

14-04-2023

Kirklees Council
Development Management
PO Box B93
Civic Centre 3
Huddersfield
HD1 2JR

BDP.

Dear Sir / Madam

Section 73 Application for the Variation of Condition 2 of 2021/48/93190/E following Full Planning Permission for Alterations to the Building and Material Change of Use of Units to Flexible Uses falling within Use Classes E(a), (b), (c), (d), (g[i]), (g[iii]), Public House / Wine Bar / Drinking Establishment

At 1-22 The Arcade, 14 & 16 Corporation Street and 23 & 25 Market Place, Dewsbury WF13 1QG

BDP is instructed by our client, Kirklees Council, to seek the variation of condition 2 of full planning permission 2021/48/93190/E, to regularise amendments to the proposal since the original permission was granted.

This Covering Letter is accompanied by:

- Application Form, duly signed and dated;
- Site Plan as Proposed - 1705-BDP-AD-SL-PL-Z-00003 P03;
- Ground Floor GA Plan as Proposed - 1705-BDP-AD-00-PL-A-20001 T01;
- First Floor GA Plan as Proposed - 1705-BDP-AD-01-PL-A-20001 T01;
- Second Floor GA Plan as Proposed - 1705-BDP-AD-02-PL-A-20001 T01;
- Third Floor GA Plan as Proposed - 1705-BDP-AD-03-PL-A-20001 T01;
- Ground Floor Removals Plan - 1705-BDP-AD-00-PL-A-20002 T01;
- First Floor Removals Plan - 1705-BDP-AD-01-PL-A-20002 T01;
- Second Floor Removals Plan - 1705-BDP-AD-02-PL-A-20002 T01;
- Third Floor Removals Plan - 1705-BDP-AD-03-PL-A-20002 T01; and
- East Elevation - 1705-BDP-AD-XX-EL-A-20005 T01.

Background

On 4 March 2022, full planning permission (LPA reference 2021/48/93190/E) and Listed Building Consent (LPA reference 2021/65/93191/E) was granted for alterations to The Arcade and a change of use to flexible uses falling within Use Classes E(a), (b), (c), (d), (g[i]), (g[iii]) and a public house / wine bar / drinking establishment (Sui Generis).

Separately from the above, on 10 June 2022, full planning permission (LPA reference 2022/48/91006/E) and Listed Building Consent (LPA reference 2022/65/91007/E) was granted for alterations - including a new entrance, installation of lift core and staircase and new internal openings - and a change of use for flexible uses falling within Use Class E (a), (c), (d), (g[i]) at 18-20 Corporation Street / 17 Foundry Street – the adjacent property to The Arcade, to its immediate east.

The floor plans included within the 18-20 Corporation Street / 17 Foundry Street application illustrated some changes within The Arcade. It was explained as a part of that application submission that a variation of condition application would follow for The Arcade to regularise the proposed plans.

This variation of condition application also picks up various other changes to the original 2021/48/93190/E permission. Whilst it is acknowledged that some of these do not, perhaps, explicitly require planning permission, they are included for the avoidance of any doubt.

The S73 fee of £234 is to be paid by my client directly to the LPA.

A S19 application, which seeks to vary condition 2 of Listed Building Consent 2021/65/93191/E, has been submitted concurrently to this S73 application.

Amendments

Condition 2 of permission 2021/48/93190/E states,

'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.'

For officers' ease, the table below identifies the plans contained within condition 2 on the 2021/48/93190/E Decision Notice for which the approval of amendments are sought. These plans are highlighted in green for officers' ease.

In undertaking this review, I have noticed that the 2021/48/93190/E Decision Notice refers to an incorrect revision number for a few of the plans. The revision number on the Decision Notice does not reflect the revision number of the plan that was submitted. Whilst this is somewhat inconsequential - given these are either on 'existing' plans or plans that are to be amended as a part of this variation of condition application - the table seeks to rectify those inconsistencies by referencing the correct revision number. For officers' ease, the plans for which the revision number requires an update to reflect those that were submitted are highlighted in yellow. Note that I have not reissued these plans as a part of this application – they remain as per the previous submission.

