

From:
Sent: 03 December 2018 14:51
To: DCAdmin
Subject: 2018/93568 at location Kingsgate Centre, Store 1, King Street, Huddersfield, HD1 2QB

The majority of the works are contained within the retail centre itself apart from the creation of shop fronts into the rather blank façade on to Zetland Street and the increase in height to allow for the auditorium. The increase in height does have an impact upon the setting and character of the conservation area and as such can be considered to cause harm. The set back and the proposed materials will aid the extension to blend into the surroundings and reduce the harm to a degree. The insertion of glazing and shop fronts onto Zetland Street is a great improvement and will add much needed vitality to this part of the town centre.

Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that all development should preserve or enhance the character of the conservation area. The improvement of the shop fronts on to Zetland Street is certainly an enhancement and is as such compliant with this section. In terms of the extension, Section 72 applies but as previously stated there is harm and as such the Act could be seen to have not been complied with. However, firstly the significance of the CA overall is not harmed and secondly case law suggests that if the relevant paragraphs of the NPPF have been engaged then this Section should be seen to have been complied with. This then leads on to the relevant paragraphs of the NPPF.

Para 200 of the NPPF states that opportunities for new development in CA should be looked for and those that make a positive contribution should be treated favourably. This is the case in relation to the shop fronts. In terms of the extension, it cannot be seen to enhance or preserve and as such harm is caused. Loss of a building or other element, the latter is the case here in terms of significance, should be treated as substantial or less than substantial harm as appropriate. I am of the opinion that the harm is less than substantial and as such reference should be made to para 196 which states where such harm occurs this harm should be weighed against the public benefits the scheme affords. The public benefits in this case are the improvement of the shopfronts, which would not happen without the cinema and the necessary extension, and the improvement of an offer to the retail centre that will increase footfall and 'spend' thus improving the vitality of town centre.

I therefore conclude that whilst harm is created this is outweighed by the public benefits it affords and as such Section 72 of the Act is complied with along with para 198 of the NPPF.

Group Leader (Conservation and Design)
Investment and Regeneration Services
PO Box B93
Civic Centre 3
Huddersfield
HD1 2JR

Tel:
Internal:
Short Code
Lync code: