

CC/P24-2054

30<sup>th</sup> August 2024

Ellie Thornhill  
Kirklees Metropolitan Borough Council  
Planning Services  
PO Box B93  
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Huddersfield  
HI 2JR

**Planning Portal ref: PP-13368664**

Dear Ellie,

**Town and Country Planning Act (As Amended) 1990**

**S73 application to vary condition 2 (approved plans and documents for proposed refurbishment and extension of existing library and art gallery) and description of development pursuant to Full Planning Permission for Kirklees Cultural Heart (now known as 'Our Cultural Heart') ref: 2022/48/93248/W.**

**Library and Gallery, Piazza Centre, Princess Alexandra Walk, Huddersfield, HD1 2RS**

Pegasus Group are instructed by Kirklees Council ('The Applicant') to submit a S73 application to vary Condition 2 (including changes to the approved plans and documents schedule) and to amend the description of development of the approved planning permission for 'Kirklees Cultural Heart' now known as 'Our Cultural Heart' (OCH), listed within the decision notice of planning permission ref: 2022/48/93248/W, specifically in relation to the proposed refurbishment and extension of the existing Library and Gallery, along with adjacent public realm/events space works.

Adopting a consistent approach to the description of development, as set out by a previous S73 application (2024/70/90257/W, approved 18<sup>th</sup> June 2024) also within the OCH scheme, the below is the proposed description of development. As can be noted, there is a minor change proposed to the description of development, which is set out in red text:

*"Variation of condition 2 (plans and specifications) of previous permission 2022/93248 for demolition of existing Piazza shopping centre; part removal of Queensgate Market; demolition/retention of service tunnels; redevelopment of the site to form new public realm space (including public park and gardens, play areas, public square/outdoor event space); refurbishment and change of use of existing Queensgate Market Hall into food hall (Use Class E (b) sale of food and drink for consumption, mostly, on the premises); refurbishment and extension of existing library and art gallery building to form museum **and retention of existing gallery use** (Use Class F.1); change of use of part existing market hall building and extension to form public library (Use Class F.1); erection of indoor event venue incorporating multi-storey car*

*park below (Sui-Generis); erection of public gallery building (Class F.1); associated infrastructure on land and buildings at Queensgate Market, Huddersfield Library and Art Gallery, and Piazza (and The Shambles) Shopping Centre (part Listed Building/part within a Conservation Area)."*

This S73 application should be read alongside a new, separate Listed Building Consent application also for the existing Library and Gallery building which is submitted in parallel to this application where changes are proposed to the previously approved Listed Building Consent application ref: 2022/93234.

The proposed amendments are made following end user discussions and further feasibility work upon the previously approved works, the main outcome being the retention of the existing gallery use within the building (but not resulting in any change of use) and the creation of a space that would allow the museum use to operate alongside the gallery. Amendments are proposed to the previously approved hard and soft landscaping in the immediate environs of the building. These set out how the scheme will integrate into the current site context and also the future development of the overall OCH masterplan.

Discussions have been held with the Local Planning Authority, particularly the Council's Conservation Officer, also with the 20<sup>th</sup> Century Society and the Huddersfield Civic Society and this has resulted in a number of amendments and clarifications to the scheme prior to this submission.

It is important to note that all works remain within the existing red line boundary of the original consent, with the submitted drawings showing the extent of works within that wider red line boundary and specific to this building and its immediate surroundings.

At this stage, the approved standalone public gallery building (Class F.1) presently remains part of the overall OCH Masterplan and this continues to form the baseline of the overall scheme, until it may or may not be amended.

Condition 2 reads:

*The development hereby permitted shall be carried out in 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 and in the interests of visual amenity, and other matters relevant to planning and to accord with the Kirklees Local Plan and the National Planning Policy Framework.*

The approved plans and specifications as set out within the decision notice, are to be replaced by the revised FCBS/Re-Forma drawing register included with this submission.

The main proposed changes are summarised as follows (further detail can be found within the DAS Addendum):

#### Museum and Gallery Design Changes

The principles of the refurbishment approach are largely maintained as originally approved; led by the retention of the existing gallery use and with some elements of the existing library and gallery being demolished (to facilitate the extension to the building, but positively lesser in extent), retained fabric upgraded and supported by a new build extension works.

