having regard to local circumstances.
- 3.67 There has been very limited change in local grocery retail provision in the Mirfield area since the undertaking of the household survey (principally relating to the Lidl's move to extended premises). Furthermore, the application proposal supports a discount foodstore operation which would directly compete against the existing Lidl store at Station Road in practice. The concept of 'like competes with like' is well established and clearly applies in the context of Mirfield.

- 3.68 Our observations on site (based on numerous site visits conducted at various times) suggest that the Co-op store trades well. Furthermore, our impact assessment demonstrates that any diversion from this store would be relatively limited.
- 3.69 We also note that the Council's own retail evidence base has identified that this part of the Borough should be the subject of additional grocery provision.
- 3.70 The development will result in a higher proportion of available catchment convenience goods expenditure being retained locally within the Mirfield area. Convenience goods retail provision in Mirfield currently claims a total of £25.2m of catchment expenditure. Once the two new schemes at Swan Inn and the application site are taken account of (including allowing for the diversion from existing stores), total convenience goods expenditure retained within Mirfield increases to £30.9m. The increase in local convenience goods expenditure retention will have associated economic benefits to existing operators within Mirfield, along with increasing consumer choice across the wider catchment, which is consistent with the objectives of paragraph 89 of the NPPF.
- 3.71 Given all of the above, we believe that the Council can be extremely confident that the considerable benefits associated with this planning application can be delivered without any significant adverse impacts arising. In particular, we believe that the available evidence indicates that the Co-op would continue to trade alongside the existing Lidl and the proposed additional discount foodstore should planning permission be granted.

4.0 Summary and Conclusion

- 4.1 The purpose of this Addendum is to provide an update to the retail impact assessment to firstly reflect the latest data available but also to respond to queries raised by both committee members and the Co-op at the Planning Committee meeting held in June 2020.
- 4.2 This Addendum is supported by a set of updated quantitative impact tables, which not only utilise the latest population and expenditure data available but also includes the diversion associated with the extant permission for a small scale commercial development at the former Swan Inn site on Huddersfield Road. Furthermore, as part of the Addendum, we have sought to update the sequential test through a review of the sites previously assessed, along with a search for any other potentially suitable sites which may have become available subsequent to the submission of the original application.
- 4.3 To summarise the findings of this Addendum:
- There are no sites within or on the edge of Mirfield or any other defined centre within the catchment which would be both available and suitable to accommodate the proposed development;
 - The 2013 household survey continues to underpin Kirklees' current retail evidence base. Its relevance in this instance is confirmed both by the Town Centres and Retail PPG and, importantly, by having regard to local circumstances;
 - There has been very limited change in local grocery retail provision in the Mirfield area since the undertaking of the household survey (principally relating to the Lidl's move to extended premises). Furthermore, the application proposal supports a discount foodstore operation which would directly compete against the existing Lidl store at Station Road in practice. The concept of 'like competes with like' is well established and clearly applies in the context of Mirfield;
 - Our observations on site (based on numerous site visits conducted at various times) suggest that the Co-op store trades well. Furthermore, our impact assessment demonstrates that any diversion from this store would be relatively limited; and

- We also note that the Council's own retail evidence base has identified that this part of the Borough should be the subject of additional grocery provision.

- 4.4 Given all of the above, we believe that the Council can be extremely confident that the considerable benefits associated with this planning application can be delivered without any significant adverse impacts arising. In particular, we believe that the available evidence indicates that the Co-op would continue to trade alongside the existing Lidl and the proposed additional discount foodstore should planning permission be granted.
- 4.5 Based on the detailed analysis contained within the June 2019 Retail Statement, the additional information within our correspondence dated 6th December 2019 and this Addendum, it is concluded that the proposal accords with the up to date policy provisions of the statutory development plan and national planning policy, including the requirements of the sequential and impact tests as articulated by the NPPF.
- 4.6 Importantly, the proposal would also help improve consumer choice in the area, sustain the active use this brownfield site, and support job creation within Mirfield.
- 4.7 Paragraph 38 of the NPPF commends to decision-makers that they should '**...seek to approve applications for sustainable development wherever possible.**' Given the findings of this Statement and the clear benefits associated with the proposal, we commend to the Council that it grants planning permission for this important development.

Appendix A: Updated Quantitative Impact Assessment Tables

Table 1: Population

Zone	2020	2024
2	62,651	63,575
4	76,220	77,435
8	64,816	65,990
Total	203,687	207,000

Table 2a: Convenience Goods Expenditure Per Capita (2020)

Zone	2018 (inc SFT)	2018 (minus SFT)	2020	2024
2	2,048	1,970	1,949	1,939
4	2,109	2,029	2,007	1,997
8	1,801	1,733	1,714	1,705