Approved Plans to be replaced, together with a brief description of the change/s sought:

Approved Plan	To be replaced by	Change sought
Existing Plans		
Existing Ground Floor Plan 1705-BDP-AD-00-PL-Z-00001 P01 Decision Notice refers to the incorrect revision reference. This should have been P03.	1705-BDP-AD-00-PL-Z-00001 P03	No changes sought to the previously approved plan. The original submission was accompanied by revision P03, not P01. The correct revision number should be referenced on the S73 Decision Notice.
Existing First Floor Plan 1705-BDP-AD-01-PL-Z-00001 P01 Decision Notice refers to the incorrect revision reference. This should have been P03.	1705-BDP-AD-01-PL-Z-00001 P03	No changes sought to the previously approved plan. The original submission was accompanied by revision P03, not P01. The correct revision number should be referenced on the S73 Decision Notice.
Existing Second Floor Plan 1705-BDP-AD-02-PL-Z-00001 P01 Decision Notice refers to the incorrect revision reference. This should have been P03.	1705-BDP-AD-02-PL-Z-00001 P03	No changes sought to the previously approved plan. The original submission was accompanied by revision P03, not P01. The correct revision number should be referenced on the S73 Decision Notice.
Existing Third Floor Plan 1705-BDP-AD-03-PL-Z-00001 P01 Decision Notice refers to the incorrect revision reference. This should have been P03.	1705-BDP-AD-03-PL-Z-00001 P03	No changes sought to the previously approved plan. The original submission was accompanied by revision P03, not P01.

		The correct revision number should be referenced on the S73 Decision Notice.
Existing Basement Plan 1705-BDP-AD-B1-PL-Z-00001 P01	n/a	To remain as previously approved
Existing Roof Plan 1705-BDP-AD-RF-PL-Z-00001 P01	n/a	To remain as previously approved
Site Plans		
Site Location Plan 1705-BDP-AD-SL-PL-Z-00001 P01 Decision Notice refers to the incorrect revision reference. This should have been P02.	1705-BDP-AD-SL-PL-Z-00001 P02	No changes sought to the previously approved plan. The original submission was accompanied by revision P02, not P01. The correct revision number should be referenced on the S73 Decision Notice.
Site Plan as Existing 1705-BDP-AD-SL-PL-Z-00002 P01 Decision Notice refers to the incorrect revision reference. This should have been P02.	1705-BDP-AD-SL-PL-Z-00002 P02	No changes sought to the previously approved plan. The original submission was accompanied by revision P02, not P01. The correct revision number should be referenced on the S73 Decision Notice.
Site Plan as Proposed 1705-BDP-AD-SL-PL-Z-00003 P01 Decision Notice refers to the incorrect revision reference. This should have been P02. This plan is to be updated anyway.	1705-BDP-AD-SL-PL-Z-00003 P03*	A lift and stair core is no longer required in Unit 24 – this is to be provided in the adjacent 18-20 Corporation Street / 17 Foundry Street building and forms a part of the 2022/48/91006/E permission and 2022/65/91007/E LBC. Instead, a corridor from 18-20 Corporation Street / 17 Foundry Street into the central Arcade is proposed.
General Arrangements Plans		
Ground Floor GA Plan as Proposed 1705-BDP-AD-00-PL-A-20001 P01 Decision Notice refers to the incorrect revision reference. This should have been P03. This plan is to be updated anyway.	1705-BDP-AD-00-PL-A-20001 T01*	Lift and stair core removed from Unit 24. Corridor proposed. An accessible WC is no longer proposed in Unit 16 – a retail unit is proposed instead. Slight reconfiguration to the rear of Unit 23 to accommodate a Plant Room.

