

**KIRKLEES METROPOLITAN COUNCIL  
INVESTMENT & REGENERATION SERVICE**

**DEVELOPMENT MANAGEMENT**

**Town and Country Planning Act 1990 (as amended) – SECTION 70**

**DELEGATED DECISION TO DETERMINE PLANNING APPLICATIONS**

Reference No:	<b>2025/62/91783/W</b>
Site Address:	17, Market Place, Huddersfield, HD1 2AA
Description:	Upgrading existing single glazing to the first and second floor of the property inclusive of the front and rear elevation and general repairs and redecoration to the front facade (within a Conservation Area)
Recommending Officer:	Molly Storer

**DECISION – Conditional Full Permission**

**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.**

Sarah Longbottom

***AUTHORISED OFFICER***

**Date:** 12 September 2025

## **Officer Report**

### **Site Description**

The application site refers to 17 Market Place, Huddersfield, a large commercial building, consisting of three floors with retail on the ground floor.

The application is for the section of the building which currently hosts Barclays Bank, HD Place newsagents and the Packhorse shopping centre access to the ground floor and the area above these retail outlets.

The building is located in Huddersfield Town Centre and although it is not Listed it is located within a Conservation Area.

### **Description of Proposal**

The application seeks planning permission to upgrade existing single glazing to the first and second floor of the property inclusive of the front and rear elevation and general repairs and redecoration to the front facade (within a Conservation Area).

The proposed works include:

- Replacement of existing windows on the front and rear façades.

The replacement windows will be powder-coated aluminium in an appropriate colour (e.g., anthracite grey or black), offering durability and minimal maintenance. Double-glazed for improved thermal and acoustic performance and designed with slim profiles to match the proportions of the original casement windows.

- Further works to the property are limited to general repairs and redecoration in matching colours to the front facade.

### **History of negotiations/amendments received**

After discussions with the Conservation officer, further information was requested on the current method of opening of the existing windows. The agent replied and stated that the existing windows are currently horizontal sliding units. The proposed variation to a top hung unit allows them to maintain a slim frame (in keeping with existing) whilst upgrading to a double glazed unit. The agent has stated that to install a horizontal sliding double glazed unit would lead to an increased frame size. This was deemed acceptable.

### **Relevant Planning History**

There are multiple applications at this site, the most relevant to this application are listed below:

89/01338 – Installation of new nightsafe in glass of existing return window on front elevation (within Conservation Area) – Granted Conditionally.

2004/93124 – Alterations to frontage, relocation of ATM's and formation of new access (within a Conservation Area) - Conditional Full Permission.

2012/91635 - Erection of internally illuminated fascia and projecting signs (Partly Within a Conservation Area) – Granted.

2012/91439 - Installation of replacement shop front and relocation of 2 ATM & night safe to front elevation (within a Conservation Area) - Conditional Full Permission.

2016/90407 - Change of use of office (B1) to support centre for the Northorpe Hall Child & Family Trust (sui generis)(within a Conservation Area) – Conditional Full Permission.

### **Representations**

The Council are currently undertaking the legal statutory publicity requirements, as set out at Table 1 in the Kirklees Development Management Charter. As such, this application has been publicised via a site notice and an advertisement in the Huddersfield Examiner.

Final publicity date expired 6<sup>th</sup> September 2025.

No representations have been received to date.

### **Consultation Responses**

**KC Conservation & Design (Informal)** – Officers noted that the proposed windows are outward opening however requested additional information on the current method of opening of the proposed windows.

With this additional information officers stated that the proposals are not considered to affect the setting and significance of nearby Listed Buildings or the Huddersfield Town Centre Conservation Area any more than what currently exists at the site.

### **Planning Policy Background**

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that planning applications are determined in accordance with the Development Plan unless material considerations indicate otherwise. The statutory Development Plan for Kirklees is the Local Plan (adopted 27<sup>th</sup> February 2019).

The application site is located within Huddersfield Town Centre, Primary Shopping Area and has a Primary Shop Frontage. The site is also within the Huddersfield Town Centre Conservation Area.

