

Our ref: hk/O/Dwsbry/FrgLn

7 April, 2026

Kerri Simpson
Planning – Development Control
Kirklees Council
PO Box 1720
Huddersfield
HD1 9EL

Dear Keri,

2026/62/90271/E - Change of use of existing industrial storage unit to wholesale supermarket, erection of single-storey extension, formation of mezzanine level, installation of canopy over customer entrance, external re-cladding and associated works at Pilgrim Foodservice, Forge Lane, Thornhill Lees, Dewsbury, WF12 9BU

We act as planning consultants to retained clients who trade from nearby premises. Our client wishes to object to the above application in the strongest possible terms.

Whilst the description of the application states that the proposal is for a wholesale supermarket, to all intents and purposes this application is for a large retail (Class E) supermarket and the description of the application appears to be an attempt to conceal the primary purpose and use of the site and circumvent planning policy restrictions given the history of failed attempts to convert these premises to Class E supermarket use.

The applicant's name in the submitted application form is given as 'Cashmere Supermarket' with the applicant's address being 6 Wheelwright Drive Rochdale. However, there is no

business with the registered name 'Cashmere Supermarket' at that address. Companies House records however show that the Kashmir Supermarket (Dewsbury) Ltd is registered at 6 Wheelwright Drive, Rochdale, Lancashire, United Kingdom, OL16 2QQ. The nature of the business is listed as "retail sale of food in specialised stores".

The directors of the business, Messrs Hussain Ayaz, Hussain Aftab, and Iqbal Muhammad Zahid are the same directors of Kashmir Supermarket Ltd of 257 Dewsbury Road, Leeds, England, LS11 5HZ. This is a *bona fide* Class E retail supermarket that is open to the general public. The link to the company website details a classic Asian convenience/supermarket use <https://www.kashmirsupermarket.co.uk/about-us/> and there is nothing at all to suggest that this is a wholesale operation. The proposed hours of use are 0800 to 2200 hrs each day of the week which is typical of a retail supermarket use. Indeed, just because convenience goods are sold at discounted rates or that it is possible to bulk buy some items does not make a premises a wholesale operator. The prima facie use is Class E retail, and we say that without retail sales to the general public the proposed use would not be viable and that wholesale trade is at best ancillary to primary purpose being retail use of the site. The premises is open to all members of the public and they can come and go as they please. The business is advertised as a supermarket. There will be a halal butcher service with prices commensurate with other halal butchers in the catchment zone (<https://www.kashmirsupermarket.co.uk/fresh-halal-meat>). There are no restrictions in place to restrict members of the public visiting the premises. On the contrary, the company even offers free deliveries to customers on orders over £50. We note the planning history of the premises at Dewsbury Road Leeds where the applicants themselves describe their own use as a retail supermarket see for example plans and documents at the following links -

<https://publicaccess.leeds.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=OTDXUZJB0FZ00>
<https://publicaccess.leeds.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=OTDXUZJB0FZ00>

17/04779/FU - Three retail units to car park and two storey extension to existing retail unit
257 Dewsbury Road Hunslet Leeds LS11 5HZ – Kashmir Supermarket

<https://publicaccess.leeds.gov.uk/online->

[applications/applicationDetails.do?keyVal=QCS0RDBH6M00&activeTab=summary](https://publicaccess.leeds.gov.uk/online-applications/applicationDetails.do?keyVal=QCS0RDBH6M00&activeTab=summary)

20/03854/FU - Retention of shipping container for use as hot food take away

255 - 257 Dewsbury Road Hunslet Leeds LS11 5HZ Kashmir Supermarket

<https://publicaccess.leeds.gov.uk/online->

[applications/applicationDetails.do?activeTab=documents&keyVal=RBCGSEJBI8R00](https://publicaccess.leeds.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=RBCGSEJBI8R00)

22/03146/FU - Two storey extension to existing retail unit –

Unit 2 255 - 257 Dewsbury Road Hunslet Leeds LS11 5HZ Kashmir Supermarket

If the applicant's existing site is anything to go by this site could also quickly become a retail destination with all manner of retail expansion and HFTA use operating from the site. The proposed use is undoubtedly a retail Class E supermarket use, and the application should be invalidated or refused, or the description of the subject proposal changed to reflect the primary purpose of the intended use and readvertised on the grounds that the description of the proposal is inaccurate, and the application and the council could be subject to legal challenge. The description of development must be accurate, clear, and precise to properly inform the public and ensure the decision notice correctly defines what is permitted. The submitted proposed plans do not distinguish between wholesale and retail stock areas. Rather, the proposal is for an open format supermarket layout where products are displayed, and the premises is open to all members of the public. In other words this is a retail supermarket use.