Table 3a: Total Convenience Goods Expenditure

Zone	2020	2024
2	122.1	123.3
4	152.9	154.6
8	111.1	112.5
Total	386.1	390.4

Table 3b: Main and Top-up Split at 2020

Zone	Main	Top-up
2	85.5	36.6
4	107.1	45.9
8	77.7	33.3
Total	270.3	115.8

Table 3c: Main and Top-up Split at 2024

Zone	Main	Top-up
2	86.3	37.0
4	108.2	46.4
8	78.8	33.8
Total	273.3	117.1

Notes

- a. Zones based on postcode sectors derived from Kirklees Retail Study 2016
- b. Population estimates at 2020 and 2024 derived from Experian MMG3 2018 data release
- c. Expenditure estimates at 2018 derived from Experian MMG3 2018 data release
- d. Expenditure estimates projected forward in accordance with forecasts set out at Figure 6 of Experian Retail Planner Briefing Note 17

2018 prices

Table 4a: Main Food Convenience Goods Turnover at 2016

Destination	Zone 2 - PCA		Zone 4 - SCA		Zone 8 - SCA		Other Zones	Total
	2016 Est. T/O	% Market Share	2016 Est. T/O	% Market Share	2016 Est. T/O	% Market Share		
Zone 4								
Cleckheaton In and Edge of Centre								
Tesco Superstore, Northgate, Cleckheaton	£0.0	0.0%	£11.93	10.6%	£0.00	0.0%	£4.6	£16.7
Local Shops, Cleckheaton Town Centre	£0.0	0.0%	£0.00	0.0%	£0.00	0.0%	£0.0	£0.0
Heckmondwike In and Edge of Centre								
Lidl, Northgate, Heckmondwike	£0.0	0.0%	£1.19	1.1%	£0.00	0.0%	£0.5	£1.7
Morrisons, Union Street, Heckmondwike	£1.0	1.1%	£43.33	38.5%	£8.32	9.8%	£8.8	£61.5
Local Shops, Heckmondwike Town Centre	£0.0	0.0%	£0.00	0.0%	£1.06	1.2%	£0.0	£1.1
Indoor Market - Heckmondwike	£0.0	0.0%	£1.19	1.1%	£0.00	0.0%	£0.0	£1.2
Mirfield In and Edge of Centre								
Co-operative Food, Huddersfield Road, Mirfield	£0.0	0.0%	£0.84	0.7%	£0.71	0.8%	£0.0	£1.5
Lidl, Station Road, Mirfield	£1.0	1.1%	£3.81	3.4%	£0.00	0.0%	£0.7	£5.5
Tesco Express, Huddersfield Road, Mirfield	£0.0	0.0%	£0.00	0.0%	£0.00	0.0%	£0.0	£0.0
Local Shops, Mirfield District Centre	£0.0	0.0%	£1.41	1.3%	£0.00	0.0%	£0.0	£1.4
Mirfield Outside Centre								
Co-operative Food, Nab Lane, Mirfield	£0.0	0.0%	£0.00	0.0%	£0.00	0.0%	£0.0	£0.0
Co-operative Food, Old Bank Road, Mirfield	£0.0	0.0%	£1.12	1.0%	£0.00	0.0%	£0.0	£1.1
Other Zone 4								
Co-operative Food, Oxford Road, Gomersal	£0.0	0.0%	£0.0	0.0%	£0.0	0.0%	£0.0	£0.0
Co-operative Food, Westfield Lane, Scholes	£0.0	0.0%	£0.00	0.0%	£0.00	0.0%	£0.0	£0.0
Local Shops, Gomersal Local Centre	£0.0	0.0%	£0.0	0.0%	£0.0	0.0%	£0.0	£0.0
Local Shops, Hightown Neighbourhood Centre	£0.0	0.0%	£0.0	0.0%	£0.0	0.0%	£0.0	£0.0
Local Shops, Liversedge	£0.0	0.0%	£0.00	0.0%	£0.00	0.0%	£0.0	£0.0
Local Shops, Scholes (Cleckheaton) Local Centre	£0.0	0.0%	£0.00	0.0%	£0.00	0.0%	£0.0	£0.0
Other								
Aldi, Gallagher Retail Park, Huddersfield	£6.7	7.2%	£0.00	0.0%	£0.00	0.0%	£7.7	£14.4
	£92.8	100.0%	£12.5	100.0%	£5.1	100.0%		

Notes

a. Market share at 2016 calculated by dividing the expenditure attracted to each destination by the total available expenditure in each respective zone from the 2016 Kirklees Retail Study Update

