

**Wine Slaithwaite, 27 Britannia Road,
Slaithwaite, Huddersfield, HD7 5HF**

Planning, Design & Access Statement
June 2025

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This document has been prepared and checked in accordance with ISO 9001:2015.

1. Introduction

LDA Design has been instructed by OG Wines Limited (“the Applicant”) to prepare a full planning application for the change of the use of 27 Britannia Road, Slaithwaite to ‘Sui-Generis’ in association with their intended use of the premises as a wine bar. The application also seeks permission for minor shopfront alterations, construction of a new external seating area to the rear of the unit and installation of signage.

The applicants currently run a successful wine bar at 33 Britannia Road, Slaithwaite and now seek to relocate this very successful bar to larger premises at 27 Britannia Road which is located in closer proximity to the centre of Slaithwaite than their existing premises. The new offering at 27 Britannia Road will serve primarily wine, snacks and cheese boards. No primary cooking occurs on site, therefore no extraction and ventilation plant equipment is required to be installed.

An application for Advertisement Consent is also submitted in parallel to the planning application, to secure Consent for the signage which is required to promote Wine Slaithwaite’s brand and location.

This Planning, Design and Access Statement sets out the context for the change of use, outdoor seating area and signage by reviewing the site and surrounding area, describing the proposals and summarising the relevant planning history. This Statement should be read in conjunction with the application drawings.

2. The Site and Surrounding Area

The application site is a former hair salon which comprises the ground floor and basement of a two-storey end terrace of a row of shops, with accommodation above and access to car parking to the rear. The unit is located on the western side of Britannia Road within the Slaithwaite District Centre which is comprised of retail, restaurant, bar and other commercial uses in the vicinity of the site. The site sits adjacent to a Class E retail unit (bridal shop) and across the car park access road to the Slaithwaite Conservative Club (open until midnight). Photographs of the site and surrounding area are included at Appendix 1.

The application site comprises 51sqm of internal floor space at ground floor and basement level, falling within lawful Class E use. The unit was previously occupied by Julie Earnshaw's hair salon until they vacated the premises in October 2024. The unit has remained vacant since October 2024. Externally, there is c. 54 sqm of floorspace, currently used for skip storage which is proposed to be utilised as an outdoor seating area.

The upper floor of the building, which does not form part of this application, falls within residential use.

The site is located within the Slaithwaite Conservation area but is not statutorily Listed, nor locally Listed.

The unit is located within Flood Zone 1, an area at least risk of flooding. The site has no other environmental or historical designations.

Due to the application site's location on Britannia Road, there are excellent sustainable transport links making the site accessible and sustainably located. The site is located in close proximity to Slaithwaite train station and numerous bus stops along Britannia Road including one immediately located in front of the unit. The application site benefits from 2no. car parking spaces located to the rear and side end of the terrace, as well as access to a limited amount of '3-hour' on-street parking on Britannia Road.

3. The Proposal

It is proposed to change the use of the ground floor and basement of the unit from Class E (hair salon) to a 'Sui-Generis' use to be occupied as a Wine bar. The proposals include creation of a new outdoor seating area to the rear of the unit and very minor shopfront alterations including painting the traditional shopfront in charcoal/black to replace the existing yellow door and light grey frames.

The unit was previously occupied as a hair salon and has remained vacant since October 2024. The change of use of the ground floor and basement will allow for seating for up to 25no. seated covers with space for a further 4no. customers stood at the bar. The external seating area proposed to the rear of the unit will have 5no. tables and 20no. chairs to accommodate a further circa 20no. covers externally. The new sui-generis use will serve primarily wine and bar snacks including cheese. No primary cooking will occur on site, therefore no extraction and ventilation plant equipment is required to be installed. This is currently the experience at the applicants existing premises, at 33 Britannia Road.

3.1 The Proposed Signage

A separate application for Advertisement Consent is submitted alongside the planning application. The proposal seeks Advertisement Consent for 1no. non-illuminated fascia sign with 'Wine' lettering.

The proposals seek to remove existing signage and replace with 1no. non-illuminated fascia panel, comprised of 3mm aluminium (size 728 x 220 mm x 390mm) in black matt, with dark silver (matt) 'Wine' lettering.

4. Planning History

This section makes reference to the sites planning history and any other relevant applications which are material to the application.

Application Site (27 Britannia Road)

- **2003/92320** - Installation of new shopfront (within a conservation area) – Conditional full permission
- **2006/90539** - Change of use of first floor flat to extend existing hairdressers (within a conservation area) – Conditional full permission - Implemented.
- **2020/91633** - Prior notification for change of use from first floor salon to one dwelling with associated building works – Refused - The change of use from hairdressers/salon to dwellinghouse cannot take advantage of a grant of prior approval Class M, Part 3 of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) due to the fact the site lies within Slaithwaite Conservation Area.

4.1 Pre-Application Advice

The proposals have been formed following positive pre-application advice which was provided by Kirklees Council in May 2025 (LPA Ref. 2025/20268). A copy of the letter is appended. Comments from the Council were very supportive of the proposed development.

5. Policy Context

5.1 Local Policy

The statutory Development Plan for Kirklees is the Kirklees Local Plan (KLP) (adopted 27th February 2019).

Relevant policies from the Kirklees Local Plan are outlined below.

