PlanningPortal

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Application to determine if prior approval is required for a proposed: Change of use from Commercial, Business and Service (Use Class E) to Dwellinghouses (Use Class C3)

Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) - Schedule 2, Part 3, Class MA

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Local Planning Authority details:

Kirklees COUNCIL

Application Number	
Date Logged	
Receipt No	Fee Received
Card	Other
KIRKLEES COUNCIL VALIDATION CHECKLIST	SUPPLY 1 COPY ONLY

Planning - PO Box 1720, Huddersfield, HD1 9EL
E-mail: planning.portal@kirklees.gov.uk **Tel:** 01484 414746

Publication on Local Planning Authority websites

Information provided on this form and in supporting documents may be published on the authority's planning register and website. Please ensure that the information you submit is accurate and correct and does not include personal or sensitive information. If you require any further clarification, please contact the Local Planning Authority directly.

1. Applicant Name and Address

Title:	MR+MRS	First name:			
Last name:	WAINWRIGHT				
Company (optional):					
Unit:		Number:		Suffix:	
Building name:	C/O AGENT.				
Address 1:					
Address 2:					
Address 3:					
Town:					
County:					
Country:					
Postcode:					

2. Agent Name and Address

Title:	MR	First name:	JOHN		
Last name:	EARLY.				
Company (optional):	JE ARCHITECTURAL LTD.				
Unit:		Number:	23	Suffix:	
Building name:					
Address 1:	WINDMILL ROAD				
Address 2:	WOMBWELL.				
Address 3:					
Town:	BARNSLEY.				
County:	SOUTH YORKSHIRE.				
Country:					
Postcode:	S73 8PW.				

3. Site Address Details

Please provide the full postal address of the application site.

Unit:		Number:	10	Suffix:	
Building name:					
Address 1:	COMMERCIAL ROAD				
Address 2:	SKELMANTHORPE				
Address 3:	HUDDERSFIELD				
Address 4:	WEST YORKSHIRE				
Postcode:	HD8 9AA.				

4a. Eligibility - The current building and site

Has the use of the building, for a continuous period of at least 2 years immediately prior to the date of this application, been any of the following:

- For periods prior to 1 September 2020 -
  - Shops (Use Class A1);
  - Financial and professional services (Use Class A2);
  - Food and drink (Use Class A3)
  - Business (Use Class B1);
  - Medical or health services - Non-residential institutions (Use Class D1(a));
  - Crèche, day nursery or day centre - Non-residential institutions (Use Class D1(b));
  - Indoor and outdoor sports - Assembly and leisure (Use Class D2(e)), other than as an indoor swimming pool or skating rink;
- For periods from 1 September 2020 - Commercial, Business and Service (Use Class E)

☑ Yes ☐ No

If you have answered No above, the proposal will exceed the limits set by legislation. In this circumstance, you should not continue with this application and seek advice from the Local Planning Authority on the best course of action.

Is any land covered by, or within the curtilage of, the building:

- in a site of special scientific interest;
- a listed building or land within its curtilage;
- a scheduled monument or land within its curtilage;
- a safety hazard area;
- a military explosives storage area;

Or, is the building:

- in an area of outstanding natural beauty;
- in an area specified by the Secretary of State for the purposes of enhancement and protection of the natural beauty and amenity of the countryside;
- in the Broads;
- in a National Park;
- in a World Heritage Site

☐ Yes ☑ No

If you have answered Yes above, the proposal will exceed the limits set by legislation. In this circumstance, you should not continue with this application and seek advice from the Local Planning Authority on the best course of action.

4b. Eligibility - The proposed change of use

For applications, submitted before 1 August 2022, proposing a change of use to Dwellinghouses (Use Class C3) from Offices (Use Class E(g)(i), previously Use Class B1(a)).
Is/Was there an Article 4 direction in place that has removed these specific permitted development rights?

☐ Yes ☑ No / Not relevant

If you have answered Yes above, the proposal will exceed the limits set by legislation. In this circumstance, you should not continue with this application and seek advice from the Local Planning Authority on the best course of action.

Will all the proposed new dwellinghouses have gross internal floor areas of at least 37 square metres, and comply with the nationally described space standard?

