

**KIRKLEES METROPOLITAN COUNCIL
INVESTMENT & REGENERATION SERVICE**

DEVELOPMENT MANAGEMENT

Town and Country Planning Act 1990 (as amended) – SECTION 70

DELEGATED DECISION TO DETERMINE PLANNING APPLICATIONS

Reference No:	2025/62/92021/W
Site Address:	Globe Arts Studio, Carr Lane, Slaithwaite, Huddersfield, HD7 5AG
Description:	Change of use of part of first floor from non-residential education (F1) to dental practice (E(e)), installation of replacement entrance door, reinstatement of rear door opening and installation of air conditioning condenser units within the roofscape (within a Conservation Area)
Recommending Officer:	Danielle Cooper

DECISION – Conditional Full Permission

I hereby authorise the approval of this application for the reasons set out in the officer's report and recommendation annexed below in respect of the above matter.

Sarah Longbottom

AUTHORISED OFFICER

Date: 07 November 2025

Officer Report

Reference: 2025/92021

Location: Globe Arts Studio, Carr Lane, Slaithwaite, Huddersfield, HD7 5AG

Proposal: Change of use of part of first floor from non-residential education (F1) to dental practice (E(e)), installation of replacement entrance door, reinstatement of rear door opening and installation of air conditioning condenser units within the roofscape (within a Conservation Area)

Site Description.

The site forms part of the Former Wharfeside Inn, and is a large split level building, consisting of a basement, ground and first floor. The main access is off of Carr Lane. There is a mix of commercial, educational and community uses within the former Wharfeside Inn building with one known residential apartment – not within the red line boundary.

The site is located at the junction of Carr Lane and New Street, and the character of the surrounding area is a mix of traditional stone buildings, which are of commercial and residential use.

The site is located within Slaithwaite District Centre.

The site is located within Slaithwaite Conservation Area, and is close to a number of listed buildings.

Description of Proposal.

The application seeks permission for the change of use of part of first floor from non-residential education (F1) to dental practice (E(e)), installation of replacement entrance door, reinstatement of rear door opening and installation of air conditioning condenser units within the roofscape (within a Conservation Area).

Planning permission was granted in 2016 (ref. 2016/93232) for the change of use from a public house to a combination of retail (A1) and educational (D1) use, which now fall under Class E and Class F respectively. The lower ground and ground floors are already in Class E use, while the first floor remains in Class F and is the subject of this application. The site is currently vacant.

The proposed dental practice will be across the ground and first floor, with the lower ground level being used as a Staff/Service Access and fire exit. The practice will have a total of 4 surgery rooms.

The ground floor will include:

- Two accessible surgeries
- A reception and waiting area
- A CBCT/TCO room
- A DDA-compliant WC

The first floor will include:

- Two surgeries
- Decontamination room
- Staff room and kitchen
- Office space
- WC and storage areas

The practice will also be served by a mechanical ventilation and air conditioning system, with external condensers to maintain appropriate indoor conditions for both clinical and support areas.

8no. A.C units will be fitted within the roofscape of the building as shown on plan, on the inner side of the parapet.

The proposed external alterations include:

- Replacement of the existing main entrance door;
- Replacement full length windows at the ground floor level;
- Window curtaining to existing windows and obscure glazing to surgery windows as annotated on plan.
- Reinstatement of a previously infilled opening at the rear to create a staff/service entrance;
- Installation of external air conditioning condenser units within the rear roofscape.

The new windows and door facing new street will be uPVC to match the existing fenestrations and the new entrance door facing Carr Lane will be timber.

The operation hours of the dental practice are:

Monday-Thursday 9am to 6pm,
Friday 9am to 5pm,
Saturday 9am to 1pm.

On-street parking serves the development. Bin storage and collection will continue to utilise the designated area within the adjacent public car park on Carr Lane.

The applicant should be made aware that advertisement consent may be required for any new signage to the building.

History of Negotiations/Amendments Received.