Policy	Relevant Policy Text
Policy LP1 - 'Presumption in Favour of Sustainable Development'	<p><i>When considering development proposals, the council will take a positive approach that reflects the presumption in favour of sustainable development contained in the National Planning Policy Framework. The council will always work pro-actively with applicants jointly to find solutions which mean that proposals can be approved wherever possible, and to secure development that improves the economic, social and environmental conditions in the area.</i></p> <p><i>Proposals that accord with the policies in the Kirklees Local Plan (and, where relevant, with policies in neighbourhood plans) will be approved without delay, unless material considerations indicate otherwise.</i></p>
Policy LP2 - 'Place Shaping'	<p><i>All development proposals should seek to build on the strengths, opportunities and help address challenges identified in the Local Plan, in order to protect and enhance the qualities which contribute to the character of these places...</i></p>
Policy LP13 - 'Town Centre Uses'	<p><i>Within Kirklees, main town centre uses shall be located within defined centres (principal town centres, town centres, district centres, and local centres), as shown on the Policies and Town Centre Maps, and as detailed in the shopping centre hierarchy and then in accordance with the sequential test.</i></p> <p><i>Main town centre uses which are appropriate in scale, help to retain an existing centre's market share, and enhance the experience of those visiting the centre and the businesses which operate in that centre will be supported... Proposals that have a significant adverse impact on the vitality and viability of a centre, or compromise the role and function of a centre will not be supported.</i></p> <p><i>Centres shall provide a mix of uses to serve the local community, businesses and visitors to the district. The uses shall complement each another whilst retaining a strong retail core. Centres in Kirklees shall aim to provide a range of uses to support the daytime and evening economy.</i></p> <p><i>All proposals shall be inclusive for all users, and be attractive to pedestrians, cyclists, and public transport users. They shall also conserve and enhance the local character, heritage, green spaces and the public realm where appropriate.</i></p> <p><i>District Centre delivery of services:</i></p>

	<p><i>Provide a range of shopping for everyday needs and serving specialist markets.</i></p> <p><i>Be the local focus for basic financial services, food and drink, entertainment, leisure and tourist facilities, and health services.</i></p>
<p>Policy LP16 -‘Food and drink uses and the evening economy’</p>	<p><i>Proposals for food and drink, licensed entertainment uses and associated proposals will be supported, provided they are located within a defined centre, and subject to:</i></p> <p><i>Ensuring the concentration of food and drink and licensed entertainment uses are not located in a particular centre or part of a centre, where they would result in harm to the character, function, vitality and viability of the centre, either individually or cumulatively.</i></p> <p><i>In order to assess the potential harm of food and drink and licensed entertainment proposals on a centre, the following criteria will be considered with a planning application:</i></p> <ul style="list-style-type: none"> <i>a. the number, distribution and proximity of other food and drink uses, including those with unimplemented planning permission in a particular centre;</i> <i>b. the impacts of noise, general disturbance, fumes, smells, litter and late night activity, including those impacts arising from the use of external areas;</i> <i>c. the potential for anti-social behaviour to arise from the development, having regard to the effectiveness of available measures to manage potential harm through the use of planning conditions and/or obligations;</i> <i>d. the availability of public transport, parking and servicing;</i> <i>e. highway safety;</i> <i>f. the provision of refuse storage and collection; and</i> <i>g. the appearance of any associated extensions, flues and installations.</i>
<p>Policy LP21 - ‘Highways and access’</p>	<p><i>Proposals shall demonstrate that they can accommodate sustainable modes of transport and be accessed effectively and safely by all users. New development will normally be permitted where safe and suitable access to the site can be achieved for all people and where the residual cumulative impacts of development are not severe.</i></p> <p><i>Proposals shall demonstrate adequate information and mitigation measures to avoid a detrimental impact on highway safety and the local highway network. Proposals shall also consider any impacts on the Strategic Road Network.</i></p>
<p>Policy LP24 - ‘Design’</p>	<p><i>Good design should be the core of all proposals in the district and should be considered at the outset of the development process, ensuring that design forms part of pre-application consultation of a proposal...</i></p>

	<p><i>Proposals should promote good design by ensuring:</i></p> <ul style="list-style-type: none"> <i>a. The form, scale, layout and details of all development respects and enhances the character of the townscape, heritage assets and landscape;</i> <i>b. They provide a high standard of amenity for future and neighbouring occupiers; including maintaining appropriate distances between buildings and the creation of development-free buffer zones between housing and employment uses incorporating means of screening where necessary;</i> <i>...</i> <i>d. High levels of sustainability, to a degree proportionate to the proposal, through:</i> <ul style="list-style-type: none"> <i>i. The use and adaptation of existing buildings, where practicable;</i> <i>...</i> <i>e. The risk of crime is minimised by enhanced security, and the promotion of well-defined routes, overlooked streets and places, high levels of activity, and well-designed security features;</i> <i>f. The needs of a range of different users are met, including disabled people, older people and families with small children to create accessible and inclusive places;</i> <i>...</i>
<p>Policy LP25 – ‘Advertisements and shop fronts’</p>	<p><i>Shopfronts, signs and advertisements make a significant contribution to the character and local identity of the district’s town centres.</i></p> <ul style="list-style-type: none"> <i>1. The development of new or replacement shop front units and display of advertisements will only be permitted if they satisfy the following criteria:</i> <ul style="list-style-type: none"> <i>a. The design is consistent with the character of the existing building in terms of scale, quality and use of materials;</i> <i>b. Proposals respect the character of the locality and any features of historic, architectural, cultural or other special interest;</i> <i>c. The shop fascia is designed to be in scale, in its depth and width, with the façade and street scene of which it forms part.</i> <i>2. Proposals for the alteration of existing shop fronts or installation of new shop fronts and display of advertisements on a Listed Building or within a Conservation Area should preserve or enhance the character and appearance of the building, the area in which it is located and any features of architectural or historical interest... Proposals for new shop fronts and advertisements must be of a high standard of design</i>

