



Planning (Listed Buildings and Conservation Areas) Act 1990

VARIATION / REMOVAL OF CONDITION ON LISTED BUILDING CONSENT

Application Number: 2023//91135/E

To: David Staniland,
BDP
11, Ducie Street
Piccadilly Basin
Manchester
M1 2JB

For: Kirklees Council, Growth & Regeneration

The KIRKLEES COUNCIL hereby give notice that LISTED BUILDING CONSENT has been granted for the execution of the works referred to:-

Variation of condition 2 (plans) of previous Listed Building Consent 2021/93191 for internal and external alterations (within a Conservation Area)

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

In accordance with the plan(s) and applications submitted to the Council on 17-Apr-2023 [together with those plans and application(s) submitted to the Council on 13-Aug-2021 and incorporated into planning permission ref no. 2021/65/93191/E granted on 04-Mar-2022 and subject to the condition(s) specified hereunder:-

1. The development hereby permitted shall be begun by 3rd 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: For the avoidance of doubt as to what is being permitted, to protect the historic interest of the listed building and so as to ensure the satisfactory appearance of the development on completion, and to accord with Policies LP24 and LP35 of the Kirklees Local Plan and Policies in the National Planning Policy Framework.

3. Prior to their installation, details (specification and plans) of the proposed decorative gates and fanlights to each end of the arcade, along with details of the central stairway gates (to include the design, colour and fixing methods), shall be submitted to and approved in writing by the Local Planning Authority. The development shall then be implemented in full accordance with the details approved and retained thereafter.

Reason: To minimise damage to the historic fabric, to ensure a high standard of design that respects the heritage asset and to accord with Kirklees Local Plan Policies LP24 and LP35 and chapters 12 and 16 of the National Planning Policy Framework.

4. Prior to their installation, details (specification and plans) of the hanging signage within the arcade shall be submitted to and approved in writing by the Local Planning Authority. The development shall then be implemented in full accordance with the details approved and retained thereafter.

Reason: To minimise damage to the historic fabric, to ensure a high standard of design that respects the heritage asset and to accord with Kirklees Local Plan Policies LP24 and LP35 and chapters 12 and 16 of the National Planning Policy Framework.

5. Prior to installation, details (specification and plans) of the colour scheme of the central arcade roof including metalwork and joinery shall be submitted to and approved in writing by the Local Planning Authority. The development shall then be implemented in full accordance with the details approved and retained thereafter.

Reason: To minimise damage to the historic fabric, to ensure a high standard of design that respects the heritage asset and to accord with Kirklees Local Plan Policies LP24 and LP35 and chapters 12 and 16 of the National Planning Policy Framework.

6. Prior to their installation, details (specification and plans) of the ventilation louvres in the rear upper floor sash windows shall be submitted to and approved in writing by the Local Planning Authority. The development shall then be implemented in full accordance with the details approved and retained thereafter.

Reason: To minimise damage to the historic fabric, to ensure a high standard of design that respects the heritage asset and to accord with Kirklees Local Plan Policies LP24 and LP35 and chapters 12 and 16 of the National Planning Policy Framework.

7. Prior to their installation, details (specification and plans) of the M&E installations and fittings, including service ducts, risers, radiators and lighting, shall be submitted to and approved in writing by the Local Planning Authority. The development shall then be implemented in full accordance with the details approved and retained thereafter.

Reason: To ensure that no damage occurs to important historic detailing, including decorative floor and wall finishes, to ensure external architectural details and the character and significance of the building are maintained, to ensure a high standard of design that respects the heritage asset and to accord with Kirklees Local Plan Policies LP24 and LP35 and chapters 12 and 16 of the National Planning Policy Framework.

8. Prior to their installation, details (specification and plans) of the proposed roof edge protection and perimeter details, including materials, design, scale and fixing methods, shall be submitted to and approved in writing by the Local Planning Authority. The development shall then be implemented in full accordance with the details approved and retained thereafter.

Reason: To demonstrate that the visual impact has been kept to a minimum and no damage will be caused to the historic fabric, to ensure a high standard of design that respects the heritage asset and to accord with Kirklees Local Plan Policies LP24 and LP35 and chapters 12 and 16 of the National Planning Policy Framework.

