KIRKLEES METROPOLITAN COUNCIL
INVESTMENT & REGENERATION SERVICE

DEVELOPMENT MANAGEMENT

Town and Country Planning Act 1990 (as amended) – SECTION 73

DELEGATED DECISION TO DETERMINE PLANNING APPLICATIONS TO CARRY OUT DEVELOPMENT WITHOUT COMPLIANCE WITH PLANNING CONDITIONS PREVIOUSLY ATTACHED

Reference No:	**2023/70/91017/W**
Site Address:	Huddersfield Railway Station, St George's Square, Huddersfield, HD1 1JB
Description:	Variation of condition 2 (plans and specifications) on previous permission 2021/94574 for Listed Building Consent for refurbishment and alterations of staff mess facilities
Recommending Officer:	Sue Brooks

DECISION – Approve Variation of Condition (listed building consent)

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.

Teresa Harlow

AUTHORISED OFFICER

Date: 31-May-2023

Officer Report

Site Description

Huddersfield Railway Station is a substantial Grade I Listed Building situated in a prominent location within the Huddersfield Town Centre Conservation Area. It was designed by James Pritchett of York and was constructed between 1846 and 1850 in a neo-classical style. The main station building comprises a large, central two storey block with an attic floor and a five bay free standing pedimented portico, along with a further three bays to either side and is constructed in ashlar sandstone with fine detailing and timber sash windows. To the rear of the building are the station platforms covered by trussed canopies with blue slate and corrugated sheet coverings, and to the north is a separate single storey building which houses the existing mess facilities.

Description of Proposal

This application is to vary Condition 2 (plans and specifications) of 2021/94574, Listed Building Consent for the refurbishment and alterations of staff mess facilities. The proposal is to amend the location of the approved air conditioning unit serving Area B from the external wall of the north elevation of the mess facilities to a wall within a passageway in the main station building which leads from Platform 1 to the front elevation.

History of negotiations / amendments received

The applicant was asked to clarify whether the proposed unit replaces an existing approved unit or whether it is an additional unit. They confirmed that it replaces one of the two units shown on drawing LB208 and this drawing was amended accordingly (LB208A).

Relevant Planning History

2021/94574 – Listed Building Consent for refurbishment and alterations of staff mess facilities – Consent Granted

Access Considerations

None.

Climate Change Emergency

On 12th November 2019, the Council adopted a target for achieving ‘net zero’ carbon emissions by 2038, with an accompanying carbon budget set by the Tyndall Centre for Climate Change Research. National Planning Policy

includes a requirement to promote carbon reduction and enhance resilience to climate change through the planning system and these principles have been incorporated into the formulation of Local Plan policies. The Local Plan pre-dates the declaration of a climate emergency and the net zero carbon target, however it includes a series of policies which are used to assess the suitability of planning applications in the context of climate change. When determining planning applications, the Council will use the relevant Local Plan policies and guidance documents to embed the climate change agenda.

The proposal is for the relocation of the proposed air conditioning unit serving Area B, approved under application 2021/94574, to a more suitable location on the building. As the installation of a unit has already been approved, climate emergency requirements are not relevant in this instance.

Consultation Responses

Historic England has been consulted due to the Grade I status of the building and they have no comments.

Officer report has been compiled by the Conservation and Design Officer.

Representations

The application has been publicised with a site notice and a press notice. No representations have been received.

Date site notice expired: 05/05/2023

Publicity expiry date: 14/05/2023

Policies

The building is Grade I 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 is possesses'.

Section 19 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended) allows the variation of a condition attached to a listed building consent application.

Kirklees Local Plan

The statutory Development Plan for Kirklees is the Local Plan (adopted 27th February 2019). The following policies are considered relevant to this application:

LP 1 Achieving Sustainable Development
LP 2 Place Shaping
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.

Chapter 2 Achieving sustainable development
Chapter 12 Achieving well-designed places
Chapter 16 Conserving and enhancing the historic environment

Assessment

This application is to vary Condition 2 (plans and specifications) of 2021/94574, Listed Building Consent for the refurbishment and alterations of staff mess facilities. The proposal is to amend the location of the approved air conditioning unit serving Area B from the external wall of the north elevation of the mess facilities to a wall within a passageway in the main station building which leads from Platform 1 to the front elevation.

The proposed condenser unit is situated at high level within the passageway where it will have a negligible impact on the significance of the listed building as it is obscured by the masonry bulkheads at each end. The proposed pipework will be run at high level, following existing containment routes and painted black to blend in with the existing runs. The unit is discreetly positioned away from the more significant elements of the listed building and is fully reversible if it becomes redundant.

Overall, this is a sensitive proposal which helps to provide a comfortable environment within the staff areas without harm to the historic fabric or significance of this Grade I listed building. It is therefore considered to be acceptable.

Conclusion

Paragraph 199 of the NPPF states that:

"When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance."

Paragraph 202 goes on to state that:

"Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use."

The proposal leads to less than substantial harm by the introduction of a wall mounted air conditioning unit, however this harm is negligible because of the discreet location and reversibility of the unit and pipework, along with the omission of the previously proposed unit serving Area B. The public benefits of providing improved staff facilities outweighs this slight harm.

Section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act requires that the Local Planning Authority 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.

As the proposed works are minimal, discreet and reversible, it is felt that the architectural and historic interest of the listed building is preserved.

Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires special attention to be paid to the desirability of preserving or enhancing the character or appearance of that area.

As the proposed unit location is within the confines of the station building and in a discreet location, it preserves the character and significance of the conservation area.

It is therefore concluded that the proposed development accords with the requirements of policies LP1, LP2, LP24 and LP35 of the Kirklees Local Plan, policies within Chapters 2, 12 and 16 of the National Planning Policy Framework and Section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended).

This application has been assessed against relevant policies in the development plan and other material considerations. It is considered that the public benefits of the proposal outweigh the negligible harm and is therefore recommended for approval.

Recommendation **Grant Variation of Condition 2**

Decision Authorisation - Delegated Powers
Application Number: - 2023/91017
Officer Recommendation: Grant Variation of Condition 2

Conditions and Reasons:

1. The development shall be begun by 15th March 2025.
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.
Reason: To ensure the satisfactory appearance of the development on completion to retain the significance of the designated heritage asset and to accord with Policy LP35 of the Kirklees Local Plan, as well as Chapter 16 of the National Planning Policy Framework.

Plans and specifications schedule: -

Plan Type	Reference	Version	Date Received
Variation of Condition 2 Statement			4 April 2023
Proposed drawing and details (AC unit for Area A)	2955-HUD-LB208	A	31 May 2023
Proposed drawing and details (AC unit for Area B)	2955-HUD-LB209		3 April 2023

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 Planning 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. Negotiations have taken place over the impact of the proposals on the character and significance of the listed building. These discussions led to the submitted plans which accurately mirror those negotiations and are felt to be acceptable.

Report Dated: 31 May 2023