	<i>and be appropriate in style, scale and materials to the building and its setting.</i>
Policy LP35 - 'Historic Environment'	<p>1. <i>Development proposals affecting a designated heritage asset (or an archaeological site of national importance) should preserve or enhance the significance of the asset...</i></p> <p>3. <i>Proposals should retain those elements of the historic environment which contribute to the distinct identity of the Kirklees area and ensure they are appropriately conserved, to the extent warranted by their significance, also having regard to the wider benefits of development. Consideration should be given to the need to:</i></p> <p><i>a. ensure that proposals maintain and reinforce local distinctiveness and conserve the significance of designated and non-designated heritage assets;</i></p> <p><i>b. ensure that proposals within Conservation Areas conserve those elements which contribute to their significance;...</i></p>
Policy LP52 - 'Protection and improvement of environmental quality'	<p><i>Proposals which have the potential to increase pollution from noise, vibration, light, dust, odour, shadow flicker, chemicals and other forms of pollution or to increase pollution to soil or where environmentally sensitive development would be subject to significant levels of pollution, must be accompanied by evidence to show that the impacts have been evaluated and measures have been incorporated to prevent or reduce the pollution, so as to ensure it does not reduce the quality of life and well-being of people to an unacceptable level or have unacceptable impacts on the environment.</i></p> <p><i>Such developments which cannot incorporate suitable and sustainable mitigation measures which reduce pollution levels to an acceptable level to protect the quality of life and well-being of people or protect the environment will not be permitted.</i></p> <p><i>Where possible, all new development should improve the existing environment.</i></p>

5.2 National Policy

5.2.1 National Planning Policy Framework (NPPF) (updated December 2023)

The NPPF is a material consideration in planning decisions.

At the heart of the NPPF is a presumption in favour of sustainable development. Paragraph 11 clarifies that, *'for decision making, this means approving development proposals that accord with the Development Plan without delay.'*

Section 7: Ensuring the vitality of town centres

Paragraph 90 states that planning decisions *'should support the role that town centres play at the heart of local communities, by taking a positive approach to their growth, management and adaptation'*.

Section 8: Promoting healthy and safe communities

Paragraph 98 states that that planning authorities should *'plan positively for the provision and use of shared spaces, community facilities (such as local shops, meeting places, sports venues, open space, cultural buildings, public houses and places of worship) and other local services to enhance the sustainability of communities and residential environments'* and *'ensure that established shops, facilities and services are able to develop and modernise, and are retained for the benefit of the community'*.

Section 11: Making effective use of land

Paragraph 125 states that planning decisions should *'promote and support the development of under-utilities land and buildings'*.

Section 16: Conserving and enhancing the historic environment

Paragraph 200 states that, *'in determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including the contribution made by their setting.'*

Advertisement Policy

Paragraph 141 of the NPPF states:

"The quality and character of places can suffer when advertisements are poorly sited and designed. A separate consent process within the planning system controls the display of advertisements, which should be operated in a way which is simple, efficient and effective. Advertisements should be subject to control only in the interests of amenity and public safety, taking account of cumulative impacts."

The term 'amenity' is not exhaustively defined within the Advertisement Regulations, but is a term for interpretation by the local planning authority as it applies in any particular case.

6. Planning Assessment

This chapter of the Planning Statement assesses the Proposed Development against the Development Plan.

The key environmental and socio-economic considerations of the Proposed Development are as follows:

- Principle of development
- Impact on local amenity in relation to noise
- Impact on local amenity in relation to highways and access
- Design & Access in relation to signage proposals (public safety and amenity)

6.1 Principle of development

The site is located within the Slaithwaite District Centre. The premises which are currently vacant were previously operated as a hair salon. The proposed use as a wine bar is identified as a 'Main Town Centre use' and as such would not constitute in the loss of a town centre use or have a negative impact on the overall vitality and viability of the District Centre. The proposal is therefore compliant with Policy LP13.

Policy LP16 supports proposals for food and drink, provided they are located within a defined centre and would not result in harm to the character, function and vitality of the centre. The site is surrounded predominantly by retail units, with an existing food and drink establishment (Anello) located immediately opposite and the Conservative Social club across the car park access road. The relocation of the existing Wine Slaithwaite unit from No.33 Britannia Road to No. 27 Britannia Road would not lead to an overconcentration of food and drink venues and would not cause harm to the centre (particularly as the Applicants existing wine bar at No.33 is to become a dental practice), in line with Policy LP16.

Socio-economic benefits

In line with paras 90, 98 and 125 of the NPPF, the proposals bring about a range of socio-economic benefits that benefit the local economy. The unit is currently vacant, and has been since October 2024, and in its current state has a negative impact on the vitality and viability of the District Centre and will continue to do so unless occupied.