2018 Prices

Table 4b: Top-up Food Convenience Goods Turnover at 2016

Destination	Zone 2 - PCA		Zone 4 - SCA		Zone 8 - SCA		Other Zones	Total
	2016 Est. T/O	% Market Share	2016 Est. T/O	% Market Share	2016 Est. T/O	% Market Share		
Zone 4								
Cleckheaton In and Edge of Centre								
Tesco Superstore, Northgate, Cleckheaton	0.00	0.0%	£5.10	17.1%	£0.0	0.0%	£2.2	£7.3
Local Shops, Cleckheaton Town Centre	0.00	0.0%	£0.77	2.6%	£0.0	0.0%	£0.2	£1.0
Heckmondwike In and Edge of Centre								
Lidl, Northgate, Heckmondwike	0.00	0.0%	£1.71	5.7%	£0.0	0.0%	£0.7	£2.4
Morrisons, Union Street, Heckmondwike	0.00	0.0%	£5.72	19.2%	£1.8	8.3%	£1.2	£8.8
Local Shops, Heckmondwike Town Centre	0.00	0.0%	£0.27	0.9%	£0.0	0.0%	£0.0	£0.3
Indoor Market - Heckmondwike	0.00	0.0%	£0.00	0.0%	£0.0	0.0%	£0.0	£0.0
Mirfield In and Edge of Centre								
Co-operative Food, Huddersfield Road, Mirfield	0.00	0.0%	£1.25	4.2%	£0.0	0.0%	£0.4	£1.6
Lidl, Station Road, Mirfield	0.00	0.0%	£0.89	3.0%	£0.0	0.0%	£0.0	£0.9
Tesco Express, Huddersfield Road, Mirfield	0.00	0.0%	£0.46	1.5%	£0.0	0.0%	£0.3	£0.7
Local Shops, Mirfield District Centre	0.00	0.0%	£1.06	3.5%	£0.6	2.6%	£0.3	£1.9
Mirfield Outside Centre								
Co-operative Food, Nab Lane, Mirfield	0.00	0.0%	£1.04	3.5%	£0.0	0.0%	£0.0	£1.0
Co-operative Food, Old Bank Road, Mirfield	0.00	0.0%	£0.93	3.1%	£0.0	0.0%	£0.0	£0.9
Other Zone 4								
Co-operative Food, Oxford Road, Gomersal	0.00	0.0%	£0.3	0.9%	£0.0	0.0%	£0.0	£0.3
Co-operative Food, Westfield Lane, Scholes	0.00	0.0%	£0.97	3.3%	£0.0	0.0%	£0.0	£1.0
Local Shops, Gomersal Local Centre	0.00	0.0%	£0.7	2.5%	£0.0	0.0%	£0.0	£0.7
Local Shops, Hightown Neighbourhood Centre	0.00	0.0%	£0.0	0.0%	£0.3	1.5%	£0.0	£0.3
Local Shops, Liversedge	0.00	0.0%	£1.12	3.8%	£0.0	0.0%	£0.0	£1.1
Local Shops, Scholes (Cleckheaton) Local Centre	0.00	0.0%	£0.00	0.0%	£0.0	0.0%	£0.4	£0.4
Other								
Aldi, Gallagher Retail Park, Huddersfield	£0.3	1.2%	£0.00	0.0%	£0.00	0.0%	£3.4	£3.7
	£24.7		£29.8		£22.3			

Notes

a. Market share at 2016 calculated by dividing the expenditure attracted to each destination by the total available expenditure in each respective zone from the 2016 Kirklees Retail Study Update

2018 Prices

Table 4c: Total Convenience Goods Turnover at 2016

Destination (Zone 4)	Zone 2 - PCA		Zone 4 - SCA		Zone 8 - SCA		Other Zones	Total
	2016 Est. T/O	% Market Share	2016 Est. T/O	% Market Share	2016 Est. T/O	% Market Share		
Cleckheaton In and Edge of Centre								
Tesco Superstore, Northgate, Cleckheaton	£0.00	0.0%	£17.03	12.0%	£0.00	0.0%	£7.03	£24.1
Local Shops, Cleckheaton Town Centre	£0.00	0.0%	£0.77	0.5%	£0.00	0.0%	£0.22	£1.0
Heckmondwike In and Edge of Centre								
Lidl, Northgate, Heckmondwike	£0.00	0.0%	£2.90	2.0%	£0.00	0.0%	£1.18	£4.1
Morrisons, Union Street, Heckmondwike	£0.99	0.8%	£49.05	34.5%	£10.16	9.5%	£10.06	£70.3
Local Shops, Heckmondwike Town Centre	£0.00	0.0%	£0.27	0.2%	£1.06	1.0%	£0.00	£1.3
Indoor Market - Heckmondwike	£0.00	0.0%	£1.19	0.8%	£0.00	0.0%	£0.00	£1.2
Mirfield In and Edge of Centre								
Co-operative Food, Huddersfield Road, Mirfield	£0.00	0.0%	£2.08	1.5%	£0.71	0.7%	£0.37	£3.2
Lidl, Station Road, Mirfield	£0.99	0.8%	£4.69	3.3%	£0.00	0.0%	£0.71	£6.4
Tesco Express, Huddersfield Road, Mirfield	£0.00	0.0%	£0.46	0.3%	£0.00	0.0%	£0.25	£0.7
Local Shops, Mirfield District Centre	£0.00	0.0%	£2.47	1.7%	£0.57	0.5%	£0.28	£3.3
Mirfield Outside Centre								
Co-operative Food, Nab Lane, Mirfield	£0.00	0.0%	£1.04	0.7%	£0.00	0.0%	£0.00	£1.0
Co-operative Food, Old Bank Road, Mirfield	£0.00	0.0%	£2.06	1.4%	£0.00	0.0%	£0.00	£2.1
Other Zone 4								
Co-operative Food, Oxford Road, Gomersal	£0.00	0.0%	£0.27	0.2%	£0.00	0.0%	£0.00	£0.3
Co-operative Food, Westfield Lane, Scholes	£0.00	0.0%	£0.97	0.7%	£0.00	0.0%	£0.00	£1.0
Local Shops, Gomersal Local Centre	£0.00	0.0%	£0.73	0.5%	£0.00	0.0%	£0.00	£0.7
Local Shops, Hightown Neighbourhood Centre	£0.00	0.0%	£0.00	0.0%	£0.33	0.3%	£0.00	£0.3
Local Shops, Liversedge	£0.00	0.0%	£1.12	0.8%	£0.00	0.0%	£0.00	£1.1
Local Shops, Scholes (Cleckheaton) Local Centre	£0.00	0.0%	£0.00	0.0%	£0.00	0.0%	£0.37	£0.4
Other								
Aldi, Gallagher Retail Park, Huddersfield	£7.00	6.0%	£0.00	0.0%	£0.00	0.0%	£11.10	£18.1
	£117.3		£142.2		£107.3			

