

Consultation Response from KC Policy
2021/90060 adj, 9, Station Road, Marsden, Huddersfield, HD7 6BS
Erection of take-away food outlet (within a Conservation Area)
Date Responded:
Responding Officer:
Responding Ref:

This application is for the erection of a 23 sq. m take-away food outlet (Use Class Sui Generis) on land adjacent to 9 Station Road, Marsden, Huddersfield, HD7 6BS. The site used to be a beer garden for the former Swan public house, which was converted to a mix of town centre uses. The site is located approximately 65m from Marsden District Centre (DCB7) as designated in the Kirklees Local Plan which was adopted on 27th February 2019.

LP13 – Town Centre Uses
Part A

Part A of Policy LP13 states that District Centres should be a local focus for basic financial services, food and drink, entertainment, leisure and tourist facilities and health services. This means that the proposed use would be acceptable in Marsden District Centre.

Part B – Sequential Test

Part B of Policy LP13 states that proposals which come forward for main town centre uses which are located outside of the defined centre boundaries will require the submission of a Sequential Test. Main town centre uses should be first located in the defined centres, then edge of centre locations and only if there are no suitable sites shall out of centre locations be considered. The NPPF defines edge of centre locations as being within 300m of a centre and this site qualifies as an edge of centre location.

Further detail on the Sequential Test is provided in paragraph 9.12 of the Local Plan and it states that the Sequential Test will need to provide evidence on the following:

- The business model for the development.
- An appropriate catchment that the business will seek to serve in accordance with the Shopping Centre Hierarchy Table
- An appropriate audit trail of any sequentially preferable sites that have been discounted with a robust justification.

The last occupancy survey for Marsden District Centre in October 2020 found that there was one sequentially preferable site at 20 to 26 Peel Street however, the site is significantly larger than the proposed development and should be discounted. The applicant also needs to demonstrate that no other sites have come available in Marsden since October and that there are no available premises in any other shopping centre within the proposed catchment of the business.

Part C – Impact Assessment

Due to the small scale of the proposal, an Impact Assessment will not be needed for the proposed development.

LP16 – Food and Drink Uses and the Evening Economy

Policy LP16 states that proposals for food and drink will be supported so long as they are located within a defined centre and subject to ensuring the concentration of food and drink uses are not located in a particular centre or part of a centre where they would result in harm to the character, function, vitality and viability of the centre, either individually or cumulatively. LP16 also requires the submission of a Sequential Test for this proposal.

The 2020 occupancy survey in Marsden recorded 31 shop units within the boundary. The composition of shop units recorded is as follows:

Unit Type	Number
Convenience	6
Comparison	10
Retail Service	2
Leisure Service	12 (of which 2 are hot food takeaways)
Financial & Business Service	0
Vacant Outlets	1
TOTAL	31

Of the 12 shop units recorded as leisure service, 2 are hot food takeaways which equates to 6.5% of retail units in Marsden District Centre. If the proposal was implemented, this would take the number of hot food takeaways in the area to 9.7% of units. Kirklees Council are unaware of any unimplemented planning permissions for hot food takeaways in or around the edge of Marsden District Centre. Overall, this proposal would not result in an overconcentration of hot food takeaways.

Whilst this proposal may not result in an overconcentration of hot food takeaways in Marsden, regard still also must be had to criteria b to g of policy LP16 with regards to harm arising from the proposed development.