# 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: | **2025/65/92452/W** |
| Site Address: | Foot Asylum, 33-37, King Street, Huddersfield, HD1 2PZ |
| Description: | Listed Building Consent for external alterations and erection of illuminated signs (within a Conservation Area) |
| Recommending Officer: | Nicole Helliwell |

**DECISION – GRANT LISTED BUILDING CONSENT**

**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: 17-Dec-2025**

**Officer Report**
**Reference No.** 2025/64/92452E
**Site Address:** Foot Asylum, 33-37, King Street, Huddersfield, HD1 2PZ
**Proposal:** Listed Building Consent for external alterations and erection of illuminated signs (within a Conservation Area)

**Site Description**
The application relates to Foot Asylum, 33-37, King Street, a commercial building located on King Street in Huddersfield. The property was constructed early 19th Century and is Grade II listed. The surrounding area comprises commercial properties of similar materials and architectural styles. There are no Public Right of Ways within immediate proximity. However, the site is located within the Huddersfield Town Centre Conservation Area and adjacent to a number of Grade II listed buildings.

**Listing Description**
KING STREET 1. 5113 (North Side) No 35 (Burns Tavern) and No 37 SE 1614 NE 2/716 II GV 2. Early C19. Ashlar. Hipped stone slate roof. 3 storeys. Stone brackets to gutter. Continuous sill band to 1st floor. Carved corner to Cross Church Street. 5 ranges of sashes in plain raised surrounds to King Street, one range on the corner, 2 to Cross Church Street. No 35 has good late C19 public house front, with moulded ashlar base and 5 plate glass windows with 3-centred heads and leaf spandrels: 2 doors with ornate moulded panelling and fanlights: fascia flanked by console-shaped scrolls. No 37 has mid C20 shopfront.

**Description of Proposal**
The proposal is for the installation of illuminated signage, security grilles and a cooking ventilation/extract. The details of the proposal have been summarised below:

Blade Signage
- Dimensions of the proposed advertisement: Height 1m x Width 1.25m x Depth 0.172m
- Materials: Aluminium & translucent PVC film solvent printed sticker
- Illuminance levels: 650 cd/m2
- It would be static and internally illuminated

Ventilation and Extraction
- The submitted plans demonstrate that a cooking ventilation/extract would be installed to the flat roof at the rear of the building.

Security Grilles

- Security grilles are proposed within the recessed areas within Elevation A of the building
- The shutters would be black painted (RAL 9005) and would be mechanically fixed to the existing walls
- Shutter A would measure approx. 1.47m wide and would have an overall height of approx. 3m.
- Shutter B would measure approx. 0.93m wide and would have an overall height of approx. 2m.

<u>Illuminated Signage</u>

*Elevation A - Fascia Sign (Chopstix Noodle Bar)*

- Dimensions of the proposed advertisement: Height 0.765m x Width 2.344m
- Maximum Height of any of the individual letters and symbols: 0.765m
- Colour of text and background: Semi-translucent ruby red (3003) and semi-translucent green (6018) on opaque black surround
- Materials: Backlight acrylic box sign fixed to white dibond fascia panel
- Maximum projection of advertisement from the face of the building: 0.12m
- Illuminance levels: 650 cd/m2
- It would be static and internally illuminated

*Elevation A Fascia Sign (For the Flavour Cravers)*

- Dimensions of the proposed advertisement: Height 0.804m x Width 3.2m
- Maximum Height of any of the individual letters and symbols: 0.273m
- Colour of text and background: Semi-translucent ruby red text (3003) and outline white text
- Materials: Backlight acrylic box sign fixed to white dibond fascia panel
- Maximum projection of advertisement from the face of the building: 0.12m
- Illuminance levels: 650 cd/m2
- It would be static and internally illuminated