The applicants, as new tenants of 27 Britannia Road, are currently paying rent on the premises. They are committed to occupying this site on a long-term lease and investing heavily in the refurbishment of the building. This will ensure that the site has a long-term, high-quality occupant which will ensure an active use of the site for the long-term, as well as investing in the physical fabric of the property to ensure a high quality and sustained future for this site. This proposal will also enable the expansion of their existing, successful business. The new wine bar will employ at least 2no. Full time staff and 5no. part-time staff.

Wine Slaithwaite is a small, local business which has operated successfully within the village for 2.5 years. The adopted policies of the Local Plan seek to encourage development

that will contribute to the vitality and viability of the District Centre. This proposal will contribute to this by replacing a currently vacant use with an active wine bar that will contribute footfall and interest to the centre of Slaithwaite.

By its very nature, and as demonstrated by its success at 33 Britannia Rd, a wine bar will form an attractive unit and create further 'destination' to the local area and should be considered favourably in respect of its benefits to the centre. It is clear that the future occupation of the site will provide an economic boost to this section of the District Centre.

Heritage

The site is within the Slaithwaite Conservation Area. The building's external structure and layout would remain unchanged, with only minor shopfront alterations proposed, and therefore it is considered the proposal would have no significantly greater visual impact than the site has already and would not lead to any harmful to the Conservation Area in line with Policy LP35. The proposals will result in returning a vacant building to active use with a high-quality wine offering with large investment in the building being proposed.

6.2 Impact on local amenity – Noise

Local Plan Policy LP16 confirms that in order for proposals to be considered acceptable, it must be demonstrated that proposals would not harm the amenity of nearby residents. The proposed Sui-Generis wine bar use is appropriate within this location, however it is noted that there is a residential property situated on the upper floor of the subject unit. It is proposed that the wine bar will be open no earlier than 12:00 and no later than 23:00 to ensure that there will be no noise generated from the site an un-neighbourly hour. A noise assessment has been submitted with the application and should be read alongside the following assessment.

The site is located within an area that is predominantly commercial, however it is recognised there are nearby residential properties.

- The proposed wine bar will be open from 12 noon – 11pm 7 days (including Bank Holidays).
- The external seating area would close at 10pm. A condition requiring hours of use of the outdoor seating area would be accepted.

The opening hours proposed are not unusual and are considered reasonable and in line with other operators in the area. There are numerous pubs, restaurants and coffee houses along Britannia Road and in the wider District Centre which also operate into the evening including, but not limited to; the Little Bridge, the Shoulder of Mutton Public House and the Conservative Club next door (open until midnight), with live music and outdoor seating areas.

The noise surveys undertaken for the noise report identified that there should not be a detrimental impact on residential amenity from the interior of the proposed wine bar or the

external outdoor seating area. This should be considered in the context of the additional noise mitigation works and noise insulation measures proposed. These include:

- Installation of a fireproofed and noise insulated ceiling between the proposed wine bar and first floor flat.
- A rockwool sound insulation slab 50x400x1200mm will be installed within the joists in the ceiling between the ground and first floor residential apartment.
- A ReductoClip system will be installed in the joists to further minimise impact and airborne noise by adding mass, isolation and sound absorption to the ceiling.
- The floors and ceiling will be fireboarded (in line with Fire Regulations).
- The internal walls will have fixed acoustic panelling to ensure limited noise transmission through the walls.
- Externally, the applicant is willing to accept a noise condition to restrict hours of use on the outdoor seating area until 10pm and installation of an acoustic fence around the outdoor seating area.
- No heating, ventilation and air conditioning plant is proposed.
- Refuse and recycling is collected by a private waste service provider and the applicant is willing to accept a condition which mirrors their approved premises license, where the disposal of waste bottles, glass and other materials into external receptacles will not take place between the hours of 22:00 and 08:00.
- Any conditions imposed within the Premises License (already approved) relating to amenity will be strictly adhered to.
- The management team will be proactive in the identification and resolution of any noise issues that may affect neighbouring amenity.
- Amplified music (internally) will not be played at a level that will cause a statutory noise nuisance to the occupants of any neighbouring properties.

It is recognised that the proposals have potential for increased noise levels, however, care has been taken in terms of design of internal layout with additional soundproofing mitigation methods added to the walls and floors to ensure noise is controlled. Therefore, it is considered that the proposal will not cause an unacceptable impact on the amenities of the neighbouring properties in terms of noise, in line with local planning policy LP16.

6.3 Impact on Local amenity – Highways and access

The application site is located within the District Centre of Slaithwaite, which is a location dominated by town centre uses. The site is sustainably located within Slaithwaite centre, which is well served by public transport, including a train station and bus stops, including one located immediately in front of the unit. Slaithwaite contains a number of public car parks and Britannia Road has a limited amount of '3-hour' on-street parking. The application site itself has a small amount of car parking space to the rear and within the car park access road (immediately adjacent to the end terrace). This is an improvement upon the existing Wine Slaithwaite unit offering at 33 Britannia Road which does not have parking. The proposal would not result in any unacceptable impact in terms of traffic generation given the existing wine bar is an existing enterprise relocating to 27 Britannia Road, to premises within closer proximity to the centre of Slaithwaite. The proposal is not expected to lead to a significant increase in vehicle movements when compared to the previous hair salon use.

Therefore, it is considered that the proposal will not cause an unacceptable impact on highway safety, or impact on local amenity in terms of highways and access, in line with local planning policy LP13 and LP21.

