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TOWN CENTRE USES JUSTICATION

37-39 Union Street

Dewsbury

WF13 1AS

Proposal
Change of Use of Offices on Ground Floor (Use Class E) to 2 No. Self-Contained Residential Flats (Use Class C3) (1 bed – 1 person), Replacement of Existing Shopfront to Aluminium Shopfront, Alterations to Openings to Rear, and Provision of Cycle Storage and Bin Storage.

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1.0 INTRODUCTION

This Justification is submitted on behalf of the applicant who owns the property at 37-39 Union Street in the Town Centre of Dewsbury. The application focuses on the vacant ground and first floors of the building which have previously been used as offices.

The application site relates to a two-storey flat roofed square shaped end terraced building positioned on the corner of Union Street and Croft Street in the Town Centre of Dewsbury. The ground and first floor are currently vacant and have previously been used as Offices (Class E) by Qualtech Resourcing. The property is empty and vacant and has been for about 1.5 years.

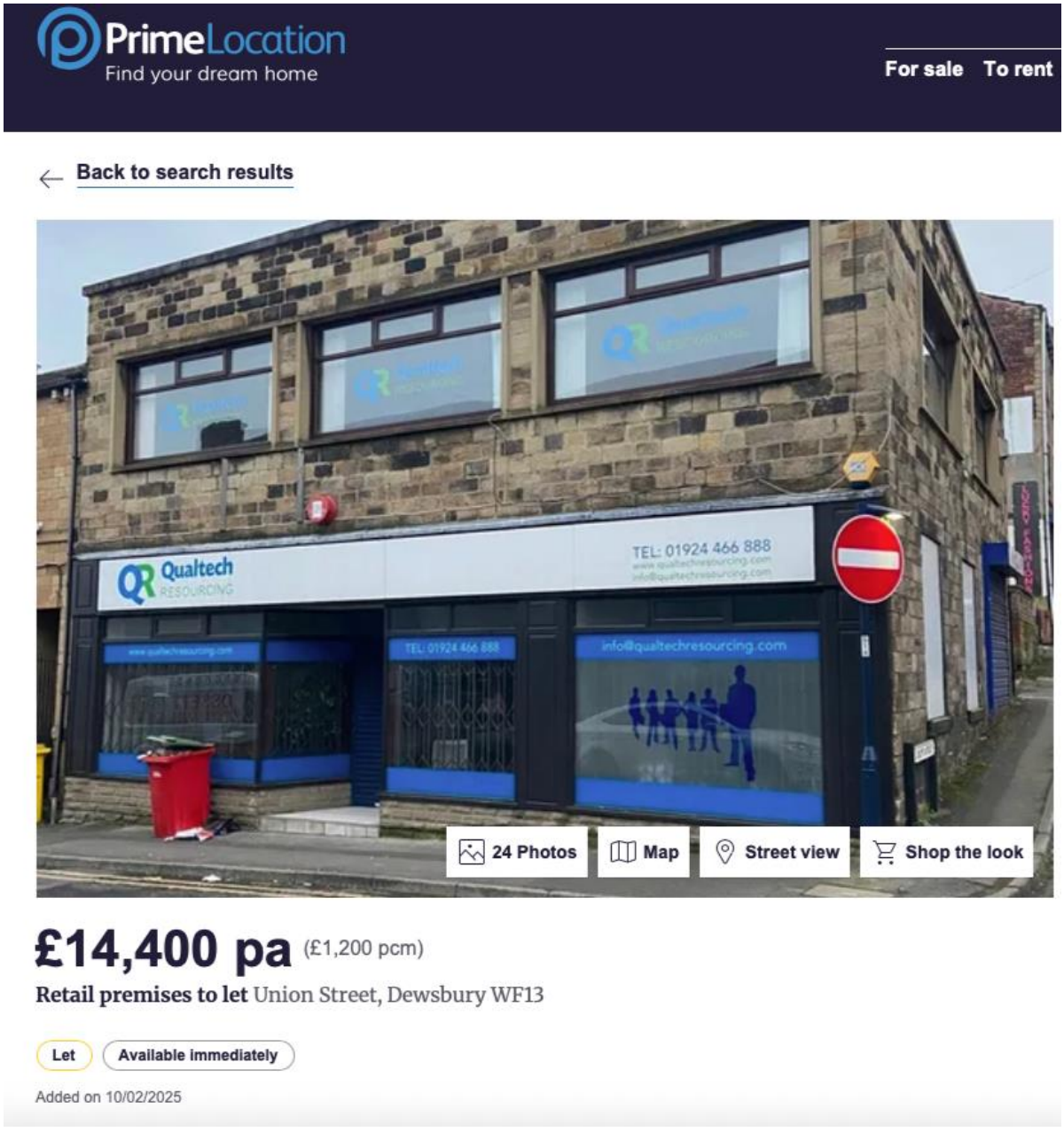
The building has recently been purchased by the applicant through auction, and there is little desire in this particular area of the town centre for it to be used for Class E purposes, therefore residential uses similar to those around the site is being proposed in this instance which helps regeneration of the town centre and makes use of an empty building.