Officers requested the relocation of the proposed AC units to be within the roofscape to ensure the character and appearance of the building is protected. The agent submitted revised plans to show the AC units within the roofscape of the building.

Relevant Planning History.

2-4, New Street, Slaithwaite, Huddersfield, HD7 5AB

2018/94148

Change of use from gymnasium to restaurant
Approved

Wharfeside Inn

2017/93722

Erection of second floor extension to form 5 apartments (within a Conservation Area)
Approved – Permission not implemented.

2016/93232

Change of use from vacant public house (Class A4) to retail (Class A1) and independent art education and training centre (Class D1) (within a Conservation Area)
Approved

The Studio, 23A, Carr Lane

2016/92832: Erection of illuminated sign (within a Conservation Area) –
Advertisement Consent Granted

2016/92829: Change of use from B1 and vacant unit (unclassified) to mixed use A3 (cafe) and D1 (non-residential institution) (within a Conservation Area)
– Conditional Full Permission

The Pack Horse Hotel

2001/90409

EXTERNAL ALTERATIONS/REPAIRS. REPOSITIONING OF ACCESS DOORS TO NEW STREET AND RE-ALIGNMENT OF EXISTING WINDOWS (WITHIN A CONSERVATION AREA).
Approved

89/06659

Change of use of part of ground floor of hotel/ restaurant to offices
Approved

Representations.

The application has been advertised by site notice and within the press. Publicity expired on the 19th September 2025. No representations have been received.

Consultations.

KC Highways Development Management – No objections.

Policy/Legislation.

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 for Kirklees is the Local Plan (adopted 27th February 2019).

The application site is located within Slaithwaite Conservation Area and Slaithwaite district centre in the Kirklees Local Plan.

Kirklees Local Plan (LP):

- LP1 – Achieving Sustainable Development
- LP2 – Place Shaping
- LP3 – Location of New Development
- LP20 – Sustainable Travel
- LP21 – Highway Safety
- LP22 – Parking Provision
- LP24 – Design
- LP35 – Heritage
- LP48- Community facilities and services
- LP 49 - Educational and health care needs
- LP51 – Protection and Improvement of Local Air Quality
- LP52 – Protection and Improvement of Environmental Quality

Supplementary Planning Documents (SPD):

- Kirklees Waste Management Design Guide for New Developments (2020)
- Highways Design Guide (2019)

National Policies and Guidance:

National policies and guidance is set out in National Policy Statements, primarily the National Planning Policy Framework (NPPF) published December 2024, together with Circulars, Parliamentary Statements and associated technical guidance. The NPPF constitutes guidance for local planning authorities and is a material consideration in determining applications.

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- Chapter 2 – Achieving Sustainable Development
- Chapter 4 – Decision-Making
- Chapter 7 – Ensuring the Vitality of Town Centres
- Chapter 8 – Promoting Healthy and Safe Communities
- Chapter 9 – Promoting Sustainable Transport
- Chapter 12 – Achieving Well-Designed Places
- Chapter 14 – Meeting the Challenge of Climate Change, Coastal Change and Flooding
- Chapter 15 – Conserving and Enhancing the Natural Environment
- Chapter 16 – Conserving and Enhancing the Historic Environment

Assessment.

The following matters are considered in the assessment below:-

- 1) Principle of development
- 1) Impact on visual amenity (including Slaithwaite conservation area)
- 2) Impact on residential amenity
- 3) Impact on highway safety
- 4) Other Matters
- 5) Conclusion

1) Principle of Development

Sustainable development

NPPF Paragraph 11 and Policy LP1 outline a presumption in favour of sustainable development. Paragraph 8 of the NPPF identifies the dimensions of sustainable development as economic, social and environmental (which includes design considerations). It states that these facets are mutually dependent and should not be undertaken in isolation.

The dimensions of sustainable development will be considered throughout the proposal. Paragraph 11 of the NPPF concludes that the presumption in favour of sustainable development does not apply where specific policies in the NPPF indicate development should be restricted. This too will be explored.

