

HEARING STATEMENT

NJL CONSULTING ON BEHALF OF COAL PENSION PROPERTIES LTD

KIRKLEES LOCAL PLAN HEARING SESSIONS
MATTER 7 - RETAIL NEEDS & DELIVERY
SEPTEMBER 2017

Signing off Sheet

Client: Coal Pension Properties Ltd
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1.0 Introduction

- 1.1 This Hearing Statement has been prepared by NJL Consulting ('NJL') on behalf of Coal Pension Properties Ltd in relation to Matter 7 'Retail Needs & Delivery' of the Kirklees Local Plan hearing sessions.
- 1.2 This Statement covers only those issues which we comment on at this stage in direct response to the Main Issues & Questions (MIQs) document issued by the Inspector. However, we reserve the right to provide additional comments on any matter should the Council submit additional evidence or information.
- 1.3 LaSalle Investment Management is the investment manager for Coal Pension Properties Ltd which owns Leeds Road Retail Park. They have continually invested in the retail park and are committed to doing so in the future. In light of this long term interest, NJL previously submitted representations on behalf of Coal Pension Properties Ltd, to the Publication Draft Local Plan (December 2016).
- 1.4 Nick Pleasant of NJL Consulting will appear at relevant hearing sessions.

2.0 Hearing Statement – Matter 7

Does the Plan set out a positively prepared strategy for the delivery of retail development, which is justified, effective and consistent with national policy? (Policy PLP 13 (section A only), PLP17, PLP18)

2.1 For ease of reference we discuss in turn, below, questions 'a' to 'f' raised within Matter 7 in the Inspectors MIQs.

Question a) Is the assessment of future retail floorspace needs in the Council's Retail Capacity Study Update (2016) (LE36) soundly based and justified? Should these figures be identified in the Plan?

2.2 Overall, it is imperative that Kirklees plan to meet retail needs in full (as would be expected for residential or employment uses). In this context 'BP15 – Town Centres Technical Paper' ('BP15'):

"... identifies that at 2016 there is a quantitative need for convenience goods floorspace in Kirklees of between 4,400sqm and 6,800sqm. This need is estimated to rise to between 5,700 to 8,900sqm by 2021, and between 7,300 and 11,400sqm in 2026, and between 8,900sqm and 13,800sqm in 2031..."

In terms of the comparison goods sector... After taking account of existing commitments, this [capacity] equates to a quantitative need for comparison goods net floorspace of between 4,500sqm and 9,100sqm at 2021 increasing to between 42,500sqm and 85,000sqm at 2031."

2.3 These conclusions are drawn from Kirklees Retail Capacity Study Update (2016) which was re-issued in September 2017 (LE36.1) as part of the Local Plan hearing process. This document includes the most up to date/ revised figures on retail need.

2.4 In this context, National Planning Policy Framework (NPPF) Paragraph 23 states local authorities should:

"Allocate a range of suitable sites to meet the scale and type of retail, leisure, commercial, office, tourism, community and residential development needed in town centre. It is important that needs for retail leisure, office, and other main town centre uses are met in full and are not compromised by limited site availability."

2.5 Given the importance of delivering aspirational, but realistic, Local Plans (as advocated in the NPPF) which plan positively for development in an area and are based on sound evidence, PLP13 should include future floorspace requirements.

2.6 The identified requirement, which already accounts for planned development, should be reflected in the retail hierarchy. It follows that one approach to meet this need is to identify additional centres (such a 'commercial centre' at Leeds Road Retail Park) where certain forms of development are appropriate.

Question b) Is there capacity in defined centres, on edge of centre sites or within existing urban areas to accommodate this scale of retail growth over the Plan period? If not, how/where will retail growth be accommodated? Are there implications for Green Belt boundaries and locations?