7. Design and Access

7.1 Design

The planning application seeks planning permission for the change of use of the ground floor and basement of the units and installation of an outdoor seating area to the rear of the unit and the internal layout of the whole unit has been designed to be attractive and modern. Only minor changes to the shopfront are proposed externally, including repainting the shopfront elevation from existing yellow to charcoal as per the Wine brand.

A number of internal sound proofing measures are proposed (as set out within the previous chapter) to preserve the amenity of the residential flat above.

The proposals do not include HVAC installations, therefore there are no concerns with regards to plant noise or odour.

The size and layout of the outdoor seating area is designed to respond to the Site's existing context and site conditions. It is tucked away to the rear of the building. In terms of heritage and design, the external changes, including minor re-painting of the shopfront and new inclusion of an outdoor seating area to the rear are considered proportionate and appropriate to the character and form of the building within the Conservation Area.

In terms of noise impact and design, the applicants will accept a requirement to install a timber acoustic fence surrounding the outdoor seating area externally, if it is deemed necessary by the Council, to further protect amenity of neighbouring residents.

7.1 Access

The site is well located for public transport and can be served from the public highway and car park access alleyway which has space next to the end of the terrace for deliveries and waste collection vehicles.

There is a very small step into the ground floor entrance of the building through the shopfront and a WC situated on the ground floor. There are steps down to basement and level access to the outdoor seating area from the car park to the rear of the property.

7.2 Signage Design & Access

Policy LP25 'Advertisements and Shopfronts' concerns signage within Conservation Areas. The policy sets out that consent will be given for advertisements that are designed to be consistent with the character of the existing building in terms of scale, quality and use of materials and respect the character of the locality and preserve or enhance the character of the Conservation Area and building in which its located.

Design

The application site is located within the 'Slaithwaite Town Centre' Conservation Area. The modest signage proposals are an improvement on existing signage on the site which is to be removed and replaced with a new fascia sign designed to be modest in size and colour, in line with Policy LP35. The new signage size and design is in keeping with the relatively modern shopfront. The signage is not illuminated and therefore would not have an adverse

impact on the character of the area or result in any impact on traffic or pedestrian safety in terms of dazzling.

Access

The proposed signage will have no impact on access to the unit and will be affixed to a building at a safe height to ensure no impact on traffic or pedestrian safety.

As such, the proposed signage would not result in adverse impact on amenity or public safety and therefore would not be contrary to Policies LP25, LP35 or the NPPF.

8. Conclusion

This Planning, Design and Access Statement has been prepared in support of an application for planning permission for the change of use of the ground floor of 27 Britannia Road to a Sui-Generis use to accommodate relocation of a Wine Bar. This application also seeks permission for an outdoor seating area to be placed to the rear of the site and Advertisement Consent for signage.

The proposed new wine bar seeks permission to be open from 12:00-23:00, seven days a week (including Bank Holidays). No hot food will be sold on the premises and therefore no heating, ventilation and extraction plant is required to be installed within the unit.

The unit can accommodate seating for up to 25 no. customers inside the unit, with potential for 4 no. customers stood in the bar area. The proposed outdoor seating area providing a further 5 no. tables and 20 no. Chairs.

The potential impacts of the proposals have been carefully considered and appropriately addressed alongside all relevant planning policies and material considerations.

It has been demonstrated that the proposed change of use would be compliant with both local and national planning policy and will serve to improve the vitality and viability of Slaithwaite by providing a use and investment for a vacant unit. Furthermore, it has been demonstrated that the Sui-Generis use as a wine bar will not have an adverse impact on neighbouring amenity or to the surrounding highway network or public safety. The proposed end use as a wine bar is therefore considered acceptable and beneficial to the Slaithwaite District Centre.

In these circumstances, the National Planning Policy Framework directs that a presumption in favour of sustainable development should apply and development proposals should be approved without delay. The assessment provided has demonstrated that the proposal meets the objectives of the NPPF and no adverse impacts of development exist which would significantly and demonstrably outweigh the benefits of the scheme, when assessed against the policies of the NPPF as a whole.

Advertisement Consent

It is considered that the proposal for new signage in connection with the occupation by Wine Slaithwaite is acceptable within the location proposed in terms of design, the impact of amenity and highway safety. Therefore, the proposed advertisement is fully compliant with the relevant planning policies and does not contravene local Policies of paragraph 141 of the NPPF.

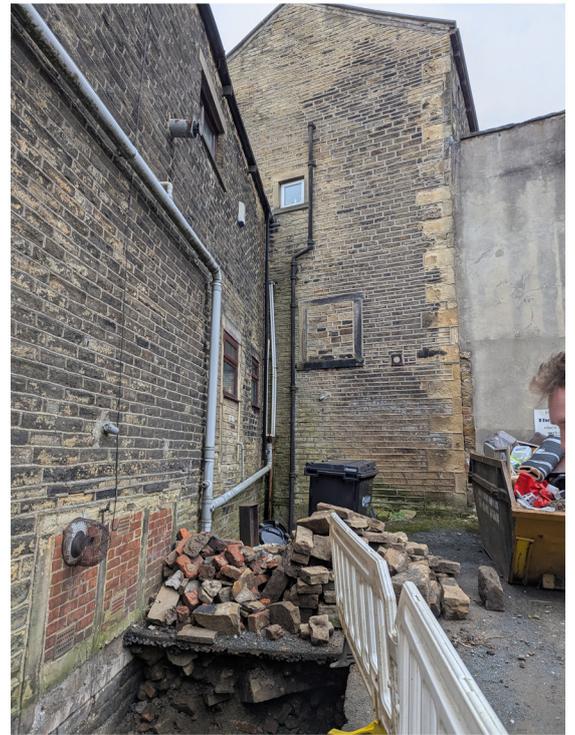
Section 3 of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 (as amended) permits the display of advertisements where they do not adversely impact upon the interests of amenity or public safety. Due to the location and height of the proposed fascia (to match existing), it is considered that no adverse impact on public amenity and safety would occur if the application was permitted.

