

**Consultation Response from KC,
Policy**
2023/92462 The Dale Inn, 408, Wakefield Road, Denby Dale, Huddersfield, HD8 8RP
Erection of retail unit with first floor flat with external access stair
Date Responded: 10/01/24
Responding Officer: JB
Responding Ref:

This application relates to a proposed development for a mixed-use building comprising of a shop unit on the ground floor and a two-bed flat on the first floor. The building would be erected in the car park area to the adjacent former public house.

The site is unallocated and is situated approx. 40m from the nearest centre (DCB3 Denby Dale District Centre).

Principle of the development

Principle of housing

LP7 Efficient and effective use of land and buildings

Local Plan Policy LP7 (Efficient and effective use of land and buildings) states that proposals should encourage the efficient use of previously developed land and encourage the reuse or adaptation of vacant and underused properties, which this development proposes.

Policy LP7 also states that developments should achieve a net density of 35 dwellings per hectare if appropriate.

As the site is under 10 dwellings there is no requirement to provide affordable housing.

Principle of the retail unit

Local Plan Policy LP13 – Town Centre Uses

The site is located approx. 40m walking distance from the nearest defined centre which is Denby Dale District Centre (DCB3). The application proposes a 'Class E retail unit' on the ground floor. The size of the unit would be approx. 73m² and an such an impact assessment would not be required. The Class E retail unit is a main town centre use and Policy LP13 criteria B is therefore relevant.

B. Sequential Test - 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. For retail proposals the boundary shall form the Primary Shopping Area; for all other main town centre uses this shall be the extent of the centre boundary. Main town centre uses shall 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. For offices and small scale proposals in non urban areas, the sequential approach will not be required for proposals of 150 square metres and under.*

The scope and content of any Sequential Test shall be agreed with the council and shall be reflective of the scale, role and function of the proposal.

Proposals which fail to pass the sequential test will not be supported.

As the proposal includes a main town centre use in an edge of centre location that is not ancillary to the overall operation, the applicant is required to pass a sequential test to satisfy the policy.

The scope of the sequential test should be agreed with the council being reflective of the scale, role and function of the proposal, and will be expected to provide evidence on; the business model for the development and appropriate catchment that the business would seek to serve in accordance with the Shopping Centre Hierarchy Table, and an appropriate audit trail of any sequentially preferable sites that have been discounted with a robust justification.

Design

Careful consideration should be given to the design quality of this proposed development in accordance with Local Plan policy LP24 (Design) and the design principles set out in the council's Housebuilders Design Guide SPD. This includes sensitively respecting and enhancing local character, high standards of residential amenity, such as minimum space standards, integrating green infrastructure and accessible open space, net biodiversity gain, walking and cycling and road connections, materials and detailing, and how the proposal in terms of energy efficiency contributes to the council's ambition to have net zero carbon emissions by 2038.

The following criteria from Local Plan policy LP24 are applicable:

- a) the form, scale, layout and details of all development respects and enhances the character of the townscape, heritage assets and landscape;
- b) they provide a high standard of amenity for future and neighbouring occupiers; including maintaining appropriate distances between buildings and the creation of development-free buffer zones between housing and employment uses incorporating means of screening where necessary;
- c) extensions are subservient to the original building, are in keeping with the existing buildings in terms of scale, materials and details and minimise impact on residential amenity of future and neighbouring occupiers;
- d) high levels of sustainability, to a degree proportionate to the proposal;
- e) the risk of crime is minimised by enhanced security, and the promotion of well-defined routes, overlooked streets and places, high levels of activity, and well-designed security features;
- f) the needs of a range of different users are met, including disabled people, older people and families with small children to create accessible and inclusive places;
- g) any new open space is accessible, safe, overlooked and strategically located within the site and well-integrated into wider green infrastructure networks;
- h) development contributes towards enhancement of the natural environment, supports biodiversity and connects to and enhances ecological networks and green infrastructure;

Conclusion

The proposal is for a mixed-use residential and retail development in an edge of centre location. The potential development should seek to satisfy residential/design standards as set out in Local Plan policy LP24 and the Housebuilder Design Guide SPD. The retail element of the proposal would need to satisfy Local Plan policy LP13 by passing a sequential test. The scope of the sequential test should be agreed with the Council and shall be reflective of the scale, role and function of the proposal.