Policy

In the context of the **Kirklees Local Plan**, policies LP13 and LP15 direct the development of town centres to maintain their economic health and activity levels. To address these policies, evidence that the ground floor cannot realistically support a "main town centre use" (such as retail or office) is provided below.

2.0 MARKET FAILURE

The below provides evidence that the whole building including the ground floor has been actively marketed for a period of at least 1 - 1.5 years for its intended town centre use (class E) at a realistic price for a reasonable period without success.



The ads below show the property has been available to rent as commercial space (office/retail), with separate ground floor and first floor availability or, with agents listing various figures like £1,200-£1,500+pcm and specific terms

ZOOPLA Buy Rent House prices Find agents New homes Agent valuation

← Back to search results



Let

£14,400 pa £1,200 pcm

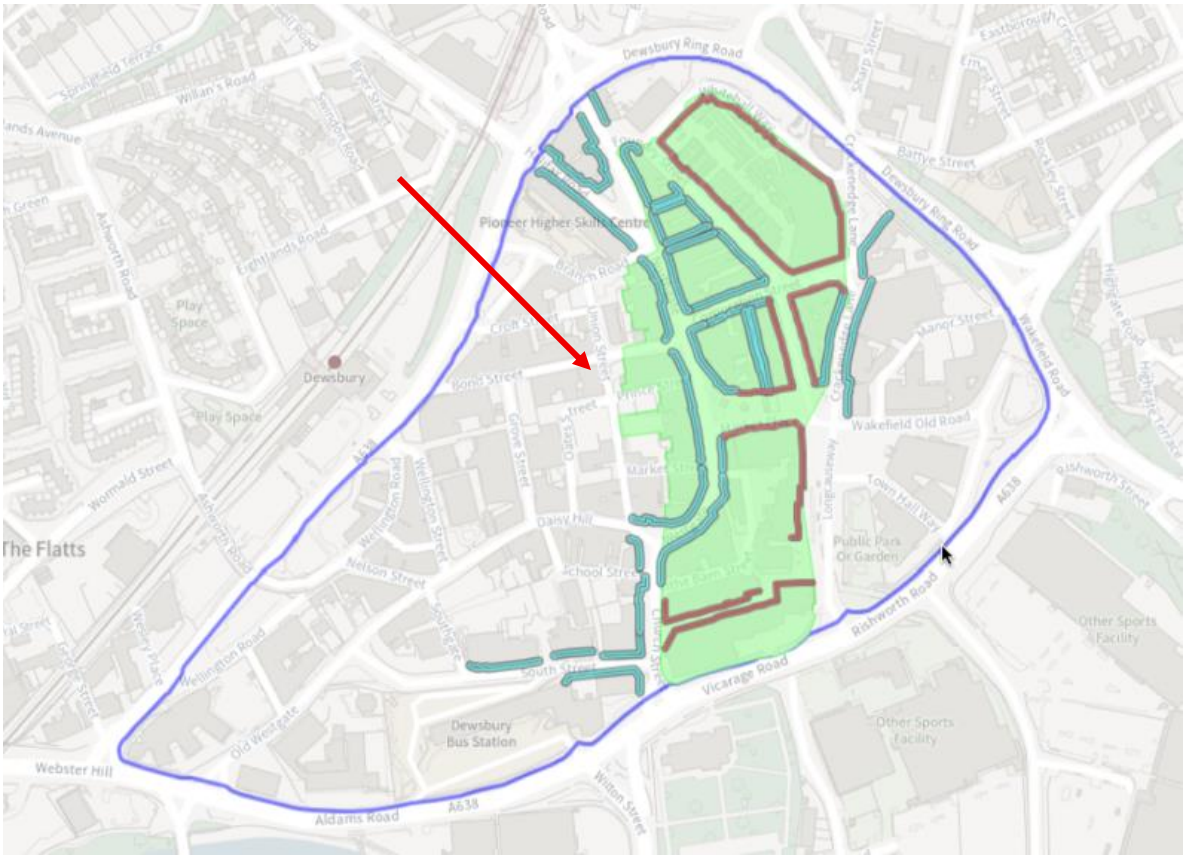
Retail premises to let

Union Street, Dewsbury WF13

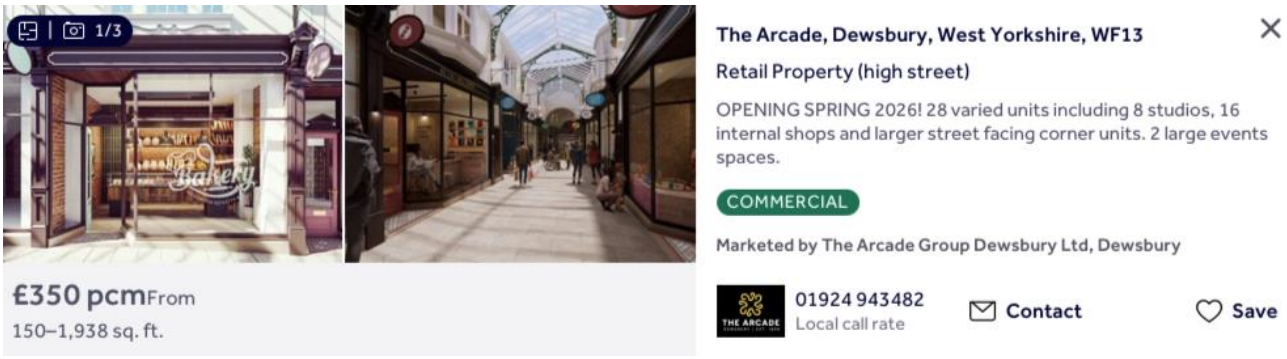
Available immediately

3.0 SEQUENTIAL TEST

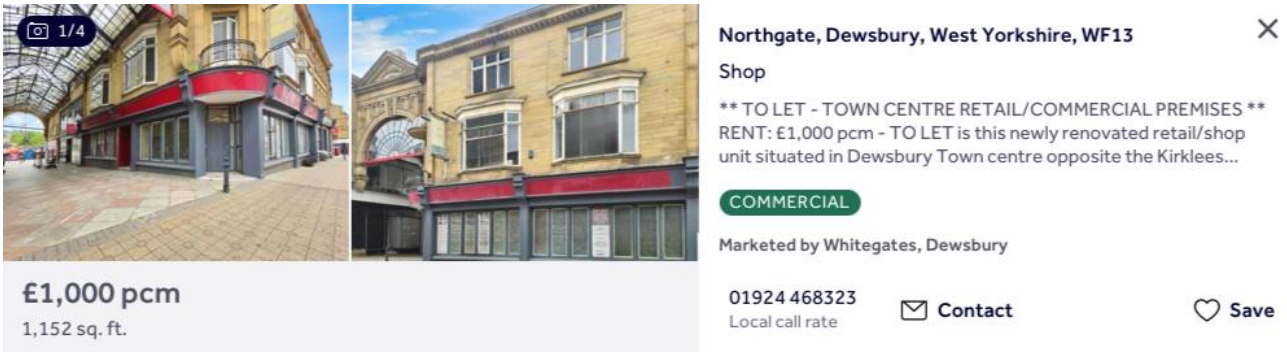
This shows that there are other suitable sites that would contribute more effectively to the town centre's active frontage or pedestrian footfall and which are available and advertised, these include premises in the Primary and Secondary frontages located more central to the town centre which should take precedence over this site and frontage. See available properties below;