Notes

a. Turnover at 2016 derived from adding the main and top-up food turnovers from Tables 4a and 4b

2018 Prices

Table 5: Estimated Convenience Goods Turnover at 2020

Destination	Zone 2			Zone 4			Zone 8			Catchment Area Total	Inflow %	Inflow (£m)	Total (£m)
	Main (£m)	Top-up (£m)	Total (£m)	Main (£m)	Top-up (£m)	Total (£m)	Main (£m)	Top-up (£m)	Total (£m)				
Cleckheaton In and Edge of Centre													
Tesco Superstore, Northgate, Cleckheaton	0.0	0.0	0.0	11.4	7.9	19.2	0.0	0.0	0.0	19.21	29%	7.26	26.46
Local Shops, Cleckheaton Town Centre	0.0	0.0	0.0	0.0	1.2	1.2	0.0	0.0	0.0	1.18	22%	0.32	1.50
Heckmondwike In and Edge of Centre													
Lidl, Northgate, Heckmondwike	0.0	0.0	0.0	1.1	2.6	3.8	0.0	0.0	0.0	3.76	29%	1.40	5.16
Morrisons, Union Street, Heckmondwike	0.9	0.0	0.9	41.2	8.8	50.0	7.6	2.8	10.36	61.31	14%	10.03	71.35
Local Shops, Heckmondwike Town Centre	0.0	0.0	0.0	0.4	0.4	0.4	1.0	0.0	0.97	1.38	0%	0.00	1.38
Indoor Market - Heckmondwike	0.0	0.0	0.0	1.1	0.0	1.1	0.0	0.0	0.00	1.14	0%	0.00	1.14
Mirfield In and Edge of Centre													
Co-operative Food, Huddersfield Road, Mirfield	0.0	0.0	0.0	0.8	1.9	2.7	0.6	0.0	0.65	3.36	12%	0.44	3.80
Lidl, Station Road, Mirfield	0.9	0.0	0.9	3.6	1.4	5.0	0.0	0.0	0.00	5.90	11%	0.73	6.63
Tesco Express, Huddersfield Road, Mirfield	0.0	0.0	0.0	0.0	0.7	0.7	0.0	0.0	0.00	0.71	36%	0.3404	1.05
Local Shops, Mirfield District Centre	0.0	0.0	0.0	1.3	1.6	3.0	0.0	0.9	0.85	3.82	8%	0.35	4.17
Mirfield Outside Centre													
Co-operative Food, Nab Lane, Mirfield	0.0	0.0	0.0	0.0	1.6	1.6	0.0	0.0	0.00	1.60	0%	0.00	1.60
Co-operative Food, Old Bank Road, Mirfield	0.0	0.0	0.0	1.1	1.4	2.5	0.0	0.0	0.00	2.51	0%	0.00	2.51
Other Zone 4													
Co-operative Food, Oxford Road, Gomersal	0.0	0.0	0.0	0.0	0.4	0.4	0.0	0.0	0.00	0.42	0%	0.00	0.42
Co-operative Food, Westfield Lane, Scholes	0.0	0.0	0.0	0.0	1.5	1.5	0.0	0.0	0.00	1.50	0%	0.00	1.50
Local Shops, Gomersal Local Centre	0.0	0.0	0.0	0.0	1.1	1.1	0.0	0.0	0.00	1.13	0%	0.00	1.13
Local Shops, Hightown Neighbourhood Centre	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.5	0.50	0.50	0%	0.00	0.50
Local Shops, Liversedge	0.0	0.0	0.0	0.0	1.7	1.7	0.0	0.0	0.00	1.73	0%	0.00	1.73
Local Shops, Scholes (Cleckheaton) Local Centre	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.00	0.00	100%	0.00	0.00
Other													
Aldi, Gallagher Retail Park, Huddersfield	6.2	0.4	6.6	0.0	0.0	0.0	0.0	0.0	0.00	6.61	61%	6.54	13.16
	3.0	0.4	3.4	61.7	34.3	96.0	9.2	4.1	13.32	117.77		27.41	145.17