It is for the reasons set out within this Statement that planning permission and Advertisement Consent should be granted.

Appendix 1 – Photos of the Site and Surroundings

Appendix 1 - Photos of the Site and Surrounding Area:







Appendix 2 – Pre-Application Advice

Enquiries to: Joanna Rednall

M Horsfall
27, Britannia Road
Slaithwaite
Huddersfield
HD7 5HF

Kirklees Direct
Tel: 01484 414746
Email: joanna.rednall@kirklees.gov.uk

Date: 01-May-2025
Our Ref: 2025/20268

Dear Sir/Madam

Pre application for commercial development at 27, Britannia Road, Slaithwaite, Huddersfield, HD7 5HF

I acknowledge receipt of your recent application for pre-application advice at the above location.

This pre application response is given without the benefit of a site visit. Please note that any material planning matters that come to light as a result of a site visit would be taken into consideration should an application be received.

1. Summary of proposal

The enquiry seeks planning advice from the Local Planning Authority in respect of change of use from Salon to Wine Bar.

Drawings detailing the location plan, existing floor plans and elevations, a design and access statement (including a noise reduction plan) and pre-application form have been submitted as part of this enquiry.

The submitted statement sets out that the plans for the building will not involve structural changes and the internal layout will remain unaltered except for alterations to adapt the space for the new wine bar use. Full details of the proposed new signage have not been provided at this stage, however the supporting statement confirms that the existing yellow 'The Salon' signage is to be removed.

The proposal would see the use of the building become a wine bar which would be a material change of use for which planning permission is required.

2. The Site

The application site occupies a two storey, end-terrace building located within the defined Slaithwaite District Centre and Slaithwaite Conservation Area. The building currently operates as a hairdressers across the two floors and is within an area comprised of a mix of residential and commercial developments. It is noted that there are residential properties south, east and north of the site and that the adjoining property is in residential use.

3. Relevant Planning History

Relevant planning history at the site relates to the following applications:

2003/92320 - Installation of new shopfront (within a conservation area) – Conditional full permission

2006/90539 - Change of use of first floor flat to extend existing hairdressers (within a conservaton area) – Conditional full permission

2020/91633 - Prior notification for change of use from first floor salon to one dwelling with associated building works – Refused as the change of use from hairdressers/salon to dwellinghouse cannot take advantage of a grant of prior approval Class M, Part 3 of Schedule 2 of the Town and Country Planning (General Permitted Development)(England) Order 2015 (as amended) due to the fact the site lies within Slaithwaite Conservation Area

4. Land allocation and relevant planning policy

[Kirklees Local Plan](#)

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that planning applications are determined in accordance with the Development Plan unless material considerations indicate otherwise. The statutory Development Plan for Kirklees is the Local Plan (adopted 27th February 2019).

Below is a list of the policies of the Kirklees Local Plan (KLP) relevant to your proposal:

- **LP1** – Presumption in favour of sustainable development
- **LP2** – Place shaping
- **LP13** – Town centre uses
- **LP16** – Food and drink uses and the evening economy
- **LP21** – Highways and access
- **LP22** – Parking
- **LP24** – Design
- **LP30** – Biodiversity and geodiversity
- **LP31** – Strategic Green Infrastructure Network
- **LP35** – Historic Environment
- **LP52** – Protection and improvement of environmental quality

[National Planning Policy Framework](#)

National planning policy and guidance is set out in National Policy Statements, primarily the National Planning Policy Framework (NPPF), and the Planning Practice Guidance Suite (PPGS), first launched 6th March 2014, together with Circulars, Ministerial Statements and associated technical guidance.

The NPPF constitutes guidance for local planning authorities and is a material consideration in determining applications. The following chapters of the NPPF are considered applicable to this enquiry:-

- **Chapter 2** – Achieving sustainable development
- **Chapter 4** – Decision-making
- **Chapter 6** – Building a strong, competitive economy
- **Chapter 12** – Achieving well-designed places
- **Chapter 16** – Conserving and enhancing the historic environment

5. Consultations undertaken

The following consultations were undertaken as part of the processing of this enquiry, a summary of the consultees and their response, where received, is as follows: -

KC Highways Development Management: Due to the existing use and town centre location, officers consider it unlikely the development would raise highway concerns with regard to safety or parking.

KC Conservation & Design: no response received to date, this would be forwarded upon receipt by separate cover. Notwithstanding the fact no response is received it is considered advice is still able to be provided in this case, in regard to impact to the Conservation Area, which is set out in section 6 of this letter.

The content of the above consultation responses is discussed in more detail within section 6 of this letter.

6. Relevant matters for consideration

Principle of the development

The site is within the Slaithwaite Conservation Area. Section 72 of the Listed Buildings & Conservation Areas Act (1990) requires that special attention shall be paid in the exercise of planning functions to the desirability of preserving or enhancing the appearance or character of

the Conservation Area. This is mirrored in Chapter 16 of the National Planning Policy Framework and also LP35 of the Kirklees Local Plan.