- 2.7 The current retail strategy (at PLP13 and PLP17) does not provide a clear framework for delivering retail growth in Kirklees and Huddersfield in particular.
- 2.8 The Kirklees Retail Capacity Study Update (2016) ('KRCSU') identifies unmet retail need through the plan period. In this context, only two 'town centre uses' sites are identified in Huddersfield, both of which are mixed use proposals with limited retail floorspace (Site MX2101 Land east of Southgate; and MX1906 Land north of Trinity Street).
- 2.9 There is no evidence to demonstrate suitable sites in Huddersfield, a Principal Town Centre and focus for high quality comparison retail goods, can accommodate forecasted retail growth over the Plan period. Although there is scope for natural 'churn' of floorspace and a certain element of windfall allowance there appears limited scope, in the Local Plan, for significant town centre expansion to meet this need.
- 2.10 In order to avoid greenfield and/or Green Belt release for retail development PLP13 should direct additional retail development that cannot be met in the town centres to existing retail locations, such as Leeds Road Retail Park. PLP13(A) should therefore identify, in the retail hierarchy, 'Commercial Centres' as locations where retail growth can be sustainably accommodated.

Question c) Do Policies PLP 17 and 18 provide sufficient clarity regarding the role of the forthcoming Area Action Plans and the delivery of retail growth in Huddersfield and Dewsbury town centres?

- 2.11 The Local Plan should identify key locations where additional retail needs (identified above) can be met. Policies PLP17 and PLP18 are unclear on how future retail growth can be accommodated within existing town centres.
- 2.12 Although mixed use allocations are identified in Huddersfield (Site MX2101 Land east of Southgate; and MX1906 Land north of Trinity Street) only limited retail floorspace is envisaged in these locations. Local Plan policies generally, and Policy PLP17 specifically, do not provide clearly set out the role of the forthcoming Area Action Plans and the delivery of retail growth.
- 2.13 This reinforces the importance of identifying other locations as Commercial Centres for retail development. Locations, such as Leeds Road Retail Park, can accommodate retail growth. The suggested approach and benefits of Commercial Centres are considered in detail under question 'e' (below) in the context of the retail hierarchy.

Question d) What quantum of retail development is anticipated on the mixed use allocation sites within Huddersfield town centre? (sites MX1906 and MX2101)?

- 2.14 We have no particular comment on Question d at this time.

Question e) Is the list of defined centres and their role and function, as set out in Policy PLP 13 (section A), appropriately framed and justified? Is the hierarchy consistent with the role of Huddersfield and Dewsbury as outlined in Policies PLP 17 and 18?

- 2.15 For the reasons noted below, we consider the current retail hierarchy can be updated to ensure it meets retail growth across the plan period.
- 2.16 Our representations on the retail hierarchy (PLP13(A)) will have implications for later hearing sessions on retail policies within PLP13(B) and PLP13(C). However, for consistency with MIQs, this section of the hearing statement considers PLP13(A) only.
- 2.17 Nevertheless, if the Local Plan is to identify 'Commercial Centres' (as advocated below) Policies PLP(B) and PLP(C) will need to be revised to reflect this approach.

Background

- 2.18 Our previous representation did not object to the retail hierarchy or function of centres. However, Inspector MIQ point to a Local Plan retail hierarchy which does not meet the needs identified in its evidence base (the Retail Study and subsequent Update). Accordingly, the Inspector is correct to question whether the hierarchy is appropriate.
- 2.19 Under the current Local Plan iteration there is no site specific designation for existing retail parks, yet the Kirklees Retail Capacity Study Update (2016) ('KRCSU') 'BP15 – Town Centres Technical Paper' ('BP15') recognises the role of such destinations in fulfilling a particular customer need.
- 2.20 Policy PLP13(A) should be framed to meet full retail needs in Kirklees (and specifically Huddersfield), including identifying suitable sites. Given the level of retail capacity identified in BP15 and the KRCSU, we propose retail hierarchy changes to identify Leeds Road Retail Park as a 'Commercial Centre'.