Notes

a. Estimated turnover derived from convenience goods market shares set out at Table 4 and assumed available zonal expenditure for 2020 set out at Table 3a

2018 Prices

Table 6: Estimated Convenience Goods Turnover at 2024

Destination	Zone 2			Zone 4			Zone 8			Catchment Area Total	Inflow %	Inflow (£m)	Total (£m)
	Main (£m)	Top-up (£m)	Total (£m)	Main (£m)	Top-up (£m)	Total (£m)	Main (£m)	Top-up (£m)	Total (£m)				
Cleckheaton In and Edge of Centre													
Tesco Superstore, Northgate, Cleckheaton	0.0	0.0	0.0	11.5	7.9	19.4	0.0	0.0	0.0	19.41	29%	7.33	26.75
Local Shops, Cleckheaton Town Centre	0.0	0.0	0.0	0.0	1.2	1.2	0.0	0.0	0.0	1.19	22%	0.33	1.52
Heckmondwike In and Edge of Centre													
Lidl, Northgate, Heckmondwike	0.0	0.0	0.0	1.1	2.7	3.8	0.0	0.0	0.0	3.80	29%	1.42	5.22
Morrisons, Union Street, Heckmondwike	0.9	0.0	0.9	41.7	8.9	50.6	7.7	2.8	10.50	62.00	14%	10.15	72.15
Local Shops, Heckmondwike Town Centre	0.0	0.0	0.0	0.0	0.4	0.4	1.0	0.0	0.98	1.40	0%	0.00	1.40
Indoor Market - Heckmondwike	0.0	0.0	0.0	1.1	0.0	1.1	0.0	0.0	0.00	1.15	0%	0.00	1.15
Mirfield In and Edge of Centre													
Co-operative Food, Huddersfield Road, Mirfield	0.0	0.0	0.0	0.8	1.9	2.7	0.7	0.0	0.65	3.40	12%	0.44	3.84
Lidl, Station Road, Mirfield	0.9	0.0	0.9	3.7	1.4	5.0	0.0	0.0	0.00	5.96	11%	0.73	6.70
Tesco Express, Huddersfield Road, Mirfield	0.0	0.0	0.0	0.0	0.7	0.7	0.0	0.0	0.00	0.71	36%	0.3441	1.06
Local Shops, Mirfield District Centre	0.0	0.0	0.0	1.4	1.6	3.0	0.0	0.9	0.87	3.87	8%	0.35	4.22
Mirfield Outside Centre													
Co-operative Food, Nab Lane, Mirfield	0.0	0.0	0.0	0.0	1.6	1.6	0.0	0.0	0.00	1.62	0%	0.00	1.62
Co-operative Food, Old Bank Road, Mirfield	0.0	0.0	0.0	1.1	1.5	2.5	0.0	0.0	0.00	2.54	0%	0.00	2.54
Other Zone 4													
Co-operative Food, Oxford Road, Gomersal	0.0	0.0	0.0	0.0	0.4	0.4	0.0	0.0	0.00	0.42	0%	0.00	0.42
Co-operative Food, Westfield Lane, Scholes	0.0	0.0	0.0	0.0	1.5	1.5	0.0	0.0	0.00	1.52	0%	0.00	1.52
Local Shops, Gomersal Local Centre	0.0	0.0	0.0	0.0	1.1	1.1	0.0	0.0	0.00	1.14	0%	0.00	1.14
Local Shops, Hightown Neighbourhood Centre	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.5	0.50	0.50	0%	0.00	0.50
Local Shops, Liversedge	0.0	0.0	0.0	0.0	1.7	1.7	0.0	0.0	0.00	1.74	0%	0.00	1.74
Local Shops, Scholes (Cleckheaton) Local Centre	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.00	0.00	100%	0.00	0.00
Other													
Other	6.2	0.4	6.7	0.0	0.0	0.0	0.0	0.0	0.00	6.68	61%	6.56	13.24
	6.1	0.0	1.8	62.4	34.7	97.0	9.9	4.2	13.50	112.38	-	21.10	133.48

Notes

a. Estimated turnover derived from convenience goods market shares set out at Table 4 and assumed available zonal expenditure for 2024 set out at Table 3a

2018 Prices

Table 7: Estimated Proposal Convenience Goods Turnover at 2024

	Gross Internal Area (sq.m)	Net Sales Floorspace (sq.m)	Net Convenience Floorspace (sq.m)	Sales Density	Turnover at 2020	Turnover at 2024
Convenience Floorspace	1,837	1,254	1,003	10,165	10.2	10.2
Comparison Floorspace			251	6,525	1.6	1.9
Total	1,837	1,254	1,254	-	11.8	12.1

