

KIRKLEES METROPOLITAN COUNCIL INVESTMENT & REGENERATION SERVICE

DEVELOPMENT MANAGEMENT

Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended) – SECTION 16

DELEGATED DECISION TO DETERMINE APPLICATIONS FOR LISTED BUILDING CONSENT

Reference No:	2022/65/92391/W
Site Address:	Coffee Novo, 50, New Street, Huddersfield, HD1 2BW
Description:	Listed Building Consent for internal and external alterations to convert coffee shop to building society including new shopfront, fire exit door and A/C condenser units [within a Conservation Area]
Recommending Officer:	Tom Hunt

DECISION – CONSENT GRANTED

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.

John Holmes

AUTHORISED OFFICER

Date: 14-Sep-2022

Officer Report

Site Description

2022/92391 – Coffee Novo, 50, New Street, Huddersfield, HD1 2BW

The site relates to No.50 New Street which is a three-storey building situated within a terrace of retail premises on New Street, including the ground floor of Grade II listed No's. 1-2 Union Bank Yard attached to the rear of No.50. No.50 has a painted façade, presumably stone, under a blue slate roof. There is a covered walkway through No.50 at ground floor level to allow for access from New Street to Union Bank Yard.

The ground floor of No.50 and No's.1-2 was previously occupied by Coffee Novo (a café), with space ancillary to this use being located on the upper floors. However, the building is currently vacant at the time of writing. It has a timber shopfront being largely glazed with a double door and aluminium fascia sign above.

The side elevation of both properties has had previous windows and doors infilled with natural stone.

The site is within the Huddersfield Town Centre Conservation Area and is within close proximity to a number of Grade II listed buildings, including No.'s 40, 42/44/48, 52, 54, 56, 61 New Street, No's 3 and 6/7 Union Bank Yard. The site is within Huddersfield Primary Shopping Area within Huddersfield Town Centre and forms part of a Primary Shopping Frontage. The site is within a development high risk coal mining area.

Description of Proposal

Listed Building Consent for internal and external alterations to convert coffee shop to building society including new shopfront, fire exit door and A/C condenser units [within a Conservation Area]

The proposal would have No. 50 at ground and first floor and the ground floor of 1-2 within its application site. 1-2 Union Bank Yard is the Listed section to which this application for Listed Building Consent relates to.

On the northeastern and primary elevation of the Listed Building, the existing metal grilles (a modern intervention) would be infilled with natural stone.

Internally it would have its existing modern shopfittings/dividing modern walls removed and have new reversible wall fittings to sub-divide the room to allow for offices and a WC. In order to allow the function of a financial commercial unit, there would be internal openings to be infilled to prevent access to the side elevation of the Listed Building which would serve to subdivide the building securely from its proposed use upstairs.

To No. 50, It is proposed to replace the shopfront for one that is a double-glazed shopfront with frames aluminium powder coated in white. This would have a centrally located glazed, goal post framed door instead of double-glazed doors however it would still provide sufficient width for universal access. In addition, ashlar stone pilasters and plinth will finish the shopfront.

New timber framed double glazing would be to the windows on the first floor at the primary elevation to match existing.

Internally, the proposal would reconfigure rooms to the ground and first floor levels only. This would have an open plan public space, office rooms, toilets, and staff spaces. The staircase would be brought up to code. A new hinged window would be installed for AC access to the flat roof with hinged security bars internally.

To the re-covered flat roof behind the host building, existing 4 A/C condenser units would be replaced with 4 new A/C condenser units and slightly repositioned.

History of negotiations/amendments received

Justification was sought for the originally proposed siting of the fire escape within the Listed Building Section. Following discussion with the Conservation & Design Officer and a request for public benefits to be set out, an originally proposed fire exit to the primary elevation of the Listed Building No. 1-2 was removed.

Relevant Planning History

97/93598 – Proposal: Refurbishment and Respray of Existing Shop Front and Installation of External Security Shutter (Listed Building Within Conservation Area). Conditional Full Permission.

97/93240 – Proposal: Erection of Illuminated Fascia and Projecting Sign (Within A Conservation Area). Advertisement Consent Granted.

98/92999 – Proposal: Installation of New Shop Front (Within A Conservation Area). Conditional Full Permission.

98/93000 – Proposal: Erection of Illuminated Signs. Advertisement Consent Granted.

2001/92075 – Proposal: Erection of Illuminated Fascia and Projecting Signs (Within A Conservation Area). Advertisement Consent Granted.

2002/91147 – Proposal: Erection of Illuminated Fascia and Projecting Signs (Within A Conservation Area). Advertisement Consent Granted.