		Knock-through into 18-20 Corporation Street / 17 Foundry Street - approved as a part of the 2022/48/91006/E permission.
First Floor GA Plan as Proposed 1705-BDP-AD-01-PL-A-20001 P01 Decision Notice refers to the incorrect revision reference. This should have been P03. This plan is to be updated anyway.	1705-BDP-AD-01-PL-A-20001 T01*	Lift and stair core removed from Unit 26. Slight relocation of the roof hatches between Unit 27 and 7a. Slight reconfiguration of the staircase in Unit 25. Knock-through into 18-20 Corporation Street / 17 Foundry Street - approved as a part of the 2022/48/91006/E permission.
Second Floor GA Plan as Proposed 1705-BDP-AD-02-PL-A-20001 P01 Decision Notice refers to the incorrect revision reference. This should have been P03. This plan is to be updated anyway.	1705-BDP-AD-02-PL-A-20001 T01*	Lift and stair core removed from Unit 30. Reconfiguration of the internal layout of Unit 30. Knock-through into 18-20 Corporation Street / 17 Foundry Street - approved as a part of the 2022/48/91006/E permission.
Third Floor GA Plan as Proposed 1705-BDP-AD-03-PL-A-20001 P01	1705-BDP-AD-03-PL-A-20001 T01*	Top of the lift shaft in Unit 30a removed.
Roof GA Plan as Proposed 1705-BDP-AD-RF-PL-A-20005 P01	n/a	To remain as previously approved
Removals Plans		
Ground Floor Removals Plan 1705-BDP-AD-00-PL-A-20002 P01	1705-BDP-AD-00-PL-A-20002 T01*	Staircase in Unit 2 to be removed. Removal of existing slab in Units 1 and 2. Structural Surveys have identified that the basement structures in Market Place are heavily corroded and require replacement - with new beam and block floors. This information was not available at the time of the original applications. Removal of small area of existing floor in Unit 24.
First Floor Removals Plan 1705-BDP-AD-01-PL-A-20002 P01	1705-BDP-AD-01-PL-A-20002 T01*	Floor removal for the lift and stair core in Unit 26 no longer necessary. Existing staircases in Units 25 and 26 to be removed and floor infilled. Existing temporary floors in Units 18a and 18c identified, to be replaced.

Second Floor Removals Plan 1705-BDP-AD-02-PL-A-20002 P01	1705-BDP-AD-02-PL-A-20002 T01*	Floor removal for the lift and stair core in Unit 30 no longer necessary. Existing staircase in Unit 30 to be removed and floor infilled.
Third Floor Removals Plan 1705-BDP-AD-03-PL-A-20002 P01	1705-BDP-AD-03-PL-A-20002 T01*	Floor removal for the top of the lift core in Unit 30a no longer necessary. Existing staircase in Unit 30a to be removed and floor infilled.
Sections and Elevations		
North Elevation 1705-BDP-AD-XX-EL-A-20001 P01	n/a	To remain as previously approved
South Elevation 1705-BDP-AD-XX-EL-A-20002 P01	n/a	To remain as previously approved
East Elevation 1705-BDP-AD-XX-EL-A-20003 P01	1705-BDP-AD-XX-EL-A-20005 T01	Internal partitions removed on second floor. Larger accessible WC door no longer required for Unit 16 – original arrangement to be retained.
West Elevation 705-BDP-AD-XX-EL-A-20004 P01	n/a	To remain as previously approved
Section AA Proposed 1705-BDP-AD-XX-SE-A-20001 P01	n/a	To remain as previously approved
Section BB Proposed 1705-BDP-AD-XX-SE-A-20002 P01	n/a	To remain as previously approved

* Please note that the updated Proposed Site Plan, General Arrangement Plans and Removals Plans also illustrate the floor plans for 18-20 Corporation Street / 17 Foundry Street, the adjacent building. This allows officers to envisage how the two buildings will work together. For the avoidance of any doubt, the layouts for 18-20 Corporation Street / 17 Foundry Street, as illustrated on these plans, were approved under full planning permission 2022/48/91006/E and Listed Building Consent 2022/65/91007/E. For example, the knock-through from the Arcade into 18-20 Corporation Street / 17 Foundry Street is already approved. The lift and stair core within Unit 24 of the Arcade is no longer necessary because one is already provided within 18-20 Corporation Street / 17 Foundry Street and is to be utilised. The plans illustrate the connection between the buildings.

I propose that all other conditions contained on the 2021/48/93190/E permission be carried forward as previously written, with the exception of condition 16 – details of the provision of an accessible toilet - which, given this is no longer proposed, is no longer relevant.

I trust that the above and enclosed is helpful and provides sufficient detail to enable the validation of this planning application in a timely manner.

In the meantime, if any additional information or clarification is required, please contact David Staniland (Senior Consultant Town Planner, BDP) on 0161 828 2275.

Kind Regards

David Staniland
Senior Consultant Town Planner

BDP

Direct Line: +44 [0]161 828 2275

E-Mail: david.staniland@bdp.com

cc Christopher French, Client Team, Christopher.French@Kirklees.gov.uk
Peter Gladstone, Client Team, Peter.Gladstone@Kirklees.gov.uk
Christine Davis, Architect, BDP, Christine.Davis@BDP.com
Hannah Bellerby, Architect, BDP, Hannah.Bellerby@BDP.com