Use of the building

Policy LP7 of the Kirklees Local Plan requires developments to encourage the reuse or adaptation of vacant or underused properties.

LP9 of the Kirklees Local Plan states that proposals for new development will be strongly encouraged to contribute to the creation of local employment opportunities within the district.

Permission is sought to change the use of part of the first floor from non-residential education (F1) to dental practice (E(e)), installation of replacement entrance door, reinstatement of rear door opening and installation of air conditioning condenser units to the roofscape of the building.

Planning permission was granted in 2016 (ref. 2016/93232) for the change of use from a public house to a combination of retail (A1) and educational (D1) use, which now fall under Class E and Class F respectively. The lower ground and ground floors are already in Class E use, while the first floor remains in Class F and is the subject of this application. As such, permission is only required for the change of use of the first floor Class F1 use.

Policy LP48 sets out that *“the loss of valued community facilities such as shops, public houses and other facilities of value to the local community will only be permitted where it can be demonstrated that:*

- a. there is no longer a need for the facility and all options including the scope for alternative community uses have been considered; or*
- b. its current use is no longer viable; or*
- c. there is adequate alternative provision in the locality to serve the local community which is in an equally accessible location; or*
- d. an alternative facility of equivalent or better standard will be provided, either on-site or equally accessible; and*
- e. any assets listed on a Community Asset Register have satisfied the requirements under the relevant legislation.”*

Although the building is currently vacant, the last known use of the building was within use class E (retail) and Use Class F (education) and as such the proposal will result in the loss of an existing educational use, as part of the building provided art classes. As the proposed F1 use was a small section of the building and the proposed development will provide a new health care facility to the local community, it is considered that the loss of the F1 use is acceptable.

Policy LP48 & LP49 of the Kirklees Local Plan details that community and health facilities should be provided in accessible locations where they can minimise the need to travel or they can be made accessible by walking, cycling and public transport. This policy details that such facilities will normally be in town, district or local centres.

The use of the building subject of this application has previously been in use for retail and educational purposes. The design and access statement states that the building as indicated on the existing floor plans is currently vacant. The proposed new use will bring the whole building into use which is supported by the LPA and will provide new jobs as well as a community health service to the surrounding community. In addition, the proposal is located within an accessible location, sited within a close distance to public transport links as well as being within Slaithwaite District Centre, complying with policies LP1, LP7, LP48 and LP49.

As such the proposed use of the building is considered acceptable in principle.

Heritage

Officers have general duties in the exercise of planning functions to have special regard for preserving or enhancing the setting of Conservation Areas and Listed Buildings under sections 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended).

The proposal involves minor external alterations to the building and are considered to have a neutral visual impact on the setting of Slaithwaite Conservation Area and nearby Listed Buildings and would preserve the setting of those heritage assets in this regard. For this reason, the proposal would not conflict with those duties and would be in accordance with the aforementioned Act, LP35 of the Kirklees Local Plan and Chapter 16 of the NPPF.

1) Impact on Visual Amenity, including the Slaithwaite Conservation Area

The site is located within Slaithwaite Conservation Area.

Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that Local Planning Authorities to pay special attention in order to preserve or enhance the character and setting of land within a Conservation Area. This is reiterated in Policy LP35 of the Local Plan and Chapter 16 of the National Planning Policy Framework regarding the historic environment.

Furthermore, LP35 states “development proposals affecting a designated heritage asset...should preserve or enhance the significance of the asset. In cases likely to result in substantial harm or loss, development will only be permitted where it can be demonstrated that the proposals would bring substantial public benefits that clearly outweigh the harm”. Whether harm exists, and whether it is substantial or less than substantial, will be assessed and discussed later in the report.

Alongside this, LP1 of the KLP states that when considering development proposals, the Council will take a positive approach that reflects the presumption in favour of sustainable development contained in the NPPF. Policy LP24 of the KLP is also relevant and states that “good design should be at the core of all proposals in the district.