*Elevation C - Fascia Sign (Chopstix Noodle Bar)*

- Dimensions of the proposed advertisement: Height 0.765m x Width 2.345m
- Maximum Height of any of the individual letters and symbols: 0.765m
- Colour of text and background: Semi-translucent ruby red (3003) and semi-translucent green (6018) on opaque black surround
- Materials: Backlight acrylic box sign fixed to white dibond fascia panel
- Maximum projection of advertisement from the face of the building: 0.12m
- Illuminance levels: 650 cd/m2
- It would be static and internally illuminated

*Elevation C Fascia Signs (For the Flavour Cravers)*

- Dimensions of the proposed advertisement: Height 0.804m x Width 3.2m
- Maximum Height of any of the individual letters and symbols: 0.274m

- Colour of text and background: Semi-translucent ruby red text (3003) and outline white text
- Materials: Backlight acrylic box sign fixed to white dibond fascia panel
- Maximum projection of advertisement from the face of the building: 0.12m
- Illuminance levels: 650 cd/m2
- It would be static and internally illuminated

**History of negotiations / amendments received**

Amendments were sought during the course of the application. A request was made to alter the roller shutters to metal gates to reduce the visual impact on the shop front. Revised plans were submitted showing recessed black security grilles which were considered acceptable and more sympathetic with regard to visual amenity. Whilst a request was also made for the agent to update the proposed elevational plan to accord with this, no amended plan was forthcoming.

**Relevant Planning History**

- **2025/91381:** Advertisement Consent for erection of illuminated fascia signs (Listed Building within a Conservation Area). Planning application details | Kirklees Council – Advertisement Consent Granted
- **2024/91393:** Listed Building Consent for replacement windows (within a Conservation Area). Planning application details | Kirklees Council – Consent Granted
- **2018/92383:** Erection of illuminated signs (Listed Building within a Conservation Area). Planning application details | Kirklees Council - Advertisement Consent Refused
- **2018/92382:** Listed Building Consent for erection of illuminated signs. Planning application details | Kirklees Council – Consent Refused
- **2018/91143:** Listed Building Consent for erection of illuminated signs. Planning application details | Kirklees Council – Consent Refused
- **2018/90486:** Erection of illuminated signs (Listed Building within a Conservation Area). Planning application details | Kirklees Council - Advertisement Consent Refused
- **2014/90552:** Listed Building Consent for installation of internal roller shutter to main entrance (within a Conservation Area). Planning application details | Kirklees Council - Consent Granted
- **2013/93858:** Erection of 2 externally illuminated fascia signs, 1 non-illuminated fascia sign, 1 externally illuminated hanging sign and 5 window signs (Listed Building within a Conservation Area). Planning application details | Kirklees Council – Advertisement Consent Granted
- **2013/93511:** Listed Building Consent for Installation of replacement shop facade including new entrance door, internal alterations and installation of

new refrigeration equipment (within a Conservation Area). Planning application details | Kirklees Council - Consent Granted

- **2013/93510:** Alterations to the shop front including new entrance door, internal alterations and installation of new refrigeration equipment (Listed Building Consent within a Conservation Area). Planning application details | Kirklees Council – Conditional Full Permission
- **2000/92667:** Listed building consent for erection of illuminated fascia and projecting signs (within a conservation area). Planning application details | Kirklees Council – Consent Refused
- **2000/92444:** Erection of illuminated fascia and projecting signs (listed building within a conservation area). Planning application details | Kirklees Council – Advertisement Consent Refused (Appeal Upheld)
- **96/92063:** Listed building consent for demolition, alterations and internal alterations in materials to match existing (within conservation area). - 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 predates 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 proposals will have no climate change implications.

**Representations**
The application has been publicised with a site notice and a press notice. No representations have been received following the statutory publicity.

Date site notice expired: 17/10/2025
Publicity expiry date: 24/10/2025

**Consultation Responses**
KC Conservation & Design – Concerns regarding the visual impact of the roller shutters on the shop front. Amended plans were requested and received on this basis.