Notes

- a. Proposal foodstore net sales area based on our understanding of operational requirements
- b. Convenience and comparison goods sales density for proposal foodstore based on company averages of Aldi and Lidl as derived from Verdict 2018 and Mintel Retail Rankings 2018
- c. Turnover of units to 2024 adjusted in accordance with recommendations provided at Figures 4a and 4b of Experian Retail Planner Briefing Note 17

2018 Prices

Table 8a: Uplift in Turnover of Lidl, Mirfield at 2024 (uplift in floorspace)

	Gross Internal Area (sq.m)	Net Sales Floorspace (sq.m)	Net Convenience Floorspace (sq.m)	Sales Density	Turnover at 2020	Turnover at 2024
Convenience Floorspace	1,502	807	646	9,814	6.3	6.4
Comparison Floorspace			160	5,830	0.9	1.1
Total	1,502	807	806	-	7.3	7.4

Notes

- a. Proposal foodstore net sales area based on our understanding of operational requirements
- b. Convenience and comparison goods sales density for proposal foodstore based on company average of Lidl as derived from Verdict 2018 and Mintel Retail Rankings 2018
- c. Turnover of units to 2024 adjusted in accordance with recommendations provided at Figures 4a and 4b of Experian Retail Planner Briefing Note 17

2018 Prices

Table 8b: Turnover of Swan Inn Commitment

	Gross Internal Area (sq.m)	Net Sales Floorspace (sq.m)	Net Convenience Floorspace (sq.m)	Sales Density	Turnover at 2020	Turnover at 2024
Swan Inn Commitment			-	-	1.3	1.3
Swan Inn Commitment			70	3,500	0.2	0.3
Total					1.5	1.6

Notes

- a. Net Sales Area taken from Application Drawings (Reference 2019/94003)
- b. In order to adopt a robust position, we have assumed that both the largest unit and one other proposed could accommodate convenience goods retail
- c. Sales density for largest convenience unit in the Swan Inn commitment taken from application documents. The smaller unit is an assumed average based on the likely format of operator
- d. Turnover of units to 2024 adjusted in accordance with recommendations provided at Figures 4a and 4b of Experian Retail Planner Briefing Note 17

2018 Prices

Table 9: Estimated Trade Diversion

Destination	Survey Derived Pre-Development Turnover at 2024	Trade Diversion to Relocated Lidl		Adjusted Pre-Development Turnover Post Lidl at 2024	Trade Diversion to Swan Inn Proposal		Adjusted Pre-Development Turnover Post Lidl and Swan Inn at 2024	Trade Diversion to Proposal		Post Development Turnover	Impact
		%	£m		%	£m		%	£m		
Cleckheaton In Centre											
Tesco Superstore, Northgate, Cleckheaton	26.75	0.0%	0.00	26.75	0.0%	0.00	26.75	0.0%	0.00	26.75	0.0%
Local Shops, Cleckheaton Town Centre	1.52	0.0%	0.00	1.52	0.0%	0.00	1.52	0.0%	0.00	1.52	0.0%
Heckmondwike In Centre											
Morrisons, Union Street, Heckmondwike	72.15	30.0%	1.91	70.24	5.0%	0.08	70.16	20.0%	2.05	68.11	3.0%
Local Shops, Heckmondwike Town Centre	1.40	0.0%	0.00	1.40	0.0%	0.00	1.40	0.0%	0.00	1.40	0.0%
Indoor Market - Heckmondwike	1.15	0.0%	0.00	1.15	0.0%	0.00	1.15	0.0%	0.00	1.15	0.0%
Heckmondwike Edge of Centre											
Lidl, Northgate, Heckmondwike	5.22	10.0%	0.64	4.58	0.0%	0.00	4.58	5.0%	0.51	4.07	11.2%
Mirfield In Centre											
Co-operative Food, Huddersfield Road, Mirfield	3.84	10.0%	0.64	3.20	6.0%	0.10	3.11	1.5%	0.15	2.95	7.8%
Tesco Express, Huddersfield Road, Mirfield	1.06	0.5%	0.03	1.03	2.5%	0.04	0.99	0.5%	0.05	0.94	8.9%
Local Shops, Mirfield District Centre	4.22	0.5%	0.03	4.19	1.0%	0.02	4.17	1.0%	0.10	4.07	2.8%
Mirfield Edge of Centre											
Lidl, Station Road, Mirfield	6.70	0.0%	0.00	13.07	15.0%	0.24	12.83	50.0%	5.12	7.71	41.0%
Mirfield Outside Centre											
Co-operative Food, Nab Lane, Mirfield	1.62	0.5%	0.03	1.58	5.0%	0.08	1.50	0.5%	0.05	1.45	8.2%
Co-operative Food, Old Bank Road, Mirfield	2.54	6.0%	0.38	2.15	5.0%	0.08	2.07	0.5%	0.05	2.02	6.1%
Other Zone 4											
Co-operative Food, Oxford Road, Gomersal	0.42	0.0%	0.00	0.42	0.0%	0.00	0.42	0.0%	0.00	0.42	0.0%
Co-operative Food, Westfield Lane, Scholes	1.52	0.0%	0.00	1.52	0.0%	0.00	1.52	0.0%	0.00	1.52	0.0%
Local Shops, Gomersal Local Centre	1.14	0.0%	0.00	1.14	0.0%	0.00	1.14	0.0%	0.00	1.14	0.0%
Local Shops, Hightown Neighbourhood Centre	0.50	0.0%	0.00	0.50	0.0%	0.00	0.50	0.0%	0.00	0.50	0.0%
Local Shops, Liversedge	1.74	0.0%	0.00	1.74	0.0%	0.00	1.74	0.0%	0.00	1.74	0.0%
Local Shops, Scholes (Cleckheaton) Local Centre	0.00	0.0%	0.00	0.00	0.0%	0.00	0.00	0.0%	0.00	0.00	0.0%
Other Destinations											
Aldi, Gallagher Retail Park, Huddersfield	13.24	12.0%	0.76	12.47	0.0%	0.00	12.47	10.0%	1.02	11.45	8.2%
Other Destinations		30.5%			60.0%	0.95		11.0%	1.13		
		100.0%			100.0%			100.0%	10.25	138.91	