The proposal seeks the following external alterations:

- Replacement of the existing main entrance door;
- Replacement full length windows at the ground floor level;
- Window curtaining to existing windows and obscure glazing to surgery windows as annotated on plan.

- Reinstatement of a previously infilled opening at the rear to create a staff/service entrance;
- Installation of external air conditioning condenser units within the rear roofscape.

The replacement main entrance door on Carr Lane will substitute an existing modern entrance. Given this context, the design and glazing of the new door are considered to be visually acceptable and in keeping with the appearance of the building.

The new windows and door facing new street will be uPVC to match the existing fenestrations and the new entrance door facing Carr Lane will be timber which is considered visually acceptable.

The proposed full-length windows, the addition of window curtaining to existing openings, and the inclusion of obscure glazing to the surgery windows (as indicated on the submitted plans) are considered to be visually appropriate interventions. These works would not result in harm to the character or appearance of the building or the wider Slaithwaite Conservation Area. It is also noted that the ground floor openings on this elevation have previously been modernised.

The proposal also includes the reinstatement of a previously infilled door opening on the rear (New Street) elevation to provide a staff-only access point. The proposed door is considered to be visually acceptable and would not detract from the overall appearance of the building.

In addition, the proposed air-conditioning units are to be installed on the roof parapet, where they will not be visible from public vantage points. This discreet positioning is considered acceptable and will preserve the character and appearance of the conservation area.

For these reasons, it is concluded that the proposed development would not cause harm to the visual amenity of the host building, nearby listed buildings, or the Slaithwaite Conservation Area. The proposal is therefore considered to comply with Policies LP24 and LP35 of the Kirklees Local Plan, Chapter 12 of the National Planning Policy Framework, and Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

2) Impact on Residential Amenity

Policy LP24 of the Kirklees Local Plan and policies within Chapter 12 of the National Planning Policy Framework seeks to ensure development has an acceptable impact upon the amenity of neighbouring occupiers.

Chapter 15 of the NPPF, 'Conserving and Enhancing the Natural Environment' is also of relevance to residential amenity. Paragraph 187 I sets out that, planning policies and decisions should contribute to and enhance the natural and local environment by *“preventing new and existing development from contributing to, being put at unacceptable risk from, or being adversely*

affected by, unacceptable levels of soil, air, water or noise pollution or land instability. Development should, wherever possible, help to improve local environmental conditions such as air and water quality, taking into account relevant information...

In addition to this, Policy LP52 of the Kirklees Local Plan states that proposals which have the potential to increase pollution from noise, vibration, light, dust, odour and other forms of pollution must be accompanied by evidence to show 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.

With regard to the proposed change of use, the site is situated within a mixed-use area comprising both commercial and residential properties. It is noted that one residential apartment appears to be located within the wider building. Given that the former use of the premises was for retail and art education/training purposes, and that other parts of the building accommodate commercial uses, it is not anticipated that the proposed dental practice would generate significant levels of noise or disturbance.

The proposed hours of operation are as follows:

Monday-Thursday 9am to 6pm

Friday 9am to 5pm

Saturday 9am to 1pm

The hours of operation are considered acceptable in the context of the mixed-use character of the area and can be secured by condition. Consequently, it is not considered necessary for the applicant to provide a formal noise impact assessment.

Part of the proposal is to erect air conditioning units within the roofscape of the building. Technical details have been provided of the AC units. To ensure the AC units do not result in unacceptable noise levels, a condition will be implemented to ensure the units are effectively controlled so that the combined rating level of noise from all such equipment does not exceed the background sound level at any time. "Rating level" and "background sound level" are as defined in BS 4142:2014+A1:2019.

The proposed alterations are not considered to result in any increased overlooking, overbearing or overshadowing impact.