**Policy**
The building is Grade II listed and therefore Section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended) 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 Policies**
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 25** - Advertisements and Shop Fronts
- **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 December 2024, the Planning Practice Guidance Suite (PPGS) first launched 6th 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.

- **Chapter 12** - Achieving Well-Designed Places
- **Chapter 16** - Conserving and Enhancing the Historic Environment

**<u>Assessment</u>**
Paragraph 212 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 215 of the NPPF 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."*

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 application site is located within the Huddersfield Town Centre Conservation Area and is Grade II listed. As such, KC Conservation and Design were informally consulted on the proposed scheme. Whilst officers raised no concerns regarding the illuminated signage and cooking ventilation/extract, concerns were raised in relation to the roller shutters proposed within the recessed areas of Elevation A. A request was made to alter the roller shutters to metal gates to reduce the visual harm to the shop front. Revised plans were submitted showing recessed black security grilles which were considered acceptable and more sympathetic with regard to visual amenity. Given the alterations made, it is considered that the proposal would not result in any detrimental harm to the significance of the setting of the Conservation Area and the listed buildings and would be visually acceptable with regard to their materials, siting and design.

It should be noted that whilst a request was also made for the agent to update the proposed elevational plan to accord with the above amendment, for the avoidance of doubt, no amended plan was forthcoming. On this basis, plan ref A-HYP-ZZ-00-D-A-200 T2 will still be included within the plans and specifications table, but with the note 'excluding the roller shutters'.

Therefore, it is considered that the proposed development would not cause any detrimental harm to the significance of the Listed Building and would comply with Policy LP35 of the Kirklees Local Plan, Chapter 16 of the NPPF and the requirements of Section 66 the Town & Country Planning (Listed Buildings & Conservation Areas) Act 1990. Therefore, it is considered that the proposed development would not cause any detrimental harm to the significance of the Listed Building and would comply with Policy LP35 of the Kirklees Local Plan, Chapter 16 of the NPPF and The requirements of Section 66 the Town & Country Planning (Listed Buildings & Conservation Areas) Act 1990.

<u>Conclusion</u>

The National Planning Policy Framework has introduced a presumption in favour of sustainable development. The policies set out in the National Planning Policy Framework 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. Given that the proposal

would have a low level impact upon the significance and character of the listed building, it is therefore recommended for approval.

**Recommendation: GRANT CONSENT**

**Decision Authorisation - Delegated Powers**
**Application Number:** 2025/92452
**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 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 and 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.

**Plans and specifications schedule: -**

| Plan Type | Reference | Revision | Date Received |
|---|---|---|---|
| Location Plan | TQRQM25251103001518 | - | 08/09/2025 |

| Plan Type | Reference | Revision | Date Received |
|---|---|---|---|
| Block Plan | 9641-022 | PL0 | 08/09/2025 |
| Existing Survey/Demo Plan | A-HYP-ZZ-00-D-A-020 | T1 | 08/09/2025 |
| Existing Elevations | A-HYP-ZZ-00-D-A-021 | T2 | 08/09/2025 |
| Proposed GA Floor Plans | A-HYP-ZZ-00-D-A-110 | T1 | 08/09/2025 |
| Proposed Elevations (excluding the roller shutters) | A-HYP-ZZ-00-D-A-200 | T2 | 08/09/2025 |
| Proposed Roller Shutter Detail | A-HYP-ZZ-00-D-A-203 | T5 | 19/11/2025 |
| Signage Detail | A-HYP-ZZ-00-D-A-502 | T2 | 08/09/2025 |
| Blade Signage Detail | A-HYP-ZZ-00-D-A-505 | T2 | 08/09/2025 |
| Heritage Statement | - | P1 | 08/09/2025 |

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 2024 and otherwise actively engaged with the applicant in dealing with the application. The Case Officer undertook negotiations with the agent to secure amended plans. The revised drawings received addressed officer concerns with regard to visual amenity.

**Report Dated: 11/12/2025**