

**Consultation Response from KC Policy****2023/90421 Commercial Inn, 43, Church Street, Paddock, Huddersfield, HD1 4UB****Conversion of public house to create 5 flats and 2 retail units and associated works****Date Responded:****Responding Officer: NR****Responding Ref:**

These comments relate to amendments and additional information provided by the applicant in response to Policy comments on the original proposals. Instead of providing a new retail development, the new proposal will convert the entire ground floor to apartments. Whilst the proposals for the basement and first floor apartments remain unchanged, the removal of the proposed retail unit will result in the following residential provision:

- Towards the front of the premises, there will be an 81 sq. m two-bedroom apartment instead of the 42 sq. m studio apartment,
- Towards the rear of the premises, there will be a 96 sq. m three-bedroom apartment instead of a 67 sq. m two-bedroom apartment.

**LP13 – Town Centres**

With the retail element being removed from the proposal, the proposal is no longer subject to the requirements of the sequential test.

**LP48 – Community facilities and services**

With regards to the original submission, the applicant cited the Paddock Institute and Conservative Club along with Rising Sun Public House as ‘adequate alternative provision’ that would fulfil the requirements of criterion c in Policy LP48. It was advised that due to the political associations of the Conservative Club and the Rising Sun PH potentially being a private members’ club, these facilities were not considered to be adequate alternative provision and therefore, criterion c was not met. In terms of criterion b, it was advised that further evidence would be required to demonstrate that reasonable attempts had been made to actively market the premises for sale or lease.

In response to this advice, the applicant has sent an e-mail advising that the pub closed in around 2012 and that there is no demand for public houses in the area as evidenced by the closures of competing public houses such as The Angel, The Royal Oak (which closed around 2014), the Tam O’Shanter and The Shop. The applicant also cites other issues such as the unfavourable economic circumstances and has also stated that the pub was on sale for several months.

Paragraph 17.17 in the Local Plan states that applicants will normally be required to provide evidence covering the results of reasonable attempts to actively market the land or premises for sale or lease, at existing use value to demonstrate that there is no longer a need for the facility. 17.18 goes on to state that information will be required for licensed premises including the last 3 years of trading accounts with a breakdown of the percentages of income from food and drink. The applicant has provided information on the marketing of the premises and with the pub having been closed for more than 10 years, it would not be possible to fulfil the requirements of paragraph 17.18. Taking these considerations into account, it is considered that the use of the pub is no longer commercially viable and therefore criterion b of Local Plan Policy LP48. Therefore, the proposed change of use is in accordance with LP48.

**Residential Units**

Policy comments on Principle 16 in the Housebuilders’ Design Guide SPD have already been provided on the basement and first floor apartments so the amended proposals for the ground floor only need to be considered in this instance. With the ground floor apartments:

- The two-bedroom apartment would exceed the space standard for a single-storey two-bedroom apartment dwelling 4 residents.

- The three-bedroom apartment would meet the space standard for a single-storey, three-bedroom dwelling accommodating 6 residents.