Leeds Road Retail Park

- 2.21 Leeds Road Retail Park contains circa 18,500sqm of lawful A1 retail uses and is an established retail destination in Huddersfield and wider Kirklees area. It has been considered, by Kirklees, as an appropriate location for retail development and supporting uses through the grant of planning permission for 3no pod units (A1/A3 Use), a drive-thru restaurant unit and allowance of food sales from the Staples Unit.
- 2.22 The retail park is in a sustainable location, adjacent main private and public transport routes and within walking distance of the town centre and a sizeable residential population to the north of Huddersfield.
- 2.23 It plays an important role accommodating retail units which cannot be located within existing centres and provides a valuable facility within the Huddersfield urban area. It serves a local need, including for people who work close by who link commuting trips.

Retail capacity and sites in Kirklees

- 2.24 Local Plan evidence documents (i.e. KRCSU and BP15) identify retail capacity through the plan period, particularly in Huddersfield (KRCSU Zone 1). However, latest Local Plan

does not then identify suitable sites to accommodate this unmet retail requirement. There is clear potential within the Local Plan to identify additional retail sites.

Benefits of a 'Commercial Centre'

- 2.25 Commercial Centres supplement the retail hierarchy by accommodating retail uses which cannot ordinarily locate within 'traditional' centres. Grouping retail uses, for example in a Commercial Centre, is more sustainable than standalone facilities which could emerge if retail growth remains unmet.
- 2.26 Notwithstanding these evident sustainability benefits, there are notable retail market and development benefits which support this approach.
- 2.27 Retail parks typically cater for specific market requirements. Conversely, higher order centres (such as Huddersfield) contain a mix of units with lower order centres containing smaller units. As such, retail parks meet a retail need.
- 2.28 As noted above, the Local Plan notes the "*important role*" of retail parks in meeting shopping needs. In this context, larger retail parks, such as Leeds Road Retail Park, should be designated as Commercial Centres
- 2.29 Therefore, Commercial Centres complement and support the overall retail 'offer' by providing a range of retail uses and unit sizes which cannot be readily accommodated within a town centre or lower order centre. This retains customer expenditure that would otherwise be lost to competing centres and retail destinations in competing local authority areas (such as Leeds, Calderdale and Wakefield).
- 2.30 The retail park enhances the retail offer in Huddersfield and has benefited from recent investment. Accordingly, it would be a sustainable location to accommodate some of the large footprint retail requirements that form part of the needs of the Borough as identified in the Retail Study. Designating it as a Commercial Centre is an appropriate way to direct suitable retail development which cannot be met in the defined town centres, in a sustainable form.
- 2.31 Such an approach would not undermine existing traditional 'centres' as which remain the focus for new retail development, thus maintaining vitality and viability. Allocating 'Commercial Centres' allows the local authority to sustainably plan for retail needs.

Question f) What additional Local Centres are anticipated over the Plan period?

- 2.32 We have no particular comment on Question f.

3.0 Conclusion

- 3.1 Policy PLP13(A) as currently framed does not accommodate the scale of retail growth envisaged over the Plan period and does not identify how or where retail growth will be accommodated.
- 3.2 Local Plan evidence documents and Technical Notes identify retail capacity in Kirklees (and specifically Huddersfield) throughout the plan period. However, at this stage, the Local Plan does not provide a strategy to meet this available capacity.
- 3.3 One such approach to meeting need is to identify existing retail destinations, such as Leeds Road Retail Park, as 'Commercial Centres' where certain forms of retailing (and supporting uses) are considered appropriate.
- 3.4 Policy PLP13(A), in respect of the retail hierarchy, should be amended to introduce 'Commercial Centres' which include Leeds Road Retail Park.
- 3.5 Additionally, amendments to PLP13(A) will have undoubted implications for PLP13(B) and (C), which address the retail sequential test and retail impact matters. Later hearing sessions (and subsequent statements) will confirm our comments in respect of these later items.