#### **Kirklees Local Plan (LP):**

- **LP1 – Achieving Sustainable Development**
- **LP2 – Place Shaping**
- **LP13 – Town Centre Uses**
- **LP14 – Shopping Frontages**
- **LP17 – Huddersfield Town Centre**
- **LP21 – Highways and Access**
- **LP22 – Parking**
- **LP24 – Design**
- **LP25 – Advertisements and Shop Fronts**
- **LP35 – Historic Environment**
- **LP51 – Protection and Improvement of Local Air Quality**
- **LP52 – Protection and Improvement of Environmental Quality**

#### **National Policies and Guidance**

National planning policy and guidance is set out in National Policy Statements, primarily the National Planning Policy Framework (NPPF) published December 2024, the Planning Practice Guidance Suite (PPGS) first launched 6<sup>th</sup> March 2014 together with Circulars, Ministerial Statements and associated technical guidance.

The NPPF constitutes guidance for local planning authorities and is a material consideration in determining applications. Most specifically in this instance, the below chapters are of most relevance:

- Chapter 2 – Achieving sustainable development
- Chapter 4 – Decision-making
- Chapter 7 – Ensuring the vitality of town centres
- Chapter 9 – Promoting sustainable transport
- Chapter 12 – Achieving well-designed places
- Chapter 14 – Meeting the challenge of climate change, flooding and coastal change
- Chapter 15 – Conserving and enhancing the natural environment
- Chapter 16 – Conserving and enhancing the historic environment

#### **Summary of Principal Planning Issues**

The following matters are considered in the assessment below –

- 1) Principle of development
- 2) Visual impact of the proposed development (including impact upon historic environment)

- 3) Impact of the proposed development upon the privacy and amenity of neighbouring properties
- 4) Impact on highway safety
- 5) Other matters
- 6) Conclusion

## **1 – Principle of Development**

NPPF Paragraph 11 and Policy LP1 outline a presumption in favour of sustainable development. Paragraph 8 of the NPPF identifies the dimensions of sustainable development as economic, social and environmental (which includes design considerations). It states that these facets are mutually dependent and should not be undertaken in isolation.

The dimensions of sustainable development will be considered throughout the proposal. Paragraph 11 concludes that the presumption in favour of sustainable development does not apply where specific policies in the NPPF indicate development should be restricted. This too will be explored.

Chapter 7 of the NPPF relates to ensuring the vitality of town centres and states that planning decisions should support the role that town centres play at the heart of local communities, by taking a positive approach to their growth, management and adaptation. Paragraph 90 states that planning policies and decisions should support the role that town centres play at the heart of local communities, by taking a positive approach to their growth, management and adaptation.

Policy LP13 of the Kirklees Local Plan relates to town centre uses and sets out that within Kirklees, main town centre uses shall be located within defined centres. These consist of principal town centres, town centres, district centres and local centres. This Policy outlines that proposals that have a significant adverse impact on the vitality and viability of a centre or compromise the role and function of a centre will not be supported. This Policy goes on to note that main town centre uses which are appropriate in scale, help to retain an existing centre's market share, and enhance the experience of those visiting the centre and the businesses which operate in that centre will be supported.

Policy LP17 of the Kirklees Local Plan states that Huddersfield Town Centre will be the principal focus for high quality comparison retail goods within the district, supported by a range of leisure, tourism, office (including high quality grade A office space), and other main town centres uses. Huddersfield town centre will also provide high quality educational facilities and opportunities for town centre living.

Policy LP14 of the Kirklees Local Plan relates to shopping frontages. The application site forms part of the Primary Shopping Frontage area along Kings Street, and the site is within a Primary Shopping Area. Policy LP14 states that the Primary Shopping Area is the retail core for each town centre and uses within such areas will be 'expected to maintain or provide active ground floor uses' and that retail uses within such area will be supported. In relation to

Primary Shopping Frontages, Policy LP14 states that these are frontages that contain predominantly retail uses and where further retail uses will be focussed. Policy LP14 goes on to note that within Primary Shopping Frontages, proposals should seek to continue retail uses in order to retain vitality and viability within the Centre and the strong retail core, and that retail will remain the predominant use of each primary shopping frontage.