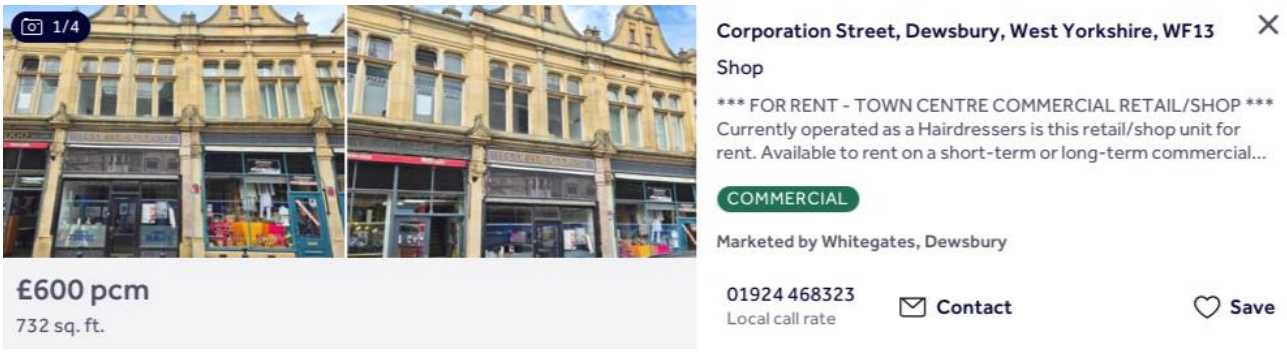
2.3 **Above:** Image taken from the Local Plan Proposals Map; The application site is located within the Dewsbury Town centre boundary but otherwise unallocated. The site is outside of the Primary Shopping Area (Green) and does not form a main shopping frontage (blue and red lines).



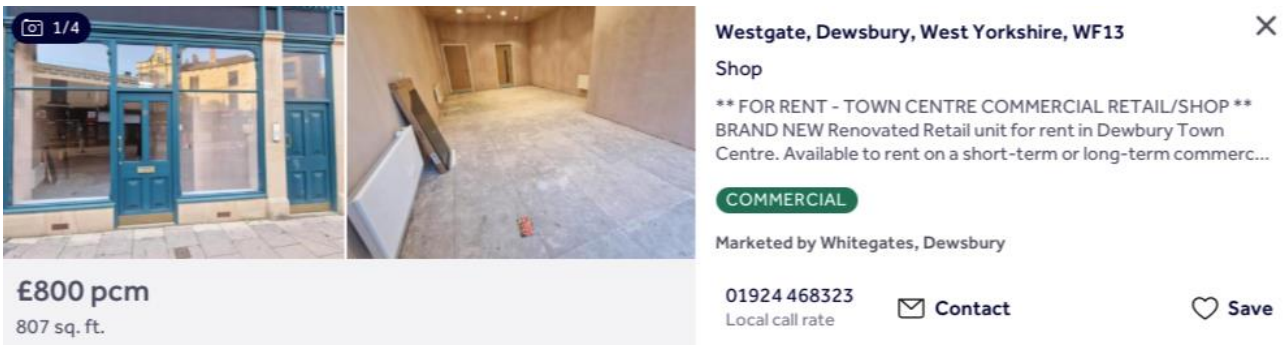
Above: Regeneration of the Arcade is underway which a number of units available for Rent.



Above: This site is positioned within the main shopping area.