Notes

- Estimated turnover derived from convenience goods market shares set out at Table 4 and assumed available zonal expenditure for 2024 set out at Table 3a
- Estimated trade diversions are Nexus' professional judgements based on shopping patterns, nature of existing destination and proximity to the proposed development.
- Diversion to Lidl taken Directly from the Submitted Retail Statement and diversion to Swan Inn commitment takes account of the proximate petrol filling stations and the locations the proposal will likely divert trade from in practice
- Post development turnover calculated by deducting the trade diversion from the survey derived turnovers
- Gross floorspace figures for existing stores taken from VOA where available. Net figures calculated using Verdict Global Data averages
- Sales densities for existing foodstores taken from Verdict GlobalData 2018.

2018 prices

Appendix B: Correspondence Dated 6th December 2019

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Eastgate
2 Castle Street
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Manchester M3 4LZ

nexusplanning.co.uk

For the attention of Adam Walker

Date: 6 December 2019
Ref: 32962

Dear Sir/Madam

Outline Planning Application Reference 2019/60/92221/E, Proposed Class A1 Foodstore, Huddersfield Road, Mirfield, WF14 9DA

Response to Pegasus Group Submission on Behalf of Co-operative Group Limited

Introduction

We write on behalf of our client, Morbaine Limited, with regard to the proposed redevelopment of the Kenmore Caravans site at Huddersfield Road in Mirfield and with specific reference to Pegasus Group's submission on behalf of Co-operative Group Limited (hereafter referred to as 'the Co-op').

Whilst the submission runs to 19 pages, in practice it identifies only a limited number of issues where there is any material difference between our client's position and that of the Co-op. We address these in turn below. At the outset, we note that the Co-op's submission finds that there is no sequentially preferential site to accommodate the application proposal, which means that the focus of its response is the application of the retail impact test.

As such, we first consider the methodological matters raised in the submission before then considering their relevance to the principal issue, i.e. would any significant adverse impact likely arise as a consequence of the proposed development?

Matter 1: The Household Survey and the Turnover of Existing Stores

Paragraph 3.5 of the submission notes that household shopper surveys tend to overestimate expenditure at large shops and underestimate expenditure at smaller shops, as they rely on the recall of respondents during a telephone interview. We do not disagree with this observation, and would also add that in asking respondents to recall the destinations that they last visited to undertake 'main' and 'top up' shopping some types of food shopping may not be fully identified.

The Co-op also raises this matter at paragraph 3.7 of its submission, which states that:

'It is important to treat with some caution the distinction between main food shopping and top-up shopping which is used in the 2013 household survey. It is now widely recognised that people are shopping more frequently for food and becoming more flexible in their shopping patterns: using convenience stores, limited range discounters and supermarkets interchangeably for similar kinds of shopping trip. With the decline in weekly shopping trips in large supermarkets people are topping up with food shopping more frequently during the week at a variety of stores, especially for fresh or chilled foods or prepared meals.'

The corollary of the above is that there is a possibility that the household survey may overstate the performance of large food superstores somewhat, but understate the turnover of smaller supermarkets (such as the Co-op) which perform an 'intermediate' role catering for day-to-day shopping needs that often take the form of a basket shop.

Two matters are of direct consequence to the above.

Firstly, the Co-op's submission effectively suggests that smaller foodstores and supermarkets (of the type found within Mirfield district centre) may trade more strongly than the household survey suggest. If this is the case, the impacts identified in the submitted retail impact assessment may well be indicative of a 'worst case scenario' given that retailers in Mirfield would benefit from existing higher turnovers and, therefore, be better positioned to trade alongside additional competition. We have visited Mirfield on numerous occasions in recent months and believe the Co-op store at Huddersfield Road to be a popular destination, with queues often apparent in its car park.