It is considered that subject to conditions, the change of use would appropriately comply with the aims of Policies LP24 and LP52 of the Kirklees Local Plan and Chapters 12 and 15 of the NPPF.

3) Impact on Highway Safety

The NPPF states that: *“Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.”*

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 application. The Council’s adopted Highway Design Guide is also relevant, seeking to retain acceptable levels of off-street parking.

KC Highways DM have reviewed the application and have raised no objections.

It is noted that no on-site parking is provided, however there is a car park situated adjacent the building, along with on-street parking.

In addition, the application site is located at the junction of New Street and Carr Lane close to the centre of Slaithwaite. There are single yellow waiting restriction to the Carr Lane frontage and double yellow restriction to the junction with New Street. On-street parking is available to the rear of the site on New Street and restricted 1 hour no return within 1 hour parking is available on the opposite side of Carr Lane. There is also public car parking close by.

Given the sustainable location close to Slaithwaite centre, there are no concerns with highway safety.

The agent has confirmed that bin storage and collection will continue to utilise the designated area within the adjacent public car park on Carr Lane as per the existing situation. This arrangement is considered acceptable.

Therefore, subject to conditions, the proposal is considered to comply with Policies LP21 and LP22 of the Kirklees Local Plan.

4) Other Matters

Accessibility

Kirklees Local Plan policy LP24 (f) states that ‘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’.

Due to the constraints of the existing building, the first floor is only accessible via a staircase, and there is no lift proposed. As such, accessibility cannot be provided to the upper floor. However, the agent has confirmed that full provision has been made at ground floor level, and one surgery will be retained as the designated accessible treatment room. The scheme therefore demonstrates an appropriate level of accessibility for a development of this scale and nature, consistent with Policy LP24 of the Kirklees Local Plan.

Biodiversity Net Gain/Ecology

Chapter 15 of the National Planning Policy Framework is 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. Principle 7 of the Housebuilders Design Guide Supplementary Planning Document is also of relevance, which seeks to ensure existing features such as trees, habitats and landscape features are retained. Principle 9 requires that net gains in biodiversity are provided.

The Biodiversity Net Gain Technical Advice Note sets out that minor developments are subject to the mitigation hierarchy outlined within Chapter 2.2 and will still be required to demonstrate a net gain for biodiversity. Chapter 2.2 of the advice note details a mitigation hierarchy of avoid, mitigate, compensate, offset and finally enhance.

The proposal would not increase the footprint of the building onsite. Officers therefore consider further ecological enhancement measures unnecessary in this instance.

The proposal would accord with Policy LP30 of the KLP and Chapter 15 of the NPPF.

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 to be de minimis as per The Biodiversity Gain Requirements (Exemptions) Regulations 2024. Therefore, a metric is not required to be provided to support this application unless details are provided on the contrary

Climate Change

On 12th November 2019, the Council adopted a target for achieving 'net zero' carbon emissions by 2038, with an accompanying carbon budget set by the Tyndall Centre for Climate Change Research. National Planning Policy includes a requirement to promote carbon reduction and enhance resilience to climate change through the planning system and these principles have been incorporated into the formulation of Local Plan policies. The Local Plan predates the declaration of a climate emergency and the net zero carbon target however, it includes a series of policies which are used to assess the suitability of planning applications in the context of climate change. When determining planning applications, the Council will use the relevant Local Plan policies and guidance documents to embed the climate change agenda.

As part of this application, a Climate Change Statement was submitted, which set out several mitigation measures.

In this case, it is considered that the mitigation measures set out within the Climate Change Statement are acceptable. Given the nature of the proposal is not considered reasonable to require the applicant to put forward any specific resilience measures. However, the proposal would provide a sustainable, commercial use within a local district centre.

5) Conclusion

The NPPF has introduced a presumption in favour of sustainable development. The policies set out in the NPPF taken as a whole constitute the Government's view of what sustainable development means in practice.

This application has been assessed against relevant policies in the development plan and other material considerations. It is considered that the development would constitute sustainable development and is therefore recommended for approval.