Policy 1 of the Kirklees Local Plan states that: “The Council will always work pro-actively with applicants jointly to find solutions which mean that the proposal can be approved wherever possible, and to secure development that improves the economic, social and environmental conditions in the area.

Policy LP2 of the Kirklees Local Plan sets out that all development proposals should seek to build on the strengths, opportunities and help address challenges identified in the Local Plan.

The building is located within the Slaithwaite District Centre whereby Policy LP13 is applicable be considered. The role and function of District Centres are to provide a range of shopping for everyday needs and serving specialist markets and to be the local focus for basic financial services, food and drink, entertainment, leisure and tourist facilities, and health services.

Therefore, one of the main considerations for such change of use is whether the proposal would undermine the role and function of the Slaithwaite District Centre as well as have a significant adverse impact on the viability and vitality of this centre.

The premises currently operate as a hair salon, and the proposal would see this replaced by a wine bar. Both uses are identified as ‘Main Town Centre Uses’ and as such, the proposal would not result in the loss of a town centre use within the designated District Centre. Given this, it is unlikely that the LPA would consider the change of use to undermine the role or function of the centre, or to have a negative impact on its overall vitality or viability.

In addition, Policy LP16 of the Kirklees Local Plan sets out that proposals for food and drink, licensed entertainment uses and associated proposals will be supported, provided they are located within a defined centre, and subject to ensuring the concentration of food and drink and licensed entertainment uses are not located in a particular centre or part of a centre, where they would result in harm to the character, function, vitality and viability of the centre, either individually or cumulatively.

A wine bar at this location would be situated within a defined centre. The site appears to be surrounded predominantly by retail units, with an existing food and drink establishment directly opposite. Given this context, it is unlikely that the proposal would be considered to lead to an overconcentration of such uses. As a result, it is also unlikely to be viewed as harmful to the character, function, or vitality of the centre.

Therefore, the proposed development to a wine bar would likely complement the function and offer within an identified district centre and provided it was considered to be acceptable with regard to other relevant considerations (discussed in more detail in the following sections of this letter) it is considered likely the proposal could be considered acceptable in principle and to be in accordance with LP13 and LP16 of the Kirklees Local Plan in addition to the aims of Chapter 6 of the NPPF in terms of supporting economic growth and productivity.

In conclusion, it is considered that the principle of the proposed change of use could be acceptable. However, the principle of such a proposal is also subject to other considerations, and these matters will be considered further on in this letter.

Impact upon Visual Amenity and Conservation Area

The NPPF offers guidance relating to design in Chapter 12 (achieving well designed places) whereby Paragraph 131 provides a principal consideration concerning design which states: *“The creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.”*

Kirklees Local Plan Policies LP1, LP2 and significantly LP24 all also seek to achieve good quality, visually attractive, sustainable design to correspond with the scale of development in the local area, thus retaining a sense of local identity.

Policy LP24 states that proposals should promote good design by ensuring: *“a. the form, scale, layout and details of all development respects and enhances the character of the townscape, heritage assets and landscape...”*

Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that the Local Planning Authority shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses. Section 72(1) requires that the Local Planning Authority shall pay special attention to the desirability of preserving or enhancing the character or appearance of conservation areas.

Paragraph 212 of the NPPF requires that when considering the impact of a proposed development on the significance of a designated heritage asset the Local Planning Authority should give great weight to the heritage asset's conservation irrespective of the level of harm.

At paragraphs 212 – 216 the NPPF is clear, that where development leads to substantial harm, this is necessary to achieve substantial public benefits that outweigh that harm or, in the case of less than substantial harm this should be weight against the public benefits of the proposal including, where appropriate, securing its optimum viable use.

The submitted statement confirms that the building's external structure and layout would remain unchanged, although alterations to the signage are proposed. Specifically, this would involve the removal of the existing yellow signage and be replaced with new signage to reflect the new use. Whilst suitably designed replacement signage could likely be acceptable, I would advise this would be considered under the relevant advertisement consent regulations.

New signage, including a fascia sign, may require advertisement consent. The Town and Country Planning (Control of Advertisements) (England) Regulations 2007 (as amended) set out adverts which have deemed / express consent as a result of this legislation. If signage falls

under the requirements of deemed / express consent, then they benefit from already having advertisement consent. If a sign does not fall within the deemed / express consent categories, then an application to the Council for advertisement consent is required to be submitted. Guidance in relation to advertisement consent can be found [here](#).

As part of this pre-application enquiry, the Council's Conservation and Design Officer has been consulted to provide input on the development's potential impact on Slaithwaite Conservation Area. Once their comments have been received, they will be passed on to you.

The submitted detail sets out that there would not be external alterations to the building. On the basis there would be no external alterations it is considered the proposal would have no significantly greater visual impact than the site has already and would not lead to harm within the Conservation Area as a result of the development. As set out, new signage would be dealt with via advertisement consent regulations. In the absence of the specific signage details it is not possible to provide a specific view in this regard, although it is considered likely a suitably designed signage scheme could be achieved.

In conclusion, it is considered likely that any subsequent application would have an acceptable impact on the visual amenities of the area / the Conservation Area and that meets the requirements of policies LP24 & LP35 of the Kirklees Local Plan and policies within Chapters 12 & 16 of the NPPF.