2021/92816 – Proposal: Change of use and alterations to second floor office to form 2 residential units (within a Conservation Area). Conditional Full Permission.

2021/93442 – Proposal: Change of use of first and second floor to form 3 apartments (Within a Conservation Area). Pending Consideration.

2021/93443 – Proposal: Listed Building Consent for change of use of first and second floor to form 3 apartments with associated internal and external works (Within a Conservation Area). Pending Consideration.

2022/91446 – Proposal: Certificate of lawfulness for proposed use of ground and part first floor as use Class E. Cert of Lawful Use Granted.

2022/91616 – Proposal: Advertisement consent for the erection of illuminated signs (Within a Conservation Area). Advertisement Consent Granted.

2022/91300 – Proposal: Alterations to convert coffee shop to building society including new shopfront, fire exit door and A/C condenser units (Within a Conservation area). Pending.

Representations

We are currently undertaking statutory publicity requirements, as set out at Table 1 in the Kirklees Development Management Charter. As such, we have publicised this application via:

Site Notice Expired: 17/08/2022

Publicity expired: 26/08/2022

No representations have been received.

Amended plans were not re-advertised as the amendments were not considered to significantly alter the scheme from that as initially advertised.

Consultation Responses

The following is a brief summary of Consultee advice (more details are contained in the Assessment section of the report, where appropriate):

- Conservation & Design – Required more information why fire exit door was needed. No objection to amended scheme which removed this door.

Policy & Legislation

The proposal relates to a Grade II listed building, the site is within Huddersfield Town Centre / Conservation Area as identified within the Kirklees Local Plan (adopted 2019).

It is considered that the following policy and legislation is applicable to the determination of this application.

Kirklees Local Plan (LP):

- LP 24 – Design
- LP 35 – Historic Environment

National Policies and Guidance:

National planning policy and guidance is set out in National Policy Statements, primarily the National Planning Policy Framework (NPPF) published 20th July 2021, the Planning Practice Guidance Suite (PPGS) first launched 6th March 2014 together with Circulars, Ministerial Statements and associated technical guidance.

The NPPF constitutes guidance for local planning authorities and is a material consideration in determining applications.

- Chapter 12 – Achieving well-designed places
- Chapter 16 – Conserving and enhancing the historic environment

Legislation

The building is Grade II listed and therefore Section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended) requires the Local Planning Authority to ‘have special regard to the desirability of preserving the building or its setting or any features of a special architectural or historic importance which it possesses’.

Assessment

The following matters are considered in the assessment below –

- 1) Principle of development
- 2) Impact on the significance of the Building
- 3) Representations
- 4) Conclusion

1 – Principle of development:

The proposal will be assessed having regard to the relevant policies and Chapter 16 of the NPPF. Of particular relevance, the NPPF states within paragraph 190 that Local Authorities and Plans should take into account:

- a) the desirability of sustaining and enhancing the significance of heritage assets, and putting them to viable uses consistent with their conservation;*
- b) the wider social, cultural, economic and environmental benefits that conservation of the historic environment can bring;*

and that in determining applications, within paragraph 197, that local planning authorities should take into account:

a) the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;

b) the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality

Section 66 of the Planning (Listed Building and Conservation Areas) Act 1990 states that:

'In considering whether to grant planning permission [...] for development which affects a listed building or its setting, the local planning authority or, as the case may be, the Secretary of State shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.'

Furthermore this relates to Policy LP35 of the Local Plan and Chapter 16 of the National Planning Policy Framework regarding the historic environment. LP35 states that:

'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'.

The aforementioned policies and legislation are taken into account in the consideration of the impact of the proposal on the significance of the listed building.

On the basis the proposal is considered to have an acceptable impact on the significance of the listed building the principle of development could be considered to be acceptable in this case.

Impact on the significance of the Building

This Grade II listed, early c19, three storey building is located off a main shopping street accessed through a snicket in the Huddersfield Town Centre Conservation Area. It has stone brackets to gutter, 5 ranges of industrial windows with glazing bars (some sashed), a door with 6 fielded panels in wooden frame with Tuscan pilasters and dentilled cornice. There are stone setts and flags outside.

The Council's Conservation Team set out within their response to the associated planning application for the same works the subject of this application that they have no objection to the scheme. They

The applicant proposes to have minimal natural stone infill inserted to existing modern metal grilles. This would be sited to the west of the entrance door and would not interfere with existing stone infilled windows showing the historic elevation. While this would add some minor incongruity with further stone infill, this is mitigated by the removal of the metal grilles which are considered to appear as a modern addition and would not interfere significantly with the primary elevation of the Listed Building.