In respect to the proposed alterations, the changes will upgrade the existing dilapidated single glazing to the first and second floor of the property inclusive of the front and rear elevation. The proposed upgrade will provide an improved energy efficiency, building user experience and improved visual appearance to the building.

The changes are deemed to be minimal and are not considered to impact on the vitality or viability of Huddersfield Town Centre or its role and function but may actually enhance the experience of those visiting the centre given the changes in design which are considered to be an upgrade to what currently exists at the site, this is discussed in more detail within the visual amenity section of this report. The proposals are therefore considered to be acceptable in principle and in accordance with policies LP1, LP13, LP14 and LP17 of the Kirklees Local Plan and Chapter 7 of the NPPF. The proposals will now fall to be assessed against other material considerations below.

## **2 – Impact on Visual Amenity (including impact upon Heritage Assets):**

Section 66 of the Planning (Listed Buildings & Conservations Areas) Act (1990) states that for development which affects a listed building or its setting, 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.

Section 72 of the Planning (Listed Buildings & Conservation Areas) Act (1990) requires that special attention shall be paid in the exercise of planning functions to the desirability of preserving or enhancing the appearance or character of the Conservation Area.

Sections 66 and 72 of the Planning (Listed Building & Conservation Areas) Act (1990) are mirrored in Policy LP35 of the Kirklees Local Plan and Chapter 16 of the National Planning Policy Framework.

Furthermore, LP35 states that: *“development proposals affecting a designated heritage asset...should preserve or enhance the significance of the asset. In cases likely to result in substantial harm or loss, development will only be permitted where it can be demonstrated that the proposals would bring substantial public benefits that clearly outweigh the harm.”*

The harm, should any be considered to accrue from this development, will be assessed and discussed later in this report.

In addition, the NPPF offers guidance relating to design in Chapter 12 (achieving well designed places) whereby Paragraph 131 provides a principal consideration concerning design which states:

*“The creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.”*

Kirklees Local Plan policies LP1, LP2 and significantly LP24 all also seek to achieve good quality, visually attractive, sustainable design to correspond with the scale of development in the local area, thus retaining a sense of local identity.

Policy LP24 of the KLP states that proposals should promote good design by ensuring:

*“a. the form, scale, layout and details of all development respects and enhances the character of the townscape, heritage assets and landscape...”*

Policy LP25 of the KLP relates to shop fronts, but as this application relates to the first floor and not the shop frontage it is not considered wholly relevant. However, the message that any change to the frontage should preserve the significance of Conservation Areas and Listed Buildings needs to be taken into account.

Regarding visual amenity and the impact on the Conservation Area, the works proposed relate to the front and rear elevation of 17 Market Place in Huddersfield Town Centre. The proposed replacement of existing windows on the front and rear façades will mean these windows will be powder-coated aluminium in an appropriate colour (e.g., anthracite grey or black). Double-glazed will be used for improved thermal and acoustic performance and designed with slim profiles to match the proportions of the original casement windows. Further works to the property are limited to general repairs and redecoration in matching colours to the front facade.

The current building is in need of some refurbishment and the proposals may actually help to enhance the appearance of the building and the character and appearance of the area given its prominent location in Huddersfield Town Centre. Due to the nature of the proposals and their location within a Conservation Area, informal discussions were undertaken with the Council's Conservation Officer who stated that the proposed alterations are not considered to affect the setting of Huddersfield Town Centre Conservation Area any more than what currently exists at the site.

Weight is also given to the fact that the proposed upgrade will provide an improved energy efficiency, building user experience and general repairs will protect and enhance the building maintaining its retail use within the Town Centre.

