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

Dear Mr Cheseldine

20 Market Place Dewsbury WF13 1DW
Change of Use of Ground Floor from Use Class E to Betting Office (Sui Generis)
Application ref 2025/64/93064/E

We are retained by clients who occupy premises in the town centre who wish to strongly object to the proposed change of use and resultant loss of retail space 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 Secondary Shopping Frontage for the town. As such, proposals seeking changes to non-retail use are subject to Policy LP14. The Supporting text for the policy confirms the retail core of town centres is to be protected in all frontages (para 9.17). Para 9.16 also confirms that retail uses within centres across the district are important to protect the health of centres.
- Changes to the use classes order have resulted in former uses in class A2 Financial & Professional Services being included together with shop uses in the new use class E and hence this policy includes a wider range of uses within use class E within the secondary frontage for the town. However, the proposed use, being a betting office, remains sui generis, and therefore the proposal cannot be considered as falling within use class E.
- The criteria which the LPA use when assessing proposals for change of use seek to consider whether the proposal would lead to a dominance of non-retail uses in the frontage which would undermine the retail core and function of the Primary Shopping Area.
- We would confirm that three trading betting offices are already located in close proximity to the application site, at 11-12 Market Place, 42 Market Place and 18-20 Westgate. Three further sui generis adult gaming centres are also located nearby at 38-40 Market Place, 29 Westgate and 2-4 Longcauseway.

- If granted, consent would therefore result in a 7th sui generis gambling and gaming use being located in this part of the town centre which we suggest would clearly lead to a domination of non-retail uses. The proposal therefore fails to comply with part a) of the policy.
- A further consideration is the prominence of the unit in question. We would confirm that the frontage of the unit is 10m wide, making it one of the largest and most prominent units in this part of Market Place. The proposed sui generis use will therefore dominate the frontage causing harm to the character of this part of the centre.
- The proposal will, in addition, fail to enhance the vitality and viability of this part of the secondary frontage as it will only replicate existing uses and will fail to offer new services or facilities for visitors to the town centre.
- Finally, we note that the application unit has only been vacant for 6 months. Further efforts should be made to attract a compliant occupier to this important location thereby enabling the Council to retain the shopping frontage in this part of the town centre.

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