☑ Yes ☐ No

If you have answered No above, the proposal will exceed the limits set by legislation. In this circumstance, you should not continue with this application and seek advice from the Local Planning Authority on the best course of action.

Following the changes of use, will every dwellinghouse in the building remain in use within Use Class C3 and for no other purpose, unless that purpose is ancillary to the primary use as a dwellinghouse?

☑ Yes ☐ No

If you have answered No above, the proposal will exceed the limits set by legislation. In this circumstance, you should not continue with this application and seek advice from the Local Planning Authority on the best course of action.

5. Agricultural Tenants

Is any part of the land covered by or within the curtilage of the building occupied under any agricultural tenancy agreements?

☐ Yes ☑ No

If yes, have all the parties to any agricultural tenancy agreements consented to the change of use?

☐ Yes ☐ No

If occupied under any agricultural tenancy agreements and:
- all parties have consented to the change of use
You will need to include copies of the written confirmations from all relevant parties, stating their consent, when this application is submitted.
- not all parties have consented to the change of use
Your proposals will not be eligible for permitted development based on the limits set by legislation. In this circumstance, you should not continue with this application and seek advice from the Local Planning Authority on the best course of action.

6. Description of Proposed Works, Impacts and Risks

Please describe the proposed development including details of any dwellinghouses and other works proposed:

PARTIAL CONVERSION OF BUSINESS PREMISES TO CREATE SELF-CONTAINED FLAT AT SECOND FLOOR + ASSOCIATED ALTERATIONS TO REAR ENTRANCE AREA + STAIRWAY FOR ACCESS TO SAID FLAT.

6. Description of Proposed Works, Impacts and Risks (continued)

Please provide details on the provision of adequate natural light in all habitable rooms of the dwellinghouses:

REFER TO ATTACHED FLOOR PLANS FOR LAYOUT OF ROOF WINDOWS ALREADY INSTALLED FOR NATURAL LIGHT & VENTILATION.

What will be the net increase in dwellinghouses: 01(ONE)

Note that this figure should be the number of dwellinghouses proposed by the development that is additional to the number of dwellinghouses in the existing building.

Please provide details of any transport impacts and how these will be mitigated, particularly to ensure safe site access:

DUE TO SIZE + TENURE OF PROPOSED DWELLING TRANSPORT IMPACTS AREN'T ANTICIPATED TO BE SIGNIFICANT. NATURE OF PROPOSED DWELLING SUGGESTS LIMITED CAR OWNERSHIP LIKELY. ON-STREET PARKING READILY AVAILABLE OUTSIDE BUILDING ON COMMERCIAL ROAD. AND BUS STOPS AVAILABLE WITHIN 50-100M WITH SERVICES TO HUDDERSFIELD, WAKEFIELD & HOLMFIRTH & BEYOND FROM THESE INTERCHANGES.

Please provide details of any contamination risks and how these will be mitigated:

NO OBVIOUS SEATS OF CONTAMINATION INDICATED ON HISTORIC MAPS OF AREA WHICH INDICATE A PREDOMINANTLY RURAL SETTING WITH LIMITED INDUSTRY ON MAPS DATING BACK TO 1849/50. LOCATION IS ALSO IN THE LOWEST BAND FOR RADON POTENTIAL. WHERE NO PRECAUTIONS ARE NECESSARY SO NO FURTHER ACTION PROPOSED.

6. Description of Proposed Works, Impacts and Risks (continued)

Please provide details of any flooding risks and how these will be mitigated.
A flood risk assessment should accompany the application where the site:
- is in Flood Zones 2 or 3 (Check online: https://flood-map-for-planning.service.gov.uk/); or
- is in an area with critical drainage problems (Check with the Local Planning Authority, it will have been notified of such areas by the Environment Agency).

SITE/BUILDING IS LOCATED IN FLOOD ZONE 1, AN AREA OF LOW PROBABILITY FROM FLOODING, SEE ATTACHED FLOOD MAP, AND, THEREFORE, NO FURTHER ACTION PROPOSED.

