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Ms L Taylor
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HUDDERSFIELD
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25 February 2024

By email only: planning.portal@kirklees.gov.uk

Dear Ms Taylor

**27 Market Place Huddersfield HD1 2AD
Change of Use of Ground Floor from Use Class E to Adult Gaming Centre (Sui Generis)
Application ref 2023/62/93615/W**

We are retained by clients who occupy premises in the town centre who wish to strongly object to the proposed change of use to an adult gaming centre at the above property.

We have reviewed the saved policies of the Kirklees Local Plan 2019 and believe the proposal to be contrary to the adopted policy in the same as follows:

- The subject unit lies within the designated primary shopping area and secondary shopping frontage for the town. As such, proposals seeking changes to non-retail use are subject to Policy LP14. The policy confirms changes of use are subject to three criteria upon which we would comment as follows:
- Part a) confirms the LPA will assess whether the proposal would lead to a dominance of non-retail uses and undermine the retail core and function of the Primary Shopping Area. We would confirm that an adult gaming centre is already located just to the south of the application unit. Two further betting offices, being similar uses, are located on the opposite side of the Market Place, with two further betting offices being located just to the north, meaning that five sui generis gaming and gambling uses are already located in this part of the secondary frontage. It is clear that allowing a sixth such use would undermine the retail function of the primary shopping area in this part of the town centre, as well as leading to an overconcentration of similar non-retail sui generis uses.
- The position and prominence of the application unit is also relevant. We would confirm that the frontage of the unit measures 16m, making it one of the largest and most prominent units in the secondary frontage. The proposed use, which offers very little in the way of activity or changing frontages, will dominate this part of the Market Place.
- Criteria b) seeks to assess if the proposal would complement neighbouring uses. The applicant is seeking consent to operate 24/7 365 days/ year. This part of the town centre is characterised by traditional retail and service uses, which will generally close by 6 pm each day. It is inevitable that allowing 24/7 use will have a detrimental impact on those living above and close to this unit. It will be impossible to prevent break out noise and disturbance associated with customers entering and leaving the premises particularly in the early hours of the morning, when most will be trying to sleep.

- The application unit has large arched windows to the front elevation which are an attractive feature of the frontage and generally enhance and benefit the conservation area. The applicant has failed to submit any details of the proposed shopfront and we would request that in light of the requirements of criteria b) and c) of policy LP14, these are provided for consideration. This type of use is associated with full height window vinyls, obscuring views of activity within the unit and would certainly not enhance or improve the shopfront design as required under the policy. The proposal therefore fails on all three criteria and should be refused as not complying with the same.
- Issue 6 and Strategic Objectives 5 and 6 seek to tackle inequalities, giving all residents the opportunity of a healthy lifestyle and to support their health and wellbeing. Allowing another gambling use in this location will further increase levels of deprivation amongst residents, together with the resultant detrimental impact on the local economy and support resources. In conjunction with these objectives, we suggest that the proposal also fails to satisfy para 92 of the National Planning Policy Framework. The development will fail to contribute to an inclusive community; entry will be restricted to those over the age of 18, and use of the gaming facilities will lead to an increase of inequality, with the subsequent detrimental impact on the community's health and wellbeing. The use will potentially encourage crime and disorder as well as increasing the fear of crime.

We trust you will take account of these points and that the application will be refused as being contrary to the adopted policies of the Council in due course.

Yours sincerely