Given the nature of the proposal, it has been considered that the proposed minor external alterations would not prejudice the listed building as the use of natural stone infill is considered to harmonise well with the listed building. Internal alterations to the Listed Building would have its existing modern shopfittings/dividing modern walls removed and have new reversible wall fittings to sub-divide the room to allow for offices and a WC. This would not remove any historic materials and therefore considered acceptable. In order to allow the function of a financial commercial unit, there would be internal openings to be infilled to prevent access to the side elevation of the Listed Building which would serve to subdivide the building securely. This would divide the building however the alterations could be conditioned to be reversible and lightweight materials to allow the building to be brought back into use as a whole.

As these internal works only affect modern fittings with some infill to the internal walls, they are considered not to result in harm to the significance of the building. The new replacement condensers would be sited in place of existing condensers and are noted to not be within the Listed Building Section.

The Listed Building would benefit from being brought back into use with no significant alterations proposed to historic fabric or interference with the range of windows and primary elevation doorway. The alterations would help preserve the characteristics whilst bringing the vacant part of the building back into use. As part of No. 50's commercial operations, it would be heated and maintained while in use providing some public benefit to its ongoing preservation and considering these points, officers consider the harm caused to the identified heritage significance to be less than substantial. The public benefits of bringing this vacant building back into use and supporting the High Street are considered to outweigh any harm caused.

The proposal is therefore concluded to be acceptable in terms of impact upon a grade II listed Building.

Representations

No representations had been received.

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
Consent**

Grant Listed Building

Decision Authorisation – Delegated Powers

Application Number: 2022/92391

Officer Recommendation: Approve

Conditions and Reasons

1. The development shall be begun not later than the expiration of three years beginning with the date on which consent is granted.

Reason: Pursuant to Section 18(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, as amended by the Planning and Compulsory Purchase Act 2004.

2. 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.

Reasons: In the interests of visual amenity and sustaining the architectural significance of the heritage asset in accordance with policies within chapters 12 and 16 of the National Planning Policy Framework and Policies LP24 and LP35 of the Kirklees Local Plan.

3. Notwithstanding the submitted detail, the infill of the metal grilles identified on elevation plans shall be of coursed natural stone of the same type, texture, colour and appearance laid to match the exterior materials of the Listed Building.

Reasons: In the interests of visual amenity and sustaining the architectural significance of the heritage asset in accordance with policies within chapters 12 and 16 of the National Planning Policy Framework and Policies LP24 and LP35 of the Kirklees Local Plan.

4. Where it is proposed to infill existing interior openings, doorways/door frames to subdivide the building, any historic existing frames shall be retained in situ and the doorway/opening infilled using coursed natural stone of the same type, texture, colour and appearance.

Reasons: In the interests of visual amenity and sustaining the architectural significance of the heritage asset in accordance with policies within chapters 12 and 16 of the National Planning Policy Framework and Policies LP24 and LP35 of the Kirklees Local Plan.

5. There shall be no use of cement or concrete in any parts of the works.

Reasons: In the interests of visual amenity and sustaining the architectural significance of the heritage asset in accordance with policies within chapters 12 and 16 of the National Planning Policy Framework and Policies LP24 and LP35 of the Kirklees Local Plan.

6. All raking out of mortar joints or removal of metal grilles shall be undertaken using hand tools only. There shall be no use of cutting or grinding tools.

Reasons: In the interests of visual amenity and sustaining the architectural significance of the heritage asset in accordance with policies within chapters

12 and 16 of the National Planning Policy Framework and Policies LP24 and LP35 of the Kirklees Local Plan.

7. There shall be no use of filler or expandable foams in any part of the works.

Reasons: In the interests of visual amenity and sustaining the architectural significance of the heritage asset in accordance with policies within chapters 12 and 16 of the National Planning Policy Framework and Policies LP24 and LP35 of the Kirklees Local Plan.

Plans and specifications schedule:-

Plan Type	Reference	Version	Date Received
Plans – Location Plan	Location Plan Drawing No. 050	-	15/07/2022
Listed Building Application as Existing.	Job No. 14527ID. Drawing No. 010.	-	15/07/2022
Proposed Floor Plans.	Job No. 14527ID. Drawing No. 200.	B	05/09/2022
Proposed Scheme Elevations	Job No. 14257ID. Drawing No. 202.	B	05/09/2022
Heritage Statement	1427ID Heritage Design and Access Statement	-	15/07/2022

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 2015 and otherwise actively engaged with the applicant in dealing with the application. Following the removal of the originally proposed fire door and informal consultation with the Conservation & Design Officer, the proposal was amended satisfactorily.

Report Dated: 06/09/2022