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:	**2025/65/90660/W**
Site Address:	4, Princess Alexandra Walk, Huddersfield, HD1 2RS
Description:	Listed Building Consent for demolition and re-building of two walls (inside the former market hall offices) relating to part of previous permission 2024/70/92472/W for the refurbishment and extension of existing library and art gallery building to form museum (use class F.1)
Recommending Officer:	Sheena Campbell

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.

Helen Bower

AUTHORISED OFFICER

Date: 06-May-2025

Officer Report

Site Description
Queensgate Market is a Grade II Listed Building dating from 1968-70. This proposal relates to two walls, a stone wall to the Queensgate market elevation, by ‘the blue staircase’ and a brick wall within the former Market Hall offices.

Description of Proposal
This application is for retrospective consent for demolition and rebuilding of part of the stone wall by the blue staircase and taking down a small section of brick wall inside the Former Market Hall Offices of Queensgate Market relating to previous permission 2024/92472. Demolition was undertaken of the stone wall on Health & Safety grounds and this proposal includes the re-building of that wall and taking down and rebuilding of the brick wall.

Relevant Planning History
2024/92472 - Variation of condition 2 (plans and specifications) of previous permission 2024/90257 variation of condition 2 (plans and specifications) on the previous 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 (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 – Pending Consideration.
2024/90257 - 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 (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) - Removal Or Modification Of Condition(S)
2022/93234 - Listed Building Consent for alterations, refurbishment and extension to accommodate new museum – Consent Granted.

2022/93248 - 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 (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) - Granted Under Reg.3 General Regulations.
2021/91765 - Listed Building Consent for replacement flat roof and all associated rooflights, repairs and repointing to external elevations, installation of new rooflight to existing lightwell and structural repair works within the lightwell – 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 proposed alterations to demolish and rebuild are necessary for Health & Safety reasons and will involve re-using existing stone to reduce the need for new materials, which helps with carbon reduction.

Consultation Responses

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

Representations

The application has been publicised with a site notice and a press notice.
Date site notice expired: 01/05/2025
Publicity expiry date: 25/04/2025

Policies

The building is Grade II listed and therefore Section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended) applies.

This 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'.

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 20 December 2023, 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
The application is for the demolition and rebuilding of two parts of walls;

a) by the blue staircase and

a) inside market hall offices.

The application is an amendment of the approved Listed Building Consent application 2022/93234.

<u>Wall by blue Staircase</u>
The approved scheme involved the retention of the existing stone wall to Queensgate elevation, by 'the blue staircase'.

During the demolition phase of works in this area, it was found that the existing wall had no head restraint which led to the wall becoming unstable and an immediate health and safety risk. As such, the contractors, BAM took the decision to reduce the wall down to a point where the lateral restraint was supported by the concrete beam below. They propose to rebuild the wall with sufficient head restraint using existing stone in coursing to match, colour matching mortar and using photographic evidence.

<u>Walls Inside Former Market Hall Offices</u>
The proposal is to remove short sections of 1.2 m of wall, originally intended for retention. This is needed because concrete planks below the wall are

structurally unsound. On exposing the planks, holes have been found, leading to concerns about their stability.

The remainder of the wall is founded on top of the existing concrete structure (beams) therefore does not need removing. The new construction will be sympathetic and ensure the wall is returned to its current aesthetic state, through the reuse of the bricks with appropriate mortar.

In summary, the works are required for Health & Safety reasons. Conditions have been applied to ensure the detailing respects the historic building.

Consultation responses

None

Conclusion
Paragraph 205 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 208 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 proposed alterations to take down and rebuild walls leads to less than substantial harm to its significance. The principle of the proposal has been accepted under approved application 2022/93234 and this application is an amendment of that application. The significant public benefits of providing a sustainable and viable us outweigh the minimal harm to the Listed Building.

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.

The most significant elements will be retained and restored. This will ensure that the architectural and historic interest of the listed building is preserved. 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

substantial public benefits of the proposal outweigh the less than substantial harm and is therefore recommended for approval.

Recommendation **Grant Consent**

Decision Authorisation - Delegated Powers
Application Number – 2025/90660
Officer Recommendation – Grant Consent

Conditions and Reasons:
1. The development shall be begun within three years of the date in which this 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.
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.

Re-Pointing
3. All pointing and rebuilding shall use an appropriate lime mortar specified for the joint thickness and stone type and shall match the historic mortar in terms of mix, aggregate and colour. The rebuilding shall be in courses to match the existing as closely as possible.
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.

Footnote 1: Repointing of courses shall be formed flush within the confines of the joint and tamped with a stiff brush. Weatherstruck, strap or ribbon pointing is not permitted. Further guidance is contained within Historic England, 2017 - Repointing Brick and Stone Walls Guidelines for Best Practice.

Plans and specifications schedule: -

Plan Type	Reference	Version	Date Received
Statement			19.4.2025
Location Plan	PP-13837293	v1	11.3.2025

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:	2 May 2025