It is therefore concluded that the proposed alterations are considered to not harm the visual amenity of the area or indeed the setting and significance of the Huddersfield Town Centre Conservation Area or adjacent Grade II Listed Buildings. The proposals are therefore considered to accord with Policies LP24(a) and LP35 of the Kirklees Local Plan and Chapters 12 and 16 of the National Planning Policy Framework.

### **3 – Impact on Residential Amenity**

Sections B & C of the Kirklees Local Plan Policy LP24 which states that alterations to existing buildings should:

*“Maintain appropriate distances between buildings’ and ‘...minimise impact on residential amenity of future and neighbouring occupiers’.*

Further to this, paragraph 135 of the National Planning Policy Framework states that planning decisions should ensure that developments have a high standard of amenity for existing and future occupiers.

The nearest residential dwellings to the site are to the north approximately 40+ metres away. Given the context of the site and area and the location and nature of the proposals which seek to replace the existing windows on the front and rear façades and for general repairs and redecoration in matching colours to the front façade, the scheme is not considered to raise any concerns in respect to overlooking, overshadowing, or appearing overbearing in nature.

In conclusion, taking the above into account, the proposals would not result in any significant impacts on the residential amenity of any neighbouring properties, complying with Policy LP24 (b) of the Kirklees Local Plan in terms of amenities of neighbouring properties and Chapter 12 of the National Planning Policy Framework.

### **4 – Impact on Highway Safety**

Local Plan Policies LP21 and LP22 are relevant and seek to ensure that proposals do not have a detrimental impact to highway safety and provide sufficient parking. Furthermore, paragraph 116 of the NPPF states that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

Given the nature of the proposed development there will be no alterations to the existing access and parking arrangements and therefore the proposal is considered to comply with Policies LP21 and LP22 of the Kirklees Local Plan and Chapter 9 of the National Planning Policy Framework.

### **5 – Other Matters**

## Climate Change

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. A climate Change Statement has been submitted with this application.

## **6 – Conclusion**

The NPPF has introduced a presumption in favour of sustainable development. The policies set out in the NPPF taken as a whole constitute the Government's view of what sustainable development means in practice.

This application has been assessed against relevant policies in the development plan and other material considerations. It is considered that, subject to conditions, the proposed development on balance, would constitute sustainable development and is therefore recommended for approval.

**Recommendation: APPROVE**

**Decision Authorisation - Delegated Powers**

**Application Number:** 2025/91783

**Officer Recommendation:** Approve.

**Conditions and Reasons:**

1. The development hereby permitted shall be begun within three years of the date of this permission.  
**Reason:** Pursuant to the requirements of Section 91 of the Town and Country Planning Act 1990.
2. The development hereby permitted shall be carried out in complete accordance with the plans and specifications 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 so as to ensure the satisfactory appearance of the development on completion, and to accord with Policies LP1, LP2, LP13, LP14, LP17, LP21, LP22, LP24, LP35, LP51 and LP52 of the Kirklees Local Plan

and Chapters 2, 4, 7, 9, 12, 14 and 16 of the National Planning Policy Framework.

**Plans and specifications schedule: -**

<b>Plan Type</b>	<b>Reference</b>	<b>Version</b>	<b>Date Received</b>
Location plan	PP-14092157v1	-	30/06/2025
Site plan	TQRQM25164091358482	-	30/06/2025
Existing elevations	REMP-P-02	-	30/06/2025
Existing elevations	REMP-P-01	-	30/06/2025 30/06/2025
Proposed elevations	REMP-P-03	-	30/06/2025
Application form	-	-	30/06/2025
Climate Change Statement	-	-	18/07/2025
Heritage Statement	-	-	18/07/2025

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 Authority have, where possible, made a preapplication advice service available, complied with the Kirklees Development Management Charter 2024 and otherwise actively engaged with the applicant in dealing with the application. After discussions with the Conservation officer further information was requested on the current method of opening of the proposed windows. The agent provided this additional information, which was deemed acceptable.

**Report Dated:** 9<sup>th</sup> September 2025