Please provide details of the impacts of noise from any commercial premises on the intended occupiers of the new dwellinghouses and how these will be mitigated:

ALTHOUGH THE PREMISES INCLUDES A MICROBAR AT GROUND FLOOR LEVEL BECAUSE THIS IS IN A RESIDENTIAL AREA IT HAS RESTRICTED OPENING HOURS TILL NO LATER THAN 11PM ON FRIDAYS + SATURDAYS SO NOISE IMPACTS DURING "PROTECTED" RESIDENTIAL HRS (11PM – 7AM) AREN'T ANTICIPATED TO BE SIGNIFICANT + FLAT WILL BE SEPARATED BY REMAINING ~~FF~~ STORAGE AREA + SOUND RESISTING FLOORS + WALLS REQUIRED BY BUILDING REGULATIONS.

If the proposed development would result in a building that contains more than one dwellinghouse, and is either 18 metres (or more) in height or contains 7 (or more) storeys.
Please provide details of the fire safety impacts on the intended occupants of the building.
For such proposals, a 'Fire statement' that covers the fire safety design principles, concepts and standards that have been applied to the development should also accompany the application.

NOT APPLICABLE.

6. Description of Proposed Works, Impacts and Risks (continued)

If the building is located in a conservation area, and the development involves a change of use of the whole or part of the ground floor.
Please provide details of the impacts that the change of use will have on the character or sustainability of the conservation area and how these will be mitigated:

NOT APPLICABLE.

If the building is located in an area currently in use for general or heavy industry, waste management, storage and distribution, or a mix of such uses.
Please provide details of the impacts on intended occupiers of the development of the introduction of residential use in the area and how these will be mitigated:

NOT APPLICABLE.

If the proposal involves the loss of services provided by a registered nursery, or a health centre.
Please provide details of the impacts on the local provision of the type of services lost and how these will be mitigated:

NOT APPLICABLE.

7. List of flats and other premises in the existing building

Please provide a list of all addresses of any flats and any other premises within the existing building (either in the fields below or as a supporting document)

Address 1:	TIPSY COW MICROBAR 10A COMMERCIAL ROAD SKELMANTHORPE HUDDS., HD8 9AA.
Address 2:	
Address 3:	
Address 4:	
Address 5:	
Address 6:	
Address 7:	
Address 8:	
Address 9:	
Address 10:	

Please provide details of any additional addresses on a separate sheet if necessary.

8. Checklist

Please read the following checklist to make sure you provide all the required information in support of your proposal.
The information provided should include all the details necessary for the Local Planning Authority to determine if the proposal complies with permitted development legislation, and if its prior approval is required or should be granted.
If sufficient information is not provided the Local Authority can either request it, or refuse the application.

- All sections of this application completed in full, dated and signed. ☑
- The correct fee ☑
- A plan indicating the site and showing the proposed development. ☑
- Floor plans indicating the total floor space in square metres of each dwellinghouse, the dimensions and proposed use of each room, the position and dimensions of windows, doors and walls, and the elevations of the dwellinghouses ☑
- The confirmations in regard to agricultural tenancies *(if required by the answers provided to question 5)* ☑
- A site specific flood risk assessment *(if required as per the flood risk details of question 6)* ☑
- A 'Fire statement' that covers the fire safety design principles, concepts and standards that have been applied to the development *(if required as per the fire safety details of question 6)* ☐

All plans should be drawn to an identified scale and show the direction of North.
Plans can be bought from one of the Planning Portal's accredited suppliers:
https://www.planningportal.co.uk/buyaplanningmap

9. Declaration

I/we hereby apply for a determination as to whether prior approval will be required as described in this form and the accompanying plans/ drawings and additional information. I/we confirm that, to the best of my/our knowledge, any facts stated are true and accurate and any opinions given are the genuine opinions of the person(s) giving them.

Signed - Applicant: Redacted

Date (DD/MM/YYYY): 14/07/2026 (date cannot be pre-application)

10. Applicant Contact Details

Telephone numbers

Country code:	National number:	Extension:
	Redacted	

Country code:	Mobile number (optional):

Country code:	Fax number (optional):

Email address: Redacted

11. Agent Contact Details

Telephone numbers

Country code:	National number:	Extension:
	01226 754507	

Country code:	Mobile number (optional):

Country code:	Fax number (optional):

Email address: jealtd@virginmedia.com.