9. Prior to their installation, details (specification and plans) of the trickle vent details for the sash windows shall be submitted to and approved in writing by the Local Planning Authority. The development shall then be implemented in full accordance with the details approved and retained thereafter.

Reason: To minimise damage to the historic fabric, to ensure a high standard of design that respects the heritage asset and to accord with Kirklees Local Plan Policies LP24 and LP35 and chapters 12 and 16 of the National Planning Policy Framework.

10. Prior to installation, details (specification and plans) of the decorative historic floor finish on the second floor to be conserved and retained, shall be submitted to and approved in writing by the Local Planning Authority.

The development shall then be implemented in full accordance with the details approved and retained thereafter.

Reason: To minimise damage to the historic fabric, to ensure a high standard of design that respects the heritage asset and to accord with Kirklees Local Plan Policies LP24 and LP35 and chapters 12 and 16 of the National Planning Policy Framework.

Plans and Specifications Table:

Plan Type	Reference	Version	Date Received
Plan General	1705-BDP-AD-XX-RG-Z-00003_Design and Access Statement 54	P01	28/09/2021
Proposed Elevations	1705-BDP-AD-XX-SE-A-20001 - Section AA proposed	P01	11/08/2021
Proposed Elevations	705-BDP-AD-XX-EL-A-20004 - West Elevation	P01	11/08/2021
Proposed Elevations	1705-BDP-AD-XX-EL-A-20005 - East Elevation	T01	19/04/2023
Proposed Elevations	1705-BDP-AD-XX-EL-A-20002 - South Elevation	P01	11/08/2021
Proposed Elevations	1705-BDP-AD-XX-EL-A-20001 - North Elevation	P01	11/08/2021
Location Plan	1705-BDP-AD-SL-PL-Z-00001 - Site Location Plan	P02	11/08/2021
Grouped Plans and Elevations	1705-BDP-AD-XX-SE-A-20002	P01	11/08/2021
Existing Floor Plans	1705-BDP-AD-00-PL-Z-00001 - Existing Ground Floor Plan	P03	11/08/2021
Existing Floor Plans	1705-BDP-AD-01-PL-Z-00001 - Existing First Floor Plan	P03	11/08/2021
Existing Floor Plans	1705-BDP-AD-02-PL-Z-00001 - Existing Second Floor Plan	P03	11/08/2021
Existing Floor Plans	- 1705-BDP-AD-B1-PL-Z-00001 - Existing Basement Plan	P01	11/08/2021
Existing Floor Plans	1705-BDP-AD-03-PL-Z-00001 - Existing Third Floor Plan	P03	11/08/2021
Existing Floor Plans	1705-BDP-AD-RF-PL-Z-00001 - Existing Roof Plan	P01	11/08/2021
Proposed Floor Plans	1705-BDP-AD-03-PL-A-20001 - Third Floor GA Plan as Proposed	T01	19/04/2023
Proposed Floor Plans	1705-BDP-AD-02-PL-A-20002 - Second Floor Removals Plan	T01	19/04/2023

Plan Type	Reference	Version	Date Received
Proposed Floor Plans	1705-BDP-AD-02-PL-A-20001 - Second Floor GA Plan as Proposed	T01	19/04/2023
Proposed Floor Plans	1705-BDP-AD-01-PL-A-20002 - First Floor Removals Plan	T01	19/04/2023
Proposed Floor Plans	1705-BDP-AD-01-PL-A-20001 - First Floor GA Plan as Proposed	T01	19/04/2023
Proposed Floor Plans	1705-BDP-AD-00-PL-A-20002 - Ground Floor Removals Plan	T01	19/04/2023
Proposed Floor Plans	1705-BDP-AD-00-PL-A-20001 - Ground Floor GA Plan as Proposed	T01	19/04/2023
Proposed Floor Plans	1705-BDP-AD-RF-PL-A-20005 - Roof GA Plan as Proposed	P01	11/08/2021
Proposed Floor Plans	1705-BDP-AD-03-PL-A-20002 - Third Floor Removals Plan	T01	19/04/2023
Existing Site / Block Layout	1705-BDP-AD-SL-PL-Z-00002 - Site Plan as Existing	P02	11/08/2021
Proposed Site / Block Layout	1705-BDP-AD-SL-PL-Z-00003 - Site Plan as Proposed	T01	19/04/2023
Design and Access Statement	1705-BDP-AD-XX-RG-Z-00003_Designing and Access Statement_Clients own	P01	11/08/2021

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 has, 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. Officers contacted the agent for clarification regarding the red line boundary (units 32 and 33) and for additional detail regarding the existing cellar steps. Other than this, it was deemed that no amendments or additional information was required.