The submitted retail statement is deficient. It states that the proposal is for a 1420 sqm *'hybrid convenience and wholesale retail unit'*. In operational terms there is little difference between the proposed use and that of other discount operators such as Lidl, Aldi and B&M. To all intents and purposes this is a retail supermarket masquerading as a wholesale operation for planning purposes and we invite local authority planning officer's to visit the applicants premises at 257 Dewsbury Road Leeds to view the retail operation in action. The submitted documents fail to accurately address the real impact of a 1420sqm retail supermarket in an

out of centre location on existing centres and retail operations and the submitted proposal poses a very real threat to vitality and viability in existing defined centres within the catchment zone.

Furthermore, the impact assessment fails to take into consideration the impact on the current Aldi premises in Dewsbury, Mullaco supermarket in Savile town local centre or Mullaco in Slaithwaite Road Local centre nearby or Umrah supermarket in Dewsbury town centre or Abubakr supermarket in Batley, or for that matter any other Asian supermarket or grocery stores in the catchment zone which are all retail operations that operate in exactly the same way as Kashmir Supermarket. There is no lawful justification for Kashmir supermarket to be considered in any way other than it being a Class E retail supermarket use.

We note that a previous application for supermarket use (2022/62/91658/E - Demolition of existing building and erection of a new Lidl food store (Use Class E) with associated car parking and landscaping) was withdrawn at this site. Notwithstanding the significant level of traffic and noise that will be generated from this site the applicant has not submitted a transport assessment or travel plan or Road Safety Audit. Nor has the applicant submitted a noise impact assessment. Access to the site is also in Flood Zone 2 and the local plan identifies the site as being in the flood plain, yet no flood risk assessment appears to have been submitted. Furthermore it does not appear as though any BNG assessment has been submitted or ecology or environmental impact assessment. The council cannot make any legal determination and should not have registered this application without any of the following documents which are lawfully required for validation purposes for major applications, viz –

- Electric Charging Point Details
- Landscape Assessment
- Landscape Management Document
- Accurate Retail sequential and Impact Assessment for a 1420 sqm retail supermarket.
- Waste & Recycling Assessment
- Lighting Assessment
- Bat Survey

- Noise Impact Assessment
- Air Quality Assessment General
- Statement of Community Involvement
- Transport Assessment
- Travel Plan
- Ecological Appraisal
- Tree / Arboricultural Report and Impact Assessment Survey / Method Statement
- Environmental Impact Assessment
- Energy and Sustainability Statement
- Flood Risk Assessment
- Drainage Assessment
- Heritage Impact Assessment on the listed buildings immediately to the east and north of the application site.

This application is deficient and should be refused on the grounds of lack of information being submitted or otherwise invalidated.

We should also add that the provision of 40 car parking spaces and 3 car parking spaces for staff is nowhere near acceptable for the provision of a 1420sqm supermarket which would typically require the provision of approximately 100 – 142 car parking spaces.

The subject proposal does not comply with the adopted National Planning Policy Framework as well as the following policies of the adopted local plan -

- LP1 - The out of centre proposal for retail supermarket use is not a sustainable development that accords with the development plan or the NPPF
- LP2 - Place shaping - The proposed development will have a harmful impact on the residential character of the area.
- LP3 – Location of new development
- LP13 – Town centre uses
- Policy LP16 - Food and drink uses and the evening economy

- LP18 – Harm to Dewsbury town centre
- LP20 – Sustainable travel
- LP21 – Highways and access and failure to provide transport statement
- LP22 – Parking
- LP24 – Design
- LP26 – Renewable and low carbon energy
- LP27 – Flood risk
- LP28 – Drainage
- LP51 – Protection and improvement of local air quality
- LP52 – Protection and improvement of environmental quality

For all the above reasons we respectfully request that this application is refused.

Yours sincerely,