Consultation Response from KC, Policy

2023/92597 John Shaw And Son Ltd, Canker Lane Garage, Leeds Road, Huddersfield, HD2 1XT

Change of use from B2 to Class E, Conversion of existing car garage to retail unit

Date Responded: 18/01/24
Responding Officer: JB
Responding Ref:

This application relates to a change of use of a B2 commercial vehicle garage to a Class E retail unit with external alterations at Canker Lane Garage, Leeds Road, Huddersfield.

The Local Plan Strategy and Policies should be fully considered; however, the following response relates to specific Local Plan policies which are of relevance to the proposal, other policies that are not mentioned here may also apply.

Local Plan Policy LP13 – Town Centre Uses

The site is located approx. 1200m walking distance from the nearest defined town centre which is Huddersfield Town Centre (TCB1) and 1100m walking distance from the nearest local centre which is Hillhouse Local Centre (LCB21). The proposed use is for a Class E retail unit which would be used for the display and sale of beds and mattresses. The unit would comprise 430m2 of retail floorspace with parking to the external area. The proposed retail use is a main town centre use. Policy LP13 criteria B is relevant in this case.

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 out of centre location, the applicant is required to pass a sequential test to satisfy the policy.

The applicant has submitted a sequential test document which sets out the business model and the minimum floor space requirement of 268m2 with additional back-of-house office and storage. They state there is a requirement for an open floor plate in order to display the beds/mattresses. The sequential test states that typical town centre 'cellular room arrangements' are inappropriate for the sale of the applicant's products. It also states that an out of centre location on the periphery of the town centre 'frees up central commercial space for more appropriate day-to-day local needs'.

No suggestion of an appropriate catchment for the business or a list of discounted sites has been provided. The council is aware of Wilko's becoming available in Huddersfield town centre and there may also be other suitable and available units located in more sustainable locations. It is considered therefore that the provided justification is inadequate to pass a sequential test.

Given the proposed use of the unit for the sale of beds and mattresses, and the proposed floorspace of 430m2 we would expect a reasonable catchment to include Huddersfield Town Centre (TCB1) itself

as well as the district centres of Huddersfield comprising of Lindley District Centre (DCB6), Marsh District Centre (DCB8), Milnsbridge District Centre (DCB10), Almondbury District Centre (DCB1) and Moldgreen District Centre (DCB12).

The applicant should therefore undertake a search of the above centres for suitable and available units, taking into account flexibility in format and scale, and provide an appropriate audit trail of any sequentially preferable sites that have been discounted with a robust justification.

The proposal does not meet the threshold to require a retail impact assessment to be undertaken in accordance with LP13 criteria C.

Conclusion

The proposal is for a change of use of a B2 commercial vehicle garage to a Class E retail unit and therefore represents a main town centre use in an out of centre location. The submitted justification is inadequate to satisfy the requirements of a sequential test and as such the applicant would be required to undertake a search for suitable and available units within the centres detailed above, taking into account flexibility in format and scale, and provide an appropriate audit trail of any sequentially preferable sites that have been discounted with a robust justification in order to satisfy policy LP13.