

Consultation Response from KC Policy
2024/90305 Herbert Brown House, 50-52 Whiteley Street, Milnsbridge, Huddersfield, HD3 4LT
Change of use from Class B2 Industrial unit to Class E(d) Indoor sport & recreation (cricket coaching facility) (within a Conservation Area)
Date Responded: 11/04/2024
Responding Officer: NR
Responding Ref:

This application is for the change of use of 733 sq. m of floorspace from an industrial unit (Use Class B2 – general industry) to a cricket coaching facility (Use Class E (d) – indoor sport and recreation) at Herbert Brown House, 50-52 Whiteley Street, Milnsbridge, Huddersfield, HD3 4LT. The site is located within a Priority Employment Area (PEA75 – Radcliffe Road, Milnsbridge, Huddersfield) and is approximately 180m from the nearest designated centre at Milnsbridge District Centre (DCB10) as designated in the Kirklees Local Plan which was adopted on 27th February 2019. The Local Plan should be fully considered; however, the following response relates to specific Local Plan policies which are of particular relevance to the proposal and other policies that are not mentioned here may also apply.

Currently, the unit is vacant having previously been occupied by an industrial use. The proposed change of use would convert the building to an indoor cricket coaching facility with the ground floor accommodating a reception and changing area along with two smaller practice pitches whilst the first floor would accommodate three full size practice pitches. Indoor sport and recreation uses are defined as a main town centre use in the National Planning Policy Framework (NPPF); therefore, this site has to be assessed against Policy LP13 in the Kirklees Local Plan and with the site being located in a PEA, it also has to be considered against Policy LP8 in the Kirklees Local Plan.

LP8 – Safeguarding Employment Land and Premises

Part 1 of this policy states Proposals for development or re-development for employment generating uses (as defined in the Glossary) in Priority Employment Areas will be supported where there is no conflict with the established employment uses (as defined in the Glossary) in the area. In instances where the site is out of centre and the proposal includes main town centre uses then policy LP13 will need to be applied. Leisure uses such as the one proposed provide jobs and in the case of this application, there would be three full-time jobs and two part-time jobs (4 full-time equivalent jobs). With the premises currently being vacant, the creation of jobs would represent an improvement in this regard. The proposal can therefore be considered to be an employment generating use providing it does not conflict with the established uses in the PEA.

LP13 – Town Centre Uses
Part A

This states that the role and function of District Centres like Milnsbridge is to provide a range of shopping for everyday needs and serving specialist markets and to be a local focus for basic financial services, food and drink, entertainment, leisure and tourist facilities and health services. With the proposed use being a leisure use, it is considered that it would be an appropriate use in Milnsbridge 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 shall first be 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.

Paragraph 9.12 in the Kirklees Local Plan advises that sequential tests shall provide the following information:

- The business model for the development

- An appropriate catchment that the business would 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.

Because the site is located 180m from the boundary of Milnsbridge District Centre, it is considered to be in an edge-of-centre location and the applicant has included a Sequential Test in their submission. In their statement, they state that the business model of the proposed use is to provide indoor cricket coaching and that enough floorspace to accommodate 5 pitches along with space for reception and changing areas. The applicant also requires good levels of natural light exposure, sufficient height and width to meet ECB guidelines on indoor cricket nets along with level floors, access for all and parking. The applicant has established Huddersfield as the catchment area for the business and has considered the following sites in their sequential test, within a 3-mile radius of the application site:

- **Silver Street, Aspley, Huddersfield** – whilst Silver Street is also considered to be an edge-of-centre location, the applicant has explained that the premises could only accommodate three pitches and would therefore be too small to accommodate the proposed use.
- **Turnbridge Mills, Old Leeds Road, Huddersfield** – whilst this site is closer to the boundary of Huddersfield Town Centre, the premises the applicant considered would be too small (because one site could only accommodate 3 lanes whilst another could only accommodate 4 lanes) and there is no space for other facilities.
- **Hagg Wood Industrial Estate, Woodhead Road, Honley** – this site should be discounted because it is more than 300m from the nearest designated centres which is an out of centre location and is therefore sequentially less preferable.
- **Blackmoorfoot Road, HD4 5AQ** – this site should also be discounted because it is more than 300m from the nearest designated centre at Blackmoorfoot Road (LCB8) which is an out of centre location and is therefore sequentially less preferable.
- **Tanyard Road, Milnsbridge, HD3 4NB** – whilst this site could accommodate the five lanes required by the applicant, they have explained that the landlord offered to subdivide the building so that it would be an appropriate size for the requirements of the applicant. However, the landlord has subsequently decided to let the building as one unit and would therefore be too large for the proposed use and therefore should be discounted.
- **Unit C, Bankwell, Milnsbridge** – this site should be discounted because it around 400m from Milnsbridge District Centre and is in an out-of-centre location which is sequentially less preferable. Property websites and the Address Gazetteer also appear to suggest that the premises are now occupied.

In addition to this, Kirklees have also carried out their own assessment of premises in the Huddersfield area using the latest occupancy data (the most recent surveys for Town and District Centres were undertaken in 2023 and 2022 for Local Centres). The occupancy data shows that there are no sequentially preferable sites available within nearby designated centres which have an appropriately sized floorplate to accommodate the proposed development. Property websites such as Rightmove and Zoopla have also been considered and there are no sites available on these either.

Part C – Retail Impact Assessment

Because the proposal provides a floorspace greater than 500 sq. m gross and is not within a defined centre, a retail impact assessment will normally be required for such a proposal and the applicant has not included one in their submission. However, the provision of alternative indoor cricketing facilities in Kirklees has been assessed by Planning Policy who are aware that indoor cricket coaching facilities are also available at Total Indoor Cricket Solutions in Thongsbridge and that the sports hall at Huddersfield New College also provides cricket nets. However, in the case of the New College site, the facilities are part of a wider sports offer and may not always be available for indoor cricket coaching. Both facilities are also located outside of designated centres so it is considered that there

are no indoor cricket facilities located within designated centres that could be negatively impacted by the proposed development.

It is also considered that the proposed use could also generate linked trips with visitors and customers using the proposed facilities also going to Milnsbridge District Centre to use the shops and services within the centre and contributing to the centre's vitality and viability. Overall, it is considered that the proposed change of use would not have an adverse impact on the vitality and viability of Milnsbridge District Centre and other nearby centres.

Use Class E

It should be noted that under Class E, the proposed use could be changed to other uses within Use Class E (such as retail and other leisure uses) which could undermine the vitality and viability of nearby defined centres without needing a new planning application. It will therefore be necessary to have in place a restrictive planning condition that will prevent changes of use to other uses within Use Class E.

LP50 – Sport and physical activity

This policy states that support will be given to proposals which expand and enhance the range of indoor leisure facilities on offer in the district provided this does not conflict with other Local Plan policies. It has already been established that the proposal is within the definition of town centre uses and the relevant assessment regarding town centre uses is set out above.

Conclusion

To summarise, it is considered that the proposed use would provide an employment generating use in a Priority Employment Area and there are no alternative premises within a sequentially preferable location that could accommodate the proposed use. It is also considered that the proposed use would not harm the vitality and viability of nearby designated centres, therefore, the sequential test and retail impact assessments have been passed. It will also be necessary to include a restrictive condition preventing changes of use to other uses within Use Class E.