Secondly, given that relying on the existing household survey does not provide the applicant with any advantage in demonstrating compliance with the impact test, its use is entirely consistent with paragraph 017 of the Town Centres and Retail Planning Practice Guidance which indicates that the NPPF impact test should be applied in a **'...proportionate and locally appropriate way, drawing on existing information where possible.'**

Matter 2: The Extension to the Lidl Store

Paragraph 6.14 of the Co-op submission suggests that there is a discrepancy in our approach, given that the applicant's retail impact assessment deals with the relocation and extension of the Mirfield Lidl store by adding the uplift in turnover (calculated with reference to the estimated benchmark performance of additional floorspace) to the turnover claimed by the existing store.

This approach is often used in calculating the turnover of extended and relocated stores, and is appropriate in this case given that the Lidl store has moved just across the road.

Notwithstanding the above, we also note that paragraph 6.14 of the submission erroneously suggests that the consequence of our approach is that the convenience goods turnover of the Lidl is £7.3m at 2023. However, as is evident from Table 9 of the submitted Planning and Retail Statement this figure actually relates to the uplift in turnover and we estimated that the Lidl will have a total turnover of circa £13.0m at 2023, prior to the implementation of our client's proposed development.

This matter is of fundamental importance in understanding our retail impact assessment, given that the application proposal seeks to provide direct competition to the Lidl store and would undoubtedly divert a large proportion of its turnover from it.

Matter 3: Patterns of Trade Diversion

Paragraph 6.17 and 6.18 of the Co-op submission suggest that the submitted retail impact assessment diverts too much trade from main food shopping destinations and not enough from smaller convenience stores. However, as noted above, the Co-op's submission is predicated on a misunderstanding in respect of the estimated turnover of the Lidl store. If the likely turnover of the Lidl is underrepresented, then so too will any assumptions made by the Co-op in respect of the likely quantum of turnover that would be diverted from this store.

We believe that our estimated turnover for the Lidl store is realistic (and is less than the turnover of some other similar Lidl stores in comparable locations). We also believe it to be very clear that the application proposal would compete principally against this store and other stores used for main food shopping.

We believe that this is entirely logical and reflective of the established principle (referred to in paragraph 015 of the Town Centre and Retail PPG) that like competes with like. In this instance, whilst some trade will be diverted from smaller stores, the vast majority will be diverted from the Lidl store and other destinations able to support larger food shopping trips.

In this regard, our approach is also broadly consistent with that accepted by the Council in considering the likely impacts arising from the replacement Lidl store (planning permission reference 2015/94112).

Implications in Respect of Retail Impact

As outlined above, we believe that the principal matters raised by the Co-op in respect of our approach in estimating retail impact either fail to demonstrate that the actual impacts arising from the proposal would be greater than those identified in the submitted Planning and Retail Statement, or are based on an inaccurate interpretation of the submitted retail impact tables. We do not believe that any part of the submission demonstrates that our approach is incorrect or provides any information which suggests that the ongoing vitality and viability of Mirfield district centre could be prejudiced as a consequence of the application proposal.

In considering impact, we remain of the view that Mirfield is a vital and viable centre, and believe that the Co-op store is well used and able to trade successfully alongside discount food retail provision.

Other Matters

In addition to the above, we are aware that there is a Post Office counter within the Co-op store. Whilst we believe that there will be no material impact on the viability of the Co-op and Post Office counter as a consequence of the proposed development, we note that a recent court judgment¹ has confirmed that consideration may need to be given by the determining authority to the implications of a proposal on community facilities in accordance with the provisions of paragraph 92 of the NPPF.

Paragraph 92 fails to provide a clear policy test but indicates that planning decisions should plan positively for the provision of community facilities and services, and guard against the unnecessary loss of valued facilities and services.

In this case, the application proposal would have no impact on the ongoing operation of the Post Office

¹ R (Patel) v Dacorum Borough Council [2019] EWHC 1234 (Admin)

counter and we ask the Council appropriately accounts for this fact in the Officer's report and in determining the application.

Conclusions

We note that the Co-op submission confirms that there is no sequentially available site to accommodate the application proposal.

In respect of impact, we believe that the matters raised by the submission either demonstrate that the trading position of convenience goods retailers in Mirfield may well be stronger than that assumed by Nexus Planning in undertaking the retail impact assessment (making it likely more resilient in respect of any impact) or are based on an erroneous interpretation of the submitted impact tables.


We have visited Mirfield on numerous occasions in advising on this planning application and on each visit the Co-op at Huddersfield Road has been well used (with the car park being at capacity on some occasions). We believe that it would be the subject of a relatively limited trade diversion impact and would continue to trade successfully subsequent to the implementation of the application proposal. We do not believe that any part of the Co-op's submission provides evidence which could lead to the Council forming a contrary view.

As such, we remain of the opinion that the application proposal would be consistent with all relevant national and local planning policy, and that it would increase local consumer choice and support local jobs.

In accordance with paragraph 38 of the NPPF, which commends decision-makers to approve applications for sustainable development wherever possible, we ask that planning permission be granted for this important development.

We trust that the above is helpful to the Council in finalising its view on the application, but we would be happy to provide additional information in respect of the above matters should this be of assistance.

Yours faithfully



Richard Shepherd
Director

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