The originally approved Environmental Statement (ES) set out that the scheme, as presently approved (for works to the existing Library and Gallery building, a Class F.1 use) would amount to around 6,000sqm (including the extension). The originally approved Design and Access Statement (DAS) advised that the amount of development was 6,404sqm, of which 2,622sqm was within the approved extension to the building. The now submitted DAS Addendum for these proposed works set out that there is an enlarged extension, now being proposed at 2,828sqm (i.e. 206sqm larger than the current consent). This represents a very modest change to the extent of development. It is noteworthy that the now approved amendments to the new library and food hall stage at the Market Hall, reduced the scale of the new library (Class F.1) development by some 470sqm from the original consent. Collectively, these amendments would amount to a reduction of 264sqm of Class F.1 use.

Key differences in the amended scheme are fully described within the submitted DAS addendum, but are summarised below:

- Retention and enhancement of access and inclusivity, maintaining the ambitions of the original scheme;
- The scale, massing and form of the extension follows that of the approved scheme, sitting in the same footprint and follows the same design and material principles established at the time of the original consent, with limited external amendments to window locations for example;
- Amendments to the basement level and to other floors to accommodate more vertical circulation;
- Changes to the lower ground level to allow for increased public use (through the provision of a flexible 'Heritage Innovation Activity Space' (HIAS), which was originally provided elsewhere within the original approval;
- The upper ground level has been amended, principally via the relocation of the entrance to the north elevation, which now permits the retention of nearly all of the existing eastern façade;
- These changes have enabled the exhibition spaces on level 1 to be amended, offering greater flexibility; and
- At level 2, the existing gallery use is being retained, with amendments to windows (within the extension) and consideration of heating and cooling ventilation systems;

### Public Realm Changes

The main changes can be summarised as follows, with more detail being found within the submitted Design and Access Statement Addendum.

- More detail and amendments upon the immediate environs of the building, particularly the use/activity of associated spaces, linked to the combined Museum and Gallery (including how the building is now proposed to be accessed); and
- Amendments to the transition of changing levels across the external areas of the site, to the internal spaces.

### **Summary effect of the proposed changes upon the ES and the remaining planning application submission**

With reference to the plans referenced upon the updated drawing register and the addendum documents submitted as part of this application, it is evident that the proposed amendments are individually and collectively minor in nature and do not fundamentally affect the original assessment of the scheme.

Whilst some of the changes are important in heritage terms, they relate to matters of comparative details, as opposed to wholesale changes. In terms of the heritage led amendments, they represent changes that have mitigated harm by retaining more historic fabric and intended use, with a planning balance continuing to more than tip toward the acceptability of the scheme.

The original Planning Statement and original Non-Technical Summary (NTS) of the original Environmental Statement (ES) are resubmitted for completeness but are supplemented by Addendums, which assess the changes. These addendums conclude that none of the amendments result in a deviation away from the assessment methodology, nor the conclusions that were originally reached. No additional mitigation or enhancement is required beyond those already set out within the approved submissions.

Accordingly, the following documentation shall be submitted online via the Planning Portal for this S73 planning application:

- Planning application forms and certificates duly completed and signed;
- Proposed drawings register prepared by FCBS/Re-Form. The updated schedule makes it clear which plans are proposed to be wholly or partially replaced and those that are to remain as an approved plan;
- Design and Access Statement Addendum produced by FCBS/Re-Form;
- Phase 2 (only) updated Energy Sustainability Report produced by Etude;
- Environmental Statement – Addendum (with the original Non-Technical Summary as an appendix);
- Planning Statement – Addendum (with original Planning Statement attached as an appendix);



- Heritage Impact Assessment (incorporating Setting Assessment) (Phase 1 only) – Addendum;
- Desk Based Archaeology Assessment (Phase 1 update only);
- Economic Benefits Statement – Addendum (with original statement included as an appendix);
- Health Impact Assessment – Addendum (with original statement included as an appendix);
- Townscape Visual Impact Assessment – Addendum (with original statement included as an appendix).

The application fee for this S73 application is £293.00 and shall be paid by the Applicant via the Planning Portal.

I trust the above and enclosed are sufficient to register the application as valid. However, should you require any further information, please do not hesitate to contact me.

Yours sincerely

Redacted

**Chris Calvert**  
Executive Director  
Redacted