

Enquiries to: Elenya Jackson

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Date: 18-Dec-2024
Our Ref: 2024/93044

Dear Sir/Madam

**TOWN AND COUNTRY PLANNING ACT 1990
TOWN AND COUNTRY PLANNING (GENERAL PERMITTED DEVELOPMENT)
(ENGLAND) ORDER 2015 (as amended), SCHEDULE 2, PART 3, CLASS G
NOTIFICATION OF PROPOSED CHANGE OF USE CLASS G – COMMERCIAL,
BUSINESS AND SERVICE USES OR BETTING OFFICE OR PAY DAY LOAN SHOP TO
MIXED USE OF COMMERCIAL, BUSINESS AND SERVICES USES AND AS UP TO 2
FLATS
APPLICATION NUMBER: 2024/93044
AT: 64, Market Place, Market Street, Heckmondwike, WF16 0HX**

I refer to your submission of details relative to the proposed change of use and any building operations as described below which was received by the Local Planning Authority on 24-Oct-2024.

Prior approval of proposed change of use of a building from commercial, business and service uses or betting office or pay day loan shop to mixed use of commercial, business and services uses and as up to 2 flats

The proposal is not acceptable to the Council, and notice is hereby given that the details submitted have been refused for the following reason(s);

1. The proposal fails to provide adequate natural light to all habitable rooms of the dwellinghouse. The proposed plans demonstrate that there would be no windows serving the bedroom of flat 64A. Therefore, it is considered that the property would not receive adequate natural light and as such, would not be acceptable with regard to G1 (IV).

2. The applicant has not provided sufficient information to adequately assess the noise impacts from commercial purposes on the intended occupiers of the development.



Plans and specifications schedule: -

Plan Type	Reference	Revision	Date Received
Location Plan		-	14/11/2024
Block Plan			14/11/2024
Proposed first floor	A107	-	24/10/2024
Proposed ground floor	A106	-	24/10/2024
Existing	P1	-	25/10/2024

Pursuant to article 35 (2) of the Town and Country Planning (Development Management Procedure) Order 2015 and guidance in the National Planning Policy Framework, the Local Planning Authority have, where possible, made a pre-application advice service available, complied with the Kirklees Development Management Charter 2015 and otherwise actively engaged with the applicant in dealing with the application.

Officers have reviewed the application and consider that due to the alterations requiring a redesign of the site layout, no alterations were requested in this instance.

Development within a Coal Mining Area

DEVELOPMENT LOW RISK AREA – STANDING ADVICE

The proposed development lies within a coal mining area which may contain unrecorded coal mining related hazards. If any coal mining feature is encountered during development, this should be reported immediately to the Coal Authority on 0345 762 6848.

Further information is also available on the Coal Authority website at:

www.gov.uk/government/organisations/the-coal-authority

If the applicant is aggrieved by the decision of the Local Planning Authority to refuse details of the proposed development, he/she may appeal to the Secretary of State for the Environment in accordance with Section 78 of the Town and Country Planning Act 1990 within six months of the date of issue of this notice. Appeals must be made using a form which you can get from the Secretary of State at Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 6PN (Tel: 0303 444 5000) or online at The Planning Inspectorates Website. Further information on the Planning Appeal process can be found online at the Planning Inspectorates website.

The Secretary of State has power to allow a longer period for the giving of a notice of appeal but he will not normally be prepared to exercise this power unless there are special circumstances which excuse the delay in giving notice of appeal. The Secretary of State is not required to entertain an appeal if it appears to him that approval of details could not have been granted by the Local Planning Authority having regard to the statutory requirements to the provisions of the development order, and to any directions given under the order.

Further correspondence regarding this application should bear the reference on this letter.

Customer Feedback

An important part of improving our service is to review your feedback on the way that we have dealt with your planning application(s). Please take a couple of minutes to email your comments to dc.admin@kirklees.gov.uk so that we can work on continually improving our customer service. Thank you.

Yours faithfully

Mathias Franklin
Head of Planning and Development