

**Consultation Response from KC,
Policy**
2025/92955 Unit 9 To 10, Birstall Shopping Park, Holden Ing Way, Birstall, Batley, WF17 9DT
Formation of mezzanine floor and associated external alterations
Date Responded: 14/11/25
Responding Officer: JB
Responding Ref:

The application is for a new mezzanine floor creating additional floorspace at Unit 9 -10, Birstall Shopping Park, Birstall. The site is currently occupied by DFS. These Policy comments only relate to the application of Policy LP13 for the retail sequential test and impact assessment, and other policies may be relevant for consideration by the Planning Officer.

The application would provide an additional gross internal area of 1,152m², comprising 976m² of sales space and 171m² of staff/back-of-house facilities. In total, the overall store floorspace will increase from 1,895 m² GIA to 2,980 m² GIA.

The applicant has provided a Planning Statement which sets out the retail sequential test and impact assessment to support the proposal.

Sequential Test search parameters:

- Batley, Birstall, Heckmondwike and Cleckheaton centres have been identified as the catchment
- An existing building of circa 2,980 m² gross in good condition to ensure occupation and conversion to furniture retail provision. Such a unit should have a footprint of circa 1,828 m² gross with the ability to incorporate a mezzanine floor.
- Large open plan format with good internal heights; and
- Availability of car parking adjacent to building.

Policy response

Given the scale and nature of the proposal for an extension to the existing DFS store to provide enhanced shopping provision, the parameters above are considered appropriate and reasonable. It is likely that the catchment for the store would be the main larger centres set out above. The floorspace and store layout requirements are reasonable as they relate to the operational requirements for a furniture store, and it is accepted that parking facilities are important for the functioning of the business.

The applicant has provided an audit of potential stores in the relevant centres and has concluded there are none that are suitable and available for the proposed use. Policy have carried out a desktop search of commercial property lettings/sale websites and have also concluded there are no available and suitable stores in the agreed area of search, that meet the requirements of the applicant, even accounting for flexibility in scale and format. The proposal can be therefore considered to have passed the sequential test.

Retail Impact Assessment

Given the scale of the proposals to create at least 500m² of retail floorspace in an out of centre location, there is a requirement to pass a retail impact assessment.

The relevant centres to be considered for the impact assessment are as set out above (Batley, Birstall, Heckmondwike and Cleckheaton).

The applicant has submitted information relating to the existing retail makeup of the relevant centres, including potential competing units and an assessment of the health of these centres in order to understand any potential trade diversion caused by the application. The conclusion is that there are no

direct competitors within these centres and that the only main competitors that could be impacted by the proposals are other out of centre furniture stores, which have no policy protection.

In this instance the conclusions are considered to be appropriate and reasonable, and given the scale of the proposals to provide increased floorspace at an existing business, it is not expected to lead to any significant harm to the vitality and viability of the relevant centres.