Recommendation: Conditional Full Permission

Decision Authorisation – Delegated Powers

Application Number: 2025/92021

Officer Recommendation: Conditional Full Permission

Conditions and Reasons:

1. The development hereby permitted shall be begun within three years of the date of this permission.

Reason: Pursuant to the requirements of Section 91 of the Town and Country Planning Act 1990.

1. The development hereby permitted shall be carried out in complete accordance with the plans and specifications schedule listed in this decision notice, except as may be specified in the conditions attached to this permission, which shall in all cases take precedence.

Reason: For the avoidance of doubt as to what is being permitted and so as to ensure the satisfactory appearance of the development on completion, and to accord with Policies LP1, LP2, LP3, LP13, LP16, LP20, LP21, LP22, LP24, LP35, LP47, LP51 of the Kirklees Local Plan and LP52 and Chapters 2, 4, 7, 8, 9, 12, 14, 15 and 16 of the National Planning Policy Framework.

2. The use hereby permitted shall not be in operation outside the hours of:

09:00 to 18:00 Monday to Thursday,

09:00 to 17:00 Friday,

9:00 to 13:00 Saturday.

With no opening on Sundays or Bank Holidays

Reason: To ensure that the proposed use(s) does not give rise to the loss of amenity to nearby residential properties, by reason of noise or disturbance at unsociable hours, to accord with the aims of Policies LP24 and LP52 of the Kirklees Local Plan and Chapters 12 and 15 of the National Planning Policy Framework.

3. The combined noise from any fixed mechanical services and external plant and equipment shall be effectively controlled so that the combined rating level of noise from all such equipment does not exceed the background sound level at any time. "Rating level" and "background sound level" are as defined in BS 4142:2014+A1:2019.

Reason: To ensure the proposed development does not cause harmful noise pollution within neighbouring noise sensitive locations, in the interest of amenity, to comply with the aims and objectives of Policies LP24 and LP52 of the Kirklees Local Plan and Chapters 12 and 15 of the National Planning Policy Framework.

NOTE Noisy construction related activities shall not take place outside the hours of:

07.30 to 18.30 hours Mondays to Fridays

08.00 to 13.00 hours, Saturdays

With no noisy activities on Sundays or Public Holidays

NOTE Kirklees Council has powers under Section 60 of the Control of Pollution Act 1974 to control noise from construction sites and may serve a notice imposing requirements on the way in which construction works are to be carried out. It has additional powers under Sections 80 of the Environmental Protection Act 1990 to prevent statutory nuisance including noise, dust, smoke and artificial light and must serve an abatement notice when it is satisfied that a statutory nuisance exists or is likely to occur or recur. Failure to comply with a notice served using the above-mentioned legislation would be an offence for which the maximum fine on summary conviction is unlimited.

NOTE The applicant is reminded that Kirklees Council has powers under Sections 80 of the Environmental Protection Act 1990 to prevent statutory nuisance including odours and must serve an abatement notice when it is satisfied that a statutory nuisance exists or is likely to occur or recur. Failure to comply with a notice served using the above-mentioned legislation would be an offence for which the maximum fine on summary conviction is unlimited.

Plans and specifications schedule:-

Plan Type	Reference	Version	Date Received
Location Plan	AQ39 001		28/07/2025
Block Plan	AQ39 002		28/07/2025
Existing and Proposed Plans and Elevations	AQ39 003	B	04/11/2025
Design, Access and Heritage Statement	AQ39 DAS		128/07/2025
Climate change statement			28/07/2025

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 Authority have, where possible, made a pre-application advice service available, complied with the Kirklees Development Management Charter 2024 and otherwise actively engaged with the applicant in dealing with the application. Officers requested the relocation of the proposed AC units to be within the roofscape to ensure the character and appearance of the building is protected. The agent submitted revised plans to show the AC units within the roofscape of the building.

Report date : 04/11/2025