Building Regulations Approval is required for most work involving building operations and/or structural alterations. It is the applicant's responsibility to find out if the work permitted by this planning permission needs approval under the Building Regulations, and if necessary to submit an application. If you are not the applicant can you please ensure the applicant is aware of this requirement. Contact Building Control on Tel No: (01484) 221550 for more information.

It is the applicant's responsibility to find out whether any works approved by this planning permission, which involve excavating or working near public highway and any highway structures including retaining walls, will require written approval from the Council's Highways Structures Section. Please contact the Highways Structures Section on Tel No. 01484-221000 Ext 74199 for further advice on this matter.

Details Reserved by Condition

- This permission has been granted subject to conditions. Some of the conditions may require you to submit further details. These conditions normally contain the wording “submitted to and approved in writing by the Local Planning Authority”.
- You can apply online for approval of these details at the Planning Portals website at www.planningportal.gov.uk. Alternatively the forms and supporting guidance for submitting an application can be found online at www.kirklees.gov.uk/planning.
- This Authority recognises the need to ensure that you are able to develop the site as effectively and flexibly as possible. However, at the same time it must ensure that development is in accordance with the terms of the planning conditions and legal agreement and the expectations of elected members and local residents set through the decision process.
- You should note the triggers for compliance with the conditions of this planning permission. This Authority is committed to processing applications to discharge conditions in a timely manner. It is important to ensure that submissions are made as far in advance of the trigger to allow time for adequate consultation, discussion and in some circumstances publicity.
- It is important that applications to discharge conditions are accompanied by sufficient information to enable this Authority and its consultees to fully consider and determine the proposals. Whilst officers will endeavour to negotiate solutions, failure to provide a comprehensive submission may result in delay and refusal of the application.
- If you commence work without discharging conditions you are at risk of enforcement action and invalidating your permission if the planning condition is a pre commencement condition.

The application has been publicised by notice(s) in the vicinity of the site. It is respectfully requested that the notice(s) now be removed and responsibly disposed of to avoid harm to the appearance of the area

If the applicant is aggrieved by the decision of the Local Planning Authority to refuse listed building consent for the proposed works, or to grant consent subject to conditions, he/she may, by notice served within six months of the date of issue of this notice, appeal to the Secretary of State for the Environment in accordance with Sections 20-21 of the Planning (Listed Buildings and Conservation Areas) Act 1990. Appeals must be made using a form which you can get from the Secretary of State at Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 6PN (Tel: 0303 444 5000) or online at <https://www.gov.uk/planning-inspectorate>. Further information on the Planning Appeal process can be found online at the Planning Inspectorates website <https://www.gov.uk/government/organisations/planning-inspectorate>. You must use the correct Planning Appeal Form when making your appeal. If requesting forms from the Planning Inspectorate, please state the type of application that the appeal relates to so they can send you the appeal form you require. The Secretary of State has power to allow a longer period for the giving of a notice of appeal and he will exercise his power in cases where he is satisfied that the applicant has deferred the giving of notice because negotiations with the Local Authority in regard to the proposed works are in progress.

Please note, only the applicant possesses the right of appeal.

An important part of improving our service is to review your feedback on the way that we have dealt with your planning application(s). Please take a couple of minutes to email your comments to dc.admin@kirklees.gov.uk so that we can work on continually improving our customer service. Thank you.

Dated: 23-Jun-2023

Signed:



David Shepherd
Strategic Director Growth and Regeneration

Decision Documents

The decision notice indicates which documents relate to the decision. These documents can be viewed online at the Planning Services website at www.kirklees.gov.uk/planning, and by clicking on the 'search and view existing planning applications and decisions' and by searching for application number 2023//91135/E .

If a paper copy of the decision notice or decided plans are required please email dc.admin@kirklees.gov.uk or telephone 01484 414746 with the application number. There may be a charge for this service.

All communications should be sent to one of the following address:

E-mail: dc.admin@kirklees.gov.uk

Write to: Kirklees Council
Planning and Development Service
PO Box 1720
Huddersfield
HD1 9EL