Above: This site is positioned within the main shopping area.



Above: Located in the main shopping area.



Above: Located in the main shopping area.



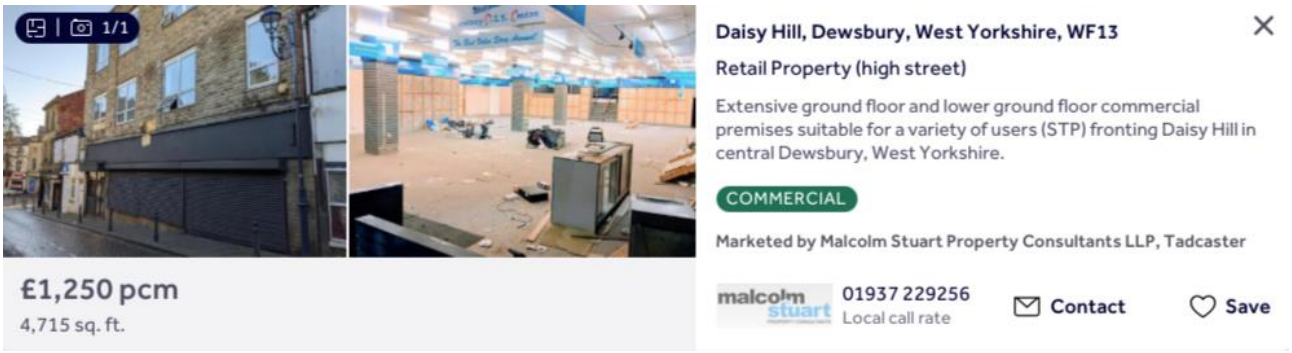
Above: Site in primary frontage area.



Above: Secondary frontage.



Above: Located in the main shopping area.



Above: Mian town centre area

4.0 ASSESSMENT

Part **c** of Policy LP15 specifically concerns the impact of residential conversions on the retail core and town centre operations. In. order to comply, the following has been addressed:

- **Loss of Active Frontage:**

  It is considered that losing the commercial ground floor won't harm the street's character or attractiveness to pedestrians. The main building frontage would be retained, only the use would change. This is mainly a residential area of the town centre and a quieter area in terms of core retail such as shops and restaurants. This is considered a side street which does not link directly into the town centre.

- **Impact on the Retail Core:**

  It is considered the specific location is no longer suitable for commercial use It does not lead to an "adverse impact" on the surrounding town centre economy. As evidenced above, there are numerous other retail units available and advertised in a more central location. These units would and should take precedence above this particular location.

  The available units are in Primary and Secondary frontages which are in more predestinies areas with considerable footfall. This explains why this site has had extremely limited interest since going on the market. As such the proposed development would not detrimentally impact on the retail core.

  In addition to the above, given existing more central units are struggling to attract businesses, the proposed residential use should therefore be supported in bringing a Town centre building back to purpose which may help provide more footfall in the town centre and help regeneration as supported by the National Planning policy Framework.

- **Amenity Conflicts:**

  The potential conflicts between new residential occupants and existing town centre activities (e.g., late-night noise or business operations) will be managed and limited, this is a generally quiet side street in mainly residential location of the centre. Nevertheless, a Noise Impact Assessment is submitted as part of this proposal to ensure amenity conflicts do not arise.

5.0 CONCLUSION

It has been demonstrated that the proposed development can be carried out in full compliance with the Council's polices in the Local Plan and the National Planning Policy Framework. The development would provide a good quality residential development which would bring a positive contribution into the area of Dewsbury Town Centre without creating a significant detrimental impact on the Core retail function.

In addition, the development would bring an existing property that requires investment back into an appropriate use, providing an enhancement to the building and the surrounding area. As such the proposal should be supported in full by the Council.

When considering future development, the Council should take a positive approach that reflects the presumption in favour of sustainable development contained in the NPPF. It will work proactively with applicants jointly to find solutions, which means that proposals can be approved wherever possible, and to secure development that improves the economic, social, and environmental conditions in the area.