Impact on residential amenity

Section B of Policy LP24 of the Kirklees Local Plan states that proposals should promote good design by ensuring: *"They provide a high standard of amenity for future and neighbouring occupiers; including maintaining appropriate distances between buildings"*.

Further to this, Paragraph 135 of the National Planning Policy Framework states that planning decisions should ensure that developments have a high standard of amenity for existing and future users.

Policy LP16 of the Kirklees Local Plan notes that in order to assess the potential harm of food and drink and licensed entertainment proposals on a centre, certain criteria will be considered with a planning application including:

- the impacts of noise, general disturbance, fumes, smells, litter and late night activity, including those impacts arising from the use of external areas;
- the appearance of any associated extensions, flues and installations.

Policy LP52 is considered to be of relevance and sets out that development must be considered in relation to potential for increases from pollution, in this case the relevant possible increases could relate to noise, light & odour emissions.

The site is located within an area that is predominantly commercial; however, there are a number of residential properties nearby, including one immediately to the north and another

immediately to the south of the site. Given this context, it is considered that a noise assessment would need to be submitted as part of any planning application that considers all potential noise impacts to these neighbouring residential units and any mitigation measures that may be deemed necessary, these should be clearly set out within the application.

Dependant upon the conclusions of the noise assessment it is considered the proposed use may have an acceptable impact upon the amenity of neighbouring properties with regard to noise.

In terms of the impact of the development as a result of overshadowing, overlooking or being oppressive / overbearing. Given the nature of the proposal relating to an existing building and fact no external alterations are proposed, it is considered there would be no significant impact in this regard.

Highways Safety

Policies LP21 and LP22 of the Kirklees Local Plan relate to access and highway safety and are considered to be relevant to the consideration of this pre-application enquiry.

The Council's Highways Development Management team has been consulted as part of this assessment and has raised no concerns regarding the proposed change of use. They set out that, given the site's sustainable and accessible location within Slaithwaite District Centre, along with strong public transport links including a bus stop directly outside the premises, the proposal is not expected to lead to a significant increase in vehicle movements when compared to the existing salon use.

As such, taking account of the response of the Highways Team and the fact the proposal would be for change of use, with use of the building for a Salon able to be undertaken in any event, it is considered unlikely that the development would have a harmful impact on highway safety or result in unacceptable impact on local parking provision.

Given the comments from Highway officers, I do not anticipate that any future application would conflict to the aims of LP21 and LP22 of the Kirklees Local Plan or the aims of Chapter 9 of the NPPF.

Sustainability

The Council has declared a climate emergency and the Local Plan seeks for new development to contribute to the climate change agenda. In addition, Principle 18 of the Housebuilders Design Guide SPD sets out that new proposals should contribute to the Council's ambition to have net zero carbon emissions by 2038, with high levels of environmental sustainability by ensuring the fabric and siting of homes, and their energy sources reduce their reliance on sources of non-renewable energy. Therefore, it is requested that all applications include a Climate Change Statement on how climate change, its causes and impacts, have been considered within your proposal.

Biodiversity

Chapter 15 of the National Planning Policy Framework are relevant, together with The Conservation of Habitats and Species Regulations 2017 which protect, by law, the habitat and animals of certain species including newts, bats and badgers.

Policy LP30 of the Kirklees Local Plan requires that proposals protect Habitats and Species of Principal Importance. While it is acknowledged that the site falls within an identified bat alert area, the proposed works are relatively modest and are limited solely to a change in the building's use. As such, it is considered unlikely that the proposals would have any direct impact on the local bat population. It should be noted that if bats are discovered on site all Natural England would need to be contacted for further guidance on how to proceed.

In terms of Biodiversity Net Gain as set out by the statutory framework introduced by Schedule 7A of the Town and Country Planning Act 1990 (inserted by the Environment Act 2021). The development is considered likely to benefit from the de-minimus exemption as set out by The Biodiversity Gain Requirements (Exemptions) Regulations 2024.

7. Conclusion

In conclusion, should a planning application for the proposed development be submitted relating to the site, detail relating to the impact of the proposal as a result of noise would need to be included. It is considered this is a matter which would need to be satisfactorily addressed as part of any application. On the basis the noise impact is demonstrated as acceptable it is considered the proposed development has the potential to be acceptable in principle and in regard to other relevant material considerations as discussed in section 6 of this letter.

I must advise you that any views or opinions expressed are in good faith, without prejudice to the formal consideration of any planning application, which will be subject to public consultation and ultimately be decided by the Council. Caution should be exercised in respect of pre-application advice which is not submitted within a short time of the Council's advice letter.

8. Validation requirements

The information you need to provide with your application is detailed on the Validation checklist which can be viewed under the heading 'Guidance and advice notes' on the Kirklees website [here](#) .

9. Planning application fee

You can calculate how much the planning fee would be for your proposal [here](#)

I hope you find this information helpful.

Mathias Franklin
Head of Planning and Development

Disclaimer

Any views or opinions expressed are in good faith, without prejudice to the formal consideration of any planning application, which will be subject to public consultation (which will include the relevant Town or Parish Council) and ultimately be decided by the Council.

It should be noted that subsequent alterations to legislation or local, regional and national policies might affect the advice given. You should be aware of the Council's Local Development Scheme which sets out the programme for developing its local plan. You are advised to seek further advice once any consultation drafts are published.

Caution should be exercised in respect of pre-application advice which is not submitted within a short time of the Council's advice letter.