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24th January 2023

Planning Department

Kirklees Council
Civic Centre 3
Huddersfield
HD1 2TG

Ref: PP-11747100

Dear Sir / Madam,

3 WESTGATE, DEWSBURY WF13 1JF

CHANGE OF USE OF FIRST AND SECOND FLOOR TO CREATE FOUR APARTMENTS (USE CLASS C3) AND EXTERNAL ALTERATIONS

On behalf of our client, Robert Knowles, we hereby submit a planning application seeking full planning permission for the change of use of the upper floors of 3 Westgate in order to form four self-contained apartments (Use Class C3).

In order to facilitate the development, it is proposed to also make some minor external alterations to the building. The ground floor of the building will be retained as a commercial unit.

This application is supported by the following plans and information:

- Application Forms and Ownership Certificates
- Site Location Plan
- Existing Floorplans
- Existing Elevations
- Proposed Floorplans
- Proposed Elevations

Site Description

The property is situated in Dewsbury town centre and comprises a ground floor retail/commercial unit with upper floor accommodation. The ground floor is occupied by an existing business (Sevacare) and this will be retained as part of the proposal. The upper floor accommodation has previously been utilised for ancillary retail purposes although now provides staff facilities and office/storage space.

The site is off one of the main shopping streets in the town centre, Westgate, and to the rear deliveries and access can also be taken from Tithe Barn Street. The site is shown to be within the defined town centre boundary on the Kirklees Proposals Map and is also within the Primary Shopping Area. The site also falls within the Dewsbury Conservation Area which covers the central part of the town.

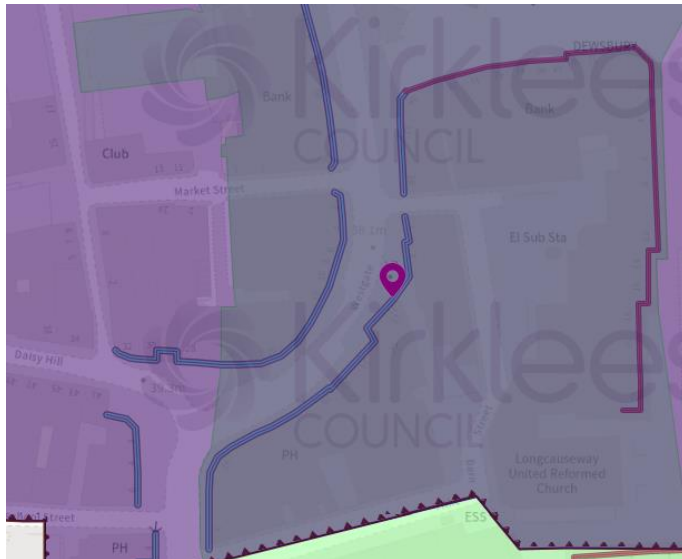


Figure 1.1: Extract of Interactive Kirklees Local Plan Proposals Map (pin identifying location of site)

The Proposed Development

This planning application seeks planning permission to convert the upper floors of the building into four self-contained 1-bed apartments with two apartments on the first floor and two on the second floor. All apartments will be between 38sq.m and 40sq.m.

A new exit door to the rear of the building will also be created to the refurbished shop on ground floor. This will also provide access for deliveries from the rear at Tithe Barn Street. The creation of one new window is proposed at the rear, to give natural light to the living area of proposed flat 4.

Other than this, no external alterations are proposed to the building.

Planning History

The site has a limited planning history, for the change of use from retail to office space (within a Conservation Area). The application was approved on 13 October 2009.

Planning Appraisal

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that applications for planning permission be determined in accordance with the development plan unless material considerations indicate otherwise.

The adopted development plan comprises the Kirklees Local Plan Strategy and Policies (adopted 27 February 2019) and the Kirklees Local Plan Allocations and Designations (adopted 27 February 2019).

Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that in the exercise, with respect to any buildings or other land in a conservation area of any functions under the Planning Acts, that special attention shall be had to the desirability of preserving or enhancing the character or appearance of that area.

As set out above, the property falls within the Primary Shopping Area for Dewsbury (Policy LP14), Dewsbury town centre (Policy LP18) and the secondary shopping frontage (Policy LP14). In assessing the proposal against the relevant policies within the Kirklees Local Plan, the following conclusions can be reached:

- There is no change of use to the ground floor retail unit, so there will be no conflict with Policy LP14 of the Local Plan which protects primary shopping areas;
- There is no conflict with the requirements of Policy LP15 which addresses residential uses within the town centre:
 - The proposal only seeks to change the use of the upper floors of the building from offices, which are currently vacant.
 - There are no external alterations to the building other than the creation of a new exit to the rear, and an additional window at the second floor. Existing features are therefore retained.
 - An active frontage will be retained to the building.
 - There will be no amenity issues for future residents. Suitable living conditions will be provided and there are no noise or privacy issues with neighbouring properties.
 - The property is in a sustainable location and is within walking distance of Dewsbury train and bus stations.
- The proposal is in accordance with the requirements of Policy LP24 which promotes the reuse and adaption of buildings.

Policy LP18 of the Local Plan Strategy and Policies states that proposals within the town centre will be supported where they provide space for town centre residential living (criteria d). Criteria h of the Policy is to support opportunities for the economic development and expansion of the town and district.

Summary

The application is proposing a change of use of the first and second floor from office to residential (Use Class C3). This would create four one bedroom apartments in the town centre of Dewsbury within upper floor space which is currently vacant. The proposals comply with all of the relevant planning policies and on this basis, it should be approved.

We trust you have all of the information required to make a decision on the proposed amendments, but please do not hesitate to contact me should you have any questions or need to discuss.

Yours faithfully,

Kate Salter
Senior Planner